

31697:3
KRT/cjc
12/13/89

IN RE: PETITION FOR SPECIAL HEARING
HEARING RE: Tollgate Road, 270' SE and opposite Chins Court
214 Tollgate Road
4th Election District
3rd Councilmanic District

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-223-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Petitioner, VFW Post 521, sought a Special Hearing to amend the Special Exception previously granted for this property in Case No. 67-194-X. The purpose of the amendment is to permit the construction of a freestanding pavilion and parking lot on the VFW property.

Appearing in support of the Petition were: Timothy Hearn, a principal of Zink Construction Corporation; Judy Raab, the Chief Planner for the engineering firm of Rosenfelt & Woolfolk, Inc.; and Dean Kone, the Chairman of the Building Committee for VFW Post 521. Testimony was received by proffer from Petitioner's counsel and directly from individual witnesses. Petitioner introduced as Exhibit "1" a site plan describing the property and the proposed pavilion. No persons appeared in opposition to the Petition.

Testimony indicated that the subject property is known as VFW Post 521 and is located at 214 Tollgate Road in the Reisterstown area of Baltimore County. The property is zoned DR 3.5 and is improved by a community building and a 75 space parking lot. The property is used as a community hall for VFW

purposes. The existing building and parking lot were constructed pursuant to a Special Exception granted in Case No. 67-194-X.

The Petitioners seek to transfer certain activities now conducted indoors to out of doors during the spring and summer months. To that end, the Petitioner proposes the construction of a pavilion 49' x 38' in size, of masonry construction, and with a customary pitched residential roof. The pavilion will contain two handicapped equipped rest rooms, a small utility area, and a barbecue grill. The pavilion will be further equipped with garage doors to permit the area to be secured when not in use; when the area is in use, the doors will slide out of view.

Ms. Judy Raab testified as to the effect of the proposed construction on the surrounding community. After qualifying as an expert in land planning, Ms. Raab testified that she has reviewed the requirements of §502.1 of the Baltimore County Zoning Regulations concerning special exceptions. In her opinion, the proposed construction would not create any adverse impact on the surrounding community or otherwise be detrimental to the health, safety, or general welfare of that community.

Specifically, the property would be landscaped so as to provide a buffer between the proposed pavilion and residences to the north and east of the property. The proposed landscaping is in compliance with the Baltimore County Landscape Manual and has been approved by the Department of Planning and Zoning (see attached Landscape Plan, approved February 21, 1990, attached as

Exhibit "2").

The lighting will be constructed in accordance with that shown on Exhibit "1" and as detailed on Exhibit "3" to this Order. All lighting will be oriented away from any nearby residential sites.

Testimony indicated that 75 parking spaces currently exist on the property. 83 additional parking spaces will be constructed in connection with the proposed pavilion. The total site parking will be 158 spaces. This parking is in excess of the 153 spaces required for the site. The required parking was determined to include the 115 spaces established by Case No. 82-25 in connection with the existing building, and 38 additional spaces required for the proposed pavilion by Mr. James Dyer of the Office of Planning and Zoning in his letter dated June 2, 1989.

Testimony indicated that the two year, ten year, and one hundred year storm water management will be provided in connection with the adjacent Hewitt Farms residential development.

Section 502 of the Baltimore County Zoning Regulations provides that in considering any special exception request, it must appear to the Zoning Commissioner that the use for which the special exception is requested will not:

- Be detrimental to the health, safety, or general welfare of the locality involved; [B.C.Z.R., 1955.]
- Tend to create congestion in roads, streets or alleys therein; [B.C.Z.R., 1955.]

- Create a potential hazard from fire, panic or other dangers; [B.C.Z.R., 1955.]
- Tend to overcrowd land and cause undue concentration of population; [B.C.Z.R., 1955.]
- Interfere with adequate provisions for school, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements; [B.C.Z.R., 1955.]
- Interfere with adequate light and air; [B.C.Z.R., 1955; Bill No. 45, 1982.]
- Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations; nor [Bill No. 45, 1982.]
- Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations. [Bill No. 45, 1982.]

It is clear from the testimony that if the Special Exception is amended as requested, the proposed construction would not create an adverse impact on or nearby the site in the manner delineated by §502.1 of the Baltimore County Zoning Regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition, and for the reasons given above, the amendment to the Special Exception on this property should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of April, 1990, that the Petition for Special Hearing to permit the amendment of Special Exception No. 67-194-6 to allow the construction of a freestanding pavilion and parking lot on the VFW property, be and is hereby GRANTED, subject, however, to the following

ORDER RECEIVED FOR FILING
Date 4/24/90
By Mr. Hearn

ORDER RECEIVED FOR FILING
Date 4/24/90
By Mr. Hearn

ORDER RECEIVED FOR FILING
Date 4/24/90
By Mr. Hearn

ORDER RECEIVED FOR FILING
Date 4/24/90
By Mr. Hearn

restriction which is a condition precedent to the relief granted herein:

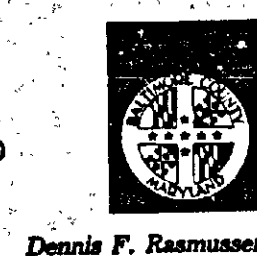
- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- When applying for a building permit, the site plan and landscaping plan filed must cite reference to this case and set forth and address the restrictions in this Order.
- All parking lot lighting shall be no more than 13 1/2 feet above grade. All exterior lighting shall be directed downward and shall not diffuse onto any residential property.
- The Petitioner shall provide landscaping for the subject property in accordance with the landscape plan dated January 17, 1990, filed herein, and approved by Mr. Avery Hardin, Baltimore County Landscape Planner, on February 21, 1990.
- The Petitioner shall not be permitted to use the subject pavilion for any social activity between the hours of 12 a.m. and 6 a.m.

J. Robert Haines
Zoning Commissioner for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 897-3333

J. Robert Haines
Zoning Commissioner

April 24, 1990



Dennis F. Rasmussen
County Executive

Keith R. Truffer, Esquire
Royston, Mueller, McLean and Reid
Suite 600
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
Case No. 90-223-SPH

Dear Mr. Truffer:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 897-3301.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JRH:ms
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 4/24/90
By Mr. Hearn

PETITION FOR SPECIAL HEARING 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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment of Special Exception (Case No. 67-194-X) to allow the construction of a free standing pavilion on the V.F.W. property.

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

I, or we, agree to pay expenses of the above Special Hearing 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): Lt. Peter Zouck Post No. 521

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

DATE 8-22-89 ACCOUNT R-01-615-000
AMOUNT \$ 175.00
RECEIVED FROM Zink Construction Corp. Item #6

FOR Special Hearing Filing Fee
B 8045*****175001a 8228F

VALIDATION OR SIGNATURE OF CASHIER
Name Address Phone No.

Attorney's Telephone No. (410) 526-5722 10106 Reisterstown Rd. 4000

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of April, 1990, 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 12th day of May, 1990, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING - 1/2 hr.
AVAILABLE FOR HEARING (over)
1000/1003/1004 - NEXT TWO MONTHS
ALL OTHERS
REVIEWED BY: JRH DATE 8-22-89

PETITION FOR SPECIAL HEARING 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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment of Special Exception (Case No. 67-194-X) to allow the construction of a free standing pavilion on the V.F.W. property.

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

I, or we, agree to pay expenses of the above Special Hearing 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): Lt. Peter Zouck Post No. 521

(Type or Print Name) Veterans of Foreign Wars of the United States, Inc.

Signature: J. Robert Haines
Address: Frank Burchhill, Commander
(Type or Print Name)

City and State: Baltimore, Md. 21204

Attorney for Petitioner: J. Robert Haines
(Type or Print Name) Address: 10106 Reisterstown Rd. 4000
City and State: Baltimore, Md. 21204

Attorney's Telephone No. (410) 526-5722

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of April, 1990, 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 12th day of May, 1990, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ECO-101 (over)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-223-SPH
Date of Post: November 19, 1989
District: 4th
Posted for: Special Hearing
Location: 214 Tollgate Road, 3rd SE and opposite China
Location of property: 214 Tollgate Road
Location of Sign: In front of property 214 Tollgate Road
Remarks: J. Robert Haines
Posted by: J. Robert Haines
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

VFW Post 521
214 Tollgate Road
Owings Mills, Maryland 21117

ATTN: COMMANDER BURCHILL

Re: Petition for Special Hearing
CASE NUMBER: 90-223-SPH
NES Tollgate Road, 270' SE and opposite China Court
214 Tollgate Road
4th Election District - 3rd Councilmanic
Petitioner(s): Lt. Peter Zouck Post No. 521 Veterans of Foreign Wars of the United States
HEARING: TUESDAY, DECEMBER 12, 1989 at 11:00 a.m.

Gentlemen:

Please be advised that \$114.93 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

receipt
Baltimore County
Zoning Commissioner
County Office Building
171 West Chesapeake Avenue
Towson, Maryland 21204
Account: R001-6150
Date: 12/12/89
No. 627
90-223
J. Robert Haines
Zoning Commissioner
PUBLIC HEARING FEES
QTY PRICE
OBO-POSTING SIGNS / ADVERTISING 1 X \$114.93
TOTAL: \$114.93
LAST NAME OF OWNER: ZOUCK VFW #521

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Re: Petition for Special Hearing
VFW Post 521
Case No. 90-223-SPH
Hearing Date: 12/12/89

Dear Mr. Truffer:
At the conclusion of the hearing regarding the above captioned case, you stated you would draft an opinion and forward same to my office for review and signature. To date, I have not received this opinion. Please advise.

Very truly yours,
J. Robert Haines
Zoning Commissioner

PLEASE PRINT CLEARLY

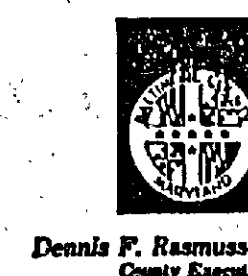
PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
Timothy A. Hearn 57th 400 Towson, Md.
Judith M. Robb 214 Tollgate Road, 270' SE and opposite China Court
Don A. Lark 214 Tollgate Road
Dawn B. Kone 214 Tollgate Road

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

November 15, 1989

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 102 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
CASE NUMBER: 90-223-SPH
NES Tollgate Road, 270' SE and opposite China Court
214 Tollgate Road
4th Election District - 3rd Councilmanic
Petitioner(s): Lt. Peter Zouck Post No. 521 Veterans of Foreign Wars of the United States
HEARING: TUESDAY, DECEMBER 12, 1989 at 11:00 a.m.

Special Hearings To approve an amendment of Special Exception to allow the construction of a free-standing pavilion.

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.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gm
cc: VFW Post 521
Donald E. Hoffman, Esq.
File

ROSENFELT & WOOLFOLK
INCORPORATED

Civil engineers • site designers • land planners
Water quality and stormwater management consultants

DESCRIPTION OF PARCELS 261 AND 269, TAX MAP 58, GRID 13

PROPERTY OF THE LT. PETER ZOUCK POST 521, VETERANS OF THE FOREIGN WARS OF THE UNITED STATES, INCORPORATED

214 TOLLGATE ROAD
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE: AUGUST 21, 1989

DESCRIPTION:

Beginning for the same at a point in the paving of Tollgate Road as shown on plat prepared by C.A. Myers entitled "Plat to Accompany Petition for Special Hearing to Amend Special Exception of Case No. 87-194X-80-118 SPH and a Variance to Permit 77 Parking Spaces in Lieu of the Required 173" dated Feb. 8, 1979, thence leaving said place or beginning and running in the paving of Tollgate Road;

- 1) North 77 degrees 15 minutes 00 seconds West 305.10 feet, thence leaving said road and running with and binding on the property of Deasey L. Price and wife (G.L.B. 3249/298) the three (3) following courses viz:
- 2) North 13 degrees 45 minutes 00 seconds East 300.00 feet,
- 3) North 77 degrees 15 minutes 00 seconds West 110.00 feet and,
- 4) South 13 degrees 45 minutes 00 seconds West 300.00 feet to a point within the paving of the aforesaid Tollgate Road, thence running in said road the four (4) following courses viz:
- 5) North 77 degrees 15 minutes 00 seconds West 121.09 feet,
- 6) North 58 degrees 01 minutes 00 seconds West 330.00 feet,
- 7) North 41 degrees 29 minutes 00 seconds West 297.00 feet and,
- 8) North 47 degrees 34 minutes 00 seconds West 255.99 feet, thence leaving said road,
- 9) North 02 degrees 29 minutes 00 seconds East 57.75 feet, thence running the eight (8) following courses viz:

- 10) North 89 degrees 42 minutes 00 seconds East 934.15 feet,
- 11) South 02 degrees 56 minutes 00 seconds West 125.00 feet,
- 12) North 89 degrees 42 minutes 00 seconds East 174.24 feet,
- 13) South 02 degrees 56 minutes 00 seconds West 250.00 feet,
- 14) North 89 degrees 42 minutes 00 seconds East 98.40 feet,
- 15) South 02 degrees 56 minutes 00 seconds West 225.00 feet,
- 16) North 89 degrees 42 minutes 00 seconds East 35.00 feet and,
- 17) South 09 degrees 08 minutes 00 seconds West 156.11 feet to the place of beginning.

Containing 12 acres of land, more or less.

Being the remaining land conveyed to The Lt. Peter Zouck Post 521, Veterans of the Foreign Wars of the United States, incorporated by the two following deeds:

- 1) Charles B. Strum and Ruth K. Strum, his wife, by a deed dated December 14, 1950 and recorded among the land records of Baltimore County, Maryland in Liber T.B. 1299 Folio 187.
- 2) Helen B. Huff and others by a deed dated October 30, 1956 and recorded among the aforesaid land records in Liber G.L.B. 3046 Folio 084.

Said property is as shown on a plat prepared by C.A. Myers entitled "Plat to Accompany Petition for Special Hearing to Amend Special Exception of Case No. 87-194X-80-118 SPH and a Variance to Permit 77 Parking Spaces in Lieu of the Required 173" dated Feb. 8, 1979.

This description has been prepared from deeds, plat and other sources and does not represent a field survey.

This description is intended for zoning purposes only, and not for the conveyance of property.

F:\J085\175-199\189\001\1890100C.DOC, PAGE 13 & 14

ROSENFELT & WOOLFOLK

Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117
Telephone: (301) 358-4600

SQUARE STRAIGHT STEEL POLES

For use with floodlight luminaires such as MINILITER®, MAGNULITER®, SPORTSLITER®, as well as Magnu-Series architectural luminaires.

STEEL SSP SERIES

Square Straight Steel — One-piece construction, steel tubing. Pole Top — All poles available with 2" O.D. tenons or machined to accept side mounted Magnu-Series luminaires. Bases — Group I and II poles only have 3" x 4" reinforced base. Group III poles have 4" x 5" base. Both include cover. Ground lug standard. Anchor Bolts — Steel plate type base with two-piece base cover. Anchor Bolts — Four "L" shaped bolts per set with two nuts and two washers each. Bolt Nut/Bolts Included. Standard Finish — Rust preventive primer.

ORDERING INFORMATION

Group	Pole Height (ft.)	Wind Load (psf)	Base Size (in.)	Base Weight (lb.)	Base Price	Base Bolt Size (in.)	Base Bolt Qty.	Pole Weight (lb.)	Pole Price
GROUP I									
SSP-4100-001	10	30	24	140	13	1/2"	4	86	\$8.95
SSP-4100-002	12	37	24	140	13	1/2"	4	110	\$10.95
SSP-4100-003	14	43	24	140	13	1/2"	4	134	\$12.95
SSP-4100-004	16	49	24	140	13	1/2"	4	158	\$14.95
SSP-4100-005	18	55	24	140	13	1/2"	4	182	\$16.95
SSP-4100-006	20	61	24	140	13	1/2"	4	206	\$18.95
GROUP II									
SSP-4100-007	22	67	24	140	13	1/2"	4	230	\$20.95
SSP-4100-008	24	73	24	140	13	1/2"	4	254	\$22.95
SSP-4100-009	26	79	24	140	13	1/2"	4	278	\$24.95
SSP-4100-010	28	85	24	140	13	1/2"	4	302	\$26.95
SSP-4100-011	30	91	24	140	13	1/2"	4	326	\$28.95
GROUP III									
SSP-4100-012	32	97	24	140	13	1/2"	4	350	\$30.95
SSP-4100-013	34	103	24	140	13	1/2"	4	374	\$32.95
SSP-4100-014	36	109	24	140	13	1/2"	4	398	\$34.95
SSP-4100-015	38	115	24	140	13	1/2"	4	422	\$36.95
SSP-4100-016	40	121	24	140	13	1/2"	4	446	\$38.95

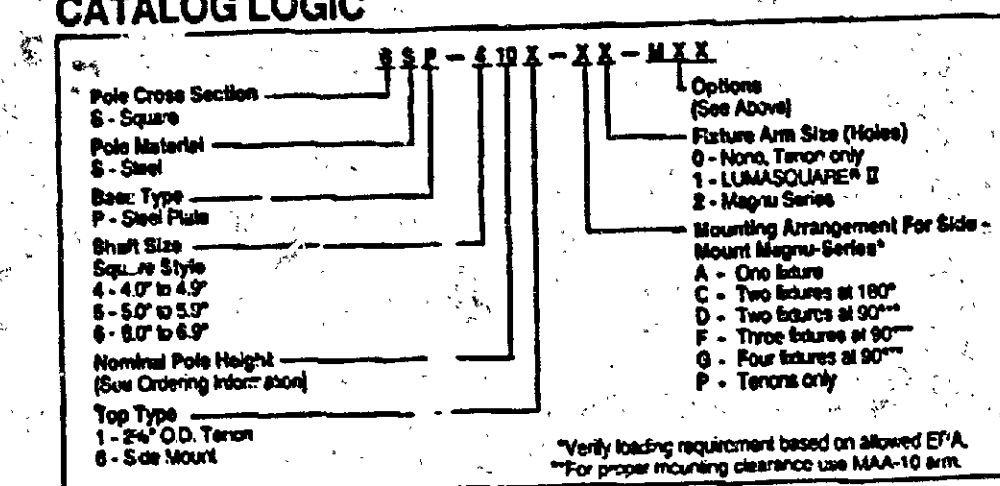
(1) Casing Number: In total, does not include tenons or machining for side mounting. Detailed base must be specified by customer for all 3" x 4" in Casing Number.
(2) Minimum clearance: 5' to 6' to any structure or 10' to 100' with poles to 104' and 130' MPH respectively.
(3) Calculations are based on a maximum wind of 45,000 FPM.
(4) Factory supplied templates must be used when setting anchor bolts. Hubbell Lighting will deny any claim for incorrect anchorage placement resulting from failure to use factory supplied templates.

OPTIONS

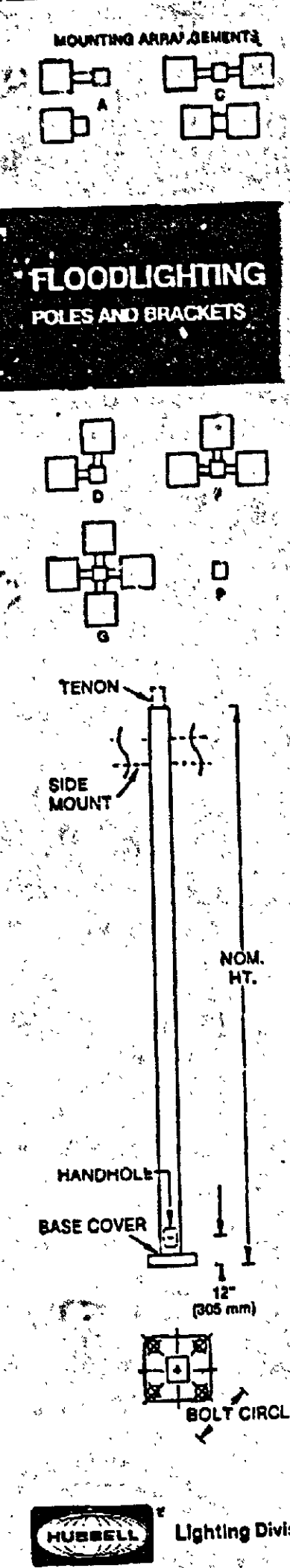
Illustrations and complete descriptions can be found on page 32.

Description	Price
Weatherproofing (LUMINOUS)	\$18
Weatherproofing (M30 thru M33)	\$30

CATALOG LOGIC



*Verify loading requirement based on allowed EPA.
*For proper mounting clearance use M30-M33.



ROYSTON, MUELLER, McLEAN & REID
ATTORNEYS AT LAW
SUITE 600
100 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575
(301) 828-1800
TELETYPE FAX (301) 828-7858

BY HAND DELIVERY

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County Office of Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 90-223-SPH

Dear Commissioner Haines:

I enclose the Findings of Fact and Conclusions of Law in connection with this Petition for Special Hearing.

I thank you for your cooperation.

Sincerely,
Keith R. Truffer/cjc
Keith R. Truffer

KRT/cjc
3352y
Enclosure

ROYSTON, MUELLER, McLEAN & REID
ATTORNEYS AT LAW
SUITE 600
100 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575
(301) 828-1800
TELETYPE FAX (301) 828-7858

BY HAND DELIVERY

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County Office of Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 90-223-SPH

Dear Commissioner Haines:

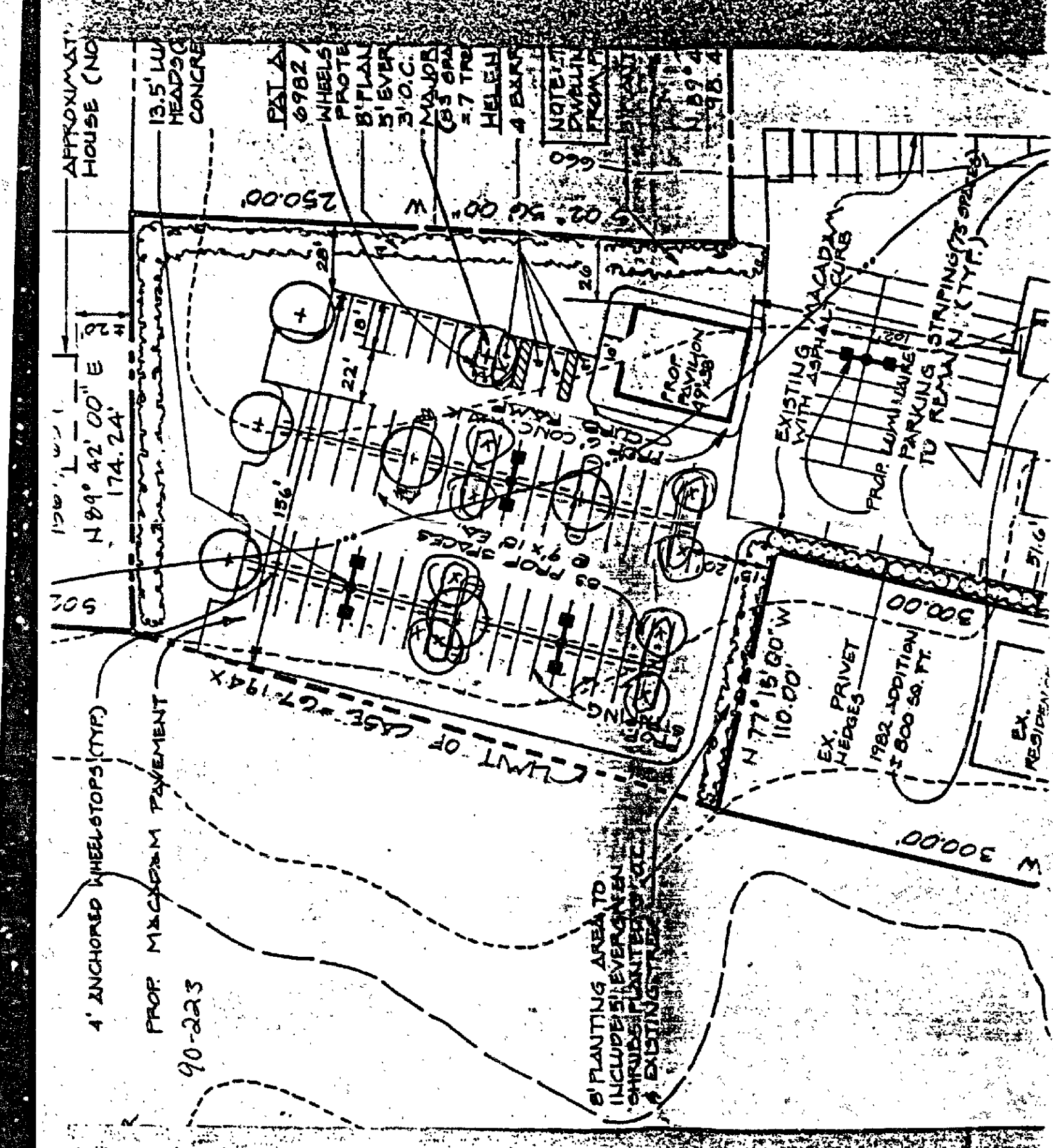
I enclose a copy of a final draft of the Findings of Fact and Conclusions of Law in connection with this Petition for Special Hearing. This final draft incorporates the four additional restrictions suggested by Mr. Hery of your office.

I trust this draft represents the final order to be signed in this case, but if there are any additional changes, please let me know. I thank you for your cooperation.

Sincerely,
Keith R. Truffer

KRT/cjc
3352y
Enclosure

cc: Mr. Timothy R. Hearn
Donald E. Hoffman, Esq.
Ms. Judith M. Rabb



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 27, 1989

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

cc:

RE:

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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

RE: Item No. 76, Case No. 90-223-SPH
Petitioner: VFW, Post No. 521, et al
Petition for Special Hearing

Dear Mr. Hoffman:
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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JUDIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

cc: Ms. Jan Elsasner
Rosenfeld & Woolfolk
10706 Reisterstown Road
Owings Mills, MD 21111

Petitioner: VFW, Post 521
Petitioner's Attorney: Donald E. Hoffman

Maryland Department of Transportation
State Highway Administration

August 31, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submission for a special hearing to approve an amendment to the special exception granted in Case No. 86-520-XA and extended in Case No. 89-88-SPH that would allow the relocation of the signs to a place next to the Turf Inn (along the southern boundary of the property), we have the following comment.

We have forwarded this plan to our Highway Beautification Section, c/o Mary Benner (333-1642) for all comments relative to zoning.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,
Creston J. Mills, Jr.
Chief
Engineering Access Permits
Division

LB:maw
cc: Ms. Mary Benner (w-attachment)
Mr. J. Ozle

RECEIVED
SEP 5 1989
ZONING OFFICE

My telephone number is (301) 333-1350 (Fax #333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7655 Baltimore Metro - 383-0431 D.C. Metro - 383-0431
707 North Calvert St., Baltimore, Maryland 21203-0717

Dec. 12

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: December 5, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Lt. Peter Zouck, Post No. 521, VFW, Item 76
Zoning Petition No. 90-223

The Petitioner requests a special hearing to permit the construction of a free-standing pavilion.

Analysis of the plan accompanying the Petition for Special Hearing indicates the Petitioner proposes to construct a pavilion and improve the site with 83 additional parking spaces.

Should the Petitioner's request be granted, staff recommends the following conditions be attached:

- Limit use of the pavilion to daylight hours only.
- A landscape plan must be submitted for approval prior to the issuance of any building permits.

In an effort to improve the visual quality of proposed parking lot, the attached plan is ordered. Three planted islands are indicated and positioned as desired by staff.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

12/1/89 called Dwyer for Plz hearing office

DEC 06 1989

PLANTING NOTES

1. Specific landscape architect is to plant all work to be done for a site meeting to review the plan.
2. All planting and plants shall conform to Landscape Specification Guidelines, 3rd ed. by Landscape Contractors Assn.
3. All plants shall carry a full and complete guarantee.

PLANT LIST

QTY	QUANTITY	PLANT	COMMON NAME
45	45	SPYDER (PINK BLOSSOM)	SPYDER
30	30	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER
12	12	SPYDER (CH. HGT.)	SPYDER

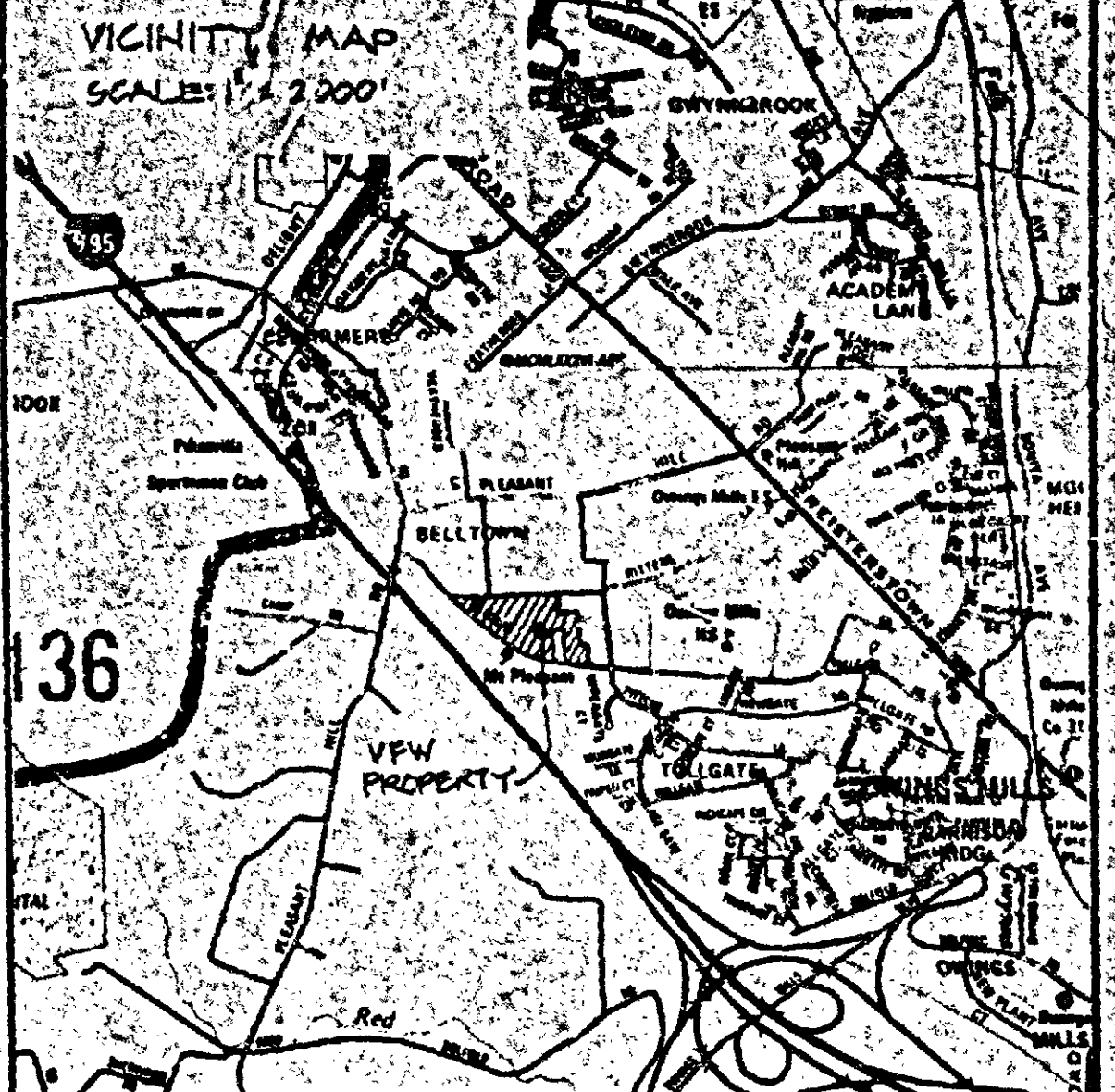
LANDSCAPE REQUIREMENTS

1. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
2. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
3. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
4. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
5. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
6. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
7. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
8. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
9. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES
10. REVERSIBLE BASEMENT FOR SUPPORTING SLOPES

BUILDINGS WITHIN 200'
SCALE: 1"=200'

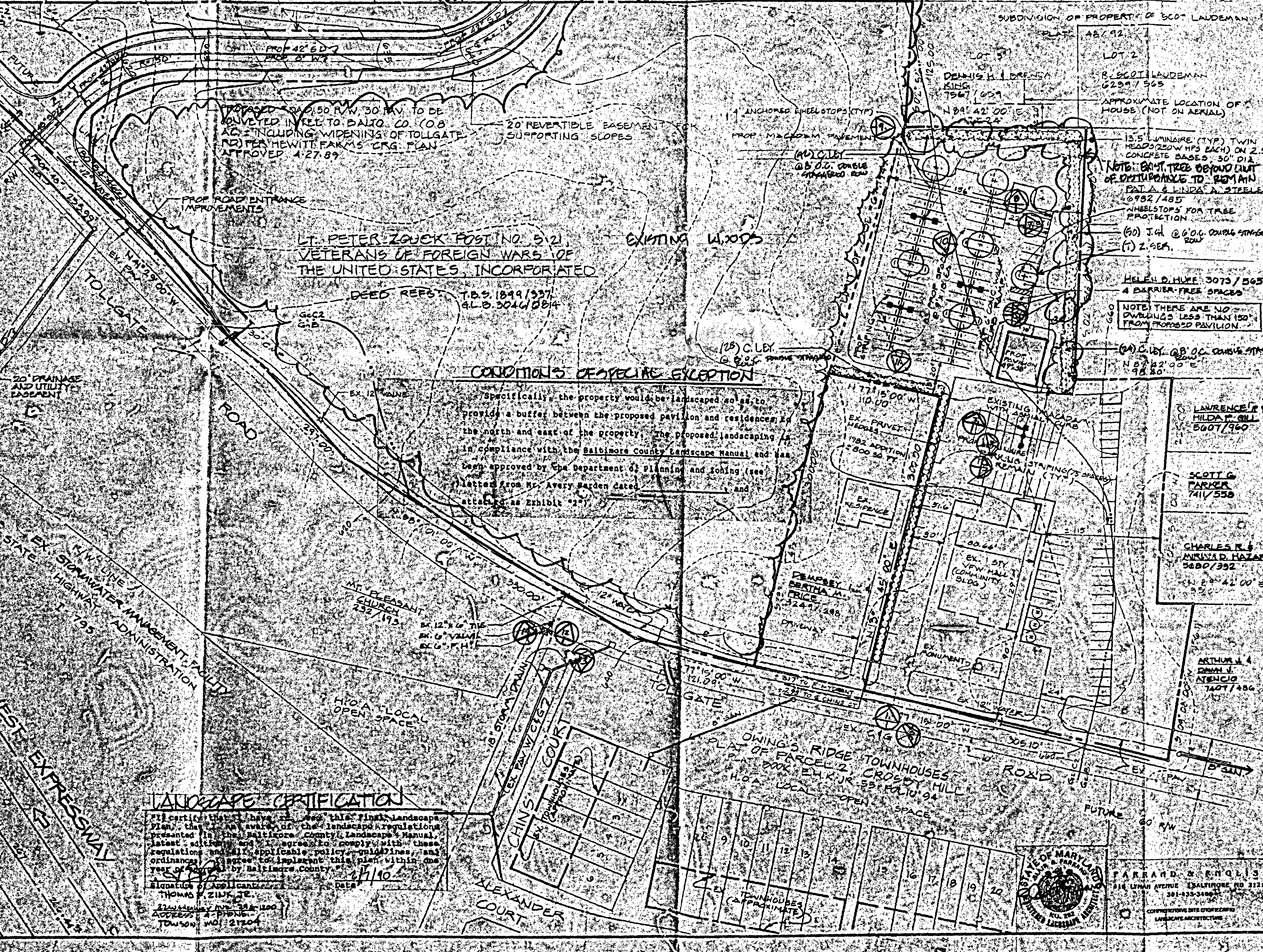
SITE DATA

SYMB	NAME	TYPE
GCD2	GLENELG LOAM	D
GCC2	GLENELG LOAM	D
GCB	GLENVILLE SILT LOAM	C
MBC2	MANOR LOAM	D



NOTES

1. General Notes: The site is located on the east side of Tollgate Road, north of the intersection with Northwest Expressway. The site is bounded by the VFW Property to the north and the View Property to the south.
2. Survey: The site was surveyed by the Baltimore County Department of Planning and Zoning in 1980. The survey shows the site to be approximately 1.5 acres in size.
3. Zoning: The site is zoned for residential use. The zoning regulations require that the site be developed in accordance with the Baltimore County Landscape Manual.
4. Landscaping: The site is to be landscaped in accordance with the Baltimore County Landscape Manual. The landscaping plan shows the location of trees, shrubs, and other plants.
5. Construction: The site is to be developed in accordance with the Baltimore County Landscape Manual. The construction plan shows the location of buildings, parking areas, and other structures.
6. Other: The site is to be developed in accordance with the Baltimore County Landscape Manual. The other notes provide additional information about the site and the project.



LANDSCAPE CERTIFICATION

I, the undersigned, being a duly licensed landscape architect, do hereby certify that the above is a true and correct copy of the landscape plan as submitted to me by the applicant, and that the same complies with the requirements of the Baltimore County Landscape Manual.

Signature: [Signature]
Date: 1/1/90
Address: [Address]
City: [City]
State: [State]
Zip: [Zip]

VFW POST 521 214 TOLLGATE ROAD PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

BALTIMORE COUNTY, MD. SECTION DISTRICT

ROSENFELT & WOOLFOLK
INCORPORATED
Civil engineers, site designers, and landscape architects
30708 Reisterstown Road
Owings Mills, MD 21117
Telephone: (301) 354-4400

DATE: 1/1/90
BY: [Signature]
CHECKED BY: [Signature]
DRAWING NUMBER: [Number]
SHEET 1 OF 1

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

SEPTEMBER 7, 1989



Dennis F. Rasmussen
County Executive

RE: Property Owner: LT. PETER ZOUCK
Location: #214 TOLLGATE ROAD
Item No.: 76 Zoning Agenda: SEPTEMBER 5, 1989

Gentlemen:

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

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Capt Joseph Kelly 9-7-89
Planning Group
Special Inspection Division

Noted and
Approved

Capt Wm Brady
Fire Prevention Bureau

JK/KEK

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

RECEIVED

SEP 14 1989

ZONING OFFICE



September 12, 1989

Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan

MSF/efm

SEP 19 1989

