

IN RE: PETITION FOR ZONING VARIANCE
 S/S Church Lane, 1305' W of
 the c/l of York Road
 (121 Church Lane)
 8th Election District
 3rd Councilmanic District
 Christopher J. Walsh and
 Earl G. Bollack, Sr. -
 Petitioners

* BEFORE THE
 * ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 91-165-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a front yard setback of 18 feet in lieu of the required 25 feet from the front property line and a centerline setback of 33.5 feet in lieu of the required 50 feet for a proposed one story addition, a side yard setback of 13 feet on the east side in lieu of the required 30 feet for the existing dwelling, a side yard setback of 7 feet on the west side in lieu of the required 30 feet for a proposed two story addition, a two-way driveway with a width of 8 feet in lieu of the required 20 feet, a dead-end traffic aisle without sufficient backup area for end parking spaces, and 5 parking spaces in lieu of the required 6, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared, testified, and were represented by Kenneth F. Spence, III, Esquire. Also appearing on behalf of the Petition was John C. Elser, Professional Land Surveyor. There were no Protestants.

Testimony indicated that the subject property, known as 121 Church Lane, consists of 0.12 acres zoned M.L.-I.M. and is improved with a two story frame dwelling which was purchased by Petitioners in August 1990. The Petitioners are desirous of converting the subject dwelling to office space in connection with their construction business and constructing an addition to the southwest corner and front of the subject dwelling to

provide additional office space. Testimony indicated that Church Lane was originally developed for residential uses and that over time, the zoning changed and the dwellings along Church Lane were converted to various industrial and commercial uses consistent with the M.L.-I.M. zoning. The Petitioners' testimony as to the requested variances and the requirements set forth under Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) indicate the subject property meets the conditions set forth therein. However, Petitioners' request for a parking variance of 5 spaces in lieu of the required 6 necessitates further review.

The Office of Planning submitted comments dated October 25, 1990, copy attached hereto, indicating they are opposed to the requested parking space in the front of the building, identified as Space No. 1 on Petitioner's Exhibit 1, due to the planned future expansion of Church Lane and in their opinion, the hardship claimed by Petitioners is self-created. At the hearing it was determined that Petitioners would further discuss the matter with the Office of Planning in an effort to resolve their concerns. Subsequently, the Office of Planning submitted revised comments dated December 18, 1990 in which they indicate they would approve the elimination of the proposed front parking space rather than approve the variance requested for that space. The Petitioners, through their attorney, indicated their agreement to remove the front parking space and their desire to cooperate with the Office of Planning. Accordingly, Petitioners shall submit a revised site plan to provide 4 parking spaces in lieu of the required 6, which will result in all the parking being located to the rear of the site. The front of the property shall be maintained as a vegetative buffer from the sidewalk to the building.

ORDER RECEIVED FOR FILING
 Date 1/13/91
 By [Signature]

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, as hereinafter modified, such use as proposed would not be contrary to the spirit of the B.C.Z.R. As a result of the Office of Planning's recommendation to eliminate the front parking space, a variance of 4 parking spaces in lieu of the required 6 is necessary in order for Petitioners to develop the subject property. Based upon the testimony and evidence presented, the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of January, 1991 that the Petition for Zoning Variance to permit a front yard setback of 18 feet in lieu of the

ORDER RECEIVED FOR FILING
 Date 1/13/91
 By [Signature]

required 25 feet from the front property line and a centerline setback of 33.5 feet in lieu of the required 50 feet for a proposed one story addition, a side yard setback of 13 feet on the east side in lieu of the required 30 feet for the existing dwelling, a side yard setback of 7 feet on the west side in lieu of the required 30 feet for a proposed two story addition, a two-way driveway with a width of 8 feet in lieu of the required 20 feet, and a dead-end traffic aisle without sufficient backup area for end parking spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit 4 parking spaces in lieu of the required 6 be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any building permits, Petitioners shall submit a revised site plan incorporating the modified relief granted herein.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.
- 4) Compliance with all Zoning Plans Advisory Committee comments, including, but not limited to, the comments submitted by the Department of Permits and Licenses dated September 28, 1990, and the comments submitted by the Plans Review Division of the Department of Permits and Licenses, dated September 27, 1990, attached hereto and made a part hereof.
- 5) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement

ORDER RECEIVED FOR FILING
 Date 1/13/91
 By [Signature]

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-165-A

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 [see continuation sheet]

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
 Site location and existing building create hardship and practical difficulty in complying with BCZR.

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) Christopher J. Walsh
 Signature [Signature] Signature [Signature]
 Address Earl G. Bollack, Sr.
 (Type or Print Name)
 Signature [Signature]

Attorney for Petitioner: _____ (301) 785-5689
 Gary C. DuVal Kenneth F. Spence, III 130 Cockeysville Road
 (Type or Print Name) Address Phone No.
 Signature [Signature] City and State
 600 Washington Avenue Cockeysville, MD 21030
 Address City and State
 Towson, Maryland 21204 Name
 City and State Name
 Attorney's Telephone No.: (301) 823-8250 Address Phone No.

ORDER RECEIVED FOR FILING
 Date 1/13/91
 By [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 3 day of Dec 1990, 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 11 day of Dec, 1990, at 9:30 o'clock

A.M.
 FILED on 9/13/90
 BY JLL
 ANY TIME OR DAY
 1/2 HR HAND TIME
 (over) J. Robert Haines
 Zoning Commissioner of Baltimore County

ment Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
 ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

JRH:bjs

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

111 West Chesapeake Avenue
 Towson, MD 21204 887-3353

January 9, 1991

Kenneth F. Spence, III, Esquire
 600 Washington Avenue
 Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
 S/S Church Lane, 1305' W of the c/l of York Road
 (121 Church Lane)
 8th Election District - 3rd Councilmanic District
 Christopher J. Walsh, et al - Petitioners
 Case No. 91-165-A

Dear Mr. Spence:

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 887-3391.

Very truly yours,

J. Robert Haines
 ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

JRH:bjs

cc: People's Counsel
 File

ORDER RECEIVED FOR FILING
 Date 1/13/91
 By [Signature]

CONTINUATION SHEET 91-165-A

1. Front Yard Variance -- From Section 238.1 to permit construction of a one-story building addition with a front yard setback of 18' ± in lieu of the required 25' from the front property line and a 33.5' ± center line setback in lieu of the required 50' setback;
2. Two Side Yard Variances
 (a) From Section 238.2 to allow a side yard setback of 13' ± on the east side of the building in lieu of the required 30' side property line setback;
 (b) From Section 238.2 to allow a side yard setback of 7' ± on the west side of the building in lieu of the required 30' from the side property line;
3. Driveway variance -- From Section 409.4(A) to permit a two-way driveway with an 8' width in lieu of the required 20';
4. Parking/Dead End Variance -- From Section 409.8(A)(5) to permit a dead end traffic aisle without sufficient backup area for end parking spaces;
5. Parking Count Variance -- From Section 409.8 to allow 5 parking spaces in lieu of the required total of 6 parking spaces.

014602101.com

ZONING DESCRIPTION 91-165-A

BEGINNING at a point on the South side of Church Lane which is thirty (30) feet wide at the distance of 1305 feet west of the centerline of York Road which is sixty-six feet wide. Thence the following courses and distances: South 81° West 100.00 feet, North 81° West 48.50 feet, North 91° East 100.00 feet, and South 81° East 47.19 feet to the place of beginning as recorded in Liber 8568 folio 780. Containing 4872 square feet of land more or less.

Also known as #121 Church Lane and located in the Eighth Election District of Baltimore County, Maryland.

Robert Haines

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

Account: R-001-6150
Number

receipt
№ 3403

Date 9/13/90
PUBLIC HEARING FEES QTY PRICE
020 -ZONING VARIANCE (OTHER) 1 X \$175.00
TOTAL: \$175.00
LAST NAME OF OWNER: WALSH/BOLLACK

D4A04W042MICR
BA 003:33FN09-15-90 \$175.00
Please make checks payable to Baltimore County NEXT BUSINESS DAY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 8th Date of Posting 11-16-90
Posted for: *Ch. Walsh*
Petitioner: *Christopher J. Walsh, et al.*
Location of property: *5/8 of Church Lane, 1305 W. of York Rd. of York Road (121 Church Lane)*
Location of Sign: *West part of 121 Church Lane*
Remarks: *See Petition*
Posted by: *J. Robert Haines* Date of return: 11-23-90
Number of Signs: *2*

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 in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue, Towson, Maryland 21284.
Petitioner: Christopher J. Walsh and Earl G. Bollack, Sr.
Hearing Date: Tuesday, Dec. 11, 1990 at 9:30 a.m.
Verdict: To permit construction of a one-story building addition with a front yard setback of 18 ft. (±) in lieu of the required 25 ft. from the front property line and a 33.5 ft. (±) centerline setback in lieu of the required 50 ft. setback to allow a side yard setback of 13 ft. (±) on the east side of the building in lieu of the required 30 ft. side property line setback; to allow a side yard setback of 7 ft. (±) on the west side of the building in lieu of the required 30 ft. from the side property line; to permit a driveway with an 8 ft. width in lieu of the required 20 ft. to permit a dead end traffic side without sufficient backup area for end parking spaces; and to allow 5 parking spaces in lieu of the required total of 6 parking spaces.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 11-30-90
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11-21-90

THE JEFFERSONIAN,

S. Zeke Orlov

Publisher

\$117.77

CERTIFICATE OF PUBLICATION

TOWSON, MD. 11-30-90
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11-21-90

TOWSON TIMES,

S. Zeke Orlov

Publisher

\$117.77

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Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

Account: R-001-6150
Number

receipt

Date 9/13/90
PUBLIC HEARING FEES QTY PRICE
020 -ZONING VARIANCE (OTHER) 1 X \$175.00
TOTAL: \$175.00
LAST NAME OF OWNER: WALSH/BOLLACK

Please Make Checks Payable To: Baltimore County NEXT BUSINESS DAY

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3353
J. Robert Haines
Zoning Commissioner

November 8, 1990

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 21284 as follows:

Petition for Zoning Variance
CASE NUMBER: 91-165-A
5/8 Church Lane, 1305' W centerline of York Road
(#121 Church Lane)
*8th Election District - 3rd Councilmanic
Petitioner(s): Christopher J. Walsh and Earl G. Bollack, Sr.
HEARING: TUESDAY, DECEMBER 11, 1990 at 9:30 a.m.

Verdict: To permit construction of a one-story building addition with a front yard setback of 18 ft. (±) in lieu of the required 25 ft. from the front property line and a 33.5 ft. (±) centerline setback in lieu of the required 50 ft. setback to allow a side yard setback of 13 ft. (±) on the east side of the building in lieu of the required 30 ft. side property line setback; to allow a side yard setback of 7 ft. (±) on the west side of the building in lieu of the required 30 ft. from the side property line; to permit a driveway with an 8 ft. width in lieu of the required 20 ft. to permit a dead end traffic side without sufficient backup area for end parking spaces; and to allow 5 parking spaces in lieu of the required total of 6 parking spaces.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Christopher J. Walsh/Earl G. Bollack, Sr.
Gary C. Duvall/Kenneth F. Spence, III

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3353
J. Robert Haines
Zoning Commissioner

November 27, 1990

Gary C. Duvall, Esquire
600 Washington Avenue
Towson, MD 21284

Dennis F. Rasmussen
County Executive

RE: Item No. 109, Case No. 91-165-A
Petitioner: Christopher J. Walsh, et al
Petition for Zoning Variance

Dear Mr. Duvall:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINKARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

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

JED:jw

Enclosures

cc: Mr. Christopher J. Walsh
130 Cockeysville Road
Cockeysville, MD 21030

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: October 25, 1990
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Christopher J. Walsh, Item No. 109

The Petitioner requests several variances to develop the subject property.

In reference to this request, staff offers the following comments:

- This office supports the requested side yard variances. The office also recommends that the parking lot in the rear be reconfigured to provide for connection of the parking lot to the building on the south side. This will facilitate the circulation of traffic from both sites.

The staff strongly opposes the front yard variance and parking variance for the following reasons:

- Church Lane is an important connection between York and Beaver Dam Roads. It has an ultimate right-of-way of 40/60. Although there will be problems with achieving this ultimate right-of-way (i.e., St. Joseph's Roman Catholic School), the ultimate right-of-way has merit because of the volume, type of traffic (trucks) and importance of this road. Furthermore, as this site is part of the Hunt Valley/Minomium study area, and the study is ongoing, this front yard variance should be denied at least until the plan recommendations on this road are determined.

- The property immediately to the south, which is nearly identical in size, was recently improved and is currently in use. The on-site building does not have an addition on the front or parking in the front portion of the lot. This suggests there is no hardship or economic constraint; however, the request for the addition in the front yard would constitute an overbuilding on the site.

received
10/26/90

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE: 12-5-90

Christopher J. Walsh
Earl G. Bollack, Sr.
130 Cockeysville Road
Cockeysville, Maryland 21030

RE: Petition for Zoning Variance
CASE NUMBER: 91-165-A
5/8 Church Lane, 1305' W centerline of York Road
(#121 Church Lane)
*8th Election District - 3rd Councilmanic
Petitioner(s): Christopher J. Walsh and Earl G. Bollack, Sr.
HEARING: TUESDAY, DECEMBER 11, 1990 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$167.77 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Gary C. Duvall/Kenneth F. Spence, III

Christopher J. Walsh, Item No. 109
Page 2
October 25, 1990

- The addition to the front also necessitates the need for the variance on parking and thus, in the opinion of staff, is clearly a self-imposed hardship.
- The Petitioner shall submit a landscape plan to the deputy director of the Office of Planning and Zoning prior to the issuance of any building permits.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEH109/ZAC1

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21284-5500
(301) 887-4500

OCTOBER 9, 1990

Paul H. Reinecke
Chief



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21284

Dennis F. Rasmussen
County Executive

RE: Property Owner: CHRISTOPHER J. WALSH AND EARL G. BOLLACK, SR.
Location: #121 CHURCH LANE
Item No.: 109 Zoning Agenda: OCTOBER 2, 1990

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

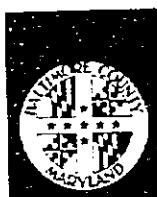
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 26

REVIEWER: *Christy Kelly 10-9-90* Noted and Approved *Capitola J. Brady*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3553

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 3rd day of October, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

Gary C. Duvall
Chairman,
Zoning Plans Advisory Committee

Petitioner: Christopher J. Walsh, et al
Petitioner's Attorney: Gary C. Duvall

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21284
(301) 887-3554

October 3, 1990



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 73, 94, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, & 112.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/jw

RECEIVED
OCT 9 1990

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 3, 1990
FROM: Robert W. Ewling, P.E.
RE: Zoning Advisory Committee Meeting
for October 2, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 33 (revised), 73, 94, 99, 101, 102, 103, 104, 105, 106, 108, 110, 111 and 112.

Item 107 is subject to the previous County Review Group comments.

For item 109, a County Review Group Meeting is required. Church Lane is to be improved as a 40-foot paving section on a 60-foot right-of-way.

Robert W. Ewling
ROBERT W. EWLING, P.E.
Chief
Developers Engineering Division

RWB:c

RECEIVED

10/9

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
SEPTEMBER 28, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES C-2-B
SUBJECT: ZONING ITEM #: 109
PROPERTY OWNER: Christopher J. Walsh & Earl G. Bollack, Sr.
LOCATION: S/S Church Lane, 1305' W centerline of York Road (#121 Church Lane)
ELECTION DISTRICT: 8th
COUNCILMANIC DISTRICT: 3rd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- PARKING LOCATION RAMP (degree slope)
- NUMBER PARKING SPACES CURB CUTS
- BUILDING ACCESS SIGNAGE
- PLAN SHOWS ~~DOES~~ NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE. See Tables 9-6.2 & 9-6.3
- A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS ~~ARE~~ BE REQUIRED.
- A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21284 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Item # 109 Date: 9-27-90

FROM: *Pat Keller, Deputy Director*

SUBJECT: R. O. OCCUPANCIES: Residential "B-3" to OFFICES "B"

- 1. A change of occupancy, alteration, and other miscellaneous permits are required.
- 2. Floor loading of 50 pounds live load design are required. Have a registered in Maryland structural engineer provide a letter of certification. See Section 903.0, 904.0, 905.0, Table 905.0, 907.0.
- 3. Office buildings with a single exit shall comply with Table 809.3 or two independent exits shall be required. See Sections 809.2, 807.2, 810.0, 811.0, 815.0, 819.0, as alternative requirements.
- 4. Interior stairs shall be enclosed with 1 1/2 hour rated assemblies and 3" label 1 1/2 hour doors.
- 5. Tenant demising walls, floor/ceiling assemblies shall have a minimum 1 hour rating. See Table 601 amended by Bill 817-85.
- 6. Exterior walls shall be a minimum of 1 hour rating and no openings are permitted within 3'-0" of an interior lot line.
- 7. See Section 1702.11, 1702.11F, 1702.18 and 1705.0 for sprinklers that may be required.
- 8. Exit stairs, handrails, etc. shall comply with Section 316.0.
- 9. The plan submitted does not show the following handicapped requirements under the State Handicapped Law: ANSI - A117.1 - 1990 * Code of Maryland regulations 05.01.07.
 - A. Parking (correct number of spaces, locations)
 - B. Signs
 - C. Parking lot accessibility (paving, etc.)
 - D. Building accessibility (entrance)
 - E. Required ramps
 - F. Interior access and useability, (elevators, toilet rooms, etc.)
 - G. Curb Cuts, etc.

*Compliance in full unless a State waiver is granted.

- 10. Interior finishes shall comply with Tables 1121.5 and 1121.7.
- 11. Heating and ventilation of toilet rooms, work areas, etc., shall comply with the I.A.C.A. Mechanical Code, Article 10, Section 301.0 thru 310.0 and Table 1002.1, where rated assemblies are demonstrated with ducts, diffusers, etc. See Section 311.0.

This is not intended to be a complete list of Code requirements. The above comments are for use by the designing architect/engineer. The above comments may not be applicable in all cases and are for informational purposes at this time. A full review of construction plans will be made when the plans are submitted for permits as noted in item #1 above. Printer: 10/1/90

Revised: 4/16/85

Dec. 11, 1990 91-165

received
12/19/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: December 18, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Christopher J. Walsh, Item No. 109
REVISED COMMENT

Staff has met with the applicant's attorney, Kenneth F. Spence, III. Based upon the review of an amended site plan, staff supports the proposed addition; however, this office suggest that the parking space located adjacent to Church Lane be eliminated. The reduction of one space will not negatively impact the surrounding area. Moreover, the deletion of this space will ensure adequate open space.

PK/JL/cmm
ITEM109.REV/ZAC1

LAW OFFICES
MILES & STOCKBRIDGE
600 WASHINGTON AVENUE
TOWSON, MARYLAND 21284
TELEPHONE 301-821-8505
FAX 301-823-8123

30 WEST PATRICK STREET
FREDERICK, MARYLAND 21701
20 WEST JEFFERSON STREET
ROCKVILLE, MARYLAND 20850
1064 DIST STREET, N.W.
WASHINGTON, D.C. 20007

KENNETH F. SPENCE, III
301-823-8250

January 14, 1991

HAND-DELIVERY

The Honorable J. Robert Haines
Zoning Commissioner of
Baltimore County
Office of Planning & Zoning
Towson, MD 21204

RECEIVED
JAN 14 1991
ZONING OFFICE

Re: Item No. 109
Case No. 91-165-A
Petitioner: Christopher J. Walsh,
et al.
Petition for Zoning Variance

Dear Commissioner Haines:

In accordance with our recent discussions, I have enclosed herewith a revised sealed site plan to accompany Zoning and Variance Petition which eliminates the parking space in the front of the premises, in accordance with the comments of the Office of Planning and Zoning.

It is my understanding from a telephone conversation I had last week with Mr. Jeffrey Long, of the Office of Planning and Zoning, that his office has forwarded to you a revised comment relating to this property.

Should you require any additional information, please do not hesitate to let me know.

I look forward to receiving your decision. Many thanks for your cooperation in this matter.

Very truly yours,
Kenneth F. Spence III
Kenneth F. Spence, III

KFS/lrs

RECEIVED JAN 16 1991
OK WCR 1/18/91

LAW OFFICES
MILES & STOCKBRIDGE
 600 WASHINGTON AVENUE
 TOWSON, MARYLAND 21284
 TELEPHONE 901-821-8385
 FAX 901-829-8183

91-165-A

September 13, 1990

RECEIVED
 SEP 14 1990
 ZONING OFFICE

HAND-DELIVERY

The Honorable J. Robert Haines
 Zoning Commissioner
 Baltimore County Zoning Office
 111 West Chesapeake Avenue
 Towson, MD 21204

Re: Petition for Zoning Variance
 of Christopher J. Walsh and
 Earl G. Bollack, Sr.
 Case No.: 11-11-109

Dear Commissioner Haines:

These offices represent Christopher J. Walsh and Earl G. Bollack, Sr., the legal owners of the property known as 121 Church Lane, Cockeysville, Maryland 21030. Messrs. Walsh and Bollack have filed today a Petition for Zoning Variance, requesting certain variances including, without limitation, front yard, side yard, driveway and parking variances in connection with their purchase of this property.

Messrs. Walsh and Bollack are owners of the business known as Walls & Ceilings, Inc. They are presently located at 130 Cockeysville Road, Cockeysville, Maryland 21030, where they are currently paying rent. In addition, they have already purchased the subject property, and are therefore required to carry the debt service thereon. They are unable to relocate their business to the new property, however, until certain construction has been undertaken, which construction, of course, cannot commence until the variances have been granted.

Accordingly, we respectfully request, on behalf of our clients, an expedited hardship hearing, in light of the severe hardship and time constraints faced by our clients.

The Honorable J. Robert Haines
 September 13, 1990
 Page 2

MILES & STOCKBRIDGE

Thank you for your consideration.

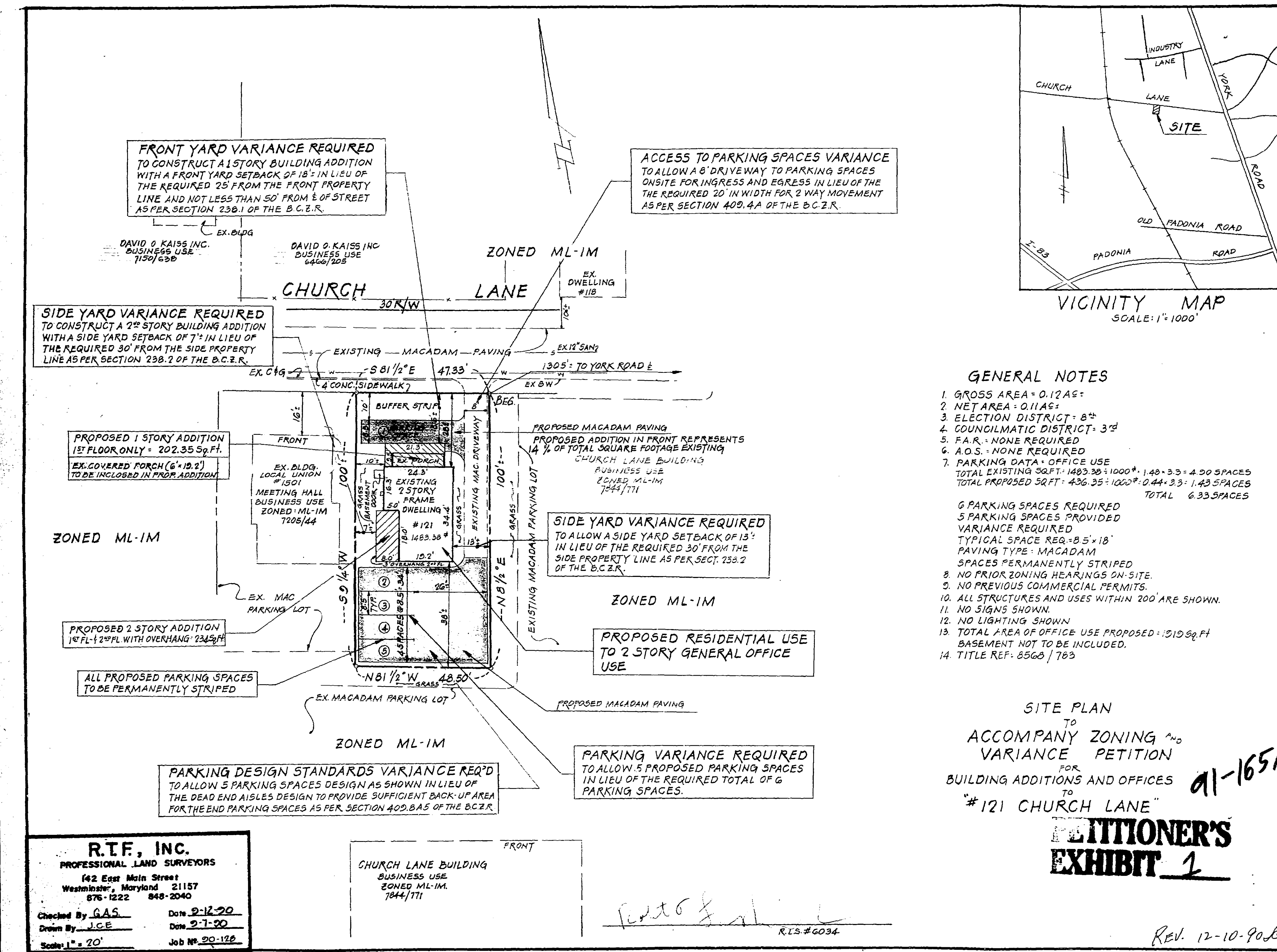
Very truly yours,

Kenneth S. Spence, III
 Kenneth S. Spence, III

KFS/lrs

cc: Gary C. Duvall, Esquire

91-165-A



91-165A

PLEASE PRINT CLEARLY

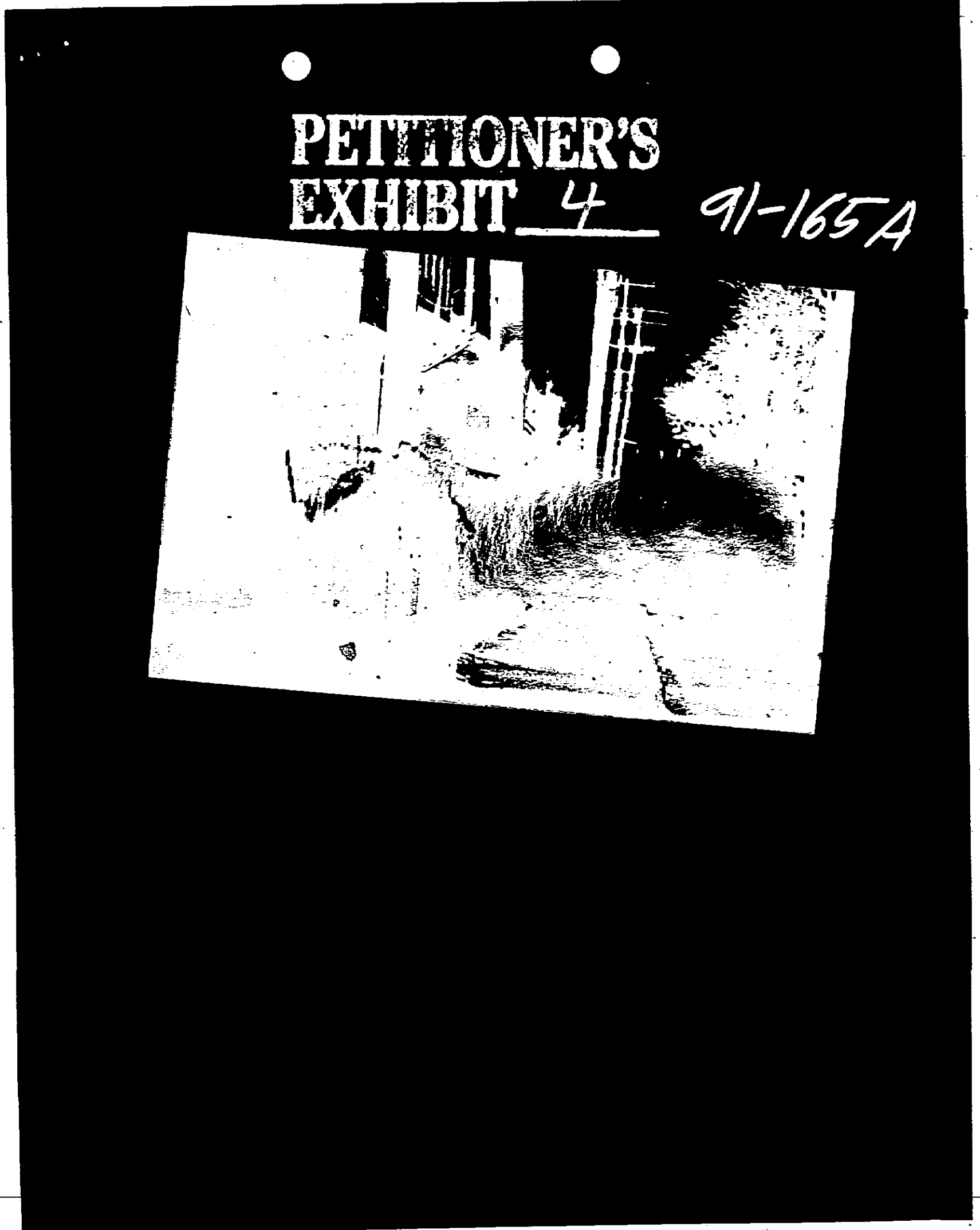
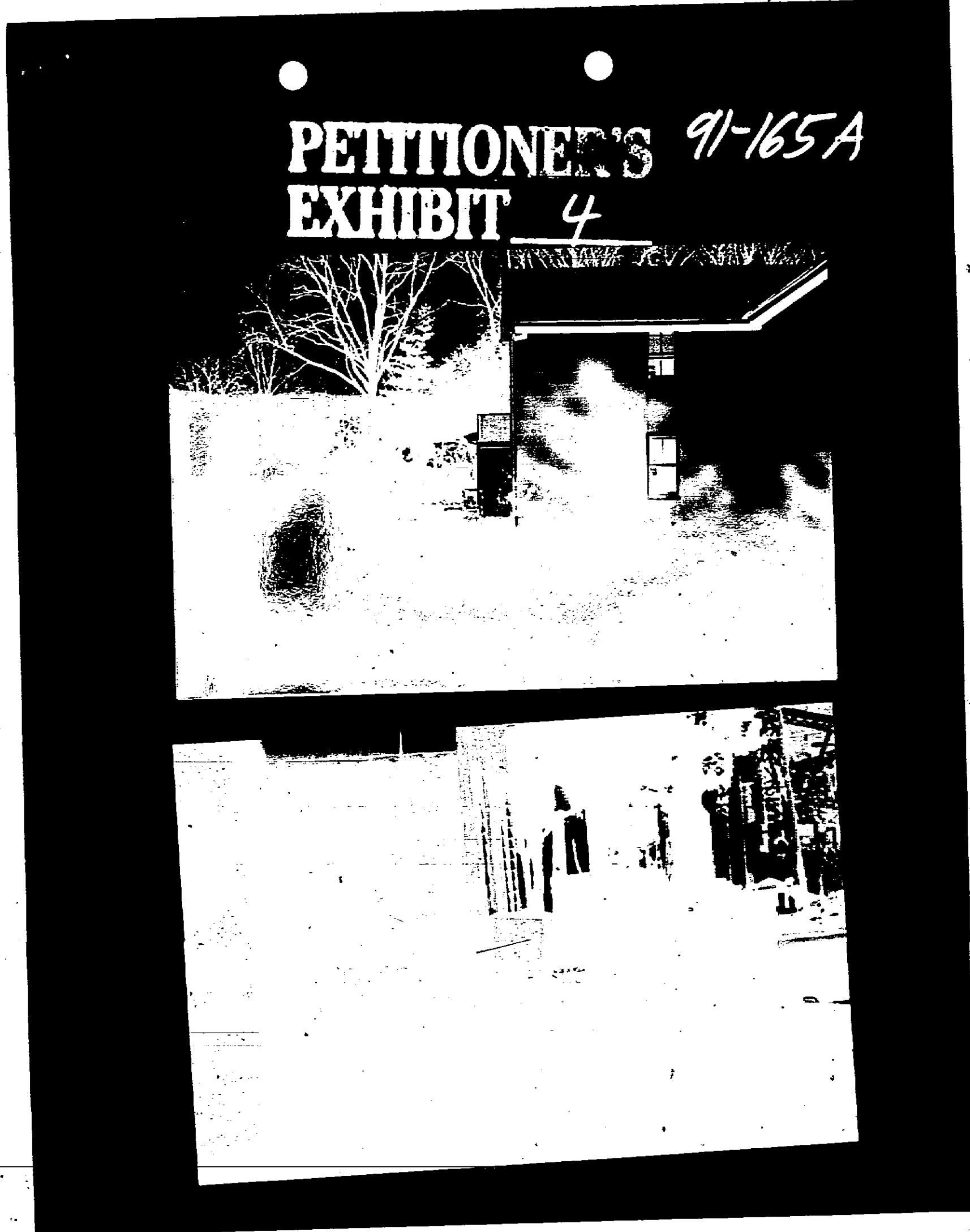
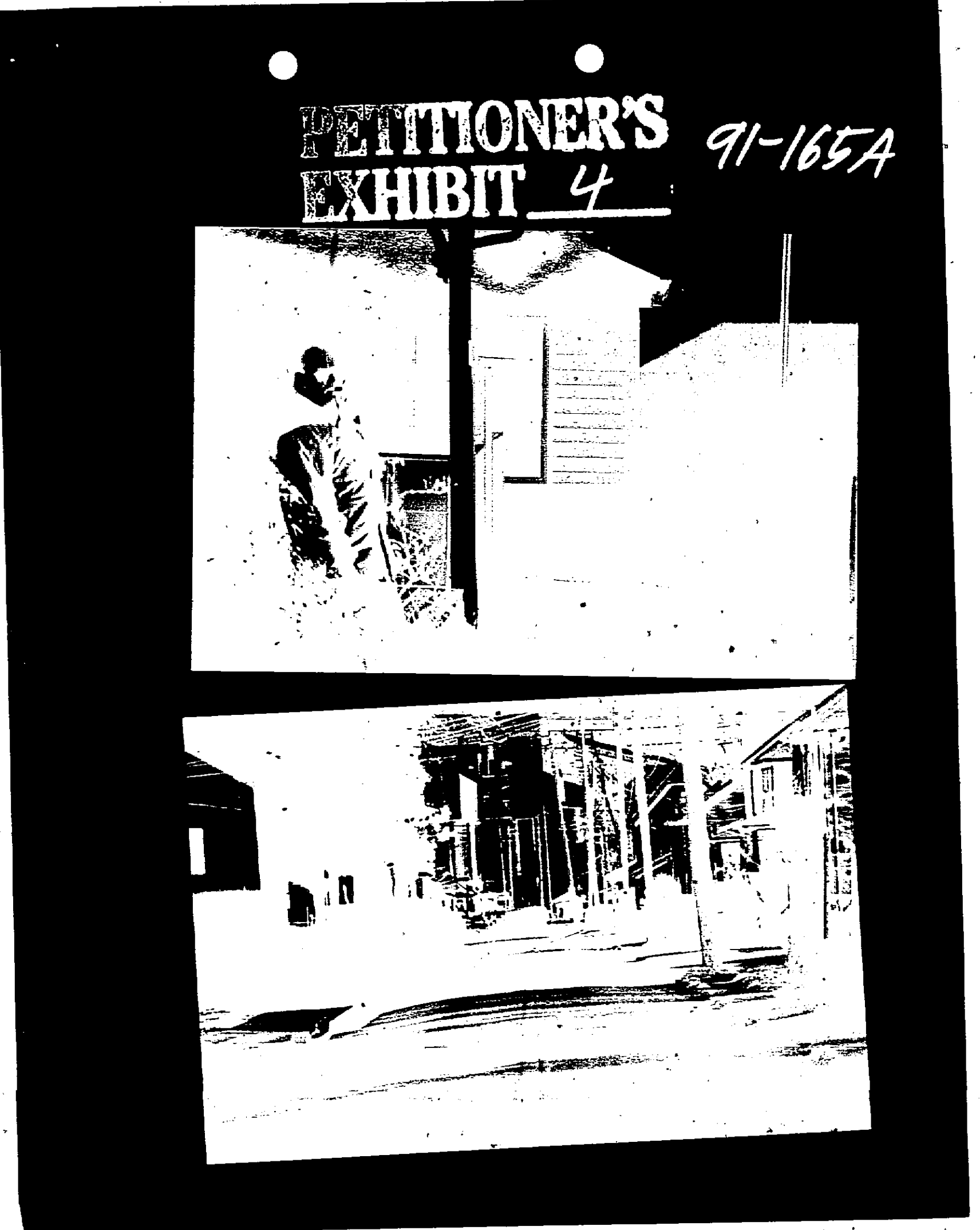
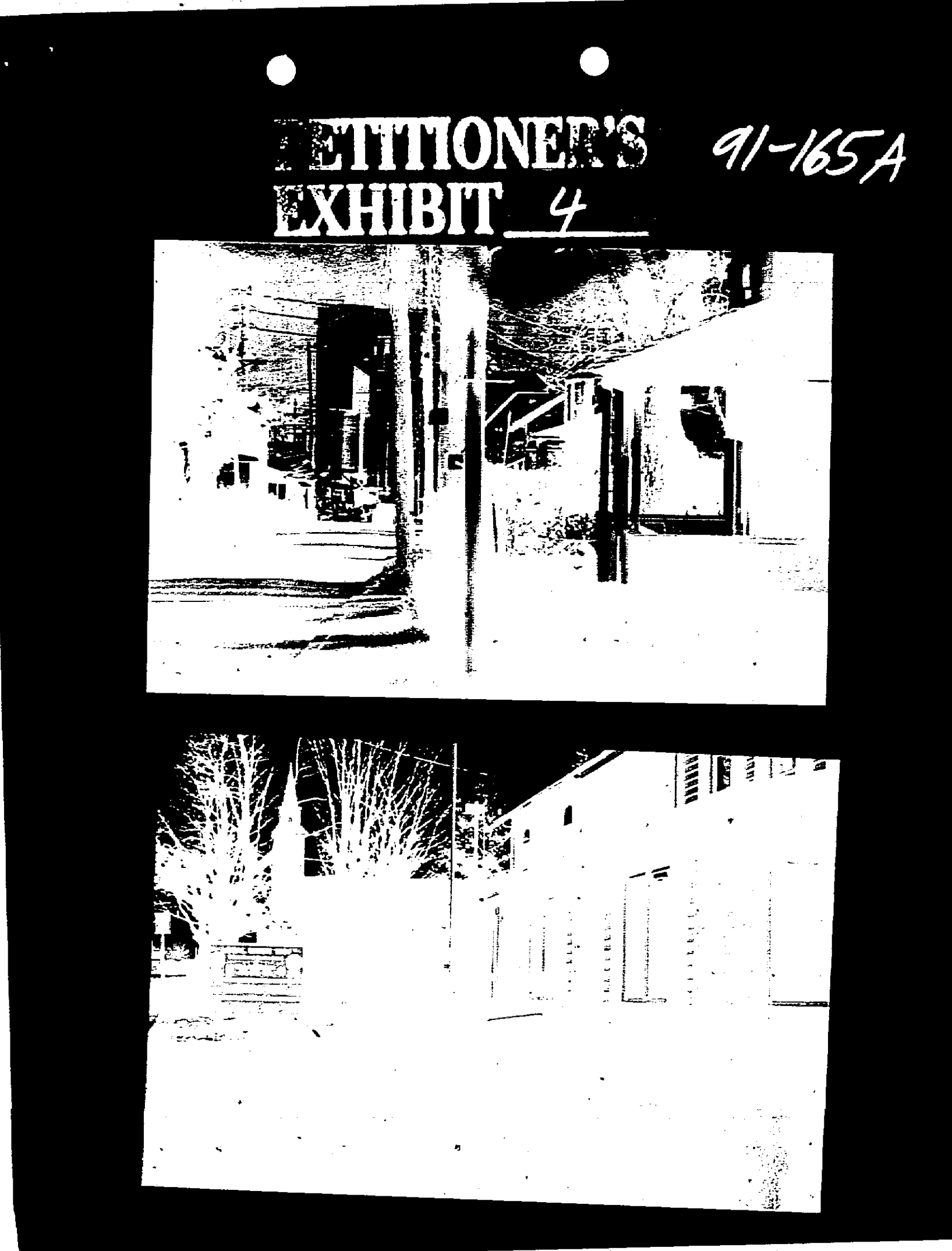
PETITIONER(S) SIGN-IN SHEET

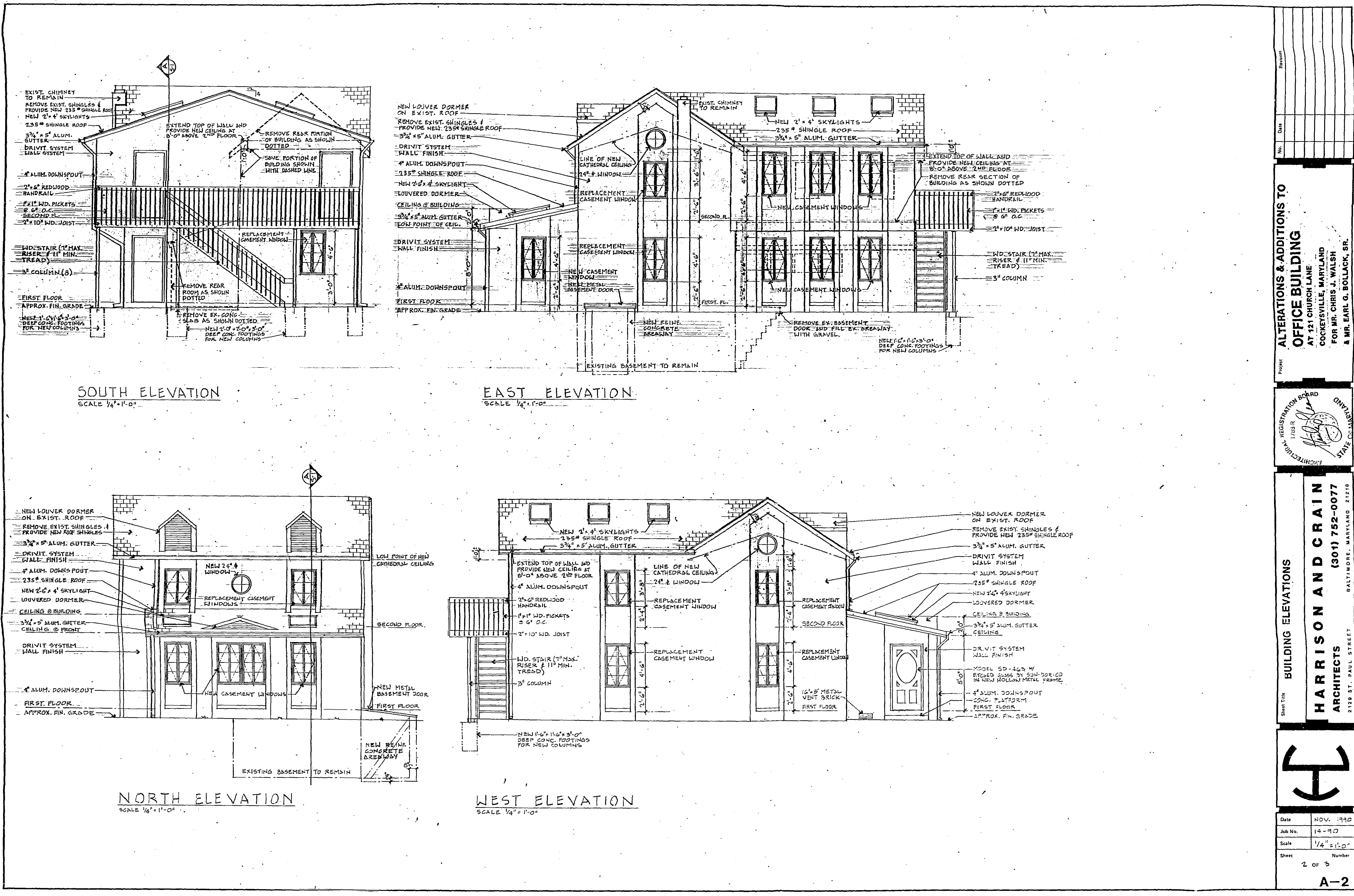
NAME: John C. Eiser
Ernest F. Spence III Esq.
Chris J. Walsh
Earl M. Ballentine

ADDRESS: 8615 Hoffman Mill Rd no 2049
600 Wackerline Ave Town
130 Cockeysville Rd Cockeysville, Md

CARD NO.	08-16-017260	POST	08	MAP	51	BLOCK	16	PARCEL	261	USE	07	AREA	15	CARD	158
STATE	MD	COUNTY	ALLEGANY	CITY/TOWNSHIP	COCKEYSVILLE	SECTION	14	RANGE	10	DEGREE	07	MINUTE	15	SECTION	15
OWNER	Walsh Christopher J/Bollack Earl C, Sr														
ADDRESS	Suite 301 130 Cockeysville Road Cockeysville, MD 21030														
RECORD NO.	61902	RECORD DATE	09/23/86	CLASS	7320	RECORD	742	RECORD	41002	RECORD DATE	08/16/90	CLASS	8568	RECORD	780
POSTED	Peterson, Florence														
MADE OF DEVELOPMENT	Church Lane SS														
1250' W York Road															
GROUP-2															
VALUATION SUMMARY	Base	1990-91 FCV													
Land	28,200	47,000													
Buildings (other)	23,310	31,940													
TOTAL	51,510	78,940													
Assessed By	#17														
Date	DEC 04 1989														
Date of Notice															
New Owner Notice															
Protested															
Date of Hearing															
Final Notice															
Higher Appeal															
Assessment Changed															
Posted By	72428														
LAND VALUATION															
Acres/Sq. Ft.	4,700 sq ft	Class	Acres/Sq. Ft.	Full Value Rate	1990-91	Full Value Rate	Full Value Rate	Full Value Rate							
	47.00/48.00 x 100.00/100.00	Prime	4.70	10	47,000										
		Secondary													
		Tertiary													
		Other													
Front Inf.	Alley Inf.				47,000										
TOTAL VALUE															
From Residential 1990-91															

PETITIONER'S EXHIBIT 2 91-165A





SOUTH ELEVATION
SCALE 1/4" = 1'-0"

EAST ELEVATION
SCALE 1/4" = 1'-0"

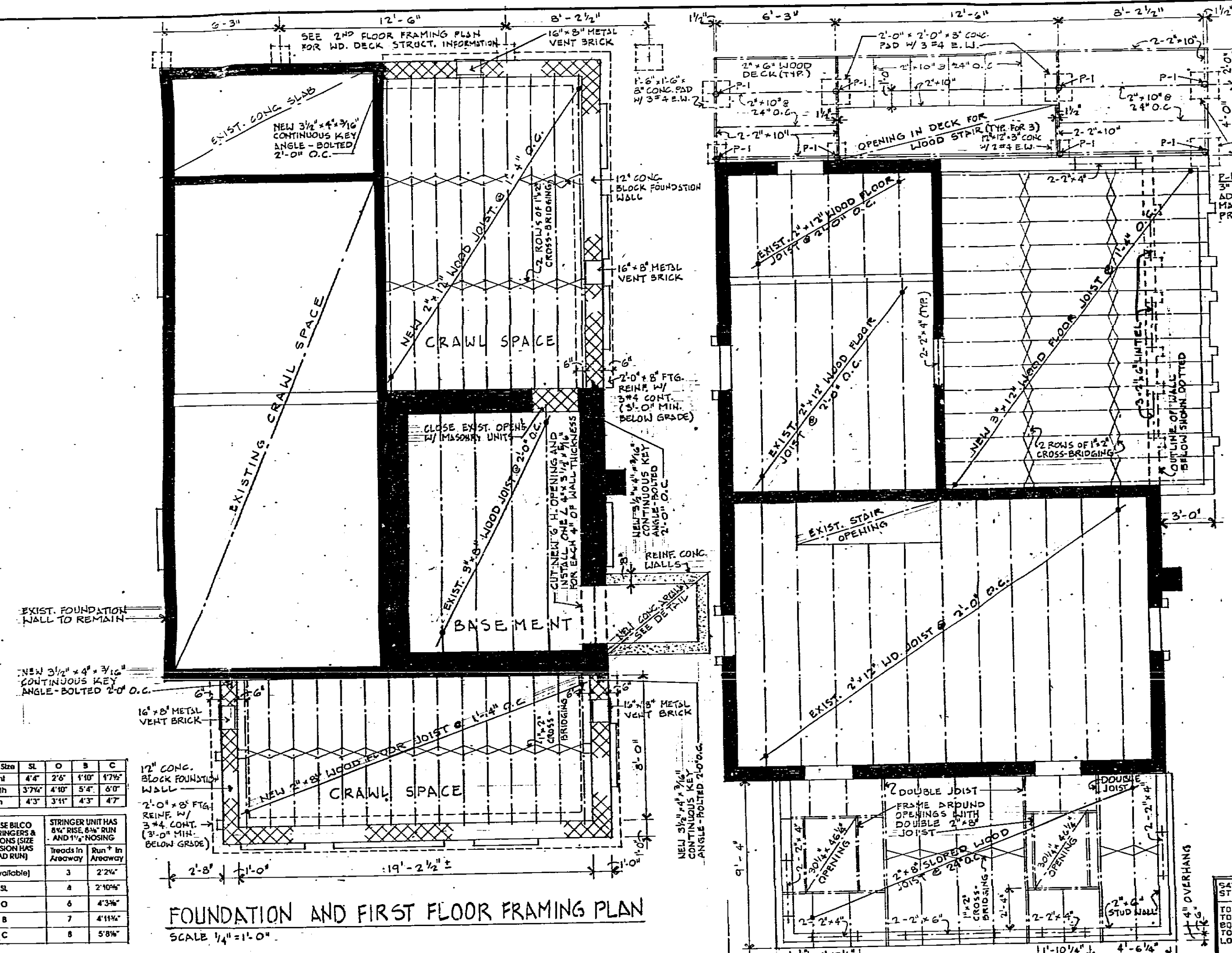
NORTH ELEVATION
SCALE 1/4" = 1'-0"

WEST ELEVATION
SCALE 1/4" = 1'-0"

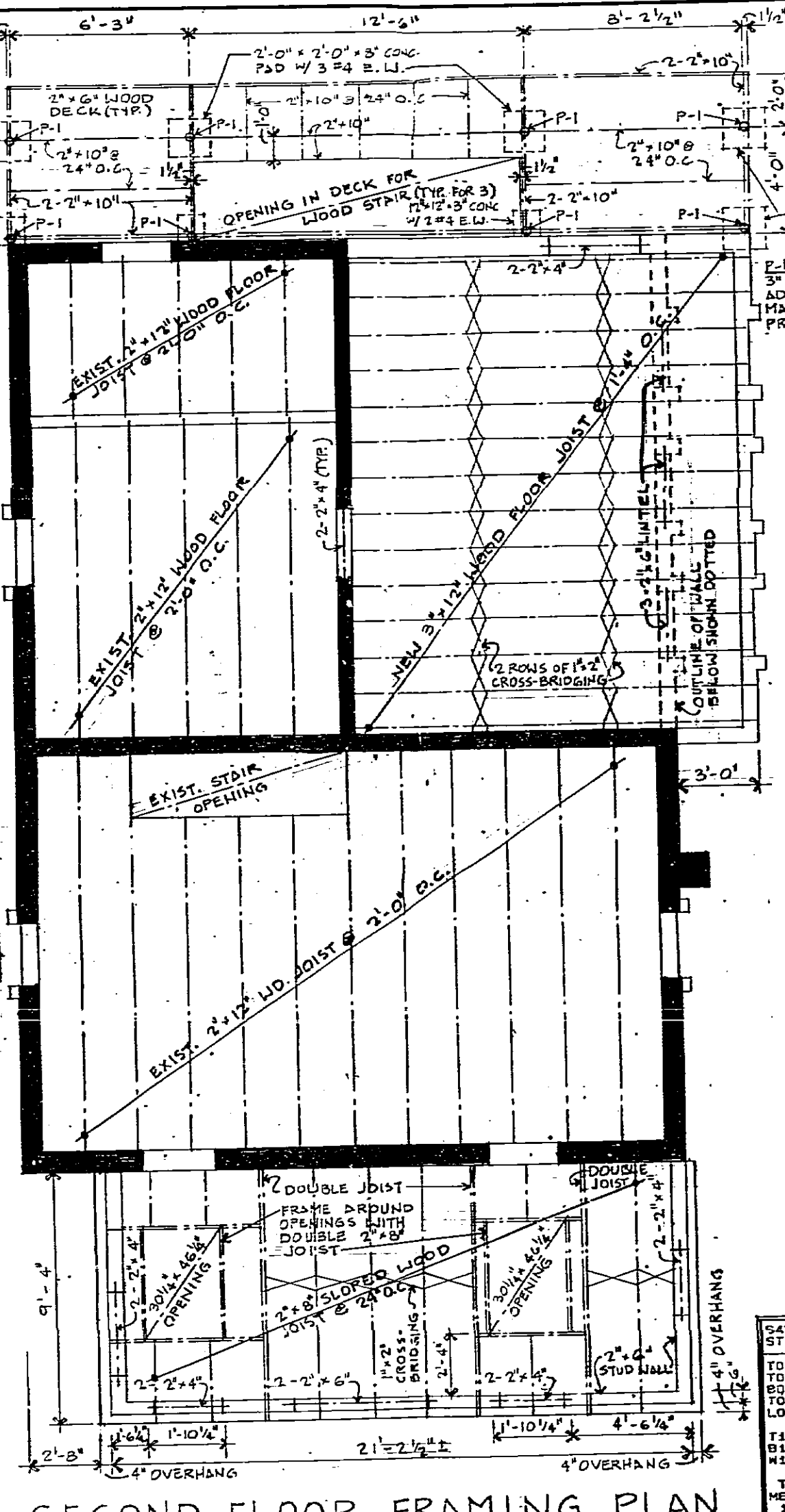
Project	ALTERATIONS & ADDITIONS TO OFFICE BUILDING AT 131 CHURCH LANE COCKEYSVILLE, MARYLAND FOR MR. CHRIS J. WALSH & MR. EARL G. BOLLOCK, SR.
Architect	HARRISON AND CRAIG ARCHITECTS 3130 ST. PAUL STREET BALTIMORE, MARYLAND 21218 (301) 782-0077
Scale	1/4" = 1'-0"
Date	NOV. 1960
Job No.	14-90
Sheet	2 of 5

ATTORNEY'S
EXHIBIT 3

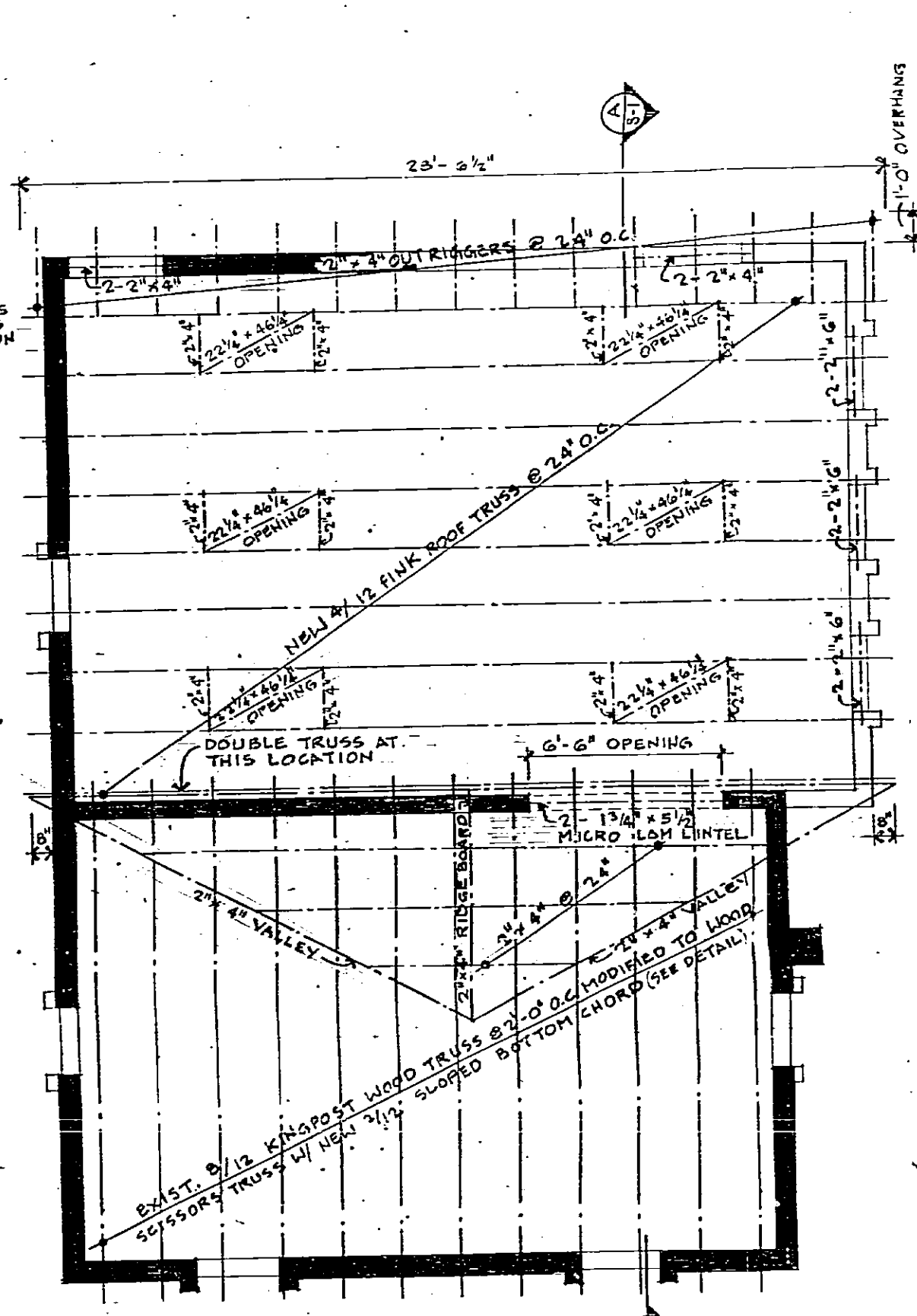
91-165A



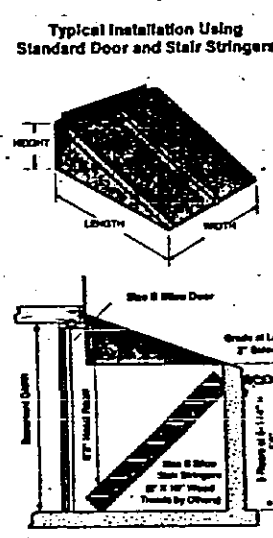
FOUNDATION AND FIRST FLOOR FRAMING PLAN
SCALE 1/4" = 1'-0"



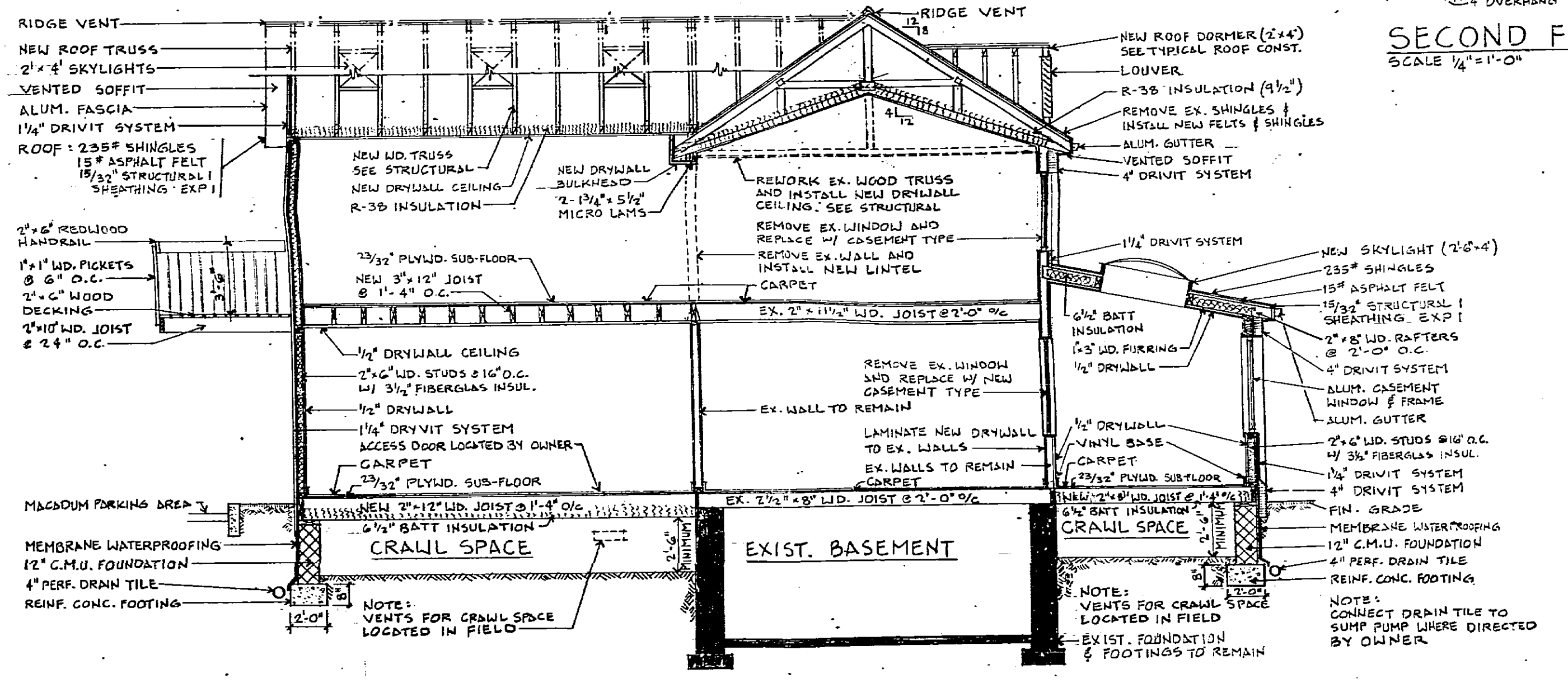
SECOND FLOOR FRAMING PLAN
SCALE 1/4" = 1'-0"



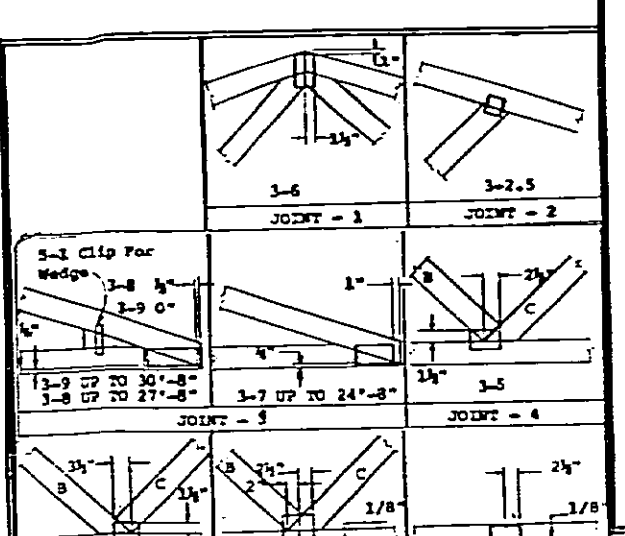
ROOF FRAMING PLAN
SCALE 1/4" = 1'-0"



HEIGHT OF GRADE ABOVE FINISH FLOOR	WALL ARRANGEMENT TO THIS GRADE	USE THIS BEARING WALL OR COLUMN	USE THIS BEARING WALL OR COLUMN	USE THIS BEARING WALL OR COLUMN	USE THIS BEARING WALL OR COLUMN
2'0" TO 2'7"	2" x 4"	2" x 4"	2" x 4"	2" x 4"	2" x 4"
2'8" TO 3'5"	3" x 4"	3" x 4"	3" x 4"	3" x 4"	3" x 4"
3'6" TO 4'3"	4" x 4"	4" x 4"	4" x 4"	4" x 4"	4" x 4"
4'4" TO 5'1"	5" x 4"	5" x 4"	5" x 4"	5" x 4"	5" x 4"
5'2" TO 5'9"	6" x 4"	6" x 4"	6" x 4"	6" x 4"	6" x 4"



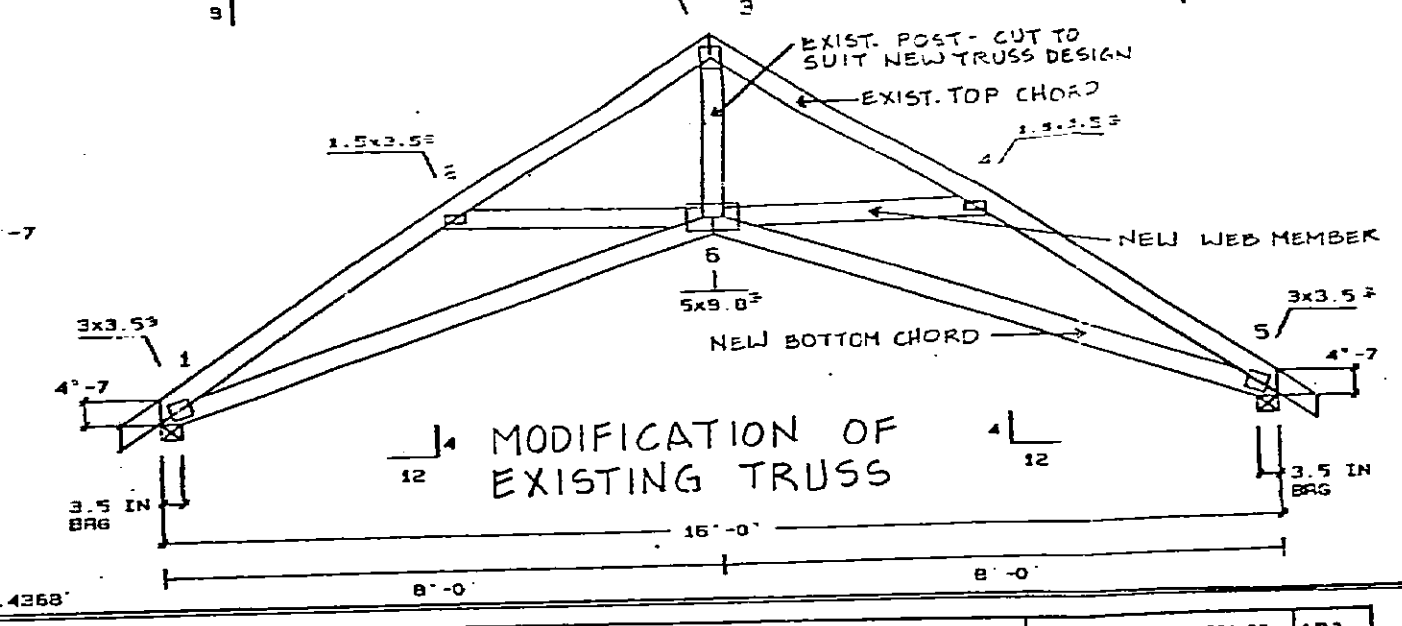
BUILDING SECTION A-A
SCALE 1/4" = 1'-0"



NEW TRUSS

DESIGN PREPARED BY TRUSS FABRICATOR

MEMBER	AXIAL FORCE LBS	BOY AXIAL MEMBER FORCE LBS	MEMBER FORCE LBS	MEMBER FORCE LBS	MEMBER FORCE LBS
1	1250	1250	1250	1250	1250
2	1475	1475	1475	1475	1475
3	1700	1700	1700	1700	1700
4	1925	1925	1925	1925	1925
5	2150	2150	2150	2150	2150



TRUSSAL SYSTEMS

MEMBER	AXIAL FORCE LBS	BOY AXIAL MEMBER FORCE LBS	MEMBER FORCE LBS	MEMBER FORCE LBS	MEMBER FORCE LBS
1	1250	1250	1250	1250	1250
2	1475	1475	1475	1475	1475
3	1700	1700	1700	1700	1700
4	1925	1925	1925	1925	1925
5	2150	2150	2150	2150	2150

ALTERATIONS & ADDITIONS TO
OFFICE BUILDING
AT 121 CHURCH LANE
COCKEYSVILLE, MARYLAND
FOR MR. CHRIS J. WALSH
& MR. EARL G. BOLLACK, SR.

HARRISON AND CRAIG
ARCHITECTS
2129 ST. PAUL STREET
BALTIMORE, MARYLAND 21218

NOV. 1980
JOB NO. 14-90
SHEET AD NOTED
3 OF 3
S-1

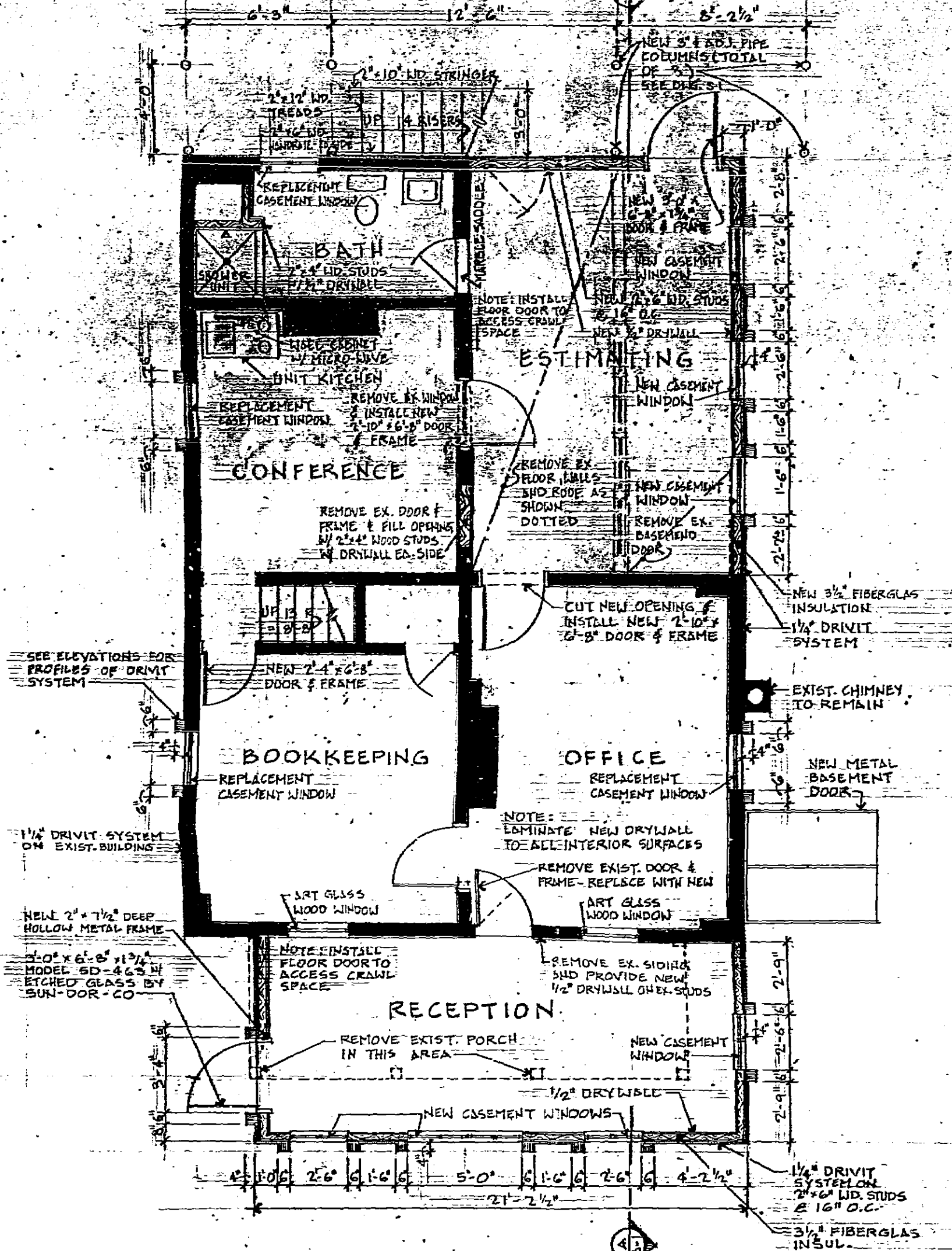
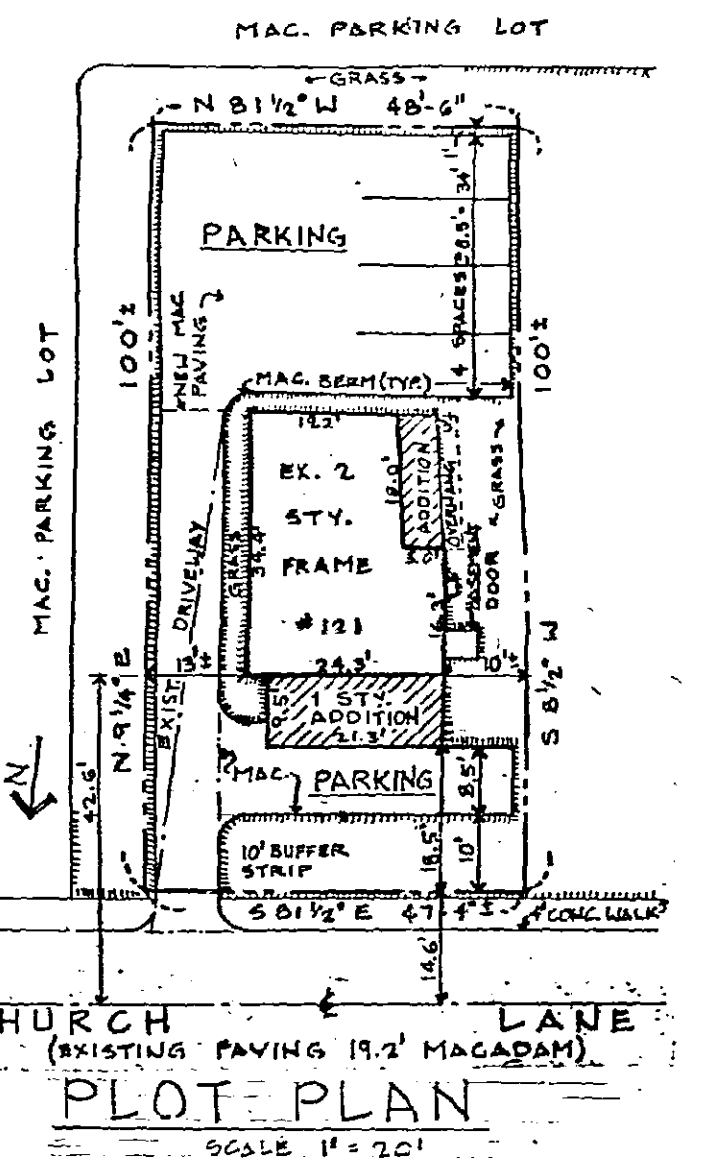
PETITIONER'S
EXHIBIT 3a
91-165A

- I. GENERAL CONDITIONS:**
- CODES:** All work to be done shall be subject to the regulations of the Baltimore County Building Code (1987 B.O.C.A.), Plumbing Code and Electrical Code and all applicable ordinance of the County Council of Baltimore.
 - Insurance and Indemnity:** All Subcontractors shall provide, maintain, and enforce during the performance of its work, Workmen's Compensation Insurance covering all workmen engaged in work and comprehensive General Liability Insurance in limits of not less than one hundred thousand dollars (\$100,000) and Property Insurance in limits of not less than three hundred thousand dollars (\$300,000). Before commencement of work, all certificates of all such insurance must be furnished to the General Contractor.
 - Dimensions:** Verify all dimensions in the field. Notify the Architect of any discrepancies prior to proceeding with the work.
- II. SITE WORK:**
- Grading and backfill shall be sloped away from the building a minimum of one inch per foot.
- III. CONCRETE AND MASONRY:**
- CONCRETE:**
 - Footings shall bear on undisturbed natural soil with a assumed soil pressure bearing capacity of 2500 pounds per square foot.
 - Concrete shall have a minimum 28 day compressive strength of 3000 psi for slab-on-grade and footings.
 - Reinforcing steel shall be billet steel conforming to ASTM Spec. A615-60; #4 Mesh shall conform to A-195.
 - All continuous reinforcing shall be continuous and lapped at all splices, corners, and intersections a minimum of 30 bar diameters.
 - 3" clear cover shall be provided for all reinforcing when concrete is exposed to earth.

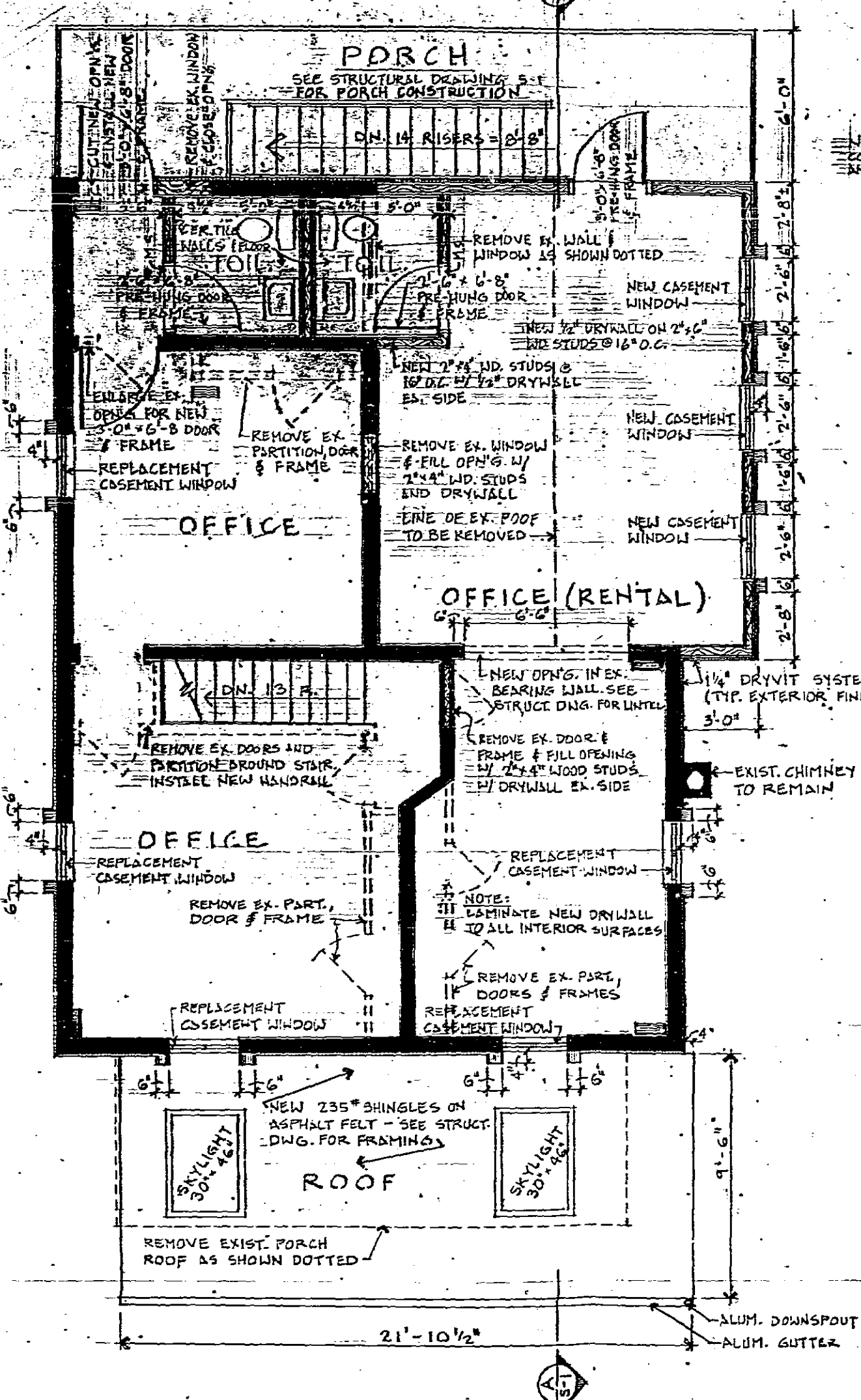
- IV. METALS:**
- Steel: All steel used must conform to ASTM Spec. A-36 and shall bear 8" minimum.
 - Bolts: All anchor bolts used must conform to ASTM A-307.
- V. CARPENTRY:**
- Partitions:** 2 x 4 wood studs at 16 inches on center.
 - Exterior Walls:** 2 x 6 wood studs at 16 inches on center and 1/2" Celotex insulating sheathing with 1/2" CDX plywood corners.
 - Floors:** 5/8" Ply (live load)
 - 2 x 10 joist to be Hem Fir No. 2 with minimum Fb = 1200 psi.
 - New floor sheathing shall be 2 3/4" APA rated 48/24, Exposure II plywood to be glued and nailed.

- VI. WINDOWS, DOORS AND SKYLIGHTS:**
- Windows to be casement type with double pane insulated glass with thermal break. Windows to be weatherstripped.
 - Exterior doors to be minimum 1-3/4" thick, solid wood or insulated metal.
 - Interior doors to be minimum 1-3/8" thick, hollow core.
 - Skylights to be self flashing with raised curb, double pane, bronze tinted acrylic.

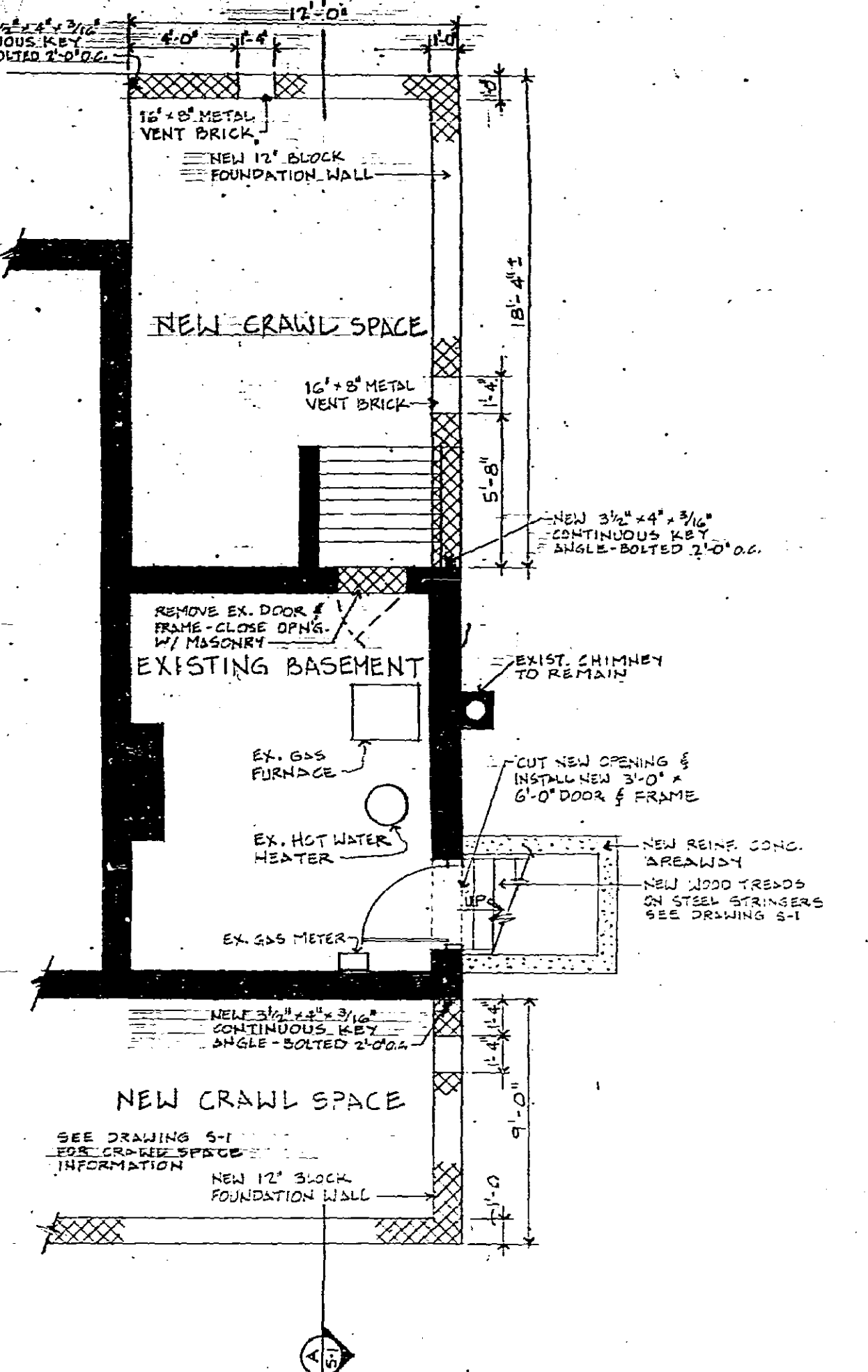
- VII. INSULATION:**
- Walls: 4" Kraft Faced Batt Insulation R-11.
 - Roof: 9-1/2" Kraft Faced Batt Insulation R-38.
 - Floor Slabs: 6-1/2" Kraft Faced Batt Insulation R-19.
- VIII. ROOFING, GUTTERS AND DOWNSPOUTS:**
- Roof Shingles: Fiberglass roof shingles, 235 lbs., Class "A" fire rating over 1/2" felt paper.
 - Gutters and Downspouts: 3-1/4" x 4" Gage aluminum gutter and 4" aluminum downspout.



FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"



BASEMENT PLAN
SCALE 1/4" = 1'-0"

ALTERATIONS & ADDITIONS TO OFFICE BUILDING
AT 121 CHURCH LANE
COCKEYSVILLE, MARYLAND
FOR MR. CHRIS J. WALSH
& MR. EARL G. BOLLACK, SR.

HARRISON AND CRAIG ARCHITECTS
(301) 752-0077
BALTIMORE, MARYLAND 21202
2128 ST. PAUL STREET

PLANNING BOARD
CHITTINGWORTH

PLAT PLAN, FLOOR PLANS AND SPECIFICATIONS

Date: NOV. 1990
Job No.: 14-90
Scale: AS NOTED
Sheet: 1 of 3
Number: A-1

PETITIONER'S EXHIBIT 3b
91-165A