

PETITION FOR ZONING VARIANCE 85-57A **TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:**

The undersigned, legal owner(s) of the property situated 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 409.1 of the Baltimore County Zoning Regulations by reducing the parking spaces required for the existing Rosedale Federal Savings and Loan Association Building and proposed Rosedale Federal Savings and Loan Drive-in Bank from 31 to 0 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Petitioner provides 38 parking spaces in a parking lot it owns within 500' of the aforesaid buildings, but said parking lot is located across Spruce Street from such buildings in Baltimore City, and Petitioner is advised that Baltimore County will not accept facilities in Baltimore City as satisfying the zoning requirements of Baltimore County. In the alternative (to a variance), Petitioner would request that Baltimore County approve the parking spaces provided in Baltimore City as satisfying the parking requirements for said buildings in Baltimore County.

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 resolutions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
 (Type or Print Name)

Legal Owner(s): _____
 ROSDALE FEDERAL SAVINGS AND LOAN ASSOCIATION
 (Type or Print Name)

Signature _____
 Address _____
 City and State _____

Signature _____
 Address _____
 City and State _____

Address for Petitioner: _____
 Richard A. Reid
 Baltimore, Maryland 21204

Signature _____
 Address _____
 City and State _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 Name _____
 Address _____
 City and State _____

Attorney's Telephone No.: _____
 Address _____
 City and State _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1984, 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 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1984, at _____ o'clock _____ A.M.

 Zoning Commissioner of Baltimore County.

(over)

DATE August 25, 1984
 ORDER RECEIVED FOR FILING

BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
 DIRECTOR

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

Re: Item #363 (1983-1984)
 Property Owner: Rosedale Federal Savings and Loan Association
 S/E corner Northern Parkway and Spruce Street
 Acres: 0.21 District: 14th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

Belair Road (U.S. 1) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Spruce Street, an existing public street, is proposed to be further improved in the future as a 30-foot closed section roadway on a minimum 40-foot right-of-way.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 S/E corner Belair Rd. : OF BALTIMORE COUNTY
 and Northern Pkwy., :
 (6710 Belair Rd.), :
 14th District :
 ROSDALE FEDERAL SAVINGS : Case No. 85-57-A
 AND LOAN ASSOCIATION, :
 Petitioner :

ENTRY OF APPEARANCE

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

 Phyllis Cole Friedman
 People's Counsel for Baltimore County

 Peter Max Zimmerman
 Deputy People's Counsel
 Rm. 223, Court House
 Towson, MD 21204
 494-2188

I HEREBY CERTIFY that on this 8th day of August, 1984, a copy of the foregoing Entry of Appearance was mailed to Richard A. Reid, Esquire, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

 Peter Max Zimmerman

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY
 ZONING PLANS
 ADVISORY COMMITTEE

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

RE: Item No. 363 - Case No. 85-57-A
 Rosedale Federal Savings & Loan
 Variance Petition

Dear Mr. Reid:

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 this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

As indicated in the enclosed comments from the Department of Traffic Engineering, revisions are required to the site plan. It is my understanding that your engineer has discussed these revisions with Mr. Michael Flanigan and will submit the revised plans at the scheduled hearing.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
 Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NBC:hsc
 Enclosures
 cc: Mr. Dick Smith
 Kidd Consultants, Inc.
 1020 Cromwell Bridge Road
 Towson, Md. 21204

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 TOWSON, MARYLAND 21204

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

Re: Zoning Advisory Meeting of 7-3-84
 Item # 363
 Property Owner: Rosedale Federal Savings and Loan Association
 Location: S/E corner Northern Parkway and Spruce Street
 Acres: 0.21 District: 14th

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

[X] There are no site planning factors requiring comment.
 [X] A County Review Group Meeting is required.
 [X] A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
 [X] This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
 [X] A record plat will be required and must be recorded prior to issuance of a building permit.
 [X] The access is not satisfactory.
 [X] The circulation on this site is not satisfactory.
 [X] The parking arrangement is not satisfactory.
 [X] Parking calculations must be shown on the plan.
 [X] This property contains soils which are defined as wetlands, and development on these soils is prohibited.
 [X] Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-88 of the Development Regulations.
 [X] Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
 [X] The amended Development Plan was approved by the Planning Board on _____.

[X] Landscaping should be provided on this site and shown on the plan.
 [X] The property is located in a deficient service area as defined by Bill 178-78. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
 [X] The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-78, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
 [X] Additional comments:

Landscaping Plan is required as per Baltimore County Landscaping Manual

 Eugene A. Boser
 Chief, Current Planning and Development

cc: James Howell

My telephone number is (301) 659-1350
 Teletypewriter for impaired hearing or speech
 365-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
 P.O. Box 717 / 707 North Calvert St. Baltimore, Maryland 21205 - 0717

BALTIMORE COUNTY
 DEPARTMENT OF TRANSPORTATION
 State Highway Administration

Lowell K. Bridwell
 Secretary
 Hal Kassoff
 Acting Administrator

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Bldg.
 Towson, Md. 21204

Attention: Mr. N. Commodari

July 11, 1984

Re: ZAC Meeting of 7-3-84
 Item #363
 Property Owner: Rosedale Federal Savings & Loan Assoc.
 Location: S/E Corner Northern Pkwy. & Spruce Avenue @ Belair Road (Route 1-N)
 Proposed Zoning: Variance to permit the reduction of parking spaces required for the existing Rosedale Federal Savings & Loan and proposed Rosedale Federal Savings & Loan Drive in Bank from 31 to 0.
 Acres: 0.21
 District: 14th

Dear Mr. Jablon:

On review of the submittal of 5-29-84, the State Highway Administration finds the plan generally acceptable.

All highway reconstruction within the State Right-of-Way for the Belair Road Street Scope must be by permit issued by the State Highway Administration's District #6 Office at Joppa & Falls Roads.

Very truly yours,
 Charles Lee, Chief
 Bureau of Engineering
 Access Permits

By: George Wittman

CL:GW:vrd

Maryland Department of Transportation
 State Highway Administration

Lowell K. Bridwell
 Secretary
 Hal Kassoff
 Acting Administrator

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Bldg.
 Towson, Md. 21204

Attention: Mr. N. Commodari

July 11, 1984

Re: ZAC Meeting of 7-3-84
 Item #363
 Property Owner: Rosedale Federal Savings & Loan Assoc.
 Location: S/E Corner Northern Pkwy. & Spruce Avenue @ Belair Road (Route 1-N)
 Proposed Zoning: Variance to permit the reduction of parking spaces required for the existing Rosedale Federal Savings & Loan and proposed Rosedale Federal Savings & Loan Drive in Bank from 31 to 0.
 Acres: 0.21
 District: 14th

Dear Mr. Jablon:

On review of the submittal of 5-29-84, the State Highway Administration finds the plan generally acceptable.

All highway reconstruction within the State Right-of-Way for the Belair Road Street Scope must be by permit issued by the State Highway Administration's District #6 Office at Joppa & Falls Roads.

Very truly yours,
 Charles Lee, Chief
 Bureau of Engineering
 Access Permits

By: George Wittman

CL:GW:vrd

My telephone number is (301) 659-1350
 Teletypewriter for impaired hearing or speech
 365-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
 P.O. Box 717 / 707 North Calvert St. Baltimore, Maryland 21205 - 0717

BALTIMORE COUNTY
 DEPARTMENT OF TRANSPORTATION
 State Highway Administration

Lowell K. Bridwell
 Secretary
 Hal Kassoff
 Acting Administrator

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Bldg.
 Towson, Md. 21204

Attention: Mr. N. Commodari

July 11, 1984

Re: ZAC Meeting of 7-3-84
 Item #363
 Property Owner: Rosedale Federal Savings & Loan Assoc.
 Location: S/E Corner Northern Pkwy. & Spruce Avenue @ Belair Road (Route 1-N)
 Proposed Zoning: Variance to permit the reduction of parking spaces required for the existing Rosedale Federal Savings & Loan and proposed Rosedale Federal Savings & Loan Drive in Bank from 31 to 0.
 Acres: 0.21
 District: 14th

Dear Mr. Jablon:

On review of the submittal of 5-29-84, the State Highway Administration finds the plan generally acceptable.

All highway reconstruction within the State Right-of-Way for the Belair Road Street Scope must be by permit issued by the State Highway Administration's District #6 Office at Joppa & Falls Roads.

Very truly yours,
 Charles Lee, Chief
 Bureau of Engineering
 Access Permits

By: George Wittman

CL:GW:vrd

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 20, 1984

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

RE: Item No. 363 - Case No. 85-57-A
 Rosedale Federal Savings & Loan
 Variance Petition

Dear Mr. Reid:

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 this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

As indicated in the enclosed comments from the Department of Traffic Engineering, revisions are required to the site plan. It is my understanding that your engineer has discussed these revisions with Mr. Michael Flanigan and will submit the revised plans at the scheduled hearing.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
 Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NBC:hsc
 Enclosures
 cc: Mr. Dick Smith
 Kidd Consultants, Inc.
 1020 Cromwell Bridge Road
 Towson, Md. 21204

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 TOWSON, MARYLAND 21204

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

Re: Zoning Advisory Meeting of 7-3-84
 Item # 363
 Property Owner: Rosedale Federal Savings and Loan Association
 Location: S/E corner Northern Parkway and Spruce Street

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

[X] There are no site planning factors requiring comment.
 [X] A County Review Group Meeting is required.
 [X] A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
 [X] This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
 [X] A record plat will be required and must be recorded prior to issuance of a building permit.
 [X] The access is not satisfactory.
 [X] The circulation on this site is not satisfactory.
 [X] The parking arrangement is not satisfactory.
 [X] Parking calculations must be shown on the plan.
 [X] This property contains soils which are defined as wetlands, and development on these soils is prohibited.
 [X] Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-88 of the Development Regulations.
 [X] Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
 [X] The amended Development Plan was approved by the Planning Board on _____.

[X] Landscaping should be provided on this site and shown on the plan.
 [X] The property is located in a deficient service area as defined by Bill 178-78. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
 [X] The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-78, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
 [X] Additional comments:

Landscaping Plan is required as per Baltimore County Landscaping Manual

 Eugene A. Boser
 Chief, Current Planning and Development

cc: James Howell

My telephone number is (301) 659-1350
 Teletypewriter for impaired hearing or speech
 365-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
 P.O. Box 717 / 707 North Calvert St. Baltimore, Maryland 21205 - 0717

BALTIMORE COUNTY
 DEPARTMENT OF TRANSPORTATION
 State Highway Administration

Lowell K. Bridwell
 Secretary
 Hal Kassoff
 Acting Administrator

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Bldg.
 Towson, Md. 21204

Attention: Mr. N. Commodari

July 11, 1984

Re: ZAC Meeting of 7-3-84
 Item #363
 Property Owner: Rosedale Federal Savings & Loan Assoc.
 Location: S/E Corner Northern Pkwy. & Spruce Avenue @ Belair Road (Route 1-N)
 Proposed Zoning: Variance to permit the reduction of parking spaces required for the existing Rosedale Federal Savings & Loan and proposed Rosedale Federal Savings & Loan Drive in Bank from 31 to 0.
 Acres: 0.21
 District: 14th

Dear Mr. Jablon:

On review of the submittal of 5-29-84, the State Highway Administration finds the plan generally acceptable.

All highway reconstruction within the State Right-of-Way for the Belair Road Street Scope must be by permit issued by the State Highway Administration's District #6 Office at Joppa & Falls Roads.

Very truly yours,
 Charles Lee, Chief
 Bureau of Engineering
 Access Permits

By: George Wittman

CL:GW:vrd

My telephone number is (301) 659-1350
 Teletypewriter for impaired hearing or speech
 365-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
 P.O. Box 717 / 707 North Calvert St. Baltimore, Maryland 21205 - 0717

BALTIMORE COUNTY
 DEPARTMENT OF TRANSPORTATION
 State Highway Administration

Lowell K. Bridwell
 Secretary
 Hal Kassoff
 Acting Administrator

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Bldg.
 Towson, Md. 21204

Attention: Mr. N. Commodari

July 11, 1984

Re: ZAC Meeting of 7-3-84
 Item #363
 Property Owner: Rosedale Federal Savings & Loan Assoc.
 Location: S/E Corner Northern Pkwy. & Spruce Avenue @ Belair Road (Route 1-N)
 Proposed Zoning: Variance to permit the reduction of parking spaces required for the existing Rosedale Federal Savings & Loan and proposed Rosedale Federal Savings & Loan Drive in Bank from 31 to 0.
 Acres: 0.21
 District: 14th

Dear Mr. Jablon:

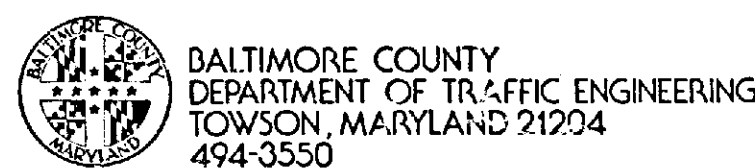
On review of the submittal of 5-29-84, the State Highway Administration finds the plan generally acceptable.

All highway reconstruction within the State Right-of-Way for the Belair Road Street Scope must be by permit issued by the State Highway Administration's District #6 Office at Joppa & Falls Roads.

Very truly yours,
 Charles Lee, Chief
 Bureau of Engineering
 Access Permits

By: George Wittman

CL:GW:vrd



STEPHEN E. COLLINS
DIRECTOR

July 23, 1984

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

Item No. 363 -ZAC- Meeting of July 3, 1984
Property Owner: Rosedale Federal Savings and Loan Assoc.
Location: SE/Cor. Northern Parkway and Spruce Avenue
Existing Zoning: B.L.
Proposed Zoning: Variance to permit the reduction of parking spaces required for the existing Rosedale Federal Savings and Loan and proposed Rosedale Federal Savings and Loan Drive in Bank from 31 to 0.

Acres: 0.21
District: 14th

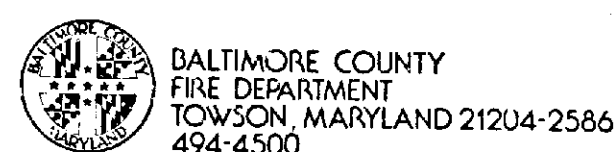
Dear Mr. Jablon:

We have reviewed the site plan for the proposed Rosedale Federal Savings and Loan office at Northern Parkway and Belair Road and have the following comments.

1. No access will be allowed to Northern Parkway.
2. Curb and gutter should be installed along the entire frontage of Northern Parkway.
3. The driveway opening on Spruce Street that is to close should have curb and gutter.
4. The entrance on Belair Road should have radius instead of depressed curbs.
5. We are concerned that this site lacks a by-pass lane for the drive-in bank.
6. The plan should be revised to show all property that is owned, petitioner owns, and their uses.
7. The site is very small and on site circulation problems are expected.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSP/cmm



PAUL H. REINCKE
CHIEF

July 18, 1984

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Rosedale Federal Savings and Loan Assoc.

Location: SE/Cor. Northern Parkway and Spruce Avenue

Item No.: 363 Zoning Agenda: Meeting of 7/3/84

Gentlemen:

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

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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.

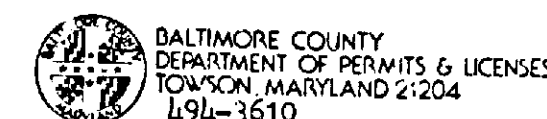
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



TED ZALESKI JR.
DIRECTOR

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

Comments on Item 363 Zoning Advisory Committee Meeting
are as follows:

Property Owner: Rosedale Federal
Location: SEC Northern Parkway and Spruce Avenue
Existing Zoning: BL
Proposed Zoning: BL
Variance to permit reduction of parking spaces from 31 to 0
Acres: 0.21
District: 14th

The items checked below are applicable:

- () All structures shall conform to the Baltimore County Building Code 1981/ Council Bill 11-82 State of Maryland Code for the Handicapped and Aged and other applicable Codes.

- () A building and other miscellaneous permits shall be required before beginning construction.

- () Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

- () Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

- () An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A fire wall is required if construction is on the lot line. See Table 101, line 2, Section 1007 and Table 1002.

Special note: Requested variance conflicts with the Baltimore County Building Code Section 503.2, Table 401 EXTERIOR WALL FIRE RESISTANCE FROM ADJACENT LOT LINE. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

- () Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed, complies with the height/area requirements of Table 505 and the required construction classification of Table 101.

Special note: Comments: See definition of lot line page 33, also party wall page 42 and as amended by Bill 4-82 - When a Building is constructed over a lot line, a fire wall party wall fire resistive construction shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

Very truly yours,

Charles E. Burroughs, Chief
Plans Review

CEB:rvf

PLAN 01-82

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: August 19, 1984

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 85-57-A

The petitioner will be required to provide landscaping in conformance to the standards set forth in the Baltimore County Landscaping Manual.

[Signature]
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf



OVERLEA FULLERTON
DEVELOPMENT CORPORATION
6721 BELAIR ROAD, BALTIMORE, MD 21206, PHONE: 301-665-4433

September 6, 1984

Mr. Arnold Jablon
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

On August 27, 1984, Mr. Jesse House, et al, of Rosedale Federal Savings and Loan Association, requested a Variance involving the parking facilities at the site of the proposed drive-through, adjacent to the existing Rosedale Federal building on Belair Road.

The Overlea Fullerton Development Corporation is in full support of the requested variance for several reasons. First, as you know, Rosedale Federal currently owns a parking lot with sufficient parking to accommodate its employees, as well as its patrons. Secondly, the O.F.D.C. has worked diligently for several years, with minimal success, attempting to have Amoco, the former owners, bring the property up to the visual standards of the community, re. trash removal, building repairs, etc. Finally, the overall improvements that Rosedale Federal has proposed will greatly enhance our central business district and fall right in line with the "streetscape" project that is scheduled to begin along Belair Road shortly.

Rosedale Federal has proven its concern with the commercial viability of the Overlea/Fullerton area. Their offices have displayed their involvement in the Overlea/Fullerton area, time and again, and have been supportive of the overall goals of the "Belair Road Study". Therefore, please give the aforementioned your utmost consideration.

Sincerely,
[Signature]
Joseph J. London
Executive Director

cc: Gene Gallagher
Judy London
Jesse House

IN RE: PETITION ZONING VARIANCE
SW corner Belair Road and
Northern Parkway (6710 Belair
Road)--14th Election District
Rosedale Federal Savings and Loan
Assoc.
Petitioner

BEFORE THE
ZONING COMMISSIONER OF
BALTIMORE COUNTY
Case No. 85-57-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit 0 parking spaces instead of the required 25, as is more particularly described on Petitioner's Exhibit 2.

The Petitioner, by Mr. Jesse House, Vice-President, appeared and was represented by counsel. Also appearing for Petitioner was Phil Der, a registered engineer, and Ms. Judy London, of the Baltimore County Economic Development Commission. There were no Protestants.

The testimony indicated that the property owned by the Petitioner in Baltimore County is zoned EL. The Petitioner at present has a full service bank and proposes to add a drive-in immediately adjacent to the present building, which will be connected at the second floor level. There does not exist sufficient parking on site. The Petitioner, however, is faced with a most unusual situation in that it does own sufficient property for parking but it is located in Baltimore City, directly across the street from the existing building. The County-City line separates the parcels leaving the bank in the County and the parking lot in the City. If the variance is granted, which now exists, were located in the County, this Hearing would not be necessary. The parking lot, as shown on Petitioner's Exhibit 2, has spaces, sufficient to satisfy the County zoning regulations.

The purpose of this Hearing is to establish means by which the County can exercise control over the parking requirements to satisfy the ECZR. As the parking lot is in the City, the County would exercise absolutely no

control for obvious reasons. Therefore, technically a variance would be required to allow for a recognition of the existence of the requisite spaces in the City.

Ms. London testified that the drive-in bank would replace an abandoned service station and that the Petitioner has worked in good faith to rehabilitate the community. The Overlea- Fullerton Development Corporation also has recognized this fact and has supported the Petitioner's efforts to convert this abandoned service station. It points out that the plans of the Petitioner fit nicely into the overall plans of the CPDC and the community. See Petitioner's Exhibit 3.

The Petitioner seeks relief from Section 109.1 and 2b, pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. McLean v. Seley, 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 variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not

result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety and general welfare.

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 of Baltimore County, this 28th day of August, 1984, that the Petition for Zoning Variance to permit 0 parking spaces instead of the required 25 be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. That the petition filed herein states that the variance requested is for 31 spaces, but upon motion made by the Petitioner that is reduced from 31 to 25, as indicated by this Order.
3. Petitioner will be required to provide landscaping in conformance to the standards set forth in the Baltimore County Landscaping Manual.

[Signature]
Zoning Commissioner for Baltimore County

cc: Tayler McLean, Esq.
People's Counsel



PETITIONER'S EXHIBIT OVERLEA FULLERTON DEVELOPMENT CORPORATION 6721 BELAIR ROAD, BALTIMORE, MD 21206. PHONE: 301-665-4433

Executive Director's Report

June 26, 1984

I. Streetscape: The construction drawings have been completed by Buchart/Horn. Prior to construction they will be made available for review by any interested party. Contact the Executive Director or President [phone: 668-6722] Joe Jankowski. Currently, representatives from Baltimore County are contacting the merchants and property owners in order to finalize the contractual procedures. The county will need authorization to perform the necessary streetscape construction which lies on private property. In addition, at this final meeting with the property owner, the exact cost to said owner will be established.

According to Baltimore County, as soon as this process is complete, the construction contracts will go out for bid. Upon approval of a contractor, construction will begin, which should be in the Fall of this year (1984).

Upon completion of the Phase I contract, the upkeep will become partially the responsibility of the Development Corporation and the residents and merchants of Overlea/Fullerton. The Overlea Senior Center has already assured the OFDC that we can count on their support. They will assist with watering the shrubs, removal of trash from the planters, etc. We will also seek support from local scout troops, improvement associations, and any individual who can volunteer an hour to help keep our community clean & respectable.

II. Revolving Loan Fund: The merchant's of the Overlea/Fullerton area have access to low interest commercial loans. These funds are to be used to upgrade existing structures. This program is available to other revitalization districts, but the Overlea/Fullerton area has been the most aggressive group to date. The evidence of the commitment of our merchants is all around. The Overlea, Village Sub and Buck Fowler's Tavern have all expressed their confidence in Overlea/Fullerton by reinvesting their time and more importantly their money to insure that the business community will remain as healthy as it is today. In addition, several other merchants have become involved with the revolving loan program and their construction should begin in the near future; Bill & Earl's Transmissions, Della Rose's Restaurant and Jack Pane's Hair Time.

III. Rosedale Federal: A old Amoco station that is situated next to Rosedale Federal has been purchased by same in order to establish a drive-through. Again the commitment of the merchant is obvious. The aggressive project by Rosedale Federal fits nicely into the overall plans of the OFDC and the upcoming streetscape.

PETITION FOR VARIANCE 14th Election District

ZONING: Petition for Variance
LOCATION: Southwest corner Belair Road and Northern Parkway (6710 Belair Road)
DATE & TIME: Monday, August 27, 1984 at 11:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to reduce the parking spaces required for the existing Rosedale Federal Savings and Loan Association Building and proposed Rosedale Federal Savings and Loan Drive-in Bank from 31 to 0.

Being the property of Rosedale Federal Savings and Loan Association, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



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

ARNOLD JABLON
ZONING COMMISSIONER

August 23, 1984

Richard A. Reid, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204-4275

Re: Petition for Variance
SW/cor. Belair Rd. & Northern Parkway
(6710 Belair Road)
Rosedale Federal Savings and Loan Assn. - Petitioner
Case No. 85-57-A

Dear Mr. Reid:

This is to advise you that \$47.05 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

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

No. 133266

DATE: 8-27-84 ACCOUNT: K-61-615-000

AMOUNT: \$47.05

RECEIVED FROM: R. Taylor McLean
FOR: \$47.05 + posting Case # 85-57-A
(Rosedale Federal S & L)

C 053*****470516 8274F

VALIDATION OR SIGNATURE OF CASHIER

July 31, 1984

Richard A. Reid, Esquire
102 W. Pennsylvania Avenue
Towson, Maryland 21204-4575

NOTICE OF HEARING

Re: Petition for Variance
SW/cor. Belair Road and Northern Parkway (6710 Belair Road)
Rosedale Federal Savings and Loan Association - Petitioner
Case No. 85-57-A

TIME: 11:15 A.M.

DATE: Monday, August 27, 1984

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

[Signature]
Zoning Commissioner
of Baltimore County

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

No. 128054

DATE: 8-21-84 ACCOUNT: R-01-615-000

AMOUNT: 1.00

RECEIVED FROM: Richard A. Reid
FOR: \$1.00 + posting Case # 85-57-A
(Rosedale Federal S & L)

C 131*****100508 8224A

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION
TOWSON, MARYLAND 21204
494-3648

ROBERT L. HANNON
DIRECTOR

July 11, 1984

Mr. Arnold Jablon
Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Item #363: Rosedale Federal Savings & Loan
Northern Parkway and Spruce Avenue

Dear Mr. Jablon:

The Baltimore County Economic Development Commission supports Rosedale Federal Savings and Loan's request for a parking variance to reduce parking spaces required from 31 to 0 to accommodate the existing Rosedale Savings & Loan bank and the proposed Rosedale Savings & Loan drive-in bank.

While the parking is not provided in the County, property owned by the bank and located in the City provides 38 spaces, 7 in excess of that required by County zoning regulations.

The bank expansion will involve redeveloping an abandoned gas station to expand the existing bank facilities by 3,530 square feet. The property is located in the Overlea Business District which is a part of the Overlea/Fullerton Revitalization area.

The Overlea/Fullerton Development Corporation also is aware of this variance request and is in full support.

Please contact me should you have any questions.

Regards,

[Signature]
ROBERT L. HANNON
Director

RLH/sb

cc: Judy London
Walter Frank, III

Property Description for Rosedale Federal Bank

BEGINNING FOR THE SAME at the intersection of the Southern line of Northern Parkway with the Easterly line of Spruce Avenue, said point being marked by an iron pipe; thence along the said Easterly line of Spruce Avenue South eighteen degrees, forty-five minutes West one hundred and fifty-eight and thirteen hundredths feet to a point; thence South sixty degrees, twenty-seven minutes, thirty seconds East forty and thirty-two hundredths feet to the Westerly line of Belair Road; thence along the said Westerly line of Belair Road, North forty-one degrees, thirty-six minutes East one hundred seventy-nine and seventy one hundredths feet to the Southerly line of Northern Parkway; thence along the Southerly line of Northern Parkway North seventy-one degrees, twenty-one minutes West one hundred nine and four-tenths feet to the place of beginning.

85-57-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
37th day of July, 1984.

[Signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner Rosedale Federal S & L Received by:
Petitioner's Attorney Richard A. Reid, Esquire

NICHOLAS B. COMMODI
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14 Date of Posting: 8/1/84
Posted for: Petition for Variance
Location: Rosedale Federal Savings & Loan Assn.
Location of property: SW/cor. Belair Rd. & Northern Parkway
Location of Sign: facing intersection of Northern Parkway & Belair Rd.
Remarks: See R. A. Reid's letter
Posted by: R. A. Reid Date of return: 8/12/84
Number of Signs: 2

Petition for Variance
14th Election District
ZONING: Petition for Variance
LOCATION: Southwest corner of Belair Road and Northern Parkway (6710 Belair Road)
DATE & TIME: Monday, August 27, 1984 at 11:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to reduce the parking spaces required for the existing Rosedale Federal Savings and Loan Association Building and proposed Rosedale Federal Savings and Loan Drive-in Bank from 31 to 0.
Being the property of Rosedale Federal Savings and Loan Association, as shown on plat plan filed with the Zoning Department.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

PETITION FOR VARIANCE
14th Election District
ZONING: Petition for Variance
LOCATION: Southwest corner of Belair Road and Northern Parkway (6710 Belair Road)
DATE & TIME: Monday, August 27, 1984 at 11:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to reduce the parking spaces required for the existing Rosedale Federal Savings and Loan Association Building and proposed Rosedale Federal Savings and Loan Drive-in Bank from 31 to 0.
Being the property of Rosedale Federal Savings and Loan Association, as shown on plat plan filed with the Zoning Department.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

The Times

Middle River, Md., Aug 9, 1984

This is to certify, that the annexed

Reg. L. 63245

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of successive

weeks before the 27th day of

August, 1984

Sh. D. W. J. Publisher.

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 9, 1984.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 9, 1984.

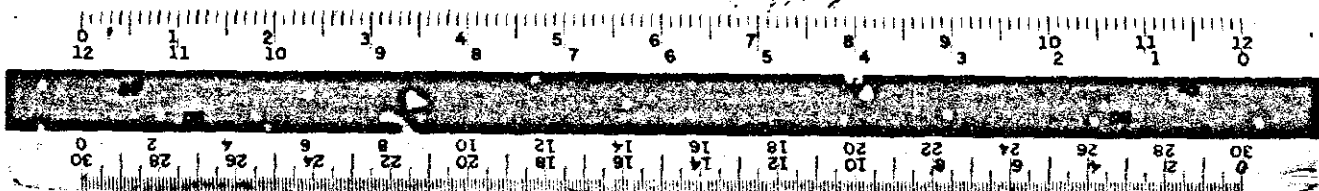
THE JEFFERSONIAN,

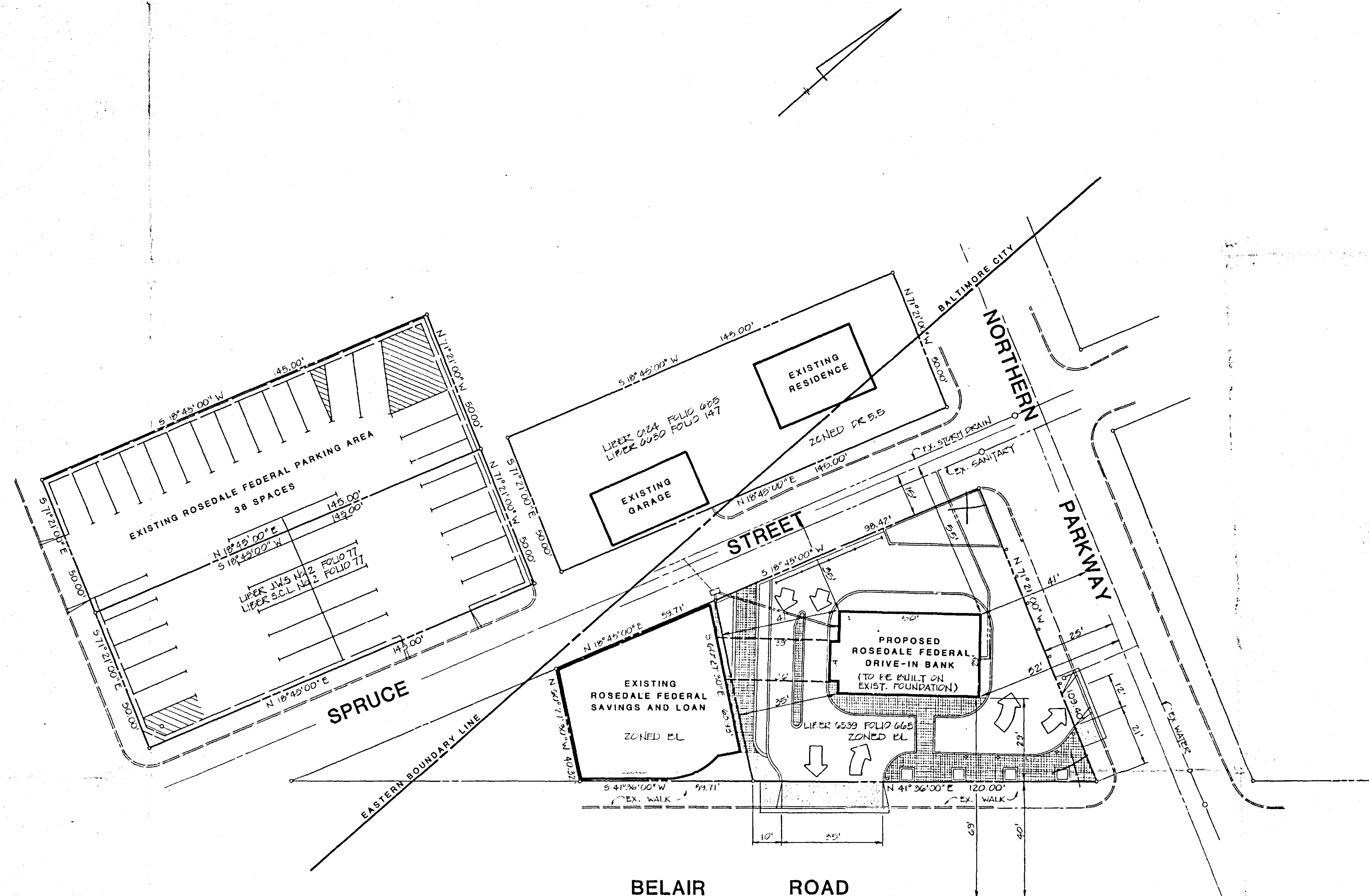
[Signature]
Publisher

Cost of Advertising 20.00



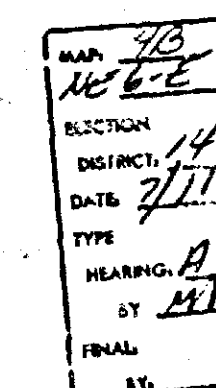
VICINITY MAP
SCALE: 1" = 2000'





SITE DATA

1. PROPERTY ZONING: EL
2. ELECTION DISTRICT: 14TH
3. AREA OF PROPERTY: 0.21 ACRES
4. EXISTING USE: ABANDONED SERVICE STATION
5. PROPOSED USE: DRIVE-IN BANK
6. REQUIRED PARKING:
 9760 SF (EX. BUILDING) + 3930 SF (PROPOSED BUILDING) = 9290 SF
 9290 SF ÷ 300 = 31 REQUIRED SPACES
7. PARKING PROVIDED:
 38 SPACES (EXISTING IN BALTIMORE CITY)
8. AREA OF ROSEDALE FEDERAL PROPERTIES:
 COUNTY 0.37 ACRES
 CITY 0.48 ACRES
 TOTAL 0.85 ACRES

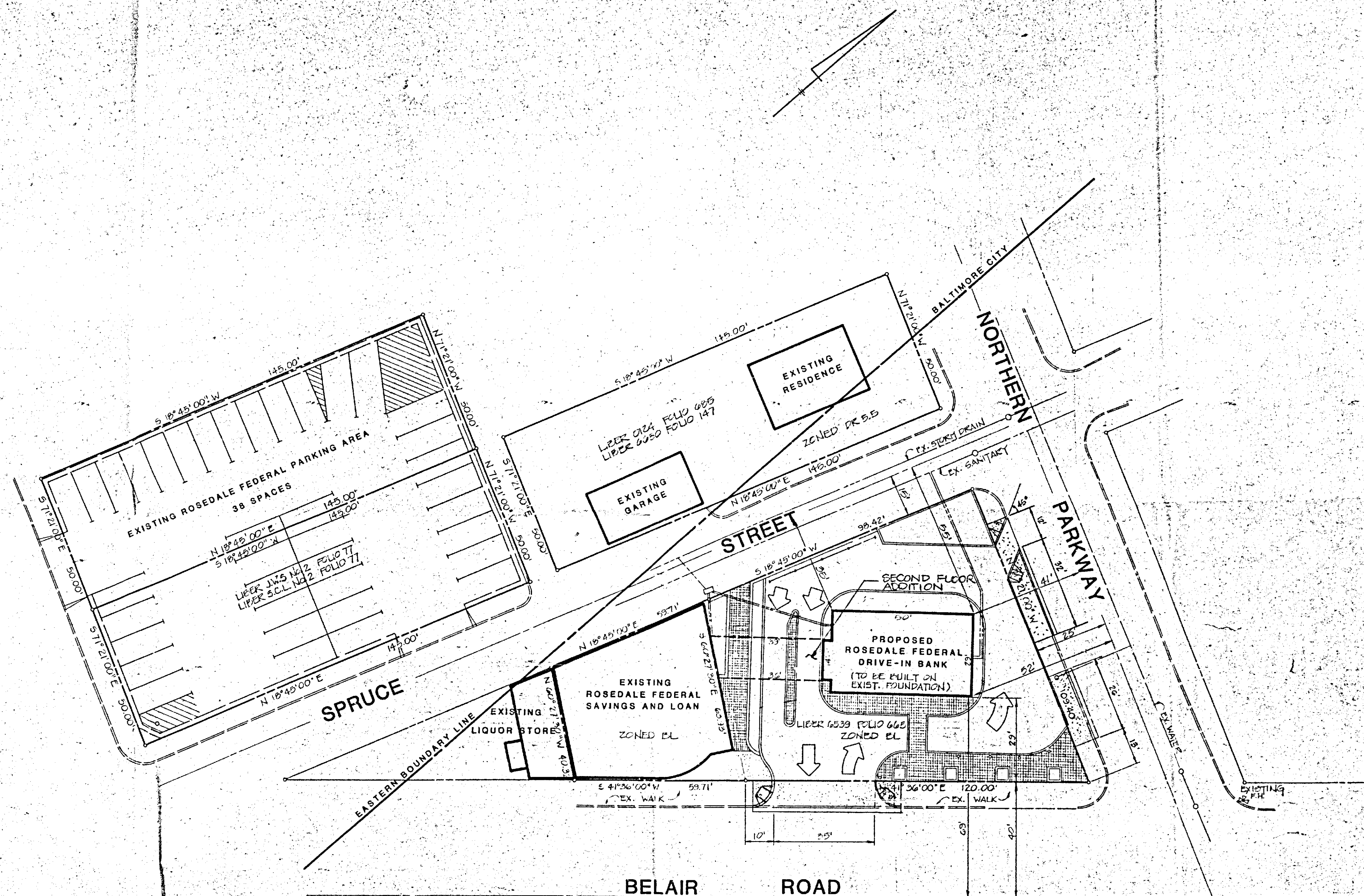


**PETITIONER'S
EXHIBIT 1**

**PLAT TO ACCOMPANY ZONING PETITION
FOR VARIANCE TO PERMIT
ZERO OFF STREET PARKING SPACES**

**ROSEDALE FEDERAL SAVINGS AND LOAN DRIVE-IN BANK
6710 BELAIR ROAD**

SCALE: 1" = 20'



PETITIONER'S
EXHIBIT 2

SITE DATA

1. PROPERTY ZONING: EL
2. ELECTION DISTRICT: 14TH
3. AREA OF PROPERTY: 0.21 ACRES
4. EXISTING USE: ABANDONED SERVICE STATION
5. PROPOSED USE: DRIVE-IN BANK
6. REQUIRED PARKING:
 - 1ST FLOOR - 2380 SF (EX. P.L.G.) + 1432 SF (PROPS. B.B.) = 4812 SF ÷ 300 = 16 SPACES
 - 2ND FLOOR - 2380 SF (EX. P.L.G.) + 2322 SF (PROPOSED) = 4702 SF ÷ 300 = 16 SPACES
7. PARKING PROVIDED:
 - 30 SPACES (EXISTING IN BALTIMORE CITY)
 - 5 SPACES TOTAL
8. AREA OF ROSEDALE FEDERAL PROPERTIES:
 - COUNTY: 0.21 ACRES
 - CITY: 0.21 ACRES
 - TOTAL: 0.42 ACRES

WHITNEY, BAILEY
COX AND MAGNANI

GREEN SPRING STATION
SUITE 311
2360 W. JOHNS ROAD
LUTHERVILLE, MD 21093

REVISED 8/21/84

PLAT TO ACCOMPANY ZONING PETITION
FOR VARIANCE TO PERMIT
ZERO OFF STREET PARKING SPACES

ROSEDALE FEDERAL SAVINGS AND LOAN DRIVE-IN BANK
6710 BELAIR ROAD
SCALE: 1" = 20'