



11 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 14, 1993

Mr. and Mrs. Lawrence J. Fenlock, Sr.
112 Villa Capri Circle
Baltimore, Maryland 21221

RE: Case No. 94-75-A, Item No. 88
Petitioner: Lawrence J. Fenlock, Sr., et al
Petition for Administrative Variance

Dear Mr. and Mrs. Fenlock:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 August 20, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 94-75-A (NCR)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 O.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 30, 1993

FROM: Pat Kellery, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions From Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 62, 71, 72, 73, 74, 76, 77, 78, 81, 82, 84, 86, 87 and 88.

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 887-3490.

Prepared by: Jeffrey W. Long

Division Chief: David L. Kellery

PK/JLL:W

ZAC-63/PHONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: September 13, 1993

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance - Item 88
Fenlock Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 112 Villa Capri Circle. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME: Mr. and Mrs. Lawrence Fenlock, Sr.

APPLICANT PROPOSAL

The applicant has requested a variance from Section 904 and 904.1 of the Baltimore County Zoning Regulations to permit a 6 foot front yard setback in lieu of 11.25 feet for an open projection (attached deck) and to amend the Final Development Plan (FDP) of Villa Capri.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area law.

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the water, sediment, and activities of persons in that area can create adverse environmental impacts" (COMAR 14.15.10.01.03).

Mr. Arnold E. Jablon
September 13, 1993
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REGULATIONS AND FINDINGS

1. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" (Baltimore County Code, Section 26-447).

Findings: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore, no dredging, filling, or construction shall occur in any tidal or non-tidal wetland for this project, and this regulation has been met.

- 2.a. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" (Baltimore County Code Section 26-449(a)).

- 2.b. Policy: "Redevelopment - if less than a 100 foot buffer exists, the buffer is established from the limit of existing permitted disturbance to the shoreline." (Baltimore County Department of Environmental Protection and Resource Management Policy Manual)

Findings: The Villa Capri subdivision is located adjacent to Back River. This deck is proposed to be located within the 100 foot buffer, but further back than the existing parking lot and road called Villa Capri Circle. Therefore, the proposed deck is located within the area of existing permitted disturbance and shall not negatively impact the 100 foot buffer.

3. Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment" (Baltimore County Code Section 26-452(a)).

Findings: In order to comply with the above regulation, the deck shall be constructed over a gravel base, to encourage infiltration of rainwater. In addition the property owner agrees to plant one tree and two shrubs on the property. Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

Mr. Arnold E. Jablon
September 13, 1993
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CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations and is therefore approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-3980.

J. James Dieter
J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:NSP:tmn

c: Mr. and Mrs. Fenlock

FENLOCK/DEPRM/MQBCBA



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 27, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Joan and Lawrence Fenlock, Sr.
112 Villa Capri Circle
Baltimore, Maryland 21221

Re: CASE NUMBER: 94-75-A (Item 88)
112 Villa Capri Circle
675 Virginia Avenue, 140' E of c/l Marie Avenue
15th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 3, 1993. The closing date (September 20, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

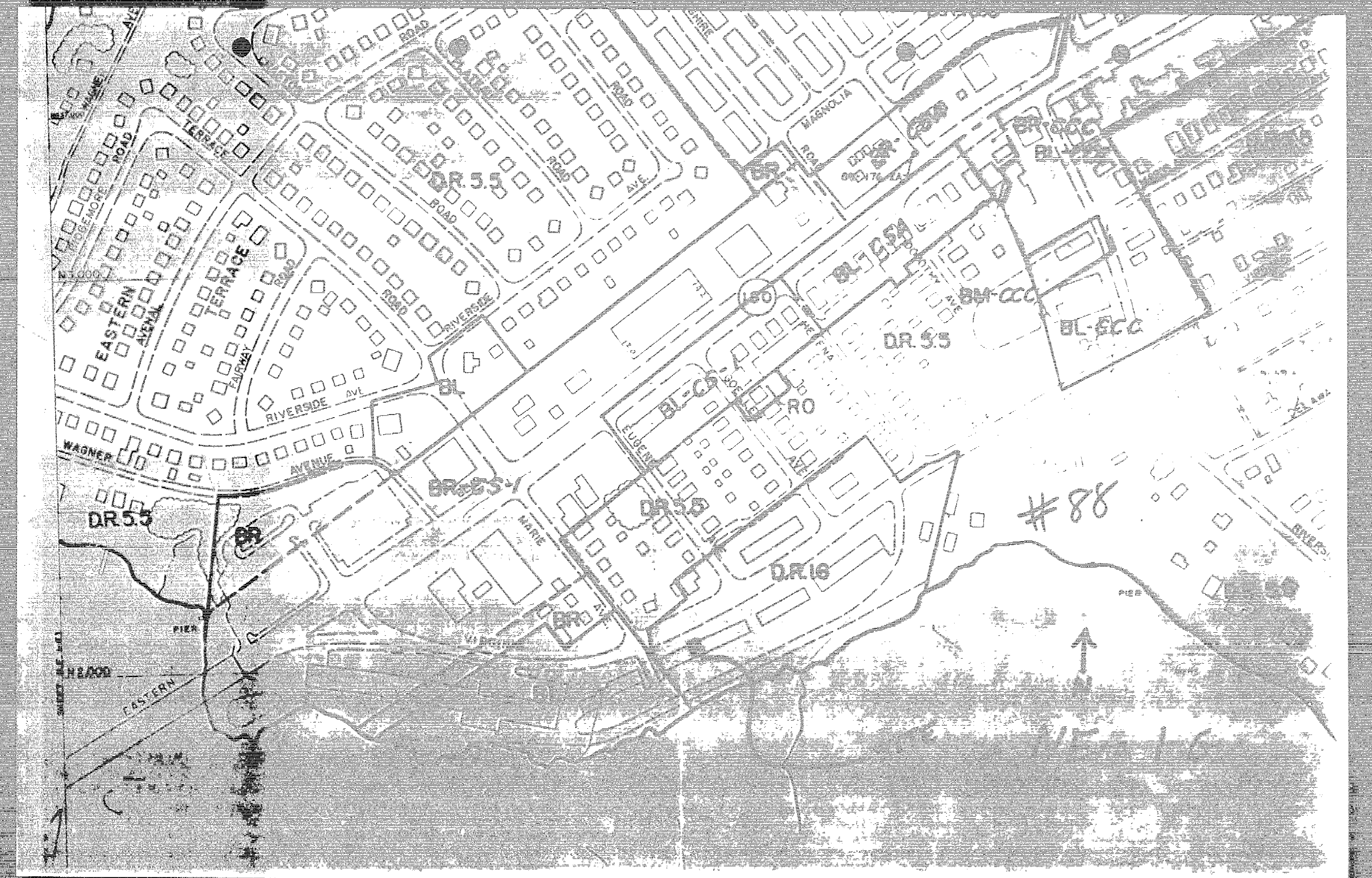
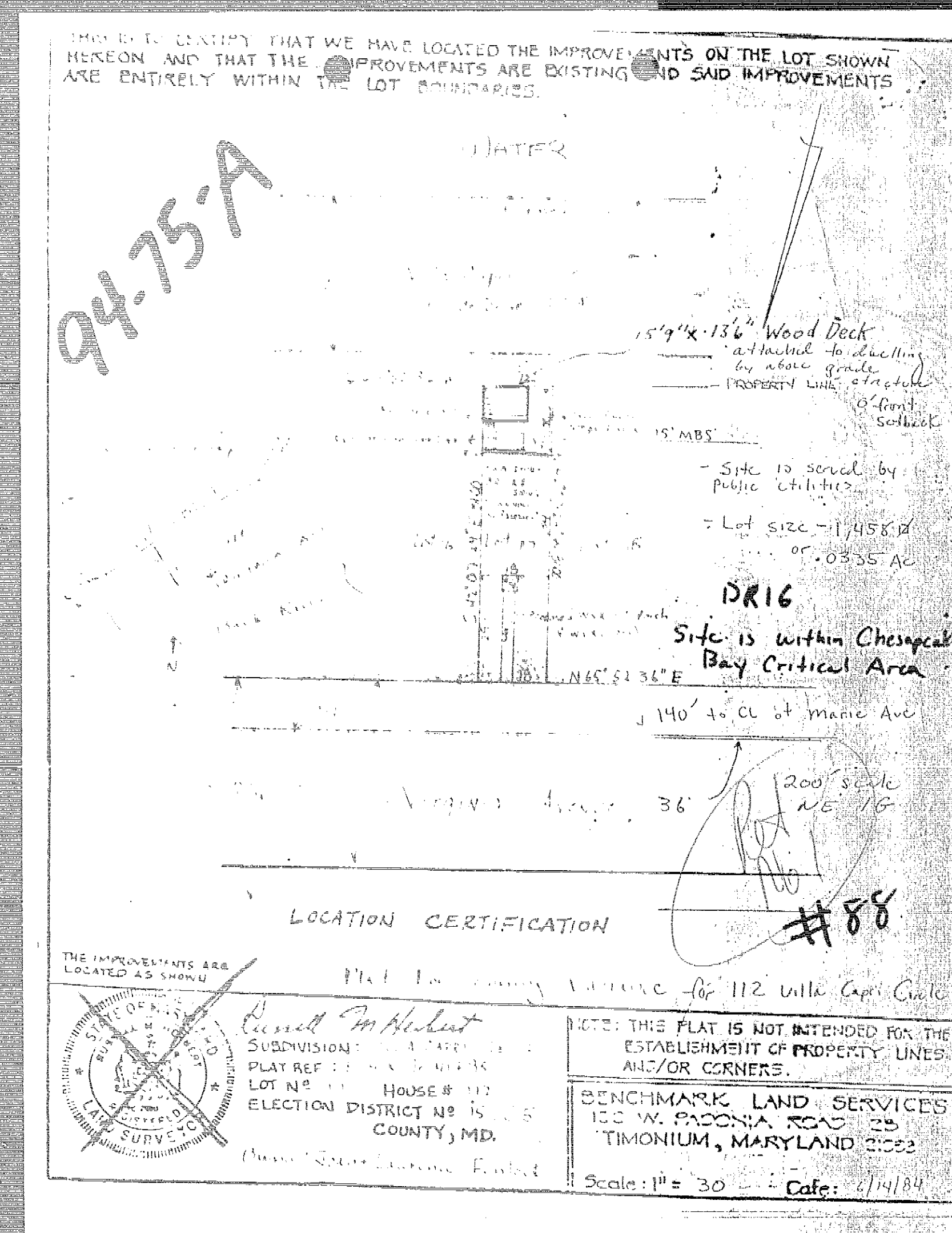
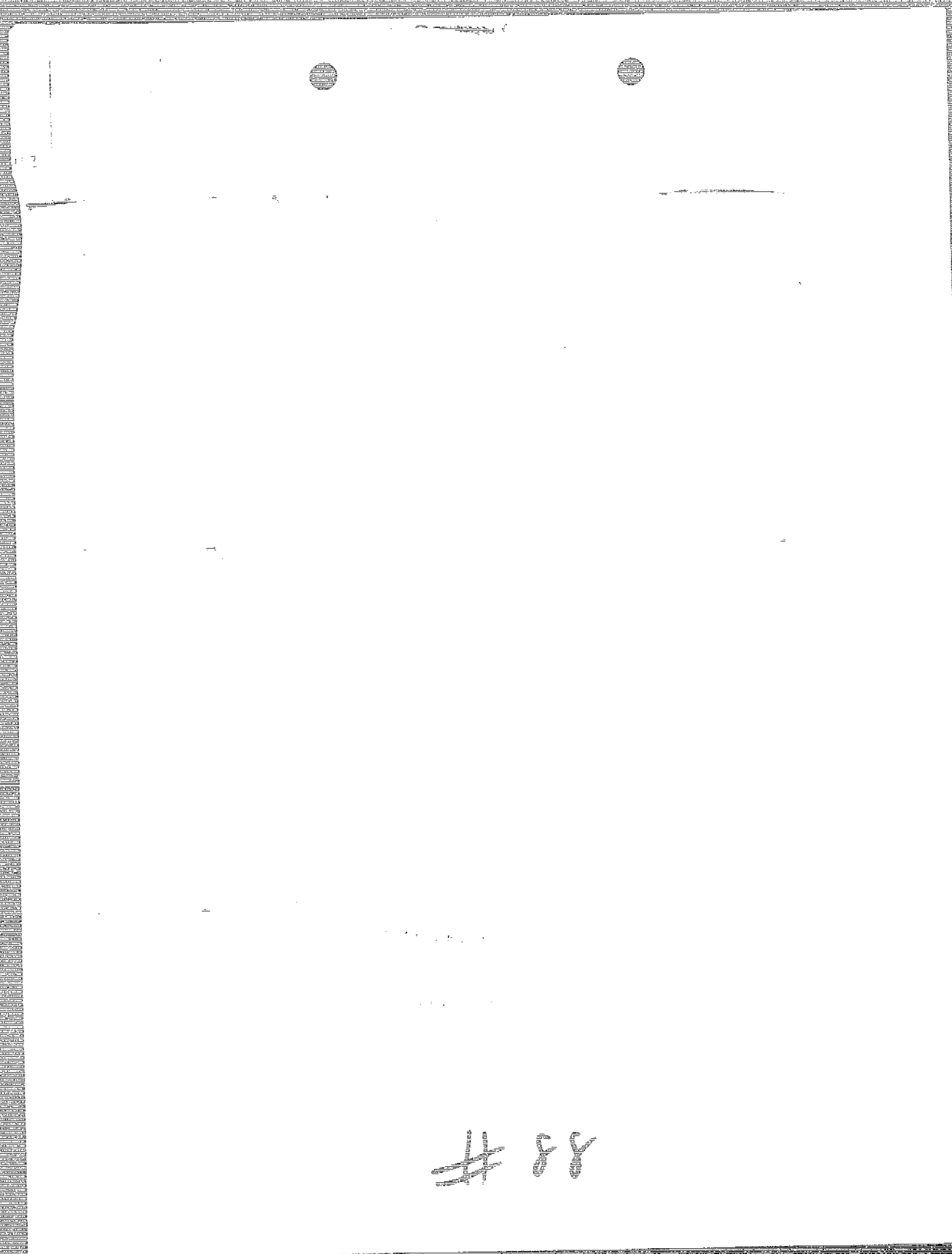
#88

To the Hearing Officer:

The applicant came into the Zoning Counter for a building permit and was told she needed a Variance. She explained that everyone along the street had a deck like she was proposing. She went to the Executive Office and spoke with Lou Kaufman. He called me and asked if I could help her with this petition. I did so upon his request. It might be helpful to send a zoning inspector down to the site to see if the deck is compatible with the others along the street. Any questions let me know.

Mick
8/30/93

Note: As of 8/12/93, I am waiting for photographs of property.



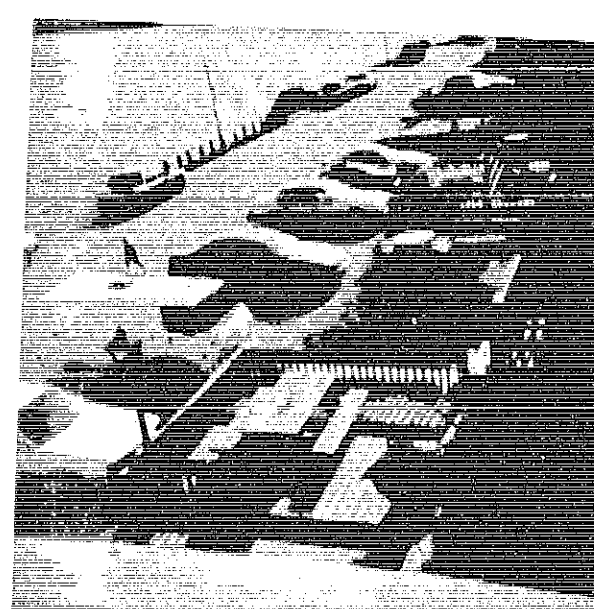
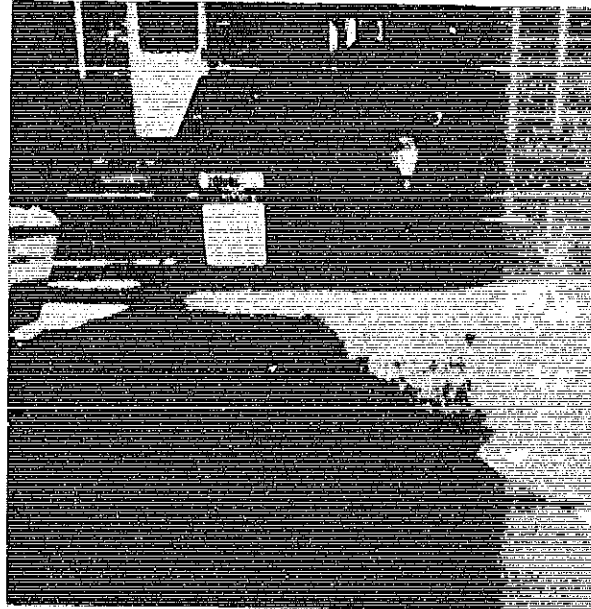
94-75-A

4/15/84 #88

Mitch.

Here are 2
one you can see
from the
the elev. draw
the one you can

134
blocks



Front of 112 with Gap Code

Sample of 2 decks that
like 9 other in our develop
to want to construct