

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.c.1 to permit a lot width of 50 ft. instead of the required 55 ft.

Of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Lot was originally purchased with the intention of building a home for my daughter.
2. It would prove to be very costly and an additional hardship to buy another lot in the area on which to build.
3. My XXXXX wife is in her sixties and she is becoming more and more dependent on help from her daughter. XXXXX Therefore it is most desirable to build her home close by.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) William E. Foulke
Signature _____ Signature _____
Address _____ (Type or Print Name) _____
City and State _____ Signature _____
Attorney for Petitioner: _____ 3111 Roger Road 388-1311
(Type or Print Name) Address Phone No.
Baltimore, Maryland 21219
Signature _____ City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State _____ Name _____
Attorney's Telephone No.: _____ Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of July, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation in Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of August, 1985, at 10:15 o'clock.

Calvin Jablon
Zoning Commissioner of Baltimore County.
(over)

Case No. 86-60-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 3rd day of July, 1985.

Petitioner William E. Foulke Received by *Nicholas B. Commodari*
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. William E. Foulke
3111 Roger Road
Baltimore, Maryland 21219

RE: Item No. 374 - Case No. 86-60-A
Petitioner - William E. Foulke
Variance Petition

Dear Mr. Foulke:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #374 (1984-1985)
Property Owner: William E. Foulke
SE/S Roger Road, 350' N/E from
c/1 North Pt. Road
District 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

GENERAL COMMENTS:

This site is located in a critical area. This is to advise that in the course of the building operation on this lot, any regrading of the lot shall be accomplished in such a manner as not to create a storm drain problem on your lot or on adjacent properties. Correction of any problems which may result due to improper grading shall be the Petitioner's full responsibility.

In accordance with Bill No. 56-82, dredging, filling or construction in any wetland is prohibited.

Very truly yours,
James A. Marble, P.E.
Bureau of Public Services

JAM:PMO:blp

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner Date: July 17, 1985
FROM: Norman E. Gerber, Director
Office of Planning & Zoning
SUBJECT: Critical Area Evaluation
Oakdale, Inc. (86-44-Spha-Item 356),
Edward J. Bielanski, et ux (86-50-A Item 366),
and W. E. Foulke (86-60-A, Item 374)

These petitions have been reviewed for Critical Area consistency.

In regard to Oakdale, Inc., it is recommended that the single downspout which drains the entire roof area be directed or discharged to a different location so that maximum infiltration be encouraged. The best location for release would be the middle of the yard on the same side of the building as the downspout is located. This site has a number of newly planted trees including large deciduous trees. Therefore, no additional trees should be required.

In regard to the case of E. J. Bielanski et ux, it has been determined that because of the small lot size and front setback, runoff reduction is not practical. Therefore, this project is deemed to be consistent with Critical Area requirements without mitigative water quality practices. Since the site is already covered with trees, additional plantings are not recommended.

With respect to the petition of W. E. Foulke, it is recommended that to satisfy the requirements of the Critical Area Program, the number of trees be planted based on an impervious area of 1800 square feet or 9 evergreen trees, or 18 minor or 3 major deciduous trees. In addition, the site based on the Baltimore County Soil Survey contains a sandy or pervious soil. It is, therefore, recommended that all downspouts be constructed to maximize infiltration by a combination of discharge into tile fields or other form of underground system, and spreading the flow over land.

Norman E. Gerber
Director of Planning and Zoning

NEG:PJS:eds

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JULY 12, 1985

Re: Zoning Advisory Meeting of June 18, 1985
Item # 374
Property Owner: WILLIAM E. FOULKE
Location: SE/S ROGER ROAD 350' N/E
FROM c/1 NORTH POINT RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Variance: Must comply with Baltimore County Landscaping Manual.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

☒ Additional comments:
THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIV.

cc: James Hoswell Eugene A. Roher
Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

June 26, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

ZAC-Meeting of June 18, 1985

Item No. 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cmm

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REMCKE
CHIEF

July 1, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: William E. Foulke

Location: SE/S Roger Road 350' N/E from c/1 North Point Road
Item No.: 374 Zoning Agenda: Meeting of June 18, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *Ray W. Kemmer*
Noted and Approved: Fire Prevention Bureau
Special Inspection Division

/mb

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unnecessary hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of August, 1985, that the Petition for Zoning Variance to permit a lot width of 50 feet instead of the required 55 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The subject property is within the Chesapeake Bay Critical Area Program, and therefore, based on an impervious area of 1,300 square feet, the Petitioner shall plant 9 evergreen trees or 18 minor or 3 major deciduous trees.
- All downspouts are to be constructed to maximize infiltration by a combination of discharge into tile fields or some other form of underground system and spreading the flow over land.
- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. William E. Foulke

People's Counsel

ORDER RECEIVED FOR FILING

DATE August 8, 1985

BY *[Signature]*
ADMINISTRATIVE ASSISTANT



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 8, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 374 Zoning Advisory Committee Meeting are as follows:

Property Owner: William E. Foulke
Location: SE/S Roger Road 350' N/E from c/1 North Point Road
District: 15th.

APPLICABLE IT-26 ARE CIRCLED:

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.R.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- A building and other miscellaneous permits shall be required before the start of any construction.
- Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.
- Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- All Use Groups except 3-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. But Use Groups require a one hour wall of closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1006.2 and Table 1001. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
- When filing for a required Change of Use/occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Group are from Use to Use, or to Mixed Use. See Section 312 of the Building Code.

- NOTE: 1. The proposed project appears to be located in a Flood Plain, Flood/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the actual elevation above sea level for the lot and the finished floor levels including basement.
2. Comments: Show elevation above sea level on plans.
3. Three abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and not intended to be construed as the full extent of any permit. If detailed the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.
- [Signature]*
C. E. Foulke, Chief
Building Permit Review

1/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: July 22, 1985

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-60-A

Please consider the Critical Area Evaluation (see memorandum to Arnold Jablon from Norman E. Gerber dated July 17, 1985) to be the comments of this office.

[Signature]
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Aug. 7, 85 ACCOUNT: 01-615

AMOUNT: \$ 54.60

RECEIVED FROM: Wm. Foulke

FOR: Advertising & Posting Case # 86-60-A

5 8033 *****5460 60/6F

VALIDATION ON SIGNATURE OF CASHIER

ZONING DESCRIPTION

Beginning for the same on the southeast side of Roger Road, (40 feet wide), at a point distant 350 feet, northeasterly from its intersection with the northeast side of North Point Road, (50 feet wide), Being Lots 11 and 12, Block 1, in the subdivision of Lynch Point. Book No. 8 Folio 38. Also known as 3109 Roger Road in the 15th Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 18, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 18, 1985.

86-60-A

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising

22

CERTIFICATE OF PUBLICATION

86-60-A
OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

July 18, 1985

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Petition for Variance, O. #67166 - Reg. #673225, was inserted in The Dundalk Eagle, a weekly newspaper published in Baltimore County, Maryland, once a week for one extra week before the 19th day of July 1985; that is to say, the same was inserted in the issues of July 18, 1985.

Kimbel Publication, Inc.

per Publisher.

[Signature]
By K.C. Delle

JUN 27 1985

PETITION FOR VARIANCE

15th Election District

LOCATION: Southeast side of Roger Road, 350' Northeast of North Point Road (3109 Roger Road)

DATE AND TIME: Wednesday, August 7, 1985 at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from Section 1902.3.C.1 to permit a lot width of 50 ft. instead of the required 55 ft.

Being the property of William E. Foulke as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE
SE/S of Roger Rd., 350'
NE of North Point Rd.
(3109 Roger Rd.),
15th District

OF BALTIMORE COUNTY

WILLIAM E. FOULKE, Petitioner : Case No. 86-60-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 12th day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. William E. Foulke, 3111 Roger Rd., Baltimore, MD 21219, Petitioner.

[Signature]
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

August 1, 1985

William E. Foulke
3111 Roger Road
Baltimore, Maryland 21219

RE: Petition for Variance
SE/S of Roger Road, 350' NE of
North Pt. Rd. (3109 Roger Road)
15th Election District
William E. Foulke - Petitioner
Case No. 86-60-A

Dear Mr. Foulke,

This is to advise you that \$ 54.60 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

July 5, 1985

RE: PETITION FOR VARIANCE
SE/S of Roger Road, 350' NE of
North Pt.Rd. (3109 Roger Road)
William E. Foulke - Petitioner
Case No. 86-60-A
15th Election District

TIME: 10:15 a.m.

DATE: Wednesday, August 7, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

No. 007277

DATE 6/7/85 ACCOUNT 01-615-000

AMOUNT \$ 35.00

RECEIVED FROM: William Foulke

FOR: Vincent # 374

B 0016*****350012 2075F

VALIDATION OR SIGNATURE OF CASHIER

86-60-A

District 15 Zh

Date of Posting 7/18/85

Posted for: Variance

Petitioner: William F. Foulke

Location of property: SE 1/4, Ruggs Rd., 350' NE of N. Birt Rd.
3109 Ruggs Rd.

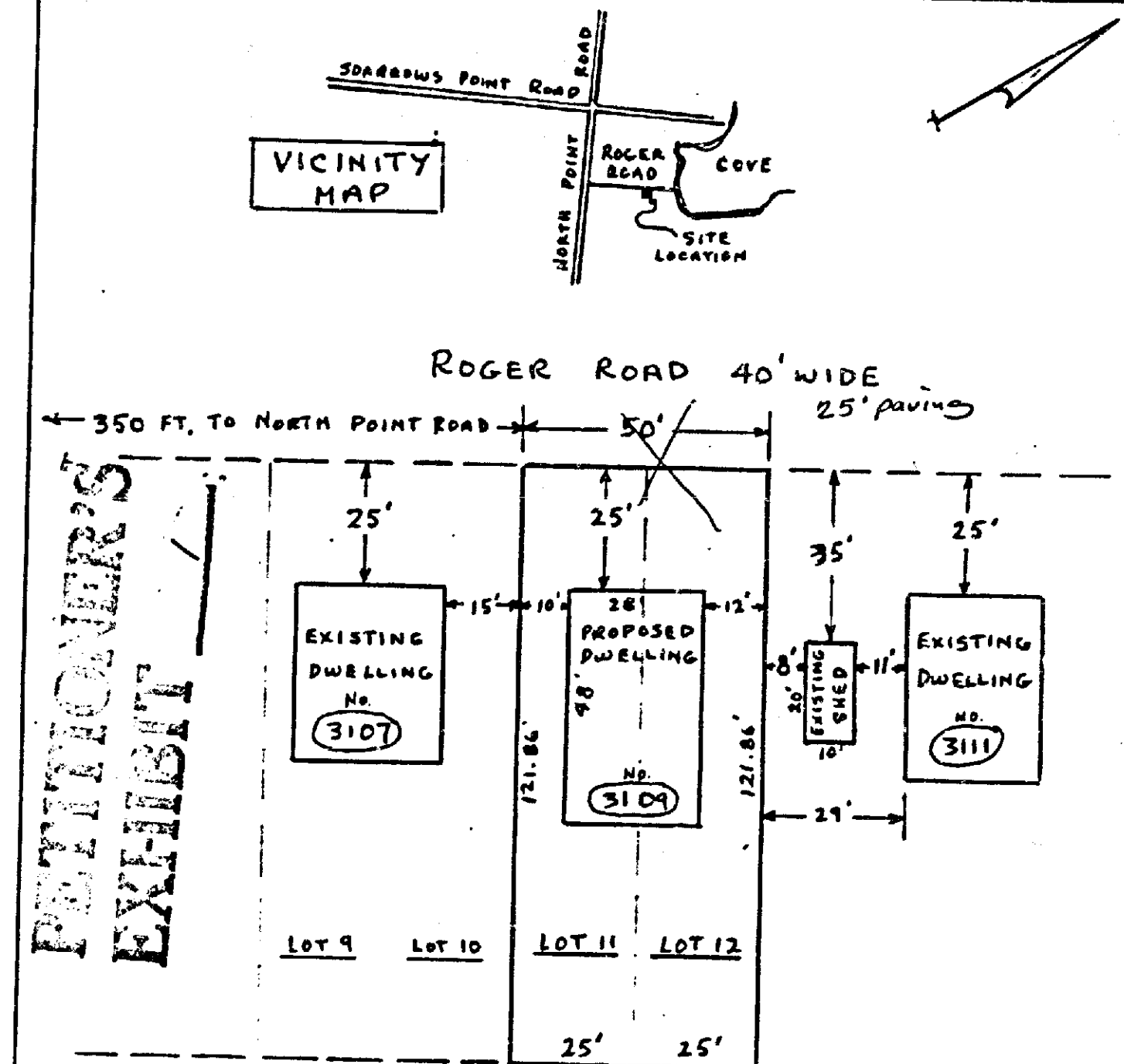
Location of Signs: Trina Roger Rd, approx 6' from road way on
property of Petitioner

Remarks:

Posted by M. J. Healy
Signature

Date of return: 7/18/88

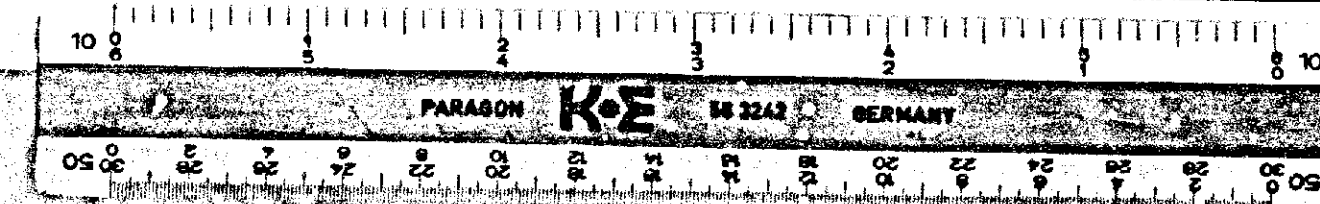
Number of Signs:



LOTS 11+12, BLOCK I. BOOK No. 8, FOLIO 38
EXISTING UTILITIES IN ROGER ROAD

SCALE : 1" = 30 FEET

WAP: SE 61
4A
COLLECTION
DISTRICT: 15
D TO: 11/27/8
TYPE
INSTRUMENT: A
BY CR
SINAL
BY CR



PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.c.1 to permit a lot width of 50 ft. instead of the required 55 ft.

Of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Lot was originally purchased with the intention of building a home for my daughter.
2. It would prove to be very costly and an additional hardship to buy another lot in the area on which to build.
3. My XXXXX wife is in her sixties and she is becoming more and more dependent on help from her daughter. XXXXX Therefore it is most desirable to build her home close by.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) William E. Foulke
Signature _____ Signature _____
Address _____ (Type or Print Name) _____
City and State _____ Signature _____
Attorney for Petitioner: _____ 3111 Roger Road 388-1311
(Type or Print Name) Address Phone No.
Baltimore, Maryland 21219
Signature _____ City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State _____ Name _____
Attorney's Telephone No.: _____ Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation in Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1985, at _____ o'clock.

[Signature]
Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this _____ day of _____, 1985.

Petitioner William E. Foulke Received by *[Signature]*
Attorney _____ Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. William E. Foulke
3111 Roger Road
Baltimore, Maryland 21219

RE: Item No. 374 - Case No. 86-60-A
Petitioner - William E. Foulke
Variance Petition

Dear Mr. Foulke:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #374 (1984-1985)
Property Owner: William E. Foulke
SE/S Roger Road, 350' N/E from
c/1 North Pt. Road
District 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

GENERAL COMMENTS:

This site is located in a critical area. This is to advise that in the course of the building operation on this lot, any regrading of the lot shall be accomplished in such a manner as not to create a storm drain problem on your lot or on adjacent properties. Correction of any problems which may result due to improper grading shall be the Petitioner's full responsibility.

In accordance with Bill No. 56-82, dredging, filling or construction in any wetland is prohibited.

Very truly yours,
[Signature]
JAMES A. MARBLE, P.E., Chief
Bureau of Public Services

JAM:PMO:blp

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: July 17, 1985
FROM: Norman E. Gerber, Director, Office of Planning & Zoning
SUBJECT: Critical Area Evaluation
Oakdale, Inc. (86-44-Spha-Item 356),
Edward J. Bielanski, et ux (86-50-A, Item 366),
and W. E. Foulke (86-60-A, Item 374)

These petitions have been reviewed for Critical Area consistency.

In regard to Oakdale, Inc., it is recommended that the single downspout which drains the entire roof area be directed or discharged to a different location so that maximum infiltration be encouraged. The best location for release would be the middle of the yard on the same side of the building as the downspout is located. This site has a number of newly planted trees including large deciduous trees. Therefore, no additional trees should be required.

In regard to the case of E. J. Bielanski et ux, it has been determined that because of the small lot size and front setback, runoff reduction is not practical. Therefore, this project is deemed to be consistent with Critical Area requirements without mitigative water quality practices. Since the site is already covered with trees, additional plantings are not recommended.

With respect to the petition of W. E. Foulke, it is recommended that to satisfy the requirements of the Critical Area Program, the number of trees be planted based on an impervious area of 1800 square feet or 9 evergreen trees, or 18 minor or 3 major deciduous trees. In addition, the site based on the Baltimore County Soil Survey contains a sandy or pervious soil. It is, therefore, recommended that all downspouts be constructed to maximize infiltration by a combination of discharge into tile fields or other form of underground system, and spreading the flow over land.

[Signature]
Norman E. Gerber
Director of Planning and Zoning

NEG:PJS:eds

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of June 18, 1985
Item # 374, WILLIAM E. FOULKE
Location: SE/S ROGER ROAD 350' N/E
FROM c/1 NORTH POINT RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Variance: Must comply with Baltimore County Landscaping Manual.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

☒ Additional comments:
THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIV.

cc: James Hoswell Eugene A. Roher
Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

June 26, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

ZAC-Meeting of June 18, 1985

Item No. 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.
Property Owner: _____
Location: _____
Existing Zoning: _____
Proposed Zoning: _____

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.

[Signature]
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cmm

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REMCKE
CHIEF

July 1, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: William E. Foulke

Location: SE/S Roger Road 350' N/E from c/1 North Point Road
Item No.: 374 Zoning Agenda: Meeting of June 18, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unnecessary hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of August, 1985, that the Petition for Zoning Variance to permit a lot width of 50 feet instead of the required 55 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The subject property is within the Chesapeake Bay Critical Area Program, and therefore, based on an impervious area of 1,300 square feet, the Petitioner shall plant 9 evergreen trees or 18 minor or 3 major deciduous trees.
- All downspouts are to be constructed to maximize infiltration by a combination of discharge into tile fields or some other form of underground system and spreading the flow over land.
- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. William E. Foulke

People's Counsel

ORDER RECEIVED FOR FILING

DATE August 8, 1985

BY *[Signature]*
ADMINISTRATIVE ASSISTANT



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 8, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 374 Zoning Advisory Committee Meeting are as follows:

Property Owner: William E. Foulke
Location: SE/S Roger Road 350' N/E from c/1 North Point Road
District: 15th.

APPLICABLE IT-46 ARE CIRCLED:

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.R.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- A building and other miscellaneous permits shall be required before the start of any construction.
- Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.
- Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- All Use Groups except 3-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. But Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1006.1 and Table 1001. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
- When filing for a required Change of Use/occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Group are from Use to Use, or to Mixed Use. See Section 312 of the Building Code.

- NOTE: 1. The proposed project appears to be located in a Flood Plain, Flood/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the actual elevation above sea level for the lot and the finished floor levels including basement.
2. Comments: Show elevation above sea level on plans.
3. Three abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and not intended to be construed as the full extent of any permit. If detailed the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.
- [Signature]*
C. H. Foulke, Chief
Building Permit Review

1/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: July 22, 1985

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-60-A

Please consider the Critical Area Evaluation (see memorandum to Arnold Jablon from Norman E. Gerber dated July 17, 1985) to be the comments of this office.

[Signature]
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Aug. 7, 85 ACCOUNT: 01-615

AMOUNT: \$ 54.60

RECEIVED FROM: Wm. Foulke

FOR: Advertising & Posting Case # 86-60-A

5 8033 *****5460 60/6F

VALIDATION ON SIGNATURE OF CASHIER

ZONING DESCRIPTION

Beginning for the same on the southeast side of Roger Road, (40 feet wide), at a point distant 350 feet, northeasterly from its intersection with the northeast side of North Point Road, (50 feet wide), Being Lots 11 and 12, Block 1, in the subdivision of Lynch Point. Book No. 8 Folio 38. Also known as 3109 Roger Road in the 15th Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 18, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 18, 1985.

86-60-A

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising

22

CERTIFICATE OF PUBLICATION

86-60-A
OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

July 18, 1985

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Petition for Variance, O. #67166 - Reg. #673225, was inserted in The Dundalk Eagle, a weekly newspaper published in Baltimore County, Maryland, once a week for one extra week before the 19th day of July 1985; that is to say, the same was inserted in the issues of July 18, 1985.

Kimbel Publication, Inc.

per Publisher.

[Signature]
By K.C. Delle

JUN 27 1985

PETITION FOR VARIANCE

15th Election District

LOCATION: Southeast side of Roger Road, 350' Northeast of North Point Road (3109 Roger Road)

DATE AND TIME: Wednesday, August 7, 1985 at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from Section 1902.3.C.1 to permit a lot width of 50 ft. instead of the required 55 ft.

Being the property of William E. Foulke as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE
SE/S of Roger Rd., 350'
NE of North Point Rd.
(3109 Roger Rd.),
15th District

OF BALTIMORE COUNTY

WILLIAM E. FOULKE, Petitioner : Case No. 86-60-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 12th day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. William E. Foulke, 3111 Roger Rd., Baltimore, MD 21219, Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

August 1, 1985

William E. Foulke
3111 Roger Road
Baltimore, Maryland 21219

RE: Petition for Variance
SE/S of Roger Road, 350' NE of
North Pt. Rd. (3109 Roger Road)
15th Election District
William E. Foulke - Petitioner
Case No. 86-60-A

Dear Mr. Foulke,

This is to advise you that \$ 54.60 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

William E. Foulke
3111 Roger Road
Baltimore, Maryland 21219

July 5, 1985

NOTICE OF HEARING

RE: PETITION FOR VARIANCE
SE/S of Roger Road, 350' NE of
North Pt. Rd. (3109 Roger Road)
William E. Foulke - Petitioner
Case No. 86-60-A
15th Election District

TIME: 10:15 a.m.

DATE: Wednesday, August 7, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 007277

DATE: 6/7/85 ACCOUNT: 01-115-000

AMOUNT: \$ 35.00

RECEIVED FROM: William Foulke

FOR: Variance # 374

B 8016*****350012 8072F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

86-60-A

District: 15TH

Date of Posting: 7/18/85

Posted for: Variance

Petitioner: William E. Foulke

Location of property: SE/S Roger Rd, 350' NE of N. Point Rd.
3109 Roger Rd.

Location of Signs: Facing Roger Rd, Approx. 6' E. east way on
property of Petitioner.

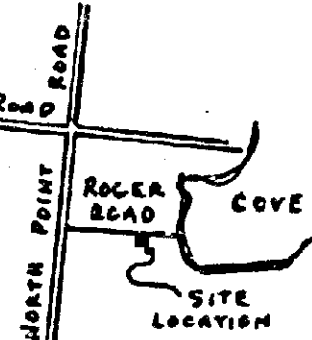
Remarks:

Posted by: [Signature]
Signature

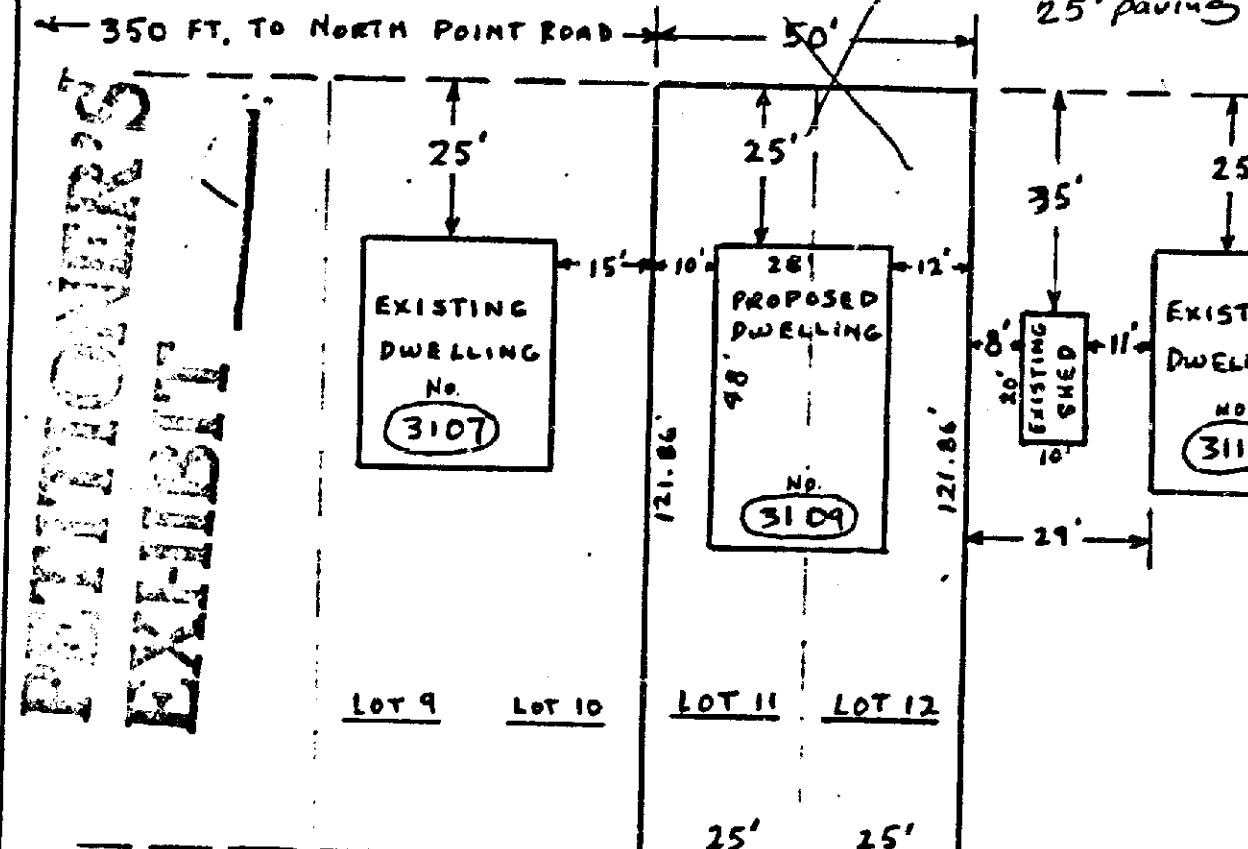
Date of return: 7/18/85

Number of Signs: 1

VICINITY MAP



ROGER ROAD 40' WIDE



PLAT FOR ZONING VARIANCE
OWNER - WILLIAM + FREIDA FOULKE
DISTRICT - 15, ZONED D.R. 5.5
SUBDIVISION - LYNCH POINT
LOTS 11+12, BLOCK I. BOOK NO. 8, FOLIO 38
EXISTING UTILITIES IN ROGER ROAD

SCALE: 1" = 30 FEET

MAP: SEGI
4A
ELECTION
DISTRICT: 15
DATE: 11/17/85
TYPE
MAP: A
BY: CR