



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 3, 1996

Leslie M. Pittler, Esquire
29 W. Susquehanna Avenue, Suite 610
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
W/S York Road, 1510' NE of Mt. Carmel Road
(Parcel A)
7th Election District - 3rd Councilmanic District
Panther Branch Ltd. Partnership - Petitioners
Case No. 94-245-XA

Dear Mr. Pittler:

In response to your letter dated December 28, 1995 concerning the above-captioned matter and your request for an extension of the special exception, the following comments are offered.

As you know, my Order issued February 7, 1994 granted your client a special exception and variance for a combination golf driving range, miniature golf course, and baseball batting range. I am aware that your client has already constructed the golf driving range, and has been negotiating with a company to install the miniature golf course. While it is true that special exceptions will lapse if not utilized within two years of the date of an Order granting same, the special exception has been vested by virtue of the construction of the golf driving range. Therefore, it will not be necessary to request an extension of the special exception or to construct the miniature golf course prior to February 7, 1996.

If you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

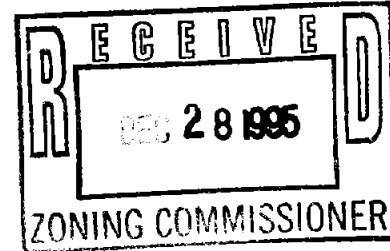
TMK:bjs

cc: Arnold Jablon, Director, DPDM
People's Counsel
Case File

LESLIE M. PITTLER
ATTORNEY AT LAW
SUITE 610
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204

OFFICE 410-823-4455
FAX 410-583-2437
HOME 410-296-4461

December 28, 1995



Timothy M. Kotroco, Esquire
Deputy Zoning Commissioner
for Baltimore County
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Petitions for Special Exception and Variance
w/s York Road, 1510' - NE of the corner of Mt. Carmel Road (Parcel A)
7th Election District - 3rd Councilmatic District
Panther Branch Ltd. Partnership Petitioners
Case No. 94-245-XA

Dear Deputy Commissioner Kotroco:

On February 7th of 1994, you issued your Findings of Fact and Conclusion of Law in the above-captioned case.

Your decision granted the Special Exceptions to permit a golf driving range, miniature golf, and baseball batting range.

The driving range has been in existence since March of 1995, however, the miniature golf and baseball batting range have not been put into use as of this time.

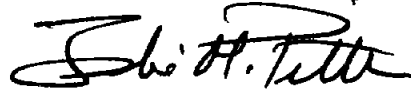
We expect that a plan will be submitted to Baltimore County, shortly, for the miniature golf, but would respectfully request an extension pursuant to Section 502.3 to February 1, 1999 for both of the remaining uses. By granting such an extension you would not be exceeding the maximum time for utilization of the special exceptions beyond the period of five (5) years from the date of your final order.

Timothy M. Kotroco, Esquire
December 28, 1995
Page Two

Leslie M. Pittler

Many thanks, for your consideration of this matter.

Very truly yours,

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Leslie M. Pittler

LMP/pgb
cc: Mr. John Invernizzi



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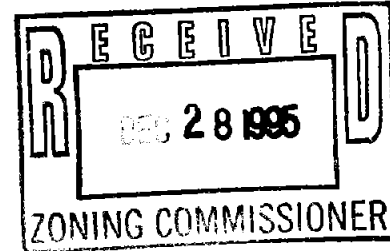
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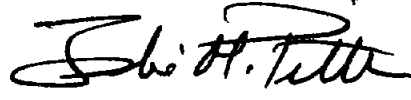
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December 28, 1995
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Leslie M. Pittler

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Leslie M. Pittler

LMP/pgb
cc: Mr. John Invernizzi

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - W/S York Road, 1510' NE of the c/l of Mt. Carmel Road (Parcel A) 7th Election District 3rd Councilmanic District

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case No. 94-245-XA

Panther Branch Ltd. Part. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance filed by the owners of the subject property, Panther Branch Limited Partnership, by G. A. Halley, General Partner, and the Contract Purchaser, John Invernizzi. The Petitioners seek a special exception for a golf driving range, miniature golf, and baseball batting range in a B.L.-C.R. and R.C.5-C.R. Zone and District, pursuant to Section 259.3.B.2, 259.3.A.2 and 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The Petitioners also seek variance relief from Sections 259.3.C.A, 409.8.A.2 and 409.8.A.6 of the B.C.Z.R. to permit a front, side and rear yard setback of 0 feet each in lieu of the required 15 and 50 feet for the required landscaping, and to allow driveways and parking areas to have a crusher run surface in lieu of the required paved or macadam surface and permanently striped parking areas. The relief requested is more particularly described on Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were Edward A. Halley, a General Partner with Panther Branch Limited Partnership, John Invernizzi, Contract Purchaser, and Paul Lee, Registered Professional Engineer. Also appearing on behalf of the Petitioners were Jeff Long, a representative of the Baltimore County Office of Planning and Zoning, and

Bruce Gerwig, a resident of the area. The Petitioners were represented by Leslie M. Pittler, Esquire. There were no Protestants.

Testimony indicated that the subject property, located on the west side of York Road near its intersection with Mt. Carmel Road, is known as Parcel A and is part of a larger tract containing a gross area of 24.554 acres. Parcel A consists of 21.1 acres, more or less, zoned B.L.-C.R. and R.C.5 CR, and is presently unimproved. This property is located adjacent to the Baltimore-Harrisburg Expressway (I-83) on the north and York Road on the south. The Petitioners are desirous of developing the site with a golf driving range, miniature golf, and baseball batting range in accordance with Petitioner's Exhibit 1.

Appearing and testifying on behalf of the Petitioners was Jeffrey Long with the Office of Planning and Zoning. Mr. Long testified that this property was the subject of a reclassification Petition which resulted in the present zoning of the site. He testified that the Petitioners have cooperated with all Baltimore County reviewing agencies in developing this site, as well as the Hereford Community Association. Mr. Long noted that the Hereford Community Association has voted to support the Petitioners' request for special exception and variance. He further offered the support of the Office of Planning and Zoning. Mr. Long also offered testimony as to the layout and design of the proposed driving range. Mr. Long, a "true hacker" by anyone's golf standards, testified that the design and layout of this facility is such that even his slice could be accommodated.

Mr. Paul Lee next testified on behalf of the Petitioners. Mr. Lee, better noted for his expertise in professional engineering, as opposed to his game of golf, testified concerning the proposed use of this property. Mr. Lee offered testimony that the Petitioners' request satisfies the

special exception requirements set forth in Section 502.1 of the B.C.Z.R. and is an appropriate use of this property.

Mr. Edward A. Halley, Jr., a General Partner with Panther Branch Limited Partnership, appeared and testified. Mr. Halley testified that he has received full support of the Hereford Community Association for this Project, and also stated that he has entered into a covenant agreement with that Association, which was introduced to this Deputy Zoning Commissioner as Petitioner's Exhibit 6. That agreement shall be incorporated into this Order and enforceable as if part of the Order, to insure compliance with same.

Finally testifying on behalf of the Petitioners was John Invernizzi, the Contract Purchaser. Mr. Invernizzi, who is a golf professional and has experience in operating this type of business, will be responsible for the operation of the proposed facility. Mr. Invernizzi testified that he hopes to have the business operating by the summer of 1994.

It is clear that the B.C.Z.R. permits the use proposed in the B.L.-C.R. and R.C.5-C.R. zones 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 particular location described by Petitioner's Exhibit 1 would have any ad-

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

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

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.

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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special

ORDER RECEIVED FOR FILING
Date 2/1/94
By JLP

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By JLP

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circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not result in any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of February, 1994, that the Petition for Special Exception to permit a golf driving range, miniature golf, and baseball batting range in a B.L.-C.R. and R.C.5 CR Zone and District, pursuant to Section 259.3.B.2, 259.3.A.2 and 230.13 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 259.3.C.A and 409.8.A.2 and 409.8.A.6 to permit a front, side and rear yard setback of 0 feet each in lieu of the required 15 and 50 feet for the required landscaping, and to allow driveways and parking areas to have a crusher run surface in lieu of the required paved or macadam surface and permanently striped parking areas, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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 relief granted herein shall be rescinded.

2) The covenant agreement entered into between the Panther Branch Limited Partnership and the Hereford Community Association, identified herein as Petitioner's Exhibit 6, shall be incorporated into this Order and enforceable as if a part of this Order.

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

TNR:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2/1/94
By JLP

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 7, 1994

Leslie M. Pittler, Esquire
29 W. Susquehanna Avenue, Suite 600
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RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE
W/S York Road, 1510' NE of the c/l of Mt. Carmel Road (Parcel A)
7th Election District - 3rd Councilmanic District
Panther Branch Limited Partnership - Petitioners
Case No. 94-245-XA

Dear Mr. Pittler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TNR:bjs

cc: Mr. G. A. Halley
Panther Branch Ltd. Partnership
4081 Mt. Zion Road, Upperco, Maryland 21155

Mr. John Invernizzi
601 Spring Avenue, Lutherville, Md. 21093

People's Counsel
File

ORDER RECEIVED FOR FILING
Date 2/1/94
By JLP

Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at West side York Road, 1510' N. Mt. Carmel Road which is presently zoned B.L.-C.R. & R.C.5 CR

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Regulations of Baltimore County, to use the herein described property for:

Under Sections 259.3.B.2, 259.3.A.2 & 230.13 for golf driving range, miniature golf, and baseball batting range in a "B.L.-C.R." & "R.C.5 CR" Zone and district. (Parcel A - RC-5 CR Zone.

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.

Contract Purchaser/Lessor:

John Invernizzi
(Type or Print Name)

John Invernizzi
Signature

601 Spring Ave

LUTHERVILLE, MD 21093

City State Zipcode

Attorney for Petitioner:

Leslie M. Pittler
(Type or Print Name)

Leslie M. Pittler
Signature

29 W. Susquehanna Ave. Ste. 600

Towson, MD 21204

City State Zipcode

When do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

G. A. Halley - Gen. Partner
Panther Branch Ltd. Partnership
(Type or Print Name)

G. A. Halley - Gen. Partner
Signature

G. A. Halley - Gen. Partner
(Type or Print Name)

Signature

4081 MT. ZION ROAD

UPPERCO, MD 21155

City State Zipcode

Name Address and phone number of representative to be contacted

Name Address Phone No.

ESTIMATED LENGTH OF HEARING approximately for Hearing

See following dates: ALL OTHER

REVIEWED BY: TNR DATE: 2/1/94

CASE 94-145-XA - GRANTED FEB 7, 1994

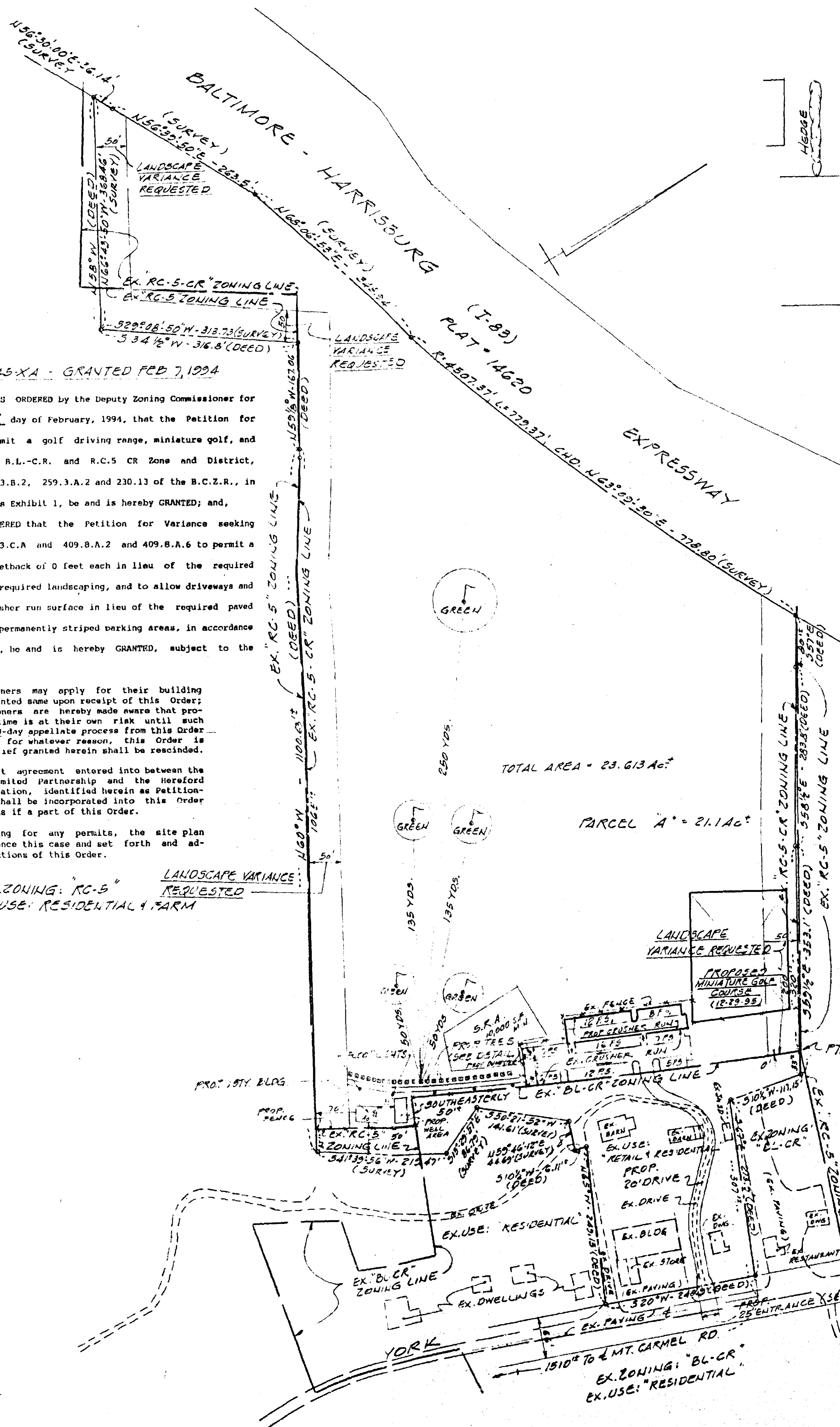
WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of February, 1994, that the Petition for Special Exception to permit a golf driving range, miniature golf, and baseball batting range in a R.C.5-CR and R.C.5 CR Zone and District, pursuant to Section 259.3.B.2, 259.3.A.2 and 230.13 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 259.3.C.A and 409.8.A.2 and 409.8.A.6 to permit a front, side and rear yard setback of 0 feet each in lieu of the required 15 and 50 feet for the required landscaping, and to allow driveways and parking areas to have a crusher run surface in lieu of the required paved or macadam surface and permanently striped parking areas, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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 relief granted herein shall be rescinded.
- 2) The covenant agreement entered into between the Panther Branch Limited Partnership and the Hereford Community Association, identified herein as Petitioner's Exhibit 6, shall be incorporated into this Order and enforceable as if a part of this Order.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

EX.ZONING: RC-5
EX.USE: RESIDENTIAL & FARM

LANDSCAPE VARIANCE REQUESTED



TYPICAL TEE-MAT DETAIL
SCALE: 1" = 4'

APPROVED: JADM 12-29-95
THE AMENDED PLAN, REVISED 6-22-94, SHOWING SHIFTING OF THE BUILDING, SEPT C AREA, AND PARKING AREA CHANGE HAS BEEN REVIEWED AND HAS BEEN DETERMINED TO BE WITHIN THE SPIRIT AND INTENT OF THE DEPUTY ZONING COMMISSIONER'S ORDER IN CASE 94-145-XA.
1/21/96
DATE

GENERAL NOTES:

1. AREA OF PROPERTY = 23.613 AC. (GROSS: 24.554 AC), PARCEL A - 21.142 AC.
2. EXIST. ZONING OF PROPERTY = "BL-CR" & "RC-5-CR"
3. EXIST. USE OF PROPERTY = "RETAIL STORE, RESIDENTIAL & FARM"
4. PROP. ZONING OF PROPERTY = "BL-CR" & "RC-5-CR" W/ SPECIAL EXCEPTION
5. PROP. USE OF PROPERTY = "BL-CR" - RETAIL STORE - "RC-5-CR" - GOLF DRIVING RANGE & MINIATURE GOLF
6. PETITIONER REQUESTING SPECIAL EXCEPTION IN "RC-5-CR" ZONE UNDER SECT. 259.3.B.2, SECT. 259.3.A.2 & SECT. 230.13 FOR GOLF DRIVING RANGE, MINIATURE GOLF, AND BASEBALL BATTING RANGE IN A "BL-CR" & "RC-5-CR" ZONE AND DISTRICT. (PARCEL A - "RC-5-CR" ZONE)
7. PETITIONER REQUESTING A VARIANCE TO SECT. 259.3.C.3.A. RELATIVE TO REQUIRED LANDSCAPING FOR FRONT, SIDE & REAR SETBACKS, (PARCEL A) TO PERMIT A 0' BUFFER AND SETBACK IN LIEU OF THE REQUIRED 15' AND 50'.
8. PETITIONER REQUESTING A VARIANCE TO SECTIONS 409.8.A.2 AND 409.8.A.6 OF THE B.C.Z.R. TO ALLOW DRIVEWAY AND PARKING AREA NOT TO BE PAVED OR MACADAMED BUT TO HAVE A CRUSHER RUN SURFACE AND FROM REQUIRED PERMANENTLY STRIPED PARKING AREAS.
9. PERMITTED P.A.R. = 0.20, PROPOSED P.A.R. = 0.03
10. ANY PROPOSED SIGNS SHOULD BE IN CONFORMANCE WITH SECT. 414 OF THE B.C.Z.R. AND ANY EXISTING POLICIES.
11. REQUIRED OFF-STREET PARKING @ 1.5/TEE = 15(26) + 15(18) = 66 PS
12. NUMBER OF PARKING SPACES SHOWN = 69 PS
13. PROPOSED LIGHTING TO BE DIRECTED AWAY FROM ANY RESIDENTIAL DWELLINGS.
14. PROPERTY SERVED BY PRIVATE SEWER AND WATER.

PLAT TO ACCOMPANY PETITION
FOR

SPECIAL EXCEPTION & VARIANCES

"ANTHER BRANCH LIMITED PARTNERSHIP PROPERTY"

W.3. YORK RD. 1270' N. OF MT. CARMEL RD.

ELECT. DIST. 7TH BALTIMORE COUNTY, MD.

SCALE: 1" = 100'

OCT 30, 1993

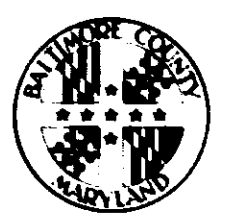
JAN 21, 1994

JUNE 27, 1994

DEC 29, 1995 ADDED MINIATURE GOLF COURSE LOCATION

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at West Side York Rd. 1510' N of Mt. Carmel Rd.

94-245-XA

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned legal owner 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 25903.C.3.a & 409.8.A.2 & 409.8.A.6 to permit a 0' front, side & rear setback in lieu of required 15' & 50' (parcel A) for required landscaping and to allow driveways & parking areas not to be paved or macadamized but to have a crusher run surface and from required permanently striped parking areas of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate the basis of practical difficulty)

1. Location and configuration of property
2. Such other and further reasons to be presented at hearing.

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 restrict one of Baltimore County pursuant to the Zoning Law for Baltimore County.

NAME: John Invernizzi
ADDRESS: 29 W. Susquehanna Ave. Suite 600
CITY: Towson, Md. STATE: MD ZIP: 21204
DATE: 12/24/93
NAME: Leslie M. Pittler
ADDRESS: 29 W. Susquehanna Ave. Suite 600
CITY: Towson, Md. STATE: MD ZIP: 21204
DATE: 12/24/93

ESTIMATED LENGTH OF HEARING: 1 hr
DATE: 12/24/93

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
410-221-3341

DESCRIPTION

PARCEL A - 21.1 ACRES ±
PART OF PROPERTY OF WEST SIDE OF YORK ROAD
1510' ± NORTH OF MT. CARMEL ROAD
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at the intersection of the north property line of subject property and the "BL-CR" and "RC5-CR" zoning line as shown on Baltimore County Zoning Maps NW 27 and 28C, Scale 1"=200', said point of beginning also being located northeasterly 1510'± along the center of York Road, N 67°W 307'±, N 104° E 117.15' and N 59° W 33'± from the center of Mt. Carmel Road, thence binding on said "BL-CR" and "RC5-CR" zoning line the three following courses and distances: (1) Southwesterly 610'±, (2) Southeasterly 50'±, and (3) Southwesterly 170'± to the south property line of subject property; thence binding on said south property line (4) N 60° W 1065'±, (5) N 59 1/8° W 167.06'±, thence (6) S 34° W 316.8', and (7) N 58° W 368.46' to the south right of way line of The Baltimore-Harrisburg Expressway (SHA Plat #14620), thence binding on said south side of Baltimore-Harrisburg Expressway the four following courses and distances as surveyed: (8) N56°30'00" E 36.14', (9) N 56°39'50" E 263.5', (10) N 68°06'53" E 348.94', and by a curve to the left (11) R=4507.37', L=779.37', Chord Bearing N 63°09'30" E 778.80' to the north property line of subject property, thence binding on said north property line (12) S 57° E 100'±, (13) S 58° E 283.8'±, and (14) S 59° E 320'± to the point of beginning.

Being that portion of property zoned "RC-5 CR" and containing 21.1 acres ± of land.

Paul Lee

Engineers - Surveyors - Site Planners

245

10/21/93

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7A Date of Posting: 12/24/93
Posted for: John Invernizzi & Leslie M. Pittler
Petitioner: Panther Branch Limited Partnership
Location of property: W/S York Rd., 1510' N of Mt. Carmel Rd.
Location of Sign: Frontage York Rd., on property line
Remarks: None
Posted by: John Invernizzi Date of return: 1/14/94
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec. 30, 1993

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 1 successive weeks, the first publication appearing on Dec. 30, 19 93

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON
Publisher



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 12/24/93 Account: 94-245-XA
Number: 745
Paying: Panther Branch Limited Partnership -
W/S of York Road, 1510' N of Mt. Carmel Road
#000 - Variance - \$ 650.00
#050 - Special Exception - \$ 300.00
#080 - 2 signs (\$ 100.00 each) - \$ 200.00
Total: \$ 1150.00
Cashier Validation: _____ Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 245
Petitioner: John Invernizzi / Panther Branch Ltd. Partnership
Location: W/S of York Rd., 1510' N. of Mt. Carmel Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Leslie M. Pittler, Esquire
ADDRESS: 29 W. Susquehanna Ave., Suite 600
Towson, Md. 21204
PHONE NUMBER: 823-4455

Alt:ggs (Revised 04/09/93)

TO: PUBLISHER PUBLISHING COMPANY
December 30, 1993 Issue - Jeffersonian
Please forward billing to:
Leslie M. Pittler, Esq.
29 W. Susquehanna Avenue, Suite 600
Towson, Maryland 21204
410-823-4455

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-245-XA (Item 245)
W/S York Road, 1510' N of c/1 Mt. Carmel Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Panther Branch Limited Partnership
Contract Purchaser(s): John Invernizzi
HEARING: TUESDAY, JANUARY 25, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a golf driving range, miniature golf, and baseball range (Parcel A).
Variance to permit a zero foot front, side, and rear setback in lieu of the required 15 feet and 50 feet (Parcel A) for required landscaping and to allow driveways and parking areas not to be paved or macadamized but to have a crusher run surface and from required permanently striped parking areas.

LAURENCE E. SCHULTZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEADLINES ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



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

DECEMBER 23, 1993

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-245-XA (Item 245)
W/S York Road, 1510' N of c/1 Mt. Carmel Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Panther Branch Limited Partnership
Contract Purchaser(s): John Invernizzi
HEARING: TUESDAY, JANUARY 25, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a golf driving range, miniature golf, and baseball range (Parcel A).
Variance to permit a zero foot front, side, and rear setback in lieu of the required 15 feet and 50 feet (Parcel A) for required landscaping and to allow driveways and parking areas not to be paved or macadamized but to have a crusher run surface and from required permanently striped parking areas.

Arnold Jablon
Director

TO: Panther Branch Limited Partnership
John Invernizzi
Leslie M. Pittler, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEADLINES ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



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

January 14, 1994

Leslie M. Pittler, Esquire
29 West Pennsylvania Avenue, Suite 600
Towson, Maryland 21204

RE: Case No. 94-245-XA, Item No. 245
Petitioner: Panther Branch Limited Partnership, et al
Petitions for Special Exception and Variance

Dear Mr. Pittler:

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 indicate the appropriateness of the zoning action requested, but 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 December 13, 1993, and a hearing was 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 preliminary review by zoning personnel.



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

January 4, 1994

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
MD 45
Panther Branch
Limited Partnership
Special Exception and
Variance Request
Item # +245 (MJK)

Dear Ms. Minton:

This office has reviewed the plan for the referenced special exception for the proposed golf driving range and baseball batting range and the variance request to permit a zero foot, front side and rear setback in lieu of the required 15' and 50' (parcel A) for required landscaping, and allow the driveway areas and parking areas to remain a crusher run surface instead of paved surface, and we offer the following:

A review of the State Highway Administration's (SHA) current and long range planning documents reveals there are no roadway improvements scheduled in this area. Therefore, we have no objection to approval of the plan subject to the following:

1. The property frontage be widened 24' from center of existing roadway from property corner to property corner.
2. A 25' entrance with 20' radii.
3. SHA Type "A" curb and gutter, set 24' from center of existing roadway, from property corner to property corner.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Charlotte Minton
Page Two
January 4, 1994

- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Should you have any questions, or require additional information, please contact Bob Small at (410) 333-1350. Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/cs

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

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

DATE: January 11, 1994

SUBJECT: West side York Road, 1510' North of Mt. Carmel Road

INFORMATION:

Item Number: 245

Petitioner: Halley/Invernizzi

Property Size:

Zoning: B.L.-C.R. and R.C. 5 C.R.

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The subject site is located within the area of the Hereford Plan. The Long Range Potential Commercial Areas Map on page 17 of the plan indicates the area of the petitioner's request as having the best potential for future commercial expansion. This area was selected in order to concentrate present and future commercial growth.

The proposed use of the site meets the Hereford Plan goals of (1) maintaining the integrity of the rural area, (2) concentrating the business community in rural centers to minimize spot zoning in other areas of the northern County, and (3) preserving the historical significance of Hereford.

The use of the site was considered during the 1992 Comprehensive Map Process (see Issue No. 3-135). The property's owner, G. A. Halley, submitted the proposed driving range concept to the Hereford Community Association and the association agreed to support Mr. Halley's request conditioned upon a covenant agreement reached between the two parties.

ZAC.245/PZONE/ZAC1

Pg. 1

Based upon a review of the information provided and a site inspection conducted with board members of the Hereford Community Association, the lessee, Mr. Invernizzi, and the applicant's attorney, Mr. Pittler, staff recommends the applicant's request be granted subject to the following conditions:

- The plan should indicate the location and provision of restroom facilities.
- Landscaping should be provided adjacent to the existing B.L.-C.R. zoning line to provide a buffer between the parking areas and the tee-mats.
- The location of any dumpster to be located on the site should be shown.
- The applicant should meet with the Community Planning Division of the Office of Planning and Zoning prior to the erection of signs of any type.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Lewis*

PK/JL:lw

ZAC.245/PZONE/ZAC1

Pg. 2

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

December 30, 1993

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

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #245 - Panther Branch Ltd. Partnership
W. side of York Road, 1510 W. of Mt. Carmel Road
Zoning Advisory Committee Meeting of December 27, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains, and the Baltimore County Forest Conservation Regulations.

The development of this site as a golf driving range must adhere to this Department's Guideline for the Construction and Maintenance of Golf Courses.

Ground Water Management

Prior to development of the property, soil percolation tests must be conducted.

JLP:JM:TE:sp

PANTHER/DEPRM/TXTS8P

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: PANTHER BRANCH LIMITED PARTNERSHIP

LOCATION: W/S YORK RD., 1510' N CENTERLINE MT. CARMEL RD.

Item No.: 245 (MJK)J

Zoning Agenda: SPECIAL EXCEPTION

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.

7. The Fire Prevention Bureau has no comments at this time.

RECEIVED
JAN 5 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
410 221-5341

June 27, 1994

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

Attention: Mr. Mitch Kellman

Re: Panther Branch Ltd. Partnership
Hereford Golf Center

Dear Mr. Kellman:

Please find enclosed herewith 2 prints of the revised Zoning Plan for the above mentioned site showing the red line change approved by your office on 6-24-94.

Trusting the enclosed is satisfactory. If there are any questions, please do not hesitate to call this office.

Very truly yours,

Paul Lee
Paul Lee

PL:lp
Enclosures

Engineers — Surveyors — Site Planners

LESLIE M. PITTLER
ATTORNEY AT LAW
SUITE 600
20 W. SOUTHERN AVENUE
TOWSON, MARYLAND 21204

June 22, 1994

Mr. Arnold Jablon
Director
Zoning Administration & Development
Management Office - County Office Bldg.
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Panther Branch Ltd. Partnership

Dear Mr. Jablon:

Please find enclosed, a copy of the plat which accompanied my petition for Special Exception & Variances in the above-captioned matter.

As you will note, Mr. Paul Lee the engineer for this project has redlined the plat which was approved by the Deputy Zoning Commissioner when the petition in this matter was approved and has made certain changes.

The building has been shifted, the septic area has been moved and the parking area has changed. All the aforementioned changes are still within the ambit of the order signed by the Deputy Zoning Commissioner.

Furthermore, there was no opposition at the hearing on this matter.

Since the appeal time has passed, it is my understanding the redlined plat has to be approved by your Department in order for this matter to proceed.

Very truly yours,

Leslie M. Pittler
DISCUSSION

7th E.D. June 24, 1994

Dear Mr. Pittler:

Reference is made to your letter of June 22, 1994 in which you request an interpretation that the amended petition exhibit is within the spirit and intent of zoning case 94-245-XA. After reviewing this matter and presenting this plan to the Deputy Zoning Commissioner, it was determined that the redlined plan meets the spirit and intent of the aforementioned hearing.

Two copies of the redlined plan must be submitted for zoning case file and prior to final permit approval, all other zoning and applicable county requirements must be met.

WILLIAM J. KELLMAN
PLANNER II

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JOHN INVERNIZZI

601 SPRING AVE 21093

Paul Lee

304 W. Penna Ave 21094

Don Pearce

321 KARENDA CIE AVE 21050

Leslie M. Pittler

Attorney At Law

Suite 600, 20 W. Southern Avenue
Towson, Maryland 21204

Office: (410) 823-4433
Home: (410) 208-4401
Fax: (410) 828-4111

Mr. Jeffrey Long
Office of Zoning Administration
111 West Chesapeake Avenue
Towson, Maryland 21204

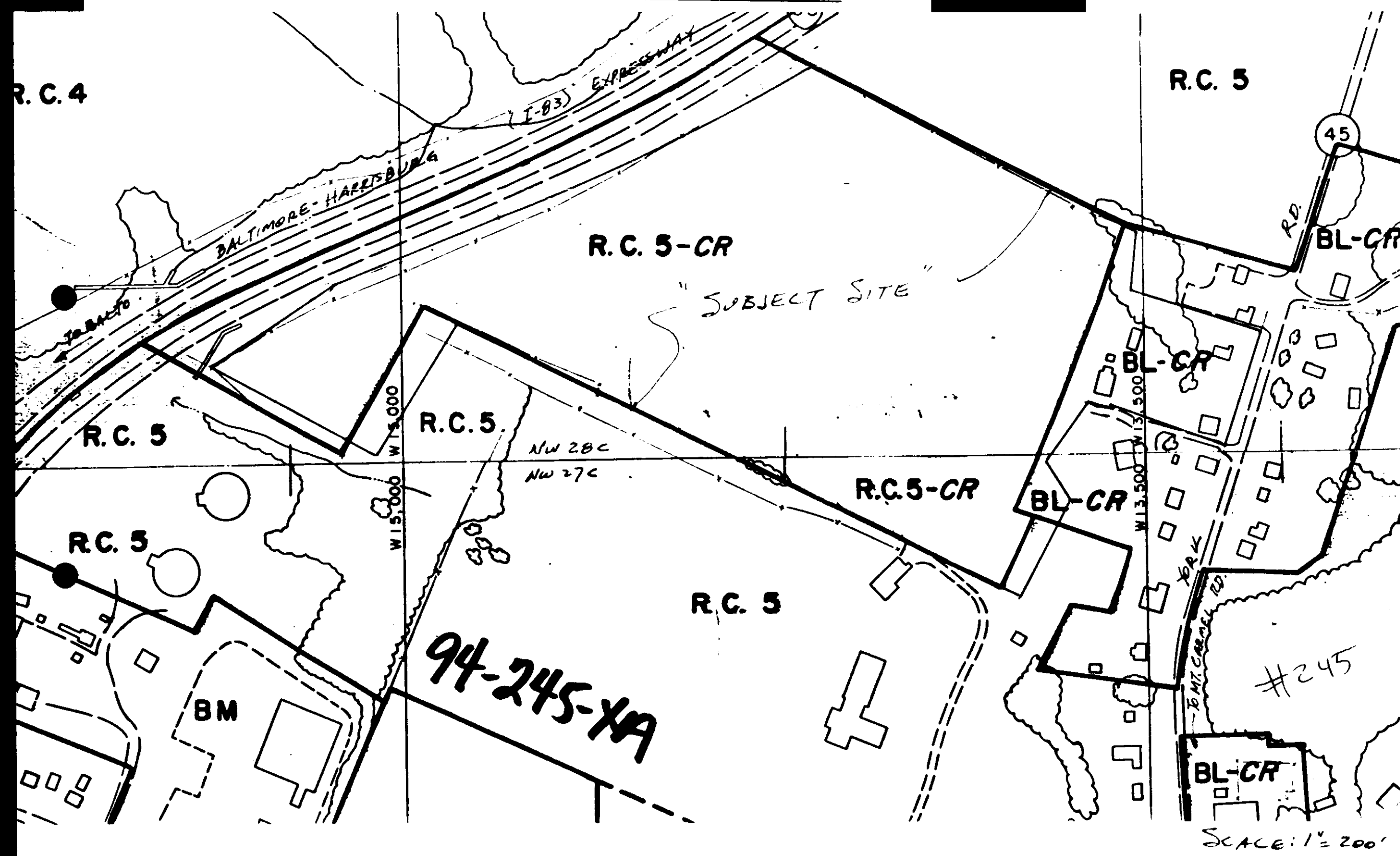
Dear Mr. Long,

At the January 11, 1994 meeting of the Hereford community Association the proposed use of the property in the Hereford area (Case Number: 94-245-XA (item 245)) owned by the Panther Branch Limited Partnership was discussed. The association voted to support the project provided the covenants previously agreed upon are included in the land records and the recommendations of the Planning Board concerning screening, bathrooms, and trash dumpster location are adopted. One concern of the association was the installation of a gate to prevent unauthorized use after hours. Both John Invernizzi and Ned Halle agreed to providing such a gate.

Please convey the association's vote at the zoning hearing on Tuesday, January 25, 1994. Thank you for your cooperation.

Yours truly,

Peggy A. Pearce, Secretary
Hereford community Assoc.



Hereford Community Association Minutes January 11, 1994

The January meeting of the Hereford Community Association to order by President Horace Palmer at 7:40 PM at the Hereford Volunteer Fire Hall. Minutes of the December meeting were read and approved. The Treasurer reported a balance of \$694.69.

Announcements include the following:

A letter was received from "Dutch" Happersberger in response to the one sent by the association concerning the re-establishment of the Hereford Study Group to implement the Hereford Plan. Another letter was also received by Don Pearce as the liaison between the association and the county government. Don has spoken to "Dutch" about the letter and is exploring some suggestions discussed with him. Don will give a full report on the matter to the association at a later date.

The Crime Watch program meetings sponsored by the Baltimore County Police Department around the community are underway. Some have had better attendance than others, but the prizes were high for the type of program the Police Department is giving. Other meetings will be held in the coming months. The end result should be the placement of the "Neighborhood Crime Watch" signs in the area.

Old Business

At the request of Jeff Long, the Hereford community Planner from the Office of Planning and Zoning, Horace Palmer and Don Pearce met with Jeff and John Invernizzi informally to discuss the plans for the development of property at the foot of the White Hall Feed Company into a golf driving range. This proposed use of the property had already been presented to the association by the owner, Ned Halle and approved with certain covenants. These covenants include no additional requests for rezoning of the property for a 12 year period, no installation of lights for a 3 year period and no use of lights after 10 PM for an 8 year period should they be installed in the future.

A zoning hearing will be held on January 25, 1994 for variances concerning time setback, landscaping and driveway material. John Invernizzi addressed the association on these variances and answered questions from the floor. He affirmed adherence to the covenants, explained that the variance in landscaping was due to an existing hedge row that they would like to preserve rather than plant new trees, and agreed that the developers could consider the possibility of using milled black top on the drive and parking area instead of crusher run. Ned Halle advised the association that the entrance from York Road would be black topped and parking installed. John Invernizzi stated that no major earth movement is necessary and no trees will be removed, no food services except vending machines will be offered, bathrooms will be installed, and the entire area will be fenced. At the request of a member, it was stated that a gate will be installed to prevent entrance of unauthorized persons after hours. John Invernizzi stated that he hoped to be in operation by July 1, 1994 and planned to be open from March 1 to October 31 or Thanksgiving in the future.

Since the golf operation requires a hearing and the association had approved the original request, Horace requested a motion to support the variance requests. Don Pearce moved that the association support

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

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

DATE: January 11, 1994

SUBJECT: West side York Road, 1510' North of Mt. Carmel Road

INFORMATION:

Item Number: 245

Petitioner: Halley/Invernizzi

Property Size:

Zoning: B.L.-C.R. and R.C. 5 C.R.

Requested Action:

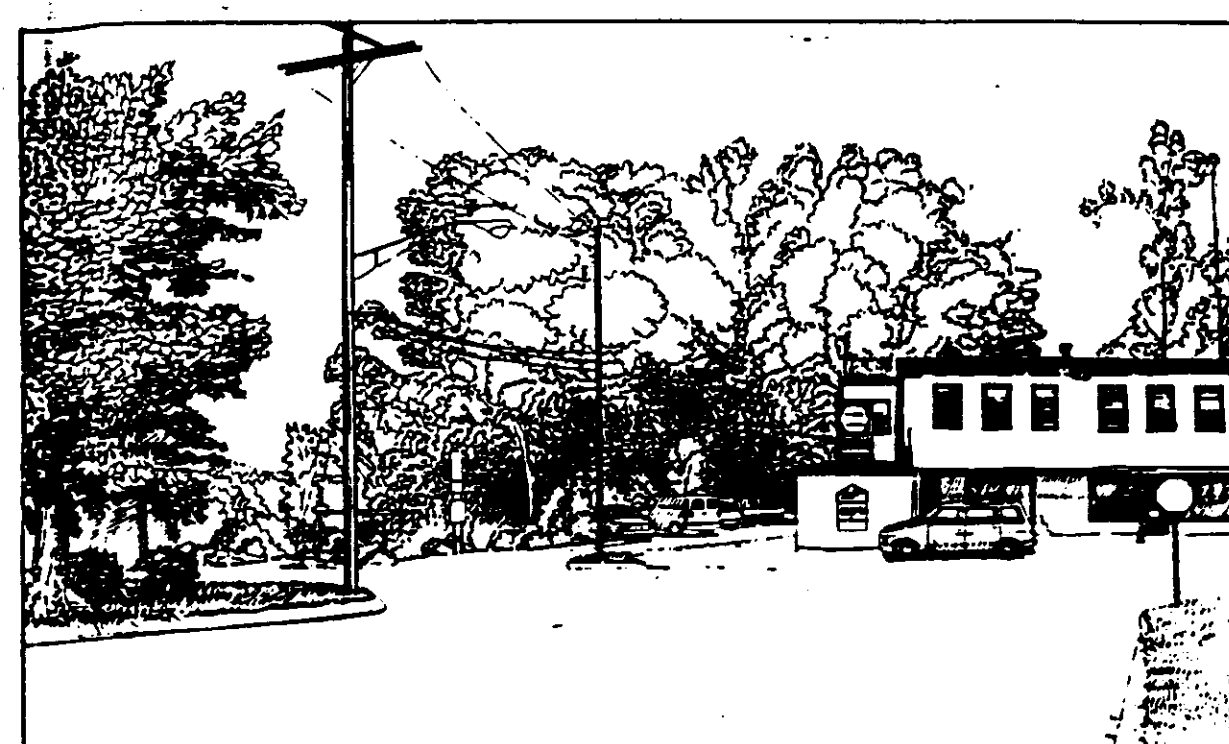
Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The subject site is located within the area of the Hereford Plan. The Long Range Potential Commercial Areas Map on page 17 of the plan indicates the area of the petitioner's request as having the best potential for future commercial expansion. This area was selected in order to concentrate present and future commercial growth.

The proposed use of the site meets the Hereford Plan goals of (1) maintaining the integrity of the rural area, (2) concentrating the business community in rural centers to minimize spot zoning in other areas of the northern County, and (3) preserving the historical significance of Hereford.

The use of the site was considered during the 1992 Comprehensive Map Process (see Issue No. 3-135). The property's owner, G. A. Halley, submitted the proposed driving range concept to the Hereford Community Association and the association agreed to support Mr. Halley's request conditioned upon a covenant agreement reached between the two parties.



• Baltimore County • Focus on Community •

HEREFORD COMMUNITY PLAN

As Adopted By The Baltimore County Council on May 6, 1991

RECITALS

Panther Branch Limited Partnership (Panther) and the Hereford Community Association (The Association), enter into the following agreement:

RECITALS

A. Panther owns a twenty three acre parcel of land in the town of Hereford located at 12,106 to 12,112 York Road (The Property).

B. Panther has submitted an application to have the RC5 portion of the property rezoned to RC5-CR.

C. The Association has agreed to support Panther's rezoning request in exchange for Panther's Agreement to enter into a restrictive covenant which shall run with and bind the land.

Therefore, Panther and The Association agree as follows:

1. The Association will endorse and support Panther's requested rezoning.

2. In the event the requested rezoning is granted by the County, Panther will record the following restriction in the Land Records of Baltimore County.

a) For a period of twelve years from the date the rezoning is granted, Panther will not use the land zoned RC5-CR for anything other than a golf practice range or a use permitted by right (i.e. one that does not require a special exception) in the RC5-CR zone.

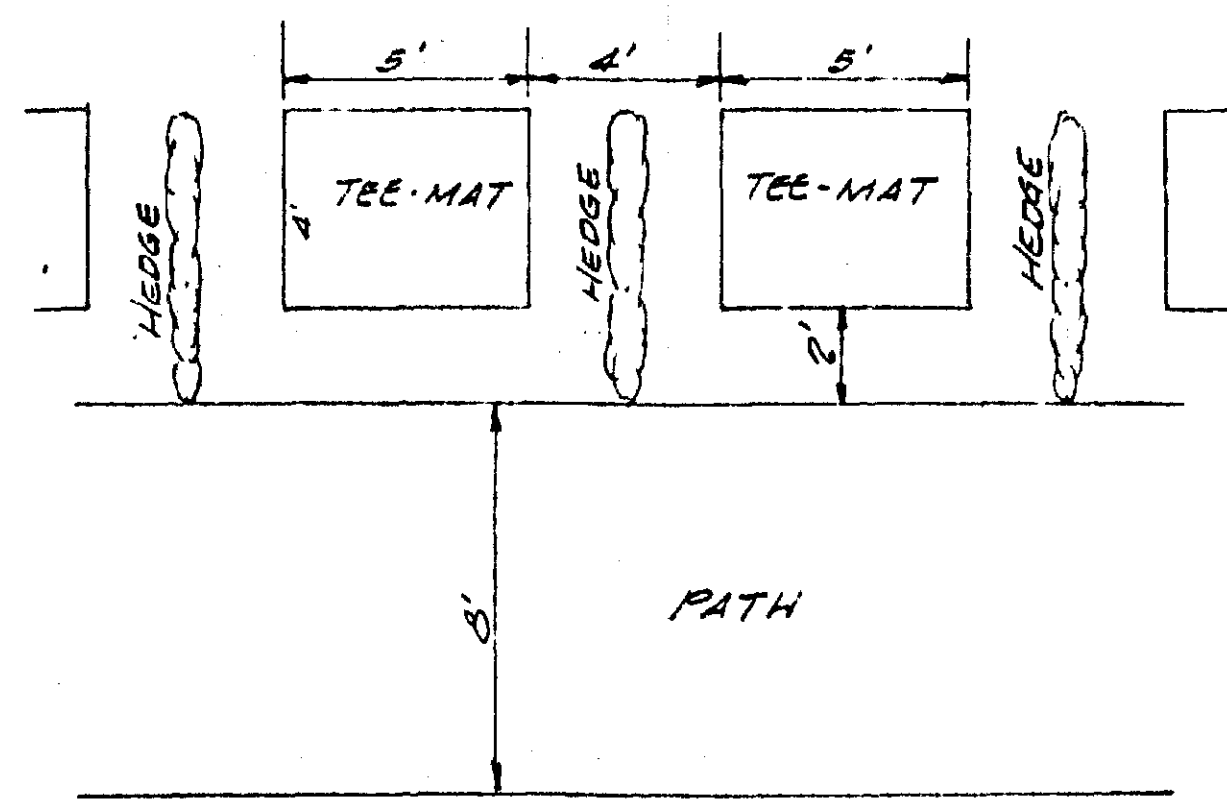
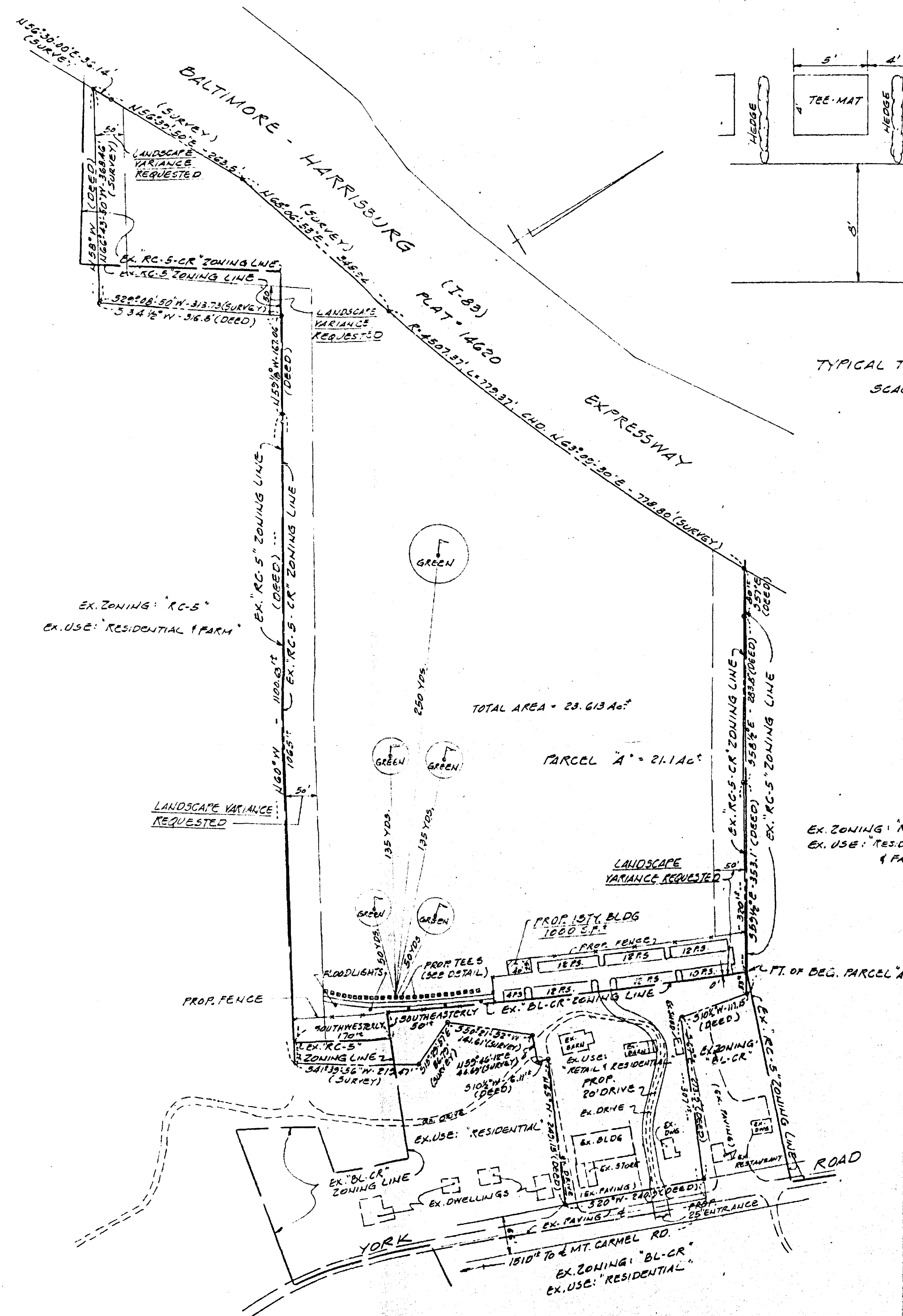
b) No lights shall be used to illuminate the driving range for the first three years. Thereafter, no lights shall be used after 10:00 p.m. for the next eight years.

PANTHER BRANCH LIMITED PARTNERSHIP

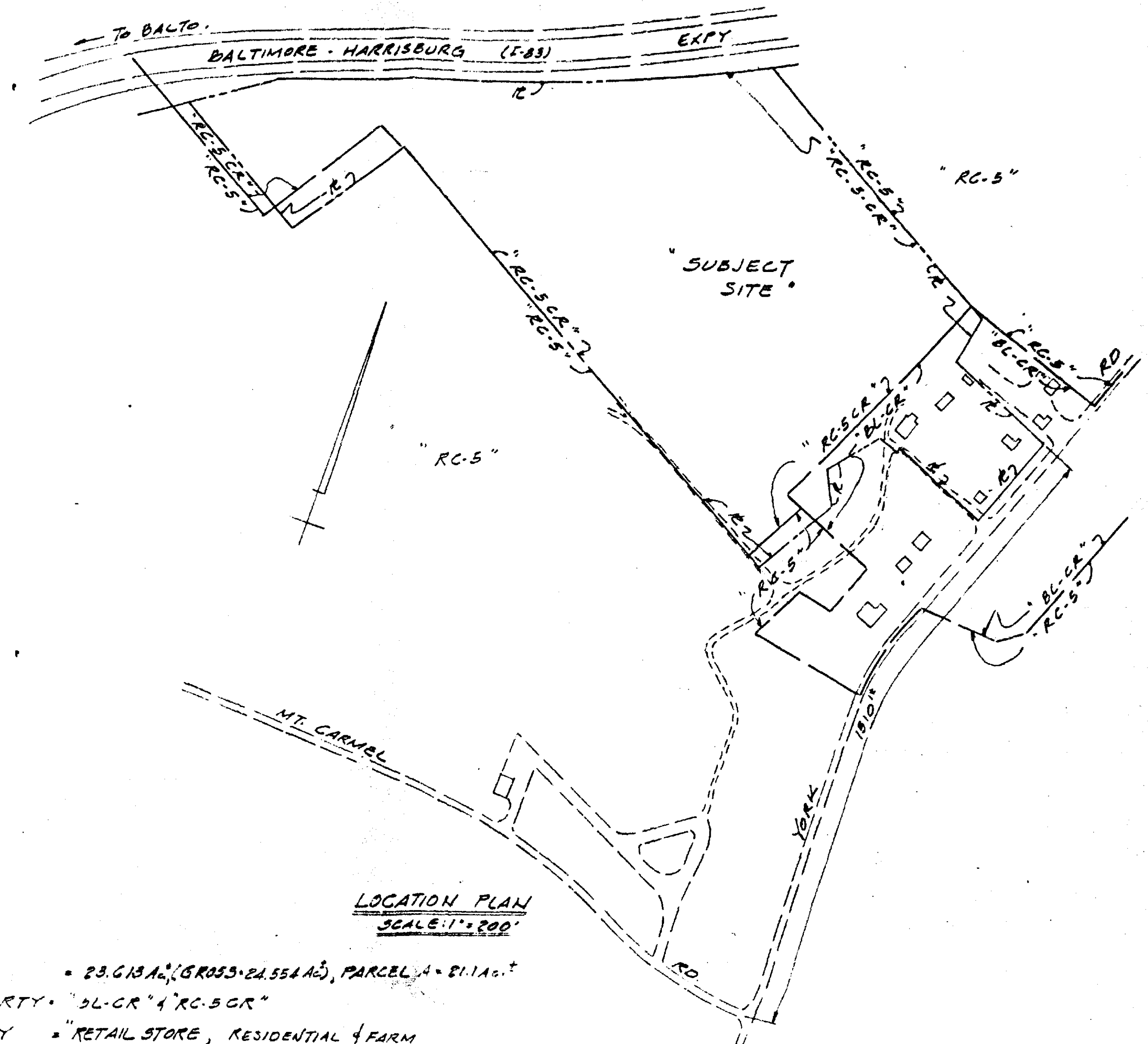
BY: Edward A. Halle, Jr. (DATE)
EDWARD A. HALLE, JR.
GENERAL PARTNER

HEREFORD COMMUNITY ASSOCIATION

BY: Horace Palmer 1/20/94
HORACE PALMER, PRESIDENT (DATE)



TYPICAL TEE-MAT DETAIL
SCALE: 1" = 4'



LOCATION PLAN
SCALE: 1" = 200'

GENERAL NOTES:

1. AREA OF PROPERTY • 23.613 AC. (GROSS: 24.554 AC), PARCEL A = 2.11 AC.
2. EXIST. ZONING OF PROPERTY • "BL-CR" & "RC-5 CR"
3. EXIST. USE OF PROPERTY • "RETAIL STORE, RESIDENTIAL & FARM"
4. PROP. ZONING OF PROPERTY • "BL-CR" & "RC-5 CR" W/ SPECIAL EXCEPTION
5. PROP. USE OF PROPERTY • "BL-CR" RETAIL STORE - "RC-5 CR" GOLF DRIVING RANGE
6. PETITIONER REQUESTING SPECIAL EXCEPTION IN "RC-5 CR" ZONE UNDER SECT. 259.3.B.2, SECT. 259.3.A.2 & SECT. 230.13 FOR GOLF DRIVING RANGE, MINIATURE GOLF, AND BASEBALL BATTING RANGE IN A "BL-CR" & "RC-5 CR" ZONE AND DISTRICT. (PARCEL A: "RC-5 CR" ZONE)
7. PETITIONER REQUESTING A VARIANCE TO SECT. 259.3.C.3.a. RELATIVE TO REQUIRED LANDSCAPING FOR FRONT, SIDE & REAR SETBACKS, (PARCEL A) TO PERMIT A 0' BUFFER AND SETBACK IN LIEU OF THE REQUIRED 15' AND 50'.
8. PETITIONER REQUESTING A VARIANCE TO SECTIONS 403.B.A.2 AND 403.B.A.6 OF THE BCCR TO ALLOW DRIVEWAY AND PARKING AREA NOT TO BE PAVED OR MACADAMED BUT TO HAVE A CRUSHER RUN SURFACE AND FROM REQUIRED PERMANENTLY STRIPPED PARKING AREAS.
9. PERMITTED F.A.R. = 0.20, PROPOSED F.A.R. = 0.001
10. ANY PROPOSED SIGNS SHOULD BE IN CONFORMANCE WITH SECT. 419 OF THE BCCR AND ANY EXISTING POLICIES.
11. REQUIRED OFF-STREET PARKING @ 15/TEE = 15(20) = 30 P.S.
12. NUMBER OF PARKING SPACES SHOWN • 74 P.S.
13. PROPOSED LIGHTING TO BE DIRECTED AWAY FROM ANY RESIDENTIAL DWELLINGS.
14. PROPERTY SERVED BY PRIVATE SEWER AND WATER.

PLAT TO ACCOMPANY PETITION FOR # 245

SPECIAL EXCEPTION & VARIANCES

"ANTHONY BRANCH LIMITED PARTNERSHIP PROPERTY"

11.5 YORK RD. 1270' N. OF MT. CARMEL RD.

ELECT. DIST. 7TH

BALTIMORE COUNTY, MD.

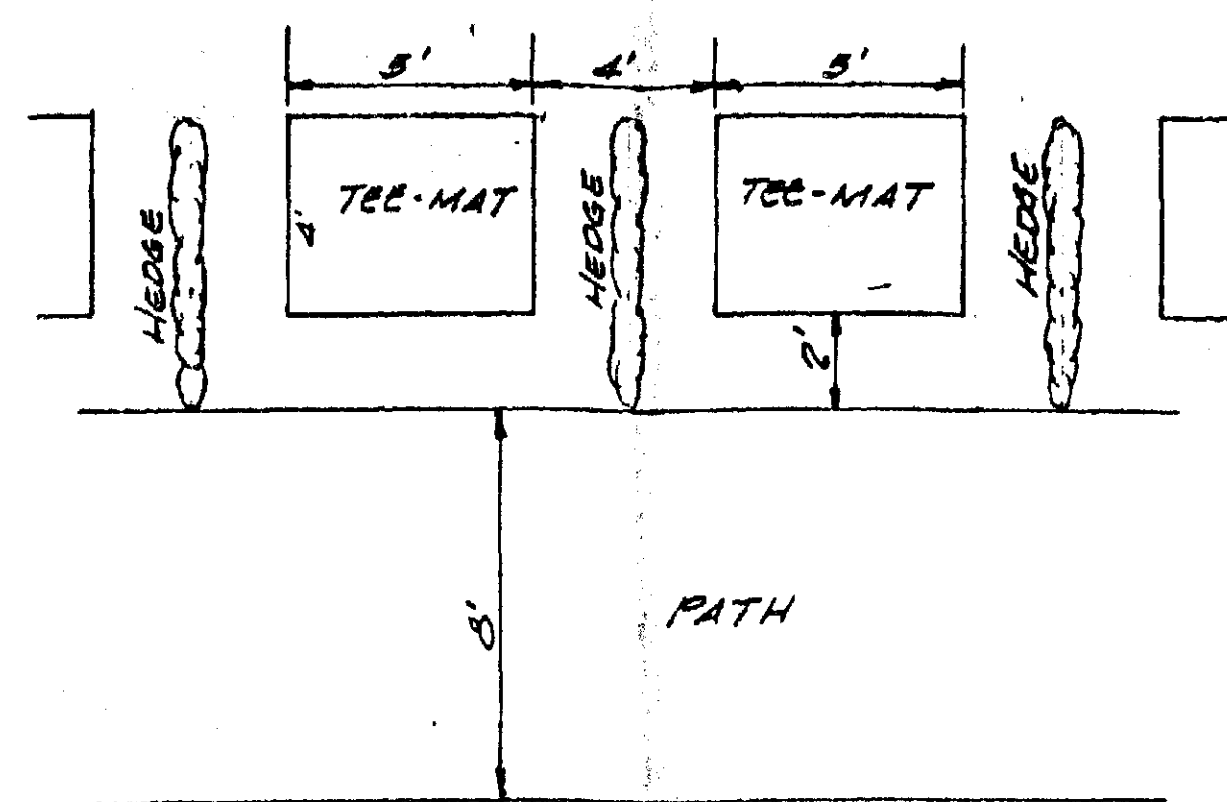
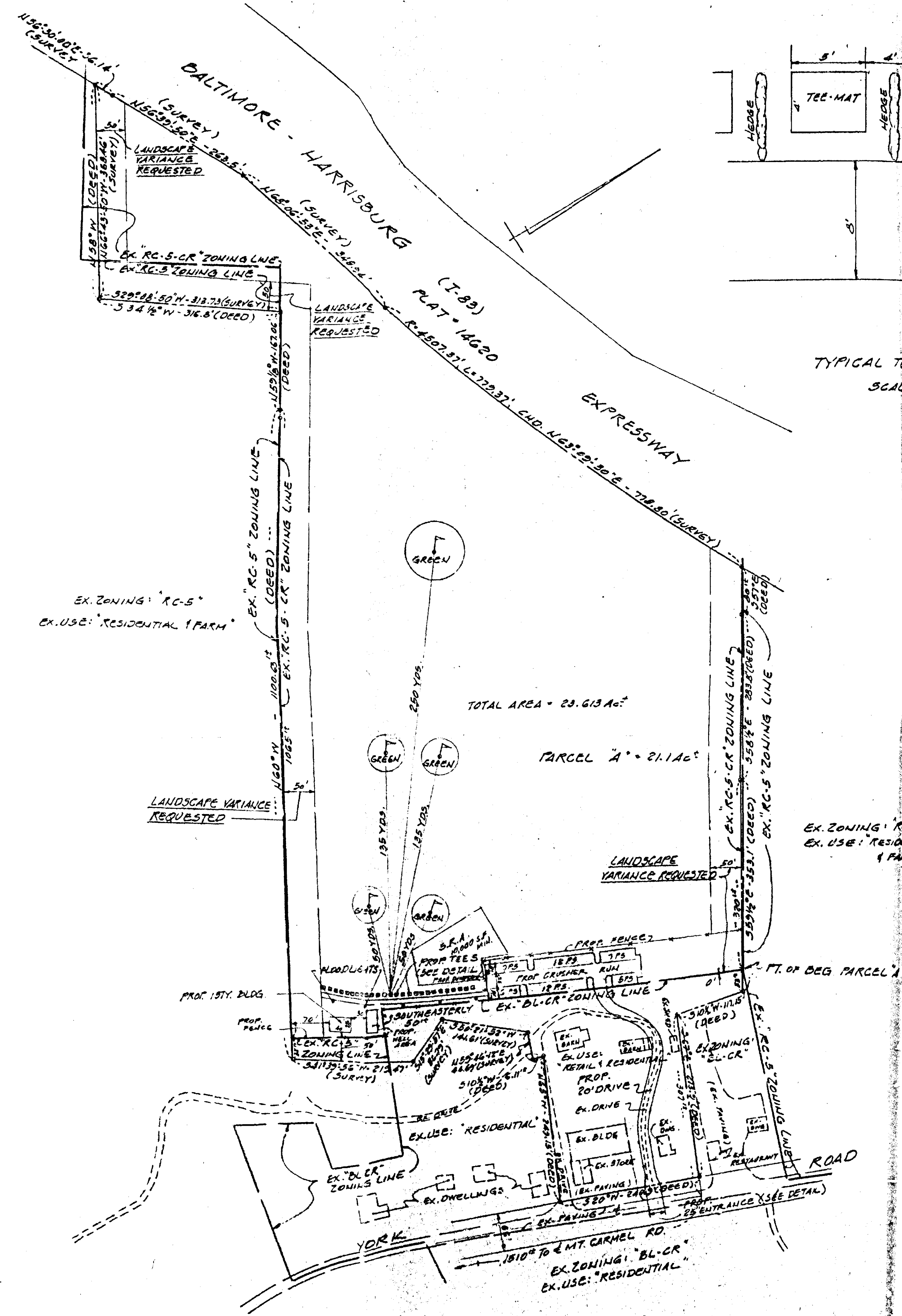
SCALE: 1" = 100'

OCT. 29, 1993

94-245-XA

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND - 21204





TYPICAL TEE-MAT DETAIL
SCALE: 1" = 4'

APPROVED: ZADM
THE AMENDED PLAN, REVISED 6-22-94, SHOWING SHIFTING OF THE BUILDING, SEPTIC AREA, AND PARKING AREA CHANGE HAS BEEN REVIEWED AND HAS BEEN DETERMINED TO BE WITHIN THE SPIRIT AND INTENT OF THE DEPUTY ZONING COMMISSIONER'S ORDER IN CASE # 94-245-XA.
6/30/94
DIRECTOR DATE

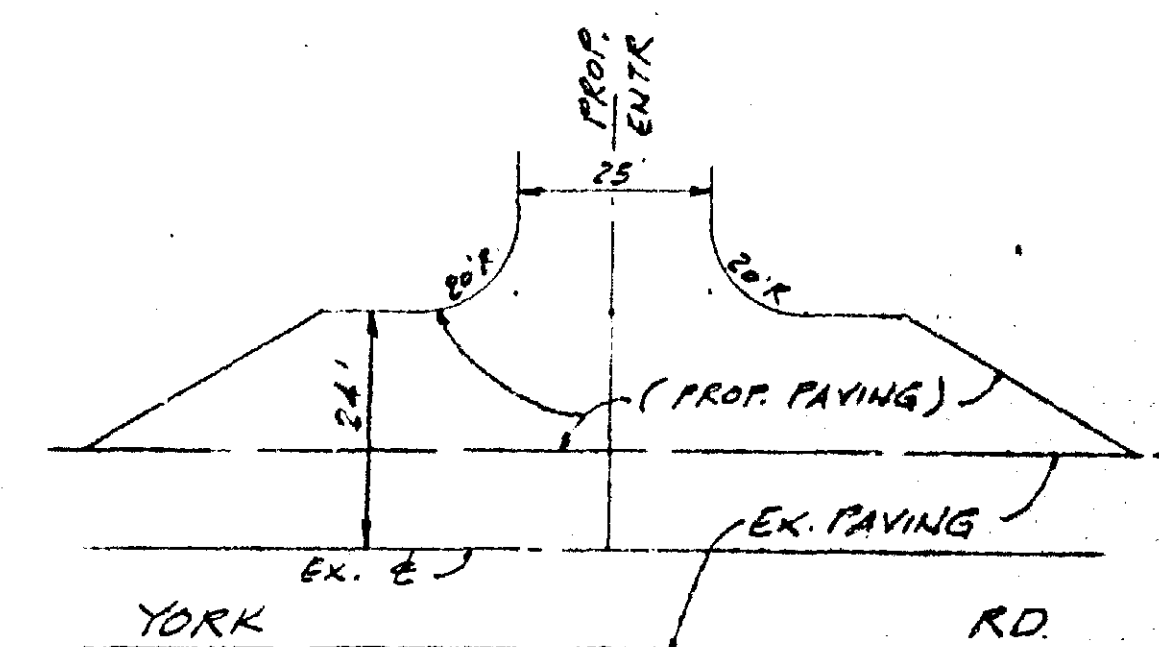
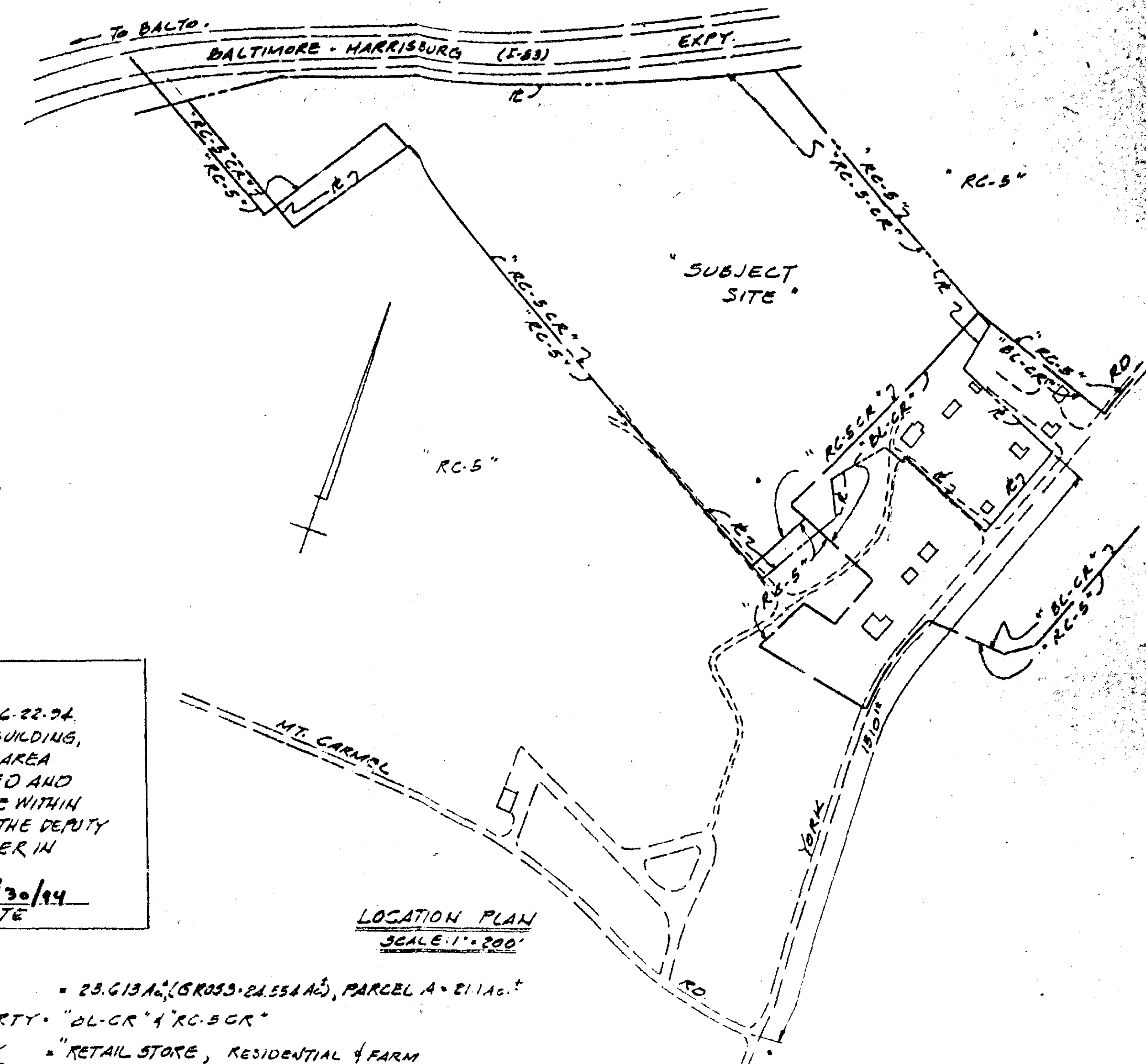
GENERAL NOTES:

1. AREA OF PROPERTY = 23.613 AC. (GROSS 24.55 AC.), PARCEL A = 2.11 AC.
2. EXIST. ZONING OF PROPERTY = "BL-CR" & "RC-5 CR"
3. EXIST. USE OF PROPERTY = RETAIL STORE, RESIDENTIAL & FARM
4. PROP. ZONING OF PROPERTY = "BL-CR" & "RC-5 CR" W/ SPECIAL EXCEPTION
5. PROP. USE OF PROPERTY = "BL-CR" - RETAIL STORE - "RC-5 CR" - GOLF DRIVING RANGE
6. PETITIONER REQUESTING SPECIAL EXCEPTION IN "RC-5 CR" ZONE UNDER SECT. 259.3.B.2, SECT. 259.3.A.2 & SECT. 259.13 FOR GOLF DRIVING RANGE, MINIATURE GOLF AND BASEBALL BATTING RANGE IN A "BL-CR" & "RC-5 CR" ZONE AND DISTRICT. (PARCEL A = "RC-5 CR" ZONE)
7. PETITIONER REQUESTING A VARIANCE TO SECT. 259.3.C.3.a. RELATIVE TO REQUIRED LANDSCAPING FOR FRONT, SIDE & REAR SETBACKS. (PARCEL A) TO PERMIT A 0' BUFFER AND SETBACK IN LIEU OF THE REQUIRED 15' AND 50'.
8. PETITIONER REQUESTING A VARIANCE TO SECTIONS 429.8.A.2 AND 429.8.A.6 OF THE BGCZ TO ALLOW DRIVEWAY AND PARKING AREA NOT TO BE PAVED OR MACADAMED BUT TO HAVE A CRUSHER RUN SURFACE AND FROM REQUIRED PERMANENTLY STRIPPED PARKING AREAS.
9. PERMITTED F.A.R. = 0.20, PROPOSED F.A.R. = 0.001
10. ANY PROPOSED SIGNS SHOULD BE IN CONFORMANCE WITH SECT. 413 OF THE BGCZ AND ANY EXISTING POLICIES.
11. REQUIRED OFF-STREET PARKING @ 15/TEE = 15(22) = 33 P.S.
12. NUMBER OF PARKING SPACES SHOWN = 74 P.S.
13. PROPOSED LIGHTING TO BE DIRECTED AWAY FROM ANY RESIDENTIAL DWELLINGS.
14. PROPERTY SERVED BY PRIVATE SEWER AND WATER.

CASE # 94-245-XA - PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE GRANTED FEB. 7, 1994.

RESTRICTION:

1) THE PETITIONER MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30 DAY APPELATE PROCESS FROM THIS ORDER.



PROPOSED ENTRANCE - YORK RD.
NO SCALE

PLAT TO ACCOMPANY PETITION
FOR

SPECIAL EXCEPTION & VARIANCES

PANTHER BRANCH LIMITED PARTNERSHIP PROPERTY

1700 YORK RD. 1870' N. OF MT. CARMEL RD.

ELECT. DIST. 73

BALTIMORE COUNTY, MD.

SCALE: 1" = 100'

OCT. 30, 1993

JAN. 21, 1994

JUNE 27, 1994

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND - 21204





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 3, 1996

Leslie M. Pittler, Esquire
29 W. Susquehanna Avenue, Suite 610
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
W/S York Road, 1510' NE of Mt. Carmel Road
(Parcel A)
7th Election District - 3rd Councilmanic District
Panther Branch Ltd. Partnership - Petitioners
Case No. 94-245-XA

Dear Mr. Pittler:

In response to your letter dated December 28, 1995 concerning the above-captioned matter and your request for an extension of the special exception, the following comments are offered.

As you know, my Order issued February 7, 1994 granted your client a special exception and variance for a combination golf driving range, miniature golf course, and baseball batting range. I am aware that your client has already constructed the golf driving range, and has been negotiating with a company to install the miniature golf course. While it is true that special exceptions will lapse if not utilized within two years of the date of an Order granting same, the special exception has been vested by virtue of the construction of the golf driving range. Therefore, it will not be necessary to request an extension of the special exception or to construct the miniature golf course prior to February 7, 1996.

If you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,

Timothy M. Kotrocco

TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Arnold Jablon, Director, DPDM
People's Counsel
Case File

Printed with Soybean Ink
100% Recycled Paper

Paul Lee, P.E.

Paul Lee Engineering Inc.
308 W. Pennsylvania Ave.
Towson, Maryland 21204
(410) 824-5341

January 19, 1996

Mr. Carl Richards
Department of Permits & Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Hereford Golf Center
Case # 94-245-XA

Dear Mr. Richards:

Relative to your meeting with Mr. Lee Pittler with regards to the proposed miniature golf course for the above mentioned site, please find enclosed herewith 2 prints each of the Zoning Plat and Development Plan on which the location of the miniature golf has been shown in brown. As you will note, the additional parking has also been added along with the required parking data. I have also enclosed a copy a letter from the Deputy Zoning Commissioner granting the miniature golf course in his order.

It is my understanding that these marked up plans are for your files so that there will be no problems when we apply for our grading permit.

Trusting the enclosed is satisfactory. If there are any questions, please do not hesitate to call this office.

Very truly yours,

Paul Lee

PL:lp
Enclosures
cc: Mr. John Invernizzi
Mr. Leslie Pittler



Engineers - Surveyors - Site Planners

NOTE:
FOREST BUFFER EASEMENT
SHALL BE PLANTED WITH A
MIXED CLOVER GRASS SEED
MIX (50% RED CLOVER, 25%
LADINO CLOVER, 25% RED TOP)
50W AT 12LB/ACRE.

THERE SHALL BE NO CLEARING,
GRADING, CONSTRUCTION OR
DISTURBANCE OF VEGETATION
IN THE FOREST BUFFER EASE-
MENT EXCEPT AS PERMITTED
BY THE BALTIMORE COUNTY DEPT
OF ENVIRONMENTAL PROTECTION
AND RESOURCE MANAGEMENT.

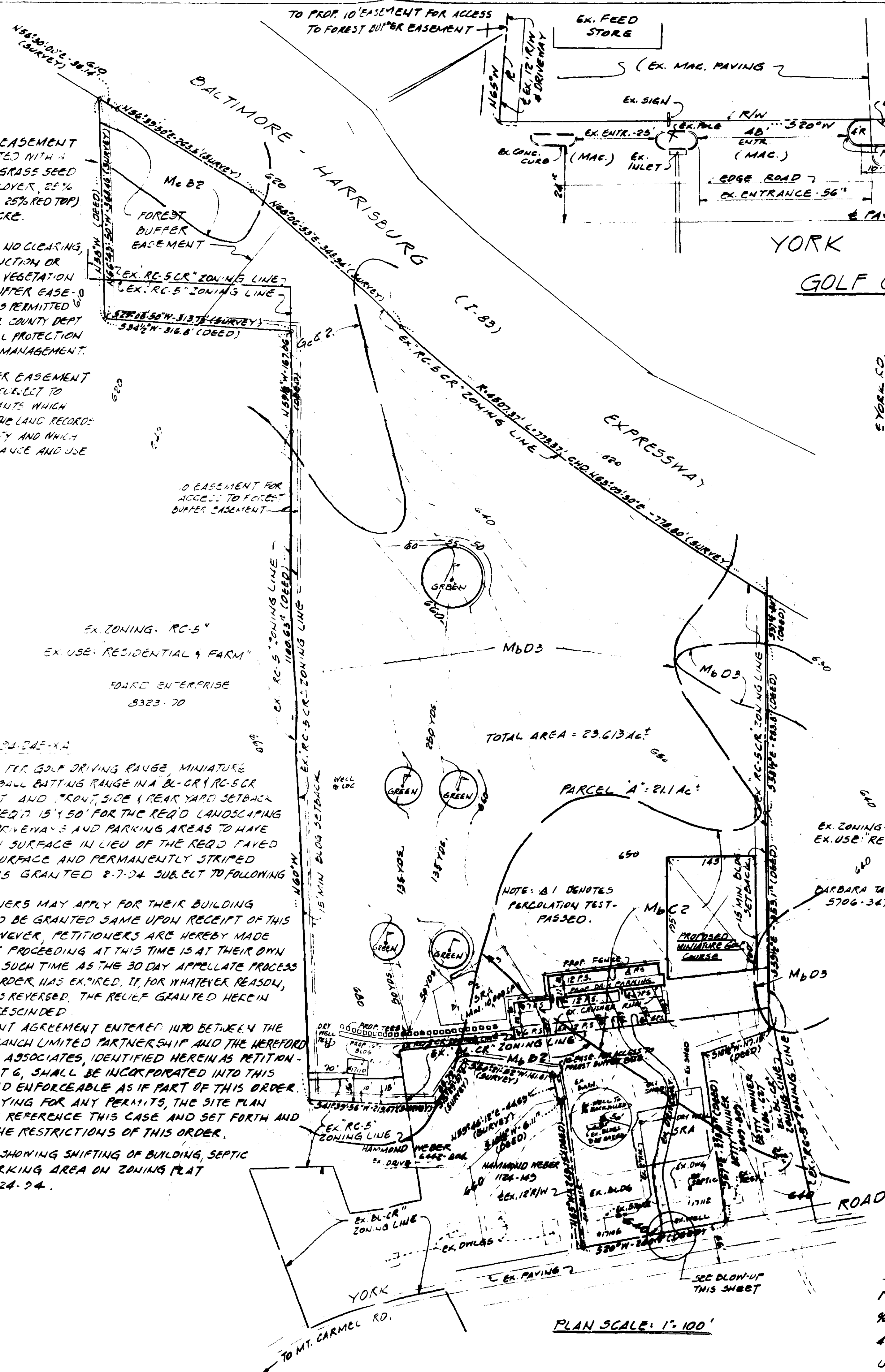
ANY FOREST BUFFER EASEMENT
SHOWN HEREON IS SUBJECT TO
PROTECTIVE COVENANTS WHICH
MAY BE FOUND IN THE LAND RECORDS
OF BALTIMORE COUNTY AND WHICH
RESTRICT DISTURBANCE AND USE
OF THE AREA.

JOHN INVERNIZZI'S HEREFORD GOLF CENTER

SPECIAL EXCEPTION FOR GOLF DRIVING RANGE, MINIATURE
GOLF AND BASEBALL BATTING RANGE IN A BL-CR/RC-5CR
ZONE DISTRICT AND "FRONT, SIDE & REAR YARD SETBACK
OF 0' IN LIEU OF REQ'D 15' 50" FOR THE REQ'D LANDSCAPING
AND TO ALLOW DRIVEWAYS AND PARKING AREAS TO HAVE
A CRUSHER RUN SURFACE IN LIEU OF THE REQ'D PAVED
OR MACADAM SURFACE AND PERMANENTLY STRIPED
PARKING AREAS GRANTED 8-7-94 SUBJECT TO FOLLOWING
RESTRICTIONS:

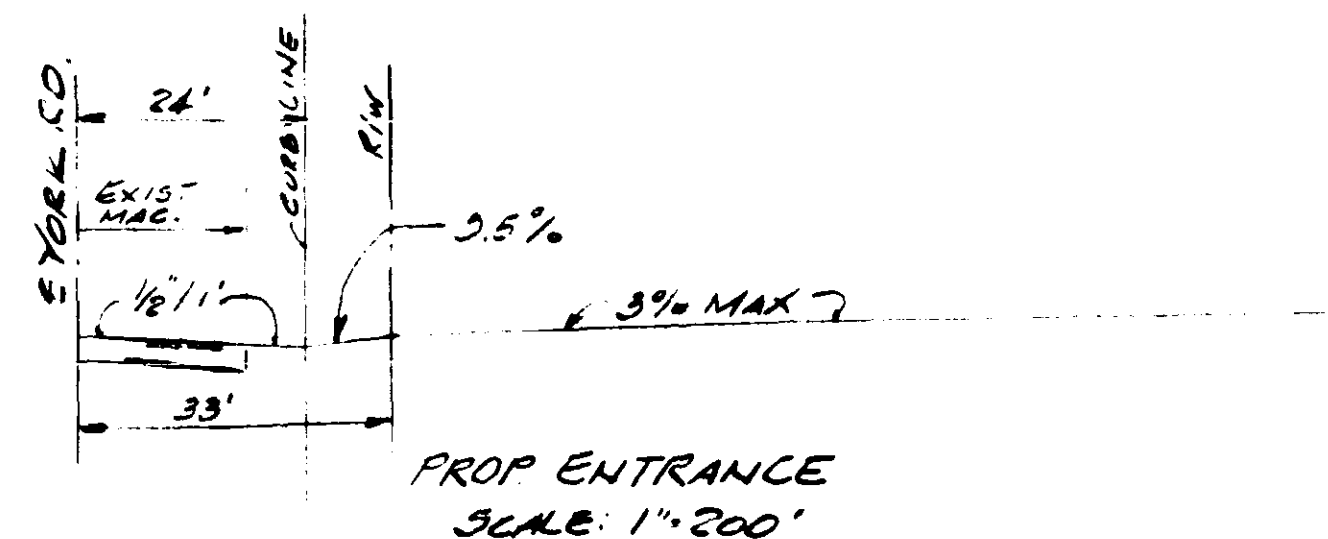
1. THE PETITIONERS MAY APPLY FOR THEIR BUILDING
PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS
ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE
AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN
RISK UNTIL SUCH TIME AS THE 30 DAY APPEAL PROCESS
FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON,
THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN
SHALL BE RESCINDED.
2. THE COVENANT AGREEMENT ENTERED INTO BETWEEN THE
PANTHER BRANCH LIMITED PARTNERSHIP AND THE HEREFORD
COMMUNITY ASSOCIATES, IDENTIFIED HEREIN AS PETITION-
ERS EXHIBIT G, SHALL BE INCORPORATED INTO THIS
ORDER AND ENFORCEABLE AS IF PART OF THIS ORDER.
3. WHEN APPLYING FOR ANY PERMITS, THE SITE PLAN
FILED MUST REFERENCE THIS CASE AND SET FORTH AND
ADDRESS THE RESTRICTIONS OF THIS ORDER.

AMENDED PLAN SHOWING SHIFTING OF BUILDING, SEPTIC
AREA AND PARKING AREA ON ZONING PLAT
APPROVED 6-24-94.



YORK ROAD GOLF CENTER ENTRANCE

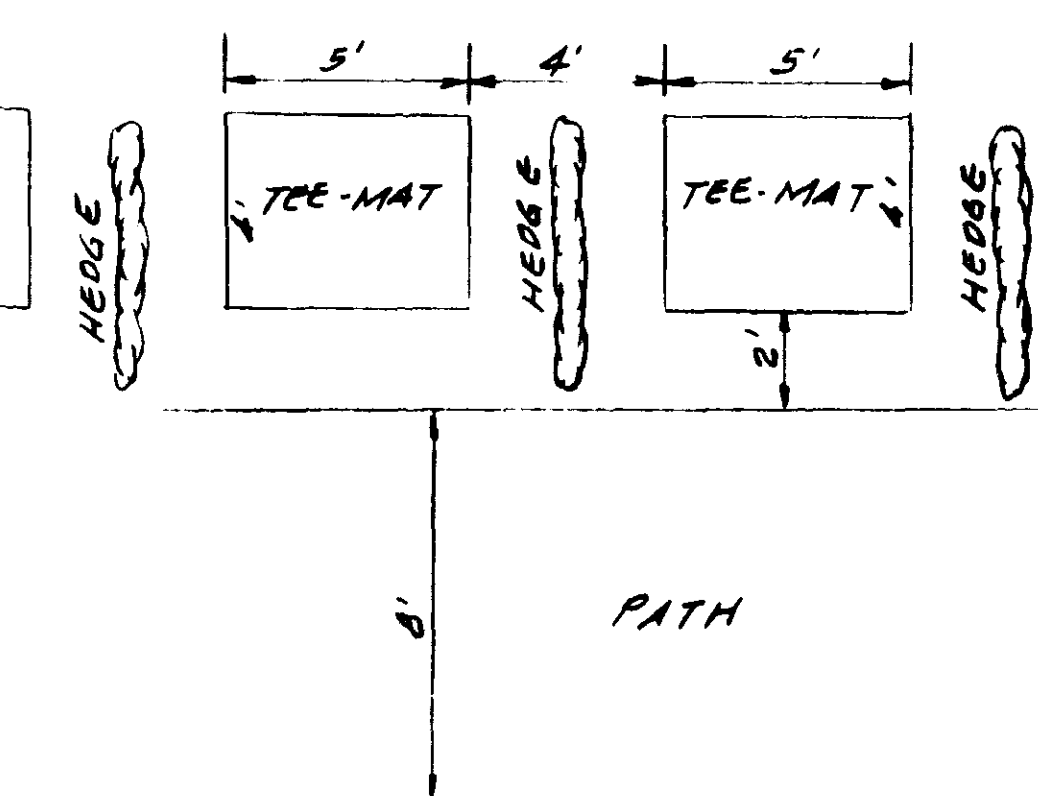
SCALE: 1"=20'



GREEN

EX. GROUND
PROPOSED GRADE

TYPICAL GREEN
NO SCALE



TYPICAL TEE-MAT DETAIL
SCALE: 1"=4'

OWNER:
PANTHER BRANCH LIMITED PARTNERSHIP
% G.A. HALLEY - GENERAL PARTNER
4081 MT ZION ROAD
UPPER MERIDEN, MARYLAND 21155

DEVELOPER:
JOHN INVERNIZZI
601 SPRING AVENUE
LUTHERVILLE, MARYLAND 21033

ENGINEER:
PAUL LEE ENGINEERING, INC.
304 N. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204

ZADM VII-224

GENERAL NOTES

1. AREA OF PROPERTY: 23,613 AC. (GROSS - 24,554 AC.)
2. EXISTING ZONING OF PROPERTY: BL-CR/RC-5CR
3. EXISTING USE OF PROPERTY: "RETAIL STORE, RESIDENTIAL & FARM"
4. PROPOSED ZONING OF PROPERTY: "BL-CR/RC-5CR" WITH SPECIAL EXCEPTION
5. PROPOSED USE OF PROPERTY: "BL-CR/RC-5CR" GOLF DRIVING RANGE, MINIATURE GOLF
6. REQUIRED OFF-STREET PARKING @ 1.5/100: 1.5(26) + 1.5(18) = 39 + 27 = 66 SP.
7. NUMBER OF PARKING SPACES SHOWN: EX. 13 + 42 + 20 PROPOSED = 62 SP.
8. PROPERTY SERVED BY PRIVATE SEWER AND WATER
9. CASE # 24-2454A - PETITION FOR SPECIAL EXCEPTION FOR DRIVING RANGE, VARIANCE
RELATIVE TO REQ'D LANDSCAPING AND CRUSHER RUN SURFACE GRANTED 8-7-94
10. ANY PROPOSED SIGNS SHOULD BE IN CONFORMANCE WITH SECT. 413 OF THE
B.C.Z.R. AND ANY EXISTING POLICIES.
11. PERMITTED P.A.R. = 0.20, PROPOSED P.A.R. = 0.03
12. CENSUS TRACT: 4072, WATERSHED: 13, SUBSEWER SHED: NONE
13. PROPERTY # 01-23-023100, DEED: 7010-482
14. SEDIMENT CONTROL DEVICES TO BE INSTALLED IN ACCORDANCE WITH BALTO. COUNTY
SOILS CONSERVATION SERVICE STANDARDS AND SPECIFICATIONS AND AS
DIRECTED BY THE BALTO. COUNTY SEDIMENT CONTROL INSPECTOR
15. THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT
TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL
INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM
CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT
16. THERE ARE NO HISTORICAL BUILDINGS OR ARCHAEOLOGICAL SITES
17. THERE ARE NO HAZARDOUS MATERIALS ON SITE
18. THERE ARE NO WELLS OR SEPTIC SYSTEMS IN THE RC-5CR ZONED AREA
19. A.D.T. = 140
20. SOIL TYPES:

TYPE	BLDG.	PARKING	CLASS
MbB2	SLIGHT	MODERATE	B
GaC2	MODERATE	SEVERE	D
MbD3	SEVERE	SEVERE	D
MbG2	MODERATE	SEVERE	B
MbB2	SLIGHT	MODERATE	D

21. STORMWATER MANAGEMENT WAIVER GRANTED 12-12-94
22. LIMITED EXEMPTION GRANTED 11-1-93. DRC NO 1101B, 7C3
23. THERE APPEAR TO BE NO WELLS OR SEPTIC SYSTEMS WITHIN 100' OF THE PROPERTY.
24. WELL ABANDONMENT REPORT FOR WELL TO BE ABANDONED TO BE DONE BY A LICENSED WELL DRILLER.
EX. BLDG. AROUND WELL TO BE RAZED
25. AREA OF DISTURBANCE = 19,996.7 SF ±

DEVELOPMENT PLAN

"JOHN INVERNIZZI'S HEREFORD GOLF CENTER"

N.3. OF YORK ROAD N. OF MT. CARMEL ROAD

ELECT. DIST. 7C3

BALTIMORE COUNTY, MD.

SCALE: AS SHOWN

APRIL 7, 1994

JUNE 24, 1994

DEC. 29, 1994

MINIATURE GOLF COURSE

THIS REVISED PLAN IS
SEALED AND CERTIFIED
TO BE IN ACCORDANCE WITH
ALL AGENCY COMMENTS.

