

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - 5/8 North Point Road, 80.5' W of the c/1 of Delmar Avenue (6521 North Point Road) 15th Election District 7th Councilmanic District

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 92-262-XA

Resolution Trust Corp. for the John Hanson Federal Savings Bank

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception seeking approval to establish a community building on the subject property pursuant to Section 1801.C.6 of the Baltimore County zoning Regulations (B.C.Z.R.), and a Petition for Zoning Variance from Section 409.6A of the B.C.Z.R. to permit 154 parking spaces in lieu of the required 171 spaces, and from Section 413.1.e(1) to permit three single-faced signs with a combined total of 90 sq.ft. in lieu of the one sign of 15 sq.ft. permitted, all as more particularly described on the site plan which accompanied these Petitions marked Petitioner's Exhibit 1.

The Co-Petitioner, by Andrew Michalski, Commander of Wells-McComas Post No. 2678 of the Veterans of Foreign Wars, Inc., (VFW), Contract Purchaser, appeared, testified and was represented by Howard L. Alderman, Jr., Esquire. Numerous other VFW members appeared in support of the Petitions but did not testify. Appearing as interested parties in the matter were Robert and Edna Bittner, Margaret S. Cotter, Nicholas Stella and Jimmie D. Harvey, all residents of the Area.

Testimony indicated that the subject property, known as 6521 North Point Road, consists of 6.89 acres, more or less, zoned D.R. 5.5 and is improved with a one-story brick building. Said property is located within the Chesapeake Bay Critical Areas near Greenhill Cove. The Wells-McComas

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By [Signature]

VFW Post No. 2678 has contracted to purchase the subject property and is desirous of establishing a community building on the site. Testimony indicated that the existing building will be refurbished and that there will be no exterior improvements to the site other than the required landscaping, paving and parking areas. Commander Michalski testified that in 1991, the VFW obtained zoning approval for the expansion of their building on property located across from the subject site. Prior to any construction, however, the subject property became available and the Petitioners, believing that the subject site would best fill their needs, abandoned their plans for expanding the other building. Commander Michalski also discussed the goals and functions of the VFW and its intention to remain a good neighbor. In fact, those residents of the area who appeared as interested parties acknowledged the good deeds of the VFW and indicated their approval of the proposed community building.

As to the petitioned variances, Petitioner testified that the requested parking variance is necessary due to the unique shape and narrow configuration of the property. Testimony indicated that strict compliance with the parking regulations would require the removal of trees and shrubs and adversely affect environmental considerations. As to the sign variance requested, Petitioner argued that the requested signage was necessary for directional purposes and to provide adequate notice to the public due to the location of the property and existing improvements thereon.

The requested special exception and variance relief were the subject of extensive environmental and planning review as evidenced by the comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated March 9, 1992 and the comments submitted by the Office of Planning, dated January 29, 1992. In addition, the Bureau

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Date 3/24/92
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- 2 -

of Traffic Engineering and the State Highway Administration (SHA) submitted comments regarding access to the site. As a result of the concerns raised by the various agencies involved, the site plan has been somewhat reconfigured from that depicted on the original site plan and the landscaping and internal traffic access revised in accordance with that shown on Petitioner's Exhibit 4.

The testimony and evidence presented indicated the relief requested meets the special exception requirements of Section 502.1 of the B.C.Z.R. and that the use of the property as a community building will not result in any detriment to the health, safety or general welfare of the surrounding locale. However, the impact of the proposed use on traffic, both on the adjacent public roadways and within the internal traffic flow on site, is significant. As a condition of the relief granted herein, the Petitioner shall be required to comply with the recommendations made by the Zoning Plans Advisory Committee as set forth in their comments. Said comments shall be attached hereto and made a part of the record.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 5.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

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 Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the par-

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Date 3/24/92
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- 3 -

ticular location described by Petitioner's Exhibit 1 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, provided there is compliance with SHA and Bureau of Traffic Engineering comments submitted hereto, 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.

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

This property is located within the Chesapeake Bay Critical Areas near Greenhill Cove and as such, is subject to compliance with the recommendations made by DEPRM as to critical areas requirements.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the variance requested sufficiently complies with the requirements of Sections 307.1, 307.2, 500.14 and 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstance, exist which are peculiar to the land or struc-

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Date 3/24/92
By [Signature]

- 4 -

tures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number,

- 5 -

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Date 3/24/92
By [Signature]

movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management 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 Petitions for Special Exception and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of March, 1992 that the Petition for Special Exception seeking approval to establish a community building on the subject property pursuant to Section 1801.C.6 of the Baltimore County zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject to the following restrictions; and.

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 409.6A of the B.C.Z.R. to permit 154 parking spaces in lieu of the required 171 spaces, and from Section 413.1.e(1) to permit three single-faced signs with a combined total of 90 sq.ft. in lieu of the one sign of 15 sq.ft. permitted, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- 6 -

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By [Signature]

2) Compliance with all Zoning Plans Advisory Committee comments submitted hereto, including but not limited to, DEPRM comments dated March 9, 1992, and the comments submitted by the Office of Planning dated January 29, 1992. Said comments have been attached hereto and made a part of the record.

3) Prior to the issuance of any occupancy permits, Petitioner shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. A copy of the approved plan shall be submitted to the Zoning Administration and Development Management Office for inclusion in the case file.

4) Prior to the issuance of any occupancy permits, access to the subject property from North Point Road shall be constructed in compliance with the requirements set forth in the SHA comments dated February 4, 1992.

5) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated March 9, 1992, attached hereto and made a part hereof.

LES:bjg

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

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Date 3/24/92
By [Signature]

- 7 -

Baltimore County's Department of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

March 24, 1992

(410) 887-4386

Howard L. Alderman, Jr., Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
5/8 North Point Road, 80.5' W of the c/1 of Delmar Avenue
(6521 North Point Road)
15th Election District - 7th Councilmanic District
Resolution Trust Corp. for the John Hanson Federal Savings Bank -
Petitioner
Case No. 92-262-XA

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjg

cc: Mr. Andrew Michalski
7609 Iroquois Avenue, Baltimore, Md. 21219

Mr. & Mrs. Robert Bittner
2916 Delmar Avenue, Baltimore, Md. 21219

People's Council

File

Chesapeake Bay Critical Areas Commission
Taves State Office Building, D-4, Annapolis, Md. 21404

DEPRM

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
BUREAU OF ENGINEERING SERVICES
ENVIRONMENTAL IMPACT REVIEW

TO: Design & Review
ZADN

DATE: Oct 4, 1994

PROJECT NAME: 6521 North Point Road
TYPE OF PLAN: Drainage, Erosion & Sediment Control
PLAN/REVISION DATE: 12-22-94

The above-referenced plan has been reviewed by Environmental Impact Review of the Bureau of Engineering Services, and the following recommendations are made:

Approved Disapproved

() State and Federal review will be required. This will result in issuance (or denial) of a Corps of Engineers 404 Permit, a State Water Quality Certification, and/or a State Nontidal Wetlands Permit; a letter of no jurisdiction; or a letter of permission.

REVIEWER: Nancy Pentz PHONE: 887-3980

TRANSMIT: SHL/WP/REV. 4-6-93

Baltimore County Government
Department of Environmental Protection
and Resource Management

401 Bosley Avenue
Towson, MD 21204 (410) 887-3733

FILE COPY

Mr. Charles Main
McKee & Associates
Shawan Place
5 Shawan Road
Hunt Valley, MD 21030

Re: 6521 NORTH POINT ROAD
Wetland Mitigation Plan
Cost Estimate

Dear Mr. Main:

The Environmental Impact Review Section has completed review of the wetland mitigation plan for the above-referenced project. The mitigation plan and the cost estimate are approved. Please submit these as part of the storm water management plan.

If there are any questions, please contact Ms. Nancy Pentz at 887-3980.

Sincerely yours,
Patricia M. Farr
Patricia M. Farr, Program Supervisor
Environmental Impact Review

PMF/jbm
c: Mr. Paul Walsky
Peck/Smith Inc.
303 W. Pennsylvania Avenue
Towson, MD 21204
6521.NOR/DEPRM/TXTJBM

Printed with Soy-based Ink on Recycled Paper

MARYLAND TRANSPORTATION AUTHORITY

RECEIVED
NCV - 7 1994
ENGR. ACC. - M. DIV

MEMORANDUM

TO: David Ramsey,
Engineering Access Permits Division
State Highway Administration

ATT: Mr. Bob Small

FROM: John A. Moeller, Director
Engineering Division

SUBJECT: Permit No. B-B-5070-93
Wells - McComas Post #2578 VFW
Contract No. KB 706-000-006

This letter is to confirm our previous telephone conversations concerning the referenced permit. As we discussed, it will be necessary for the MDTA to construct the entrance in order to coordinate the work with our project. We will construct the driveway entrance as shown on the permit drawings.

Since the MDTA has executed an agreement with the Permittee, we recommend that their letter of credit be released.

JAM/cst
Copies To: Senator Stone

303 Authority Drive, Baltimore, Maryland 21201-2200 Telephone: 410-388-6400
TDD: 410-388-6400 Fax: 410-388-7000

Maryland Department of Transportation
State Highway Administration

Wells-McComas Post No. 2678
Veterans of Foreign Wars of the U.S., Incorporated
Attn: Mr. John Gistede
6400 North Point Road
Edgemere, Maryland 21219-1020

Re: Baltimore County
Permit No. B-B-5070-93
Route No. 20
Project: Construct one 25' wide entrance into the VFW
Post No. 2678
LOC No. 5910242

Dear Mr. Gistede:

This office has been notified by Mr. John A. Moeller, Director of the Maryland Transportation Authority's Engineering Division on November 7, 1994 that they will be constructing your driveway entrance under their contract number KB-706-000-006 (copy attached).

It is our understanding from this memorandum that you have reached an agreement with the MDTA who will complete this work for you. Therefore, this office has canceled your access permit and have enclosed your letter of credit.

Thank you for your cooperation.

Very truly yours,
Ronald Burns
Ronald Burns, Chief
Engineering Access Permits
Division

cc: Mr. Steve Autry
Mr. Dick Harrison
Mr. John Vananzo
Mr. Mike Baxter
Mr. Jack Moeller
First National Bank of Maryland

410-332-1350 (Fax# 333-1041)
Maryland Relay Service for impaired hearing or speech
1-800-735-7259 Statewide Toll Free

92-262-XA

Petition for Special Exception

to the Zoning Commissioner of Baltimore County CRITICAL AREA

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 a community building pursuant to BC2R Section 1B01.C.6.

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/Associate: Wells-McComas Post #2678 VFW, Inc. Legal Owner(s): Resolution Trust Corporation as conservator for John Hanson Federal Savings Bank

By: Andrew Michalski, Commander Signature Kenneth Reynolds, Managing Agent

6600 North Point Rd. Baltimore, MD 21219

Attorney for Petitioner: Howard L. Alderman, Jr. 11700 Beltsville Drive 727-1125

Signature: Devin & Gann, P.A. 305 W. Chesapeake Ave. #113

Towson, MD 21204

Attorney's Telephone No.: 321-0600

OFFICE USE ONLY ESTIMATED LENGTH OF HEARING -1/2HR. -4HR. AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS

92-262-XA

Petition for Variance CRITICAL AREA

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 409.6A to permit a total of 154 parking spaces in lieu of the 171 spaces required and from Section 413.1.C (1) to permit a total of 3 signs with a combined total of 90 square feet in lieu of the 15 square feet permitted.

- 1. Shape and narrow configuration of lot;
2. Practical difficulty will result to Petitioner if not granted; and
3. For such other reasons as will be presented at the hearing on this Petition.

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.

Contract Purchaser/Associate: Wells-McComas Post #2678 VFW, Inc. Legal Owner(s): RESOLUTION TRUST CORPORATION AS CONSERVATOR FOR JOHN HANSON FEDERAL SAVINGS BANK

By: Andrew Michalski, Commander Signature Kenneth Reynolds, Managing Agent

6600 North Point Rd. Baltimore, MD 21219

Attorney for Petitioner: Howard L. Alderman, Jr. 11700 Beltsville Drive 727-1125

Signature: Devin & Gann, P.A. 305 W. Chesapeake Ave. #113

Towson, MD 21204

Attorney's Telephone No.: 321-0600

OFFICE USE ONLY ESTIMATED LENGTH OF HEARING -1/2HR. -4HR. AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS

92-262-XA

ZONING DESCRIPTION OF 6521 NORTH POINT ROAD 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, being situated on the southernmost right-of-way line of North Point Road, being 68 feet wide, said point being 88.5 feet ± westerly from the westernmost right-of-way line of Delmar Avenue...

Containing 300,128 square feet or 6.89 acres of land, more or less.

Being known as 6521 North Point Road, lying in the 15th Election District.

CRITICAL AREA

281

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15.5 Date of Posting: 1/7/92

Posted for: Special Exception & Variance

Petitioner: Resolution Trust Corp. & Wells-McComas Post #2678 VFW, Inc.

Location of property: 6521 North Point Road, Baltimore, Md.

Location of Signs: 6521 North Point Road, Baltimore, Md.

Remarks:

Posted by: [Signature] Date of return: 1/16/92

Number of Signs: 2

CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

4 N. Center Place P.O. Box 8936 Dundalk, Md. 21222

January 16, 1992

THIS IS TO CERTIFY, that the annexed advertisement of Baltimore County Zoning Office - Notice of Hearing - Case #92-262-XA - P.O. #0116822 - Reg. #MS7333 - 75 lines & \$37.50 was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 17th day of January 1992; that is to say, the same was inserted in the issues of January 16, 1992.

Kimbel Publication, Inc. per Publisher.

By: [Signature]

CERTIFICATE OF PUBLICATION

TOWSON, MD., 19

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 19

THE JEFFERSONIAN,

S. Zeke Orlan Publisher

\$44.73

NOTICE OF HEARING The Zoning Commission 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 West Chesapeake Avenue in Towson, Maryland 21204.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204 (410) 887-3353

DATE: 1-31-92

Wells-McComas Post #2678 VFW, Inc. 6600 North Point Road Baltimore, Maryland 21219

RE: CASE NUMBER: 92-262-XA 5/5 North Point Road, 80.5' W of c/l Delmar Avenue 6521 North Point Road 15th Election District - 7th Councilmanic Legal Owner(s): Resolution Trust Corporation as Conservator for John Hanson Federal Savings Bank Contract Purchaser(s): Wells-McComas Post #2678 VFW, Inc.

Dear petitioner(s): Please be advised that \$132.23 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. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 106, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

[Signature]

ARNOLD JAMLOW DIRECTOR cc: Howard L. Alderman, Jr., Esq.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204 (410) 887-3353

JAN 6 9 1992

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 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-262-XA 5/5 North Point Road, 80.5' W of c/l Delmar Avenue 6521 North Point Road 15th Election District - 7th Councilmanic Legal Owner(s): Resolution Trust Corporation as Conservator for John Hanson Federal Savings Bank Contract Purchaser(s): Wells-McComas Post #2678 VFW, Inc. HEARING: TUESDAY, FEBRUARY 4, 1992 at 2:00 p.m.

Special exception for a community building. Variance to permit a total of 154 parking spaces in lieu of the 171 spaces required; and to permit a total of 3 signs with a combined total of 90 sq. ft. in lieu of the 15 sq. ft. permitted.

[Signature] Lawrence E. Schmidt

Zoning Commissioner of Baltimore County

cc: Resolution Trust Corporation Wells-McComas Post #2678 VFW, Inc. Howard L. Alderman, Jr., Esq.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204 (410) 887-3353

January 27, 1992

Howard L. Alderman, Esquire Levin & Gann 305 W. Chesapeake Avenue, Suite 113 Towson, MD 21204

RE: Item No. 281, Case No. 92-262-XA Petitioner: John Hanson Federal Savings Bank Petition for Special Exception and Variance

Dear Mr. Alderman: The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Baltimore County Zoning Commissioner County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 receipt

Account: R 001 6150 Number:

Please Make Check Payable To: Baltimore County 113-01

- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

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

JED:jw
Enclosures
cc: John Hanson Federal Savings Bank
Mr. Andrew Michalski

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
3rd day of January, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
Call John
Chairman,
Zoning Plans Advisory Committee

Petitioner: John Hanson Federal Savings Bank
Petitioner's Attorney: Howard L. Alderman

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

JANUARY 13, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RESOLUTION TRUST CORPORATION AS CONSERVATOR
FOR JOHN HANSON FEDERAL SAVINGS BANK

Location: #6521 NORTH POINT ROAD
Item No.: 281 Zoning Agenda: JANUARY 14, 1992

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: *[Signature]* Noted and Approved
Planning Group Special Inspection Division Fire Prevention Bureau

JP/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 16, 1992
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for January 14, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 276, 277, 278, 279, and 280.

For Item 281, a County Review Group Meeting will be required, unless a waiver of same is approved.

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

RWB:s

Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Zoning Meeting of
January 14, 1992
s/s Northpoint Road
MD Route 20

Attn: Mr. James Dyer
Dear Mr. Dyer:

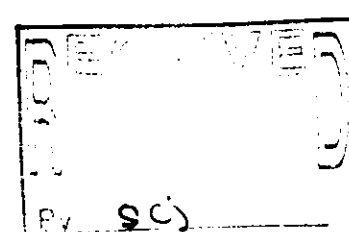
After review of the plat submitted for 6521 North Point Road we offer the following comment:

Entry onto North Point Road (MD Route 20), must be constructed in accordance with the existing access permit number B-1345-85 on file in our office. This work must be completed prior to this occupancy of this property.

If you have any questions concerning this information, please contact Ms. Peggy Blank of this office at 333-1350.

Very truly yours,
David N. Ramo
John Contestabile, Chief
Engineering Access Permits
Division

JC/PB/lmm
cc: McKee & Associates Incorporated
Mr. J. Ogle



RECEIVED
FEB 6 1992
ZONING OFFICE

02-261-74 2-4

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 29, 1992
Zoning Administration and
Development Management
FROM: Gary L. Kerns, Chief
Comprehensive and Community Planning
Office of Planning and Zoning
SUBJECT: Resolution Trust Corporation, Item No. 281

In reference to the Petitioner's request, the staff offers the following comments:

Prior CRG approval was given regarding this property which allowed for the construction of the building and the existing parking lot (XV-363). In connection with the instant case, the applicant has applied for a CRG waiver.

A landscape plan shall be filed with the deputy director of the Office of Planning and Zoning. Subsequent to plan approval, a copy shall be forwarded to the Zoning Office and made part of the official file. The landscape plan should address the importance of ensuring that the entire 75' RTA buffer is planted to provide adequate screening to adjacent residences.

Based upon the analysis conducted and information provided, staff recommends the applicant's request be granted.

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.

Report prepared by:

Jeffrey Long
Jeffrey Long

GLK/JL:rdn
ITEM 281/TXCRZ

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 30, 1992
Office of Zoning Administration
and Development Management

FROM: J. James Dieter, Director

SUBJECT: Zoning Hearing - Item 281
Case no. 92-262-1A
Wells-McComas Post #2678; VFM, Inc.

The Chesapeake Bay Critical Area Program has not completed a review of this project due to an incomplete submittal. At this time a preliminary review indicates that buffers are not completely shown, proposed grades are needed, and a suitable stormwater management outfall needs to be on the plan. This Division cannot provide an approved findings for this project until the necessary information has been submitted and the plan amended. For further information, please contact Ms. Nancy Sanford Pentz at 887-2904.

J. James Dieter
J. James Dieter, Director

JJD:NSP:ju
cc: Ms. Gwen Stephens
WELLSMCC/WQCBCA

02-261-74 2-4

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rance J. Famila
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: January 14, 1992
ITEM NUMBER: 281

Access to the site and the parking spaces behind the existing building should be 22 ft. wide.

Rance J. Famila
Rance J. Famila
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
DATE: January 17, 1992

FROM: Patricia M. Farr
SUBJECT: Zoning Hearing - Item #281

The Chesapeake Bay Critical Area Program requests an extension for the review of the petition request for a Special Exception for the Wells McComas Post #2678. Additional time is necessary to complete a Critical Area Findings for this property.

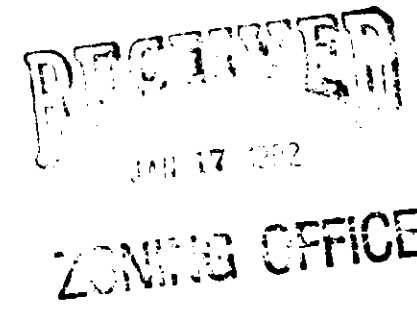
For further information, please contact Mrs. Nancy Sanford Pentz at 887-2904.

Patricia M. Farr, Coordinator
Chesapeake Bay Critical Area Program

PMF:NSP:tj

cc: Ms. Gwen Stephens

WELLS/MCQBCA



BALTIMORE COUNTY, MARYLAND
Inter-office Correspondence

TO: Memo to the file
DATE: February 13, 1992

FROM: Lawrence E. Schmidt
Zoning Commissioner

SUBJECT: Case No. 92-262-XA
Wells-McComas Post #2678

This case came before me on February 4, 1992 and prior to the hearing the case, I talked to Nancy Sanford Pentz at DEPRM and also to Howard Alderman, the attorney. Apparently, there has been a delay in DEPRM completing the critical area investigation. In fact, there is a letter in the file requesting a continuance for the time for DEPRM to complete their investigation. I agreed to withhold the opinion on this case pending DEPRM's findings and it was further agreed that they would be submitted on or before March 6, 1992. In fact, the engineer for the project gave DEPRM the information they needed at the hearing.

There is no opposition to the request and it seems clear that it should be granted. The only condition should be the fencing and the landscaping. There is a comment regarding noise and I question whether I have the authority to invoke a comment in view of the fact that it is a Maryland State regulation, not a Baltimore County regulation.

It should be noted that Howard Alderman is to be called to see if DEPRM has gotten their comment to us by March 3. It should also be noted that Howard Alderman would like the opinion rendered promptly after March 3 because of the pending liquor board applications and because the sale of this property which is being done under distress as a result of a foreclosure.

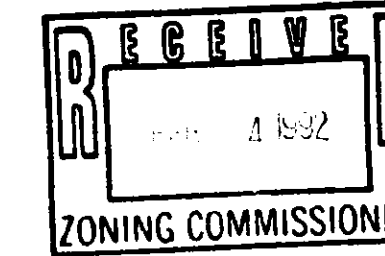
LES:smn

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Zoning Commissioner
DATE: February 4, 1992

FROM: Robert C. Merrey, Jr.
Bureau of Air Quality & Waste Management

SUBJECT: Petition for Special Exception, ZAC #281
Resolution Trust Corporation



This office recommends approval of the Special Exception for a community building for the Resolution Trust Corporation. However, due to its proximity to residences and expected late night operation, approval should be granted under the condition that the facility and its associated surrounding property at all times be in compliance with all provisions of the State of Maryland noise regulations. These regulations, COMAR 26.02.03 in part, restrict the level of noise that this facility may generate. The facility may not produce noise levels that impact residential property at a level of 55 A-weighted decibels during nighttime hours (10:00 p.m. to 7:00 a.m.) or 65 A-weighted decibels during daytime hours. Other restrictions in the regulations may also apply depending on the specifics of the situation. The Support Services Division of the Air Quality and Waste Management Bureau will be responsible for any noise measurements which may be required to ensure compliance with these provisions.

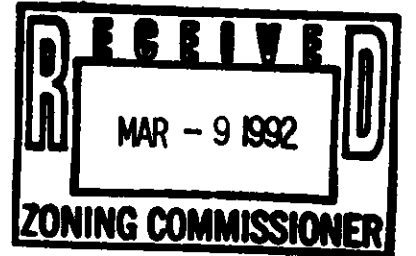
RCM/mb
cc: Jackie MacMillan (MS#3402)
ZONING.COM/TXTMB

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Robert C. Covahey, Chief
Bureau of Public Services
DATE: March 9, 1992

FROM: J. James Dieter, Director

SUBJECT: Chesapeake Bay Critical Area Findings
Wells-McComas Post #2678, VFW, In
Zoning Case # 92-262-XA



SITE LOCATION

The subject property is located at 6521 North Point Road. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME: Wells-McComas Post #2678, VFW, Inc.

APPLICANT PROPOSAL

The applicant proposes to use an existing building as a community building and to construct an entrance road and parking lot. The existing site contains two non-tidal wetlands, a gravel road through one of these wetlands, a paved road adjoining this same wetland, a small parking lot, and the existing building.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.D>

ORDER RECEIVED FOR FILING
Date: 3/11/92
By: [Signature]

Memo to Mr. Robert C. Covahey
March 9, 1992
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.
Finding: The site is located approximately 1000 feet from the tidal waters of Greenhill Cove and no streams exist on or in the vicinity of the site. Therefore no disturbance of the 100 foot buffer shall occur.
2. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.
Finding: A portion of one of the two non-tidal wetlands is proposed to be filled for the construction of the entrance road. The filling totals approximately 300 square feet on the perimeter of this non-tidal wetland. This wetland filling is considered to be unavoidable, due to the location of the wetlands on-site, the requirement to move the entrance road out of the State Highway Administration right-of-way, and the requirement to maintain a 75 foot residential transition area buffer between the proposed community building and the adjoining development. The road shall be constructed so that runoff leaving the paving enters the ditch to the north rather than the wetland.

Mitigation is being proposed by removing the gravel roadway which runs through the wetland and associated buffer; approximately 3650 square feet of fill will be removed from the wetland and 2200 square feet from the wetland buffer. A mitigation plan shall be submitted and approved prior to the release of the grading permit. State and Federal approvals to perform the above activities must also be obtained prior to the release of the grading permit.

3. Regulation: "A minimum 25 foot buffer shall be maintained around all non-tidal wetlands so that development or other activities will not adversely affect the wetlands or the wildlife contained therein" <Baltimore County Code, Section 26-448(a)>.

ORDER RECEIVED FOR FILING
Date: 3/11/92
By: [Signature]

Memo to Mr. Robert C. Covahey
March 9, 1992
Page 3

Finding: The findings plan proposes a 25 foot buffer to be maintained around all the non-tidal wetlands except where the wetland that is to be filled for the entrance road. There will be no buffer along 90 feet of the perimeter of this wetland where the entrance road borders the wetland. No clearing, grading or disturbance shall occur in the designated buffer area.

4. Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment. The methodology to determine the ten-percent reduction in pollutant loadings and acceptable offsets shall conform to the standards and procedures specified in the report "A Framework for Evaluating Compliance with the Ten Percent Rule in the Critical Area" published by the Chesapeake Bay Critical Area Commission and the Maryland Office of Environmental Programs. If new development or redevelopment, using best management practices, cannot achieve the ten-percent pollutant loading reduction, quantifiable offsets, either on or off site, may be approved, if the benefits are obtained within the same watershed and the water quality benefits are equivalent, whether on or off the development site" <Baltimore County Code Section 26-452(a)>.
Finding: This project proposes to reduce pollutant loadings by 10% of the pre-development loading with the implementation of an extended detention dry pond. The development is increasing the existing impervious surface by approximately 5000 square feet. The runoff from the proposed parking lot and the existing building shall be collected in the pond and outfall into an existing ditch adjacent to the property. This proposal complies with the pollution reduction requirement and an extended detention dry pond is an acceptable Best Management Practice in the Commission's Guidance Paper No. 5 titled, "A Framework for Evaluating Compliance with the Ten Percent Rule in the Critical Area."

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations, and is therefore approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

J. James Dieter, Director

JJD::ju

cc: Mr. Harlan Barr
Mr. Howard Alderman

ORDER RECEIVED FOR FILING
Date: 3/11/92
By: [Signature]

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: January 29, 1992

FROM: Gary L. Kerns, Chief
Comprehensive and Community Planning
Office of Planning and Zoning

SUBJECT: Resolution Trust Corporation, Item No. 281

In reference to the Petitioner's request, the staff offers the following comments:

Prior CRG approval was given regarding this property which allowed for the construction of the building and the existing parking lot (KV-363). In connection with the instant case, the applicant has applied for a CRG waiver.

A landscape plan shall be filed with the deputy director of the Office of Planning and Zoning. Subsequent to plan approval, a copy shall be forwarded to the Zoning Office and made part of the official file. The landscape plan should address the importance of ensuring that the entire 75' RTA buffer is planted to provide adequate screening to adjacent residences.

Based upon the analysis conducted and information provided, staff recommends the applicant's request be granted.

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.

Report prepared by:

Jeffrey Long
Jeffrey Long

ORDER RECEIVED FOR FILING
Date: 3/11/92
By: [Signature]

GLK/JL:rdn
ITEM 281/TXTROZ

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21284

(410) 887-3353

July 15, 1992

Louis F. Carralle, Commander
Wells-McComas Post #2678, V.F.W., Inc.
6600 North Point Road
Edgemere, MD 21219

RE: Review for Conditional Approval of
Use and Occupancy Permits
Zoning Case #92-262-XA
6521 North Point Road
15th Election District

Dear Mr. Carralle:

This letter is in response to correspondence requesting conditional zoning approval for use and occupancy permits to be issued prior to final installation of new parking and storm water management facilities at the above referenced site. This office will give conditional zoning approval for use and occupancy permits prior to the parking and storm water management additions, subject to the following conditions:

1. All zoning and other County agency requirements for approval of these permits must be met.
2. A schedule for the timely completion of the new parking and storm water management facility must be provided to this office for review and approval.
3. The restrictions of the Zoning Commissioner's Order in Case #92-262-XA must be met.
4. A copy of the approved completion schedule (#2 above) must be provided on all building permit site plans.

Printed on Recycled Paper

Louis F. Carralle, Commander
July 15, 1992
Page 2

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 John Lewis at 887-3391 (FAX - 887-5708).

Very truly yours,

WCR
W. Carl Richards, Jr.
Zoning Coordinator

John L. Lewis
By: John L. Lewis
Planner II

JLL:acj

cc: Delegate Louis L. DePazzo
Senator Norman R. Stone, Jr.
Zoning File #92-262-XA

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
301-530-3700
TELECOPIER 301-625-1840

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
TELECOPIER 301-296-2801

ELLIS LEVIN (803) 496-0
CARROLL COUNTY OFFICE
117 LIBERTY ROAD
SYKESVILLE, MD 21784

HOWARD L. ALDERMAN, JR.

February 19, 1992

HAND DELIVERED

Lawrence E. Schmidt, Zoning Commissioner
Baltimore County Zoning Commissioner
Room 116
Old Courthouse
Towson, Maryland 21204

RE: Case No.: 92-262-XA

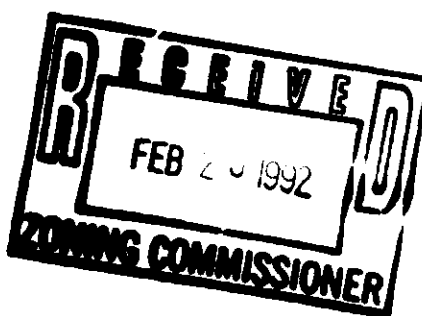
Dear Commissioner Schmidt:

As you will recall, a hearing on the above referenced case was held on February 4, 1992 concerning a special exception and variances for the Baltimore Christian Academy property. I represent the Wells-McComas Post #2678 VFW, Inc., the contract purchasers of the site.

At the time of the hearing the critical area comments had not been received. You agreed to delay any decision until March 6, 1991 regarding the zoning relief requested. I indicated to you that, in connection with the use of the subject site by the Post and as a condition to their contract of sale, a hearing was required before the Board of Liquor License Commissioners regarding the transfer of a Liquor License. I enclose herewith a notice of hearing on the requested transfer of the liquor license.

As you are aware, a liquor license is not properly transferred in a residential zone unless a special exception for a community building or some other zoning approval has been obtained. In order for the board to be able to render a decision on March 9, 1992, the date of the scheduled hearing, it is imperative that we have a decision from your office in time for the hearing. I would, therefore, appreciate it if you would contact me as soon as your decision has been signed. At the latest, I would hope to pick it up on March 6, 1992.

Subsequent to the zoning hearing, I had a conversation with James Dieter, Director, Department of Environmental Protection Resource Management regarding the necessity of the prompt submission of Critical Area comments. By copy of this letter I am



BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
301-530-3700
TELECOPIER 301-625-1840

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
TELECOPIER 301-296-2801

ELLIS LEVIN (803) 496-0
CARROLL COUNTY OFFICE
117 LIBERTY ROAD
SYKESVILLE, MD 21784

HOWARD L. ALDERMAN, JR.

December 31, 1991

HAND DELIVERED

Arnold Jablon, Director
Office of Zoning Administration and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Request for Early Hearing
6521 North Point Road
(Chesapeake Bay Critical Area)

Dear Mr. Jablon:

I represent the Wells-McComas Post #2678 VFW, Inc. in connection with their potential purchase, from the Resolution Trust Corporation, of the above-referenced property. The terms of the Contract of Sale establish a narrow time-frame for our obtaining all necessary zoning approvals.

I have, this date, filed Petitions for Variance and Special Exception to permit the subject property to be used as the new home of the Wells-McComas Post. A findings study from the Chesapeake Bay Critical Area Program was requested by McKee and Associates on December 18, 1991 (see enclosed). I am, consistent with BCZR Section 500.14.B, notifying the Department of Environmental Protection and Resource Management of the filing of our Petitions.

Please let me know if you desire any further information to enable you to promptly process this request.

Very truly yours,

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.

HLAJr/lis

cc: Andrew R. Michalski, Commander
Mr. Louis Caralle
Mr. Philip Medlin
Boven P. Weisheit, Jr., Esquire

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
TELEPHONE: (301) 527-1555

HUNT VALLEY, MARYLAND 21030
FACSIMILE: (301) 527-1563

DATE: November 5, 1992

TO: Baltimore County Department of Zoning Administration and Development Management
RE: Wells McComas VFW Post No. 2678
Special Exception Case No. 92-262

ATTENTION: Mr. Arnold Jablon, Director

Gentlemen:

We are submitting Herewith Under separate cover
 We are forwarding
 We are returning

No.	Description
2	Prints of revised plan.

For processing For your use
 For your review Please call when ready
 In accordance with your request Please return to this office

Remarks:

For further information, please contact the writer at this office.

Very truly yours,

McKee & Associates, Inc.

Harlan M. Barr, Jr.
Harlan M. Barr, Jr., Associate

Enclosures

PLEASE PRINT CLEARLY

INFORMATIONAL
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Robert Bittner, Sr.</i>	<i>2916 Delmar Avenue</i>
<i>Edna Bittner</i>	<i>2916 Delmar Avenue</i>
<i>Margaret J. Bittner</i>	<i>3906 Delmar Avenue</i>
<i>WILLIAMS STELLA</i>	<i>2122 DELMAR AVE</i>
<i>James D. Harney</i>	<i>2900 Delmar Ave</i>

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Andy Michalski</i>	<i>6600 7609 Droegemier Ave 21219</i>
<i>Kayla Budge</i>	<i>2422 Eugene Drive 21219 VFW 1478</i>
<i>Paula Budge</i>	<i>2422 Eugene Drive 21219 VFW 1478</i>
<i>Charles J. Kuchel</i>	<i>2526 Lodge Road Dr. 21219 VFW 26 11</i>
<i>Robin C. Kuchel</i>	<i>2526 Lodge Road Dr. 21219</i>
<i>Deborah Sontag</i>	<i>113 Corner of Wagon Rd. Baltimore 21210</i>
<i>Paul Sontag</i>	<i>113 Corner of Wagon Rd. 21220</i>
<i>Richard Papp</i>	<i>6802 Breese Rd 21222</i>
<i>Edna Papp</i>	<i>6802 Breese Rd 21222</i>
<i>Joseph Courman</i>	<i>1335 Willow Rd 21222</i>
<i>Harry Jann</i>	<i>2800 Ricks Ave 21219</i>
<i>Kusha J. Sontag</i>	<i>2800 Ricks Ave 21219</i>

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
HUNT VALLEY, MARYLAND 21030
Telephone: (301) 527-1555
Facsimile: (301) 527-1563

December 18, 1991

Re: 6521 North Point Road

Mr. David Flowers
Program Coordinator
Chesapeake Bay Critical Area
Baltimore County
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Dear Mr. Flowers:

We are hereby requesting a findings study be initiated for the above referenced site.

We will also be applying for a special exception and variance hearing to be processed by the Zoning Office.

The findings plan and associated information will be submitted shortly.

Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

McKee & Associates, Inc.

Harlan M. Barr, Jr.
Harlan M. Barr, Jr., Associate

HMB:ajv

cc: Wells-McComas
c/o Louis Caralle

Howard Alderman

CERTIFIED MAIL

CRITICAL AREA

781

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
301-530-3700
TELECOPIER 301-625-1840

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
TELECOPIER 301-296-2801

ELLIS LEVIN (803) 496-0
CARROLL COUNTY OFFICE
117 LIBERTY ROAD
SYKESVILLE, MD 21784

HOWARD L. ALDERMAN, JR.

December 30, 1991

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

David Flowers, Program Coordinator
Department of Environmental Protection and
Resource Management
Room 416
401 Bosley Avenue
Towson, Maryland 21204

RE: Notice of Filing of Petitions
6521 North Point Road
Former Baltimore Christian Academy Property

Dear Mr. Flowers:

Notice is hereby given, in accordance with Baltimore County Zoning Regulations Section 500.14.B that Petitions for Special Exception and Variance have been filed with the Office of the Zoning Commissioner regarding the above-referenced property. I have enclosed a copy of each Petition and the accompanying plat for your reference. I have also enclosed a copy of the December 18, 1991 letter from Harlan Barr, of McKee and Associates, regarding this subject.

I would appreciate it if you would forward promptly your written recommendations on these Petitions to the Zoning Commissioner. Due to time frames in our contract of purchase with the Resolution Trust Corporation, your recommendations are needed as soon as possible so that the zoning hearings might be scheduled.

Should you be unable to submit promptly your recommendations, or should you desire any further information needed to formulate your recommendations, please contact me at once.

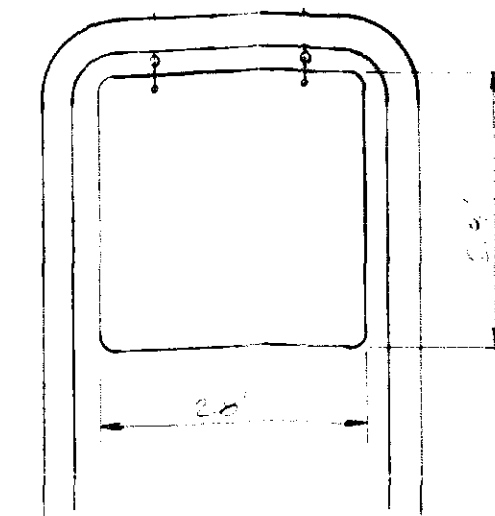
Very truly yours,

Howard L. Alderman, Jr.

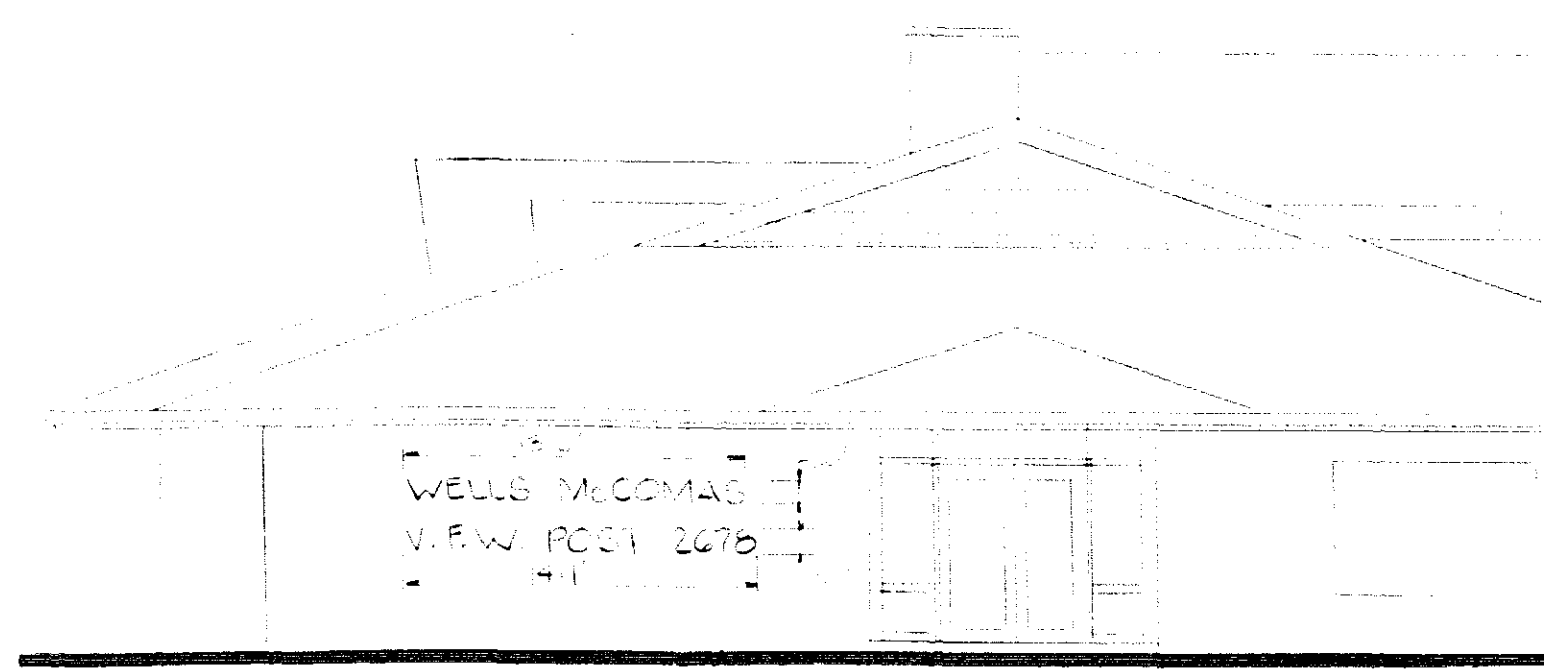
HLAJr/lis

PARKING TABULATION

LOUNGE	3900 SF @ 20/1000 SF = 78
DANCE HALL	3264 SF @ 20/1000 SF = 65.28
MEETING ROOM	1,996 SF @ 30/1000 SF = 6.65
OFFICES	1898 SF @ 30/1000 SF = 6.05
KITCHEN	728 SF @ 20/1000 SF = 14.56
TOTAL REQUIRED: 170.48 (171)	



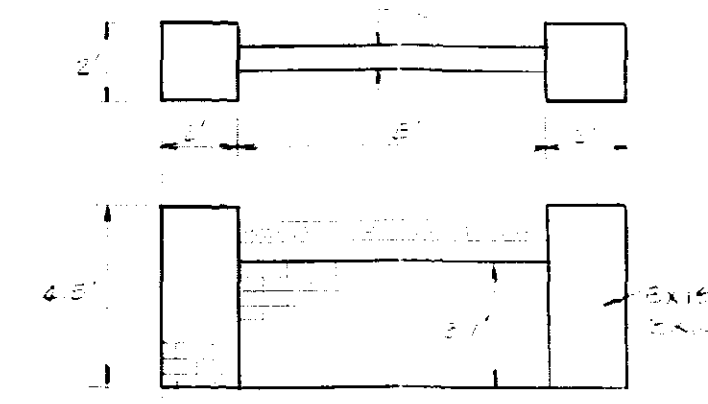
SIGN 3 - SHIELD
(8 SQUARE FEET)



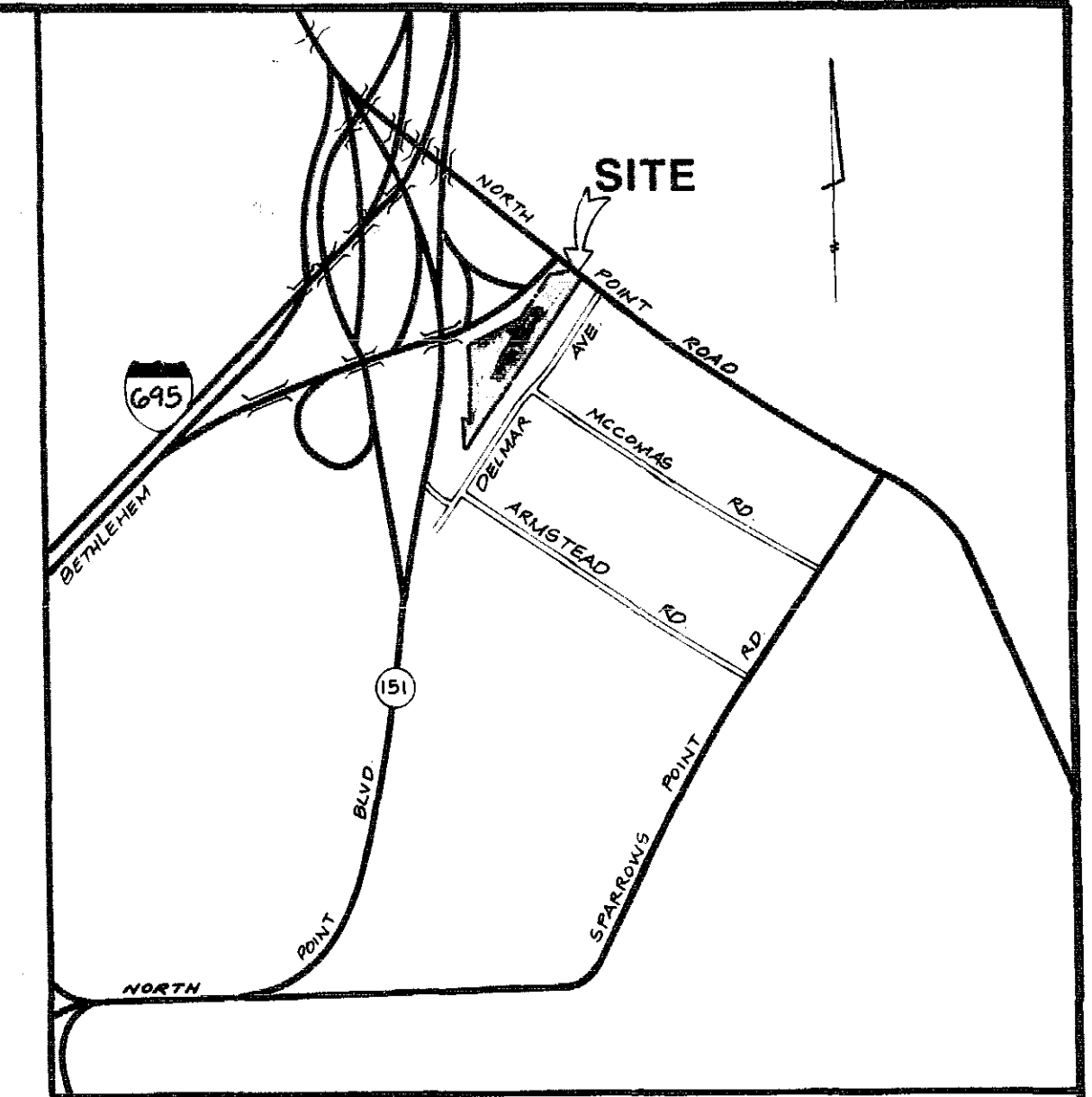
SIGN 2 - BLDG.
(15 SQUARE FEET)

SITE DATA

GROSS SITE AREA	6.84 AC. ±
EXISTING BUILDING AREA	18,153 S.F.
PARKING REQUIRED	171
PARKING PROPOSED	171
EXISTING ZONING	C.R. 5.5
COUNCILMANIC DISTRICT	7
LOCAL OPEN SPACE REQUIRED	0.49 AC. ±
LOCAL OPEN SPACE PROPOSED	0.44 AC. ±



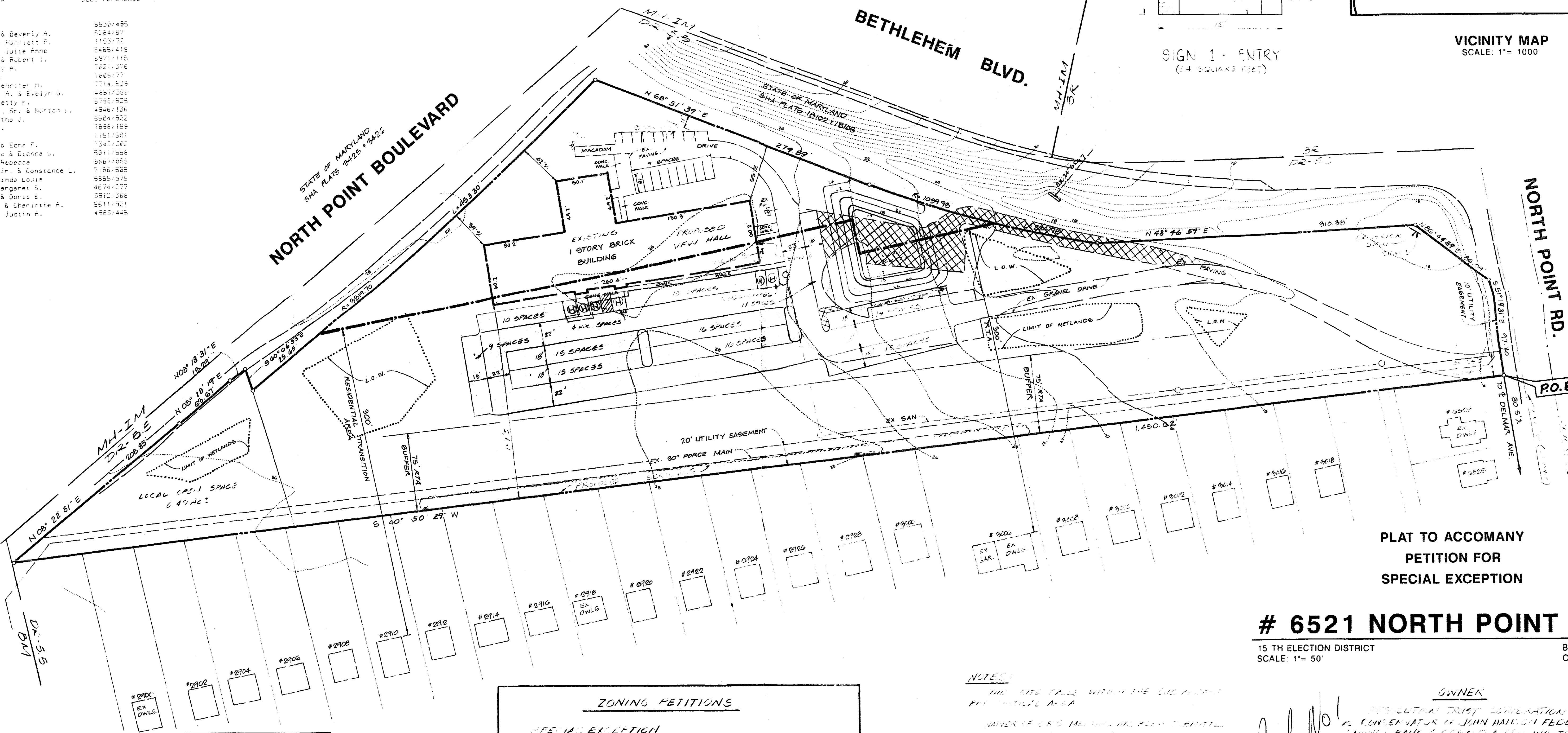
SIGN 1 - ENTRY
(14 SQUARE FEET)



VICINITY MAP
SCALE: 1" = 1000'

ADJACENT LOT OWNERS

ADDRESS	OWNER	DEED REFERENCE
3016	Neudinger, George	6550/455
3016	Cramer, Francis P. & Beverly H.	6264/97
3014	Woods, Milton D. & Harriett P.	1153/72
3011	Munsil, Keith Lee & Julie Anne	6465/415
3010	Morgan, Elsie Jean & Robert L.	6571/116
3009	Smith, John and Mary M.	7021/276
3008	Smith, Bernard Milton	7658/77
3000	Stein, Milan L. & Jennifer W.	7714/825
2928	Northington, Victor A. & Evelyn B.	4557/288
2926	Rice, Eugene D. & Betty M.	5755/535
2924	Reisman, Charles E., Jr. & Horton L.	4945/135
2923	Wilson, James & Marlene J.	5524/802
2920	Marrison, Dorothy J.	7858/155
2918	Schriener, Lora B.	1151/501
2916	Eitner, Robert H. & Eona F.	7342/202
2914	Snaffler, Lee M., Jr. & Dianne L.	5011/588
2910	Smith, Robert W. & Rebecca	5887/655
2910	Russ, Robert Earl, Jr. & Constance L.	7186/505
2908	Robert, Bruce W. & Lorne Louise	5555/575
2905	Cotter, John E. & Margaret S.	4574/270
2904	Beilison, Marvin M. & Doris S.	3912/266
2903	Stella, Nicholas M. & Charlotte A.	5511/921
2900	Harvey, Jimmie D. & Judith M.	4557/445



PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION

6521 NORTH POINT ROAD

15 TH ELECTION DISTRICT
SCALE: 1" = 50'
BALTO. CO. MD.
OCTOBER 16, 1991

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(301) 252-5820

Computed by: _____
Drawn by: _____
Checked by: _____
Job Number: 77-167

James W McKee Date _____
(Maryland Registered No 9012)

ZONING PETITIONS

SEE 1A - EXCEPTION
TO ALLOW A COMMUNITY BUILDING FOOTPRINT
TO BE IN SECTION 1801.0.3

VARIANCES

SECTION 413.1.6 (1) TO PERMIT A TOTAL OF
154 PARKING SPACES IN LIEU OF THE 171 REQUIRED

SECTION 413.1.6 (1) TO PERMIT A TOTAL
OF 3 SIGNS WITH A COMBINED TOTAL OF 40 SQUARE
FEET IN LIEU OF THE 15 SQUARE FEET PERMITTED

NOTES:

THIS SITE SHALL BE WITHIN THE 15TH ELECTION DISTRICT.

OWNER OF THIS PROJECT HAS BEEN ADVISED THAT THE 15TH ELECTION DISTRICT IS A CRITICAL AREA.

THESE ARE THE ORIGINAL RECORDS OF THE 15TH ELECTION DISTRICT.

REVISOR PRINTING
DRAWING NO. C-5-483
DATE: 10/16/91

OWNER

WELLS MCGOMAS
1170 BELLEVILLE DRIVE
BELTSVILLE MARYLAND 20705

DEVELOPER / CONTRACTOR

WELLS MCGOMAS
1170 BELLEVILLE DRIVE
BELTSVILLE MARYLAND 20705

92-262-XA

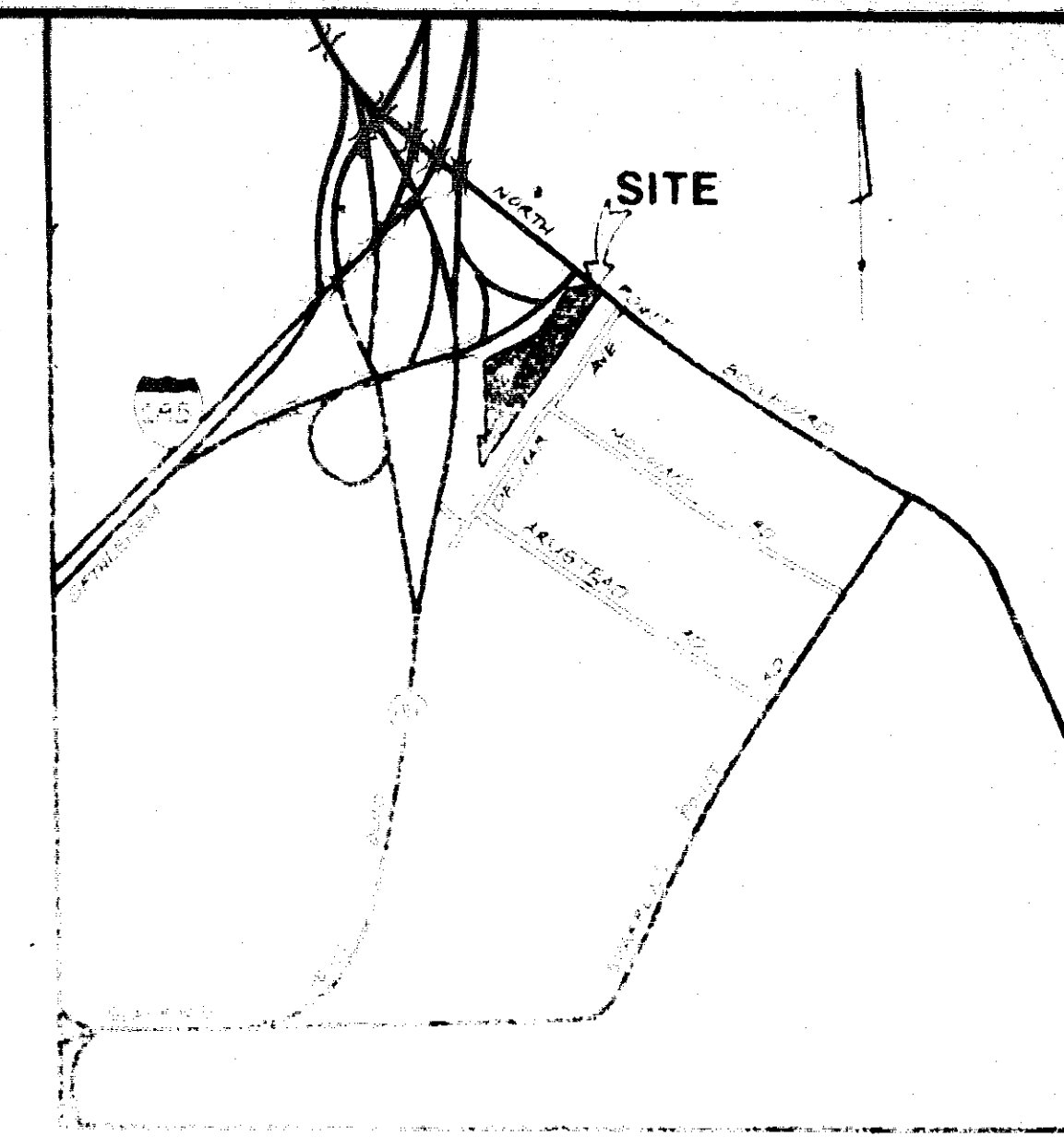
CRITICAL AREA

PARKING TABULATION

LOUNGE	3,100 SF	20/1,000 SF	78
DANCE HALL	2,200 SF	20/1,000 SF	65
MEETING ROOM	1,100 SF	33/1,000 SF	6.57
OFFICES	1,800 SF	33/1,000 SF	6.05
KITCHEN	700 SF	20/1,000 SF	4.56
TOTAL REQUIREMENTS (77)			

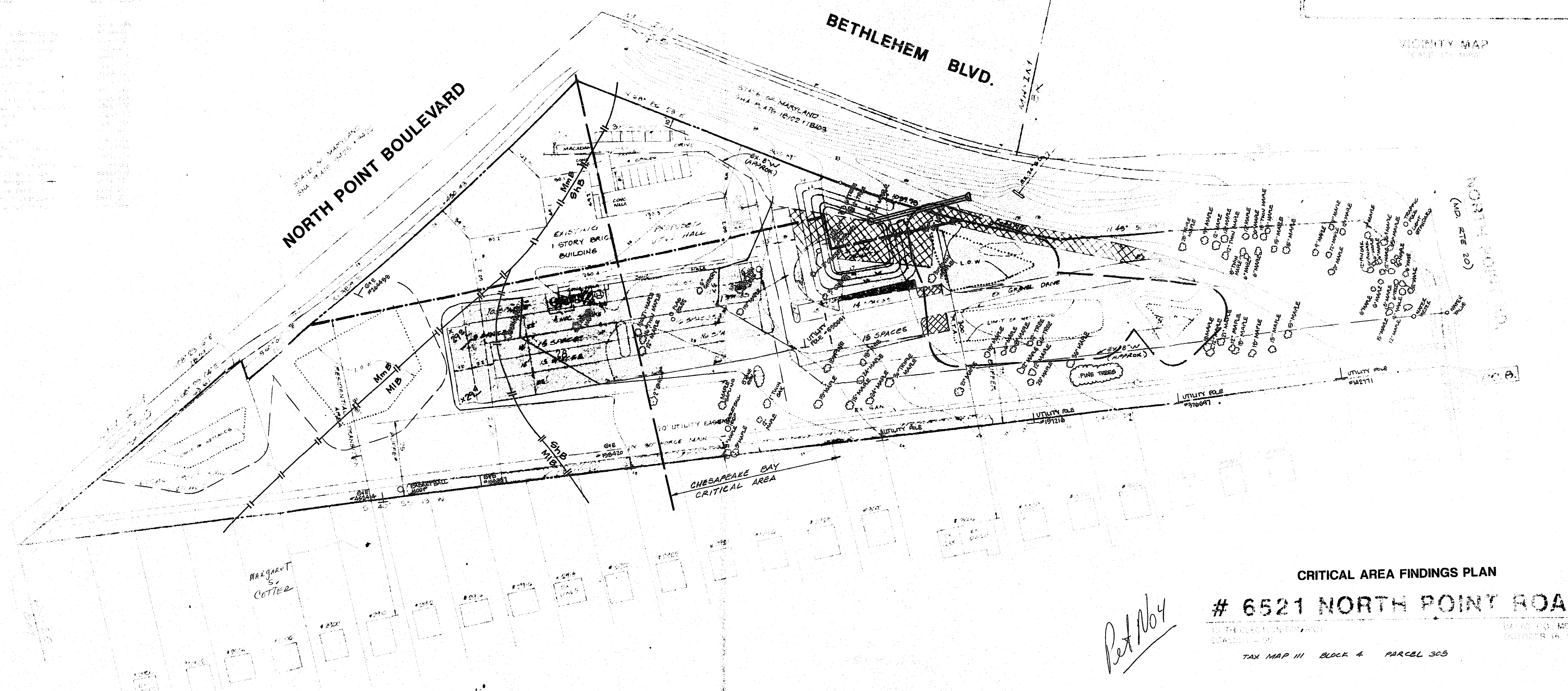
SITE DATA

GROSS SITE AREA	6.69 AC.
EXISTING BUILDING AREA	18,000 SF
PARKING REQUIRED	171
PARKING PROVIDED	184
EXISTING ZONING	CM-55
COUNCILMANIC DISTRICT	7
LOCAL OPEN SPACE REQUIRED	3,500 SF
LOCAL OPEN SPACE PROVIDED	3,100 SF
CENSUS TRACT	4320
WATERSHED	35
SUBWATERSHED	43



ADJACENT LOT OWNERS

ADDRESS	OWNER	CONTACT
3010
3012
3014
3016
3018
3020
3022
3024
3026
3028
3030
3032
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3096
3098
3100



VIACITY MAP

CRITICAL AREA FINDINGS PLAN
6521 NORTH POINT ROAD

TAX MAP III BLOCK 4 PARCEL 365

Pet No 4

PET. EXHIBIT 4

McKee & Associates, Inc.
 PROFESSIONAL LAND SURVEYORS
 91-67

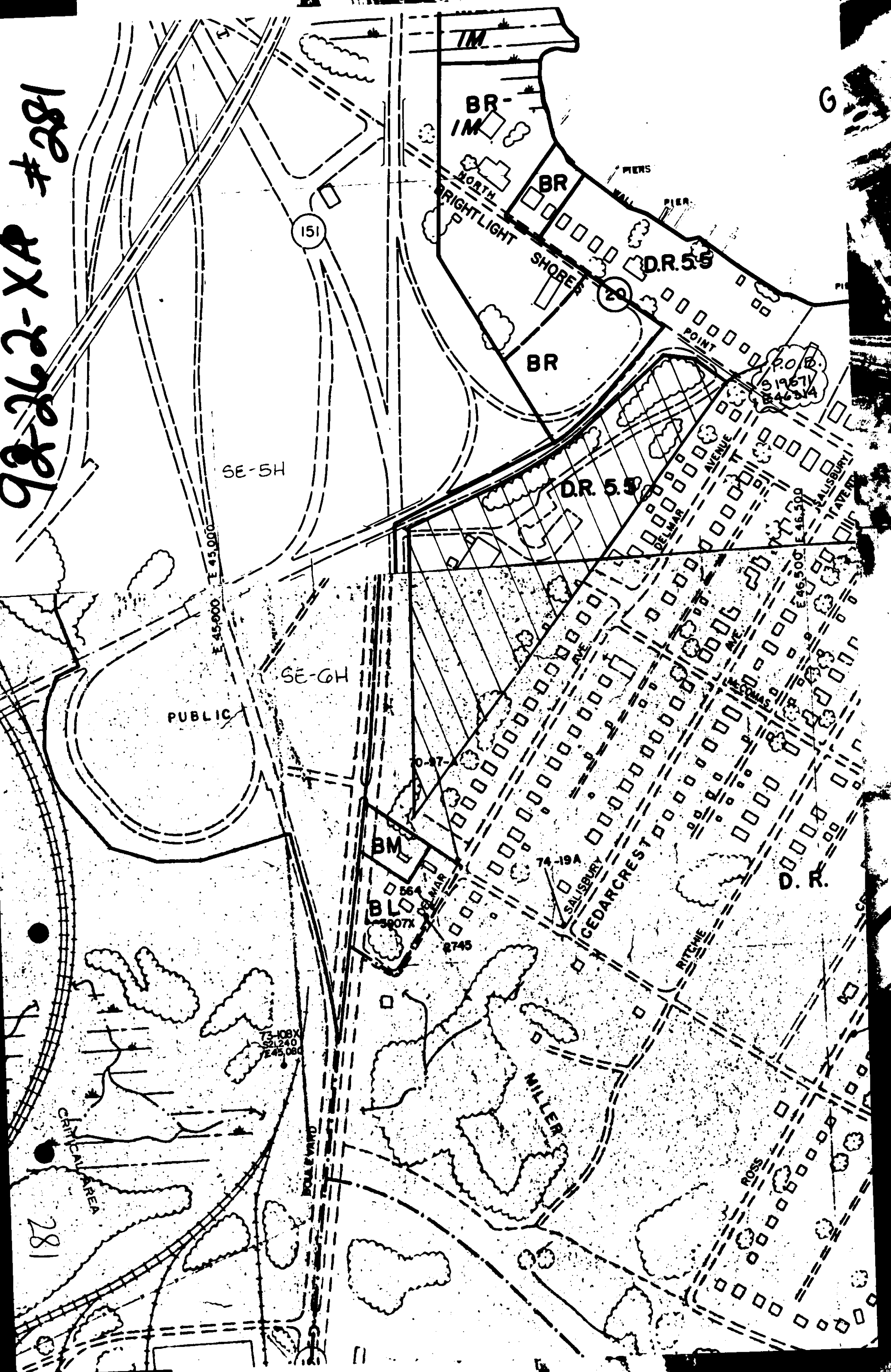
NOTE: STORM WATER MANAGEMENT SHALL BE EXTENDED DETENTION WITH SHALLOW MARSH BOTTOM FOR WATER QUALITY / POLLUTANT REMOVAL.

NOTE: THIS SITE FALLS WITHIN AN INTENSE DEVELOPMENT AREA OF THE C.B.C.A.

NOTE: NO CLEARING, GRADING OR CONSTRUCTION IN WETLAND OR STREAM BUFFER AREAS, EXCEPT AS ALLOWED BY D.E.P.R.M.

NOTES:
 THERE ARE NO STREAMS OR WETLANDS ON THIS SITE AS SHOWN ON THE 1985 ZONING MAPS.

1884 AX-272-86
98262-XA #281





Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 22, 1996

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
Resolution Trust Corporation/Wells McComas VFW - Petitioners
Case No. 92-262-XA

Dear Mr. Alderman:

In response to your letter dated April 11, 1996 concerning the above-captioned matter, the following comments are offered.

I have reviewed the contents of your letter and the documentation attached thereto and I concur that all of the restrictions set forth in the Order issued March 24, 1992 have been complied with and that there are no outstanding issues which remain to be addressed.

Should you require any additional verification relative to this matter, please do not hesitate to contact me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Case File

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management
DATE: December 3, 1993

FROM: J. James Dieter

SUBJECT: Chesapeake Bay Critical Area Findings - Revised
Wells-McComas Post #2678, VFW, Inc.
6521 North Point Road

SITE LOCATION

The subject property is located at 6521 North Point Road. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Wells-McComas Post #2678, VFW, Inc.

APPLICANT PROPOSAL

The applicant proposes to use an existing building as a community building and to construct an entrance road and parking lot. The existing site contains two non-tidal wetlands, a gravel road through one of these wetlands, a paved road adjoining this same wetland, a small parking lot, and the existing building. This findings has been revised to include a 544 square foot addition to the existing building.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts" <COMAR 14.15.10.01.0>.

Mr. Arnold E. Jablon
December 3, 1993
Page 2

REGULATIONS AND FINDINGS

I. Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment. The methodology to determine the ten-percent reduction in pollutant loadings and acceptable offsets shall conform to the standards and procedures specified in the report "A Framework for Evaluating Compliance With the Ten Percent Rule in the Critical Area" published by the Chesapeake Bay Critical Area Commission and the Maryland Office of Environmental Programs. If new development or redevelopment, using best management practices, cannot achieve the ten-percent pollutant loading reduction, quantifiable offsets, either on or offsite, may be approved, if the benefits are obtained within the same watershed and the water quality benefits are equivalent, whether on or off the development site." <Baltimore County Code Section 26-452(a)>.

Finding: This project proposes to reduce pollutant loadings by 10% of the pre-development loading with the implementation of an extended detention dry pond. The additional runoff generated by this proposed addition will be treated by the dry pond. Revised 10% worksheet calculations have been submitted demonstrating that the entire project still complies with the 10% pollutant reduction requirement as stated above.

CONCLUSION

The amended CRG plan shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above and on the attached findings dated March 9, 1992. This proposal does comply with Chesapeake Bay Critical Area Regulations and is therefore approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-3980.

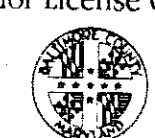
JJD:NSP:tmm

Enclosure

cc: Mr. Harlan Barr, McKee & Assoc., Inc.

VFW/DEPRM/WQBCBA

J. James Dieter, Director
Department of Environmental Protection
and Resource Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3191

May 8, 1992

Howard L. Alderman, Jr., Esquire
Law Office
Levin & Gann
305 W. Chesapeake Avenue
Towson, MD 21204

RE: Wells-McComas Post #2678
V.F.W., Inc.

Dear Mr. Alderman:

The Board of Liquor License Commissioners for Baltimore County has received and reviewed your letter of April 3, 1992 and April 15, 1992 concerning the transferring of a Class C (BML) license to 6521 North Point Road, Baltimore, MD 21219. This Board has approved the application for change of location, subject to a letter from the Zoning Office that all the requirements as outlined in Zoning Commissioner Order of March 24, 1992 have been complied with.

The issuing of the license is also subject to the following:

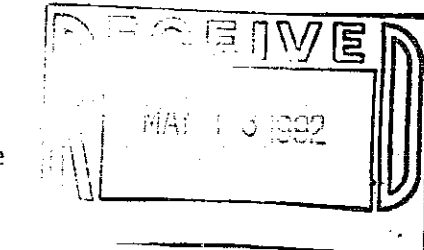
1. Final Inspection from Building, Plumbing, Health and Fire Department.
2. Copy of Occupancy Permit
3. Bulk Transfer Permit Clearance
4. Copy of Federal Tax Stamp

BOARD OF LIQUOR LICENSE
COMMISSIONERS FOR BALTIMORE
COUNTY

William R. Snyder, Chairman
Philip R. Leyhe, Jr., Member
Frank J. Wesolowski, Member

WRS:hmp

cc: File



William R. Snyder, Chairman

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204

PERMIT NO: B254847

PERMISSION IS HEREBY GRANTED TO:
NAME: WELLS MCCOMAS VFW POST 2678
ADDRESS: 305 W CHESAPEAKE AVE BALTO., MD 21219

TO USE AND OCCUPY THE LAND AND/OR BUILDINGS DESCRIBED AND LOCATED AS FOLLOWS ON PERMIT NO. B254847

LOCATION OF PROPERTY 6521 NORTH POINT BLVD
DIST: 15 - LOT NO. BLOCK NO.
SUBDIVISION: AT SPARROWS POINT BLVD

DATE: 04/10/96
FEE PAID: 140.00

ISSUED BY THE BUILDINGS ENGINEER



HOWARD L. ALDERMAN, JR.

April 1, 1996

Mr. Jeffrey Long, Planner
Baltimore County Office of Planning
406 Bosley Avenue
Room 416
Towson, Maryland 21204

RE: Wells-McComas VFW Post #2678
6521 North Point Road

Dear Jeff:

This will confirm the conversation that you and I had on Wednesday, March 27, 1996 pertaining to the above-referenced location. As you will recall, the Zoning Commissioner for Baltimore County required the Post to improve the subject property with certain landscaping in connection with the Special Exception that was granted several years ago. Based upon the past winter, and present weather conditions, combined with the fact that the Post wants to move to its new location as soon as possible, we have requested and your office has approved a temporary delay in the installation of the required landscaping. Pursuant to our Agreement, the Post is to install the required landscaping prior to the end of the 1996 Fall planting season. I will be providing a copy of this letter confirming our Agreement to the Baltimore County Board of Liquor License Commissioners to show compliance with the comment of the Office of Planning relative to the special exception.

Thank you and your office for your cooperation in assisting the Post in this regard.

Very truly yours,

Howard L. Alderman, Jr.

HLA/lah
cc: Wells McComas Post #2678
Mr. Louis F. Caralle

HOWARD L. ALDERMAN, JR.

April 11, 1996

Mr. Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
400 Washington Avenue
Towson, Maryland 21204

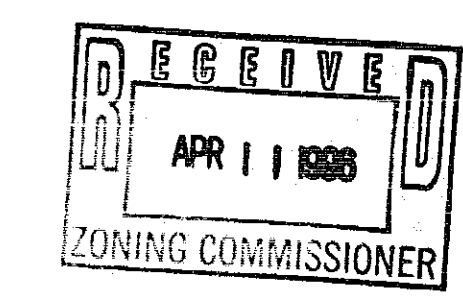
RE: Letter of Compliance With Zoning Order
Resolution Trust Corporation/Wells-McComas VFW, Co-Petitioners
Case No.: 92-262-XA
6521 North Point Road

Dear Mr. Schmidt:

This letter is being written in follow-up to our conversation yesterday afternoon regarding the above-referenced case which involves property located at 6521 North Point Road. On March 24, 1992 you passed an Order granting a Special Exception Use of the existing improvements on the property for a community building and a zoning variance with respect to parking and signs. I have enclosed for your reference a copy of your decision in that case.

I have also enclosed a copy of a letter dated May 8, 1992 addressed to me from the Board of Liquor License Commissioners for Baltimore County pertaining to the transfer of the Post's liquor license from its existing location to 6521 North Point Road. I met yesterday with Mr. Stanley Pianowski, Administrative Officer of the Board pertaining to the second sentence of that May 8, 1992 letter, which has been highlighted for your reference. Specifically, the Board of Liquor License Commissioners is requiring a letter from you that the requirements outlined in your Order have been complied with.

Subsequent to the passing of your Order, a CRG Plan for the subject property was modified and was approved by the CRG. I have enclosed herewith a copy of a memorandum from J. James Dieter to Mr. Arnold Jablon, dated December 3, 1993, indicating that the proposed modification of the CRG complies with the Chesapeake Bay Critical Area Regulations and was "therefore approved." I have also enclosed a copy of a memorandum from DEPRM, Bureau of Engineering Services, Environmental Impact Review, dated October 4, 1994 indicating that the grading, erosion and sediment control plans have been approved for the subject site. Also from that agency I have enclosed a copy of a letter dated October 4, 1994 to Mr. Charles Main of McKee & Associates indicating that the wetland mitigation plan has been approved for the subject property.



Lawrence E. Schmidt, Esquire
April 11, 1996
Page 2

LEVIN & GANN, P. A.

The above referenced correspondence, combined with the conclusion at page three of the DEPRM correspondence, dated March 9, 1992 and attached to your Order indicates that all open issues from a DEPRM standpoint have been addressed. I would note, for your reference, that I have enclosed a copy of the Occupancy Permit approved for this location which was issued yesterday.

As to the third condition of your Order, I enclose herewith a copy of a letter agreement reached with the Office of Planning regarding landscaping. Based upon the past winter and the extensive work that has been undertaken by my clients, the time for installation of the landscaping has been extended until the 1996 Fall planting season. This was due, in part, to the fact that Baltimore County, Maryland has acquired title to the existing Post home and that my clients are required to move to their new location promptly to permit the County to raze the existing structure for construction of a senior citizen facility.

Finally, with respect to condition four of your Order, please be advised that the State Highway Administration has modified its position regarding improvements identified in its correspondence dated February 4, 1992. I enclose herewith a copy of a letter dated November 3, 1992 from the Maryland Transportation Authority indicating that the MTA "will construct the driveway entrance as shown on the permit drawings" for the Wells-McComas Post. That agency concluded that since they had reached an Agreement with the Wells-McComas, the Letter of Credit posted by the Post should be released. I have also enclosed a copy of a letter dated November 10, 1994 from the State Highway Administration acknowledging the agreement reached with the Transportation Authority and returning my clients Letter of Credit.

I apologize for the bulk of this information, however, I wanted you to have assurances that all conditions of your Order have been satisfied or extended by the relevant approving agencies. I would appreciate it if you would address a letter to the Board of Liquor License Commissioners for Baltimore County acknowledging compliance with your Order.

Should you need an additional information in this regard, please do not hesitate to contact me. I would like to impose further upon the graces of your office and ask that I be allowed to pick up the letter and hand-deliver it to the Liquor Board so that I may get the Post's license issued as soon as possible.

Thank you for your consideration in this regard.

Very truly yours,

Howard L. Alderman, Jr.

HLA/ch
Enclosures

cc: Wells McComas Post No. 2678, VFW