

IN RE: PETITION FOR VARIANCE
S/S Whitestone Road, 400' S of
Dogwood Road
(5744 Whitestone Road)
1st Election District
2nd Councilmanic District

Pete Waskey
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-302-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Pete Waskey. The Petitioner seeks relief from Sections 255.1, 238.2, and 409.8.A.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side and rear yard setbacks of 5 feet and 15 feet, respectively, in lieu of the required 30 feet each, and to permit parking spaces within 1 foot of the street right-of-way in lieu of the required 10 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Pete Waskey, property owner, his sons, Dave and Paul Waskey, and Harold Reid, a representative of the Baltimore County Office of Community Conservation. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a fan-shaped parcel containing a gross area of 0.7033 acres, more or less, zoned M.L.-I.M. The property is located on the northwest side of Whitestone Road along its curved arc in the Meadows Industrial Park in Woodlawn. The property is unimproved at the present time; however, the Petitioner is desirous of developing the site with a one-story warehouse/

ORDER RECEIVED FOR FILING

Date

By

office building to provide additional space for the family's building products business. Mr. Waskey noted that in addition to his 5 sons, there are 17 additional employees employed in the business. Mr. Waskey testified that he has been in business since 1986 and has operated from an existing building located across Whitestone Road from the subject site. Testimony indicated that they have outgrown that facility and in order to remain in the community and continue with the expansion efforts of his company, the Petitioner would like to expand his business to the subject property.

Further testimony revealed that there are a number of site constraints associated with the subject property. As can be seen from the site plan, a stream, known as Dead Run, and a 100-foot forest buffer easement are located along the rear (northwest) property line of the subject site. In addition, the front (widest portion) of the property is located along a curved arc in Whitestone Road. Thus, in order to situate the proposed building on the subject property, the Petitioner had to infringe upon the forest buffer easement, as shown on Petitioner's Exhibit 2. However, the Department of Environmental Protection and Resource Management (DEPRM) would not allow the Petitioner to encroach into this easement. The Petitioner was forced to redesign his building in order to accommodate DEPRM's request and locate the building in accordance with that shown on Petitioner's Exhibit 1. This Deputy Zoning Commissioner believes that the proposal depicted on Petitioner's Exhibit 2 is more appropriate for this site and my attempts to persuade DEPRM to allow the Petitioner to encroach further into the forest buffer easement fell on deaf ears. The Petitioner has had to relocate the proposed building in the manner depicted on Petitioner's Exhibit 1. In addition to developing the site with the proposed building, the Petitioner proposes to realign Whitestone Road by way of a request by

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2/17/98
JMS
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the Department of Public Works (DPW). Whitestone Road has a very sharp curve at this location and DPW has asked that the curve be softened. The Petitioner is also assuming the cost of that improvement.

In discussing the issue of the forest buffer easement and the request by DEPRM that the proposed building remain outside that easement area, the Petitioner asked for additional relief for the front of the building. Specifically, the Petitioner has requested that he be allowed to infringe upon the front building restriction line, given that DEPRM has forced them to move their building further out of the forest buffer easement. Currently, a front property line setback of 23 feet is required. In considering their request, I am persuaded to grant an amendment to the requested variance relief to allow a front building setback of as close as 10 feet in lieu of the required 23 feet. The Petition for Variance shall be amended accordingly, and the Petitioner shall be allowed to move the proposed building further into the front building restriction line. Hopefully, this additional relief will allow the Petitioner to design and construct a building that best suits their needs.

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

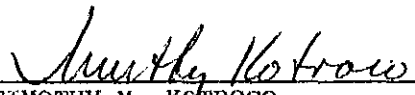
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of April, 1998 that the Petition for Variance seeking relief from Sections 255.1, 238.2, and 409.8.A.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side and rear yard setbacks of 5 feet and 15 feet, respectively, in lieu of the required 30 feet each, and to permit parking spaces within 1 foot of the street right-of-way in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that an additional variance to permit a front building setback of as little as 10 feet in lieu of the required 23 feet, be and is hereby GRANTED, subject to the following restriction:

ORDER RECEIVED FOR FILING
4/17/98
By [Signature]

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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 4/17/18
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 17, 1998

Mr. Pete Waskey
6741 Whitestone Road
Baltimore, Maryland 21207

RE: PETITION FOR VARIANCE
S/S Whitestone Road, 400' S of Dogwood Road
(6744 Whitestone Road)
1st Election District - 2nd Councilmanic District
Pete Waskey - Petitioner
Case No. 98-302-A

Dear Mr. Waskey:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Harold Reid, CCN
DEPRM
People's Counsel; Case Files



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

6744 WHITESTONE RD.
TAX MAP No. 88, GRID No. 19, PARCEL 607-Parcel 1-E
which is presently zoned ML-IM

This Petition shall be filed with the Department of Permits & Development Management

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(s)

TO PERMIT SIDE AND REARYARD SETBACKS OF 255.1, 238.2 AND 409.8 A.4, BC2R, REQUIRED 30' AND TO PERMIT PARKING SPACES WITHIN 1' OF THE STREET RT.-OF-WAY IN LIEU OF THE REQUIRED 10' OF THE Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) THIS PROPERTY WAS IN COMPLIANCE WITH ALL SETBACK REQUIREMENTS PRIOR TO THE PROPOSED WHITE STONE ROAD RE-ALIGNMENT. HOWEVER DUE TO THE SEVERANCE AND TAKING OF 50' ON THE NORTHERLY SIDE OF THIS PROPERTY IT NOW BECOMES A PROPERTY THAT IS NO LONGER SERVICEABLE IN AREA AND WE ARE ASKING FOR APPROVAL OF THE SETBACK AND PARKING SETBACK REQUIREMENTS FROM SECTIONS 255.1, 255.2 AND 409.8 A.4 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

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.

Contract Purchaser/Lessee:

MR. PETE WASKEY
(Type or Print Name)

Signature

6741 WHITE STONE ROAD
Address

BALTIMORE MARYLAND 21207
City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

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

Legal Owner(s):

MR. PETE WASKEY
(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

PAUL WASKEY
Name

6741 WHITESTONE RD 410 298-1061
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: Jim

DATE

2-11-98

302



Printed with Soybean Ink
on Recycled Paper

Revised 1/5/95

98-302-A

ORDER RECEIVED FOR FILING

Date

By

ZONING DESCRIPTION
OF
PARCEL 1-E
MEADOWS INDUSTRIAL PARK

BEGINNING for the same at a point on the South side of Whitestone Road, having a 40' right-of-way, said point also being the western most point of a 80 foot storm drain reservation and utility easement and situated South 41 degrees 11 minutes 19 seconds East 85.08 feet from the northernmost point on the aforementioned utility easement and the westernmost common corner of the Von Paris parcel, recorded in Liber 5423 at Folio 914, thence leaving said point of *beginning and running with and binding on the common line of parcel 1-E and the aforementioned utility easement the following course and distance:*

1) South 28 degrees 56 minutes 20 seconds East 233.35 feet, to the northernmost common property corner of parcel 1-E and parcel E, thence running with and binding reversely on said property line for the following course and distance,

2) South 72 degrees 06 minutes 29 seconds West 205.99 feet, to a point on the Northeasterly 60 foot right-of-way of White Stone Road, thence running with and binding on a curve to the right with a radius of 270.00 feet for an arc length of 257.18 feet, to a point of tangent, thence

3) North 41 degrees 11 minutes 19 seconds East 35.98 feet, to the place of beginning and encompassing 0.7033 acres of land as identified as parcel 1-E in the subdivision of Meadow Industrial Park as recorded in Baltimore County, Maryland in Plat book E.H.K., Jr. 45, folio 137 dated February 29, 1980 and said parcel more specifically located within the first Election District.

302

HICKS ENGINEERING COMPANY, INC
CIVIL ENGINEERS/SURVEYORS
200 EAST JOPPA ROAD, SUITE 402
TOWSON, MARYLAND 21286
H.E.C. JOB ORDER NO. 98004



January 19, 1998

Page 1 of 1

98-302-A

A-50E-8P

**NOTICE OF ZONING
HEARINGS**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #98-302-A
6744 Whitestone Road
S/S Whitehead Road, 400' SW
of centerline Dogwood Road
1st Election District
2nd Councilmanic District
Legal Owner(s): Pete Waskey

Variance: to permit side and rear yard setbacks of 5 feet and 15 feet in lieu of the required 30 feet and to permit parking spaces within 1 foot of the street right-of-way in lieu of the required 10 feet.

Hearing: Thursday, March 19, 1998 at 10:00 a.m., in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

2/446 Feb. 26 C209744

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/26, 1998

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 2/26, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 2-11-98 ACCOUNT 2001-6150 AND 302 No. 048642

AMOUNT \$ 250.00

RECEIVED FROM: P. WASKY WHITESIDE RD.

FOR: VAR (020)

PAID RECEIPT

PROCESSED BY: 2/12/98 TIME: 14:39:35
CASHIER: CLM DM. JAMES
5 MISCELLANEOUS CASH RECEIPT
Receipt # 03827
CR NO. 048642

250.00 CHECK
BALTIMORE COUNTY, MARYLAND

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

98-302-A

CASHIER'S VALIDATION

RE: PETITION FOR VARIANCE
6744 Whitestone Road, S/S Whitestone Rd,
400' SW of c/l Dogwood Rd
1st Election District, 2nd Councilmanic

Pete Waskey
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-302-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of March, 1998, a copy of the foregoing Entry of Appearance was mailed to Paul Waskey, 6741 Whitestone Road, Balitmore, MD 21207, representative for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

CERTIFICATE OF POSTING

RE: Case No. 98-302-A
Petitioner/Developer:
(Peter Waskey)
Date of Hearing/Closing:
(Mar. 19, 1998)

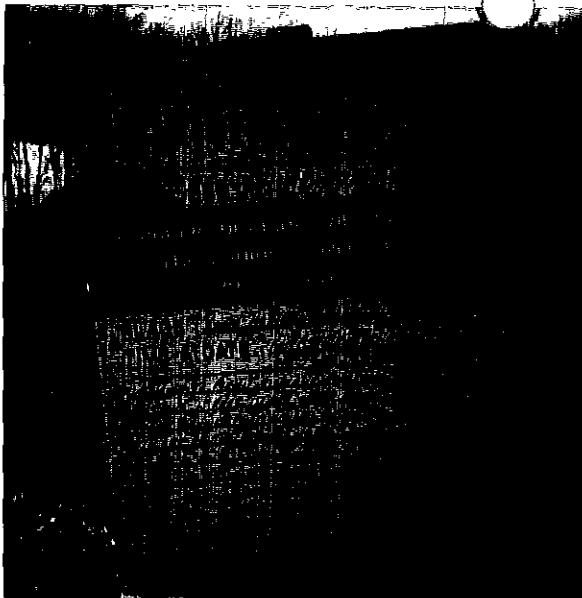
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____
6744 Whitestone Road Baltimore, Maryland 21207 _____

The sign(s) were posted on _____ **Mar. 4, 1998** _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr.

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)

98-302-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 19, 1998

NOTICE OF ZONING HEARING

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CASE NUMBER: 98-302-A
6744 Whitestone Road
S/S Whitehead Road, 400' SW of centerline Dogwood Road
1st Election District - 2nd Councilmanic District
Legal Owner: Pete Waskey

Variance to permit side and rear yard setbacks of 5 feet and 15 feet in lieu of the required 30 feet and to permit parking spaces within 1 foot of the street right-of-way in lieu of the required 10 feet.

HEARING: Thursday, March 19, 1998 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon" with the initials "scg" written below it.

Arnold Jablon
Director

c: Paul Waskey

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MARCH 4, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
February 26, 1998 Issue - Jeffersonian

Please forward billing to:

Paul Waskey 410-298-7261
6741 Whitestone Road
Baltimore, MD 21207

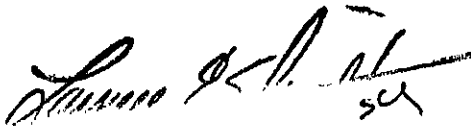
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401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391..

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-302-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: A VARIANCE TO PERMIT SIDE AND REAR YARD
SETBACKS OF 5ft. AND 15ft. IN LIEU OF
THE REQUIRED 30ft. AND TO PERMIT PARKING
SPACES WITHIN ONE FOOT OF THE STREET
RT. OF WAY IN LIEU OF THE REQUIRED 10ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 12, 1998

Pete Waskey
Manor Style Ltd.
6741 Whitestone Road
Baltimore, MD 21207

RE: Item No.: 302
Case No.: 98-302-A
Petitioner: Pete Waskey

Dear Mr. Waskey:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 11, 1998.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 2, 1998

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for March 2, 1998
 Item No. 302

 The Bureau of Developer's Plans Review has reviewed the subject zoning item. This office does not oppose the variance request of 1-foot setback from the right-of-way.

RWB:HJO:jrb

cc: File

ZONE0302.302



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 23, 1994

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
PH: 510P-1103

RE: Property Owners: Peter Waskev

Location: DISTRIBUTION MEETING OF February 23, 1994

Item No.: 302 Zoning Agendas

Re: Comments

Pursuant to your request, the referenced report was prepared
submitted by this Bureau and the comments below are being
submitted to be corrected or incorporated into the final report
on property.

1. Fire hydrants for the referenced property are required to
shall be located at proper intervals. See Baltimore County
in accordance with Baltimore County Chapter 17, Section 17-101
See Baltimore County Code as published in the Baltimore
Public Works.

2. The site shall be made to comply with all provisions of
of the Fire Prevention Code as published in the Baltimore
Public Works.

3. For building and construction, see Baltimore County Code
site shall comply with all applicable provisions of the
National Fire Protection Association Standard NFPA 101, "Life
Safety Code", 1994 Edition prior to occupancy.

File

REVIEWER: W. FOREST C. SALLERMAN

Fire Marshal Office, PHONE 327-4091, 4091-30

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 2/24/98
Item No. 302 JCM

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

for

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: March 11, 1998

98-302
3/11/98

To: Arnold L. Jablon

From: Bruce Seeley *BS/4P*

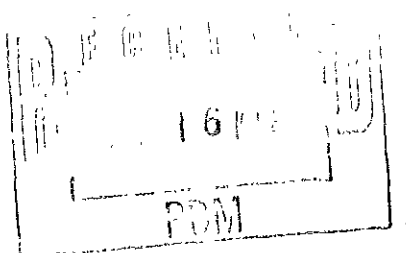
Subject: Zoning Item #302

Waskey Property, 6744 Whitestone Road

Zoning Advisory Committee Meeting of February 23, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code), if the property is being subdivided according to the Development Regulations.
- Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

GP:sp



Sent
3/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
and Development Management

Date: March 16, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 6744 Whitestone Road

INFORMATION

Item Number: 302

Petitioner: Pete Wasky

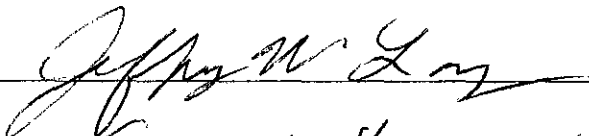
Zoning: ML-IM

Requested Action: Variance

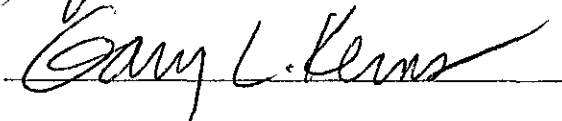
Summary of Recommendations:

Based upon a site visit it would appear that the proposed variances will not adversely impact the adjacent industrial uses. However, in order to enhance the appearance of the road frontage along Whitestone Road, the applicant should provide a landscape plan to the County's Landscape Architect, Avery Harden.

Prepared by:



Division Chief:



AFK/JL



Baltimore County
Department of Environmental Protection
and Resource Management

Office of the Director
401 Bosley Avenue, Suite 416
Towson, Maryland 21204
410-887-3733
Fax: 410-887-4804

March 17, 1998

Mr. Peter Waskey
Mid-Eastern Advertising
6741 Whitestone Road
Baltimore, Maryland 21207

Re: Meadows Industrial Park, Parcel 1-E
Forest Buffer Variance Request

Dear Mr. Waskey:

A request for a variance from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains was received by this Department on February 13, 1998. This request proposes reducing the Forest Buffer width by fifty (50) feet, and slight impacts to the one hundred (100) year floodplain and to wetlands for construction of a warehouse and associated grading and infrastructure.

Staff of this Department have reviewed this request, evaluated the resources on-site and researched the development history of this property. We recognize that the extent of the Forest Buffer required for this site presents design constraints. We realize that the proposed realignment of Whitestone Road impacts your proposal in several way. Furthermore, we acknowledge that the site had, in the past, been prepared for development.

Therefore, we will grant a variance, in accordance with Section 14-341(a)(4) of the Baltimore County Code, with the following additional requirements to further minimize impacts to water quality and the resources:

1. The maximum extent of the Forest Buffer (FB) reduction shall be approximately 1,100 square feet. The limit of the FB shall adhere to the existing fence line. Holding that line as the limit of disturbance may keep this project from additional reviews by Baltimore County Department of Public works, Maryland Department of Environment and Army Corps of Engineers.
2. The 25 feet wide commercial setback from the edge of the FB shall be reduced by approximately 4,800 square feet, to a width of zero (0) feet, provided that a fence is retained along the limits of the reduced Forest Buffer.



3. The limits of the FB shall be posted with protective signage, provided by this Department.
4. Please note that the Forest Buffer shall be recorded as an Easement or Reservation, prior to building permit approval.
5. The following note must be shown on all plans prepared for this property:

"A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains which became effective on January 1, 1991. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts."

It is the intent of this Department to approve this variance subject to the conditions above. Any changes in site layout may require submittal of revised plans and an amended variance request.

Please sign the statement on the following page and return a signed copy to this office within 21 calendar days. Failure to return a signed copy of this letter may render this variance approval null and void, or may result in delays in processing of plans for this project.

Please be advised that you may have to request and received a zoning variance for relaxation of the setbacks, as well as, redesign your proposal.

If you have any questions regarding these comments, please contact Mr. Michael S. Kulis at 410-887-3980.

Sincerely yours,



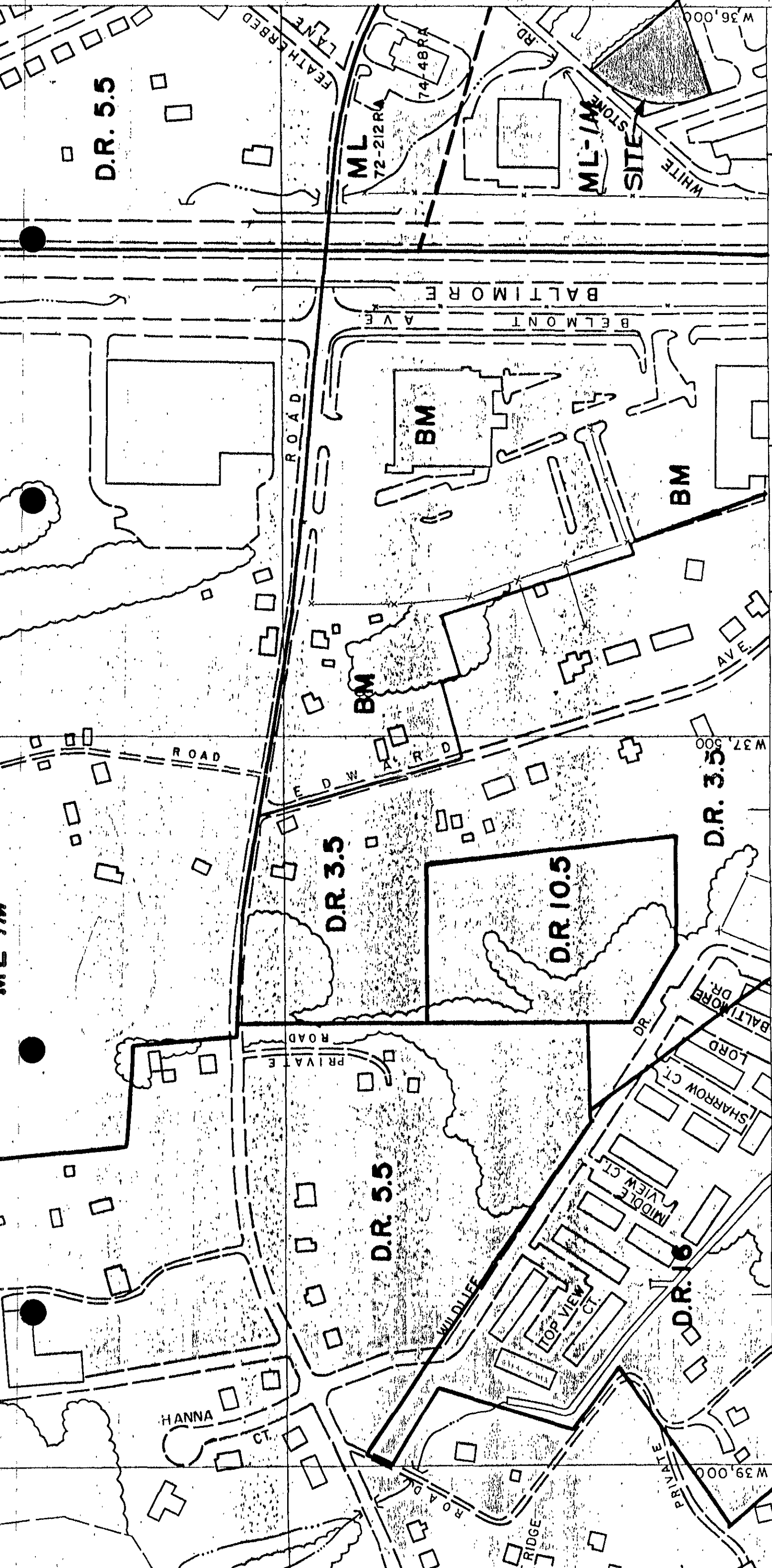
George G. Perdikakis
Director

C. Mr. Timothy Kotroco

Mr. Peter Waskey
March 17, 1998
Page 3

I/We agree to the above conditions to bring my/our property into conformance with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner	Date	Contract Purchaser	Date
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SHEET		LOCATION		DATE OF PHOTOGRAPHY JANUARY 1986	N.W. 3-G
		BELMONT AREA			
98-302-A					

MANAGING AND ZONING MAP

(SHEET NW-2-G)