

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/~~would~~:not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /~~should~~:not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19 day of February, 1987, that the Petition for Zoning Variances to permit a rear yard setback of 10 feet in lieu of the required 30 feet and a front yard setback of 12 feet in lieu of the required 25 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby ~~said~~ aware that proceeding at this time is at its 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.
2. Compliance with the Chesapeake Bay Critical Area comments submitted by the Director of Planning, dated February 4, 1987, attached hereto and made a part of this Order.

AJ:grl

Attachment

cc: Mr. & Mrs. Gary A. Foulke

People's Counsel

DO NOT REMOVE FROM FILE

10

Dr. - Spence & Co. 1897

203 87-341-A **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 1802.3C.1 to permit a rear yard setback of 10 feet in lieu of the required 30 feet and a front yard setback of 12 feet in lieu of the required 25 feet.

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 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.

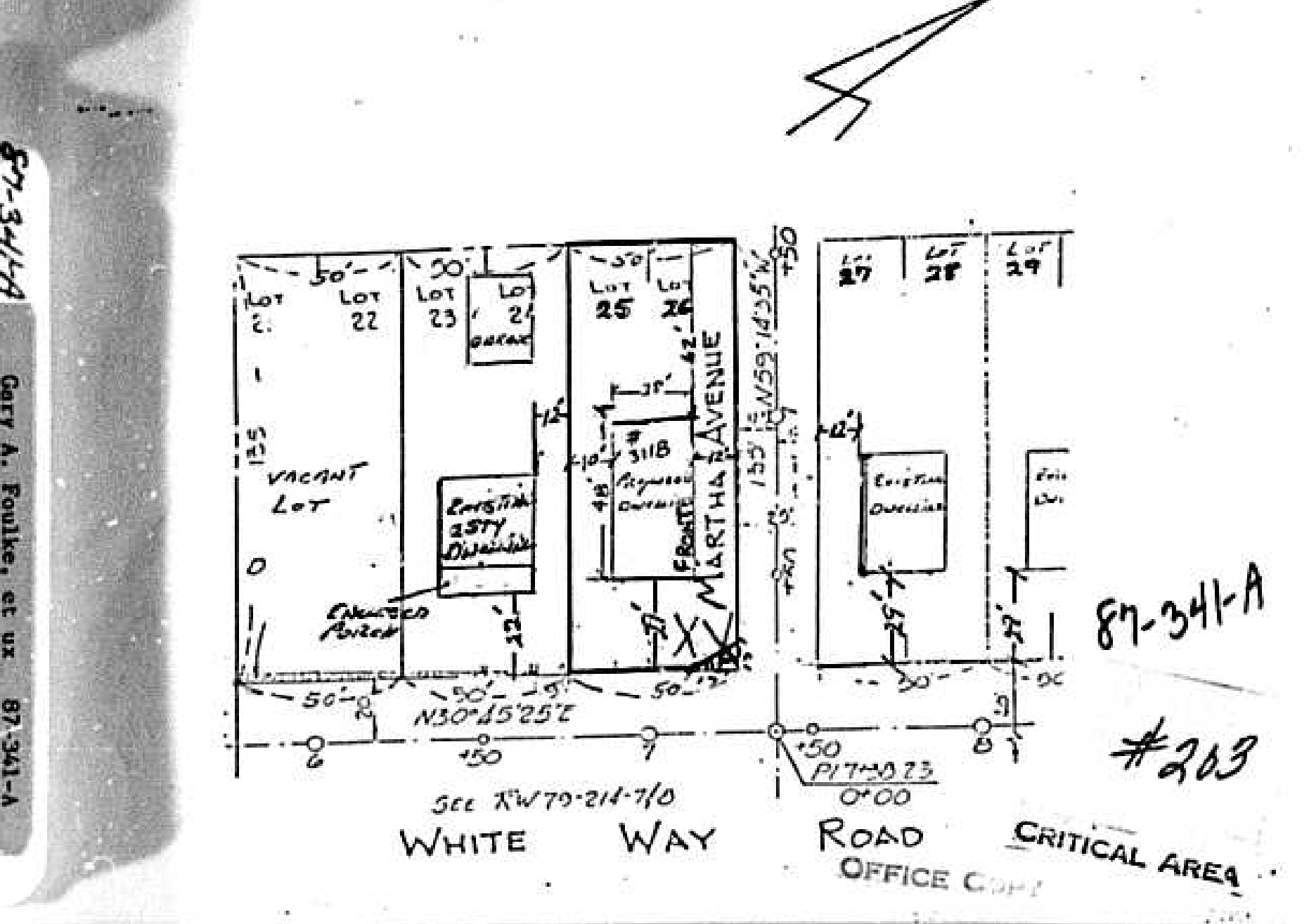
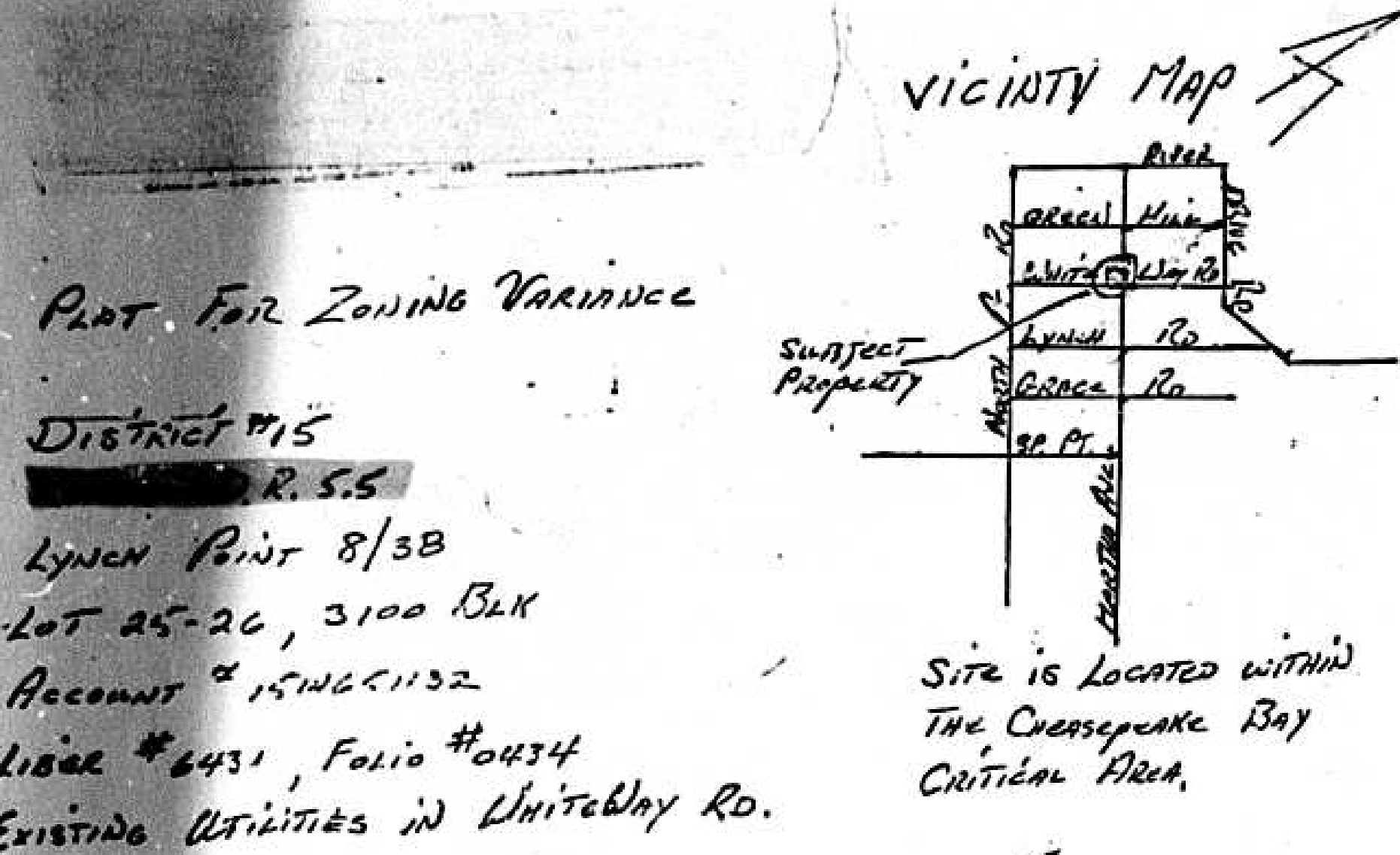
Contract Purchaser: (Type or Print Name) _____
Signature _____
Address _____
City and State _____

Legal Owner(s): (Type or Print Name) GARY A. FOULKE
Signature GARY A. FOULKE
(Type or Print Name) DONNA M. FOULKE
Signature DONNA M. FOULKE
Address 3119 RIVER DRIVE RD. #77-1165
City and State BALTO. MD. 21219
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
City and State _____

Attorney for Petitioner: (Type or Print Name) _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
City and State _____
Attorney's Telephone No.: _____
Address _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of January, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of February, 1987, at 2:00 o'clock P.M.

ESTIMATED LENGTH OF HEARING 1/2 HR. + 1 HR. (over)
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS
ALL ANY DAY OTHER
REVIEWED BY: CKP DATE



Mr. Gary A. Foulke
Mrs. Donna M. Foulke
3119 River Drive Road
Baltimore, Maryland 21219

January 9, 1987

NOTICE OF HEARING
RE: PETITION FOR ZONING VARIANCES
NW/S White Way Rd. and the SW/S Martha Ave.
(3118 White Way Rd.)
15th Election District
Gary A. Foulke, et ux - Petitioners
Case No. 87-341-A

TIME: 2:00 p.m.
DATE: Wednesday, February 18, 1987

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

Zoning Commissioner of Baltimore County

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

No. 025704

DATE 11/18/86 ACCOUNT 01-613

AMOUNT \$ 35.00

RECEIVED FROM GARY FOULKE

FOR FILING FEE FOR VARIANCE HEAR 203

0000*****30003 0186F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 6, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition NO. 87-341-A

Please consider the Chesapeake Bay Critical Area Finding (see memo from Gerber to Jablon dated 2/4/87) to be the comment of this office.

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director

NEG:JGH:sib
FEB 9 1987
ZONING OFFICE

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 10, 1987

Mr. Gary A. Foulke
Mrs. Donna M. Foulke
3119 River Drive Road
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCES
NW/S White Way Rd. and the SW/S Martha Ave.
(3118 White Way Rd.)
15th Election District
Gary A. Foulke, et ux - Petitioners
Case No. 87-341-A

Dear Mr. and Mrs. Foulke:

This is to advise you that \$71.75 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to, Towson, Maryland

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

No. 33008

DATE 2/10/87 ACCOUNT R-01-613-000

SIGN & POST RETURNED AMOUNT \$ 71.75 CASH

RECEIVED FROM Mr. Gary A. Foulke

ADVERTISING & POSTING COSTS RE CASE #87-341-A

FOR 0 0100*****71751 0186F

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIAN : BEFORE THE ZONING COMMISSIONER
NW/S of White Way & SW/S of Martha Ave. (3118 White Way Rd.) OF BALTIMORE COUNTY
15th District
GARY A. FOULKE, et ux, Case No. 87-341-A
Petitioners

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.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Gary A. Foulke, 3119 River Drive Road, Baltimore, MD 21219, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

ZONING DESCRIPTION

Beginning at the corner formed by the NW/S of White Way Rd. and the SW/S of Martha Ave. Being lots 25 and 26, Block C, as shown on the plat of Lynch point, which is recorded in the land records of Baltimore County in WPC No. 8, Folio 38 known as 3118 White Way Road in the 15 Election district, Containing Approximately 6750 Sq. Ft.

PETITION FOR ZONING VARIANCES
15th Election District
Case No. 87-341-A

LOCATION: Northwest Side of White Way Road and the Southwest Side of Martha Avenue (3118 White Way Road)

DATE AND TIME: Wednesday, February 18, 1987, at 2:00 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 Zoning Variances to permit a rear yard setback of 10 feet in lieu of the required 30 feet and a front yard setback of 12 feet in lieu of the required 25 feet

Being the property of Gary A. Foulke, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

OFFICE COPY

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 January, 1987.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Gary A. Foulke, et al
Petitioner's Attorney

Received by: James E. Dyer

Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 29, 1987

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
January 29, 1987.

THE JEFFERSONIAN,

Publisher

Cost of Advertising
24.75

LOCATION: Northwest Side of
White Way Road and the Southwest
Side of Martha Avenue (111 W.
Martha Avenue, Towson, Maryland)
DATE AND TIME: Wednesday, Feb-
ruary 18, 1987, at 2:00 p.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing for Zoning Variance to per-
mit a rear yard setback of 10 feet in
lieu of the required 12 feet and a front
yard setback of 12 feet in lieu of the required
15 feet.
Being the property of Gary A.
Foulke, et al, as shown on 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
1987 Jan. 29

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 January 29, 1987

THIS IS TO CERTIFY that the annexed advertisement of
Arnold Jablon in the matter of Zoning Variance - Case
87-341-A - P.O. #84987 - Reg. #L98292 - 80 lines @
\$32.00,
was inserted in The Dundalk Eagle a weekly news-
paper published in Baltimore County, Maryland, once a week
for one successive weeks before the
30th day of January 1987; that is to say,
the same was inserted in the issues of Jan. 29, 1987

Kimbel Publication, Inc.
per Publisher.

By K.C. Oller

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1574 Date of Posting: 2/1/87
Posted to: Variance
Petitioner: Gary A. Foulke, et al
Location of property: NW/4 White Way Rd. & SW/4 Martha Ave.
5118 White Way Rd.
Location of Signs: Facing White Way Rd. across 20' Fr.
roadway, on property of petitioner
Remarks:
Posted by: [Signature] Date of return: 2/4/87
Number of Signs: 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

FEB 12 1987

TO: Mr. Arnold Jablon
Zoning Commissioner
FROM: Mr. Norman E. Gerber, AICP
DIRECTOR, Office of Planning & Zoning
SUBJECT: Chesapeake Bay Critical Area Finding
Gary A. Foulke, et al
(87-341-A)

This petition has been determined to be consistent with the
requirements of Chesapeake Bay Critical Area requirements provided
that a large deciduous tree or two conifer or minor deciduous trees
be planted and maintained on the lot.

To the degree possible all stormwater runoff from the impervious
surfaces of the site should be directed or spread over vegetated areas
to encourage maximum degree of infiltration.

Norman E. Gerber
Norman E. Gerber, AICP
Director
Office of Planning & Zoning

NEG/PS/jat

cc: Uri Avin
Tim Dugan
David Fields
Jim Hoswell
Andrea Van Arsdale
Tom Vidmar
People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 12, 1987

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

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. Gary A. Foulke
3119 River Drive Road
Baltimore, Maryland 21219

RE: Item No. 203 - Case No. 87-341-A
Petitioner: Gary A. Foulke, et al
Petition for Zoning Variance

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 suit-
ability 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,

James E. Dyer
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:kdb
Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

DECEMBER 16, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 203 Zoning Advisory Committee Meeting are as follows:

Property Owner: GARY A. FOULKE, ET UX (CRITICAL AREA)
Location: NW/4 WHITE WAY ROAD AND SW/4 MARTHA AVENUE
District: 15TH

APPLICABLE ITEMS ARE CIRCLED:

1. 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.M.S.C. #17-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. 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.
4. Commercial: Three sets of construction drawings needed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
5. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 1'-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 1107, Section 1106.2 and Table 1107. No openings are permitted in an exterior wall within 1'-0" of an interior lot line.
6. The structure does not appear to comply with Table 505 for permissible height/area. Apply 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.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. 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 Use Groups are from Use _____ to Use _____ or to Mixed Use. See Section 312 of the Building Code.
9. 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 finished floor levels including basement.
10. Comments: LOT ELEVATIONS OR PROPOSED FLOOR ELEVATIONS ABOVE TIDE ARE NOT ILLUSTRATED ON THE PLAN.
11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning 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 212 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Dyer, Chief
Building Plans Service

L/27786



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

JANUARY 27, 1987
(CRITICAL AREA)

Re: Zoning Advisory Meeting of December 2, 1986
Item # 203
Property Owner: GARY A. FOULKE, et al
Location: NW/4 WHITE WAY RD. &
SW/4 MARTHA AVE.

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.
- (X) A County Review Group Meeting is required.
- (X) 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.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- (X) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on _____.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) 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 _____.
- (X) 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 CHESAPEAKE BAY PLANNING DIVISION.

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell



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

PAUL H. REINCKE
CHIEF

December 18, 1986

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

RE: Property Owner: Gary A. Foulke, et ux (Critical Area)

Location: NW/4 White Way Road and SW/4 Martha Avenue

Item No.: 203

Zoning Agenda: Meeting of 12/2/86

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.

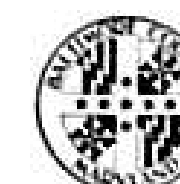
- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (X) 2. A second means of vehicle access is required for the site.
- (X) 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 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.
- (X) 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] 12-18-86
Planning Group
Special Inspection Division

Noted and Approved:

[Signature] Fire Prevention Bureau

/mb



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

STEPHEN E. COLLINS
DIRECTOR

January 8, 1987

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for
items number 202, 203, 204, 205, 206, 207, and 209.

Very truly yours,

Michael S. Flannan
Traffic Engineer Associate II

MSF:lt

2/8