ALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Duilding 111 V. Chesspeaks Avenue Tousen, Maryland 21204

our petities has been received and accepted for filing this

PETITION FOR ZONING VANIANCE

Attorney for Petitioner. Baltimore, Maryland 21209 City and State 28 Allegheny Avenue, Suite 501 Towson, Maryland 21204 City and State ORDERED By The Zoning Commissioner of Baltimore County, this ... 5th day uired by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____28th_____ day of _____July _____, 19_87_, at __2400 o'clock ESTIMATED LENGTH OF HEARING -1/2HR. AVAILABLE FOR HEARING
MON. TUES. /WED. - NEXT TWO MONTHS (OVER) OTHER Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204 Re: Property Owner: Bonnie View Country Club, Inc. Dennis F. Rasmussen Location: Parcel 1 - SE/C Smith Ave., and Edenvale Rod. " 2 - N/S Smith Avenue, 1320' +- NE of c/l Edenvale Rd. Zoning Agenda: Meeting of 5/19/87 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. Pire 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 () 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at _____ EXCERDS 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 Bure, u has no comments at this time.

PETITION FOR SPECIAL HEARING

the Bonnie View Country Club, a non-conforming use, pursuant to Baltimore

County Zoning Regulation 104.1, to allow Club House, Swimming Pool, 12 tennis.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property

Legal Owner(s): BONNIE VIFW CCUPPRY CIUB, INC.

John Smeyne, President

Property is to be posted and advertised as prescribed by Zoning Regulations.

Contract Purchaser:

/51

(Type or Print Name)

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for _Bonnie_View_Country-Cluby-Incy-for-use-as-acountry_club/golf_course,_including_tennis_courts_and_all-ancillary facilities. pursuant to Baltimore County Zoning Regulation - 1801/166.

Property is to be posted and advertised as prescribed by Zoning Regulations.

or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing
of this petition, and further agree to and are to be bound by the zoning regulations and restrictions
of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Legal Owner(s): BONNIE VIEW COUNTRY CLUB, INC

Contract Purchaser:	Degat Caper(a). Douglass
(Type or Print Name)	(Type or Print Name) John Smeyne, Presi
Signature	Signature MAPINE
Acdress	(Type or Print Name) E. D
City and State	Signature 200
Attorney for Petitioner:	2201 Smith Ave. 486-1100000
(Type or Print Name) William L. Kirk	Address Phone Noop
Signature T/	Baltimore, Md. 21209 City and State
Ste. 501, 28 Allegheny Ave.	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
Towson, Md. 21204 City and State	Name
Attorney's Telephone No.: 337-8609	Address Phone No.
ORDERED By The Zoning Commissioner of	Baltimore County, this5th day

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the ______ day of _____ July _____, 19.87 _, at 2:00 o'clock

ESTABLISH LENGTH OF HEARING -1/2HR. (WITH) AVAILABLE FOR HEARING MON. /TUES. /WED. - NEXT TWO MONTHS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 15, 1987

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 2120

William L. Kirk, Esquire Suite 501, 28 Allegheny Avenue Towsen, Maryland 21204

Chairman

Bureau of Engineering

Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention

Realth Department Project Planning Building Department Board of Education Zoning Administration Industrial

Development

Petitioner: Bonnie View Country Club. Inc. Petition Special Exception, Special Hearing & Zoning Variance Dear Mr. Kirk:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

RE: Item No. 467 - Case No. 88-56-XSPHA

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

games & Rige bec JAMES E. DYER Chairman

Zoning Plans Advisory Committee

JED:bjs

Enclosures

cc: McKee & Associates, Inc. Shawan Place 5 Shawan Road Hunt Valley, Maryland 21093

File

Baltimore County Zoning Commissione Office of Planning & Zoning Towson, Maryland 21204 494-3353

William L. Kirk, Esquire

28 Allegheny Avenue, Suite 501

Case No. 88-56-XSPHA

J. Robert Haines

August 7, 1987

Dennis F. Rasmussen

Towson, Maryland 21204 RE: Petitions for Special Exception, Special Hearing & Zoning Variances SE/cor. of Smith Avenue and Edenvale Road (220) Smith Avenue) 3rd Election District, 2nd Councilmanic District

Dear Mr. Kirk:

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petitions for Special Exception, Special Hearing and Zoning Variances have been Granted, subject to the condition noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

> Very truly yours, Deputy Zoning Commissioner

JMHJ:01s

Enclosures

cc: People's Counsel

BARTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

Date July 8, 1987 TO Zoning Commissioner Norman E. Gerber, AICP, Director FROM Office of Planning and Zoning

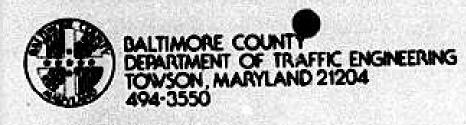
SUBJECT Zoning Petition Nos. 88-56-XSpHA, 88-67-A, 88-68-SpH and 88-76-A

There are no comprehensive r anning factors requiring comment

NEG: JGH: slb

ाचितावाधिकारा ZONING OFFICE

CPS-008



SECTION C. Richard Moore Acting Director

June 10, 1987

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 452, 453, 454, 455, 456, 457, 458, 459, 461, 462, 464, 465, 466, 468, 451, 467) and 463.

> Very truly your Michael S. Flanigan Traffic Engineer Associate II

MSF:1t

SPECIAL HEAPING & VARIANCES . SE/cor. of Smith Avenue and Euenvale Road (2201 Smith Ave.) 3rd Election District 2nd Councilmanic District

IN RE: PETITIONS FOR SPECIAL EXCEPTION. .

Bonnie View Country Club, Inc. Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 88-56-XSPHA

.

The Petitioner herein requests a special exception to use the subject property as a country club/golf course, including tennis courts and all ancillary facilities; a special hearing to approve the non-conforming use of the Bonnie View Country Club, including the club house, swimming pool, 12 tennis courts, tennis pro shop, golf pro shop and golf cart storage room, and maintenance shed; and variances to permit 367 parking spaces in lieu of the required 443 spaces, all as more particularly described on the plan submitted, prepared by McKee & Associates, Inc., dated May 7, 1987 and identified herein as Petitioner's Exhibit 1.

Information proferred by Counsel for the Petitioner and testimony given on behalf of the Petitioner indicated that an 18-hole golf course and club house were constructed on the subject property in 1932. From 1950 to date, the property has been utilized as a private country club known as Bonnie View Country Club. There is no record that the Country Club obtained the appropriate Baltimore County approvals in 1950. Over the years various improvements and additions have been made to the facilities as enumerated on Petitioner's Exhibit 1, all with proper permits. It was only when the Petitioner applied for a building permit for a cart house addition that the County determined the Club needed its history clarified and zoning approvals legalized, thus the instant case. The Petitioner proposes enlarging the existing golf cart storage room, which currently houses only 35 carts, with a 26' x 56' cart house addition to enhance the property's appearance and to eliminate the potential of vandalism on the other

30 golf carts for which there is no storage at this time. The Club predates the housing in the area and, at this time, has about 500 member families. All facilities, including golf course, tennis shop and restaurant are for the use of members only. Parking does not spill over into the nearby streets.

There were no Protestants.

Pursuant to the advertisement, posting of property and public hearing held in this case, and after due consideration of the testimony and evidence presented herein, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has acted in good faith in obtaining the necessary permits and approvals from Baltimore County through the years. The golf course, club house and some of the existing ancillary facilities are non-conforming and the remaining ancillary facilities have been constructed with appropriate permits and approvals. It is important to note that the Country Club was in existence prior to the surrounding housing. Attention also is called to Section 1801.18.1.09 of the BCZR which provides for exceptions to residential transition areas. In the opinion of the Deputy Zoning Commissioner, the Bonnie View Country Club was legally established and throughout the years the development and construction of facilities has been within the spirit and intent of the BCZR in effect at the time. It is also the opinion of the Deputy Zoning Commissioner that, within the spirit and intent of the BCZR, the Club should not be restricted to the 25% extension allowed under Section 104.1 of the BCZR for non-conforming uses, but should be allowed to add or enlarge facilities, if they so wish, under a special exception. In the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners. The requirements of Section 307 and Section 502.1 of the BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected.

8 8 8

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore day of August. 1987 that a special exception to use the subject property as a country club/golf course, including tennis courts and all ancillary facilities be approved; that a special hearing for the non-conforming use of the Bonnie View Country Club, for a golf course, club house, and a number of existing ancillary facilities and buildings, be approved; and variances to allow 367 parking spaces in lieu of the required 443 spaces, be permitted, all in accordance with Petitioner's Exhibit 1, and as such, the Petitions for Special Exception, Special Hearing and Zoning Variances be and are hereby GRANTED, subject to the following condition:

> Additional facilities/structures may be added so long as the owner obtains all required permits and complies with all requirements of the BCZR.

> > Deputy Z ning Commissione of Baltimore County

DESCRIPTION OF BOWNIE VIEW COUNTRY CLUB THIRD ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Percel One

Reginning for the same at the centerline intersection of Smith Avenue (66.00 feet wide) and Edenvale Road (50.00 feet wide), thence running North 86 0 01' 40" Rest 1226.52 feet, thence South 3º 58' 20" East 68.60 feet, thence South 89 23' East 150.3 feet, thence Worth 3 58' 20" West 77.31 feet, thence Easterly 83 feet, thence Southerly 82 feet, thence North Rep 23' East 456.21 fest, thence South 20 59' 13" West 1656.14 feet, thence North 510 21' 20" West 581.79 feet, themce Worth 83" 05' 10" West 519.68 feet, themce South nº 42' Best 961,00 feet, thence South 88 02' 35" West 1073.45 feet, thence North 5 18' 25" East 2210.82 feet to the point of hegianing. Containing 81.41 scree more or less.

Percel Two

Reginning for the same at a point situated 1320.00 feet more or less northeasterly from Edenvale Road, at the center of Smith Avenue 66.00 feet wide, thence running North 64° 61' East 380,60 feet, thence North 63° 38' East 1202.00 feet, thence North 83° 45' West 810.00 feet, thesce South 81° 45' West 256.00 feet, thence North RRO 45' West 24.75 feet, thence North RRO 45' West 928.75 feet, thence South 36° 21' East 242.00 feet, thence South 53° 39' West 720.00 feet, themce Morth 0° 07 ' West 428.9 feet, themce South 01° 15' West 350.00 feet, themce South RR 45' Rest 300.00 feet, themce South 01 15' West 75.00, themca South RR 45' East 75.00 feat, South 01 15' West 75.00 feat to

Description of Bonnie View Country Club

295.00 feet, thence South 85° 59' East 330.00 feet, thence South 68° 29' East 360.00 feet, thence South 88 14' Fast 446.00 feet, thence leaving said centerline of Smith Avenue and running North 01 0 15' East 473.00 feet, thence South 88 45' East 316,00 feet, thence South 04 01' West 214,00 feet, thence South 06 05' West 262,00 feet to the centerline of Smith Avenue, thence South 88 14' East 50.00 feet to the point of beginning, containing 81.5 acres more or less.

The above parcels being known as \$2201 Smith Avenue.



PETITIONS FOR SPECIAL EXCEPTION SPECIAL HEARING AND VARIANCE

3rd Election District - 2nd C uncilmanic District Case No. 88-56-XSPHA

LOCATION:

Southeast Corner of Smith Avenue and Edenvale Road

(2201 Smith Avenue)

DATE AND TIME: Tuesday, July 28, 1987, at 2:00 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue. Towson, Maryland

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

Petition for Special Exception for use as country club/golf course, including tennis courts and all ancillary facilities

Petition for Special Hearing to determine whether or not to approve the Bonnie View Country Club a nonconforming use to permit club house, swimming pool, 12 tennis courts, tennis pro shop, golf pro shop, and golf cart storage room and maintenance shed for country club use

Petition for Zoning Variance to permit 367 parking spaces, now existing, in lieu of the required 443 parking spaces

Being the property of Bonnie View Country Club, Inc. , as shown on plat plan filed with the Zoning Office.

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

> BY ORDER OF ARMOLD JABLON **ZONING COMMISSIONER** OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER PETITION FOR SPECIAL HEARING OF BALTIMORE COUNTY PETITION FOR VARIANCES SE Corner Smith Ave. & Edenvale Rd. (2201 Smith Ave.), 3rd Dist.:

BONNIE VIEW COUNTRY CLUB, INC., : Case No. 88-56-XSPHA Petitioner

1::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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.

> Kleullis Cole Forcedman Phyllis Cole Friedman People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 8th day of July, 1987, a copy of the foregoing Entry of Appearance was mailed to William L. Kirk, Esquire, Suite 501, 18 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

28 Allegheny Avenue Towson, Maryland 21204

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE SE/cor. Smith Ave. and Edenvale Rd.

(2201 Smith Ave.) 3rd Election District - 2nd Councilmanic District Bonnie View Country Club, Inc. - Petitioner Case No. 88-56-XSPHA

2:00 p.m. TIME:

Tuesday, July 28, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

Zoning Complessioner of Baltimore County

AJ:med

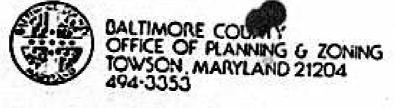
Mr. John Smeyne, President, Bonnie View Country Club, Inc. 2201 Smith Avenue Baltimore, Maryland 21209

> Ma. 36076 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE ORIGINAL SPII ITEM 467 8 8 855 ... * 25000: a SOSAF

> > VALIBATION OR DIGHATURE OF CARME

88-56-XSPHA

Special Sa seption Special Heaving & Variance (220) Smith are)



ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

July 22, 1987

William L. Kirk, Esquire Suite 501 28 Allegheny Avenue Towson, Maryland 21204

> RE: PETITIONS FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE SE/cor. Smith Ave. and Edenvale Rd. (2201 Smith Ave.) 3rd Election District - 2nd Councilmanic District Bonnie View Country Club, Inc. - Petitioner Case No. 88-56-XSPHA

Dear Mr. Kirk:

This is to advise you that \$123.48 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 ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

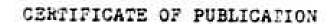
Sincerely,

Arnoli Jaylon Zoning Commissioner

AJ:med

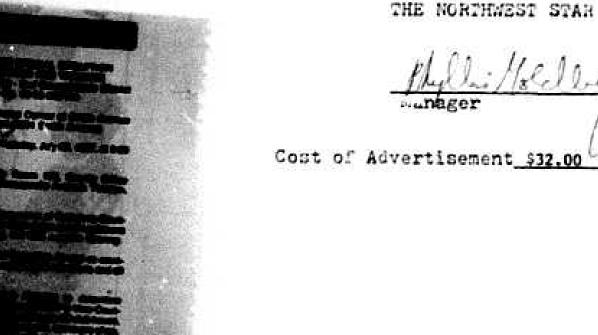
BALTIMORE COUNTY, MARYLAND Ma 37816 OFFICE OF PROJECT - REVENUE DONOLON MISCELLANGOUS CABH RECEIPT

VALIDATION OF SHOULTURE OF CASHER



89766	

	Pikesville, Md.	. <u>July 8</u> 19	87
THIS IS TO CERTIFY	that the annexed a	dvertisement	
was published in t	he MONTHWEST STAR, a	weekly	
	d in Pikesville, Bal		
County, Haryland b	pefore the 28th	day of	
the first publicat	ion appearing on the)	
8th	day ofinty	,19	
the second publica	tion appearing on th	0	
	cay of	,19	
the third publicat	ion appearing on the		
	day of	10	





CERTIFICATE OF PUBLICATION

	2
TOWSON, MD., July 9	1957
THIS IS TO CERTIFY, that the ansexed adver-	
published in THE JEFFERSONIAN, a weekly howay	oper printed
and published in Towson, Baltimore County, Md.,	oppearing as
July 9, 1987	3 6
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