

IN THE MATTER OF THE APPLICATION OF WILTON A. MARTIN, ET UX FOR A ZONING VARIANCE ON PROPERTY LOCATED ON THE SOUTH SIDE OF PLEASANT VALLEY DRIVE, 248' EAST OF CENTERLINE HICKORY SPRING CIRCLE (1111 PLEASANT VALLEY DRIVE) 1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

CASE NO. 89-112-A

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner granting the requested side yard variance with restrictions. The case was heard this day in its entirety.

The Petitioner requests a variance on the side yard from a 10-foot setback to a 5-foot setback for a structure referred to as a carport that is 14 feet wide and 32 feet long, as portrayed on Zoning Commissioner's Petitioner's Exhibits No. 1 and No. 2.

Appellants presented as their first witness Ms. Shirley Hickinbotham who resides at 6428 Clifton Forge Circle. She testified that she was the secretary of the local community association, and her interest in this case was to protect the covenants assigned to all properties. She testified that in September 1988 the requested variance plans were submitted to her association and her association rejected them as improper. She further testified that prior to the hearing held on October 15, 1988, an effort was made to settle this matter with no success. Her association by her testimony contacted a contractor who offered various alternatives to the structure that would accomplish the same purpose albeit at much greater cost as would be accomplished by the proposed carport. She further testified that to permit this variance could well establish precedence for other homes in the development.

Case No. 89-112-A  
Wilton A. Martin, et ux

2.

Appellants next presented Ms. Janet Haden, an area resident, who testified as a realtor employed by O'Connor, Piper & Flynn. She testified that she could see no hardship or practical difficulty that could be claimed in this case. She further testified that to permit this carport could reduce all the property values in the neighborhood by 5 percent. Upon cross-examination, she testified that some residences do in fact already have carports and garages. This concluded Appellants' case.

Appellees presented Mrs. Wilton A. Martin, owner and Petitioner. She testified at great length to the water problems that affect her basement. She further testified that her contacts with a contractor assured her that the proposed structure would cure these water problems. She noted that her proposed structure would not extend beyond the existing driveway. She further testified that the next-door neighbor on the side of the house where the proposed structure was to be erected is not in opposition to this proposal. (See Zoning Commissioner's Exhibit No. 5.) Upon cross-examination, Mrs. Martin testified that she was an original owner of this property, had resided there some 16 years, has been beset by the water problems for at least 10 years, that the dampness in the house has an adverse effect on her arthritis, and that the basement suffers from water every time there is a wet spell or significant rain.

Appellee then presented Melvin Schwartz, a contractor whose company was known as B & G Construction Company. It was his testimony that the structure as proposed would alleviate the water problems, would not be detrimental to the neighborhood, and would in fact add to the property's value rather than detract.

Case No. 89-112-A  
Wilton A. Martin, et ux

3.

For its last witness, Appellee presented Mr. Wilton Martin, the owner, who testified that 12 years ago he had installed a drain tile system to prevent the water from getting into the basement but that this system promptly failed to answer the problem. This basically concluded the testimony in this case.

In this Opinion, the Board will note that this Board does not have the power to impose or change covenants established by the Woodbridge Valley Improvement and Civic Association. The enforcement of covenants is a matter that must be decided by a court and not an administrative board. This Board must rule on the Petition for Variance strictly under the requirements of Section 307, Baltimore County Zoning Regulations (B.C.Z.R.). There is no evidence on the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. It is very difficult for this Board to accept the premise that the addition of a carport would diminish land values throughout an entire neighborhood. In actuality, in the real estate business, carports are considered an added value to a property. From the testimony and evidence received, the Board is of the opinion that to deny this variance would result in practical difficulty and unreasonable hardship upon the Petitioner. It should be noted that the Board's decision to grant the requested variance is not intended to affect or rule upon the legality of the restrictive covenants so noted and does not relieve the Petitioners from their responsibility to abide by those covenants.

ORDER

It is therefore this 3rd day of May, 1989 by the County Board of Appeals of Baltimore County ORDERED that the requested variance

Case No. 89-112-A  
Wilton A. Martin, et ux

For a side yard setback from the required 10 feet to the proposed 5 feet and the same is GRANTED with the following restrictions:

1. The proposed structure shall be constructed as shown on Zoning Commissioner's Petitioner's Exhibit No. 2;
2. The proposed structure as shown on Zoning Commissioner's Petitioner's Exhibits No. 1 and No. 2 shall be entirely open from the ground level to the roof line, and shall never be enclosed and/or converted to a second dwelling unit and/or apartment or any other use;
3. The proposed structure as shown on Zoning Commissioner's Petitioner's Exhibits No. 1 and No. 2 shall be constructed and be in complete conformity with the construction of the dwelling upon which it is to be attached; and
4. The water created by the roof area shall be directed by whatever method is necessary not to flow onto the neighboring property.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William T. Hackett, Chairman

John G. Disney

Harry F. Buchmeister, Jr.

IN RE: PETITION FOR ZONING VARIANCE 8/8 Pleasant Valley Drive, 248' E of c/l Hickory Springs Circle (1111 Pleasant Valley Drive) 1st Election District 1st Councilmanic District

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 89-112-A

Wilton A. Martin, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 5 feet in lieu of the required 10.65 feet and the sum of side yards of 15.8 feet in lieu of the required 21.5 feet for an open projection (carport) as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. Also appearing on behalf of the Petition was Melvin Schwartz of B & G Construction Company, Inc. Linda A. Mosberg and Shirley Hickinbotham appeared and testified as Protestants.

It should be noted that although the covenants established by the Woodbridge Valley Improvement and Civic Association require a side yard setback of no less than 10 feet, the Zoning Commissioner does not have the power to enforce or change such covenants. (See Section 400 of the B.C.Z.R.)

The Petitioners testified to the requirements of Section 307 and believe there is a practical difficulty and/or unreasonable hardship. They also claim the proposed carport will protect their home from water damage.

The Protestants are opposed to the variance because it violates the restrictive covenants upon the land. There was no evidence of any harm to the public health, safety, and general welfare. It should be

noted that the Petitioners' next door neighbor, James W. Kersey, has no objection to the requested variance. (See Petitioner's Exhibit 5.)

Based upon the testimony and evidence presented at the hearing, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

It should be noted that the decision to grant the instant variance is not intended to affect or rule upon the legality of the restrictive covenants of the Woodbridge Valley Improvement and Civic Association. This Order does not relieve the Petitioners from their responsibility to abide by those covenants.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of October, 1988 that the Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 10.65 feet and the sum of side yards of 15.8 feet in lieu of the required 21.5 feet for an open projection (carport) in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that processing at this time is at his own risk until such time as the

30-day 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) Petitioner shall not allow or cause the open projection to be enclosed and/or converted to a second dwelling unit and/or apartment.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING  
Date 10/10/88  
By [Signature]

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
434-3333

J. Robert Haines  
Zoning Commissioner

October 20, 1988

Mr. & Mrs. Wilton A. Martin  
1111 Pleasant Valley Drive  
Baltimore, Maryland 21208

RE: PETITION FOR ZONING VARIANCE 8/8 Pleasant Valley Drive, 248' E of the c/l of Hickory Springs Circle (1111 Pleasant Valley Drive) 1st Election District - 1st Councilmanic District Wilton A. Martin, et ux - Petitioners Case No. 89-112-A

Dear Mr. & Mrs. Martin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 391-3391.

Very truly yours,

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: Mr. Glen Schwartz  
B & G Construction Co., Inc.  
17 Warren Road, I-B, Baltimore, Md. 21208

People's Counsel

File

ORDER RECEIVED FOR FILING  
Date 10/10/88  
By [Signature]

# 26  
**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 side yard setback of 5' and side yard setback sum of 15.8' for an open projection (carport) in lieu of required 10.65' and sum 21.5' respectively.

MAP SW/14  
 2B  
 E.D. 15'  
 E.L. 15'  
 205  
 1000  
 DP

- 1 - NECESSARY TO KEEP RAIN FROM COMING IN THE HOME.
- 2 - CREATE A MORE EFFICIENT DRAINING SYSTEM.
- 3 - ENHANCE THE BEAUTY & VALUE OF HOME.

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 do solemnly declare and affirm under the penalties of perjury, that I am 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  
 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  
 Address  
 City and State  
 Attorney's Telephone No.:

Legal Owner(s):  
 WILTON A. MARTIN  
 (Type or Print Name)  
 Signature  
 CARMELLA G. MARTIN  
 (Type or Print Name)  
 Signature  
 1111 Pleasant Valley Drive, 788-4322  
 Address  
 BALTO, MD. 21228  
 City and State  
 12 W. Redwood St. 466-0417  
 Address  
 BALTO MD 21208  
 City and State  
 12 W. Redwood St. 466-0417  
 Address  
 BALTO MD 21208  
 City and State  
 Phone No.

ORDERED BY THE Zoning Commissioner of Baltimore County, this 3rd day of August, 1988, 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 held before the Zoning Commissioner of Baltimore County in Room 301, County Office Building in Towson, Baltimore County, on the 5th day of October, 1988, at 2:30 o'clock P.M.

J. Robert Haines  
 Zoning Commissioner of Baltimore County.

Mrs. Shirley Hickinbotham  
 6428 Clifton Forge Circle  
 Baltimore, Maryland 21228

Robert Lidston  
 1334 Sulphur Spring Road  
 P.O. Box 18280  
 Baltimore, Maryland 21227  
 (301) 242-6600  
 Attorney for Appellants

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 1st day of November, 1988, a copy of the foregoing Notice of Appeal was mailed, postage prepaid, to George E. Golomb, Esquire, The Redwood Tower, 217 East Redwood Street, Suite 1970, Baltimore, Maryland 21201.

Robert Lidston

DESCRIPTION  
 BEING KNOWN AND DESIGNATED AS Lot No. 12, Block P, as shown on the Plat entitled, "Plat 3, Section 5, WOODBRIDGE VALLEY", which is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr. No. 35, folio 105. The improvements thereon being known as 1111 Pleasant Valley Drive.

Being part of that tract of land described in a Deed dated February 25, 1966 and recorded among the Land Records of Baltimore County in Liber OTG No. 4585, folio 478 from the Drew Company unto Glenwilde Realty Co., Inc., which corporation by Certificate of Merger duly recorded with the Office of the State Department of Assessment and Taxation on December 31, 1969, did merge with Monumental Properties, Inc., the Grantor herein. The aforesaid Certificate of Merger was duly recorded among the Land Records of Baltimore County in Liber OTG No. 5083, folio 636.

LAW OFFICES OF  
 SALVATORE E. ANELLO, III  
 ROBERT LIDSTON  
 JAMES J. TEMPLE, JR.  
 DEBORAH A. KELLNER  
 LEGAL ASSISTANT  
 LAW BUILDING  
 1334 SULPHUR SPRING ROAD  
 P. O. BOX 18280  
 BALTIMORE, MARYLAND 21227  
 242-6600

November 11, 1988

Office of Planning & Zoning  
 401 Bosley Avenue  
 Room 406  
 Towson, MD 21204

Attn: Charlotte Radcliffe

RE: Appeal from Finding of Zoning Commissioner  
 Case No.: 89-112-A

Dear Ms. Radcliffe:

Enclosed please find a Notice of Appeal in the above captioned matter. Also please find enclosed \$75.00 to process this appeal and \$25.00 as a summons fee for a total of \$100.00. It is my understanding from our conversation that this is all that is required for an appeal. If anything else is required, please contact me immediately.

Sincerely,

Robert Lidston

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE-REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 DATE 11/15/88 ACCOUNT 242-6600  
 AMOUNT \$ 100.00  
 RECEIVED FROM  
 FOR  
 VALIDATION OR SIGNATURE OF CASHIER  
 RECEIVED NOV 15 1988 ZONING OFFICE

IN RE: PETITION FOR ZONING VARIANCE S/S Pleasant Valley Drive, 248' E of c/1 Hickory Springs Circle (1111 Pleasant Valley Drive) 1st Election District 1st Councilmanic District  
 BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY  
 Case No.: 89-112-A  
 Wilton A. Martin, et ux  
 Petitioners

**NOTICE OF APPEAL**

Now comes Linda B. Mosberg and Shirley Hickinbotham, for themselves and on behalf of the Woodbridge Valley Improvement and Civic Association, Inc., by their attorney, Robert Lidston, Esquire, and make notice that they are appealing the Findings of Fact and Conclusions of Law by J. Robert Haines, Zoning Commissioner for Baltimore County, dated October 20, 1988, in which the Petition of Wilton A. Martin, et ux, for a zoning variance to permit a side yard setback of 5 feet in lieu of the required 10.65 feet and the sum of side yards at 15.8 feet in lieu of the required 21.5 feet for an open projection (carport) was Granted. Appellants request a hearing before the proper appeals board.

The address of the original petitioner is:

Mr. and Mrs. Wilton A. Martin  
 1111 Pleasant Valley Drive  
 Baltimore, Maryland 21228

The addresses of appellants herein are:

Woodbridge Valley Improvement and Civic Association, Inc.  
 P.O. Box 3197  
 Baltimore, Maryland 21228

Mrs. Linda Mosberg  
 6440 Clifton Forge Circle  
 Baltimore, Maryland 21228

County Board of Appeals of Baltimore County  
 COUNTY OFFICE BUILDING, ROOM 315  
 1111 W. CHESAPEAKE AVENUE  
 TOWSON, MARYLAND 21204  
 (301) 887-3180

May 3, 1989

Robert Lidston, Esquire  
 1334 Sulphur Spring Road  
 Baltimore, MD 21227

RE: Case No. 89-112-A  
 Wilton A. Martin, et ux

Dear Mr. Lidston:

Enclosed is a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject case.

Sincerely,

Kathleen C. Weidenhammer  
 Administrative Secretary

Encl.

cc: Ms. Linda B. Mosberg  
 Ms. Shirley Hickinbotham  
 Woodbridge Valley Improvement & Civic Association, Inc.  
 Mr. & Mrs. Wilton A. Martin  
 Mr. Melvin Schwartz

County Board of Appeals of Baltimore County  
 COUNTY OFFICE BUILDING  
 1111 W. CHESAPEAKE AVENUE  
 TOWSON, MARYLAND 21204  
 (301) 887-3180

HEARING ROOM - Room 301, County Office Building  
 January 23, 1989  
 NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-112-A  
 WILTON A. MARTIN, ET UX  
 S/S Pleasant Valley Drive, 248' E of c/1 Hickory Springs Circle (1111 Pleasant Valley Drive)  
 1st Election District  
 1st Councilmanic District  
 VAR -to permit side yard setback of 5 feet and side yard setback sum of 15.8' for carport in lieu of required 10.65' and sum of 21.5' respectively.  
 10/20/88 -Z.C.'s Order that Petition for Variance is GRANTED with restrictions.

ASSIGNED FOR: TUESDAY, APRIL 18, 1989 at 10:00 a.m.

cc: Mr. & Mrs. Wilton A. Martin Appellee /Petitioners  
 Robert Lidston, Esquire Counsel for Appellants /Protestants  
 Ms. Linda B. Mosberg Appellant /Protestant  
 Ms. Shirley Hickinbotham " "  
 Woodbridge Valley Improvement & Civic Assn., Inc. " "  
 Melvin Schwartz " "  
 People's Counsel for Balto. County out per Shirley Hess 4/1/89  
 P. David Fields  
 Pat Keller  
 J. Robert Haines  
 Ann M. Nastarowicz  
 James E. Dyer  
 Docket Clerk -Zoning  
 Arnold Jablon, County Attorney

Kathleen C. Weidenhammer  
 Administrative Secretary

County Board of Appeals of Baltimore County  
 COUNTY OFFICE BUILDING  
 1111 W. CHESAPEAKE AVENUE  
 TOWSON, MARYLAND 21204  
 (301) 887-3180

HEARING ROOM - Room 301, County Office Building  
 January 23, 1989  
 NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-112-A  
 WILTON A. MARTIN, ET UX  
 S/S Pleasant Valley Drive, 248' E of c/1 Hickory Springs Circle (1111 Pleasant Valley Drive)  
 1st Election District  
 1st Councilmanic District  
 VAR -to permit side yard setback of 5 feet and side yard setback sum of 15.8' for carport in lieu of required 10.65' and sum of 21.5' respectively.  
 10/20/88 -Z.C.'s Order that Petition for Variance is GRANTED with restrictions.

ASSIGNED FOR: TUESDAY, APRIL 18, 1989 at 10:00 a.m.

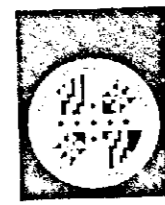
cc: Mr. & Mrs. Wilton A. Martin Appellee /Petitioners  
 Robert Lidston, Esquire Counsel for Appellants /Protestants  
 Ms. Linda B. Mosberg Appellant /Protestant  
 Ms. Shirley Hickinbotham " "  
 Woodbridge Valley Improvement & Civic Assn., Inc. " "  
 Melvin Schwartz " "  
 People's Counsel for Balto. County  
 P. David Fields  
 Pat Keller  
 J. Robert Haines  
 Ann M. Nastarowicz  
 James E. Dyer  
 Docket Clerk -Zoning  
 Arnold Jablon, County Attorney

Kathleen C. Weidenhammer  
 Administrative Secretary

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
494-3333

J. Robert Haines

November 28, 1988



J. Robert Haines  
Zoning Commissioner

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21284

RE: Petition for Zoning Variance  
375 Pleasant Valley Drive, 248' E of c/1 Hickory Spring Circle  
(1111 Pleasant Valley Drive)  
1st Election District, 1st Councilmanic District  
WILTON A. MARTIN, ET UX - Petitioner  
Case No. 89-112-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on November 15, 1988 by Robert Lidston, Attorney on behalf of the Protestants. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner

JRH:ccr

Enclosures

cc: Mr. & Mrs. Wilton A. Martin  
1111 Pleasant Valley Drive, Baltimore, Md. 21228  
Robert Lidston, 1334 Sulphur Spring Road, Baltimore, Md. 21227  
Melvin Schwartz, B & G Construction Company, Inc.  
17 Warren Road, (1B), Baltimore, Md. 21208

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

89-112-A  
Date of Posting: 12-7-88

District: 1st  
Posted for: Appeal  
Petitioner: Wilton A. Martin, et ux  
Location of property: S/S of Pleasant Valley Drive, 248' E of the  
C/L of Hickory Spring Circle, (1111 Pleasant Valley Drive)  
Location of Sign: In front of 1111 Pleasant Valley Drive  
Remarks: A.J. Grata  
Posted by: A.J. Grata  
Number of Signs: 1  
Date of return: 12-9-88

4-18-88

To whom it might concern:  
We have no objections to a  
carport being constructed at 1111  
Pleasant Valley Drive

Carrie J. Hensley  
James W. Kusy  
1113 Pleasant Valley Drive

PETITIONER'S  
EXHIBIT 5

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

TOWSON, MD., \_\_\_\_\_, 19\_\_  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of \_\_\_\_\_ successive weeks, the first publication appearing on \_\_\_\_\_, 19\_\_.

THE JEFFERSONIAN,

\$39.35  
100 CASH  
RCA# M1760  
S. Zake - Orleans  
Publisher

SALES & LEGAL NOTICES  
NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
Case Number: 89-112-A  
S/S Pleasant Valley Drive,  
248' E of Hickory  
Spring Circle  
(1111 Pleasant Valley Drive)  
1st Election District  
1st Councilmanic District  
Petitioner: J. Robert Haines, et ux  
Hearing Case: Wednesday,  
Oct. 5, 1988 at 2:00 p.m.

Variance to permit a side yard setback of 5 feet and side yard setback sum of 15.8' for an open projection (carport) in lieu of the required 10.65' and sum 21.5', respectively.  
In the event that the Petitioner is granted a building permit, the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
9113 Sept. 8

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

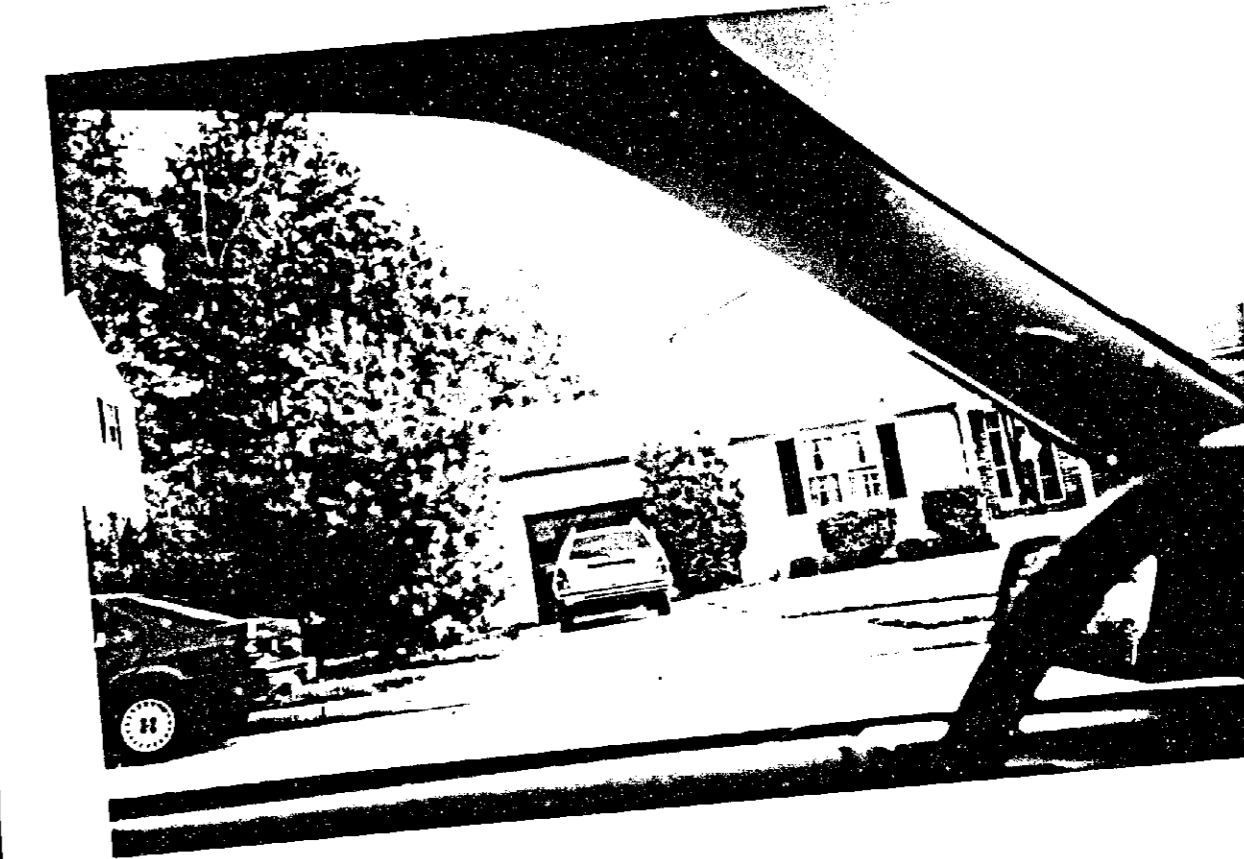
89-112-A  
Date of Posting: September 23, 1988

District: 1st  
Posted for: Variance  
Petitioner: Wilton A. Martin, et ux  
Location of property: S/S Pleasant Valley Drive, 248' E of Hickory Spring Circle, (1111 Pleasant Valley Drive)  
Location of Sign: In front of 1111 Pleasant Valley Drive  
Remarks: A.J. Grata  
Posted by: A.J. Grata  
Number of Signs: 1  
Date of return: September 23, 1988

PETITIONER(S) EXHIBIT (4)



PETITIONER(S) EXHIBIT (4)



PETITIONER(S) EXHIBIT (4)



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-112-A  
S/S Pleasant Valley Drive,  
248' E of Hickory Springs Circle  
(1111 Pleasant Valley Drive)  
1st Election District - 1st Councilmanic District  
Petitioner(s): Wilton A. Martin, et ux

HEARING SCHEDULED: WEDNESDAY, OCTOBER 5, 1988 at 2:00 p.m.  
VARIANCE to permit a side yard setback of 5 feet and a side yard setback sum of 15.8' for an open projection (carport) in lieu of the required 10.65' and sum 21.5', respectively.

In the event that this Petitioner is granted a building permit, the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
Zoning Commissioner of Baltimore County  
306-C/Sept. 8

Office of  
PATUXENT  
Publishing Company

10750 Line Patent Hwy.  
Columbia, MD 21044

September 10 19 88

THIS IS TO CERTIFY, that the annexed advertisement of NOTICE OF HEARING 89-112A

was inserted in the following:  
 Catonsville Times \$35.15  
 Arbutus Times  
 Reporter Weekly  
 Booster Weekly  
 Owings Mills Flier  
 Towson Flier

weekly newspapers published in Baltimore County, Maryland once a week for \_\_\_\_\_ successive weeks before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_ that is to say, the same was inserted in the issues of

September 8, 1988

PATUXENT PUBLISHING COMPANY  
By \_\_\_\_\_

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
494-3333

J. Robert Haines  
Zoning Commissioner

Date: 9/24/88

RE: Petition for Zoning Variance  
CASE NUMBER: 89-112-A  
375 Pleasant Valley Drive, 248' E of c/1 Hickory Springs Circle  
(1111 Pleasant Valley Drive)  
1st Election District - 1st Councilmanic District  
Petitioner(s): Wilton A. Martin, et ux  
HEARING SCHEDULED: WEDNESDAY, OCTOBER 5, 1988 at 2:00 p.m.

Dear Mr. & Mrs. Martin:

Please be advised that \$39.35 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, \_\_\_\_\_ minutes before.

ALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
SCHEMATIC CASH RECEIPT

ACCOUNT \_\_\_\_\_  
AMOUNT \$ \_\_\_\_\_  
DATE \_\_\_\_\_

CEIVED ON \_\_\_\_\_  
BY \_\_\_\_\_

IN \_\_\_\_\_

VALIDATION OR SIGNATURE OF CASHIER  
FISCAL AGENCY YELLOW OCTOBER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21284  
484-5333  
J. Robert Haines  
Zoning Commissioner

August 22, 1988

NOTICE OF HEARING



Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

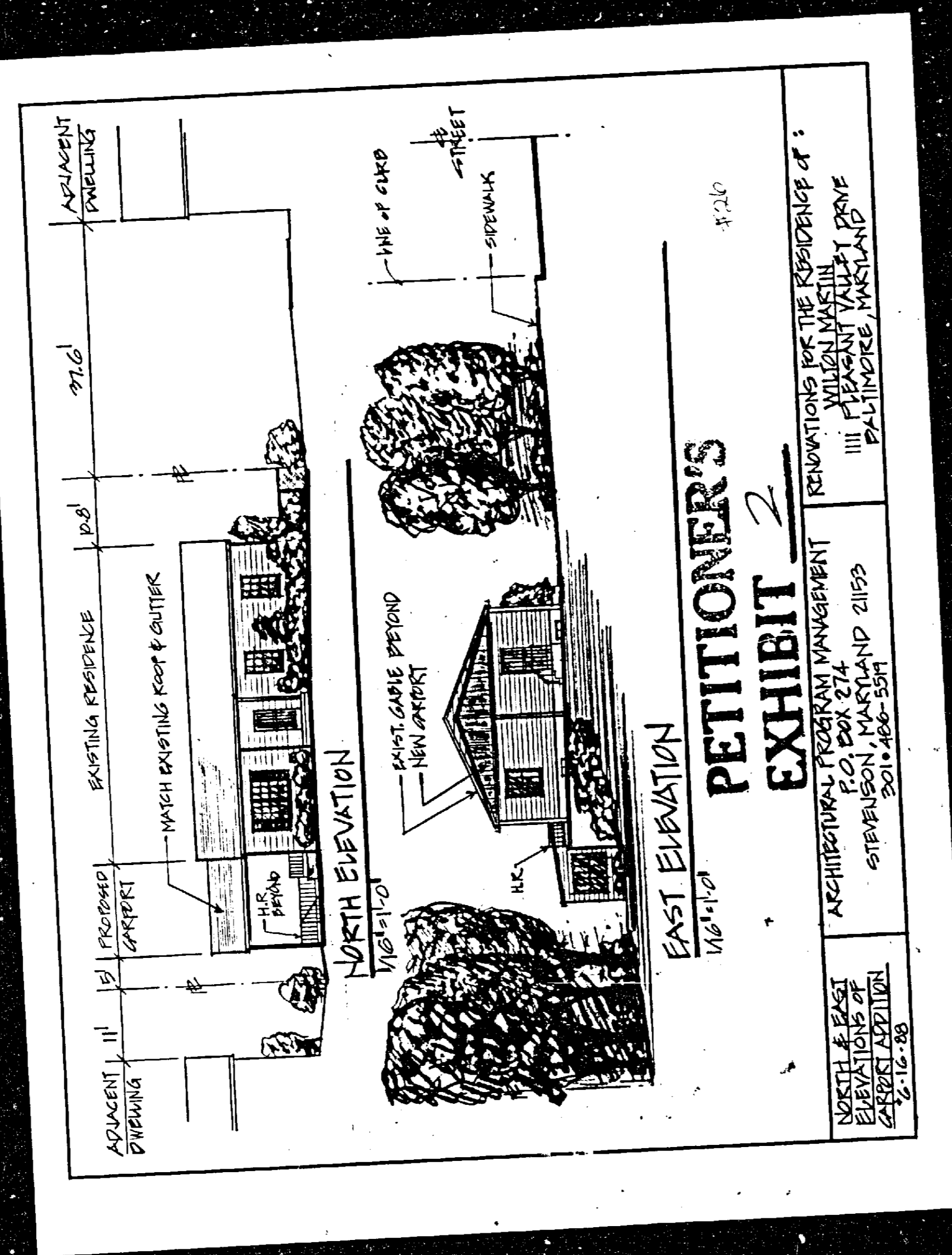
Petition for Zoning Variance  
CASE NUMBER: 89-112-A  
5/3 Pleasant Valley Drive, 248' E. of c/l Hickory Springs Circle  
(111 Pleasant Valley Drive)  
1st Election District - 1st Councilmanic  
Petitioner(s): Wilton A. Martin, et ux  
HEARING SCHEDULED: WEDNESDAY, OCTOBER 5, 1988 at 2:30 p.m.

Variance to permit a side yard setback of 5 feet and side yard setback sun of 15.8' for an open projection (carport) in lieu of the required 10.65 and sun 21.5', respectively.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Wilton A. Martin, et ux  
Glenn Schwartz  
File

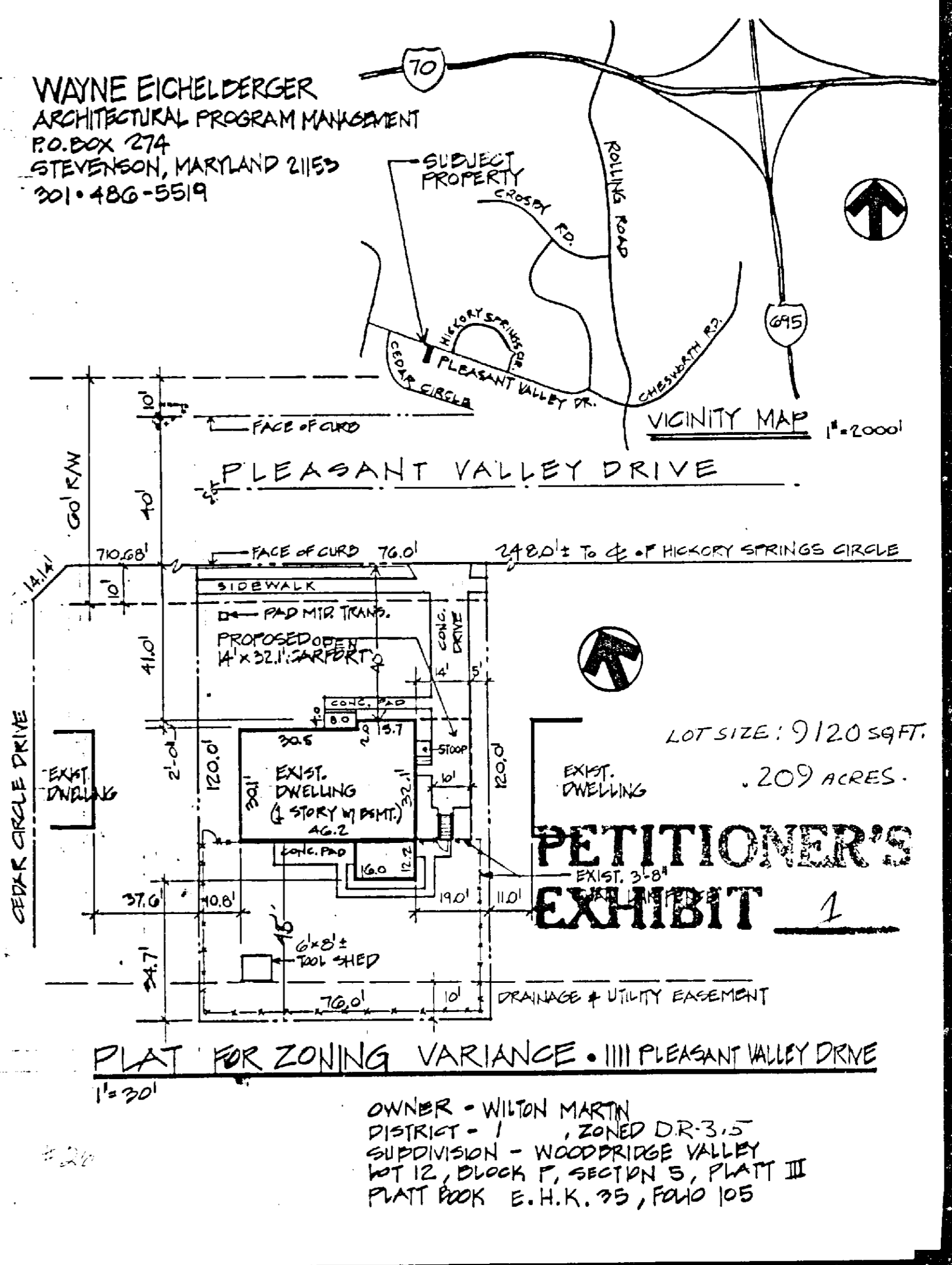


89-112-A  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Townson, Maryland 21204

Your petition has been received and accepted for filing this  
day of \_\_\_\_\_, 1988.

J. Robert Haines  
ZONING COMMISSIONER  
Received by: \_\_\_\_\_  
Chairman, Zoning Plans  
Advisory Committee

Petitioner: \_\_\_\_\_  
Petitioner's Attorney: \_\_\_\_\_

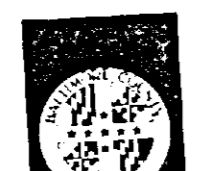


WAYNE EICHELDERGER  
ARCHITECTURAL PROGRAM MANAGEMENT  
P.O. BOX 274  
STEVENSON, MARYLAND 21153  
201-486-5519

OWNER - WILTON MARTIN  
DISTRICT - 1  
SUBDIVISION - WOODBRIDGE VALLEY  
LOT 12, BLOCK 17, SECTION 5, PLATT II  
PLATT BOOK E.H.K. 95, PAGES 105

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Townson, Maryland 21204  
484-3554

August 24, 1988



Dennis F. Rasmussen  
County Executive

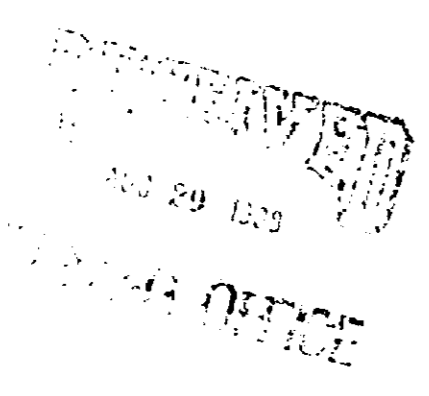
Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Townson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 480, 5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39 and 40.

Very truly yours,  
*Stephen E. Weber*  
Stephen E. Weber, P.E.  
Assistant Traffic Engineer

SEW/RF/lab



Baltimore County  
Fire Department  
Townson, Maryland 21204-2386  
484-4500

August 1, 1988



Dennis F. Rasmussen  
County Executive

Re: Property Owner: Wilton A. Martin, et ux

Location: S. side Pleasant Valley Dr., 248' E. of c/l of Hickory Springs Circle  
Item No.: 26 Zoning Agenda: Meeting of 8/2/88

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 or \_\_\_\_\_ 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.
- ( 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.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: \_\_\_\_\_ Noted and Approved: *John F. O'Neill*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Wilton A. Martin</i>	1111 Pleasant Valley Dr
<i>Constance Martin</i>	" " " "
<i>Melvin Schwartz</i>	17 Warren Rd B 21008

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Richard B. MacLure</i>	6440 E. Wilton Dr. Belt Hill 21236

AFFIDAVIT

STATE OF MARYLAND  
BALTIMORE COUNTY, SS:

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member of the (Board of Directors) (Zoning Committee) of the \_\_\_\_\_ Association.

ATTEST:

*Stephen E. Weber*  
President

RESOLVED: That the position of the \_\_\_\_\_ Association as adopted by the (Board of Directors) (Zoning Committee) on the zoning matter known as:

is that: \_\_\_\_\_

AS WITNESS OUR HANDS AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1988.

ATTEST:

*Stephen E. Weber*  
Secretary  
*Richard B. MacLure*  
President