

PETITION FOR ZONING RE-CLASSIFICATION
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an RC-5 zone to an B.L. zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

MAP NW220
SE
7th
DATE 2-3-88
200 BF
1000 BF
DP

W-15,070
N-106,750

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, 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:

Legal Owner(s):

Sparks State Bank
(Type or Print Name)
Signature
Charles E. Ensor, Sr., President
(Type or Print Name)
Address
City and State

Attorney for Petitioner:

John B. Howard, Esquire
(Type or Print Name)
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 823-4111

BANC-Form 1

IN THE MATTER OF
THE APPLICATION OF
SPARKS STATE BANK
FOR ZONING RECLASSIFICATION
ON PROPERTY LOCATED ON THE SOUTH
SIDE OF MT. CARMEL ROAD, APPROXI-
MATELY 1,220' EAST OF THE CENTER
LINE OF I-83 FROM R.C. 5 TO B.L.
7th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
(Documented Site Plan)

OPINION

This case comes before the Board of Appeals for zoning reclassification from R.C. 5 to B.L. of .9 of an acre of land situated on Mount Carmel Road, approximately 1,220 feet from its intersection with I-83, in the Third Councilmanic District. Petitioner presented a Documented Site Plan for its use of the property. The case was heard this day in its entirety.

Counsel for the petitioner, the Sparks State Bank, presented several witnesses who testified to the deficiency of banking services in a region of steady residential growth, and of the inappropriateness of existing commercial zoning in the Hereford area when applied to the site requirements of the Petitioner.

Leib McDonald, lifetime resident of the area and a director of the Sparks State Bank, reviewed the role of the bank in the life of this rural area since 1917. He pointed to the effects of recent legislation on the banking industry and the need of this local bank to provide banking services in a growing region now open to inter-state institutions. He cited the increased population of the area through a number of residential developments in the past several years, but with only limited commercial services.

Referring to drawings of the proposed branch bank, Mr. McDonald described the site and building dimensions essential to their banking service,

Description to Accompany Petition for Zoning Reclassification
0.99 Acres More or Less Parcel, South Side of Mount Carmel Road
East of Baltimore-Harrisburg Expressway
7th Election District, Baltimore County, Maryland.

Beginning for the same at a point in or near the centerline of Mount Carmel Road and distant 1220 feet more or less measured in an easterly direction on said centerline from its intersection with the centerline of the Baltimore-Harrisburg Expressway thence leaving said point of beginning and running in or near the centerline of Mount Carmel Road (1) North 85 degrees 33 minutes 29 seconds East 217 feet thence leaving said centerline of Mount Carmel Road and running the four following courses and distances, viz: (2) South 06 degrees 05 minutes 01 seconds West 205.08 feet, thence (3) North 88 degrees 02 minutes 50 seconds West 133.71 feet, thence (4) North 88 degrees 02 minutes 50 seconds West 100.29 feet, and thence (5) North 12 degrees 18 minutes 11 seconds East 184.00 feet to the point of beginning.

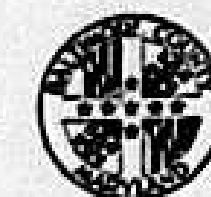
Containing 0.99 acres of land more or less.

NOTE: THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 25, 1987

Our Job No. 85071A (3D:L85071A)

Page 1 of 1



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

November 27, 1987

John B. Howard, Esquire
COOK, HOWARD, DOWNES & TRACY
Post Office Box 5517
Towson, MD 21204

RE: Case No. CR-87-457
Sparks State Bank

Dear Mr. Howard:

Enclosed is a copy of the final Opinion and Order passed today by the County Board of Appeals in the subject case.

Sincerely,

Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Robert A. Hoffman, Esquire
Sparks State Bank
Mr. James Earl Kraft
Phyllis C. Friedman, Esquire
Norman E. Gerber
James G. Roswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Robin Clark
Arnold Jablon, County Attorney

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

September 11, 1987

REVISED

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
S/S Mt. Carmel Rd., approximately 1,220'
E of the c/l of I-83
7th Election District - 3rd Councilmanic District
Sparks State Bank - Petitioner
Case No. R-87-457

TIME: 9:30 a.m.

Tuesday, September 29, 1987

DATE:

PLACE: Room 218, Courthouse, Towson, Maryland

WTH:med

ccs: Mr. William T. Hackett, Chairman, Board of Appeals
Mr. Charles E. Ensor, Sr., President
Sparks State Bank
14804 York Road
Sparks, Maryland 21152
People's Counsel for Baltimore County

THIS IS TO ADVISE YOU YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING & POSTING COSTS RE THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST RETURNED TO THE ZONING OFFICE, ROOM 113, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND ON THE DAY OF THE HEARING OR THE ORDER WILL NOT BE ISSUED. W.T.H.

Case No. CR-87-457
Sparks State Bank

its proximity to the traffic flow, and the specific inadequacies of all other commercial locations in the Hereford area, as identified by People's Counsel.

J. B. Wheeler, a fourth generation resident of the area and officer with the National Farm Credit Bank, testified to his opinion that the 1984 comprehensive zoning process did not take into account the banking services required in an area where anticipated residential growth was provided for in the zoning deliberations.

Petitioner further provided Mr. Mickey Cornelius, an expert traffic engineer, who testified that the subject site would generate no adverse traffic patterns, and that the proposed site was ideal.

Mr. Bradley Moore, Executive Vice President of the petitioning bank, testified to his concerns about inter-state banking and the potential difficulties of a two-year wait for possible reclassification by the County Council.

Proffered testimony of Mr. George Gavrelis, an expert planner, was presented. His independent study determined that no existing commercial sites could satisfy the requirements of the bank, which is needed in the Hereford location. Mr. Gavrelis further concluded that a B.L. classification for the documented site situated adjacent to a service station, and across Mount Carmel Road from a B.R. zone, would be appropriate. His proffered testimony also stated that the R.C. 5 for this location was an error.

In opposition, People's Counsel produced one witness, James G. Hoswell, a planner with Baltimore County. In view of the favorable recommendation of the Planning Board, Mr. Hoswell clarified that, in fact, the Director of Planning & Zoning was opposed to the petition because there were ample sites available. He further stated that the people of Hereford want a planned and orderly commercial development in the 1988 map process. Mr. Hoswell concurred

Case No. CR-87-457
Sparks State Bank

that the small B.L. lots with old houses on York Road in Hereford could not be combined for a location sought by the bank, since such assemblage would be cost prohibitive. He also agreed that the vacant subject site, zoned R.C. 5, adjacent to a service station, could only be used in combination with adjacent property for housing. Mr. Hoswell, however, felt that the present R.C. 5 zoning was not an error.

In making this decision the merits of a comprehensive study of the Hereford zone is obvious, and the residents and their community association have so requested. Yet, it is important to recognize in this case that there is no opposition to the petition. In knowledge of the people's desire for a careful study, it was entered into the record of today's hearing that fifty-two residents were present to give their support to this petition by the Sparks State Bank.

AS a basis for our decision, the Board takes note of the extensive residential development since 1984 and the corresponding absence of business services in the area of Hereford. It is apparent that present commercial zones were primarily designated around existing businesses with little consideration for future needs. The Board is also of the opinion that the subject site, adjacent to commercial zones and approximate to an inter-state highway exchange, is not conducive to residential use and that the R.C. 5 zoning was an error.

Applying the standards of Section 2-58.1 of the Baltimore County Code, and upon consideration of all the testimony and exhibits before us, the Board does so find error in the present classification of subject site and will order that the petition be granted.

ORDER

For reasons set forth in the foregoing Opinion, it is therefore this 27th day of November, 1987 by the County Board of Appeals of

Case No. CR-87-457
Sparks State Bank

Baltimore County ORDERED that the Petition for Reclassification from R.C. 5 to B.L. be and the same is hereby GRANTED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Thomas J. Hollinger, Acting Chairman

Arnold G. Foreman

Harry E. Buchheister, Jr.

BALTIMORE COUNTY, MARYLAND

RECEIVED

JUL 17 1987

INTER-OFFICE CORRESPONDENCE

TO: County Attorney

Date: July 17, 1987

ZONING OFFICE

FROM: Norman E. Gerber, AICP, Director
Office of Planning and ZoningSUBJECT: Sparks State Bank: Zoning Reclassification Petition;
Cycle V, Item 7 - Request for exemption from cyclical procedures

Attached please find the subject resolution adopted by the Planning Board at its meeting on July 16, 1987. Please prepare the necessary material for the County Council's consideration.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG/JGH/sf

Attachment

cc: The Hon. Dennis F. Rasmussen, County Executive
B. Melvin Cole, Administrative Officer
The Hon. Norman W. Lauenstein, Chairman, Baltimore County Council
Members, Baltimore County Council
Thomas Toporovich, County Council Secretary-Administrator
William T. Hackett, Chairman, Board of Appeals
Phyllis Cole Friedman, People's Counsel
James E. Dyer, Zoning Supervisor
W. Carl Richards, Zoning Coordinator
James G. Howell, Planner

BALTIMORE COUNTY PLANNING BOARD

RESOLUTION

July 16, 1987

WHEREAS, Pursuant to Subsection 2-58.1(i) of the Baltimore County Code 1978 as amended, the Baltimore County Planning Board has reviewed the request by the Sparks State Bank to exempt from the zoning cycle the subject reclassification petition; and

WHEREAS, The Planning Board believes that early action is required on this petition because of the recent changes in Interstate Banking Law, the needs of the institution and the services provided to rural northern Baltimore County; now, therefore, be it

RESOLVED, That the Baltimore County Planning Board hereby certifies to the County Council of Baltimore County that early action on the subject Zoning Reclassification Petition would be in the public interest and is needed because of the emergency nature of the request.

I HEREBY CERTIFY that this resolution was duly adopted by the Baltimore County Planning Board at its meeting in Towson, Maryland, on July 16, 1987.

July 17, 1987
Date

Norman E. Gerber
Norman E. Gerber, AICP, Secretary
Baltimore County Planning Board

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

August 5, 1987

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

CR88-80-Also related to item #7, Cycle V
Re: Property Owner: Sparks State Bank

Location: S/S Mt. Carmel Rd., 1,220' E. c/1 of I-83.

Item No.: CR88-80 Zoning Agenda: Meeting of 7/28/87

Gentlemen:

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning/Group
Special Inspection Division

Noted and

Approved: *John F. O'Neill*
Fire Prevention Bureau

/31

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

July 31, 1987

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Item No.	CR 88-80 - Also related to Item #7
Property Owner:	Cycle V
Location:	Sparks State Bank
Existing Zoning:	S/S Mt. Carmel Road, 1,220 feet E
Proposed Zoning:	centerline of I-83
Area:	R.C. 5
District:	B.L.
	.99 acres
	7th Election District

Dear Mr. Jablon:

The proposed bank can be expected to generate approximately 880 trips per day.

This site should be restricted to only one point of access to Mt. Carmel Road to reduce the number of pts. of conflict on the street.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

MSF:lt

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 157

TOWSON, MARYLAND 21204

July 16, 1987

JAMES H. COOK
JOHN B. HOWARD
DAVID S. DOWNES
DANIEL O. TRACY, JR.
JOHN F. TRACY, JR.
JOSEPH C. WICK, JR.
HENRY B. PECK, JR.
ROBERT A. DOWNES, II
THOMAS L. HUBSON
C. GARY KELLY, JR.
H. BIRD HILL, II

GEORGE A. REYNOLDS, II
LAWRENCE L. HODDER, JR.
ROBERT A. DOWNES, II
DEBORAH C. DOWNES
ANTHONY GALLOGLY, CO.
KEVIN H. SMITH
J. MICHAEL BRENNAN
H. BRADY PETERSON, JR.
REAGAN A. SMITH

JAMES D. C. DOWNES
(800-1079)
TELEPHONE
(301) 823-4111
TELECOPIER
(301) 821-0447

County Board of Appeals
of Baltimore County
2nd Floor
Old Court House
Towson, Maryland 21204

Re: Petition for Reclassification
south side of Mount Carmel Road
east of Baltimore Harrisburg Expressway,
.99 acres
Sparks State Bank, Petitioner
Petition filed "out of cycle" under Section 2-58.1(i)

Dear Board Members:

As you may be aware, there is currently pending before you a petition and open plat filed in Case No. R-87-457 to reclassify the above referenced property from RC-5 to BL. It is respectfully requested that this petition, documented site plan and accompanying materials for rezoning the same parcel from RC-5 to BL be accepted for filing and scheduled for early hearing upon certification by the County Council pursuant to Section 2-58.1(i) of the Baltimore County Code.

By way of background, Sparks Bank, an independent state bank was first established in 1917 in the Town of Sparks along the Gunpowder River and beside the North Central Railroad where it operated for 36 years until the railroad closed and business shifted to the York Road Corridor. Sparks Bank then purchased land in 1953 at the corner of Quaker Bottom and York Roads for their main office location. In addition, Sparks Bank had added three additional locations in the past seven years at Jacksonville, Maryland Line and Kingsville.

The population of the Hereford area is, as I am sure you are aware, growing very rapidly. Sparks Bank has made a diligent search for an appropriate location in this area but unfortunately without success. Thus, Sparks Bank has filed this petition and accompanying

County Board of Appeals
of Baltimore County
July 16, 1987
Page 2

documented site plan to rezone the subject parcel to BL to allow for the location of a branch bank in compliance with that plan.

The nearly one acre parcel is in close proximity to the Mount Carmel Road interchange for the Harrisburg Expressway and is contiguous to BR zone land to its west and north. It is respectfully submitted that had a careful study and analysis been made as a part of the 1984 comprehensive map process with respect to the foreseeable commercial support requirements for northern Baltimore County, it would have been determined that: (i) the subject commercial area at the Mount Carmel Road interchange was and had been for sometime, fully utilized, and (ii) a modest expansion of commercial zone consistent with sound land use and planning principals, should have occurred and encompassed the subject property.

It is respectfully submitted that the County Council committed error in not allowing for the modest expansion of a commercial zone to encompass the subject parcel and to allow for the location of a Sparks Bank branch in a rapidly growing area of Baltimore County.

Yours truly,

Robert A. Hoffman
Robert A. Hoffman

RAH:bw

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

RECEIVED
COUNTY BOARD OF APPEALS
AUG 16 1987

September 29, 1987

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
S/S Mt. Carmel Rd., approximately 1,220' E of
the c/1 of I-83
7th Election District - 3rd Councilmanic District
Sparks State Bank - Petitioner
Case No. R-87-457

Dear Mr. Howard:

This is to advise you that \$580.70 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Sincerely,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:med

cc: Mr. William T. Hackett, Chairman, Board of Appeals

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

August 18, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
S/S Mt. Carmel Rd., approximately 1,220'
E of the c/1 of I-83
7th Election District - 3rd Councilmanic District
Sparks State Bank - Petitioner
Case No. R-87-457

TIME: 9:30 a.m.

DATE: Wednesday, September 30, 1987

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

WTH:med

cc: Mr. Charles E. Ensor, Sr., President
Sparks State Bank
14804 York Road
Sparks, Maryland 21152

People's Counsel for Baltimore County

THIS IS TO ADVISE THAT YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING & POSTING COSTS RE THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST RETURNED TO THE ZONING OFFICE, ROOM 113, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND, ON THE DAY OF THE HEARING OR THE ORDER WILL NOT BE ISSUED. W.T.H.

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
9/2/87
Date
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Zoning Item # CR 88-80 (reclassification)
Zoning Advisory Committee Meeting of July 28, 1987
Property Owner: Sparks State Bank
Location: 515 Mt. Carmel Rd., 1220' E. Centerline of T-83 District 7
Water Supply private Sewage Disposal private
COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air and Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as any other spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charcoal operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service and area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management Section, Bureau and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Material and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled.
- (X) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must be conducted.
- (X) Soil percolation tests, have been conducted December 19, 1987. The results are valid until December 19, 1989. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- (X) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- (X) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test (X) shall be valid until December 19, 1989. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- (X) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (X) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (X) Others Septic reserve area for this site must conform with existing reserve area established and tested as indicated on permit plan dated 12/15/86.
Any portion of sewage disposal system located under paved surfaces must be of reinforced construction approved by the Division of Water and Sewer.

Karen M. Sherry

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204
July 16, 1987
JAMES H. COOK
JOHN B. HOWARD
DAVID S. DOWNES
DANIEL O. TRACY, JR.
JOHN A. DINE, III
JOSEPH C. WICK, JR.
HERBERT A. O'CONNOR, III
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DEBORAH E. DOPPIN
CYNTHIA M. JAHN
KATHLEEN SALLUSKY COX
KEVIN A. SMITH
J. MICHAEL BRENNAN
H. BARRETT PETERSON, JR.
REGAN J. R. SMITH
JAMES O. C. DOWNES
(908-1979)
TELEPHONE
(301) 823-4111
TELECOPIER
(301) 821-0147

County Board of Appeals
of Baltimore County
2nd Floor
Old Court House
Towson, Maryland 21204
Re: Petition for Reclassification
south side of Mount Carmel Road
east of Baltimore Harrisburg Expressway,
.99 acres
Sparks State Bank, Petitioner
Petition filed "out of cycle" under Section 2-58.1(i)

Dear Board Members:
As you may be aware, there is currently pending before you a petition and open plat filed in Case No. R-87-457 to reclassify the above referenced property from RC-5 to BL. It is respectfully requested that this petition, documented site plan and accompanying materials for rezoning the same parcel from RC-5 to BL be accepted for filing and scheduled for early hearing upon certification by the County Council pursuant to Section 2-58.1(i) of the Baltimore County Code.
By way of background, Sparks Bank, an independent state bank was first established in 1917 in the Town of Sparks along the Gunpowder River and beside the North Central Railroad where it operated for 36 years until the railroad closed and business shifted to the York Road Corridor. Sparks Bank then purchased land in 1953 at the corner of Quaker Bottom and York Roads for their main office location. In addition, Sparks Bank had added three additional locations in the past seven years at Jacksonville, Maryland Line and Kingsville.
The population of the Hereford area is, as I am sure you are aware, growing very rapidly. Sparks Bank has made a diligent search for an appropriate location in this area but unfortunately without success. Thus, Sparks Bank has filed this petition and accompanying

SHIA
Maryland Department of Transportation
State Highway Administration
RICHARD H. TRAINER
Secretary
HAL KASSOFF
Administrator

RECEIVED
AUG 10 1987
ZONING OFFICE

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer
RE: Baltimore County
Reclassifications out of
Cycle
CR 88-80-Also related to
Item #7, Cycle V
Property Owner: Sparks
State Bank
Location: S/S Mt. Carmel
Road, Maryland Route 137
1,220' E. Centerline of
Interstate 83
Existing Zoning: R.C. 5
Proposed Zoning: B.L.
Area: .99 acres
District: 7th

Dear Mr. Haines:
On review of the submittal of February 25, 1987 (Sparks State Bank), the State Highway Administration-Bureau of Engineering Access Permits will require the site plan to be revised.
The revised site plan must show the following.
1. All access to the site by way of two (2) 25' commercial entrances with 10' radii.
2. Construct State Highway Administration Type "A" concrete curb and gutter along the entire frontage of the site, offset 24' from the centerline of Mt. Carmel Road, Maryland Route 137.
3. Provide bituminous paving along the frontage of the site to meet the existing condition to the west (Exxon Station), and a 50' taper to meet the edge of the roadway to the east.
4. Provide a continuous by pass lane on the north side of Mt. Carmel Road with a 150' paved taper and 150' full width section into the east entrance and a 100' full width section and 150' taper out of the west entrance.

con't
My telephone number is 333-1250
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 485-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

County Board of Appeals
of Baltimore County
July 16, 1987
Page 2

documented site plan to rezone the subject parcel to BL to allow for the location of a branch bank in compliance with that plan.
The nearly one acre parcel is in close proximity to the Mount Carmel Road interchange for the Harrisburg Expressway and is contiguous to BR zone land to its west and north. It is respectfully submitted that had a careful study and analysis been made as a part of the 1984 comprehensive map process with respect to the foreseeable commercial support requirements for northern Baltimore County, it would have been determined that: (i) the subject commercial area at the Mount Carmel Road interchange was and had been for sometime, fully utilized, and (ii) a modest expansion of commercial zone consistent with sound land use and planning principals, should have occurred and encompassed the subject property.

It is respectfully submitted that the County Council committed error in not allowing for the modest expansion of a commercial zone to encompass the subject parcel and to allow for the location of a Sparks Bank branch in a rapidly growing area of Baltimore County.

Yours truly,
Robert A. Hoffman

RAH:bw

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 30594
DATE 3/3/87 ACCOUNT 101-45000
AMOUNT \$ 100.00
RECEIVED FROM Cook Howard Downes Tracy
FOR Zoning Re-class
B153*****100076 20387
VALIDATION OR SIGNATURE OF CASHIER

Mr. J. Robert Haines
Page 2
August 6, 1987

All work within the State Highway Administration right-of-way must be through S.H.A. permit with the posting of a bond or letter of credit to guarantee construction.
It is requested, the site plan be revised prior to a hearing date being set.

Very truly yours,
John Meyer
John Meyer-Assistant
Bureau Chief-Engineering
Access Permits
by: George Wittman

IM-CW/ess
attachment

8/17/87
Remet Sparks St Bank reclass to 9/29 at 9:30 a.m. for purpose of accepting doc site plan only.
Advised Hoffman--he asked if the Bd would consider holding next open date for Sparks --will be on Planning Bd agenda 10/15 and then could be set for hearing. (our next date is 11/03)
NOTE: Spoke w/Hoswell -out of cycle on Sparks is still being considered as part of Sept. agenda for County Council

Mr. H:
RE: earlier hearing date (5-minute hearing) for Sparks State Bank -
Per Betty du Bois - she will need 30-45 days in order to advertise; therefore, if notified 8/12 that we wish to move up to earlier date, the earliest could be sometime around the end of September (last week).

8/06
Assign date to suit
voluntarily problems

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

HAND DELIVERY
August 6, 1987

JAMES H. COOK
JOHN B. HOWARD
DAVID S. DOWNES
DANIEL O. TRACY, JR.
JOHN A. DINE, III
JOSEPH C. WICK, JR.
HERBERT A. O'CONNOR, III
THOMAS L. HODSON
C. CARLY DELEY, JR.
H. KING HILL, III
GEORGE A. REYNOLDS, III
LAWRENCE L. HODSON, JR.
ROBERT A. HOFFMAN
DEBORAH E. DOPPIN
CYNTHIA M. JAHN
KATHLEEN SALLUSKY COX
KEVIN A. SMITH
J. MICHAEL BRENNAN
H. BARRETT PETERSON, JR.
REGAN J. R. SMITH
JAMES O. C. DOWNES
(908-1979)
TELEPHONE
(301) 823-4111
TELECOPIER
(301) 821-0147

William T. Hackett, Chairman
County Board of Appeals
of Baltimore County
Old Court House
2nd Floor
Towson, Maryland 21204

Re: Petition for Reclassification
Case No.: R-87-457
Sparks State Bank, Petitioner

Dear Mr. Hackett:

Sparks State Bank ("Sparks"), petitioner in the above referenced reclassification case on an open plat, is attempting to locate a branch bank in Hereford on property that is the subject of the above referenced reclassification. Sparks has therefore decided to amend its filing by substituting a documented site plan for the open plat.

Sparks respectfully requests that a hearing be scheduled as soon as possible for the sole purpose of substituting the documented site plan.

Yours truly,
Robert A. Hoffman

RAH:bw

RECEIVED
COUNTY BOARD OF APPEALS
JUL 16 1987

React to 9/29
11/11
advised Hoffman
9:30 PM

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

March 2, 1987

JAMES H. COOK
JOHN B. HOWARD
DAVID S. DOWNES
DANIEL O. TRACY, JR.
JOHN A. DINE, III
JOSEPH C. WICK, JR.
HERBERT A. O'CONNOR, III
THOMAS L. HODSON
C. CARLY DELEY, JR.
H. KING HILL, III
GEORGE A. REYNOLDS, III
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J. MICHAEL BRENNAN
H. BARRETT PETERSON, JR.
REGAN J. R. SMITH
JAMES O. C. DOWNES
(908-1979)
TELEPHONE
(301) 823-4111
TELECOPIER
(301) 821-0147

County Board of Appeals of Baltimore County
Second Floor
Old Court House
Towson, Maryland 21204
Re: Petition for Reclassification
South side of Mount Carmel Road East of Baltimore
Harrisburg Expressway, .99 acre
Sparks State Bank, Petitioner

Dear Board Members:

This firm represents the Sparks State Bank in its petition to reclassify the above-reference property from RC-5 to BL.

The subject .99 acre parcel is in close proximity to the Mount Carmel Road interchange for the Harrisburg Expressway and is contiguous to BR zoned land to its West and North.

With the exception of a limited amount of strip commercial zoning along the York Road, the commercially-zoned area at this interchange is essentially the only commercial area available to serve a major part of Northern Baltimore County.

It is respectfully submitted that had a careful study and analysis been made as a part of the 1984 Comprehensive Map process with respect to the foreseeable commercial support requirements for Northern Baltimore County, it would have been determined that (i) the subject commercial area at the Mount Carmel Road interchange was, and had been for some time, fully utilized, and (ii) a modest expansion of commercial zone consistent with sound land use and planning principles, should have occurred and encompassed the subject property.

County Board of Appeals of Baltimore County
March 2, 1987
Page Two

Based upon the foregoing considerations, it is submitted that the Baltimore County Council committed error in not reclassifying the subject parcel BL upon adoption of the 1984 Comprehensive Map adoption.

Respectfully Submitted,
John B. Howard

JBH/ddw

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
R-87-457

District 7th
Posted for: Re-classification
Petitioner: Sparks State Bank
Location of property: S/S Mt. Carmel Rd., approx. 1220' E. of I-83
Location of Sign: Existing Mt. Carmel Rd., approx. 10' E. of roadway, on property of Petitioner
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 9/14/87
Date of return: 9/18/87

IN THE MATTER OF THE PETITION
FOR RECLASSIFICATION FROM
R.C. 5 TO B.L. ZONE
S/S Mt. Carmel Rd., approx.
1,110' E of C/L of I-83
7th Election District
3rd Council District

BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

SPARKS STATE BANK, Petitioner : Zoning Case No. R-87-457

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
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of September, 1987, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

William Hackett, Chair
County Board of Appeals
of Baltimore County
Old Court House
Towson, Maryland 21204

Re: Petition for Reclassification
Sparks State Bank, Petitioner
Case No. R-87-457; Item No. 7, Cycle V

Dear Mr. Hackett and Board Members:

I strongly recommend that the Board approve the Petition to Rezone the Sparks State Bank property, located in Hereford, for a branch banking facility.

The Hereford community needs the branch bank now more than ever since the rapidly increasing volume of traffic on York Road makes the commute to the Sparks office more difficult and more time consuming. The Hereford customers have long comprised a major portion of this independent rural-type bank's business.

I am personally interested in seeing the branch developed at Hereford as I have business property approximately a mile from the Hereford site. Additionally, I've been a customer of the bank for over a half a century and have been a stockholder in the bank for many years. Further, as a former president of the Sparks/Hereford High School Alumni Association, I am well aware of the long standing financial relationships between the bank and both students and alumni. The bank has served this agricultural community for at least 70 years.

This is one of the few rezoning petitions on which John Howard, Esquire and I concur. However, I believe that he has failed to present an important justification for the new bank location. The movement of the bank post office to the Hereford location has created a material change to the neighborhood - one that Councilman James Smith and the rest of the County Council were not able to consider when they dealt with the 1984 Comprehensive Map.

Thank you for considering my input as you make your decision.

Yours truly,
Kenneth T. Bosley
Kenneth T. Bosley
PO Box 585
Sparks, Maryland 21152
Phone: 771-4316

RECEIVED
COUNTY BOARD OF APPEALS
SEP 22 1987



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 8, 1987

(CONTINUED IN OPEN HEARING - 9/29/87)

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-77.

CASE NO. CR-87-457

SPARKS STATE BANK

S/S Mt. Carmel Road, approx. 1220' E of c/l of I-83
7th Election District
3rd Councilmanic District

Zoning Reclassification - from R.C. 5 to B.L.
Documented Site Plan

TUESDAY, NOVEMBER 10, 1987 at 10:00 a.m.

ASSIGNED FOR:

cc: John B. Howard, Esquire

Counsel for Petitioner

Robert A. Hoffman, Esquire

Counsel for Petitioner

Sparks State Bank
c/o Charles E. Ensor, Sr., Pres.

Petitioner

Mr. James Earl Kraft

Phyllis Cole Friedman, Esquire

Norman E. Gerber

James G. Hoswell

J. Robert Haines

Ann M. Nastarowicz

James E. Dyer

Margaret E. du Bois

Kathi C. Weidenhammer
Administrative Secretary

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 28, 1987

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

000

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Case No. R-87-457; Item No. 7 - Cycle V
Sparks State Bank - Petitioner

Dear Mr. Howard:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April - October 1987 reclassification cycle (Cycle VI). It has been reviewed by the Zoning Office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the Zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office by September 29, 1987. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency.

Very truly yours,

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

JED:bjs
Enclosures

cc: Daft-McCune-Walker, Inc.
200 E. Pennsylvania Ave., Towson, Md. 21204



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

April 15, 1987

Mr. William Hackett,
Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

Att: Mr. James Dyer

Re: Zoning Reclassification
Cycle V 4-87 to 10-87
ITEM: #7.
Property Owner: Sparks State Bank
Location: S/S Mt. Carmel Rd.,
approximately 1,220' E of the
centerline of I-83, Route 137
Existing Zoning: R.C. 5
Election District: 7th
Councilmanic District: 3rd
Acres: .99
Proposed Zoning: B.L.

Dear Mr. Hackett:

On review of the submittal of 2-25-87, "Sparks State Bank" (open plan) the State Highway Administration cannot provide detail comments for the site at this time.

All commercial access to the site must be through State Highway Administration permit and approval, with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

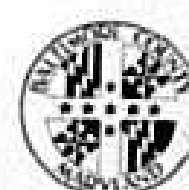
cc: Mr. J. Ogle
Mr. J. Howard, Esq.

RECEIVED
APR 27 1987

61-1-1-1 ZONING OFFICE

My telephone number is (301) 333-1330

Teletypewriter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

XXXXXXXXXXXX
XXXXXXXXXXXX
C. Richard Moore
Acting Director

May 8, 1987

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Property Owner: Sparks State Bank
Contract Purchaser: S/S Mt. Carmel Rd., approximately 1,220' E of the Centerline of I-83
Location: R.C. 5 - 1 house
Existing Zoning: 7th
Election District: 3rd
Councilmanic District: 3rd
Acres: .99
Proposed Zoning: B.L. - 500/acre

Dear Mr. Hackett:

The existing R.C. 5 zoning can be expected to generate approximately 12 trips per day, and the proposed B.L. zoning can be expected to generate approximately 500 trips per day.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William F. Hackett - Chairman
Appeals Board

Date: May 5, 1987

FROM: Charles E. Burman, Plans Review Chief - Department of Permits & Licenses C.E.B.

SUBJECT: April - October 1987 - Zoning Classification - Cycle V

Item # 7 Property Owner: Sparks State Bank
Contract Purchaser: S/S Mt. Carmel Rd., approximately 1,220' E of the centerline of I-83
Location: S/S Mt. Carmel Rd., approx. 1,220' E of the centerline of I-83
Existing Zoning: R.C. 5
Proposed Zoning: B.L.
Acres: .99
District: 7th

1. Any proposed construction or change of use of existing structures shall comply to the requirements of the Baltimore County Building Code as adopted by Council Bill #17-85 or the Code in effect at the time of permit filings.

cc: Zoning Advisory Committee

CEB:bac



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

April 13, 1987

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

Attention: William Hackett
Chairman, County Board of Appeals

RE: Property Owner: Sparks State Bank

Location: S/S Mt. Carmel Rd., approx. 1,220' E. of the centerline of I-83.

Item No.: 7 Zoning Agenda: Cycle V 4/87 - 10/87

Gentlemen:

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

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

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 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.

REVIEWED: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group
Special Inspection Division
Fire Prevention Bureau
Water for fire protection shall be provided in accordance with the Urban Guide for Fire Prevention and Control Master Planning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Norman E. Gerber, Director
Office of Planning & Zoning Date: September 29, 1987

FROM: Thomas J. Bollinger, Acting Chairman
County Board of Appeals

SUBJECT: Case No. R-87-457
Sparks State Bank -Petitioner

Pursuant to the appropriate sections of the Baltimore County Code, we are transmitting to you a copy of the amended site plans submitted to the County Board of Appeals at a public hearing on September 29, 1987. This documented site plan is being forwarded to you for processing with the Baltimore County Planning Board.

Thomas J. Bollinger
Thomas J. Bollinger, Acting Chairman
County Board of Appeals

Attachment

cc: Carl Richards w/9 copies of amended plans
Carl:
Per Rob Hoffman -the attached plans are the same plans which were reviewed by you-and/or your office for form and sufficiency as part of the Petitioner's earlier request for the County Counsel to grant an expedited hearing (out-of-cycle).

Kathi

RECEIVED
OCT 2 1987

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Norman E. Gerber, Director
Office of Planning & Zoning Date: September 29, 1987

FROM: Thomas J. Bollinger, Acting Chairman
County Board of Appeals

SUBJECT: Case No. R-87-457
Sparks State Bank -Petitioner

Pursuant to the appropriate sections of the Baltimore County Code, we are transmitting to you a copy of the amended site plans submitted to the County Board of Appeals at a public hearing on September 29, 1987. This documented site plan is being forwarded to you for processing with the Baltimore County Planning Board.

Thomas J. Bollinger
Thomas J. Bollinger, Acting Chairman
County Board of Appeals

Attachment

cc: Carl Richards w/9 copies of amended plans
Carl:
Per Rob Hoffman -the attached plans are the same plans which were reviewed by you-and/or your office for form and sufficiency as part of the Petitioner's earlier request for the County Counsel to grant an expedited hearing (out-of-cycle).

Kathi

RECEIVED
SEP 30 1987

ZONING OFFICE

RECEIVED
SEP 30 1987

ZONING OFFICE

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

TELEPHONE
(301) 823-4111
TELECOPIER
(301) 821-0147

September 29, 1987

JAMES H. COOK
JOHN B. HOWARD
DAVID O. DOWNES
DANIEL O. C. TRACY, JR.
JOHN H. ZINK, III
JOSEPH E. WICH, JR.
HEATH B. PECK, JR.
HERBERT R. O'CONNOR, III
THOMAS L. HUDSON
C. CAREY DEELEY, JR.
M. KING HILL, III
GEORGE H. REYNOLDS, III
ROBERT A. HOFFMAN
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KATHLEEN GALLAGHY FOX
KEVIN H. SMITH
J. MICHAEL BRENNAN
H. BARNETT PETERSON, JR.
KATHRYN L. WOTE
REGAN J. R. SMITH
JULIE A. STEINBERG
JAMES D. C. DOWNES
(1908-1979)

County Board of Appeals
of Baltimore County
2nd Floor
Old Court House
Towson, Maryland 21204

Re: Petition for Reclassification
South Side of Mt. Carmel Road, East of Baltimore
Harrisburg Expressway, .99 acres
Sparks State Bank, Petitioner
Case No.: R-87-457; Item No. 7, Cycle V

Dear Board Members:

This letter will supplement correspondence dated March 2, 1987 to the County Board of Appeals of Baltimore County (the "Board") in connection with the Petition for Reclassification and open plat filed in the above-referenced case.

The Board now has before it a Reclassification Petition with a documented site plan. This same documented site plan was previously submitted as part of a request for certification from the Planning Board and the County Council pursuant to Section 2-58.1(i) of the Baltimore County Code that early action on the zoning reclassification was manifestly in the public interest. The documented site plan and accompanying materials filed today in this case had been reviewed by the Office of Planning and Zoning in connection with the request for early action.

Because of the use of the documented site plan, Sparks Bank can now state that the subject property will be used for a Sparks Bank branch. As you may be aware, the population in the Hereford area has grown rapidly. Sparks Bank has made a diligent search for an appropriate location, but unfortunately without success. Therefore, Sparks Bank has purchased the subject property for location of a branch bank.

On July 1, 1987, the Interstate Banking Law took effect and we are confident that Pennsylvania Banks will look to the Hereford area to establish additional branches. Because these

County Board of Appeals
of Baltimore County
September 29, 1987
Page 2

banks have greater resources than Sparks Bank, they may gain an unfair advantage in locating in Hereford which, Sparks Bank submits, would not be in the best interest of Baltimore County.

It is respectfully submitted that had a careful study and analysis been made as a part of the 1984 Comprehensive Map process with respect to banking requirements for this area of northern Baltimore County, it would have been determined that (i) the subject commercial area at the Mt. Carmel Road interchange was, and has been for sometime, fully utilized, and (ii) a modest expansion of the commercial zone consist with sound land use and planning principals to permit this branch bank, should have occurred and encompassed the subject property.

Based upon the foregoing considerations, it is submitted that the Baltimore County Council committed error in not reclassifying the subject property BL upon adoption of the 1984 Comprehensive Map.

Yours truly,

John B. Howard
John B. Howard

JBH:bw

cc: Bradley G. Moore

RECEIVED
COUNTY BOARD OF APPEALS
1987 SEP 30 A 8 34



October 1, 1987

Dear Customer,

SPARKS STATE BANK REQUESTS YOUR SUPPORT !

The Maryland State Bank Commission and the Federal Deposit Insurance Corporation has approved an application by Sparks State Bank to build a branch office on Mt. Carmel Road in Hereford. We have purchased an acre of land just east and adjacent to the Exxon station. In order to secure a permit to begin construction we must first obtain a zoning reclassification from residential to commercial zoning.

The Baltimore County Planning Board has unanimously approved this change thereby recommending it to the County Council for their approval.

There will be a public hearing before the Baltimore County Board of Appeals on November 3, 1987 at 10 A.M. on the second floor of the old Court House in Towson.

It is imperative that we show public support for this change in zoning. If you can lend your support by attending this meeting please call Nancy Stiffler at 771-4900. Transportation can be provided.

We are celebrating our 70th year as an independent Baltimore County Bank and we are dedicated to serving and supporting the community.

Sincerely,

Bradley G. Moore
Bradley G. Moore
Executive Vice President

To The Baltimore County Board of Appeals

We are in favor of a bank at the above location. as stated above.
Will W. Merryman
Gaura G. Rush
Genevieve Merryman

4804 York Road
Sparks, Maryland 21152
301 771-4900

21401 York Road
Maryland Line, Maryland 21105
301 329-6666

14231 Jarettsville Pike
Phoenix, Maryland 21131
301 666-0008

12037 Usher Road
Kingsville, Maryland 21087
301 392-4400

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman
County Board of Appeals Date: October 14, 1987

FROM: Norman E. Gerber, AICP
Director of Planning and Zoning
Amended Plans -- Sparks State Bank
Zoning Petition CR-87-457

SUBJECT: Cycle V, Item 7

I have reviewed the subject plans submitted to the County Board of Appeals on September 29, 1987, and recommend that the petitioner's request for B.L. zoning be denied.

Item No. 7 is a vacant 0.99-acre property located on Mt. Carmel Road in the northern rural area of the County. To the west is property zoned B.R.; to the north, east and south, land zoned R.C. 5. The petitioner is requesting a change from R.C. 5 to the B.L. zoning classification. It is this office's opinion that Section 1A00.3A.1. of the Baltimore County Zoning Regulations is applicable to the subject request; therefore, it cannot be accepted for filing. Further, ample opportunities for commercial development exist in the area.

The site is within the boundaries of the area encompassed by the Hereford study recently completed by this office. As noted on page 6 of this study, "It is recommended that there be no changes in the zoning in the Hereford study area until a "Plan for Hereford" has been prepared and adopted by the County Council and until a new rural commercial zone, if necessary, is enacted by the Council. It is apparent that the opportunity for new commercial development on non-residential, commercially zoned properties (108,000 to 250,000 square feet of floor area) will more than suffice for the immediate future." A copy of the study is being forwarded with this comment.

It should be noted that the 1988 Comprehensive Zoning Map process began with an open filing period for requests in August, 1987. Also, the County Board of Appeals' hearings began in September, 1987. All of the items in Cycle V have been identified as specific issues in the 1988 Comprehensive Zoning Map process and ultimately will be decided by the County Council. Consequently, I am of the opinion that, whenever possible, Cycle V requests should not be granted in a piecemeal fashion but should be decided through the 1988 Comprehensive Zoning Map process.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:HSK:dme

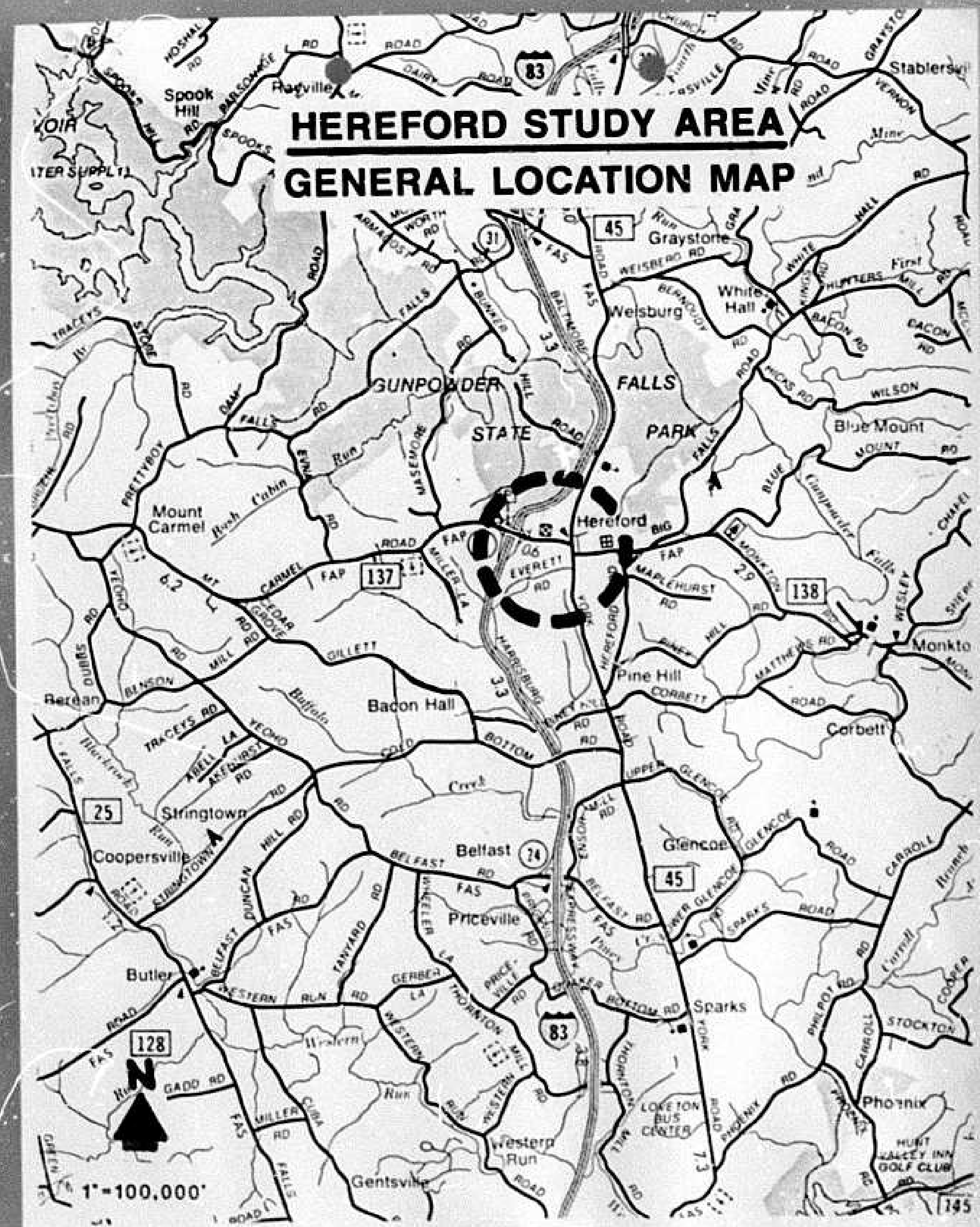
cc: John B. Howard, Esquire
Phyllis Cole Friedman
Carl Richards
J. G. Hoswell

65 OCT 15 1987

COUNTY BOARD OF APPEALS
RECEIVED

CP5-008

HEREFORD
A PRELIMINARY ANALYSIS
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING

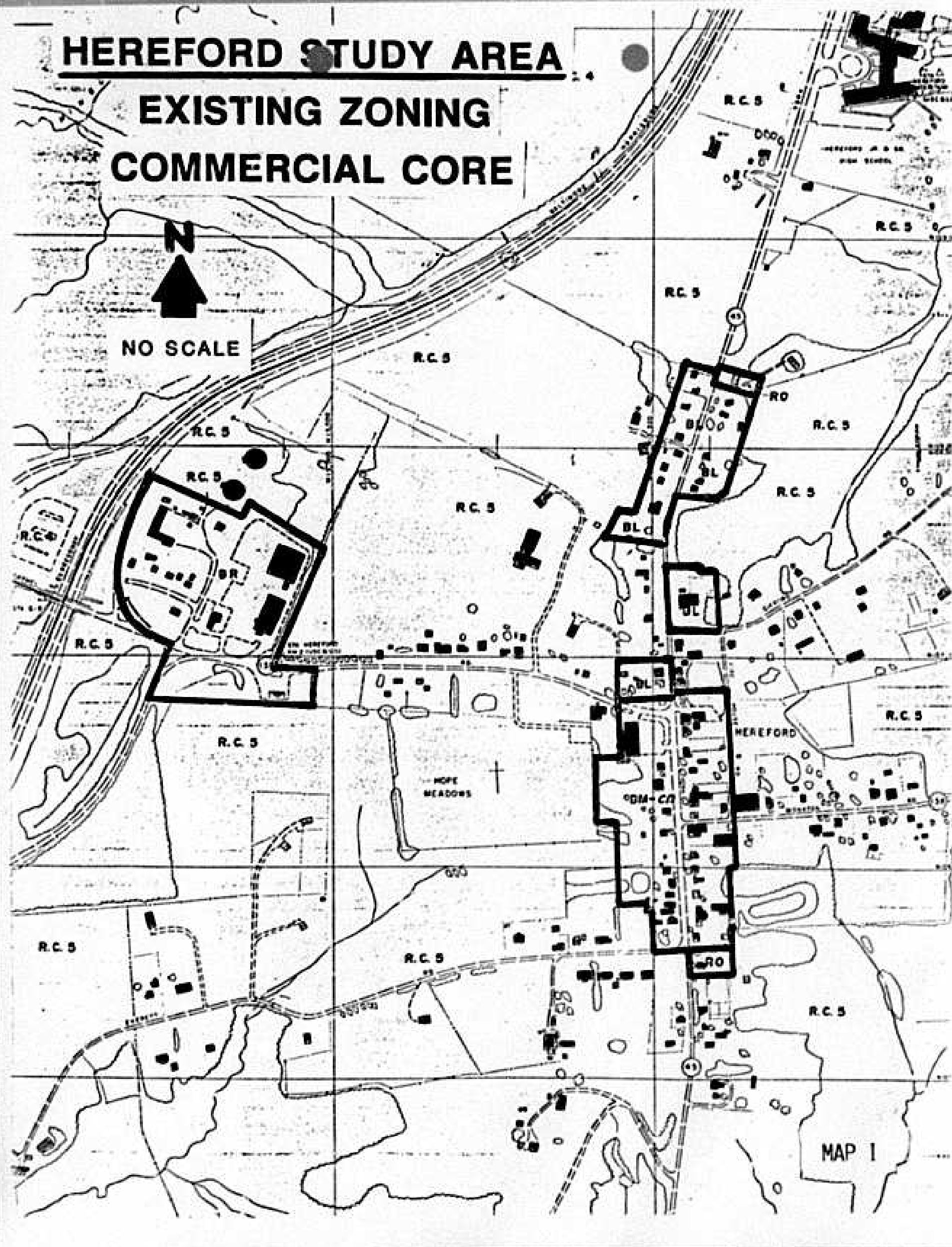


September, 1987

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D. Existing Land Uses	2
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F. Population	4
G. Findings	5
H. Recommendations	5

HEREFORD STUDY AREA EXISTING ZONING COMMERCIAL CORE



A. INTRODUCTION

As a result of concerns expressed by the residents of Hereford, both from the residential and commercial sectors, Councilman Ruppertsberger requested an analysis of the area. It is in response to that request that the following information has been assembled.

The most important finding of this initial study is the realization of the need for a full-scale community plan for the Hereford area, to be adopted by the County Council as part of the Baltimore County Master Plan. Such a plan would identify the function, form, size and character of Hereford as a rural center, and establish new or revised legal controls to guide future growth.

A comprehensive study for Hereford could also serve as a model for developing and evaluating plans for other rural centers in the county.

B. HISTORY OF HEREFORD

The 1850 map of Baltimore County shows Hereford as a rural village with approximately 25 houses and a church. The Baptist Church on Mt. Carmel Road, west of York Road, a plain rectangle of stone, later embellished with a bell tower, was built in 1884. John W. Rowe, a manufacturer of gunpowder, paid the initial costs. The Odd Fellows' Hall was built between 1855 and 1856 and still stands, used as a stained-glass shop. Some of the older structures identified in a 1980 study include the store at the Southeast corner of York and Monkton Roads, built between 1833 and 1841; the Rowe-Orrick house at 16915-16917 York Road, a duplex of frame and clapboard segments, mentioned in a deed of 1846; and the brick house at 17006 York Road, dating from 1832-1840. The most fanciful house in the village is 525 Monkton Road, the "Smith Brothers House", a duplex built in 1878 as demonstrated by a carved date board. The house has a cupola and a plethora of scroll-sawn applied decoration.

In 1881, Hereford had a population of 300 and included several blacksmiths, a hotel, a milliner, two lodge halls, a shoemaker, two churches, and two parsonages. The town once had a weekly newspaper. A century later, the town was essentially intact in its old core when studied for the Maryland Historical Trust by the Office of Planning and Zoning's historic site surveyor.

C. EXISTING ZONING

Map I shows the existing zoning in the Hereford "commercial core", and Map II at a reduced scale, shows zoning in the "Hereford area".

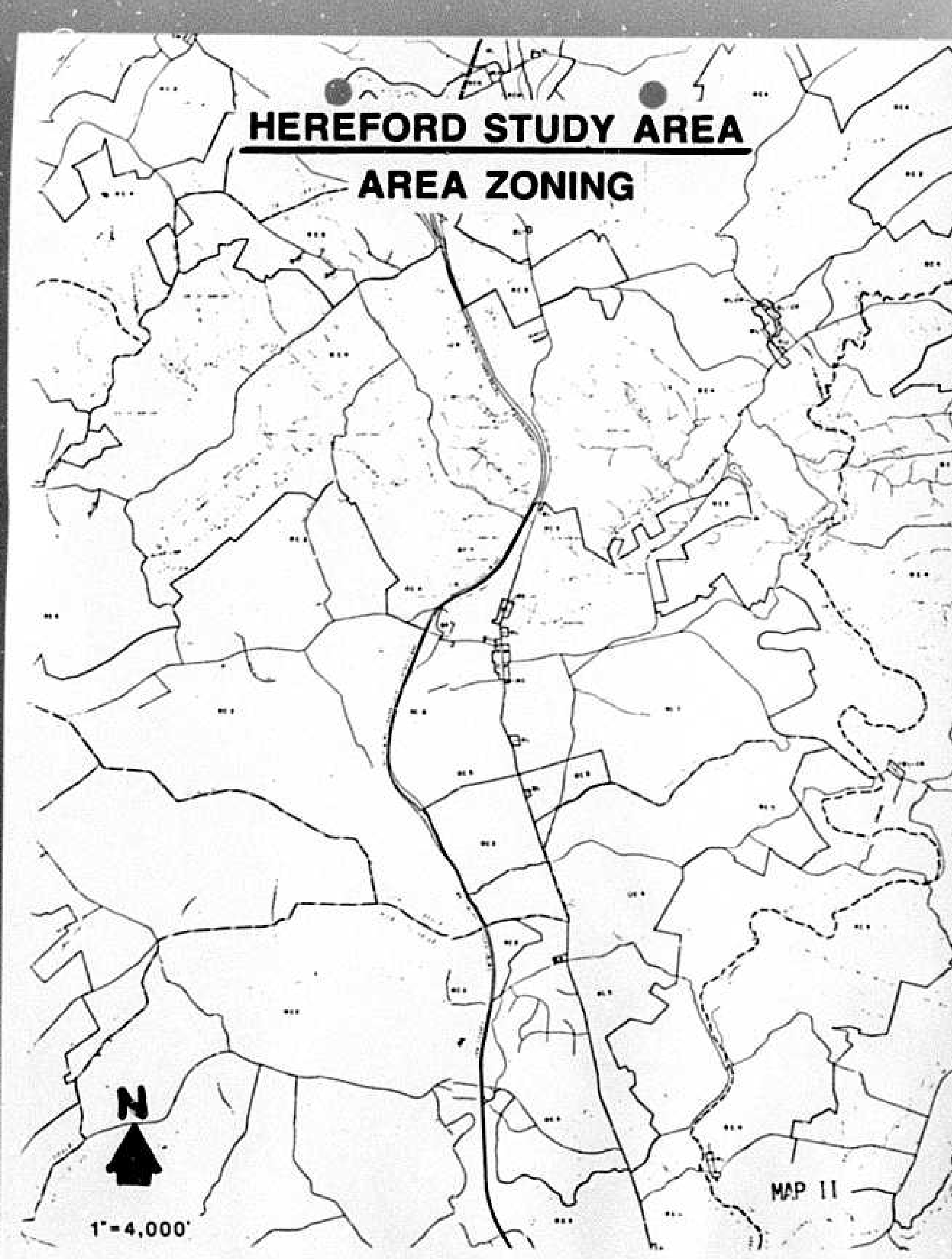
Non-Residential Zoning

Zoning in the "Hereford Core" consists of the following:

1. R-O (Residential-Office) Zone: Two properties in the study area are zoned for office use. One site, a 0.33-acre property, is located to the northeast of Hereford Center and is used as a doctor's office. The second, a 0.5-acre property, is located southeast of Hereford Center and is currently used as a residence.
2. B.L. (Business Local) Zone: There are three sites, containing 8.2 acres, in this classification, located on both sides of York Road, north of Mt. Carmel Road.

- 1 -

HEREFORD STUDY AREA AREA ZONING



3. B.M.-C.R. (Business Manufacturing with a C.R. District) Zone: There are 14.22 acres of land located on both sides of York Road, south of Mt. Carmel Road.

4. B.R. (Business Roadside) Zone: There are 16.55 acres of land in this classification located east of I-83 and west of York Road, along both sides of Mt. Carmel Road.

D. EXISTING LAND USES

A survey of existing commercial, institutional, and office uses in Hereford conducted by the Office of Planning and Zoning in the spring of 1987 revealed the following:

1. Chevron Service Station
2. Exxon Service Station
3. New Baptist Church
4. Hereford Commercial Center:
 - a) Higgs Store
 - b) Dry Cleaners
 - c) Carry-Out Sub Shop
 - d) Video Store
 - e) Pharmacy
 - f) Hereford Post Office
5. Mt. Carmel Animal Hospital Center
6. Farm Credit Office
7. Two Residential Office Buildings (Insurance and Doctor's Office)
8. Art Glass Products
9. Auto Repair Shop(s)
10. Used Car Lot
11. Hardware Store
12. Florist
13. Methodist Church
14. Barber Shop
15. Clothes Store
16. Auto Parts Store
17. Gunsmith Store
18. Oil Depot
19. General Store with Gas Pumps
20. Hereford Medical Center
21. Hereford High School
22. Pioneer House Restaurant and Bar
23. Wagon Wheel Restaurant
24. Feed and Grain Store (Barn used for storage)
25. Restaurant Jiner
26. Getty Service Station
27. Hereford Commercial Center at I-83 Interchange
 - a. First National Bank
 - b. MALAW Office Building
 - c. Hereford Pharmacy
 - d. Graul's Food Market

- 2 -

28. State Highway Administration Repair Shop and Storage Yard
29. Rittenhouse Fuel Company
30. Baltimore County Shop
31. Jiffy Lube

E. COMMERCIAL DEVELOPMENT POTENTIAL

In compiling the land use information for commercially zoned land, it was found that a significant portion of the commercial properties are not fully occupied; i.e., existing uses can be expanded or new uses added to the sites. In addition, approximately 40% of the land zoned for commercial use is either vacant or in non-commercial uses.

Zone	Presently in Commercial Use	Vacant or in non-commercial use	FAR Permitted
B.L.	3.7 acres	4.5 acres	3.0
B.M.-C.R.	7.22 acres	7.0 acres	4.0
B.R.	11.55 acres	5.0 acres	2.0

The development of land currently vacant, or in non-commercial use could theoretically result in extensive commercial square footage in the Hereford Core. However, this Office's experience with commercial development in rural settings shows that buildings are limited to no more than two stories, and the total floor area usually comprises between 15-40% of the total site area.

A study of recent CRG projects in rural areas reveals the following:

Project Name	Zoning	Proposed Built Area (sq. ft.)	Site Area (sq. ft.)	FAR Permitted	FAR Proposed
Hereford Center	B.M.-C.R.	15,360	34,800	4.0	0.44
Monkton Center	B.M.-C.R.	17,000*	60,000	4.0	0.28
Paper Mill Village	B.L.-C.R.	32,300	175,000	3.0	0.23
Zinc/Shashine Center	B.L.-C.R.	27,500	198,000	3.0	0.14

*This project did not provide sufficient parking in the B.M. zone and was not approved by CRG.

The total area in Hereford zoned for commercial use but presently either vacant or in non-commercial use, could theoretically yield a total of 2,240,000 square feet. Based on recent experience, however, the likely result of a conventional build-out for one-two story commercial and/or office development would be an additional floor area of approximately 108,000 to 287,000 square feet.

- 3 -

F. POPULATION

For the purpose of this preliminary study, three census tracts were selected as the Hereford Study area. These are shown on map III. Existing and estimated census data for these areas are as follows:

Census Tract	POPULATION		
	1986 Population	1990 Estimated Population	1995 Estimated Population
4071	5057	4835	4686
4072	1239	1184	1155
4081	1760	2288	3350
TOTALS	8056	8307	9191

Source: Round III 1986 population projections prepared by the Office of Planning and Zoning in conjunction with the Regional Planning Council.

These projections estimate population growth to be only 251 persons between 1986 and 1990 and 1135 persons between 1986 and 1995. It should be noted, however, that these projections are based on a county-wide estimate and, population growth may well be higher than the standardized census projections.

Residential Zoning

There are three categories of Resource Conservation zoning in the general area of Hereford. These are:

1. R.C.2 (Agricultural Protection Zone)

Minimum lot size of one acre. Development on a lot of less than two acres - one lot; on 2-100 acre/lot of record 2 lots; over 100 acres/lot of record two lots plus one additional lot for each 50 acres in excess of 100 acres. Most of the land within the Hereford area is in this category.

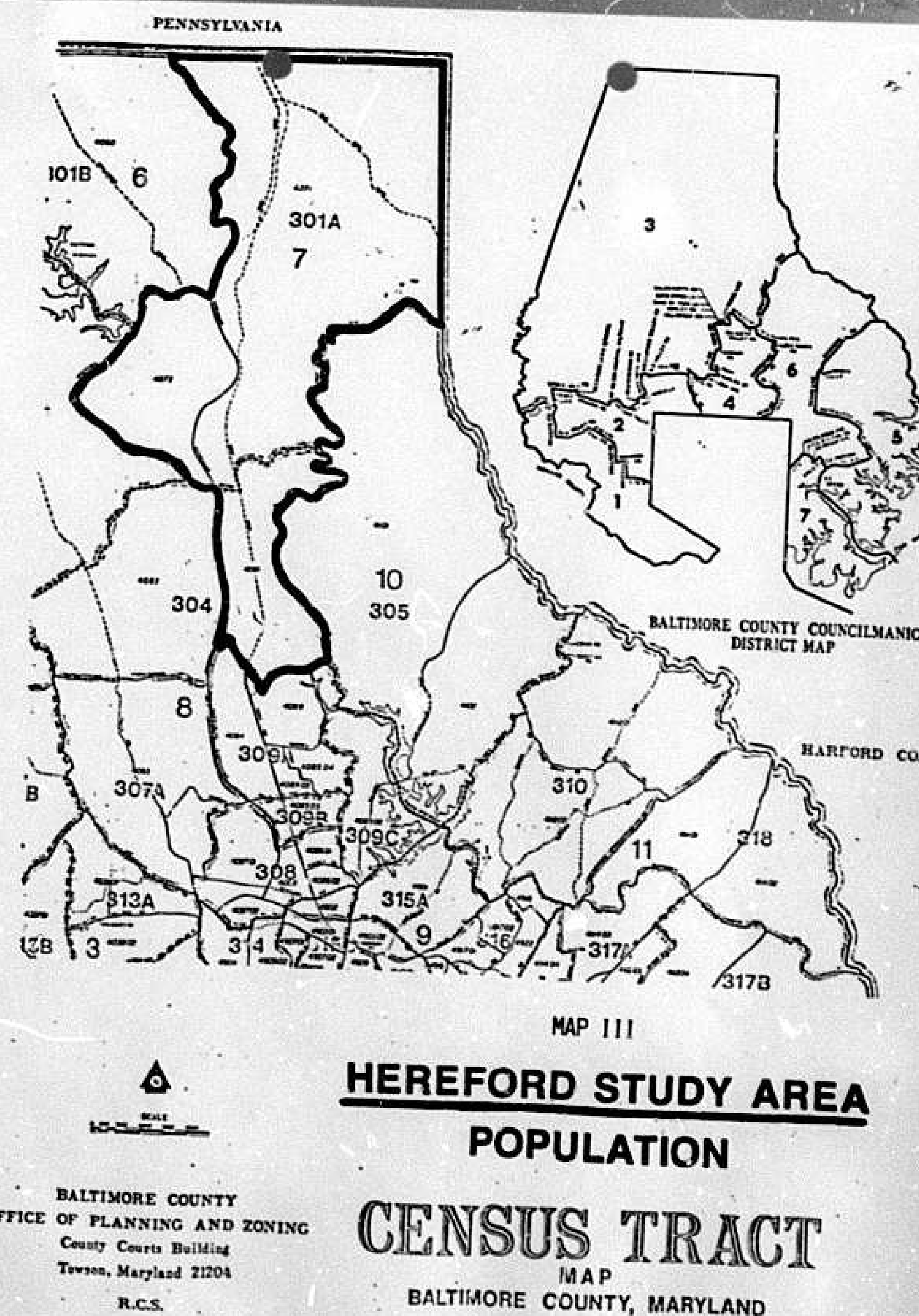
2. R.C.4 (Watershed Protection)

This classification has been applied to those lands which border the Gunpowder River and have streams which flow to it as well as land with steep slopes. The density allowed in this zone is 0.2 units per acre, with a minimum lot size of three acres. The amount of non-pervious coverage and the removal of natural vegetation is strictly limited.

3. R.C.5 (Rural-residential)

Minimum lot size one acre; maximum tract density 0.667. The predominance of land in this zoning classification is located to the east of I-83 and virtually surrounds the center of Hereford.

- 4 -



G. FINDINGS

It is clear, even from a brief, superficial overview of the Hereford area, that there is sufficient zoning in place to satisfy the community's short term needs for non-residential development and services. This will be true even if population in the area grows faster than official population estimates.

The potential inherent in the existing commercial zoning in Hereford and other rural areas will probably never be fully realized, and it seems to be an appropriate time to investigate the need for a "rural commercial zone". In real terms, such a zone should not significantly limit the amount of floor space that would be built on the site (although the FAR may be reduced) and the type of uses permitted by right may be affected. As part of such an investigation, it may be necessary to extend or reconfigure the areas zoned for commercial use, so that an efficient, functional and attractive rural center can be created.

Community concerns for the quality and character of Hereford are valid and the creation and adoption of guidelines to control site design and building appearance of future development would be an appropriate part of the planning study.

The existing configuration of the properties zoned for commercial and office uses is a product of unplanned growth and has resulted in a pattern of strip development along York Road. The consequences of such development in the County can be seen along Belair, Reisterstown, Liberty and York Roads. In a rural area like Hereford, the extension and intensification of the existing commercial development pattern may well result in increased traffic congestion and an unfortunate change in the rural character of the village due to the destruction of fine - if not historic - residential properties.

This brief report has not addressed the issue of traffic volumes and congestion in Hereford, although from general observation, the existing commercial development on York Road and Mt. Carmel Road already creates problems at peak periods. Any future plan for Hereford must look at transportation issues, and traffic patterns may well be a key factor in determining any future changes in zoning distribution.

It appears therefore, that there are no pressing reasons for significant zoning changes in Hereford as part of the 1988 Comprehensive Zoning Map process. This office will take an essentially conservative approach to requests for change, at least until the completion of a thorough plan for Hereford. Any change resulting from such a plan would be implemented through the 1992 comprehensive process.

H. RECOMMENDATIONS

1. A "Plan for Hereford" should be prepared and incorporated as part of the Baltimore County Comprehensive Plan by the County Council. One of the elements that is critical to the preparation of this plan is to define the function of the rural commercial center; i.e., the population to be served, the range of services, and the overall functional and physical character of the center. The commercial needs of the population of Hereford, both in terms of the types and amount of services, must be identified; estimates of expendable income should be projected. Studies should be undertaken to establish the shopping and employment patterns in the area. With this type of information, determinations can be made as to the adequacy of the existing commercial center to serve the needs of Hereford, any possible need for additional commercial development, and any need to increase or decrease the amount of commercially zoned land.

- 5 -

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William T. Hackett, Chairman
TO: County Board of Appeals

Date: October 16, 1987

Norman E. Gerber, AICP, Secretary
FROM: Baltimore County Planning Board

Amended Plans -- Sparks State Bank
SUBJECT: Zoning Petition CR-87-457; Cycle V, Item 7

Attached please find the favorable comment recommending the granting of the subject request for B.L. zoning, adopted by the Planning Board at its regular meeting on October 15, 1987.

Norman E. Gerber
Norman E. Gerber, AICP, Secretary
Baltimore County Planning Board

NEG:JGH:dme

cc: John B. Howard, Esquire
Phyllis Cole Friedman
Carl Richards
J. G. Hoswell

RECEIVED
COUNTY BOARD OF APPEALS
1987 OCT 19 A 9 47

CPS-008

ITEM NO. 7

PROPERTY OWNER: Sparks State Bank
LOCATION: S/S of Mt. Carmel Road, 1220' E. of I-83
ELECTION DISTRICT: 7
COUNCILMANIC DISTRICT: 3
RECOMMENDED DATE OF HEARING: Week of October 12, 1987
ZONING PRIOR TO ADOPTION OF 1984 COMPREHENSIVE ZONING MAP: R.C.5
EXISTING ZONING: R.C.5
REQUESTED ZONING: B.L.

PLANNING BOARD RECOMMENDATION: B.L.

This vacant property is located on Mt. Carmel Road in northern Baltimore County. To the west is an automotive service station on property zoned B.R.; to the north, east and south, R.C.5 zoned properties. To the northwest, on the opposite side of Mt. Carmel Road, is a shopping center on B.R. zoned land. The petitioner is requesting a change from R.C.5 to the B.L. zoning classification and has chosen to submit plans that show a proposed use for the property.

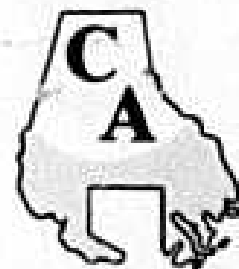
Prior to the adoption of the 1984 Comprehensive Zoning Map, the property was zoned R.C.5. During the preparation and processing of the map, the zoning of this property was not identified as a specific issue before either the Planning Board or the County Council; the Council reaffirmed R.C.5 zoning here.

In reviewing the petition, the Planning Board was inclined to consider an adverse recommendation for the same reasons expressed in the comments for Item Nos. 6 and 8; i.e., the preparation of the Hereford Zoning Study and the value of dealing with the issues in a comprehensive manner. The Board decided, however, that there are particular circumstances that merit favorable consideration here.

The Sparks Bank has served the residents of northern Baltimore County since 1917. The main branch is in Sparks, with additional locations in Jacksonville, Kingsville and Maryland Line. The Planning Board agrees there is a need for a branch in Hereford and is convinced that Sparks Bank's concerns about the impact of the Interstate Banking Law changes, effective July 1, 1987, are well-founded.

It is therefore recommended that the petitioner's request for B.L. zoning be granted.

- 16 -



CITIZENS' ALLIANCE OF NORTHERN BALTIMORE COUNTY, INC.
PARKTON, MARYLAND 21120

November 1, 1987

Board of Appeals
Second Floor
Court House
Towson Maryland 21204

Re: Petition for Reclassification, Sparks State Bank
Petitioner

To Whom It May Concern:

At the May, 1987 General Meeting of the Citizens' Alliance of Northern Baltimore County held on May 12, 1987, it was decided by the Association that responsibility for review and action on all zoning matters for the period June 1, 1987 to May 31, 1988 was placed in the Board of Directors consisting of the following members: Lucille Z. Ikeler, William Landis, Peggy Patterson, Pamela Rurka, Tom Hessenauer, Mike Van Bibber, Sheila Peabody, Nancy Knuth, and Joseph Matricciani. This authorization is already on file with the Office of Planning and Zoning.

At a meeting of the Board of Directors on September 16, 1987, the Board voted to oppose in the Sparks State Bank's petition for rezoning .99 acres of RC 5 land located S/S Mt. Carmel Road 1220 E of C/L of I-83 to BL through the Cycle 5 process.

In their petition, representatives for the bank contend

- 1) that they have made a diligent search for an appropriate location in the Hereford area but unfortunately without success
- 2) that the nearly one acre parcel is in close proximity to the Mount Carmel interchange for the Harrisburg Expressway and is contiguous to BR zone (sic) land to its west and north
- 3) that had a careful study and analysis been made as a part of the 1984 comprehensive map process with respect to the foreseeable commercial support requirements for northern Baltimore County, it would have been determined that: (i) the subject commercial area at the Mount Carmel Road interchange was and had been for sometime, fully utilized, and (ii) a modest expansion of commercial zone consistent with sound land use and planning principals (sic) should have occurred and encompassed the subject property.

The members of the Citizens' Alliance of Northern Baltimore contend:

- 1) a diligent search for appropriately zoned commercial land reveals that within a quarter to one half mile of the selected residentially zoned site is the village of Hereford where, according to the OFZ in its analysis of the area, "approximately 40% of the land zoned for commercial use is either vacant or in non-commercial uses."
- 2) that the petitioner is in error when it states that the site is contiguous to BR zoned land on the west and north. The land to the west is BR but contiguous land to the north is zoned RC 5.
- 3) that a careful study and analysis was made as a part of the 1984 comprehensive map process with respect to the foreseeable commercial support requirements for northern Baltimore County. At that time it was determined that the subject commercial area at the Mount Carmel Road interchange was, and had been for sometime, fully utilized, but that even a modest expansion of commercial zoning was not consistent with sound land use and planning principles.

During the 1984 map process, the Alliance, working with the Office of Planning and Zoning carefully studied the numerous petitions for rezoning not only along the Mount Carmel interchange, but in the entire north county with particular concern for areas around the interchanges. We were then, and pending another comprehensive analysis of the area, remain convinced that any change in zoning along the interchanges will result erosion of the rural nature of our community significantly add to problems with traffic along heavily travelled two lane roads.

Additionally, in their statement before the Planning Board the petitioners contended that recent changes in Interstate Banking Laws created a pressing need for Cycle 5 action. We feel those changes are irrelevant because to our knowledge there is no interstate banking institution planning a facility for the Hereford area.

For the above reasons the Alliance is opposed to the rezoning petition of the Sparks State Bank in Cycle 5.

Thank you for your continued interest in and service to our community.

Sincerely,
Lucille Z. Ikeler
Lucille Z. Ikeler
President, Citizens' Alliance



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

November 4, 1987

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
Reclassifications out of
Cycle
CR 88-80-also related
to Item #7, Cycle VI
Property Owner:
Sparks State Bank
Location: S/S Mt. Carmel
Road
Maryland Route 137
1,220' east centerline of
Interstate 83
Existing Zoning: R.C. 5
Proposed Zoning: B.L.
Area: 99 acres
District: 7th

RECEIVED
NOV 6 1987

ZONING OFFICE

Dear Mr. Haines:

On review of the revised submittal dated October 27, 1987, the State Highway Administration Bureau of Engineering Access Permits has the following comment.

The revised plan does not show our required changes as noted in our previous letter dated August 6, 1987.

It is requested that all revisions be made prior to a hearing date being set. Contact Larry Brocato of this office at 333-1350 if you have any questions.

Very truly yours,

Robert J. Mills, Jr.
Robert J. Mills, Jr.
Acting Chief-Bureau of
Engineering Access Permits

LB/es

cc: Daft, McCune, Walker Inc.

attachment

My telephone number is (301) 333-1350

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

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

TELEPHONE
(301) 823-4400
TELECOPIER
(301) 821-0147

HAND DELIVERY

November 4, 1987

Charles A. Ruppertsberger
Old Court House, 2nd Floor
Towson, Maryland 21204

Re: Sparks State Bank
Out-of-Cycle Request
Case No.: CR-88-80

Dear Councilman Ruppertsberger:

Since Sparks State Bank's cycle request will be heard on November 10, 1987, the Petitioner hereby withdraws its out-of-cycle request referenced above.

Thank you for your attention to this matter.

Yours truly,

Robert A. Hoffmann
Robert A. Hoffmann

RAH:bw

cc: Joshua Wheeler
Norman E. Gerber
William T. Hackett
Betty DuBois
Bradley G. Moore

RECEIVED
COUNTY BOARD OF APPEALS
1987 NOV - 7 P 3 47

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Office of Zoning Commissioner
Attn: Bettye du Bois
Kathi Weidenhamer
County Board of Appeals

TO: _____
FROM: _____
SUBJECT: Zoning Case No. CR-88-80

We are forwarding to your office the attached materials relative to an out-of-cycle request which had been filed with this office by the Petitioner in this case, Sparks State Bank. Since this matter was never placed on the County Council agenda and therefore not approved for out-of-cycle exemption by the Council, we will not docket this case as part of the record of the Board of Appeals. The Board is scheduled to hear Case No. CR-87-457, Sparks State Bank, on November 10 as part of the Cycle V reclass petitions.

Attachment

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 16, 1987

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 16, 1987

TOWSON TIMES,

Susan Sander Obrecht
Publisher

1987 SEP 29 A 9 59

RECEIVED
COUNTY BOARD OF APPEALS

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 17, 1987

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 Sept. 17, 1987

THE JEFFERSONIAN,

Susan Sander Obrecht
Publisher

1987 SEP 29 A 9 59
RECEIVED
COUNTY BOARD OF APPEALS

SPARKS STATE BANK

#R-87-457

S/S Mt. Carmel Rd., approximately
1,220' E of the c/l of I-83
R.C. 5 to B.L.
(Open Plan)

Item #7, Cycle V, 1987
7th Election District
3rd Councilmanic Dist.
.99 acre

March 2, 1987 Petition Filed

John B. Howard, Esquire
210 Allegheny Avenue
Towson, MD 21204
822-4111
Counsel for Petitioner

Sparks State Bank
Charles E. Ensor, Sr., President
14804 York Road
Sparks, MD 21152
Petitioner

Mr. James Earl Kraft
Baltimore Co Board of Education
940 York Road 21204

Phyllis Cole Friedman, Esquire
People's Counsel

Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

PETITION FOR RECLASSIFICATION
3rd Councilmanic District
Case No. R-87-457
LOCATION: South side of Mt. Carmel Road, approximately 1,220 feet East of the Centerline of I-83
PUBLIC HEARING: Wednesday, September 23, 1987, at 9:30 a.m.
The County Board of Appeals, Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing on the petition for reclassification of the property from an R.C. 5 Zone to a B.L. Zone. All interested parties are invited to appear at the hearing and present evidence in support of their position. The hearing will be held at the County Board of Appeals, 10750 Little Patuxent Parkway, Columbia, MD 21044.
Beginning for the same at a point in or near the centerline of Mount Carmel Road and distant 1220 feet more or less measured in an easterly direction on said centerline from an intersection with the centerline of the Baltimore-Harrisburg Expressway thence bearing said point of beginning and running in or near the centerline of Mount Carmel Road (1) North 85 degrees 33 minutes 29 seconds East 217 feet thence bearing said centerline of Mount Carmel Road and running the four following courses and distances, viz: (2) South 66 degrees 05 minutes 01 seconds West 205.00 feet, thence (3) North 88 degrees 02 minutes 00 seconds West 133.71 feet, thence (4) North 88 degrees 02 minutes 00 seconds West 133.71 feet, thence (5) North 12 degrees 11 minutes 11 seconds East 164.00 feet to the point of beginning.
Containing 0.99 acres of land more or less.
Being the property of Sparks State Bank, as shown on the plat plan filed with the Zoning Department.
BY ORDER OF
WILLIAM E. HACKETT,
Chairman
COUNTY BOARD OF APPEALS
BALTIMORE COUNTY
9/23/87

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

vs

Defendant

CERTIFICATE OF PUBLICATION OF

PATUXENT PUBLISHING COMPANY
By *Susan Sander Obrecht*

33.75

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 16, 1987

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 Sept. 16, 1987

THE JEFFERSONIAN,

Susan Sander Obrecht
Publisher

942.90

PETITION FOR RECLASSIFICATION
3rd Councilmanic District
Case No. R-87-457
LOCATION: South side of Mt. Carmel Road, approximately 1,220 feet East of the Centerline of I-83
PUBLIC HEARING: Wednesday, September 23, 1987, at 9:30 a.m.
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Beginning for the same at a point in or near the centerline of Mount Carmel Road and distant 1220 feet more or less measured in an easterly direction on said centerline from an intersection with the centerline of the Baltimore-Harrisburg Expressway thence bearing said point of beginning and running in or near the centerline of Mount Carmel Road (1) North 85 degrees 33 minutes 29 seconds East 217 feet thence bearing said centerline of Mount Carmel Road and running the four following courses and distances, viz: (2) South 66 degrees 05 minutes 01 seconds West 205.00 feet, thence (3) North 88 degrees 02 minutes 00 seconds West 133.71 feet, thence (4) North 88 degrees 02 minutes 00 seconds West 133.71 feet, thence (5) North 12 degrees 11 minutes 11 seconds East 164.00 feet to the point of beginning.
Containing 0.99 acres of land more or less.
Being the property of Sparks State Bank, as shown on the plat plan filed with the Zoning Department.
BY ORDER OF
WILLIAM E. HACKETT,
Chairman
County Board of Appeals
Baltimore County
9/23/87

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 85217
DATE: 7/29/87 ACCOUNT: 01.712
AMOUNT: \$4.50
RECEIVED FROM: Lucy Ikler
FOR: Selected copies of documents from Cycle V file - Sparks State Bank, Case No. R-87-457 and proposed out of cycle documents.
BOUS KKKY 450 2 7/29/87 EJS
VALIDATION OR SIGNATURE OF CASHIER

Office of PATUXENT

10750 Little Patuxent Parkway
Columbia, MD 21044

September 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR RECLASSIFICATION

was inserted in the following:

☐ Catonsville Times ☐ Booster Weekly
☐ Arbutus Times ☐ Owings Mills Flier
☐ Reporter Weekly ☒ Towson Flier

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 12 day of September 19 87 that is to say, the same was inserted in the issues of

September 10, 1987

Paul & Betty Phillips

Appraisals of Personal Property - Fine Antiques Bought & Sold
POST OFFICE BOX 416, GLENOC, MARYLAND 21152

10/13/87

Baltimore County Board of Appeals
Old Court House
2nd floor
Towson, Maryland
21204

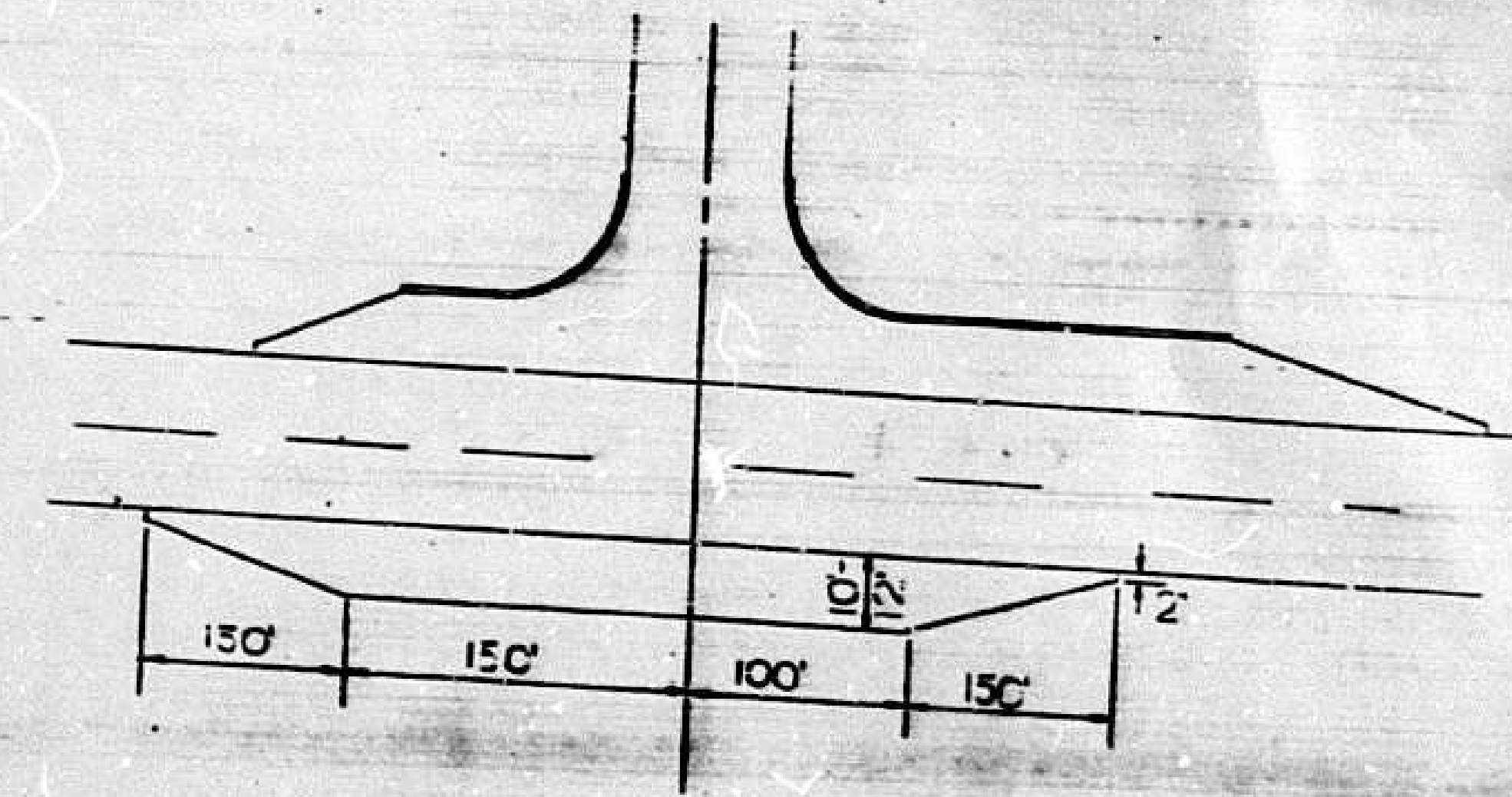
Dear Board Members,

We firmly support the application of The Sparks State Bank for a zoning reclassification from residential to commercial on the property west of the Exxon station on Mt. Carmel Road in Maryland.

Sparks State Bank is one of the few remaining independent Maryland Banks, is very well run and a great asset to Northern Baltimore County. It needs to have a branch and we urge your support for them in this endeavor.

Thank You
Paul & Betty Phillips

EXAMPLE OF BY-PASS LANE AT 'T' INTERSECTIONS



NOT TO SCALE

EXISTING SHOPPING CENTER
ZONED BR

ZONED RC-5

Baltimore County Metropolitan District

OLIVE L. BURTON
G.L.B. 2624/23

AGRICULTURAL

1220' to E. Baltimore
Harrisburg Expressway
ZONED RC-5

ZONED BR

POINT OF
BEGINNING

MT.

CARMEL

N 65° 35' 29" E

ROAD

217.00'

MT. RT. 137

Exist. Paving

EXISTING
CURB

10' BUILDING FRONT TO ROW

EXISTING
WELL

EXISTING AUTOMOTIVE
SERVICE STATION
HUMBLE OIL & REFINING COMPANY
OTG 5240/442

FF 672
PROPOSED
BANK

ZONED RC-5

JOSIAH L. & DOROTHY L. NAYLOR
E.H.K. Jr. 7103/37



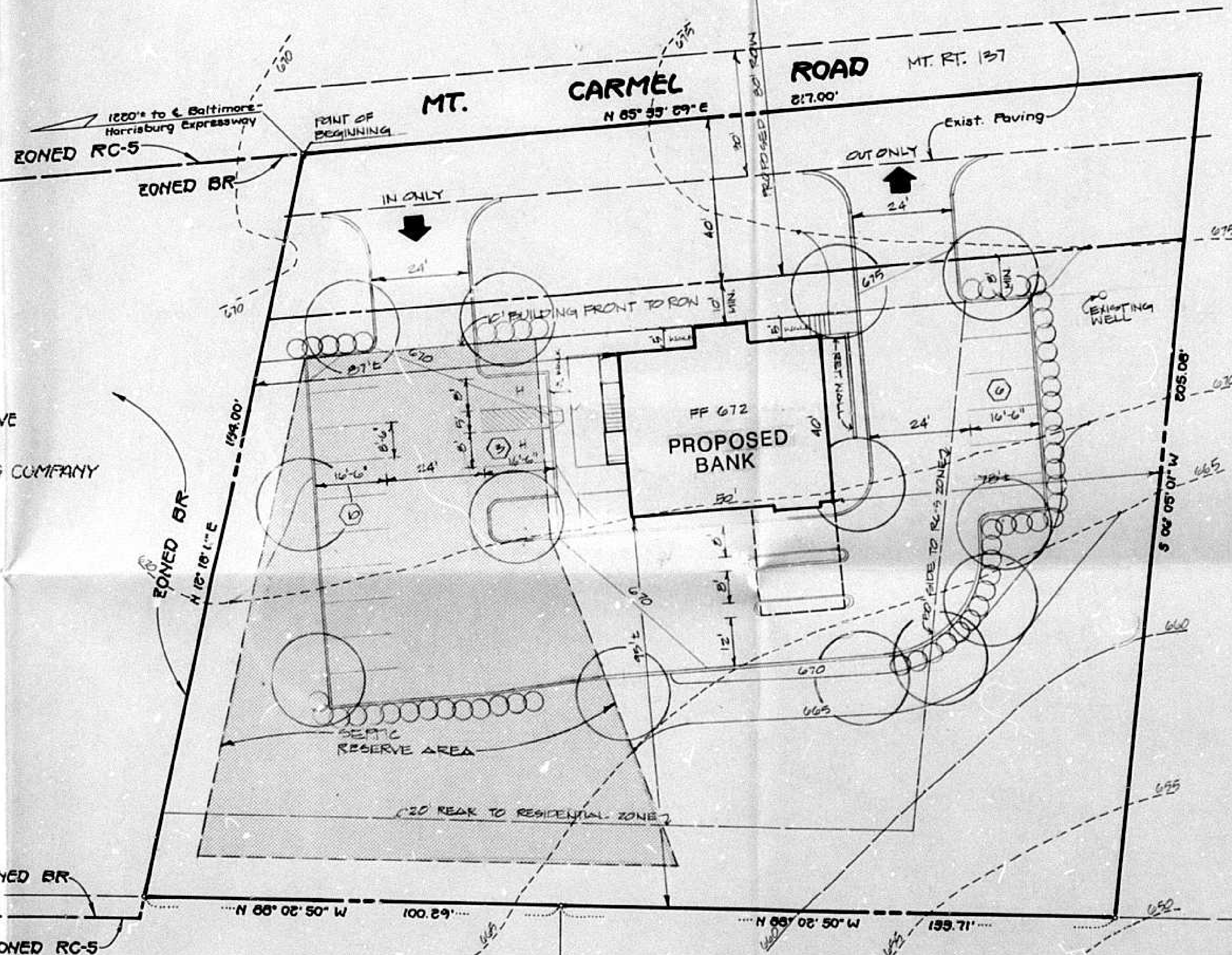
EXISTING SHOPPING CENTER
ZONED BR

ZONED RC-5

OLIVE L. BURTON
G.L.B. 8624/23

AGRICULTURAL

Baltimore County Metropolitan District



EXISTING AUTOMOTIVE
SERVICE STATION
HUMBLE OIL & REFINING COMPANY
O.T.G. 5240/44C

ZONED BR

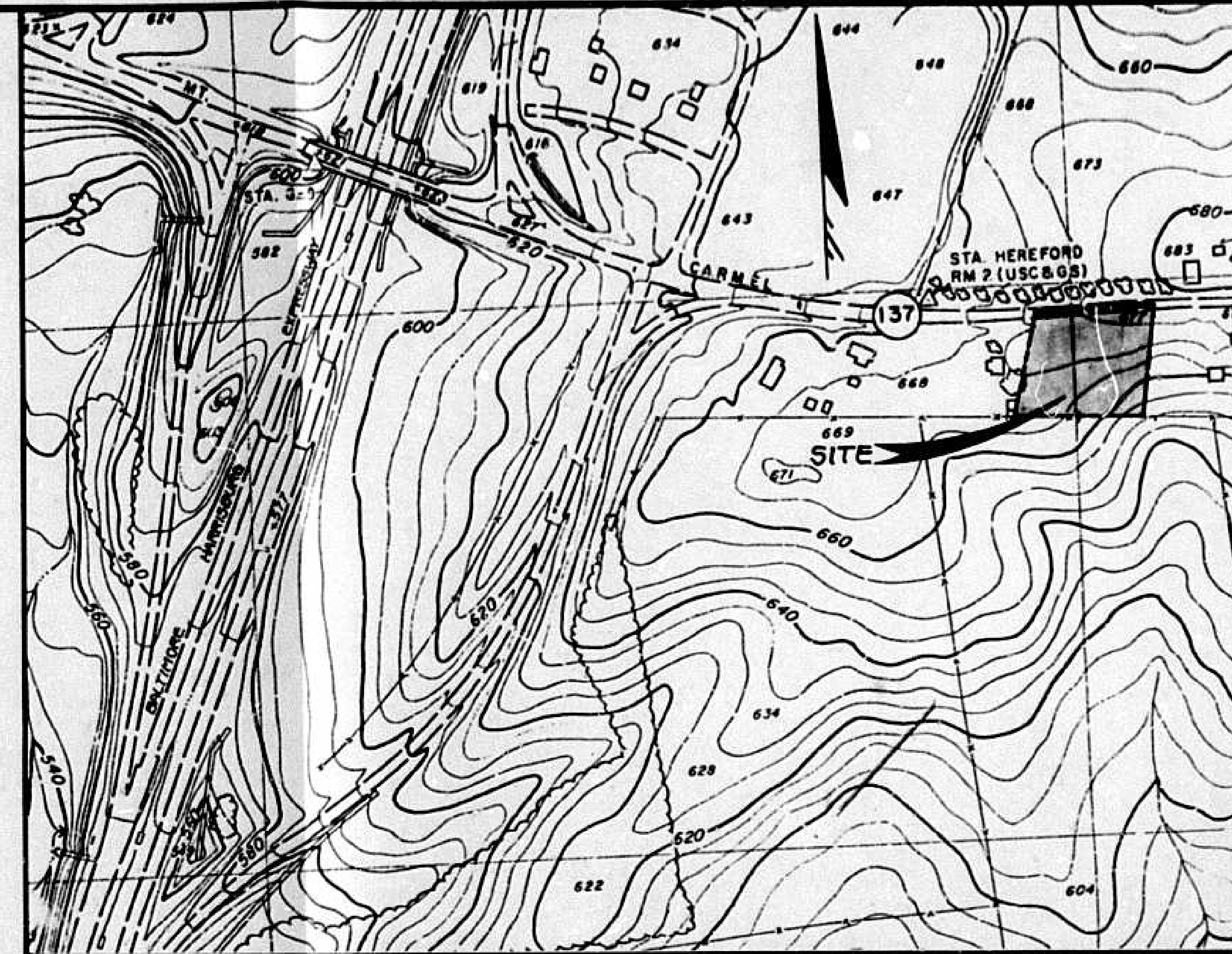
ZONED RC-5

LOT 3
"HOPE MEADOWS"
E.H.K. Jr. 40/59

RONALD S. CAMPION & DEBORAH A. CAMPION
E.H.K. Jr. 7155/64C

WILLIS E. WINEMILLER, ET AL.
O.T.G. 5138/121

ZONED RC-5



VICINITY MAP - Scale: 1" = 200'

ZONED RC-5

JOSIAH L. & DOROTHY I. NAYLOR
E.H.K. Jr. 7103/37

Notes for Documented Site Plan

- Existing Zoning: RC-5
- Site Area: 0.99 Acres+
- Requested Zoning: BL
- Existing Use - Site is undeveloped.
- Proposed Principal Use - a retail branch bank; no other principal use is requested by this petition.
- Floor Areas - The building envelope footprint shall contain approximately 2,000 square feet with a similar basement area for storage and employee use plus two drive-through lanes.
- Parking Calculations

Area	Sq. Footage	Standard	Parking Required
1st Floor	2,000 S.F.	1/300 S.F.	6.67
Basement	2,000 S.F.	1/500 S.F.	4.00

Total Required Parking: 11 spaces
Parking Provided: 19 spaces

8. Architectural Style, Exterior Materials

The proposed branch bank building will be Colonial Williamsburg in character as conceptually shown on the architectural plans accompanying this petition. With the exception of architectural trim, columns, and fenestration, all facades shall be brick. There shall be no painted block masonry exterior facades. Details are subject to modification as final plans are refined.

9. Maximum Number of Employees

The number of banking employees will not exceed eight.

10. Hours of Operation

Retail banking hours shall be typical of a branch bank operation. Opening hours shall not exceed 9:00 a.m. to 6:00 p.m. on weekdays, 9:00 a.m. to 9:00 p.m. on Fridays, and 9:00 a.m. to 2:00 p.m. on Saturdays.

- There are no existing structures to be retained; the site is undeveloped.

12. Signage: Signs for the proposed bank will be limited to:

- Name and address of occupant, not to exceed one square foot (Section 413.1a BCZR).
- Directional or informational signs not exceeding 15 or 25 square feet in area and involving no advertising aspect (Sections 413.1c and 413.1e(3) BCZR).
- Name of the bank affixed parallel to the front wall of the building, internally lighted and not exceeding an area of 40 square feet (Section 413.2a BCZR).

- Development of the site is not expected to result in a substantial increase in sound and other vibrations, or dust, odor, gases, light and heat emanations. See accompanying environmental report.

- All parking areas shall be improved in accordance with screening, surface, lighting and setback standards in Section 409.2c(1), (2), (3) and (4) and also in accordance with Zoning Policy BM-11.

- There are no streams, bodies of water or wetlands on the site.

- The site is unforested and essentially is an open meadow. A hedge row defines its southern boundary. Screening and landscaping are shown conceptually and are illustrative of proposed site development character. Landscaping shall comply with the provisions of the adopted Landscape Manual.

- The site has an existing well and will be served by an on-site disposal system. Stormwater management will be handled off-site.

- Existing topography is based on Baltimore County 200 scale photogrammetry and is therefore subject to revision and refinement based on subsequent field-run data.

- Major changes in grade are illustrated conceptually by the proposed contour lines. They are subject to refinement as final site plans and architecture are developed.

- This site is the subject of a petition for reclassification from RC-5 to BL. The request is listed as Sparks State Bank, Cycle 5, Item Number 7.

REVISED PLANS
10.27-87
R-87-457
Item 7 Cycle 5

PRINTED

SEP 22 1987

DAFT-MCCUNE-WALKER, INC.

LEGEND

PROPOSED EVERGREEN SCREEN

PROPOSED DECIDUOUS TREE

DOCUMENTED PLAN TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION



SPARKS STATE BANK

3rd Councilmanic District
7th Election District Baltimore County, Md.



DATE	REVISIONS
7-15-87	DOCUMENTED PLAN

SCALE:

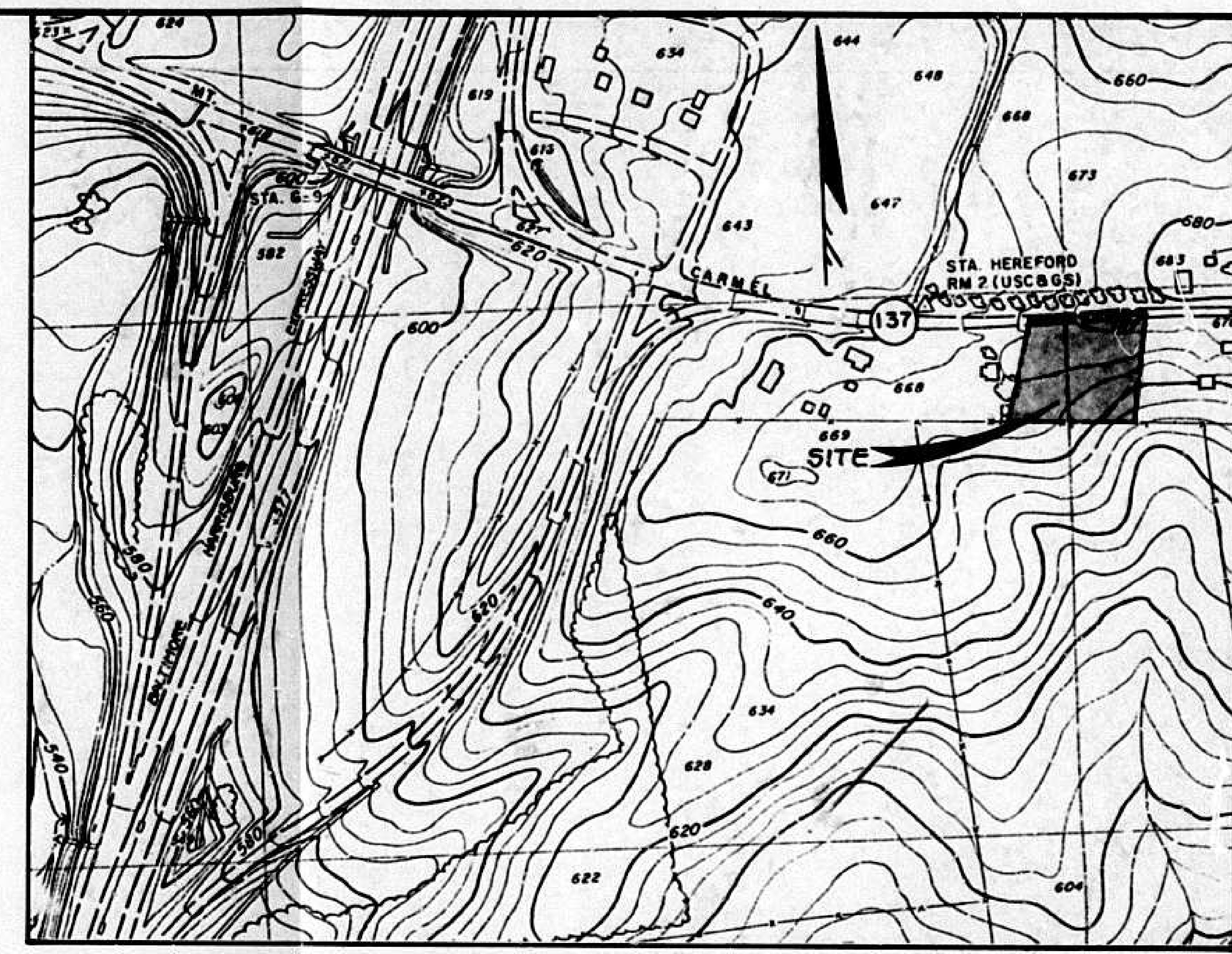
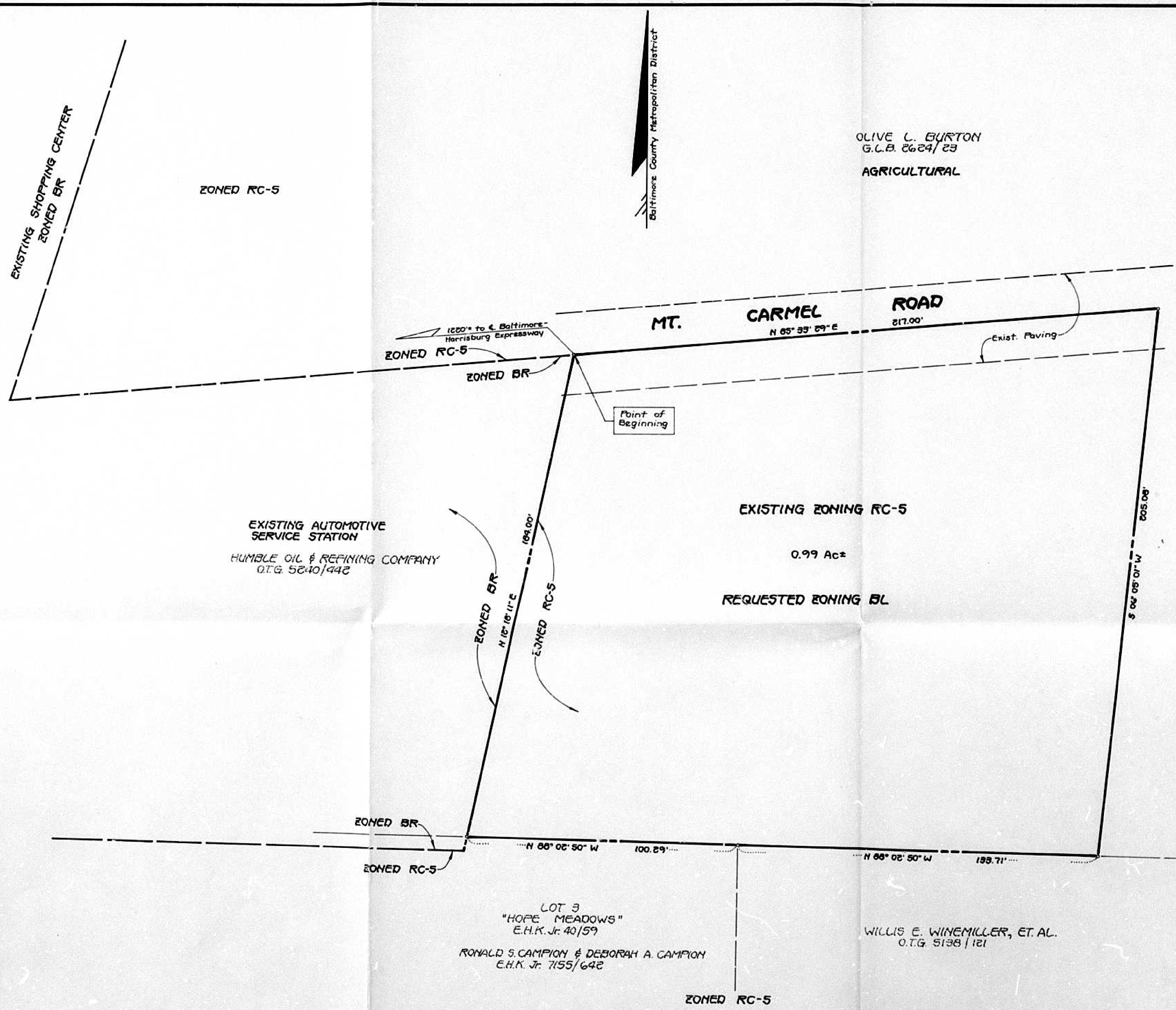
1" = 20'

JOB ORDER NO.

85071 A

ISSUE DATE

FEB. 25, 1987

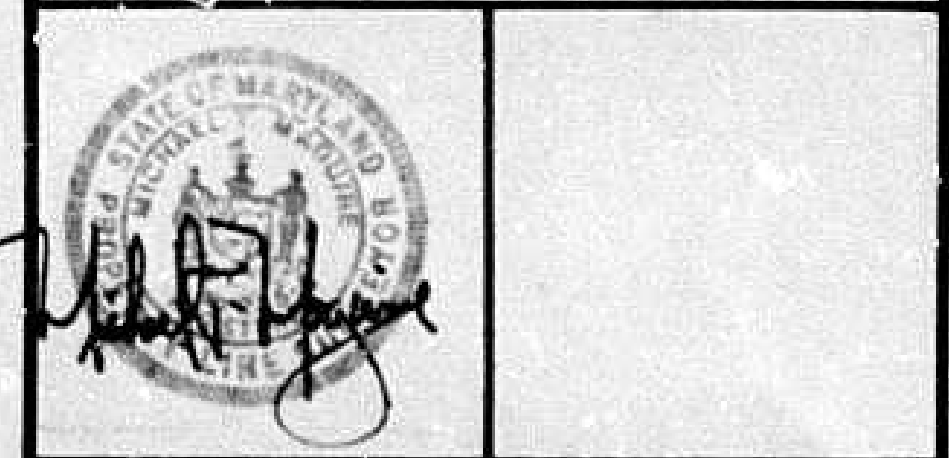


VICINITY MAP - Scale: 1" = 200'

ZONED RC-5
 JOSIAH L. & DOROTHY I. NAYLOR
 E.H.K. Jr. 7103/37

DAFT · McCUNE · WALKER, INC.
 LAND PLANNING CONSULTANTS
 LANDSCAPE ARCHITECTS
 ENGINEERS
 TOWSON, MD. 21204
 TELEPHONE: 301-296-3333

**Plat to Accompany Petition
 for
 ZONING RECLASSIFICATION**
 3rd Councilmanic District
 7th Election District Baltimore County, Md.



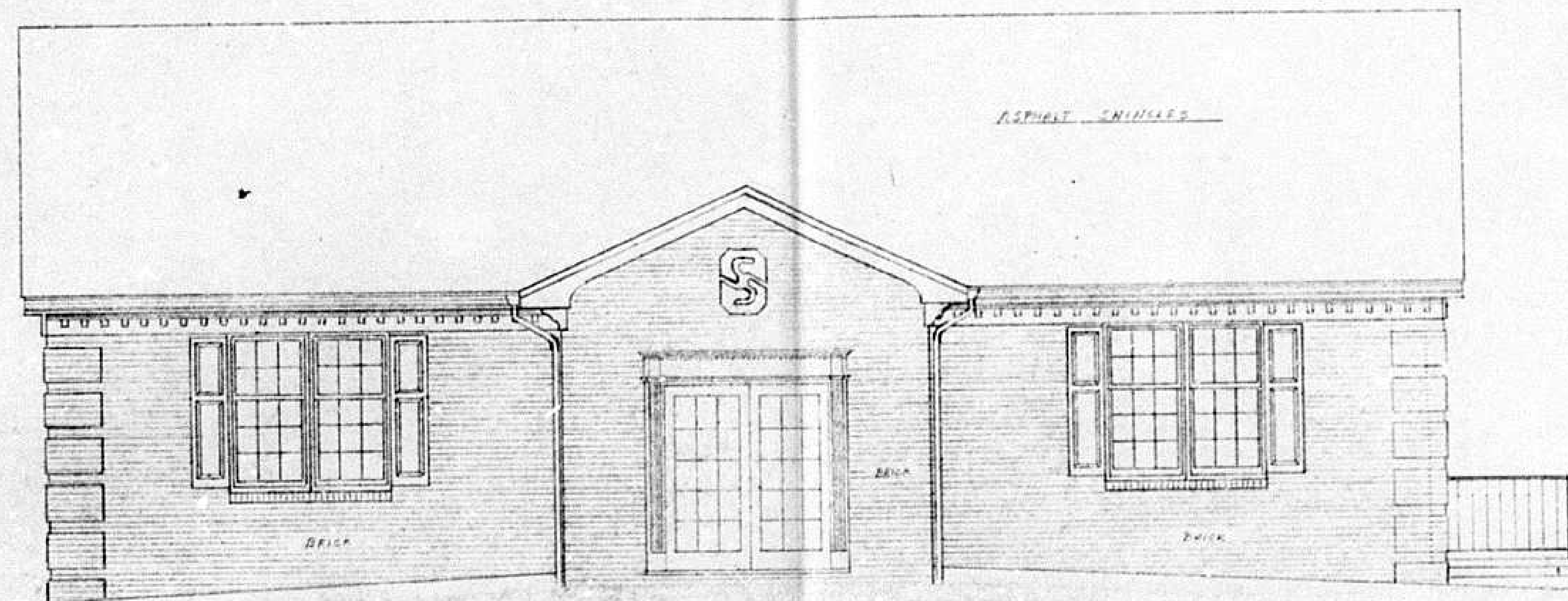
DATE	REVISIONS

SCALE: 1" = 20'

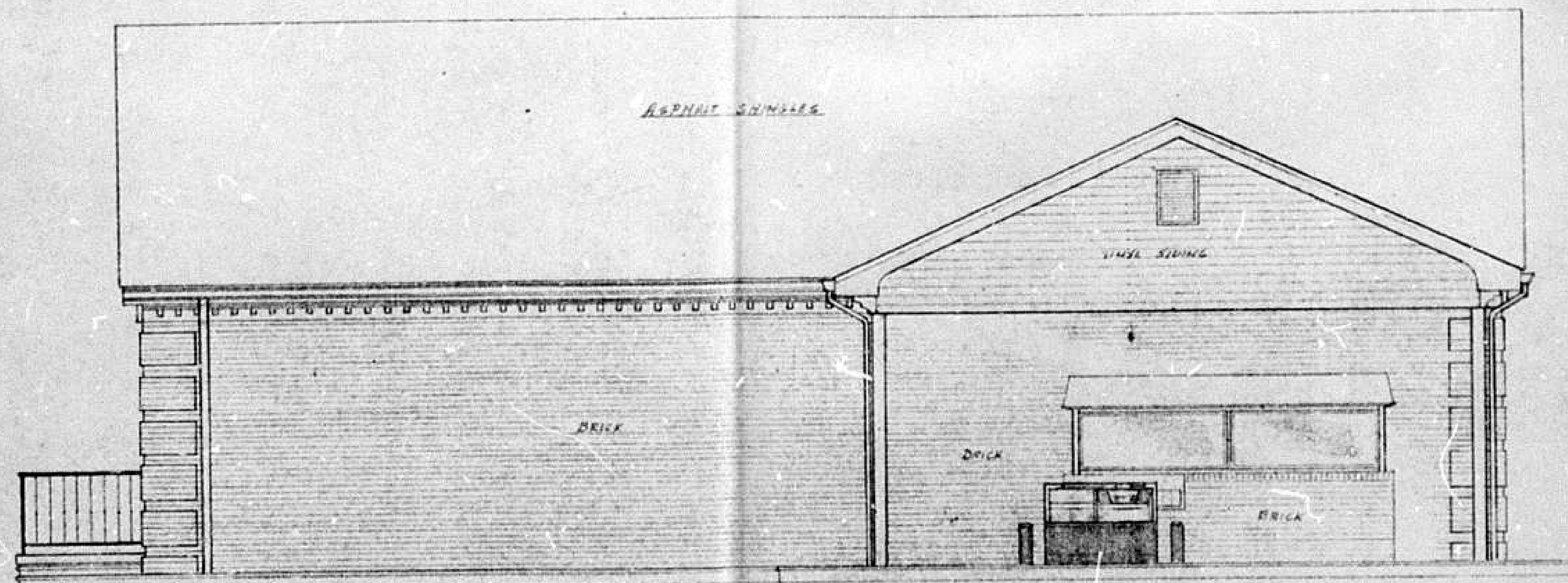
JOB ORDER NO. 65071 A

ISSUE DATE FEB. 25, 1987

Cycle & Item 5



FRONT ELEVATION

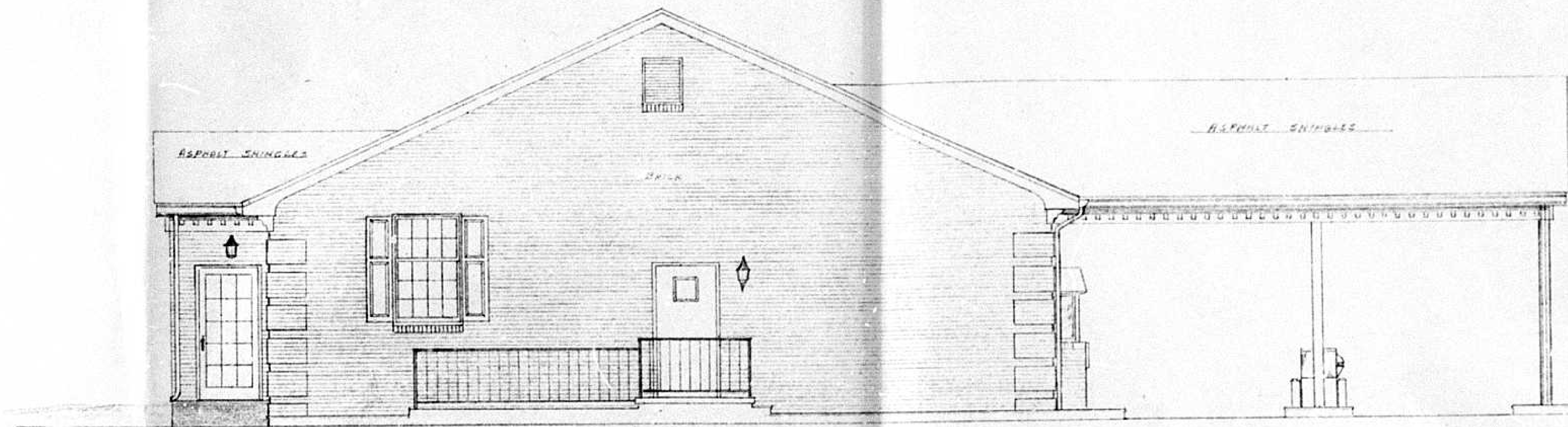


REAR ELEVATION

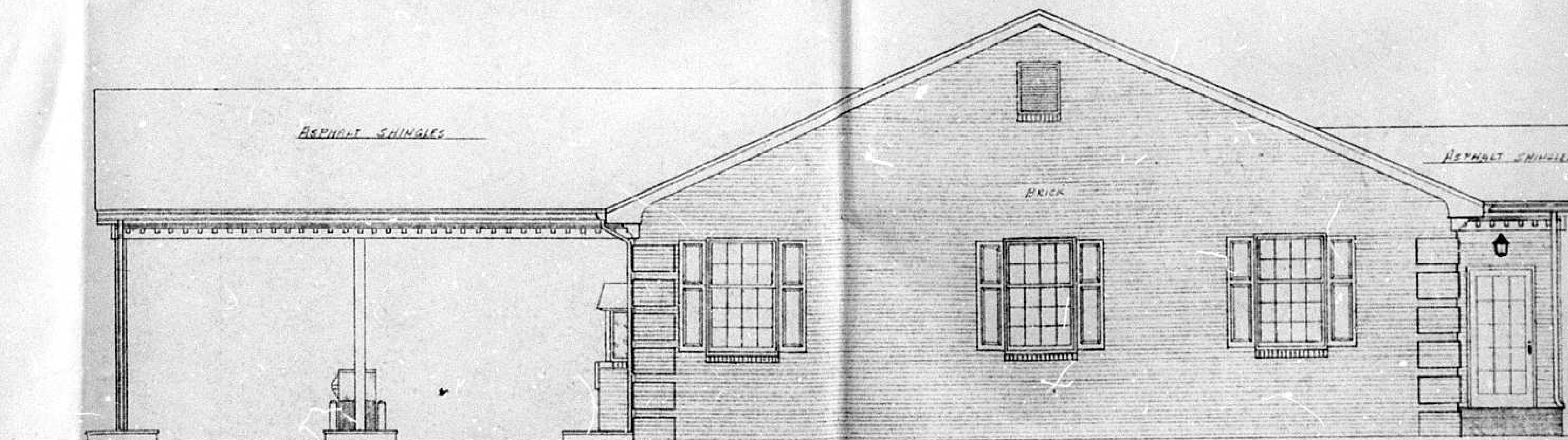
SPARKS STATE BANK
PROPOSED HERFORD BRANCH
MT CARMEL ROAD, HERFORD

SCALE: 1/4" = 1'-0"
DATE: JULY 11, 1987
DRAWN BY: C.M.
SHEET NO. 1 OF 3
DRAWING NUMBER


LAWSON ENTERPRISES, INC.
Malaw Building/214 Mt. Carmel Rd.
Parkton, Md. 21120/329-6535-357-5378



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

SPARKS STATE BANK

PROPOSED HEREFORD BRANCH

MT. CARMEL ROAD, HEREFORD

SCALE: 1/4" = 1'-0"

DATE: JULY 11, 1957

DRAWN BY: C.W.A.

SHEET NO. 2 OF 3
DRAWING NUMBER



LAWSON ENTERPRISES, INC.

Malaw Building 214 Mt. Carmel Rd.
Parkton, Md. 21120/329-6335-357-5378

