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 238.2 to permit a side or rear yard setback of 7' in lieu of the required 30' and Section 409.2.b to permit 223 parking spaces in lieu of the required 238. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the ry & Co. 86 ction of cl tehead Ct. following reasons: (indicate hardship or practical difficulty) 1. Configuration of existing buildings and acreage; 2. Other practical hardships and unreasonable difficulties to be presented at the time of hearing. 0f 0f 1st 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 the petition, and further agree to and are to be bound by the zoning regulations and restrictions of  $N\omega ZF$  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/web are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Whiltehead Court Realty and co. (Type or Print Name) General Partner (Type or Print Name) City and State Attorney for Petitioner: Benjamin Bronstein 10 Parks Avenue, Cockeysville, MD 21030 City and State Swite 200/102 W. Pennsylvania Ave. Name, address and phone number of legal owner, con-Address Towson, MD 21204 tract purchaser or representative to be contacted Attorney's Telephone No.: \_\_\_828-4442 Phone No. ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_1st\_\_\_\_\_ day RECEIVED FOR 1 October 2, 1985 Bosine a. April County 20n the lst day of October 1985, at 1:00 o'clock ORDER DATE PETITION FOR VARIANCE lst Election District LOCATION: 400 ft. Southwest from the intersection of the centerline of Security Boulevard & Whitehead Court DATE AND TIME: Tuesday, October 1, 1985 at 1:00 p.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 Variances from Section 238.2 topermit a side or rear yard setback of 7 ft. in lieu of the required 30 ft. and Section 409.2.b to permit 223 parking spaces in lieu of the required 238.

Being the property of <u>Whitehead Court Realty and Co.</u> 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

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

Benjamin Bronstein, Esquire Suite 200, 102 W. Pennsylvania Ave. Towson, Maryland 21204

> RE: PETITION FOR VARIANCE 400' SW from the intersection of the c/l of Security Blvd. and Whitehead Court -1st Election District Whitehead Court Realty & Co.. Petitioners Case No. 86-135-A

Dear Mr. Bronstein:

I have this date passed my Order in the above captioned matter in accordance with the attached.

> FROM THE OFFICE OF GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC. ENGINEERS 303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

POINT of beginning being located southwesterly 400 feet + from the point

12) To the left a radius of 5,629.55 having an arc length of 98.25 feet +

of intersection of the centerlines of Security Boulevard and Whitehead Court

October 2, 1985

ery truly yours, JEAN M. H. JUNG Deputy Zoning Commissioner

May 30, 1985

JMHJ:bg Attachments-

The second of the second

cc: People's Counsel

Description To Accompany A Petition For

A Side Or Rear Yard Variance of 7' In Lieu

Of The Required 30' Per Section 238.2 And

thence in a clockwise rotation:

A Parking Variance To Permit 223 Spaces In

Lieu of 238 Spaces Required Per Section 409.2

1) South 33° 33' 01" East 367.78 feet +

2) South 56° 26' 59" West 30.0 feet +

3) South 33° 33' 01" East 10.0 feet +

4) South 56° 26' 59" West 145.0 feet +

5) North 33° 33' 01" West 10.0 feet +

6) South 56° 26' 59" West 21.21 feet +

7) North 82° 20' 46" West 37.58 feet +

8) North 83° 49' 25" West 360.16 feet +

9) North 57° 09' 04" West 99.59 feet +

10) North 21° 04' 18" East 257.63 feet +

11) North 61° 51° 18" East 208.61 feet +

Enclosing 4.4 acres of land more or less

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

and 13) South 82° 21' 34" East 66.63 feet +

and the late of the state of th

IN RE: PETITION FOR VARIANCE BEFORE THE 400' SW from the intersection of the c/l of Security Blvd. # DEPUTY ZONING COMMISSIONER and Whitehead Court -1st Election District OF BALTIMORE COUNTY Whitehead Court Realty & Co., \* Case No. 86-135-A

Petitioners #

The Petitioners herein request variances to permit a side or rear yard setback of 7 feet in lieu of the required 30 feet, and 223 parking spaces in lieu of the required 238.

\* \* \* \* \* \* \* \* \* \*

Testimony by and on behalf of the Petitioners indicated that the Hilltop Motel, consisting of four connecting buildings containing 104 motel rooms and a restaurant, has existed on the site for about 20 years. The present owners have been refurbishing and bringing the buildings up to code and now wish to add a four-story building containing 50 additional motel rooms in accordance with the site plan prepared by George W. Stephens, Jr., dated May 30, 1985, and marked Petitioner's Exhibit 1. The site is very steep and provides limited space in which to expand. The only meeting rooms provided are in the restaurant and in four motel rooms with sofa beds. The steep access would make it highly unlikely that patrons would park off-site. The Petiticners intend to comply with the Baltimore County Landscape Manual. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petition ; and the granting of the variances requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore day of October, 1985, that the herein Petition for Var-

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

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY DIFFICE OF PLANNING & ZONE

SP 11

WHITEHEAD COURT REALTY AND CO., Petitioner

RE: PETITION FOR VARIANCES

Whitehead Court

1st District

400' SW from the Inter-

of Security Blvd. &

section of the Centerline

Case No. 86-135-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.

> V-hyllin Cole Friedman Phyllis Cole Friedman People's Counsel for Baltimore County

Leter May Commen Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204

I HEREBY CERTIFY that on this 10th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Suite 200, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimen

DA

ARNOLD JABLON ZONING COMMISSIONER

September 26, 1985

iance to permit a side or rear yard setback of 7 feet in lieu of the required 30

feet, and 223 parking spaces in lieu of the required 238, in accordance with

Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this

of Baltimore County

Benjamin Bronstein, Esq. Suite 200, 102 Towson, Maryland 21204

RE: Petition for Variance 400' SW from the intersection of the centerline of Security Blvd. and Whitehead Court - 1st Elect. Dist. Whitehead Court Realty & Co., Petitioner Case No. 86-135-A

Dear Mr. Bronstein:

This is to advise you that \$56.75 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

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building,

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

No. 012507

DATE 17-1-75 ACCOUNT R-01-615-000 LD JABLON ing Commissioner PROMINED PLATE Som

26-135-A 8155 \*\*\* \*\* 557 dya 5028F VALIDATION OR SIGNATURE OF CASHIER

Peter Max Zimmerman

086-135-A LEGAL NOTICE CERTIFICATE OF PUBLICATION CELTIFICATE OF PUBLICATION PETITION FOR VARIANC Benjamin Bronstein, Esquire LOCATION: 400 ft. Southwest from the Inter-section of the centerline of Security Boule-verd & Whiteheed Court DATE AND TIME: Tweeday, October 1, 1985 at August 30, 1985 Suite 200, 102 W. Pennsylvania Ave. LOCATION: 400 ft. Southwes September 12 Towson, Maryland 21204 from the intersection of the center-line of Security Boulevard & White-BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE 1:00 p.m. PUBLIC HEARING: floom 108, County Office Building, 111 West C. Vespeake Avenue, Tow-son, Maryland Fikesville, Md., Sept. 11 19 R5 THIS IS TO CERTIFY, that the annexed advertisement was The Zoning Commitsioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

15 TO CENTIFY, that the annexed advertisment tober 1, 1985 at 1:00 p.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Terron,
Maryland of 1975, 61 September 18, 1985 blished in THE JEFFERSONIAN, a weekly newspaper printed Palition for Variances from Section 1382 to published in the NORTHWEST STAR, a weekly permit a side or rear yard set. sch e/f ft. in 160 of the required 30 ft. and Section 408.2.b to permit 223 parking spaces in lieu of the required 238.

Spacer Dublished in Pikesville. Baltimore NOTICE OF HEARING COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Benjamin Bronstein, Esquire and published in Towson, Baltimore County, Md., appearing on Suite 200, 102 W. Pennsylvania Avenue RE: PETITION FOR VARIANCE more County, by sutherity of the Zon-ing Act and Regulations of Baltimore County, will hold a public bearing: Petition for Variances from Section 238.2 to permit a side or rear yard Towson, Maryland 21204 400' SW from the intersection of September 12 the centerline of Security Blvd. Being the property of Whitehead Court Realty and Co. as shown on the plat filed with the zoning Office.

1st day of Zoning Office. and Whitehead Court - 1st Elect. Dist. setback of 7 ft. in lieu of the required 30 ft. and Section 409.2.b to permit 223 parking spaces in lieu of the required RE: Item No. 18 - Case No. 86-135-A Whitehead Court Realty & Co., Petitioner In the event that this Perition 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. Petitioner - Whitehead Court Realty Case No. 86-135-A 238,

Being the property of Whitehead Court Realty and Co. as shown an the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be insued 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 mitting by the data of the headen as THE JEFFERSONIAN. and Company Variance Fetition 1:00 p.m. MEMBERS Dear Mr. Bronstein: \_\_\_\_cay of Sept. 18 Venetorli Bureau of Tuesday, October 1, 1985 Engineering BY ORDER OF ARNOLD JABLON SECOND Publication appearing on the ZONING COMMISSIONEE OF BALTIMORE COUNTY The Zoning Plans Advisory Committee has reviewed the plans sub-Department of Traffic Engineering PLACE: Room 106, County Office Building, 111 West Chesapeake mitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action State Roads Commission in writing by the date of the hearing as above or made at the hearing. requested, but to assure that all parties are made aware of plans or Avenue, Towson, Maryland Bureau of Fire Prevention By Order Of ARNOLD JABLON, Zoning Commissioner of Baltimore County 24.75 the third publication appearing on the 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 Health Department the Zoning Commissioner with recommendations as to the suitability of Project Planning the requested zoning. Building Department THE NORTHWEST STAR Enclosed are all comments submitted from the members of the Board of Education Committee at this time that offer or request information on your Zoning Administration petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not inform-Industrial ative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing Manager scheduled accordingly. \$22.00 Cost of Advertisement\_\_\_ BALTIMORE COUNTY, MARYLAND Very truly yours, OFFICE OF FINANCE - REVENUE DIVISION No. 008574 MISCELLANEOUS CASH RECEIPT James E. Deger, box CERTIFICATE OF POSTING ACCOUNT 01-615-000 Zoning Plans Advisory Committee ZONING DEPARTMENT OF BALTIMORE COUNTY JED:nr 86-135-A AMOUNT \$ 100,00 Enclosures Date of Posting Sept 13, 1985 cc: George William Stephens, Jr. Varionins # 18 & Associates, Inc. Petitioner: Whitehead Court Realty and Co.

Location of property: 400 'SW from the intersection of Centerline

of Securety Blod and Whitehead Court 303 Allegheny Avenue Towson, Maryland 21204 VALIDATION OR SIGNATURE OF CASHIER Location of Signs: Location sign West side of Whitehed Court big utility less sount - 1 sign approx 280 to rear of Location sign Remarks:

Posted by Signature

Date of return: Apt 20 - 55 BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES BALTIMORE COUNTY
DEPARTMENT OF PERMITS G L
TOWSON, MARYLAND 21204
494-3610 BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500 August 21, 1985 BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 TED ZALESKI, JR. PAUL H. REINCKE CHIEF August 6, 1985 STEPHEN E. COLLINS DIRECTOR BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211 Mr. Arnold Jablon Zoning Commissioner Mr. Armold Jablon, Zoning Commissioner Office of Planning and Zoning Towson, Earyland 21204 Office of Planning and Zoning August 26, 1985 Baltimore County Office Building NORMAN E. GERBER Towson, Maryland 21204 Dear Mr. Jablons Comments on Item # 18 Zoning Advisory Committee Meeting are as follows: Mr. Arnold Jablon Attention: Nick Commodari, Chairman Zoning Commissioner Property Owner: Whitehead Court Realty and Company Zoning Plans Advisory Committee 400' SW from the intersection of the c/l of Security Blvd. & White-County Office Building Towson, Maryland 21204 Districts RE: Property Owner: Whitehead Court Realty and Company SEPTEMBER9, 1985 Mr. Arnold Jablon APPLICABLE ITEMS ARE CIRCLED: Zoning Commissioner -ZAC- Meeting of July 23, 1985 Item No. 18 Location: 400' SW from the intersection of the centerline of Security Blvd. County Office Building Towson, Maryland 21204 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.H.S.I. #117-1 - 1980) and other applicable Codes and Standards. Whitehead Court Realty and Company Re: Zoning Advisory Meeting of JULY 23, 1985

Item # 18
Property Owner: WHITEHEDO COURT REALTY+Co. Property Owner: Zoning Agenda: Meeting of 7/23/85 400' SW from the intersection of the centerline Item No.: 18 Location: of B.R. & B.R. - I.M. Security Boulevard & A building and other miscellaneous permits shall be required before the start of any construction. Existing Zoning: Location: 400'SW FROM THE INTERSECTION OF Whitehead Rod. Variance to permit a side Proposed Zoning: Gentlemen: or rear yard setback of 7' in lieu of the . Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data. THE & OF SECURITY BLUD . WHITEHEND Pursuant to your request, the referenced property has been surveyed by this required 30' and to permit 223 parking spaces in lieu of the required 238 Bureau and the comments below marked with an "X" are applicable and required The Division of Current Planning and Development has reviewed the subject Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Arch tect or Engineer shall be required to file with a parmit application. Reproduced seals are not acceptable. to be corrected or incorporated into the final plans for the property. petition and offers the following comments. The items checked below are All Tse Groups except R-4 Single Family Detached Levellings require a minimum of 1 hour fire rating for exter/or walls closer than 6'-0 to an interior lot line. R-4 Use Groupe 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 1407, Section 1406.2 and Table 1402. To openings are permitted in an exterior wall within 3'-0 of an interior lot line. See also Section 1444.0 for opening protectives required. (x) 1. Fire hydrants for the referenced property are required and shall be Acres: (X)There are no site planning factors requiring comment. located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the ( )A County Review Group Meeting is required.

( A County Review Group Meeting is required.

( A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.

( )This sitz is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.

( )A record plat will be required and must be recorded prior District: Department of Public Works. Fire flow test shall be conducted by Balto. City Water Dept. to determine adequate fire flow for hydrants and sprinkler system. Dear Mr. Jablon: F. The structure does not appear to comply with Table 505 for permissable 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 401 and 505 and have your Architect/Engineer contact this department. ( ) 2. A second means of vehicle access is required for the site. to issuance of a building permit. )The access is not satisfactory. The area around this site is having parking problems at this ( ) 3. The vehicle dead end condition shown at The circulation on this site is not satisfactory. The parking arrangement is not satisfactory. S. The requested variance appears to conflict with Section(a) \_\_\_\_\_\_, of the Baltimore County Building Code, Parking calculations must be shown on the plan. time and any reduction in the parking requirement is not desirable. )This property contains soils which are defined as wetlands, and EXCEEDS the maximum allowed by the Fire Department. development on these soils is prohibited.
)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development H. When f'ling 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 Use Groups are from Use to Use . See Section 312 of the Building Code. ( x ) 4. The site shall be made to comply with all applicable parts of the Regulations.
)Development of this site may constitute a potential conflict with Fire Prevention Code prior to occupancy or beginning of operation. Fire lames shall be posted for entire site. the Baltimore County Master Plan. ( )The amended Development Plan was approved by the Planning Board Michael S. Flanigan (  $_{
m X}$ ) 5. The buildings and structures existing or proposed on the site shall I. The proposed project appears to be located in a Flood Plain, Tidal/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 correct elevations above sea level for the lot and the finish floor levels including basement. comply with all applicable requirements of the National Fire Protection On (X)Landscaping: Must comply with Baltimore County Landscape Manual. Engineer Associate II Association Standard No. 101 "Life Safety Code", 1976 edition prior 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 to occupancy. IMPORTANT NOTE TO As these buildings are all connected as one unit please indicate

BE RESOLVED: by fire walls - sprinklers, area increases or otherwise how the proposed )The property is located in a traffic area controlled by a "D" level ( ) 6. Site plans are approved, as drawn. and existing units will be able to comply with Article 4 and 5 of 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. the Building Code. ( ) 7. The Fire Prevention Bureau has no comments, at this time. E. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoming and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 %. Chesapeake Avenue, Towson, Haryland 21204. REVIEWER: At Acquainty September | Noted and Roy W. Kemmer |
Plaining Group | Fire Prevention Bureau |
Special Inspection Division )Additional comments: Marks & Sumhen BT: C. E. Burnhan, Chief Building Plans Review Eugene A. Bober Chief, Current Planning and Development

APR 1 4 1986

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## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

	cnold Jablon oning Commissioner	Date September 25, 1985
FROM	Norman E. Gerber, Director Office of Planning and Zoning	
SUBJEC	T Zoning Petition No. 86-135-A	

We share the concerns expressed by the Department of Traffic Engineering's representative to the Zoning Plans Advisory Committee.

Norman E. Gerber, Director Office of Planning and Zoning

NEG:JGH:slm

Case No. 86-135-4:

## 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 lated day of September, 1985.

ARNOLD JABLON Zoning Commissioner

Petitioner Whitehead Court Realty & Co. Received by:

Petitioner's Benjamin Erunstein, Esquire

Previous case: 83 10 775 PH

JAMES E. DYER, Chairman Zoning Flans Advisory Committee

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
- 0101101	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map						,			duit	Бу
Petition number added to outline										
Denied										<del></del>
Granted by ZC, BA, CC, CA										<del></del>
Reviewed by:					d Plan		r desc			

Map #



