



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 9, 1997

Deborah C. Dopkin, Esquire
Rosolio & Kotz, P.A.
220 Nottingham Centre
502 Washington Avenue
Towson, MD 21204-4513

RE: Zoning Verification
Yorktowne Plaza and Yorktowne
Village Shopping Center
8th Election District

Dear Ms. Dopkin:

This letter is in response to your request dated November 20, 1997. Based on the information provided by you and our research, the following has been determined.

1. The property identified by you as the Yorktowne Plaza and Yorktowne Village Shopping Center is currently zoned B.L.-C.C.C. and B.R.-C.C.C. (see enclosure). The B.L.-C.C.C. and B.R.-C.C.C. zoning classifications permit a retail shopping center, as well as those uses which are considered to be accessory to a shopping center. These zones also would permit fast food restaurants with a drive-thru window and banks. These uses, although permitted as of right, are subject to the height, area, and parking regulations found in Sections 232, 238, and 409 of the Baltimore County Zoning Regulations (BCZR). I have checked with Joseph C. Schrack of the Division of Code Inspections and Enforcement and he indicated to me that he has no open zoning cases on this property.
2. A search of the Bureau of Development Management's files did not produce a copy of an approved development file. Further, research and a conversation with Christine Rorke, Planner II, Development Management (410-887-3321) indicated that commercial projects approved prior to 1982 were not tracked and that the approved commercial building permit plan served as the approved development plan.

91-42-A

Deborah C. Dopkin, Esquire
December 9, 1997
Page 2

The plan submitted with your letter was a copy of the original commercial building permit plan and was approved by Leroy E. Oyle on April 8, 1974. This original approval was modified by the Development Review Committee (DRC) decision under two separate request numbers. DRC request #08215K was approved as an A-7 amendment, so a revised development plan was not required for the approval of the proposed Rite-Aid. The approved building permit plan that accompanied building permit #B-259091 can serve as the development plan amendment for the Rite-Aid. DRC request #06285F was approved as a B-3 exemption and was, therefore, required to receive an approved development plan. This plan was approved by Joseph V. Maranto on December 20, 1995 and can be found in PDM file #VIII-664. This plan also shows the proposed Rite-Aid and, therefore, is the plan that all permits will be compared against in the future. Unless there are additional changes to be made to the plan approved on December 20, 1995, no further steps are necessary to comply with Phase I of the development regulations and the entire property may be transferred without any additional approvals.

3. This property was the subject in only five zoning cases.

- A. Case 69-152-A was a petition to allow an identification sign an area of 258 square feet in lieu of the maximum allowed 150 square feet. Although the order was not microfilmed, the docket book shows that the case was granted on February 3, 1969.
- B. Case 70-175-A was a petition to allow an identification sign an area of 294 square feet in lieu of the maximum allowed 150 square feet. The order granting this request was written on March 23, 1970.
- C. Case 89-220-A requested a reduction of the required parking from 138 spaces to 125 spaces. This request was granted on April 27, 1989.
- D. Case 89-269-A granted a side yard setback of 20 feet in lieu of the required 25 feet on January 30, 1989.
- E. Finally, in zoning case 91-42-A the parking requirement was granted a further reduction from the required 168 parking spaces to 125 parking spaces and a drive-thru facility stacking for four cars in lieu of the required seven cars. This order was granted with restrictions on December 13, 1990.

Deborah C. Dopkin, Esquire
December 9, 1997
Page 3

I have enclosed for your reference, copies of the above zoning orders (except case 69-152-A, where I enclosed a copy of the appropriate page of the docket book).

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Catherine A. Milton
Planner II
Zoning Review

CAM:rye

c: zoning cases 69-152-A, 70-175-A,
89-220-A, & 91-42-A

Enclosure

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NE Intersection of York and * ZONING COMMISSIONER
Alm's House Road *
Yorktown Village Shopping Center * OF BALTIMORE COUNTY
8th Election District *
4th Councilmanic District * Case No. 91-42-A
Legal Owner: Julius Mandel, et al *
Lessee: Maryland National Bank *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow 125 parking spaces in lieu of the required 168 parking spaces and to amend site plan in Zoning Commissioner's hearing case No. 89-220-A (see also site plan 89-269-A granting a setback variance), and Section 409.10 to permit renovation of the existing drive thru facility with stacking for four (4) cars in lieu of the required seven (7) cars, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, Maryland National Bank, by Judith B. Vink, appeared, testified and was represented by Robert Hoffman, Esquire. Appearing on behalf of the Petition were Tim Madden, Wes Guckert, Traffic Consultant, and Patrick Jarosinski. Appearing and testifying as Protestants were Wesley Blount and Alec Hajimihalis.

Testimony indicated that the subject property, at the intersection of York, Cranbrook and Alms House Roads, consists of 2.1 acres +/-, split zoned B.L.-C.C.C. and B.R.-C.C.C. and is currently an improved parcel of ground leased by Maryland National Bank for a branch bank which is, according to the testimony of the Petitioner's witnesses, in need of extensive

upgrading and rehabilitation. The site is also jointly improved with several other commercial uses including a Hardee's Restaurant, Ritz Camera Center, and etc., as indicated on Petitioner's Exhibit No. 1.

Testimony indicated that the Petitioner's proposal is to rehabilitate the existing two story bank building property for a bank building with associated offices. The rehabilitation will cause an expansion of the property from a single story operation to a two story operation as more specifically explained on Petitioner's Exhibits 3, 4 and 5.

Petitioner requested a variance to allow 125 parking spaces in lieu of the required 148 spaces and to amend the site plan in a previous case (Case No. 89-220-A), and to permit renovation of the existing drive-through facility with stacking for four cars in lieu of the required seven cars.

Messrs. Wes Guckert and Jim Madden testified that, in their opinion, the proposed use at the subject property would not be detrimental to the health, safety, and general welfare of the community, and that the conditions delineated in Section 307.1 of the B.C.Z.R. will be satisfied.

Mr. Tim Madden, a landscape architect with Kidde Consultants who supervised this project, explained the nature of the changes in the plan which had previously circulated through County offices for CRG comments; a hearing was not required. According to Mr. Madden the plan had been modified in several ways: (1) handicapped parking spaces were changed in the sense that they were relocated from the rear to the front of the building; (2) there was a more clearly labeled and defined through lane; and (3) the existing canopy was replaced. No changes were made to the number of parking spaces, Mr. Madden testified. With regard to the variance stacking for four cars instead of the required seven for a drive through, Mr. Mad-

-2-

den indicated that the existing facility could be renovated without meeting the required stacking which had been the County policy in the past. Upon further questioning Mr. Madden testified that the variance plan and CRG plan were prepared under his observations and that the neighborhood shopping center had many access points and good traffic circulation. Mr. Madden also indicated that the Baltimore County Office of Planning and Zoning supported the plan in its landscape proposal. He also testified that he saw no adverse impact to the community with regard to the plan in terms of circulation, parking access and aesthetics.

Mr. Jarosinski, an architect employed by Maryland National Bank, testified after Mr. Madden and explained that the existing building encompassing approximately 1,700 square feet is a 20 year old modular bank building in need of repair. He testified that the roof of the building leaks water, that the rooms are too small in terms of employee accommodations and customer space, and that new machinery required for servicing customers necessitated the placement of such machines in separate rooms or in closets. Mr. Jarosinski explained that the canopy for the drive-through facility would be reduced in size by half, replaced by a new one smaller in size and extending to one-half the width of the second lane of the drive-through. He also advised that there are no problems with the current parking lot and indicated no adverse impact would ensue for the community. He said that the changes would improve the neighborhood with a more attractive building, better landscaping and better parking circulation for the shopping center. Mr. Jarosinski stated that no additional parking is feasible because the shopping center is built out. He also testified that the branch would be closed for six to eight weeks for the construction phase.

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Mr. Guckert, President of the Traffic Group who prepared a traffic report on September 18, 1990, also testified indicating that the maximum occupancy was 65 percent of parking spaces used during peak time, and that no adverse effect would occur if the proposed request was granted. He stated that the focus of the request was primarily to replace an aged facility and to increase on-site facilities for employees with no increase in traffic.

Mr. Alec Hajimihalis appeared stating his opposition to any increase in traffic. Mr. Hajimihalis, owner and operator of a deli shop next door, indicated that traffic problems in the parking lot impeded access to other sites and caused accidents in the past. Upon questioning by the Zoning Commissioner as to what precautions could be taken in the rebuilding of the bank building, Mr. Hajimihalis said that an increase in the size of the building would increase the business of the bank and hence the traffic. However, he indicated he did not dispute the rebuilding of the bank, but only opposed the enlargement of the bank as it affects traffic. Mr. Hoffman pointed out to Mr. Hajimihalis that the deli restaurant would require increased parking for that facility, and that if the parking variance in this case was not permitted then that particular restaurant would be in violation of the B.C.Z.R. as it is currently used.

The Protestants testified regarding the crowded nature of this particular commercial area and complained bitterly about the poor circulation on the various parking lots involved at this location. The Protestants claimed that any expansion of the banking operation would lead to further congestion of vehicles on the site and competition for the available parking areas. They further testified in opposition to all of the variance requests or any expansion to the bank.

-4-

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;
- 2) 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).

The issue here is not whether the parking area is overcrowded or whether vehicle circulation on the various parking lots function properly. The issue is what does this particular variance request do to the problems that may currently exist. The issue is whether or not the problems are increased or does the variance do substantial harm to the current parking problems.

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict

the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

The variances requested for the changes to this bank building simply do not cause any detriment to the public good. The parking problems are not caused by these variances. The parking and traffic circulation issues will not be worsened by this bank building project. The project should be permitted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of December, 1990 that the Petition for a Zoning Variances from Section 409.6.A.2 to allow 125 parking spaces in lieu of the required 168 parking spaces and to amend site plan in Zoning Commissioner's hearing case No. 89-220-A (see also site plan 89-269-A granting a setback variance), and Section 409.10 to permit renovation of the existing drive thru facility with stacking for four (4) cars in lieu of the required seven (7) cars, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, petitioner is hereby made aware that proceeding at this time is at its 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.

2. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

3. All parking lot lighting shall be no more than 16 feet above-grade. All exterior lighting shall be directed downward and shall not diffuse onto any residential property.

4. The Petitioner shall provide a landscape plan to the Office of Current Planning for approval by the Deputy Director of Planning and Zoning and said landscape plan shall then be submitted to the Zoning Commissioner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.

5. The Petitioner shall have no outside pegging system.

6. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

7. The Petitioner shall keep all lanes of the drive through banking facility open and staffed, whenever the bank is open for business after 11:30 A.M. on Thursday, Friday and Saturday.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/mmn

cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 12/13/90
By M. Ward

-6-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 11, 1990

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

RE: Petition for Zoning Variance
Case No. 91-42-A
Legal Owner: Julius Mandel, et al
Lessee: Maryland National Bank

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance 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 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmn
encl.
cc: Peoples Counsel
Petitioners
Protestants

-5-

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

J. Robert Haines
Zoning Commissioner

September 18, 1990

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

RE: Item No. 463, Case No. 91-42-A
Petitioner: Yorktowne Md Corp., et al
Petition for Zoning Variance

Dear Mr. Howard:

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 JULIE 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: Yorktowne Maryland Corp.
Maryland National Bank

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

J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this
18th day of July, 1990.

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

Chairman,
Zoning Plans Advisory Committee

Petitioner: Yorktowne Maryland Corporation, et al

Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: August 6, 1990

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

SUBJECT: Julius Mandel and Tony Weil Mandel, Item No. 463

The Petitioners request a Variance to permit 125 parking spaces in lieu of the required 148 spaces and to amend the site plan in Case No. 89-220A.

In reference to this request, staff offers the following comments:

- A CRG meeting is required for the proposed project.
- A waiver would not be considered because of the multiple uses on the site.
- A record plat is needed if the site is subdivided. Should property or lease lines be created, each area must be self-sufficient as to parking and setback requirements.
- The intersection of York and Cranbrook Road is a "D" level intersection.

Staff conducted a site visit on August 1, 1990, and found that a sufficient amount of parking was available at that time. Therefore, this office recommends the Petitioners' request be granted subject to the following conditions:

- Temporary signs and seasonal banners should not be permitted on site.
- The junk and debris located behind "Modern Woman" should be removed.
- With the exception of the area along the eastern property line, the property is adequately landscaped.

Julius Mandel, et al., Item No. 463
Page 2
August 6, 1990

- The provision of off-site landscaping to screen the Yorktowne apartment complex from the subject property should be explored by the Petitioner.

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

ITEM463/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: August 17, 1990
Revised Comment

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

SUBJECT: Julius Mandel and Tony Weil Mandel, Item No. 463

The Petitioners request a Variance to permit 125 parking spaces in lieu of the required 148 spaces and to amend the site plan in Case No. 89-220A.

In reference to this request, staff offers the following comments:

- A CRG Plan is required for the proposed project.
- A waiver would not be considered because of the multiple uses on the site.
- A record plat is needed if the site is subdivided. Should property or lease lines be created, each area must be self-sufficient as to parking and setback requirements.
- The intersection of York and Cranbrook Road is a "D" level intersection.

Staff conducted a site visit on August 1, 1990, and found that a sufficient amount of parking was available at that time. Therefore, this office recommends the Petitioners' request be granted subject to the following conditions:

- Temporary signs and seasonal banners should not be permitted on site.
- The junk and debris located behind "Modern Woman" should be removed.
- With the exception of the area along the eastern property line, the property is adequately landscaped.

RECEIVED 9/21/90

Julius Mandel, et al., Item No. 463
Page 2
August 17, 1990

- The provision of off-site landscaping to screen the Yorktowne apartment complex from the subject property should be explored by the Petitioner.

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

ITEM463/ZAC1

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

July 17, 1990

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

Dennis F. Rasmussen
County Executive

Item No. 463
Property Owner:

Leasee:
Location:
Existing Zoning:
Proposed Zoning:

Area:
District:

Z.A.C. July 17, 1990
Julius Mandel, Tony Weil Mandel
Yorktowne Maryland Corp.
Maryland National Bank
York Road & Alms House Road
B.L. - C.C.O./B.R. - C.C.C.
Variance to allow 125 parking spaces in lieu of 148, variance to allow 4 stacking spaces in lieu of the 7 required.
2.104 (+/-) acres
8th Election District
4th Councilmanic District

Dear Mr. Haines:

The requested variance to parking can be expected to cause parking problems in the area, and the variance to stacking can be expected to add to congestion.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvw

RECEIVED
JUL 24 1990
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE
September 11, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT OF ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 91-42A, 463
PROPERTY OWNER: Julius Mandel & Tony Weil Mandel
P.O. Box 5991, Balto., MD 21208
LOCATION: Yorktowne Maryland Corp./Yorktowne Branch
Cranbrook Road
ELECTION DISTRICT: 8
COUNCILMANIC DISTRICT: 3

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-B8 (BALTIMORE COUNTY BUILDING CODE).
- (X) OTHER - a razing permit shall be required.

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

JULY 5, 1990



Dennis F. Rasmussen
County Executive

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

RE: Property Owner: JULIUS MANDEL
Location: NE INTERSECTION OF YORK AND
ALM'S HOUSE

Item No.: 463 Zoning Agenda: JULY 17, 1990
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. James Kelly Noted and Approved Capt. James Kelly
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: July 13, 1990
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For July 17, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 458, 459, 461, 463 and 465.

For Items 460 and 462, County Review Group Meetings are required.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

9/25/90 4.3

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 30, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For September 4, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 52, 55, 59, 60, 63, 65, 68, 69 and 70.

For Item 58, a County Review Group Meeting is required.

For Items 45, 62 and 66, the previous County Review Group comments still apply.

For Item 57, the topography shows a pole at corner of drive that will interfere with widening. Half paving width of Sulphur Spring Road is 21 feet, right-of-way equals 30 feet (not shown on plan). Entrance apron to be 7-inch concrete on 4-inch CR-6, similar to Plate R-32.

For Item 61, a revised County Review Group Meeting is needed. Original County Review Group Meeting under "Chartley Building" was for one story office.

For 91-42-A, Maryland National Bank Reconstruction, we have no comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

RECEIVED 9/26/90

MARYLAND NATIONAL BANK
YORK & ALMS HOUSE ROAD
W-90-215

C.R.G. Waiver Plan Date: 8/90
Comments For: 9/11/90
Comments Date: 9/14/90

This subject is the site of an upcoming zoning hearing (Case #91-42-A). Requested was the following:

Variance from Section 409.6.A.2 to allow 125 parking spaces in lieu of the required 168 spaces and to amend site plan in Zoning Commissioner's Hearing Case No. 89-220-A. (See also site plan in Zoning Commissioner's Case No. 87-269-A granting a setback variance.) And to permit renovation of the existing drive thru facility with stacking for four (4) cars in lieu of the required seven (7) cars, if the Zoning Commissioner deems such a variance is required.

This petition is not complete as no reference is made to S.409.10 as listed in the variance notes on the plan. Complete revised petitions which match the plan must be submitted for inclusion in the hearing file before the hearing date. (The attorney for petitioner has been contacted on this situation on this date, 9/14/90.)

Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

John L. Lewis
JOHN L. LEWIS
PLANNING & ZONING ASSOCIATE III

JLL:scj

cc: Frank Fisher, Current Planning
Zoning Files - #91-42-A, #89-220-A, #89-269-A
Waiver File

PLEASE PRINT CLEARLY

Protestants
PETITIONER(S) SIGN-IN SHEET

NAME
Lily Blount
Alec Vasimihalakis

ADDRESS
1111 N. 23rd St. 400
MEDICAREAN FOODS INC.
35 Oakbrook Rd 678 3360

91-42A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Rob Hoffman
Tim Madden
Wes Gunkert
Patrick Jurasinski
Judith Vuk

ADDRESS
210 Allegheny Ave
1020 Cornwell Br. Rd
40 W. Chesapeake Ave
1005 Charles St
102 S. Charles St

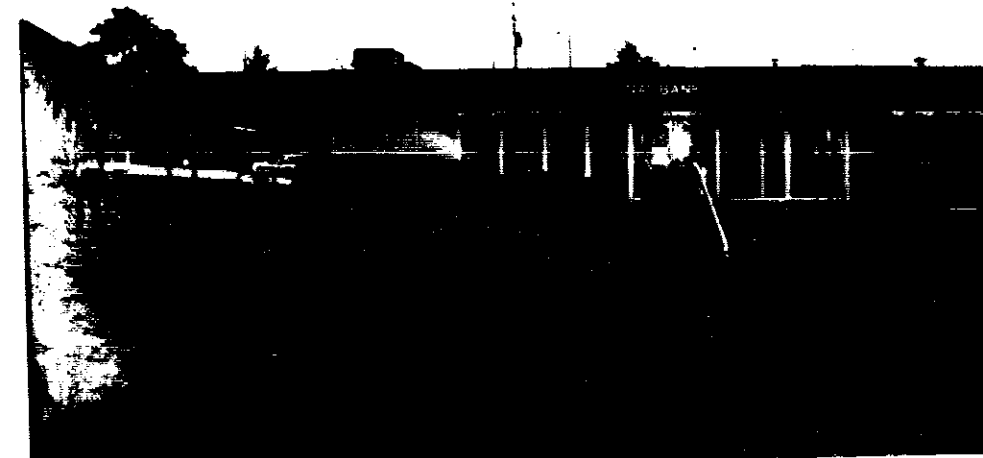
PETITIONER(S) EXHIBIT (2)

91-42A



PETITIONER(S) EXHIBIT (2)

91-42A



PETITIONER(S) EXHIBIT (2)

91-42A



The Traffic Group

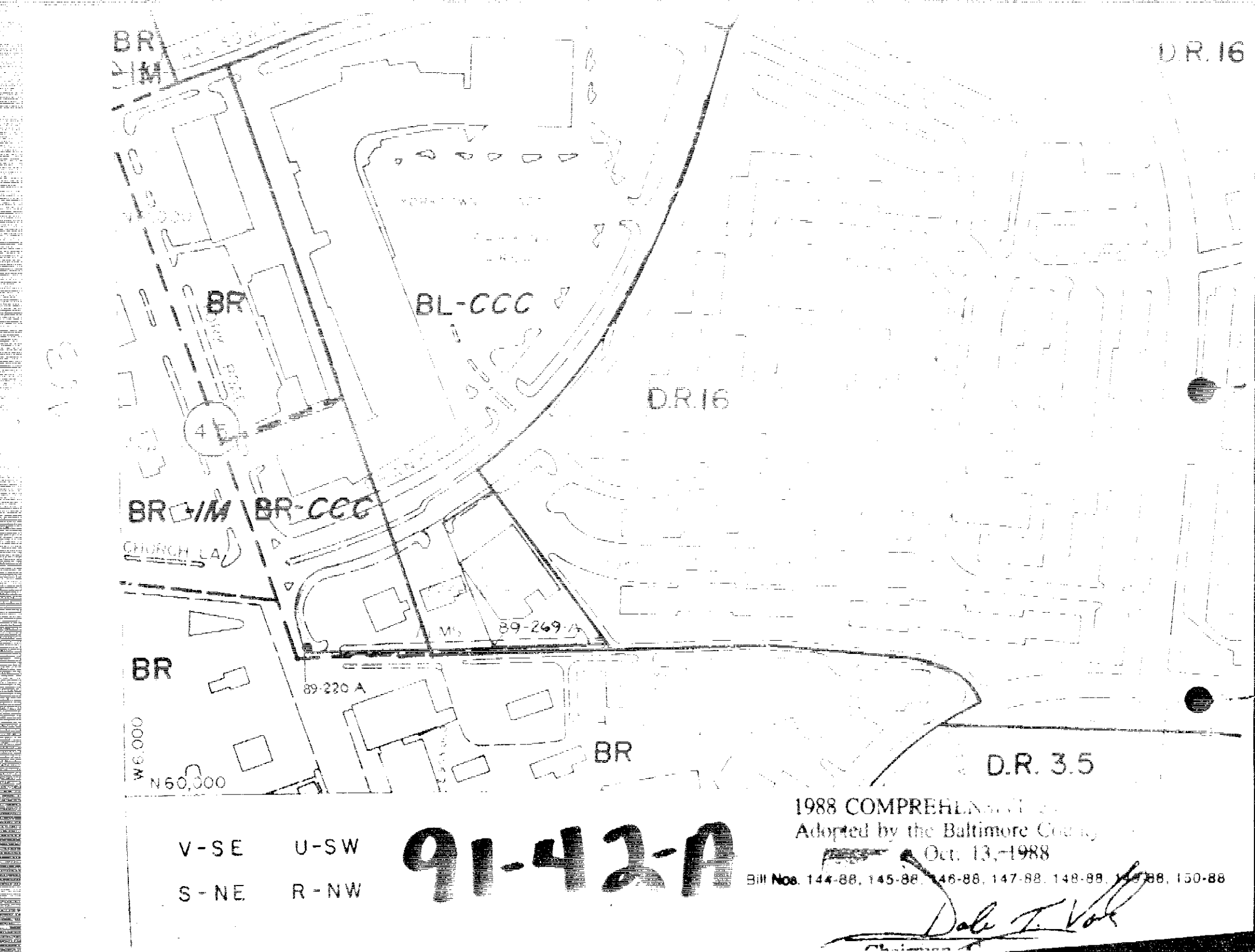
Traffic Impact Analysis
for

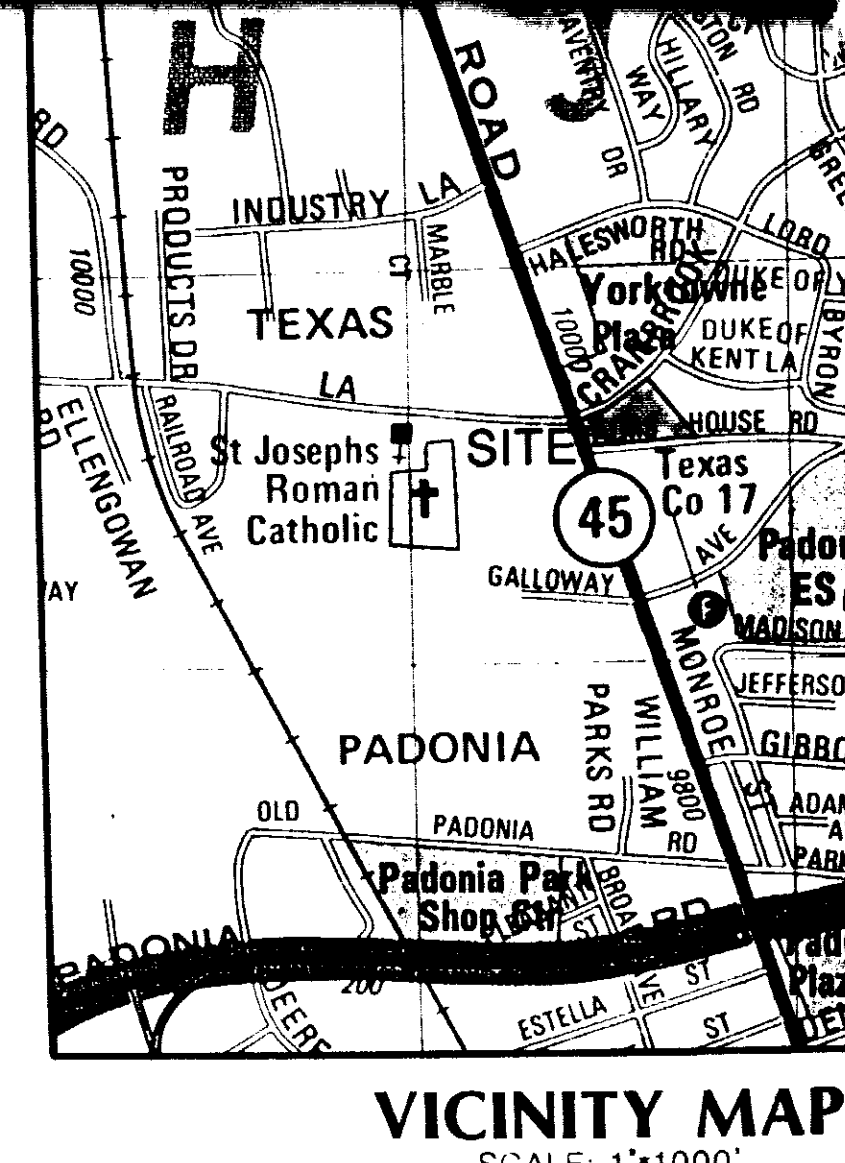
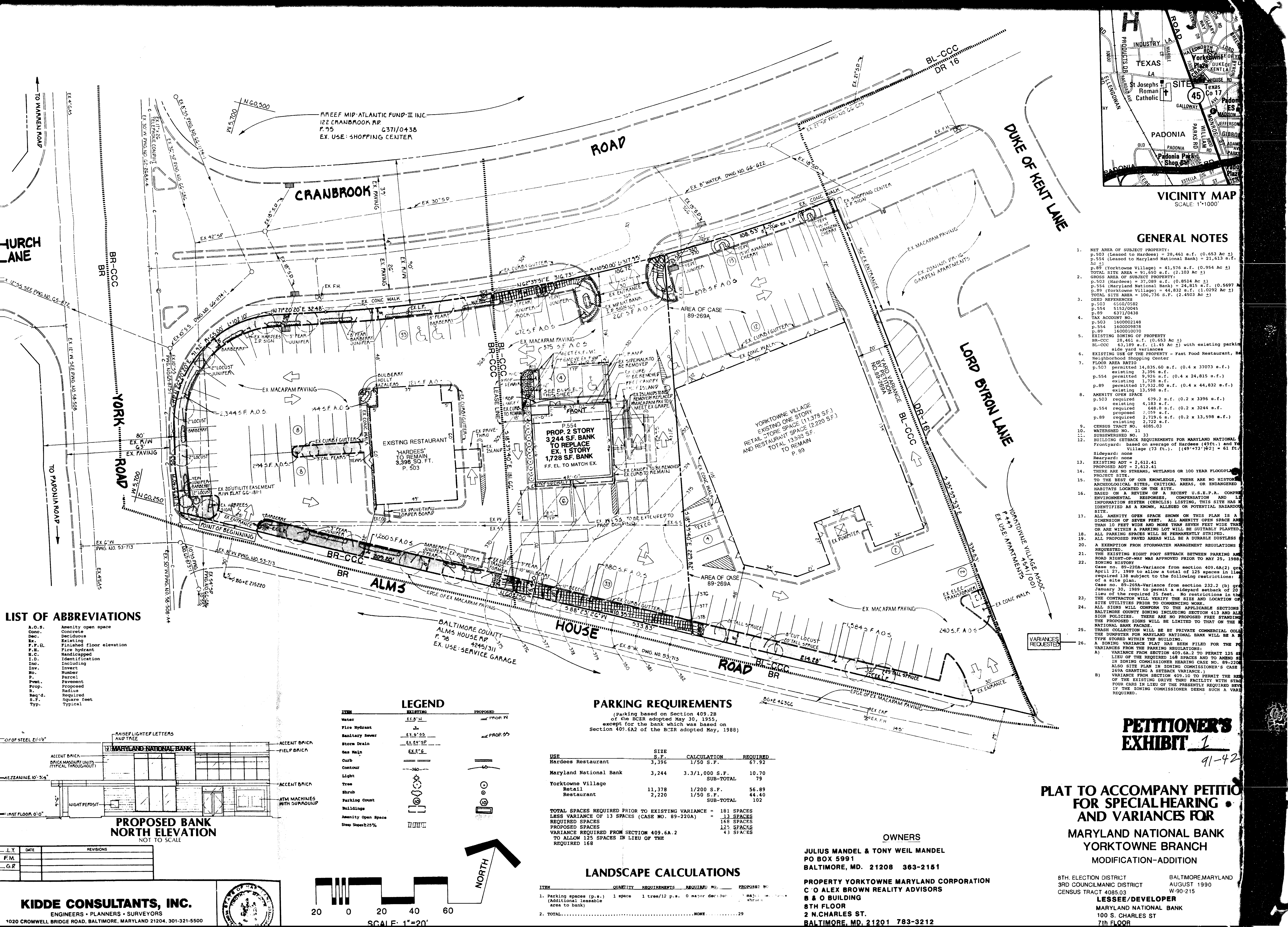
MARYLAND NATIONAL BANK EXPANSION
YORKTOWNE SHOPPING CENTER
Baltimore County, Maryland

Prepared for
MARYLAND NATIONAL BANK
Baltimore County, Maryland

September 18, 1990

91-42 A



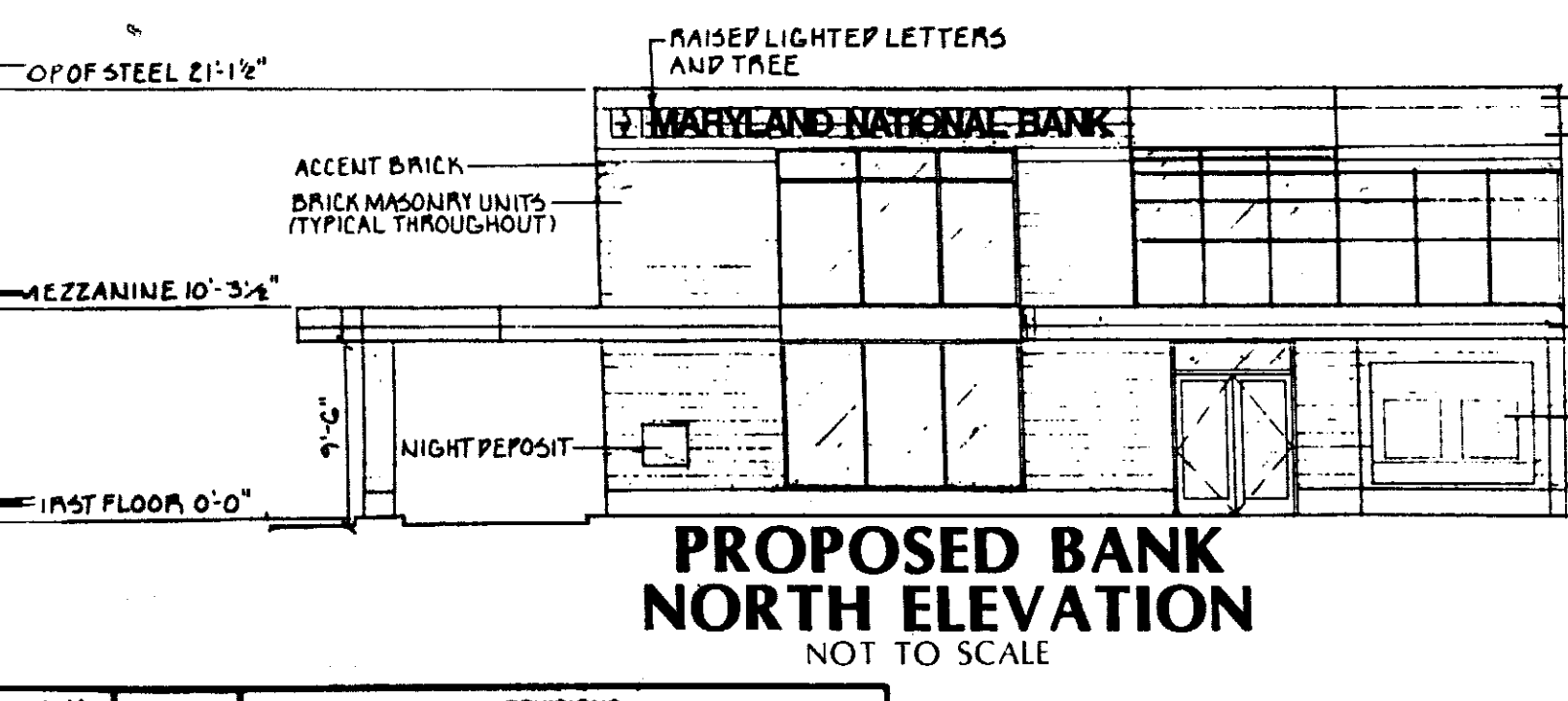


GENERAL NOTES

- NET AREA OF SUBJECT PROPERTY:
p.503 (Leased to Hardees) = 28,461 s.f. (0.653 Ac ±)
p.554 (Leased to Maryland National Bank) = 21,613 s.f. (0.495 Ac ±)
p.89 (Yorktowne Village) = 41,576 s.f. (0.954 Ac ±)
TOTAL SITE AREA = 91,650 s.f. (2.103 Ac ±)
- GROSS AREA OF SUBJECT PROPERTY:
p.503 (Hardees) = 37,089 s.f. (0.854 Ac ±)
p.554 (Maryland National Bank) = 24,815 s.f. (0.569 Ac ±)
p.89 (Yorktowne Village) = 44,832 s.f. (1.029 Ac ±)
TOTAL SITE AREA = 106,736 s.f. (2.450 Ac ±)
- DEED REFERENCES:
p.503 650/0562
p.554 5152/0045
p.89 6371/0438
- TAX ACCOUNT NO.
p.503 1600002148
p.554 1600009878
p.89 1600010070
- EXISTING ZONING OF PROPERTY
BR-CCC 28,461 s.f. (0.653 Ac ±)
BL-CCC 63,189 s.f. (1.45 Ac ±) with existing parking side yard variances
- EXISTING USE OF THE PROPERTY - Fast Food Restaurant, Bank, Neighborhood Shopping Center
- FLOOR AREA RATIO
p.503 permitted 14,835.60 s.f. (0.4 x 37073 s.f.)
existing 3,396 s.f. (0.04 x 24,815 s.f.)
p.554 permitted 9,926 s.f. (0.4 x 24,815 s.f.)
existing 1,728 s.f.
p.89 permitted 17,932.80 s.f. (0.4 x 44,832 s.f.)
existing 13,598 s.f.
- AMENITY OPEN SPACE
p.503 required 679.2 s.f. (0.2 x 3396 s.f.)
existing 4,183 s.f.
p.554 required 648.8 s.f. (0.2 x 3244 s.f.)
proposed 2,059 s.f.
p.89 required 2,719.6 s.f. (0.2 x 13,598 s.f.)
existing 2,722 s.f.
- CENSUS TRACT NO. 4085.03
- WATERSHED NO. 11
- SUBDIVISION NO. 33
- BUILDING SETBACK REQUIREMENTS FOR MARYLAND NATIONAL VILLAGE (73 ft. l.s.) [(49' + 73' + 25') = 61 ft.]
Sideyard: none
Rearyard: none
REAR YARD SETBACK = 2,612.41'
PROPOSED ADT = 2,612.41'
THERE ARE NO STREAMS, WETLANDS OR 100 YEAR FLOODPLAIN PROJECT SITE.
TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HISTORIC ARCHITECTURAL SITES, CRITICAL AREAS, OR ENDANGERED HABITATS LOCATED ON THE SITE.
BASED ON A REVIEW OF A RECENT U.S.E.P.A. COMPREHENSIVE ENVIRONMENTAL RESPONSE AND INFORMATION SYSTEM (CERCLIS) LISTING, THIS SITE HAS BEEN IDENTIFIED AS A KNOWN, ALLEGED OR POTENTIAL HAZARDOUS SITE.
ALL AMENITY OPEN SPACE SHOWN ON THIS PLAN IS A DIMENSION OF SEVEN FEET.
ALL AMENITY OPEN SPACE ARE MORE THAN 10 FEET WIDE AND MORE THAN SEVEN FEET WIDE THAN OR ARE WITHIN A PARKING LOT WILL BE SUITABLY PLANTED.
ALL PARKING SPACES WILL BE PERMANENTLY STRIPED.
ALL PROPOSED PAVED AREAS WILL BE A DURABLE DUSTLESS EXEMPTION FROM STORMWATER MANAGEMENT REGULATIONS REQUESTED.
THE EXISTING EIGHT FOOT SETBACK BETWEEN PARKING AND ROAD RIGHT-OF-WAY WAS APPROVED PRIOR TO MAY 25, 1988 ZONING HISTORY.
Case no. 89-220A-Variance from section 409.6A(2) granted April 27, 1989 to allow a total of 125 spaces in lieu required 138 subject to the following restrictions:
of a site plan.
Case no. 89-269A-Variance from section 232.2 (b) granted January 30, 1989 to permit a sideyard setback of 20' in lieu of the required 25 feet. No restrictions in the the CONTRACTOR WILL VERIFY THE SIZE AND LOCATION OF SITE UTILITIES PRIOR TO COMMENCING WORK.
ALL SIGNS WILL CONFORM TO THE APPLICABLE SECTIONS BALTIMORE COUNTY ZONING INCLUDING SECTION 413 AND ALL SIGN POLICIES. THERE ARE NO PROPOSED FREE STANDING PROPOSED SIGNS WILL BE LIMITED TO THAT ON THE NATIONAL BANK FACADE.
TRASH COLLECTION WILL BE BY PRIVATE COMMERCIAL COLLECTOR THE DUMPSTER FOR MARYLAND NATIONAL BANK WILL BE A TYPE STORED WITHIN THE BUILDING.
A ZONING VARIANCE PLAT HAS BEEN FILED FOR THE FOLLOWING VARIANCES FROM THE PARKING REGULATIONS:
A) VARIANCE FROM SECTION 409.6A.2 TO PERMIT 125 SPACES IN LIEU OF THE REQUIRED 168 SPACES AND TO AMEND SE IN ZONING COMMISSIONER HEARING CASE NO. 89-220A ALSO SITE PLAN IN ZONING COMMISSIONER'S CASE 269A GRANTING A SETBACK VARIANCE.)
B) VARIANCE FROM SECTION 409.10 TO PERMIT THE REM OF THE EXISTING DRIVE THRU FACILITY WITH SEVEN FOUR CARS IN LIEU OF THE PRESENTLY REQUIRED SEVEN IF THE ZONING COMMISSIONER DEEMS SUCH A VARI REQUIRED.

LIST OF ABBREVIATIONS

A.O.S.	Amenity open space
Conc.	Concrete
Dec.	Deciduous
Ex.	Existing
F.F.E.	Finished floor elevation
F.H.	Fire hydrant
H.C.	Handicapped
I.D.	Identification
Inc.	Including
Inv.	Invert
No.	Number
P.	Parcel
Pvt.	Pavement
Prop.	Proposed
R.	Radius
Req'd.	Required
S.F.	Square feet
Typ.	Typical



REV.	DATE	REVISIONS
1		
2		
3		

KIDDE CONSULTANTS, INC.
ENGINEERS • PLANNERS • SURVEYORS
1020 CROMWELL BRIDGE ROAD, BALTIMORE, MARYLAND 21204, 301-321-5500

LEGEND

ITEM	EXISTING	PROPOSED
Water	EX. 8" W	PROP. W
Fire Hydrant	EX. 8" S	PROP. S
Sanitary Sewer	EX. 8" S	PROP. S
Storm Drain	EX. 8" S	PROP. S
Gas Main	EX. 8" S	PROP. S
Curb	EX. 8" S	PROP. S
Contour	EX. 8" S	PROP. S
Light	EX. 8" S	PROP. S
Tree	EX. 8" S	PROP. S
Shrub	EX. 8" S	PROP. S
Parking Count	EX. 8" S	PROP. S
Buildings	EX. 8" S	PROP. S
Amenity Open Space	EX. 8" S	PROP. S
Slope 2:25%	EX. 8" S	PROP. S

PARKING REQUIREMENTS

(Parking based on Section 409.2B of the BCZR adopted May 30, 1955, except for the bank which was based on Section 409.6A2 of the BCZR adopted May, 1988)

USE	SIZE S.F.	CALCULATION	REQUIRED
Hardees Restaurant	3,396	1/50 S.F.	67.92
Maryland National Bank	3,244	3.3/1,000 S.F.	10.70
Yorktowne Village Retail Restaurant	11,378	1/200 S.F.	56.89
	2,220	1/50 S.F.	44.40
		SUB-TOTAL	102
TOTAL SPACES REQUIRED PRIOR TO EXISTING VARIANCE = 181 SPACES			
LESS VARIANCE OF 13 SPACES (CASE NO. 89-220A) = 13 SPACES			
REQUIRED SPACES = 168 SPACES			
PROPOSED SPACES = 125 SPACES			
VARIANCE REQUIRED FROM SECTION 409.6A.2 TO ALLOW 125 SPACES IN LIEU OF THE REQUIRED 168			

LANDSCAPE CALCULATIONS

ITEM	QUANTITY	REQUIREMENTS	REQUIRED NO.	PROPOSED NO.
1. Parking spaces (p.s.)	1 space	1 tree/12 p.s.	0 major deciduous	0
2. TOTAL			NONE	29

OWNERS
JULIUS MANDEL & TONY WEIL MANDEL
PO BOX 5991
BALTIMORE, MD. 21208 363-2151

PROPERTY YORKTOWNE MARYLAND CORPORATION
C/O ALEX BROWN REALTY ADVISORS
B & O BUILDING
8TH FLOOR
2 N. CHARLES ST.
BALTIMORE, MD. 21201 783-3212

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCES FOR MARYLAND NATIONAL BANK YORKTOWNE BRANCH MODIFICATION-ADDITION

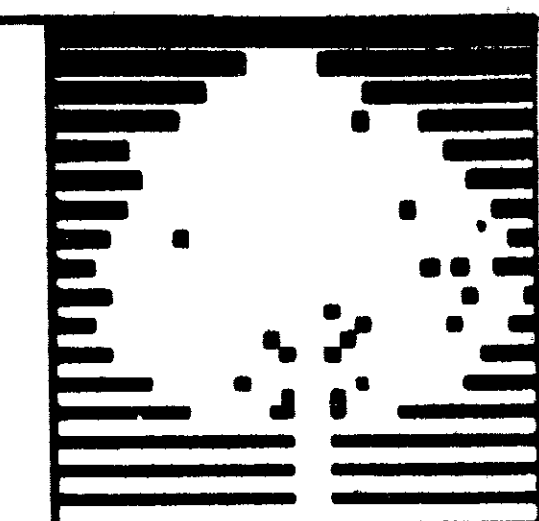
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
CENSUS TRACT 4085.03

BALTIMORE MARYLAND
AUGUST 1990
W-90-215

LESSEE/DEVELOPER
MARYLAND NATIONAL BANK
100 S. CHARLES ST
7TH FLOOR

PETITIONER'S EXHIBIT 1

91-42



MARYLAND
NATIONAL
BANK

BANK
PROPERTIES
DIVISION

PROJECT NUMBER:

PROJECT NAME:

YORKTOWNE
PLAZA
BRANCH

DRAWING CONTENTS:

FIRST
FLOOR
PLAN
4'-11" x 11'-0"
SITE PLAN

DRAWN BY: PBJ

DATE: 6/24/90

APPROVALS AND REVISIONS:

DATE DESCRIPTION

BY SA CANOPY

BY SA CANOPY

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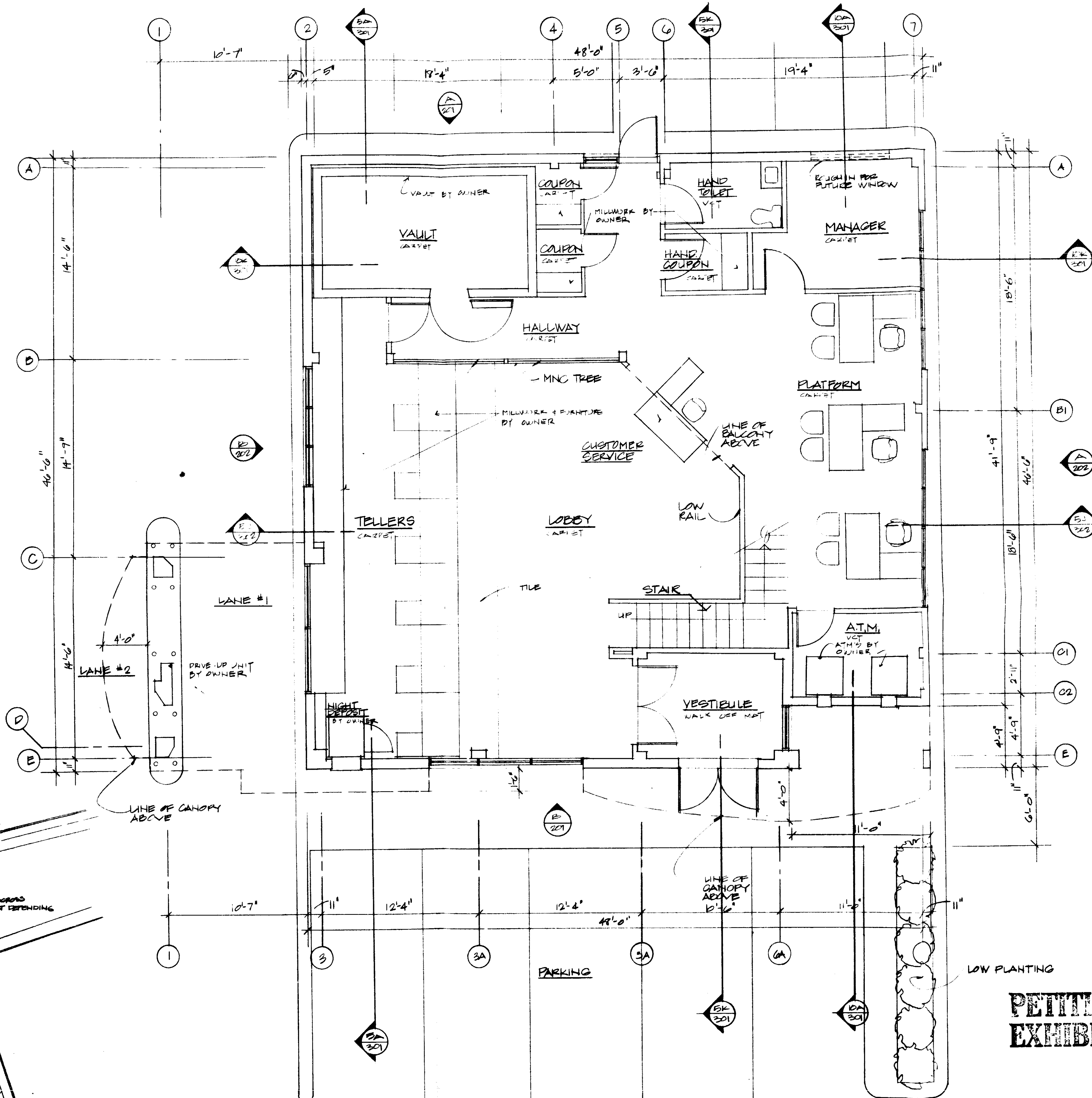
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DRAWING NUMBER:

AD1



SITE PLAN NO SCALE

PETITIONER'S
EXHIBIT 3

91-42A

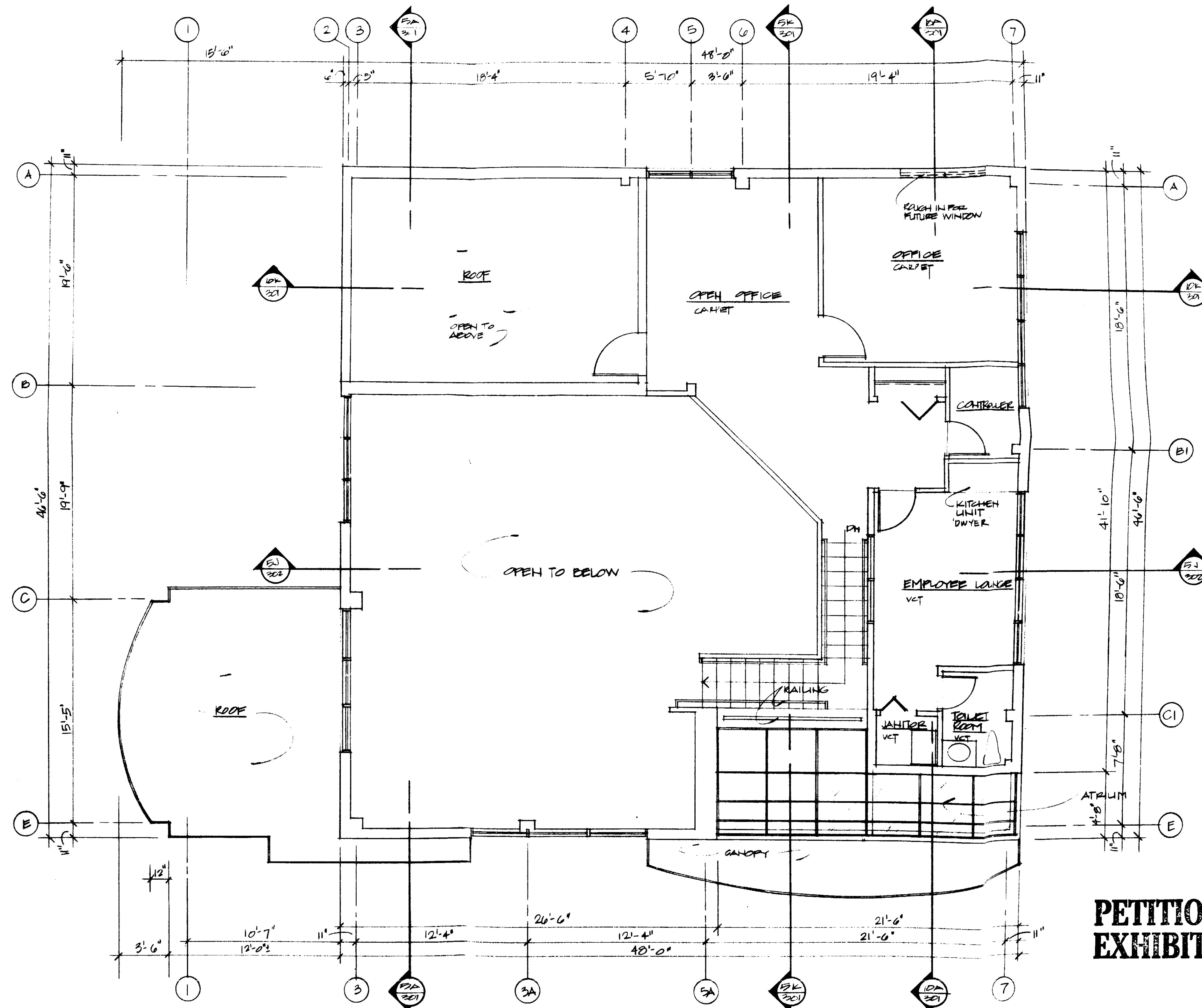
STANDARD EXCLUSIONS

1. Site engineering.
2. Site grading, excavation, fill, compaction, etc., including preparation of a reasonably level graveled (or paved) access road providing ingress and egress for crane and modules to the building site, with sufficient space to operate crane during the erection process.
3. Site improvements including, but not necessarily limited to, pavement, aprons, curbs, concrete islands, landscaping, landscape sprinklers, site lighting, site hydrants, or any other improvement which is not directly attendant to our building.
4. Site utilities, natural gas lines, sanitary sewer, storm sewer, domestic water, primary electric. Final connections of sanitary sewer and domestic water to be made 6" below finish floor of modules by others. Final connection of primary electrical entrance cable to building electrical service panel (s) shall be made by others.
5. Foundation work of any kind (point and load calculations) shall be provided to site engineer by the modular builder. Paving or finishing of foundation/steel intersection, site and/or foundation engineering and design are also excluded.
6. Building, site, utility, special use, or permits of any description, excluding only those attendant to transporting modules. Please note the modular builder uses a third party agent for the Owner, thereby assuring compliance with applicable codes, as well as assuring the quality of construction.
7. Unless specified, we exclude banking equipment, signs, fire alarm or fire sprinkler systems, telephone, telcom camera, security and alarm systems, furniture, fixtures and furnishings.
8. Tap fees or Bonds.
9. Payment or performance bond.
10. We exclude furniture furnishings, draperies, drapery tracks and office equipment.
11. Warranties for any systems, materials, or workmanship other than our own. Our work is fully warranted against defective materials and workmanship for one full year, and certain equipment and systems carry additional manufacturer's warranties beyond the one year period, which shall be extended to the Owner upon completion.
12. Any other equipment, materials or services not referenced within the Owner's plans and specifications and enumerated within our proposal letter.
13. Interior carpet, wall covering and painting.
14. Millwork counters, cabinets, teller counters, check desks.

STANDARD SPECIFICATIONS

1. Roof and floor framing shall consist of welded steel perimeter beams, conforming to ASTM A-36, and cold-formed cross members conforming to ASTM-446 Grade A.
2. All structural steel used in framing shall be manufactured within the United States, and shall be primed after welding is complete.
3. The module floor shall be 2 1/2" deep, 3000 P.S.I. lightweight concrete reinforced with 6 x 6 - 10-10 welded wire mesh over 28-gage galvanized steel decking.
4. Support columns shall be square steel columns and pipe columns where required.
5. Exterior wall framing shall be 20 gauge galvanized steel studding 24" o.c., welded into continuous galvanized steel track. Steel track shall be welded to structural framing.
6. Interior wall framing shall be 20 gauge galvanized steel studding as required for individual project.
7. Exterior gypsum board shall be used for exterior sheathing and shall be glued and screwed to all studding with screws at no more than 8" o.c.
8. Exterior wall finishes is brick.
 - 8.1 Field brick: Taylor Clay Products 601-W White Rock Face.
 - 8.2 Accent brick: Taylor Clay Products French Grey Smooth.
9. Roofing shall be 60 mil EPDM membrane roofing, by Goodyear, or equal, fully adhered either to 1/2" OSB plywood per Manufacturer's specifications, or over metal roof decking and rigid insulation.
10. Roof drains and downspouts shall be P.V.C., with downspouts concealed within walls.
11. Wall insulation shall be a minimum of R-11 fiberglass, with vapor barrier to heated side, giving the wall envelope an "R" value of R-13.
12. Roof insulation shall either be R-19 fiberglass with vapor barrier to heated side, or rigid insulation as required by project.
13. Floor insulation shall be 2" rigid extruded polystyrene insulation by Dow, or equal, with an "R" value of 11.2.
14. Each module shall be provided with permanent lifting points for placement of all modules, and for relocation, if required in the future.
15. Exterior doors shall be of aluminum and glass and hollow metal with metal jambs; interior door shall be made of aluminum and glass and hollow metal, solid core wood, or hollow core wood with metal jambs. Exterior doors shall be weather stripped, and all doors shall be fitted with the appropriate commercial grade hardware.
16. Interior walls shall be standard drywall properly taped and finished.
17. Ceiling shall be 2 x 2 Armstrong Cirrus tegular or equal, within manufacturer's recommended grid system.

18. Windows shall be extruded aluminum frame with insulated glass in accordance with project requirements.
- 18.1 Glazing frames Kawneer or equal with PVF finish to match field brick.
- 18.2 Glazing is 1" insulated Bronze.
19. Heating and air conditioning shall be provided as required by Owner and will include electric heat pumps and baseboard heaters as required. Ducted systems shall include insulated, galvanized metal ducts or round flexible duct, or both, as required to provide a complete system. Heat pumps will be Carrier or Trane. Warranty shall consist of a 5 year protection plan, with full parts and labor for the first year, and protection for all parts and labor on the compressor for the second through fifty years by the unit manufacturer.
20. All buildings shall include complete electrical systems which shall be wired to the Owner's requirements to the building's main power panel in the unit. All wiring shall be concealed.
21. Conduit shall be installed per Owner's requirements for telephone, communications, TV, alarm systems, and computer systems.
22. Special grounding and power lines may also be installed per Owner's requirements.
23. All buildings shall have complete plumbing systems in accordance with Owner's requirements, with sewer and water lines stubbed 6" beneath finish floor. Hot water shall be supplied with instantaneous water heater.
24. All buildings shall be delivered, erected on foundations, and finished complete and ready for occupancy by the manufacturer. Foundations, foundation engineering, site engineering, and all site work shall be by others. Site contractor to make all final connections of electric, sewer lines, water lines, etc.
25. The modular builder warrants its buildings against defective materials and workmanship for one year from acceptance by Owner. Certain equipment and systems provided manufacturer's warranties for longer periods.
26. All work the modular builder performs will be in accordance with applicable codes, and all work shall be monitored and certified through a third party inspection agency.



PETITIONER'S
EXHIBIT 4

91-42A

MARYLAND
NATIONAL
BANK

BANK
PROPERTIES
DIVISION

PROJECT NUMBER:

PROJECT NAME:

YORKTOWNE
PLAZA
BRANCH

DRAWING CONTENTS:

SECOND
FLOOR
PLAN
1/4"=1'-0"

DRAWN BY: PD

DATE: 6/26/90

APPROVALS AND REVISIONS:

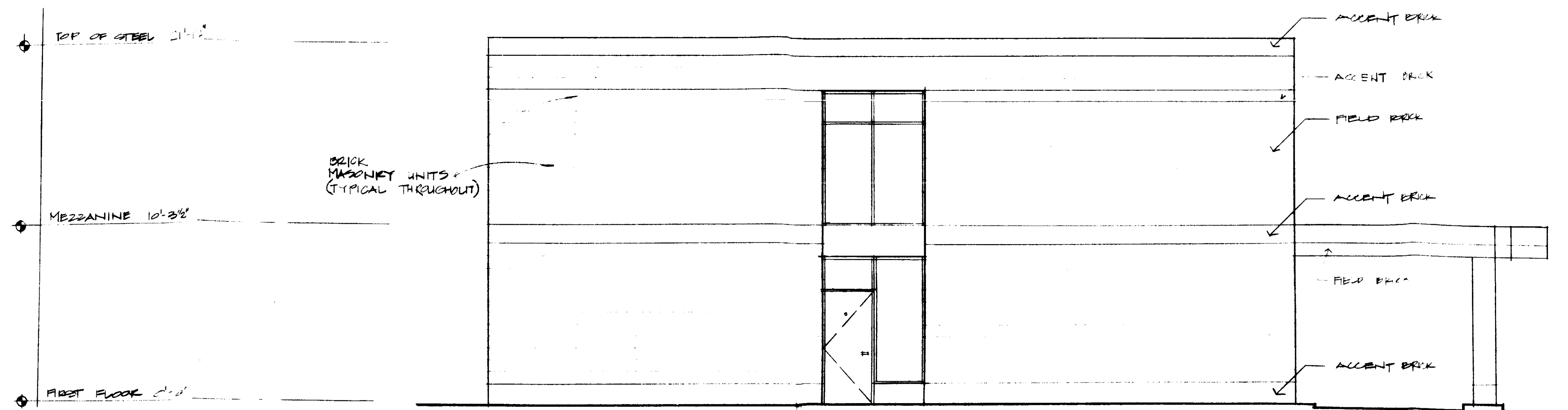
DATE DESCRIPTION

6/14/90 GSK/DJS

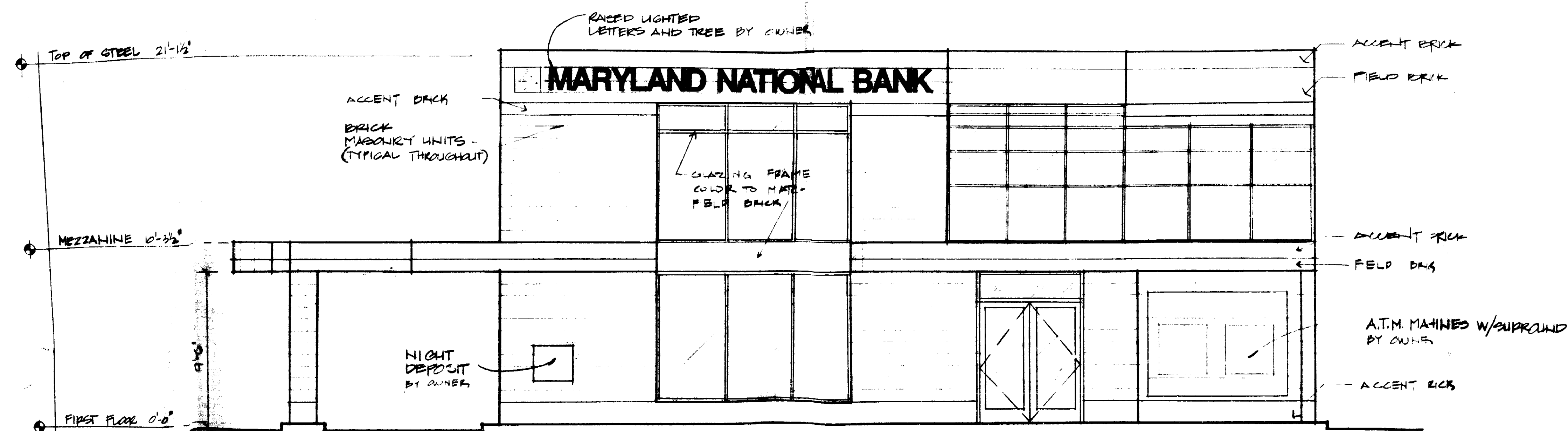
2/12/91 LIGHTING/ALUMINUM

DRAWING NUMBER:

A102



A SOUTH ELEVATION $\frac{1}{4}'' = 1'-0''$



B NORTH ELEVATION $\frac{1}{4}'' = 1'-0''$

**MARYLAND
NATIONAL
BANK**

BANK
PROPERTIES
DIVISION

PROJECT NUMBER:

PROJECT NAME:

YORKTOWNE
PLAZA
BRANCH

DRAWING CONTENTS:

ELEVATIONS

DRAWN BY: PE

DATE: 6/26/90

APPROVALS AND REVISIONS:

DATE DESCRIPTION

2/1/91

**PETITIONER'S
EXHIBIT 5**

91-42A

DRAWING NO.

A20