N THE TONING	COMMISSIONER	OF	BALTIMORE	COUNTY:
~ THE TONING	COMMISSIONED	T.FE	The part of the last	

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

Special Exception and		MAY NE 8B
herein described property for .	Community Building	3 C
		10.9
		DAIE 12/1/87
		200 BF.
Property is to be posted a	nd advertised as prescribed by Zoning Regulations.	upon 1888 ——
agree to Day exp	enses of above Special Exception advertising, posting, etc. gree to and are to be bound by the zoning regulations and pursuant to the Zoning Law for Baltimore County.	restri
Of Diffiniors commit and a	• 1990-1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 - 1991 -	a and affirm to a EC

I/We do solemnly declare and affirm 10.750 under the penalties of perjury, that I/we

	which is the subject of this Petition.  Honolulu Ltd., c/o
	Legal Owner(s): Optimist Club-
Contract Purchaser:	Loch Raven Recreation, Basketball and (Type or Print Name) Softball Association.
(Type or Print Name)	
	Signature
Signature	
Address	(Type or Print Name)
City and State	Signat. Joseph Brauchalski 6821 Loch Raven Blvd.,
Attorney for Petitioner:	Baltimore, Md. 21204.
Abraham L. Adler (Type or Print Name)	Address Phone No. 544 6458
Type of Print Name	City and State
Signature St. 31. S. Clean.	Name, address and phone number of legisk manuscript.  Name, address and phone number of legisk manuscript.
Address 110 Charles Center Baltimore, Md. 2120	ni pedi D.P. Engineer-
City and State	Name P.O. Box: 10055, Towson, Md. 21285-
332 R556	P.O. Box: 10055, Townout, 1005-

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_ 20th \_\_\_\_ July 19.87., that the subject matter of this petition be advertiged, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_ August \_\_\_\_\_, 19\_\_87\_, at \_11:30 o'clock

8.C.O.-No. 1

811

REVI

Petitioner goes to great length to argue that this is a community hall to be used by three "charitable organizations" and that the bingo use is only incidental to the profitable operation of the location. I agree with the Petitioner that the bingo operation is analogous to that of a financier, however, in this case, it is a far cry from

The Baltimore County Zoning Regulations defines a principal use as a main use of the land as distinguished from an accessory use. A community building, as requested by the Petitioner in this matter, is permitted in a B.L. zone by a Special Exception as defined in Section 230.13 of the Baltimore County Zoning Regulations. The Baltimore County Zoning Regulations does not permit a bingo hall in the B.L. zone either as a matter of right nor by a Special Exception. A community building is specifically defined in the zoning regulations as a use devoted to civic, social, recreational and educational activity and not a for-profit business entity. Furthermore, an accessory use is defined in part by the Baltimore County Zoning Regulations (Section 101) as a use that is customarily incidental and subordinate to and serves the principal use and is subordinate in area, extent, or purpose to the principal use

The testimony, in direct response to the Zoning Commissioner's questions, clearly proves that the bingo use is proposed for six (6) days a week (i.e., Monday through Saturday) and, at least seven (7) hours a day and possibly as much as eleven (11) hours a day. Also, in response to the Zoning Commissioner's direct questions, Mr. LeRoux stated his Charities would use the location for non-bingo charitable uses about once a month. The testimony of Mr. Jones on the same

IN RE: PETITION FOR SPECIAL EXCEPTION ' SE/S Loch Raven Blvd.,610.25' SW of the c/l of Taylor Ave. (6821 Loch Raven Blvd.) 9th Elect. Dist., 4th Council- \* OF BALTIMORE COUNTY

ZONING COMMISSIONER

 CASE #88-86-X Honolulu, Ltd. -Petitioner

\*\*\*\*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a Special Exception for a community building, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Joseph Brzuchalski and Honolulu Limited, represented by counsel, appeared in conjunction with the three listed charities, namely, Loch Raven Recreation, Basketball and Softball Associations (known hereafter as the Charities) in support of the Petition for Special Exception. Appearing on behalf of the Petitioner were Al Erdi, Engineer, Mr. LeRoux, Mr. Stavropouski, Mr. Jones, Mrs. Kinner and Mr. Frankis.

The Protestants, Perring Hall, Inc. and Brenbrook Plaza Hall, Inc., were represented by counsel, the Greater Towson Council Community Association by Mr. Lafferty, and Mr. Lowman, individually.

Testimony indicated that the subject property is zoned B.L. and that the property is leased by the Charities for the purpose or establishing a community building. The Charities argue that they intend to use the meeting room as their headquarters for storage of equipment and for general meetings. They also claim that they plan special meetings and fundraising activities. Each of the Charities

subject was that they have about one or two meetings a month during the

basketball season and no meetings during the off-season and during the

witnesses, how often the Charities would use the subject property.

Although the answers were vague, (i.e., in the evening when we want to

and on Sundays) clearly the use is much less often then the Bingo

operation. In fact, the Petitioner does not deny that the building is

being remodeled for use as a Bingo Hall. As the Petitioner says: "...

it would be strange indeed if a hall in which Bingo is to be held daily

which is accessory as defined by the Baltimore County Zoning

Regulations given the evidence in this matter. The Petitioner has

argued, continuously, that the Bingo clearly is an occasional and

accessory use to the Charities. That the Bingo is only to support the

building looks like a Bingo Hall on the outside and the Petitioner

admits the building s laid out for Bingo. The Petitioner's witnesses

admit the principal purpose for moving to this new location is to

conduct fundraising without the use of "their own" people and to have

professionally operated Bingo out of which they receive a share of the

The testimony, clearly, shows that the principal use of the

However, when we judge all of the evidence, it is clear that the

Therefore, we return to the issue, which use is principal and

is not laid out for Bingo, or set up for Bingo,"

charitable purposes and, that it is only fundraising.

The Zoning Commissioner asked several times, of several different

plan to operate two (2) nights a week Bingo as the primary method of fundraising. The Charities have all hired the same professional Bingo operator to run, staff and promote the fundraising. Control of the hours of operation and the method of operation will be left to the professional Bingo operator in order to have a profitable operation.

The purpose for the community buildings is for the use of the Charities for organization meetings and that Bingo is only a method of fundraising in order to achieve the Charities purpose.

The Prc estants testified that the requested Special Exception was only a method to allow a professional Bingo Hall in the B.L.zone. That the primary use of the building was to hold Bingo fundraising activities. That the Charities have space in Baltimore County public schools and there is no need for the community building. Furthermore, bingo halls are permitted in both the B.M. and B.R. zones and only as an occasional and accessory use in community buildings in the B.L. zone.

The issue here, as presented by the Petitioner, is whether a community hall can be established at the requested location, which is presently zoned B.L. by the granting of a Special Exception as permitted by the Baltimore County Zoning Regulations. The law of Special Exception is clearly defined in Maryland, and likewise, in Baltimore County. A Special Exception is a granting by the Zoning Commissioner, pursuant to the existing provisions of the Baltimore County Zoning Regulations. It is subject to the guidelines and standards contained in the provisions of the Baltimore County Zoning Regulations. A Special Exception is a use which has been predetermined by the Baltimore County Council to be conditionally compatible with the uses permitted as of right in a particular zone. The Zoning

Commissioner must in each case, decide under the specific standards set forth in Section 502 of the Baltimore County Zoning Regulations whether the presumptive compatibility does, in fact, exist in this case. See, Rockville Fuel and Feed Company, Inc., v. Board of Appeals of the City of Gaithersburg, 257 Md. 183, 262 A.2d 499 (1970). Furthermore, "... there cannot be a grant of a Special Exception unless the Baltimore County Zoning Regulations provide that the conditional use sought is permissible in the zone in which the land involved is situated ... Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 (1981). The duty of the Zoning Commissioner is to judge whether the neighboring properties in the general neighborhood would be adversely affected and whether the use in the particular case is in harmony with the general purpose and intent of the zoning plan.

The Petitioner has the burden of producing testimony which will establish that the Petitioner's use meets the prescribed standards and requirements. He does not have the burden of establishing affirmatively that his proposed use would be a benefit to the community and, furthermore, if the Petitioner shows to the satisfaction of the Zoning Commissioner that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest, then the Petitioner has met his burden of See Anderson v. Sawyer, 23 Md. App. 612, 617, 329 A.2d 716, 720 (1974)

There is no need in this case to reach the issue of the requested Special Exception for the reasons set forth more clearly below. The requested Special Exception is for a community hall, as defined in Section 230.13 of the Baltimore County Zoning Regulations. The

is used by the Charities and the Bingo use is overwhelmingly controlling the building. The primary purpose for the community hall is to operate Bingo fundraising. The Zoning Policy Manual BM-3 clearly

states that Bingo is to be occasional and accessory to the use of a community hall in the B.L. zone. In this case, Bingo is neither occasional nor is accessory to the use of the community hall.

The principal use of the subject property is for the professional operation of a bingo hall which is not permitted in a B.L. zone and for all the reasons stated above, the proposed Special Exception is inconsistent with the letter, spirit and intent of the Baltimore County Zoning Regulations. Pursuant to the advertisement, posting of property, and public hearing held, the Special Exception should be

Therefore, it is Ordered by the Zoning Commissioner of Baltimore Special Exception for a community building be and the same is hereby DENIED, from and after the date of this Order.

cc: Eric DiNenna, Esquire cc: Robin Goldman, Esquire

cc: Newton A. Williams, Esquire cc: Peoples Counsel

0 0 0

## Description

Beginning at a point 58 feet from the centerline of Loch Raven Boulevard 610.25 feet Southwesterly from its intersection with the centerline of Taylor Avenue, which point also being the Northwest corner of Hillendale Shopping Center building situated 17.5 feet from the Southwest side of the entrance to the shopping center, and running Northeasterly binding on a line along the front of Loch Raven Boulevard, the following bearings and distances:

North 28 40'00" East, 325.00 feet: South 61 20' 00" East, 146.00 feet: South 28 40' 00" West, 40.00 feet; North 61 20' 00" West, 106.00 feet; South 28 40' 00" West, 285.00 feet to a partition wall: thence running along said partition wall South 28 40' 00" West, 90.00 feet; then running along a side wall of the building South 61 20' 00" East, 44.00 feet to a corner North of the garage entrance in the rear: thence running across the said entrance South 28 40' 00" West, 35.00 feet to a corner South of the said entrance: thence running along the South wall of the building North 61 20' 00" West, 89.00 feet to the West corner of the building facing Loch Raven Boulevard: thence running along the front of the building North 28 40'00" East, 125.00 feet to the point of beginning, enclosing 7,165 square foot of building area and 18,865 square foot of parking space of

Hillendale Shopping Center division 10 and part AC of parcel: 1042, block: 22, on map: 70, property number # 09-08-550680, recorded in book: 2363, folio: 123, otherwise known as 6821 Loch Raven Boulevard and 40 parking spaces, in the 9th Election District.



OHO Dete

profits.

Honolulu, I SE/S Loch F of the c/1 (6821 Loch

subject property is the operation of a Bingo Hall. The subordinate use

is not Bingo, but the Charities. The subordinate area of the buildings

JUL 28 1988

June 24, 1987

Baltimore County Maryland

Gentlemen:

Honolulu Limited, as owner of the Hillendale Shopping Center, hereby authorize Joseph A. Brzuchalski to apply for a petition for a special exception to operate an Optimist Meeting Hall at the Hillendale Shopping Center.

> Honolulu Limited by Joel Winegarden

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Vice President

Your petition has been received and accepted for filing this 20th day of \_\_\_\_\_, 1987 .

Chairman, Zoning Plans

Advisory Committee

Attorney

Maryland Department of Transportation State Highway Administration

RICHARD H. TRAINOR Secretary HAL KASSOFF Administrator

July 9, 1987

Mr. A. Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Art: James Dyer

RE: Baltimore County Item #548 Property Owner: Honolulu, Location: SE/S Loch Raven Boulevard (Route 542) 610.25 feet SW of the centerline of Taylor Avenue Existing Zoning: B.L. CCC Proposed Zoning: Special exception for a community building Area: 26030 Sq. feet District 9th

Dear Mr. Jablon:

On review of the submittal of November, 1981, for Special Exception, the State Highway Administration Bureau of Engineering Access Permits finds the submittal generally acceptable.

Very truly yours,

worker Mayer or

John Meyers, -Asst. Bureau Chief

by: George Wittman

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

**Mo.** 45832

ZONING OFFICE

8 821\*\*\*\*\*\* \$592:s 23025

333-1350 red Hearing or Speech o - 1-800-492-5062 Statewide Toli Free e. Maryland 21203-071

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



Dennis F. Rasmussen

July 29, 1987

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

Dear Mr. Jablon:

The Bureau of Traffic Engineering has no comments for items number 541, 542, 543, 544, 547, (548,) 549, 550, and

Very truly yours,

Michael Deleni-Michael S. Flanigan Traffic Engineer Associate II

MSF:1t

July 14, 1987

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



Re: Property Owner: Honolulu, Ltd.

Location: SE/S Loch Raven Blvd., 610.25' SW of c/1 Taylor Avenue

Item No.: 548

Zoning Agenda: Meeting of 7/7/87

Gent lemen:

Baltimore County

Towson, Maryland 21204-2586

Fire Department

494-4500

Paul H Remake

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.
- 1 ) 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.
- ( v) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection "ssociation 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.

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

MEMBERS Bureau of Engineering

Chairman

Department of Traffic Engineering State Poads Commission Bureau of

Fire Prevention Mealth Department Project Planning **Building Department** Board of Education Ioning Administration Industrial

Development

August 13, 1987

Abraham L. Adler, Esquire 110 Charles Center Baltimore, Maryland 21201

> RE: Item No. 548 - Case No. 88-86-X Petitioner: Honolulu, Ltd. Petition for Special Exception

Dear Mr. Adler:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not i tended 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 suitabi ity of the requested zoning.

Enclosed are all comments submitted rom 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.

JAMES E. DYER Chairman

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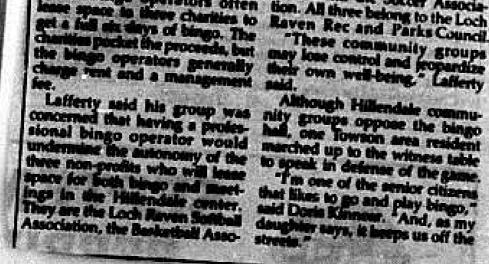
Zoning Plans Advisory Committee

JED:bjs

Enclosures

cc: Mr. Al Erdi, P.E. P.O. Box 10055

File



AUG 27 1987

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines, Zoning Commissioner To Zoning Administration

Norman E. Gerber, AICP PROM. Director of Planning and Zoning

SUBJECT Zoning Petition 88-86-X

This office is supportive of this type of use, realizing community needs.



August 20, 1987

NEG: KAK: dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel



ZONING OFFICE

Ruth Guienot McElvany ZONING OFFICE Baltimore, Maryland 21239 September 4, 1987

1-301-377-8751

J. Robert Haines, Zoning Commissioner Room 113 County Office Building 111 West Chesapeake Arenue Towson, Maryland 21204

Case #8886-X Hillendale Bingo Hall

Dear Sir:

The Hillendale shopping center is being revitalized. There is an excellent mixture of businesses new in operation, and only a few stores are vacant. The opening of a bingo hall would bring the necessary extra people to this shopping center and would help to insure its stability and future success. There is ample lighted parking and excellent bus service provides transportation for non-drivers.

The daily operation of a bingo hall would be an asset to this area. Check out the Crack Pot Restaurant, next to the Giant, as an example. Go there any day or night and you will see a plethora of people, including many senior citizens, enjoying food together. After eating, bingo games would be a welcome recreation. Many people live alone and need a time to socialize with others and have some pleasure at affordable prices. Merchants on all four corners of Loch Raven Boulevard and Taylor Avenue would benefit from the influx of new customers, not just the businesses adjacent to the bingo hall.

If you think the bingo hall may become a nusiance, you can always monitor its operation and close it if proper business practices are violated. At least give this new business an opportunity before ruling it out completely.

The Greater Towson Council of Community Associations (GTCCA) is an umbrella organization for twenty-two Towson community groups. What gives the people who serve on this council the right to decide for their community residents concerning the bingo hall or any other county issue? You may wish to investigate this matter further as it is not right for these council members to say they represent their respective communities and then try to influence legislation, zoning, etc. when Ethey really do not.

Community association members are not elected county officials and should not be treated as such.

For example, I have lived in Idlewylde since 1961 and am a dues paying member. I also served as treasurer of the Idlevylde Community Association for about ten years. We have about six hundred residents in Idlewylde, but never have all the residents been dues paying members. Only a handful of community members attend the business meetings, maybe two or three a year. No representative from our community polled six hundred people to see if we are for or against this bingo issue. Any opinion voiced at the council of community associations meeting by our representative, Stephen Lafferty, could never in any way be that of our community as a whole. No community association by-laws should be written to support this method of "no representation for the majority of the community." Let Mr. Lafferty and the other members of the GTCCA petition the zoning commissioner, county council, etc. as individuals only and not as representatives of all the people in all twenty-two Towson area community associations.

Is there a list of names, addresses, and signatures supporting the GTCCA stand against the bingo hall?

Did anyone from your office poll the merchants of Hillendale to see how they feel about the bingo hall?

The Idlewylde Community owns and operates the Idlewylde Hall at 6301 Sherwood Road. We used to rent the hall to the public for dances, weddings, bull roasts, etc. We now lease the hall to A. and P. Caterers, Tom Pecora, owner, and he now rents the hall to the public.

Stephen Lafferty, vice-president of the GTCCA, served as president of the Idlewylde Community Association for a number of years and he knows that all Idlewylde residents are not dues paying members and only a handful of residents appear at scheduled business meetings. This is why I feel it is wrong for you to be influenced by any GTCCA supposedly representing community members of the Towson area. Let each member of the GTCCA petition your department or and county office on his own behalf and not as a representative of an entire community.

Thank you for reading my letter. I know your decision will be the best one for the Loch Raven-Taylor Avenue area and its merchants. We need successful local businesses for our convenience as well as our pleasure.

Yours truly, Ruth Guienot McElvany WEINBERG AND GREEN

ATTORNEYS AT LAW 100 SOUTH CHARLES STREET BALTIMORE, MARYLAND 21201

BALTIMORE (30/) 332 8500 WASHINGTON AREA 470 7400

PERECONDANT.

100 DOC BOOK

1300.337.0003

Part A. Argent

6029.228

December 11, 1987

(301) 332-8713

WHITERS DIRECT DIAL AUSTRES

Mr. Carl Richards Baltimore County Zoning Office

Baltimore County Office Building Towson, Maryland 21204 Re: Park Circle Motor Company

Item No. 223

Dear Carl:

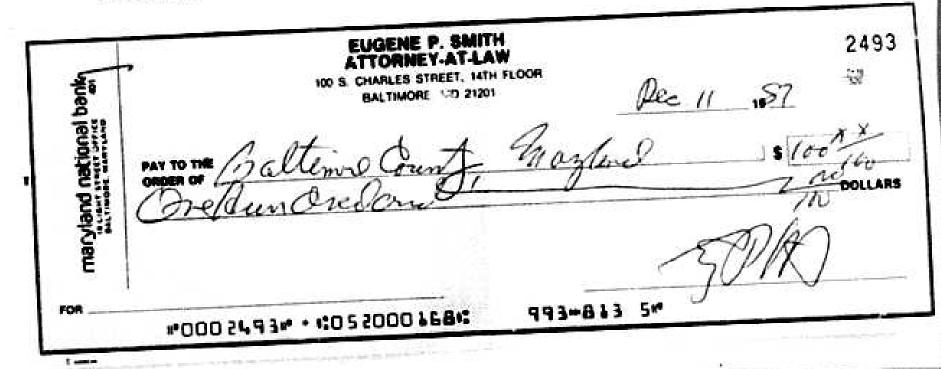
In accordance with our telephone discussion of this date, I enclose herewith check in the amount of \$100.00, made payable to Baltimore County, Maryland, to cover the additional cost involved. If anything further is required, please.

Thanking you for your courtesy and consideration, I am

Yours very truly.

119/hlb

Enclosure



Description

Beginning at a point 58 feet from the centerline of Loch Raven Boulevard 610.25 feet Southwesterly from its intersection with the centerline of Taylor Avenue, which point also being the Northwest corner of Hillendale Shopping Center building situated 17.5 feet from the Southwest side of the entrance to the shopping center, and running Northeasterly binding on a line along the front of Loch Raven Boulevard, the following bearings and distances:

North 28 40'00" East, 325.00 feet; South 61 20' 00" East, 146.00 feet; South 28' 40' 00" West, 40.00 feet; North 61' 20' 00" West, 106.00 feet; South 28" 40' 00" West, 285.00 feet to a partition wall; thence running along said partition wall South 28'40' 00" West, 90.00 feet; then running along a side wall of the building South 61 20' 00" East, 44.00 feet to a corner North of the garage entrance in the rear; thence running across the said entrance South 28 40' 00" West, 35.00 feet to a corner South of the said entrance; thence running along the South wall of the building North 61 20' 00" West, 89.00 feet to the West corner of the building facing Loch Raven Boulevard; thence running along the front of the building North 28°40'00" East, 125.00 feet to the point of beginning, enclosing 7,165 square foot of building area and 18,865 square foot of parking space of

Hillendale Shopping Center division 10 and part AC of parcel:1042, block:22, on map:70, property number # 09-08-550690, recorded in book: 2363, folio: 123, otherwise known as 6821 Loch Raven Boulevard and 40 parking spaces, in the 9th Election District.



VISED .

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

J. Robert Haines Zoung Communioner



October 5, 1987

6

Dennis F. Rasmusser County Essentive

S. Eric DiNenna, Esquire Suite 600, Mercantile Towson Bldg. 409 Washington Avenue Towson, Maryland 21204

> Re: Petition for Special Exception Case Nos. 88-85% and 68-86% Your file Nos. 87-65 and 66

Dear Mr. DiNenna:

Pursuant to the recent hearings held on the subject cases, please be advised that your Petitions for Special Exception have been Denied.

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

J. ROBERT HAINES
ZONING COMMISSIONER

JRH:mmn enclosure

NA SA

> cc: Robin Goldman, Esquire, Melnicove, Kaufman, Weiner, Smouse and Garbis

cc: Newton A. Williams, Esquire, Nolan, Plumhoff and Williams

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

J. ROBERT HAINES
ZONING COMMISSIONER

August 26, 1987

Abraham L. Adler, Esquire 15th Floor, 36 South Charles Street Baltimore, Maryland 21201

> RE: PETITION FOR SPECIAL EXCEPTION SR/S Loch Raven Blvd., 610.25' SW of the c/l of Taylor Ave. (6821 Loch Raven Blvd.) 9th Election District - 4th Councilmenic District Honolulu, Ltd. - Petitioner Case No. 88-86-X

Dear Mr. Adlers

This is to advise you that \_\_\_\_\_\_ 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,

J. ROBERT HAINES
Zoning Commissioner

JRH:med

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE/S Loch Raven Blvd., 610.25'
SW of C/L of Taylor AVe. (6821 :
Loch Raven Blvd.), 9th District
HONOLULU, LTD., Petitioner Case No. 88-86-X

. . . . . . .

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.

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 14th day of August, 1987, a copy
of the foregoing Entry of Appearance was mailed to Abraham L. Adler, Esquire,
110 Charles Center, Baltimore, MD 21201, Attorney 1 or Petitioner; and Al
Erdi, P.E., Engineer, P. O. Box 10055, Towson, MD 21285-0055, who requested
notification.

Letter May Zenner.

Peter Mcx Zimmerman

Baltimor County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

November 5, 1987

Abraham L. Adler, Esquire 36 S. Charles Street, 15th Floor Baltimore, Maryland 21201



RE: Petition for Special Exception SE/S Loch Raven Blvd., 610.25' SW of the c/l of Taylor Avenue (6821 Loch Raven Boulevard) 9th Election District; 4th Councilmanic District Honolulu, Ltd. - Petitioner Case No. 88-86-X

Dear Mr. Adler:

As you are aware, the opinion in the above-referenced case was issued on October 5, 1987. At that time there remained outstanding advertising costs and related expenses in the amount of \$95.92, which should have been paid on the day of the hearing.

It has been brought to my attention that these outstanding costs still remain and that we have contacted you on several occasions regarding payment of same to no avail.

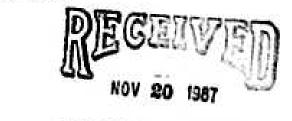
Please be advised that if we have not received payment in full by no later than November 16, 1987, we will have no alternative but to refer this matter to the Baltimore County Attorney's Office for collection.

Your cooperation in this matter will be greatly appreciated.

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: S. Eric DiNenna, Esquire County Attorney's Office, attn. Mary Welcome Diary File Case Files



ZONING OFFICE

MD lease Revised

5/7/86

involved).

1994 6 46	transming this document for examination, does not constant an option or other to with Property. The document shall have no building office on the parties unless executively and the Tangets and a fieldy use cutod supplies.
TII	IS LEASE, Made this 15th day of April , 19
and between	Hono'ulu Limited a corporation
the State o th Raven Socce I the Loch Rav	f Hawaii , hereinafter called "LANDLORD" a r; Loch Raven Softball Association; en Basketball Association sa corporation of the Sta
	, hereinafter called "TENANT", (and referred
singular pro	onoun of the neuter gender, regardless of the
	er of the persons, whether natural of artifical,

PETITION FOR SPECIAL EXCEPTION

Monday, August 31, 1987, at 11:30 a.m.

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

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and

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

BY ORDER OF

ARNOLD JABLON

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 88-86-X

Towson, Maryland

Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a community building

Being the property of Honolulu, Ltd.

hearing set above or made at the hearing.

plan filed with the Zoning Office.

LOCATION:

DATE AND TIME:

9th Election District - 4th Councilmanic District

Southeast Side Loch Raven Boulevard, 610.25 feet Southwest

of the Centerline of Taylor Avenue (6821 Loch Raven Boulevard)

. as shown on plat

WITNESSETH, that in consideration of the covenants and agreements hereinafter set forth, Landlord hereby leases to Tenant and the latter leases from the former the premises in Baltimore Founty. State of Maryland, hereinafter described, upon the following terms and conditions and the parties further agree as follows:

1. The leased pro	mises, hereinafter called the
premises consist of the One	story store of 7,200 square
6821 Loch Raven Soulevard	being part of a building
n the retail Shopping Center,	
Altimore County	known as the Billendale
hopping Center. The premises	does not include a basement.

2. (a) This lease if for the term of Five (5)

years, beginning on the 15th day of May , 1987 ,

and ending on the 14th day of May , 1992 ,

which said date of May 15th is hereinafter called

the anniversary date.

PETITIONER'S
EXHIBIT \_\_\_\_

-1-

Att.n: Mr. W. Carl Richards, Jr., Zoning Coordinator.

> Re: Meeting Halls for \* Hillendale Optimist Club-Softball & Basketball Association; \* Woodmoor Optimist Club Sponsors-Permit applications for assembly use from previous merchantile use in BL zone.

We, the undersigned, the authorized representatives of the above Optimist Club organizations, do hereby declare and certify that our sponsors will be using the above locations primarily as meeting halls in the evenings during the week and Sundays. In order to pay our operating costs, they will be using the meeting halls as bingo halls during the daytime.

We request that our applications for Change of Occupancy for the above locations be processed accordingly.

Very truly yours,

Authorized signatures

Willerdale Optimist Club-Softball & Basketball Association

Coodmoor Optimist Club Sponsors

Encl.s c: File Towson Council of Co.

Mrs. Jean K. Duvall, President 227 Murdock Road Boltimore, MD 21212 August 26, 1987

J. Robert Haines, Esq. Commissioner, Office of Zoning 11 W. Chesapeake Avenue Towson, Md. 21204

Re: Zoning items @ 548, case No. 88-86-X, and @ 549 (Woodmor Hall)

Dear Commissioner Haines:

The Breater Towson Council is a coelition of more than twenty neighborhood associations in the Towson area. Our organization is concerned about, and seeks to maintain, stability in our communities.

He are greatly concerned about the potential intrusion of storefront bingo operations as a primary use in B.L zones such as those proposed for the Hillendale Hell, Hillendale Shopping Center, Lock Raven and Taylor Avenues, and Moodmor Hall, Moodmor Shopping Center, Liberty Road.

The Breater Towson Council of Community Associations strongly opposes granting a special exception that will allow bingo operations in a B.L. zone where such activity is neither an incidental nor an accessory use of a legitimate fraternal organization. Current law permits bingoi, as a matter of right, in a B.R. or B.M. zone. Such a restriction protects many communities from the potential of proliferating strip shopping districts which are part of, or border on, many of our neighborhoods.

We are concerned that, by granting the special exception to Honolulu, Ltd., and at Woodmor Hall, a dangerous precedent will be established. Bingo activities should not be allowed in B.L. zones except in the clearly defined ways currently permitted. We certainly have no objections to bingo as a fund-raising device

for charitable and non-profit groups. However, if, as reported, professional organizations/operators come into our neighborhoods to set up bingo parlors, I seriously doubt that they intend to benefit any designated charities.

The State Legislature faced this issue with casino gambling. What portion of the gross receipts will go to the charities? After "expenses" are deducted, the charities (in whose names the special exceptions and permits will be sought) will receive very little. The Greater Towson Council of Community Associations does not endorse such professional bingo operations in our neighborhoods.

The Greater Towson Council urges you to deny the special exceptions sought at Hillendale Hall and Woodmoor Hall which would allow bingo operations to occur as a primary use in B.L.Zones.

Very truly yours,

(Mrs.) Jean K. Duval President

CERTIFICATE OF PUBLICATION

and published in Towson, Baltimore County, Md., once in each ing on August 12 19.87

CHEER PROPERTY OF THE PROPERTY

Competitor In Cards For Bingo Hall

At the Pleasant Plains hall on Taylor Avenue, permits are held by Newman's baseball league, he ran a bingo emporium in Anne Arundel County, which allows ensue — on the same turf as another bingo hall that's been operating across the street for more county disturbed the president of the Loch Raven Recreation across the street for more County disturbed the president of the Loch Raven Recreation across the street for more County disturbed the president of the Loch Raven Recreation of the fillendale, customers will be able to play as many or as few cards as they with. The Pleasant Plains and the Loch Raven Recreation Council, said the flatsant Plains Bingo by County Police Department said the department's vice squad had an ongoing investigation into possible gambling, but added, "I half's manager. But apparently, it will mean competition for the older hell, which channels its revolution," said Ed Newman.

At the Pleasant Plains hall on Taylor Avenue, permits are held by Newman's baseball league, the Loch Raven Football Association and the Loch Raven Football Association and the Loch Raven Poptinist Club. The Optimist Club provides support for all the recredition of the loch Raven Recreation Council Baseball League, which is one of the three benefications of bingo played across the street at the Pleasant Plains Bingo Martinia, out. The provides support for all the recredition of the said to play a support of all the recredition of the loch Raven Recreation Council, said the Pleasant Plains Bingo Martinia, out. The provides support for all the recredition of the said to play a support of all the recredition of the said to play a support of all the recredition of the said to play a support of all the recredition of the loch Raven Recreation Council Baseball League, the Loch Raven Recreation Council Baseball League, the Loch Raven Recreation of the loch Raven Recreation Council Baseball League, the Loch Raven Recreation of the transport of the loch Raven Recreation Council Baseball League, the Loch Raven Recreation of

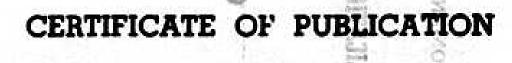
of games.

Brzuchalski said players can get into a game for as little as 5 cents per card or as much as 50 cents, with payoffs ranging from to pay more than \$2,500 in a day.

The county requires operators to the said.

Posterior: Hoxalulu Ltd.
Lection of property: SELS Lock Palon Blud, 610, 15" 5W/kyloche.

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TOWSON, MD., \_\_Queguet\_\_13\_\_, 1987 published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on august 13, 19 87

THE JEFFERSONIAN,

Gusan Sender dorect

Abraham L. Adler, Esquire Baltimore, Maryland 21201

NOTICE OF HEARING RE: PETITION FOR SPECIAL EXCEPTION

SE/S Loch Raven Blvd., 610.25' SW of the c/1 of Taylor Ave. (6821 Loch Paven Blvd.) 9th Election District - 4th Councilmanic District Honolulu, Ltd. - Petitioner Case No. 88-86-X

July 21, 1987

ГІМЕ:	
DATE:	Monday, August 31, 1987

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

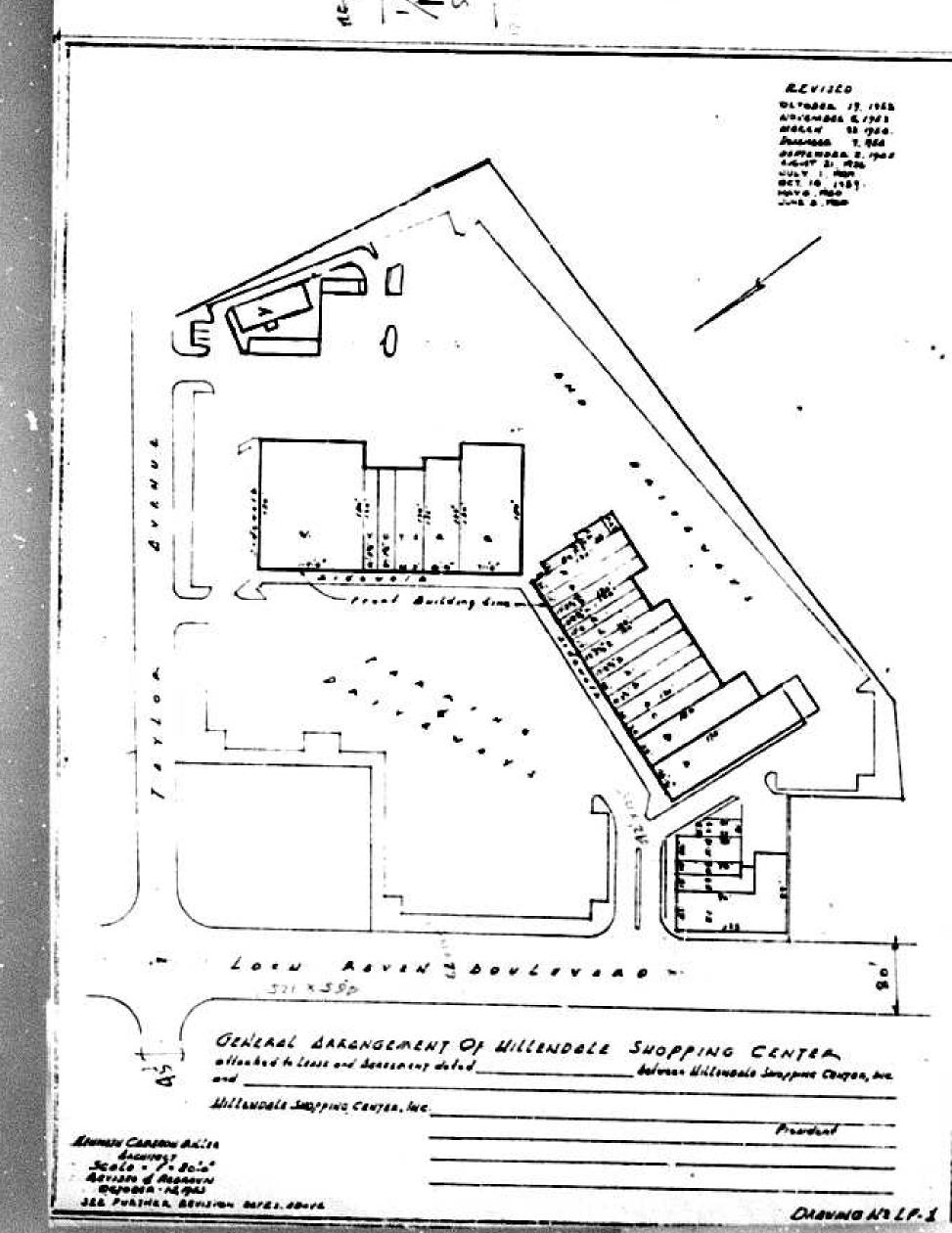


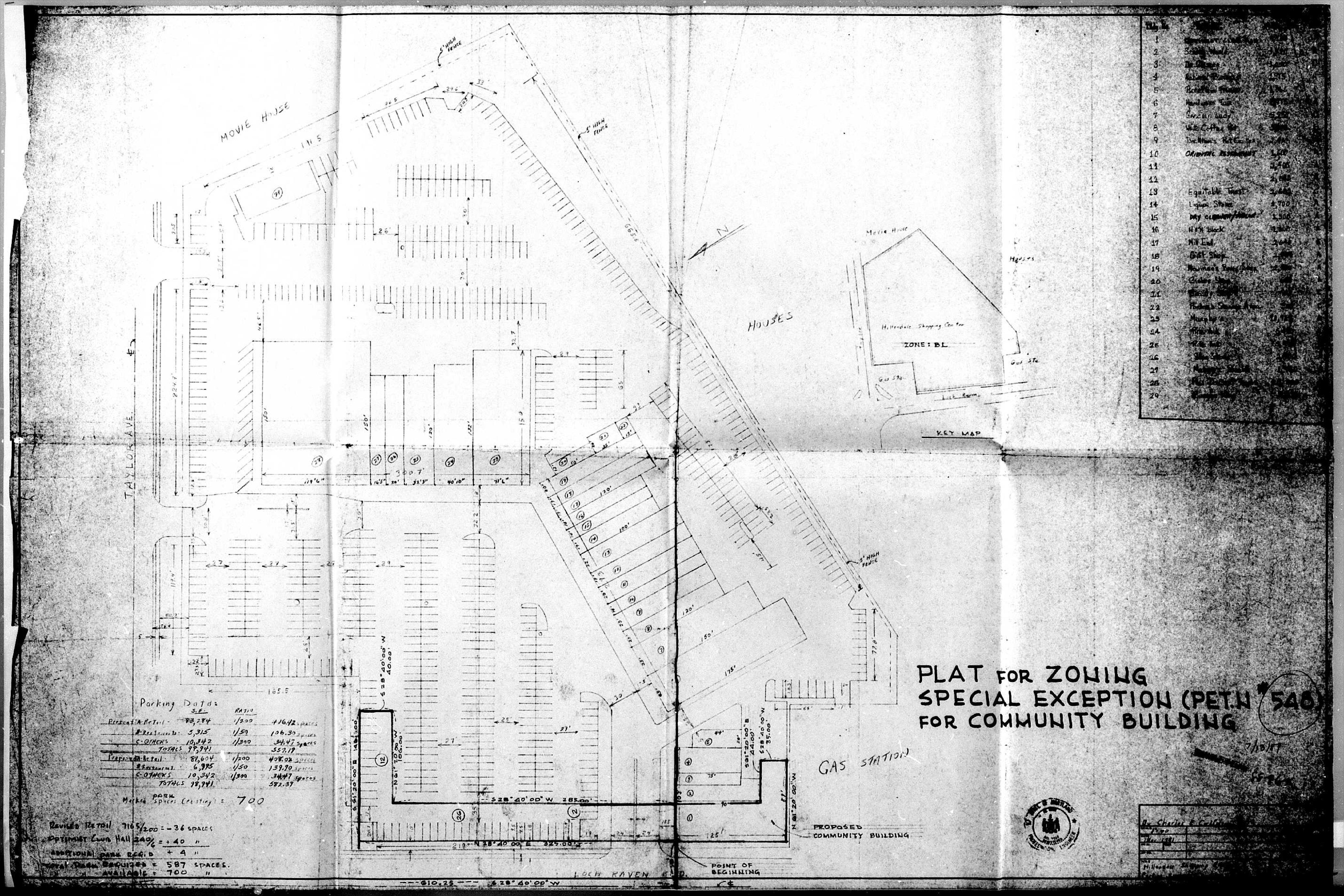
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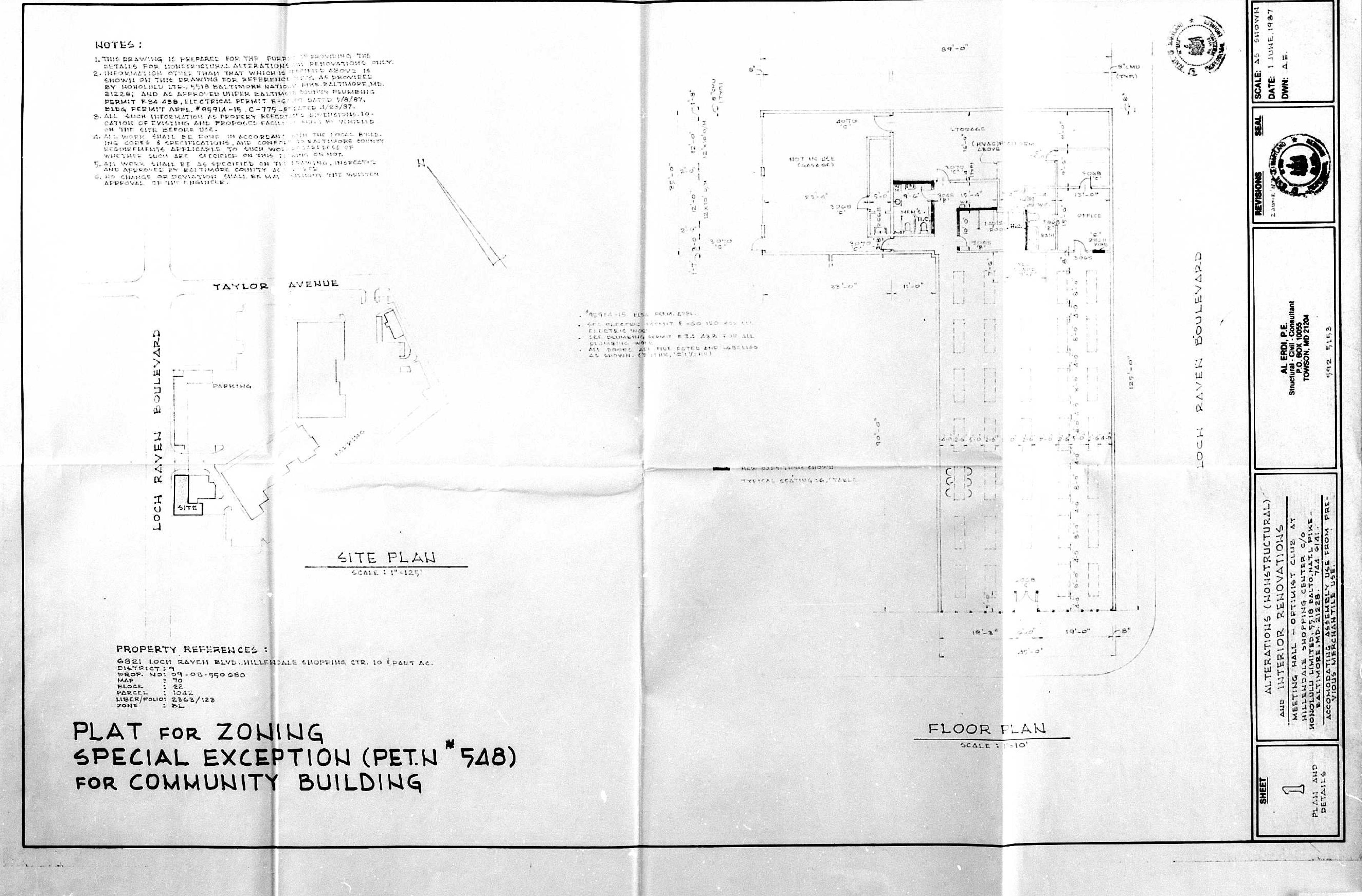
ccs: Mr. Joseph Brzuchalski 6821 Loch Raven Boulevard Towson, Maryland 21204

Al Erdi, P.E. P.O. Box 10055 Towson, Maryland 21285-0055

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION Me. 37676 MISCELLANEOUS CASH RECEIPT







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