NE/S Harford Road, 38' opposite \* DEPUTY ZONING COMMISSIONER and S of c/l of Garnet Road (8123 Harford Road) \* OF BALTIMORE COUNTY 14th Election District 6th Councilmanic District \* Case No. 88-397-XSPHA Parkville Memorial Post 9083 VFW \* \* \* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW The Petitioner herein requests a special exception to permit part

IN RE: PETITIONS FOR SPECIAL EXCEPTION, \* BEFORE THE

SPECIAL HEARING AND VARIANCE -

of a community building (VFW) in a B.L. zone and the remainder of the building in a D.R. zone, and if approved, a rear yard setback of 8 feet in lieu of the required 20 feet. The Petitioner also requests a special hearing to approve an amendment to the Order in prior Case No. 74-261-X to remove Restriction No. 3 thereof and to relieve the requirement to screen the peripheral of the paved parking area of the property; and additionally, variances to permit a rear yard setback of 8 feet in lieu of the required 30 feet and to permit 181 parking spaces in lieu of the required 252 spaces, all as more particularly described in Petitioner's Exhibit A.

The Petitioner filed the Petition for Special Exception on February 4, 1988 and a hearing was held on March 10, 1988. After testimony had been taken and as a result of comments and concerns raised by Protestants, the hearing was continued and the Petitioner subsequently filed the Petitions for Special Hearing and Zoning Variance. The continued hearing was held on August 4, 1988.

The Petitioner, by Nicholas T. Bassetti, Post Quartermaster, appeared, testified, and was represented by Richard L. Miller, Esquire. Also appearing on behalf of the Petitions were M. Wayne Riley, Post Commander, Robert J. Farming, Jr., Sharon A. Cernak and Earl Robbins with A.

## #267 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 \_Section\_230.13\_to\_allow\_part\_of a community\_building\_(VFW) \_in a B.L. zone. Section 1801.1.C.6 to allow the remainder of the community building \_\_IVFWL in a D.R. zone and Section 232.3 to allow a rear yard setback of 8 feet in lieu of the required 20 feet.

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

I, 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.

Contract Purchaser: Legal Owner(s): PARKVILLE MEMORIAL POST 9083, VFW \_ 34 M. WAYNE RAILEY Post Commander (Type or Print Name) (Type or Print Name) M. Wayne Carley -1-5-89 NICHOLAS T. BASSETTI, POST QUARTERMASTER (Type or Print Name) KINGSVILLE MD 21087 Attorney for Petitioner: Richard L. Miller c/o Cable, McDaniel, Bowie & Bond Phone No. One North Charles St. - 9th Floor Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, MD 21201-3793 Nicholas T. Bassetti, Post QM Attorney's Telephone No.: (301) 752-3650 7840 Shepherd Ave 21234 665-4953

ORDERED By The Zoning Commissioner of Baltimore County, this 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

to 3.31.88 at 2 pm Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1 ESTIMATED LENGTH OF HEARING -1/2HR. (+1HR) AVAILABLE FOR HEARING MOH. /TUES. / MED. - NEXT TWO MONTHS

D. Baley. Appearing as Protestants at the hearing held in March were Mr. & Mrs. Richard Fowler, Mr. & Mrs. William McGuire, Mr. & Mrs. Lawrence Tarr, and Frederick S. German, all residents of Oak Forest Drive. William B. McGuire and Kathleen L. Fowler, on behalf of Mr. & Mrs. Richard Fowler, appeared, not as Protestants, but as interested parties at the hearing held on August 4, 1988. Numerous other VFW members also appeared in support of the Petition.

Testimony indicated that the subject property, consists of approximately 3 acres, and is split zoned B.L.-C.C.C. and D.R. 5.5. Since 1974, said property has been the site of a VFW community building as a result of a special exception granted in Case No. 74-261-X. The Petitioner proposes constructing a new one-story 5,000 sq.ft. building adjacent to the existing facility for use as a lounge for VFW members only. The proposed building will permit access for handicapped members in contrast to the present facility which poses a problem for the disabled membership. Testimony indicated that a large number of the members are retired or semi-retired individuals. The initial plan presented at the March 10th hearing provided the required 258 parking spaces. The main concern of the Protestants at that hearing was that said plan resulted in the parking area extending all the way to the rear of the site, abutting Protestants' properties. The plan provided for the parking lot to be constructed over an existing drainage inlet which the Protestants felt was absolutely mandatory for proper drainage of the subject site and to prevent flooding onto neighboring residential property. Testimony presented by both the Protestants and representatives for the Petitioner indicated that from past experiences and use of the facility, the number of parking spaces required was more than necessary. The Petitioner leases a portion of its parking lot to the

> and be responsible for returning, said property to its original condition.

2) The Petitioner shall screen the rear of the property at a minimum in conformance with Petitioner's Exhibit A. Petitioner shall maintain the screening at all times and, from time to time, replace the screening as appropriate.

3) Petitioner shall not use the proposed new building for any publicized and/or advertised activity for the members at the same time as the existing facility is rented.

4) Petitioner shall not lease the existing facility during any time the parking lot is used by the U.S. Post Office.

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U.S. Post Office, but testimony indicated that use of those spaces by postal employees does not present a problem because the hall is not used at times the post office employees use the parking spaces. The hearing was then continued to allow the Petitioners time to revise their plans to insure that at least 100 feet of the rear of the property would remain a grass area to permit proper drainage. Subsequently, the Petitioners filed the Petitions for Special Hearing and Zoning Variances.

Testimony presented at both hearings indicated that the Petitioner does not believe any detriment to the health, safety and general welfare of the public and/or community would be sustained if the variance was granted to permit an 8-foot rear yard setback in lieu of the required 30 feet as this portion of the property abuts the U.S. Post Office property. A good portion of the area where the variance is requested abuts an existing concrete wall. The Protestants had no objection to the granting of this particular variance.

The Petitioner further requested a modification of Restriction No. 3 of the Order issued in Case No. 74-261-X which states:

> "The peripheral of the paved parking area shall be screened with four foot high compact evergreen plantings. This screen shall extend across the rear of the paved parking lot and shall not include the grassed area at the extreme rear."

The Petitioner testified that the proposed plan will in fact screen the rear portion of the site which abuts the Protestants' properties. However, it is the Petitioner's contention that screening on the east side of the property is not possible due to an existing drainage ditch on that side. Pictures introduced indicate that there currently exists some screening on the subject site which is maintained by the adjoining property owners. With respect to a modification of the screening on the west

they had no objection to the modification of Restriction No. 3 of the Order in Case No. 74-261-X, provided it is clear that the rear of the property must be screened and maintained at a minimum as set forth in Petitioner's Exhibit A, the modified and revised plan dated June 1, 1988, which was filed by the Petitioner as a result of discussions between the Petitioner and the Protestants following the March hearing. Testimony presented by the Petitioner's witnesses substantiates that the requirements of Section 502.1 of the B.C.Z.R. will be met by this

side of the property which abuts the post office property, the Petitioner

contends that screening at this location is unnecessary and would present

a financial hardship upon it without any benefit to the community. Addi-

tional pictures introduced depict the area in question and show the exist-

ing concrete wall and a large parking area. The Protestants indicated

project. The Petitioner agreed not to use the proposed new building for any organized activity at the same time the existing facility is being rented as a hall. The Protestants were not opposed to the proposed use provided the revised plan was accepted rather than the original plan sub-It is clear that the B.C.Z.R. permits the use proposed on the

subject property by special exception. It is equally clear that the use was found not to be detrimental to the primary uses in the vicinity as evidenced by the Special Exception granted in 1974. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied by the new project proposed by Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The

and would not result in substantial detriment to the public health, safety, and general welfare.

After reviewing all of the testimony and evidence presented, it appears that the special exception, special hearing and variances should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the Special Exception, Special Hearing and Variance Petitions should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this May of August, 1988 that a special exception to permit part of a community building (VFW) in a B.L. zone and the remainder of the building in a D.R. zone; a special hearing to approve an amendment to the Order in prior Case No. 74-261-X to remove Restriction No. 3 thereof and to relieve the requirement to screen the peripheral of the paved parking area of the property; and additionally, variances to permit a rear yard setback of 8 feet in lieu of the required 30 feet for the proposed new building, and to permit 181 parking spaces in lieu of the required 252 spaces, in accordance with Petitioner's Exhibit A, be approved, and as such, the Petitions for Special Exception, Special Hearing and Zoning Variance be and are hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

uncontradicted testimony was that the proposed use will not be detrimental to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit A would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

> whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

> 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R.

relieve the recultrement to s	Case No. 74-261-X to remove restriction No. 3, and creen the peripheral of the paved parking area of
the property.	•
	advertised as prescribed by Zoning Regulations.
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•	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser:  rkville Memorial Post 9083,  (Type or Print Name)	(Type or Print Name)
Signature 23 Harford Road	Signature
Address	(aype or a survey)
City and State	Signature
Attorney for Petitioner: Richard	
O Cable, McDaniel, Bowie & Type or Print Name)	Address Phone No.
Cechail C. Melle Signature	City and State
ne North Charles Street - 9t Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
altimore, MD 21201-3793 City and State	Nicholas T. Bassetti, Post QM Name
Attorney's Telephone No.: (301)_7	
	mmissioner of Baltimore County, this day
z.C.O.—No. 1	Zoning Commissioner of Baltimore County.
z.C.O.—№0. 1	
z.C.O.—No. 1	(over)
Z.C.O.—No. 1  NOTICE OF HEARING  The Zoning Commissioner of Bal-	(over)  (CERTIFICATE OF PUBLICATION
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Location of Signer Facing Harfind Rd, opprox, 75 Fr. Youd way

on property of Patetioner

Number of Signat

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

PETITION FOR ZONING VARIANCE 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 Variance from Section 1802.2.B (V.B.2, CMDP) to permit a rear yard setback of 8 feet in lieu of the required 30 feet and Section 409.6.A.2 to permit 181 parking spaces in lieu of the required 252 spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. The proposed one-story community building is necessary since handicapped members of the VFW have no direct access from the parking lot to the existing community building. Handicapped individuals have limited access within the existing two-story building since it does not contain an elevator.

2. The membership of the VFW has grown to such an extent that its members and guests are not adequately served by the existing community building. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. 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): Contract Purchaser: Parkville Memorial Post 9083, VFW Parkville Memorial Post 9083, VFW (Type or Print Name) M. Wayne Kally M. Wayne Railey, Post Commander Parkville, Maryland 21234 Attorney for Petitioner: Richard L. Miller c/o Cable, McDaniel, Bowie & Bond Name, address and phone number of legal owner, con-tract purchaser or representative to be contacted One North Charles Street - 9th Floor Nicholas T. Bassetti, Post QM Baltimore, MD 21201-3793 7840 Shepherd Ave. 21234 661-9083 Attorney's Telephone No.: (301) 752-3650 ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_ o'clock Zoning Commissioner of Baltimore County. Baltimore County Office of Planning & Zoning Towson, Maryland 21204 494-3353 NOTICE OF HEARING Dennis F. Rasmussen County Executive The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Petition for Special Exception Case number: 88-397-X NE/Side Harford Road, 38' Opposite and South of C/L Garnet Road (8123 Harford Road) 14th Election District - 6th Councilmanic District Petitioner(s): Parkville Memorial Post 9083, VFW HEARING SCHEDULED: THURSDAY, MARCH 10, 1988 at 2:00 p.m. Special Exception: To allow a part of a community building (VFW) in a B.L. zone, Section 1BO1.1.C.6 to allow the remainder of the community building (VFW) in a D.R. zone and Section 232.3 to allow a rear yard setback of 8 feet in lieu of the required 20 feet. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. J. Robert Haires J. ROBERT HAINES Zoning Commissioner of Baltimore County Nicholas T. Bassetti M. Wayne Railey Richard L. Miller, Esq. File

Beginning at a point on the Northeast side of Harford Rd. being 40 ft wide at a point 38ft. opposite and Southeast of the centerline of Garnet Rd. thence running Southeast along Harford Rd. a\_\_\_\_\_\_\_ distance of 163 feet thence running Northeast\_ 724.63 ft, thence running Northeast 160.05 feet thence running Southwest 753.43 feet to the point of beginning. ZONING DEPARTMENT OF BALTIMORE COUNTY 78-397-X5PHA Posted for: The color process process process process.

Petitioner: Particula Mamorial Part 908 VFW

Location of property: NE s for ford Rd.

1113 How ford Rd.

Location of Signer Factoria Horford Rd.

Location of Signer Factoria Horford Rd.

Producy, on for forty of fell firm. Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 NOTICE OF HEARING (Continued from 3/10/88 - Additional Testimony ..., Dennis F. Rasmussen to be taken on date below) The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Petition for Special Exception Case number: 88-397-X NE/Side Harford Road, 38 Opposite and South of c/l Garnet Road (8123 Harford Road) 14th Election District - 6th Councilmanic District Petitioner(s): Parkville Memorial Post 9083, VFW HEARING SCHEDULED: MARCH 31, 1988 at 2:00 p.m.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

June 28, 1988

## NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception, Special Hearing, and Zoning Variance CASE NUMBER: 88-397-XSPHA NE/Side Harford Rd., 38' Opposite & South of c/l of Garnet Road (8123 Harford Road) 14th Election District - 6th Councilmanic Petitioner(s): Parkville Memorial Post, 9083, VFW HEARING SCHEDULED: THURSDAY, AUGUST 4, 1988 at 9:00 a.m.

Special Exception: To allow part of a community building (VFW) in a B.L. zone; to allow the remainder of the community building (VFW) in a D.R. zone; and to allow a rear yard setback of 8 feet in lieu

Special Hearing: An amendment to the order in Case No. 74-261-X to remove restriction No. 3, and relieve the requirement to screen the peripheral of the paved parking area of the property. Variance to permit a rear yard setback of 8 feet in lieu of the required 30 feet and to permit 181 parking spaces in lieu of the required 252 spaces.

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

J. ROBERT HAINES Zoning Commissioner of Baltimore County cc: M. Wayne Railey Nicholas T. Bassetti Richard Miller, Esq. Frederick 5. German William McGuire Lawrence T. Tarr Richard L. Fowler Helen Fowler File

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

J. Robert Haines
Zoning Commissioner

## NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception, Special Hearing, and Zoning Variance CASE NUMBER: 88-397-XSPHA NE/Side Harford Rd., 38' Opposite & South of c/l of Carnet Road (8123 Harford Road) 14th Election District - 6th Councilmanic Petitioner(s): Parkville Memorial Post, 9083, VFW HEARING SCHEDULED: THURSDAY, AUGUST 4, 1988 at 9:00 a.m.

Special Exception: To allow part of a community building (VFW) in a B.L. zone; to allow the remainder of the community building (VFW) in a D.R. zone; and to allow a rear yard setback of B feet in lieu of the required 20 feet. Special Hearing: An amendment to the order in Case No. 74-261-X to remove restriction No. 3, and relieve the requirement to screen the peripheral of the paved parking area of the property. Variance to permit a rear yard setback of 8 feet in lieu of the required 30 feet and to permit 181 parking spaces in lieu of the required 252 spaces.

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

J. ROBERT HAINES Zoning Commissioner of Baltimore County

J. ROBERT HAINES Zoning Commissioner of Baltimore County

Richard L. Miller, Esq. Ms. Helen Fowler Mr. Richard L. Fowler Mr. Lawrence T. Tarr

Ms. Evelyn E. McGuire

Mr. Frederick S. German Ms. Donna Tarr

Mr. William McGuire

In the event that this Petition is granted, a building permit may be issued

entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in

this office by the date of the hearing set above or presented at the hearing.

within the thirty (30) day appeal period. The Zoning Commissioner will, however,

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

J. Robert Haines Zoning Commissioner

Nicholas T. Bassetti, Post Quartermaster Parkville Memorial Post 9083, VFW 7840 Shepherd Avenue Baltimore, Maryland 21234

Dennis F. Rasmussen

Re: Petition for Special Exception Case number: 88-397-X NE/Side Harford Road, 38' Opposite and South of C/L Garnet Road (8123 Harford Road) 14th Election District - 6th Councilmanic District Petitioner(s): Parkville Memorial Post 9083, VFW HEARING SCHEDLED: THURSDAY, MARCH 10, 1988 at 2:00 p.m.

Dear Mr. Bassetti:

Please be advised that  $\frac{\#}{\#}$  is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it posted by this office until the day of the hearing itself.

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.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT K-01-615-000 Huisea. BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCILLANEOUS CASH RECEIPT

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

MEMBERS

Bureau of Department of State Roads Commission Bureau of Fire Prevention Health Department

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

March 3, 1988

TO: ZONING PLANS ADVISORY COMMITTEE FROM: JAMES E. DYER, CHAIRMAN

RE: ITEM NO. 267 - CASE NO. 88-397-X, Parkville Memorial . Post 9083, VFW, Petition for Special Exception

The above referenced Petitioner has requested an early hearing date, due to hardship, which the Zoning Commissioner in his capacity has granted. It is just come to my attention that the early hearing date is such that it is impossible to receive comments from your agency prior to the hearing, which is scheduled on March 10, 1988. Therefore, I am by way of this memorandum requesting that the Zoning Commissioner consider withholding his Order until such time as your agency has the opportunity to review the attached plans and submit comments to him for his consideration.

Your cooperation in this matter is most appreciated.

cc: Richard L. Miller, Esquire A.D. Bailey J. Robert Haines, Esquire

CERTIFICATE OF PUBLICATION The Zoning Commissioner of Bub-timore County, by authority of the Zoning Act and Regulations of Bahi-more County, will hold a public Feb. 25 1988 inore County, will note a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Townon, Maryland as follows:

Petition for Special Exception

Case number: 88-397-X

NE/Side Harford Road, 38' Opnosite THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed NESside Harlord Road, 35 Opposite and South of of Garnet Road (8123 Harford Road)

14th Election District —

6th Councilmanic District Petitioner(s): Parkville Memorial Post 9083, VFW HEARING DATE: Thursday, March 10, 1986 at 2:00 p.m. and published in Towson, Baltimore County, Md., appearing on Feb. 25,088 Special Exception: To allow a part of a community building (VFW) in a B.L. zone, Section 1801.1.C.6 to allow the remainder of the community building (VFW) in a D.R. zone and Section 232.3 to allow a rear yard THE JEFFERSONIAN,

Gusan Senders Obrect

88-397-X

setback of 8 feet in lieu of the re-quired 20 feet.

In the event that this Petition is

in the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office he the data of the hearing.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this day of February , 1988 .

Petitioner | Parkville Memorial Post | Received by: James E. Dyer | Chairman, Zoni Attorney Richard L. Miller, Require

Maryland Department of Transportation

State Highway Administration

Chairman, Zoning Plans Advisory Committee

> Richard H. Trainor Secretary Hal Kassoff Administrator

March 16, 1988

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

Re: Baltimore County V.F.W. Hall E/S Harford Road Maryland Route 147 north of Oak Forest Drive Item #267

Dear Mr. Haines:

After reviewing the submittal of the new activity building at the V.F.W. Hall, the State Highway Administration-Bureau of Engineering Access Permits has the following comments.

Due to the limited sight distance at the entrance onto Harford Road, we are submitting this plan to our District Traffic Engineer for his review and recommendation, concerning the removal of four existing parking meters on Harford Road.

If you have any questions, please contact Larry Brocato of this office (333-1350).

> Very truly yours, Creston J. Mills, Jr. Acting Chief-Bureau of Engineering Access Permits

LB/es

cc: A.D. Bailey Darrell Wiles w/att. J. Ogle



Sent to Richard Miller, attorney spokes Sent to A.D. Bailey, ing. specific

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 BETIMORE COUNTY, MARLAND

INTER-OFFICE CORRESPONDENCE

July 26, 1988

FROM P. David Fields, Director
Office of Planning and Zoning

SUBJECT Zoning Petition #88-397-XSpHA

This office is opposed to the granting of the request to remove the restriction governing screening. Paved areas should be screened so as to buffer adjacent residences. This office is not opposed to the granting of the special exception and variances, provided adequate landscaping is provided.

Office of Planning and Zoning

PDF/jat cc: Shirley Hess, People's Counsel J/G. Hoswell v∕Zoning File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO Zoning Commissioner

February 23, 1988

P. David Fields FROM Director of Planning and Zoning

SUBJECT Zoning Petition No. 88-397-X

This office is not opposed to the granting of the subject petition. It is requested, however, that landscaping be required to screen the parking area from the adjacent residential properties.

P. David Fields per J. Hoswell

P. David Fields

Director

PDF:JGH:dme

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

FROM: JAMES E. DYER, CHAIRMAN

March 3, 1988

TO: ZONING PLANS ADVISORY COMMITTEE

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

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 Administratio

> > Industrial

The above referenced Petitioner has requested an early hearing date, due to hardship, which the Zoning Commissioner in his capacity has granted. It is just come to my attention that the early hearing

date is such that it is impossible to receive comments from your agency prior to the hearing, which is scheduled on March 10, 1988. Therefore, I am by way of this memorandum requesting that the Zoning Commissioner consider withholding his Order until such time as your agency has the opportunity to review the attached plans and submit comments to him for his consideration. Your cooperation in this matter is most appreciated.

RE: ITEM NO. 267 - CASE NO. 88-397-X, Parkville Memorial

Post 9083, VFW, Petition for Special Exception

cc: Richard L. Miller, Esquire A.D. Bailey J. Robert Haines, Esquire

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Richard L. Miller, Esquire

MEMBERS Bureau of Engineering Department of Traffic Engineering State Roads Commissi Bureau of Fire Prevention

Health Department Project Planning Building Department Board of Education Zoning Administration

Industrial Development

March 3, 1988

Cable, McDaniel, Bowie & Bond One North Charles Street, 9th Floor Baltimore, Maryland 21201-3793

RE: Item No. 267 - Case No. 88-397-X Petitioner: Parkville Memorial Post 9083. VFW

Petition for Special Exception

Dear Mr. Miller:

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.

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

Very truly yours,

JAMES E. DYER Zoning Plans Advisory Committee

JED:kkb

cc: A.D. Bailey 422A Pulaski Highway Joppa, Maryland 21085

3023 Oak Forest Drive Parkville, Maryland 21234

Mr. Robert Haines, Zoning Commissioner Baltimore Zoning Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Mr. Haines:

When the V.F.W. posted a sign for a hearing for variences Case#88-397X, being owner of the adjoining property, I got a copy of their plan submitted to your office. I was shocked to find that through omissions and errors a very

distorted drawing has been presented to you for approval. Here are the items: 1. A grass area of 125 feet exits at the east end of their property and a 20+ foot grass plot runs along the entire north side. The drawing list all this as "existing macadam".

2. The above mentioned area of grass had massive underground storm sewering by Baltimore County in 1977. This is Permit# 4819 on file in Room 206 through the Bureau of Engineering and Department of : Public Works(I have a copy of this accurate drawing to present at the hearing at 2:00 on March 10,1988). None of this is shown on the drawing.

3. There is no "existing concrete wall" along the lower half of the north boundary. It stops at the end of the U.S. Post Office garage. I have photos to prove the accuracy of all the above items. My neighbors and I will protest the V.F.W. proposal at the hearing and this letter is to inform you before the hearing of the situation you will be dealing with.

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	hereinafter described, pursuant attached hereto.	t to the terms and condition				
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	D-1+i-oro	Baltimo	re. Mary	/land	21234	
	Baltimore,	(County)		(State)	(ZIP + 4)	
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PETITIONER'S EXHIBIT 2

BALTIMORE COUNTY DEPARTMENT OF ENVIRONM""AL I JECTION AND RESOURCE MANAGEMENT Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 Zoning Item # 267, Zoning Advisory Committee Meeting of March 8, 1988 Property Owner: Parkville Memorial Post 9083 VFW

Location: 8123 Harford Road Distri District /4 \_Sewage Disposal \_\_metro Water Supply <u>MeTro</u> 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 aubmitted to the Plans Review Section, Bureau of Regional Community Services, for final review ( ) Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air 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 spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler 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 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 awimming 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 for review 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 Maternal 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, 494-3775. ) 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 contact the Division of Waste Management at 494-3768. ) Soil percolation tests, have been \_\_\_\_, must be \_\_\_\_, conducted.

( ) The results are valid until \_\_\_\_\_.

( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required. ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ) shall be valid until ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications. ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Sent to Richard miller, attorney \$53,500 Sent to A. D. Bailey, Eng. 3/23/50

Karen M. Merrey

BUREAU OF WATER QUALITY AND RESOURCE

MANAGEMENT

PETITIONER(S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

March 21, 1988

VFW Post 9083 Attn: Mr. Wayne Railey Commander

In accordance with your order, I have looked into the problems of parking and storm drainage flooding on your property and on adjacent properties facing on Oak Forest Drive which were raised by the neighbors at your recent zoning hearing. I have also reviewed County and State records to determine who was granted the Rights of Way for handling Storm Drain runoff thru and adjacent to your property.

The results of these studies are as follows:

PARKING:

It is my opinion that based on the public usage within both the existing and the proposed new building, when combined with the office usage within the existing building, that the total number of parking spaces actually needed to serve this facility could not exceed 214 spaces based on the County criteria for Lounge &/or Meeting Hall and Office Space. This statement is based on the square footage breakdown of the buildings as follows:

6,364 Sq. Ft. of existing Lounge & Office space @ 1 Parking Space per 50 Sq. Ft. 550 Sq. Ft. of Kitchen Area / No parking required 150 Sq. Ft. of Office Space (1st Floor) @ 1 Parking Space per 300 Sq. Ft. 200 Sq. Ft. of Office Space (2nd Floor) @ 1 Parking Space per 500 Sq. Ft. 650 Sq. Ft. of Storage Space / No parking required

TOTAL PARKING FOR EXISTING BUILDING = 130

4,200 Sq. Ft. of Proposed Building Lounge Area @ 1 Parking Space per 50 Sq. Ft. -800 Sq. Ft. of Proposed Building Kitchen & Storage No parking required

TOTAL PARKING FOR POT THONER'S

EXI-IBIT 4

Finally, an ameided plat should be prepared a submitted to indicate the parking as herein specified and to show the drainage of the parking area directed Northeasterly along the centerline of the paved area to outfall at the inlet located more or less in the center of your rear unimproved parcel.

If any additional information is required regarding the facts herein set forth, please advise me at once.

Very Truly Yours,

L. Alan Evans Maryland Registered P.L.S. & P.E.

It can also be shown based on your attendance records that even this number of parking spaces is excessive when related to actual usage of the building for both social affairs and business

Attendance according to your records is as follows:

Business Meetings range from 61 to 150 persons Social Affairs range from 300 to 320 persons

Assuming 1 person per car for Meetings, 150 spaces would be Assuming 2 persons per car for Social Events, 150 to 160 spaces

It should also be pointed out that many of your members live in close proximity to the Post, and walk rather than drive to participate in your activities.

It should also be noted that the current parking area has been more than adequate for parking the cars of all persons attending

Although the Department of Planning & Zoning cannot take the above facts into consideration and must require parking for the entire square foot area of the buildings, the Board may in its discretion grant a variance to the parking requirements. Such variance should have been requested as part of the rezoning

If this rezoning is granted with a variance for parking required, it would leave the rear portion of the property as an open grass area and eliminate that objection raised by the neighbors. It would also eliminate additional storm drain runoff from your property which could slightly increase the possibility of flooding at the existing headwall and at the inlet on your

In conclusion, and based on the foregoing facts, it is my opinion that if a maximum of 180 parking spaces were currently developed, you would provide all the parking spaces needed to service your

STORM DRAINAGE:

In 1936 the State Roads Commission obtained Rights of Way for the widening and reconstruction of Harford Road along with the necessary Rights of Way &/or easements to provide for draining storm water from inlets constructed to a satisfactory outfall. The easement or Right of Way along the Southwestern outline of your property was acquired at that time to pipe the water collected by the roadside inlets thru a pipe and a ditch to a point considered, at that time, to be a satisfactory outfall.

Such point was Bobably in a stream or ditch with was located at that point, and which has since been piped by Baltimore County to drain the North side of Dubois Ave., the South side of Oak Forest Drive, and the bed of Oak Forest Drive. Rights of Way for this construction were acquired by Baltimore County in 1976 and construction was completed in 1977 (See drawing No. 76-0140 attached).

In 1976 Baltimore County also acquired from your Post, Rights of Way to extend this system and construct pipes across your property to tie into the existing drain on the Northeast side of your property, the Right of Way for which had been acquired in

In 1984 Baltimore County acquired additional Rights of Way to enlarge and regrade the existing system, constructed in 1977, from the Southwest to the Northeast outlines of the Oak Forest development, where it connected to the system thru your property that was constructed in 1977 (See drawing 84-0566 attached). Right of Way plats and copies of the agreements are also attached.

Since the latest study which was completed by Baltimore County in 1984 did not indicate the need to increase the size of the drain thru your property, based on current conditions and a 10 year storm frequency, no flooding in excess of that which has occurred in the past should result from the proposed building construction.

This should also not be of concern to the neighbors since any flooding will occur on your property in the grass area adjacent to the headwall and inlet.

The building construction, since it is being located mainly on the existing paved parking area, will contribute little, if any, additional runoff.

It is apparent that the storm drain system in the rear portion of your property belongs to Baltimore County, and that Baltimore County is therefore responsible for the cleaning and maintenance of the system as shown on the drawings attached.

If flooding should occur which is detrimental to the properties, it would be the responsibility of Baltimore County to eliminate any such condition upon the request of the property owner.

The cleaning and maintenance of the ditch along your Southwestern property line, should be the responsibility of the Maryland Highway Administration since it was created by them to drain Harford Road and an easement for same established in 1936.

oIt is my opinion that your proposed building and site improvements will be in no way detrimental to your property or adjacent properties because of increased storm water runoff.

-3-

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The state of the s The state of the s AS WITNESS my Hand and Motarial Seal. PARING ON UFW LOT BY POST OFFICE ENPLOYEES Hotary Public (Notarial Seal) Approved as to form and legal sufficiency this bth day of August, 1949 Approved: \_ LIES 672 ME836 Item 3 EW 76-109-1, -2 PORM D.P.W.--101 Rev. 19-73 Liber 1760 HON-21 HAR - 27 CARES THIS DEED and AGREEMENT made this 5 day of Agree . in the year Approved as to form and legal sufficiency this 21st day of February, 1949 Approved: RAP TUES - 22 HAR - 79 CARS Nineteen Hundred and Seventy - six , between NCRTHFIELD-LOCK PAVEN MEMORIAL POST NO. 9083 George M. Berry Chief Engineer of Metropolitan District of Notarial Seal William F. Heale VETERANS OF FOREIGN WARS OF THE UNITED STATES, DIC., a body corporate of the State of George M. Berry George K. Berry WED - 23 HAR - 80 CARS Counsel to the County Counissioners of William F. Reale Baltimore County George M. Berry of the first part; and FRANK H. DURKEE, III, AUGUST NOLTS and SAMUEL B. TEMPLE. Chief Engineer of Metropolitan District Counsel to the County Commissioners of Rec Aug 8 1949 at 11:25 AM & exd per T Braden Silcott Clerk- Rec dmc TAUR - 24 MAR - 78 CARS ..... ETD SG & T.... of Baltimore County Baltimore County ( Notarial Seal) Fri - 25 HAR - 79 CARS Rec Aug 8 1949 at 11:20 AM & exd per T Braden Silcott Clerk- Rec dre parties of the second part; and BALTIMORE COUNTY, MARYLAND, a body corporate and Deed & Agrt to County Com of Balto Co : of Aug, in the year Mineteen Hundred and forty-SAT - 26 HAM - 63 CARS WHEREAS, the party of the third part desires to construct and maintain sewers, drains, water ---- John T. Richardson and Mattie M. THIS DEED AND AGREEMENT made this 29th day pipes, and other municipal utilities and services, in and across the land hereinafter described, and the part y of the first part is willing to grant such right. Richardson, his wife parties of the first part, and the County Commissioners of Baltimore Deed & Agrt to County Com of Balto Co : of July in the year Mineteen Hundred and forty-NOW, THEREFORE, in consideration of the premises and the sum of One Dollar, the receipt Econty, a municipal corporation of the State of Maryland, hereinafter called County, party nine, between The Community Company, a body Corwhereof is hereby acknowledged, the said part y of the first part hereby grant g and convey g unto Baltimore County, Maryland a body corporate and politic, its successors and assigns, porate, of the State of Maryland party of the first part, and the County Commissioners of the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities WHEREAS, the County desires to construct and maintain severs, drains, water pipes, and and services in and through the land of the part y of the first part, situate in Baltimore County, Baltimore County, a municipal corporation of the State of Maryland, hereinafter called state of Maryland, said sewers, drains, water pipes and other municipal utilities and services to be and the second pert. other sunicipal utilities and services, in and across the land hereinafter described, and laid in the easement which is described as follows: County, party of the second part. Situate in the Fourteenth Election District of Baltimore County. WHEREAS, the County desires to construct and maintain severs, drains, water pipes, the parties of the first part are willing to grant such right. NOW, THEREFORE, in consideration of the premises and the sum of One Dollar, the reand other municipal utilities and services, in and across the land hereinafter described, BRING an easement, a portion of which is 10 feet wide and a portion of which is 20 feet wide, across the property of the party of the first part, said easement conceipt whereof is hereby a cknowledged, the said parties of the first part hereby grant and taining 0.068 acre, more or less, (2975 sq. ft., more or less), as shown shaded and indicated "Utility Easement" on Baltimore County Bureau of Land Acquisition Drawing and the party of the first part is willing to grant such right. COUNT TAKEN EACH DATE INDEATED AT OF 30 HAS AND LATER THAN convey unto the County Commissioners of Baltimore County, a municipal corporation, its suc-NOW, THEREFORE, in consideration of the premises and the sum of One Dollar, the re-No. RW 76-109-2 which is attached hereto and made a part hereof. cessors and assigns, the right to lay, construct and maintain severs, drains, water pipes ceipt whereof is hereby acknowledged, the said party of the first part hereby grants and MGETHER with a temporary easement for construction purposes over the property and other sumicipal utilities and services, in and through the land of the parties of the of the party of the first part, containing 0.605 acre, more or less, (26,375 sq. ft., conveys unto the County Commissioners of Baltimore County, a municipal corporation, its suemore or less) as shown indicated "Temporary Construction Area & Access Essement" on first part, situate in Baltimore County, State of Maryland, said sewers, drains, water pipes cessors and assigns, the right to lay, construct and maintain sewers, draine, water pipes Baltimore County Bureau of Land Acquisition Drawings Nos. HW 76-109-1 and HW 76-109-2 nulla T Basuthi which are attached hereto and made a part hereof; said temporary easement shall become and other municipal utilities and services to bushaid in the right-of-way which is described and other municipal utilities and services, in and through the land of the party of the first aull and woid upon the completion of the installation of utility facilities in the essement hereinshove described, and the party of the first part herein shall hold the part, situate in Baltimore County, State of Maryland, said sewers, drains, water pipes and property over which the said temporary essement runs free and clear of said temporary Being & right-of-way as shown on the Baltimore County Metropolitan District Drawing other municipal utilities and services to be laid in the right of way which is described TOGETHER ALSO with the right of Baltimore County, Maryland, its successors or as follows: No. 49-405 which is attached hereto and made a part hereof. assigns, employees or agenta, to remove any tree having a butt diameter of 3" or less Being a part of Lot No. 29 as shown on the Plat of Willowdale filed among the plat A strip of land ten feet side binding on the easterly side of Harford Road, sixty which may be in the aforesaid temporary construction area. feet wide, as shown on the Baltimore County Metropolitan District Drawing No. 19-617, which FOR TITLE: See Deed dated August 16, 1974, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5171, folio 575, from The Community Company records of Baltimore County in Plat Book No. 12 Folio 24. And the parties of the first do hereby agree that the County Commissioners of Baltito Northfield-Loch Raven Memorial Post No. 9083 Veterans of Foreign Wars of The United is attached hereto and made a part hereof. more County, its successors and assigns, shall have the right and privilege of entering upon Being a part of that parcel of land conveyed to the Grantor herein, dated March 5, TRANSFER TAX NOT REQUIRED the aforesaid land, whenever it may be necessary, to make openings and excavations and to 1947, and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1549, Walter R. Richardson lay, construct and maintain said municipal utilities and appurtenances, provided however, Director of Finance folio 94. that the ground shall be restored and left in good condition; and it is further agreed that And the party of the first part does hereby agree that the County Commissioners of no buildings or similar structures of any kind shall be erected in, on or over the said Baltimore County, its successors and assigns, shall have the right and privilege of entering AND the part y of the first part do es hereby agree that Baltimore County, Maryland, its foresaid land, whenever it may be necessary, to make openings and excavations and right-of-way by any or the parties hereto, their successors and essign AS WITNESS the due execution hereof by the aforenamed parties of the first parts to lay, construct and maintain said municipal utilities and appurtenances, previded however that the ground shall be restored and left in good condition; and it is further agreed that epresentatives, successors and assigns; nor shall the existing grade be changed without prior approval of Baltimore County Bureau of Engineering. no buildings or similar structures of any kind shall be erected in, on or over the said John T. Richardson C. Ermest Newbar right-of-way by any of the parties hereto, their successors and assigns. THE said part : i.e. of the second part join in this conveyance solely for the purpose of Mattie M. Richardson C. Ernest Newbar consenting to and subordinating theirlien of mortgage to the hereinbefore described easement AS WITNESS the due execution hereof by the aforenamed party of the first part. Mattie M. Richardson and for that purpose only, fully retaining their lies on the property described in their mortgage. THE COMMUNITY COMPANY TEST: Silbert W. Reddish I HEREBY CLETTEY that on this 2nd day of August, in the year Nineteen Hundred and STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT: PETITIONER'S BY August Nolte forty-nine, before me, the subscriber, a Notary Public of the Control of the Subscriber, a Notary Public of the Subscriber, and the Subscriber, a Notary Public of the Subscriber, and the ( Corporate Seal) STATE OF MARYLAND, BALTIMORE CITY, TO WIT: I HEREBY CERTIFY that on this 29th day of July, in the year Nineteen Hundred and Forty-nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid personally appeared August Holte, Vice President of The Community LIBERS 672 PAGE 838 LIBER5672 PASE839 Form D.P.W .-- 364 Ber. 10-15 RES SALTIMINE IT SISS SHOEME MC SHOE RAC Salt TIMONE STATIS PROCESSE MC 2000 STATE OF MARYLAND, BALTIMORE Courty to wit: D ALL APERS FOUND BY PLE BIBLETES. PLAT IN COMMITTE FORM BEETS AND PROFESTION UNITED THE INTERPRETATION OF THE MEMORY OF THE STATE OF POSITIONE INTO WEST OF THE MEMORY OF THE STATE OF THE STATE INTO WEST OF THE MEMORY OF THE STATE OF THE INTERPRETATION OF THE STATE OF THE STATE OF THE PROFESTION OF THE STATE OF THE STATE OF THE PROFESTION OF THE STATE OF THE STATE OF THE PROFESTION OF THE STATE OF THE STATE OF THE STATE OF THE PROFESTION OF THE STATE OF THE I HEREBY CERTIFY that on this 4?" day of Accuse Hundred and Seventy - six before me, the subscriber, a Notary Public of the State of Maryland, LINES 5 6 7 2 MSE 8 3 7 in and for the fleatimess (analy aforesaid, personally appeared AUGUST NOLTE, Trustee, N 3 4 · 03 '92 · 5 · 162 · 45 · 15 · 1 · 1NE 5 · H. K. JR. 5471-575 Perm D.P.W ... 101 Ber. 10-12 HARFORD ROAD by to the within Deed and Agreement, and he acknowle act and IN MY PRESENCE SIGNED AND SPALED THE SAME. his act and IN MY PRESENCE SIGNED AS WITNESS my Hand and Notarial Seal. NORTHFIELD-LOCH RAVEN MEMORIAL POST NO. 9083 STATE OF MARYLAND, BALTIMORE County to wit: ITEM Nos. I HEREBY CERTIFY that on this 40% day of Assess? Hundred and Seventy - six , before me, the subscriber, a Notary Public of the State of Maryland, in and for the first time to Courty aforesaid, personally appeared SAMUEL B. TEXPLE, Trustee, UTILITY EASEMENT AREA

500 SOFT! FOO! ACS

TEMPORARY CONSTRUCTION AREA

F 100 SOFT! FOO2 AC! 2 UTILITY EASEMENT AREA 500 SOFT = 0.011 ACT TEMPORARY CONSTRUCTION AREA = 100 SOFT = 0.002 ACT act and IN MY PRESENCE SIGNED AND SEALED THE SAME AS WITNESS my Hand and Notarial Se. STATE OF MARYLAND, BALTIMORE PLAT OF CAK FOREST to the within Deed and Agreement, and acknowled, and IN MY PRESENCE SIGNED AND SEALED THE SAME. STATE OF MARYLAND, BALTIMORE ( . ou . 1 . to wit: AS WITNESS my Hand and Notarial Seal. I HEREBY CERTIFY, that on this 5 day of August , in the year Minetsen Hundred and Seventy - six , before me, the subscriber, a Notary Public of the State of Maryland, in and for the Courty aforesaid, personally appeared H.W. Batz Commander - NORTHFIELD-LOCH RAVEN NEMORIAL POST NO. 9083 VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC.,
party to the within Deed and Agreement, and he acknowled the action in MY PRESENCE SIGNED AND SEALED THE SAME. STATE OF MARYLAND, BALTIMORE of said body corporate.

AS WITNESS my Hand and Notarial Seel. STATE OF MARYLAND, BALTIMORE COURTY , to wit: PHATCH LINE SEE AN 76-103-2 AS WITNESS my Hand and Notarial Seal. DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION I HEREBY CERTIFY, that on this 4" day of Acces ? , in the year Mineteen BALTIMORE COUNTY SCALE: 1" 50" SHEET 2 OF 2 PLAT TO ACCOMPANY ACQUISITION OF Hundred and Seventy - aix , before me, the subscriber, a Notary Public of the State of Maryland, DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION in and for the Gauteneric County aforecald, personally appeared FRANK H. DURKER, III, Trustee, POSITION SHEET N 29 NE 15 SCALE: 1"= 50" SHEET 1 OF 2 PLAT TO ACCOMPANY ACQUISITION OF DISTRICT NO. 14 C-6 Approved as to legal form and sufficiency this / gm day of Assessment 1976. CONSULTING ENGINEES OF SUCYETO JES:ELG:rfa Index: 6/23/76 party to the within Deed and Agreement, and he acknowledged the same to be his act and IN MY PRESENCE SIGNED AND SEALED THE SAME. -----76-0140 AS WITNESS my Hand and Notorial Seal

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FEDERAL PROJECT NG.

S.C. JOS ORDER NO.

4-2-602

RW 76-109-2

SLOPE AREA

BUREAU OF LAND ADGUISITION

DIVISION OF DRAFTING

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SHAWN R. H.U. CHECKED W.L.D.

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