

IN RE: PETITION FOR VARIANCE
R/E Corner York Road and
Radcliffe Road
(1005 York Road)
9th Election District
4th Councilmanic District
Radcliffe Property, Inc.
Petitioner

* REPLY THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-291-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for the subject property known as 1005 York Road in the Town area of Northern Baltimore County. The Petition was filed by the owner of the property, Radcliffe Property, Inc., by Jack Becker, President, and the Contract Purchaser, Provident Bank of Maryland, by Richard J. Becker, Jr., Assistant Vice President. The Petitioner seeks relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.8.A.4 to permit a parking setback from the road right-of-way of 7 feet in lieu of the required 10 feet and from Section 301.1.A to permit a drive-thru window canopy setback from the road right-of-way of 15 feet in lieu of the required 37.5 feet for a proposed bank use, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner were Richard J. Becker, Jr., and Ronald W. Clayton on behalf of Provident Bank, Inc., and Paul Lee, Registered Professional Engineer. The Petitioner was represented by Francis A. Borgerding, Jr., Esquire. There were no Protestants present.

Testimony and evidence presented revealed that the subject property consists of a gross area of 0.14 acres, more or less, zoned B.R. and is improved with a one-story building formerly used as a Suncos Service Station. The Petitioner is desirous of removing the existing building and

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reconstructing a new building for a Provident Bank branch office. Due to the size of the lot and site constraints imposed as a result of the proposed bank use, the relief requested is necessary in order to proceed.

Further testimony revealed that the property is located within the area included in the Town Community Plan and was the subject of a Design Review Panel meeting held on September 23, 1993. At that time, the Panel made several recommendations to the Owner of the site, including a recommendation that they use a ground-mounted pedestal sign in lieu of the 21-foot high pole-mounted sign proposed. Mr. Paul Lee testified that the sign proposed by the Petitioner meets all of the requirements of the B.C.Z.R.; however, the Petitioner is willing to continue discussions with the Design Review Panel to determine a mutually agreeable sign.

Furthermore, in response to comments submitted by the Office of Planning and Zoning, dated February 17, 1994, which were based upon the Design Review Panel recommendations, the Petitioner is willing to submit a Landscape Plan for review and approval by the Baltimore County Landscape Architect and is also willing to submit elevation drawings of the proposed bank branch to the Design Review Panel for their consideration. The Petitioner is also willing to install sidewalks along the entire York Road "frontage of the property; however, it is the opinion of this Deputy Zoning Commissioner that sidewalks are not necessary from Radcliffe Road to the front door of the proposed building. Rather, I believe it will be just as appropriate for pedestrians to walk across the macadam paving to the front door of the bank.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

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his property. Melton v. Boloy, 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. Md. of Appeals, Town of Chesapeake Beach, 22 Md. App. 20 (1974).

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

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special 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 variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

ORDER RECEIVED FOR FILING
Date _____
By _____

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of March, 1994 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.8.A.4 to permit a parking setback from the road right-of-way of 7 feet in lieu of the required 10 feet and from Section 301.1.A to permit a drive-thru window canopy setback from the road right-of-way of 15 feet in lieu of the required 37.5 feet for a proposed bank use, 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 Petitioner shall submit a Landscape Plan for review and approval by the Baltimore County Landscape Architect prior to the issuance of any occupancy permits.
- 3) The Petitioner shall submit detailed elevation drawings to the Design Review Panel for their consideration and approval prior to the issuance of any building permits.
- 4) The Petitioner shall continue discussions with the Design Review Panel to determine the appropriate signage for the subject site.
- 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.

James H. Kotroco
Deputy Zoning Commissioner
for Baltimore County

THE:bjs

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 14, 1994

Francis A. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
R/E Corner York Road and Radcliffe Road
(1005 York Road)
9th Election District - 4th Councilmanic District
Radcliffe Property, Inc. - Petitioner
Case No. 94-291-A

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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 887-3393.

Very truly yours,

James H. Kotroco
Deputy Zoning Commissioner
for Baltimore County

cc: Mr. Richard J. Becker, Jr., Assistant Vice President
Provident Bank of Maryland, 114 E. Lexington St., Baltimore, MD 21202
People's Counsel

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Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 1005 York Road, Towson, MD 21204
which is presently zoned B.R.

This Petition shall be filed with the Office of Zoning Administration & Development Management in the appropriate and not otherwise designated, large format of the zoning regulations in Baltimore County and upon receipt of the same shall be placed in the public hearing file for the Baltimore County Zoning Regulations to permit a 7' setback for parking spaces to road 7'W line in lieu of required 10'. (A variance of 3'). SEE ATTACHED

- of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County, for the following reasons: (Indicate hierarchy of reasons in order of importance)
1. The shape and configuration of the property; and
 2. For such other and further reasons which will be presented at the time of hearing of this matter.

Property is to be posted and advertised as prescribed by Zoning Regulations.
(If an appeal to the Board of Appeals is filed, the property shall be posted and advertised as prescribed by Zoning Regulations and further agree to use and to be bound by the zoning regulations and restrictions of Baltimore County submitted pursuant to the Zoning Law for Baltimore County.)

By Richard J. Becker, Jr., Esq.
Provident Bank of Maryland
114 East Lexington Street
Baltimore, MD 21202

By Francis A. Borgerding, Jr.
Deputy Zoning Commissioner
for Baltimore County
409 Wash. Ave., Ste. 600
Towson, MD 21204

By James H. Kotroco
Deputy Zoning Commissioner
for Baltimore County
409 Wash. Ave., Ste. 600
Towson, MD 21204

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292

CONTINUATION FOR PETITION FOR VARIANCE

Petition for a Variance from Section 301.1.A of the Baltimore County Zoning Regulations to permit a 15' setback for a drive thru window canopy from road r/w line in lieu of required 37.5'. (A variance of 22.5').

Paul Lee, P.E.

Paul Lee Engineering, Inc.
300 W. Pennsylvania Ave.
Towson, Maryland 21204
410-281-5241

94-291A

DESCRIPTION
61005 YORK ROAD
PROVIDENT BANK
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the east side of York Road, said point being located 45 feet ± from the center of Radcliffe Road; thence binding on the east side of York Road (1) N 31°30'56" W 135.00 feet, thence leaving said east side of York Road (2) N 76°21'04" W 130.00 feet, and (3) S 21°30'56" W 130.00 feet to the north side of Radcliffe Road; thence binding on the north side of Radcliffe Road (4) S 56°21'04" W 130.00 feet and N 76°21'04" W 21.21 feet to the point of beginning.

Containing 22,267.5 square feet (0.51 acre) of land, more or less.



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Engineer - James H. Kotroco - 11/24/93

CERTIFICATE OF POSTING

TO THE DEPARTMENT OF BALTIMORE COUNTY 94-291-A
Towson, Maryland

District: 9th Date of Posting: 2/14/94
Posted by: James H. Kotroco
Petitioner: Radcliffe Property, Inc. - Provident Bank, Inc.
Location of property: 1005 York Rd. E. of Radcliffe Rd.
Location of sign: Along roadway, 22.5 feet from road
Remarks: See attached
Posted by: James H. Kotroco Date of return: 2/15/94
Number of Signs: 1

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CERTIFICATE OF PUBLICATION

TOWSON, MD. Feb 14 1994
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 4 successive weeks, the first publication appearing on Feb 12 1994.

THE JEFFERSONIAN,
A. H. Johnson
LEGAL AD. - TOWSON

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ZONING HEARING, ADVERTISING AND POSTING REQUIREMENTS & FEE SCHEDULE

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring 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 assessed 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
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 292

Petitioner: *Racelle Property, Inc.*

Location: *1005 York Rd.*

PLEASE FORWARD ADVERTISING BILL TO:

NAME: *Francis S. Bergring, Jr.*

ADDRESS: *409 Wash. Ave. Ste. 600*

Towson, Md. 21204

PHONE NUMBER: *296-6820*

Attygo

(Revised 04/07/93)

Item Number: 292
Planner: 324
Date Filed: 1-26-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commission's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commission's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- ✓ Description, including accurate beginning point
- ✓ Actual address of property
- ✓ Zoning
- ✓ Acreage
- ✓ Plat (need 12, only 1 submitted)
- ✓ 200 scale zoning map with property outlined
- ✓ Election district
- ✓ Councilmatic district
- ✓ HCZ section information and/or wording
- ✓ Hardship/practical difficulty information
- ✓ Owner's signature (need minimum 1 original signature) and/or printed name and/or address
- ✓ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- ✓ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- ✓ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- ✓ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ✓ Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TEXTS) 11/17/93

TO: POTENTIAL PETITIONER COMPANY
Feb. 10, 1994 (owner - advertisement)
From: Forward Billing Co.
Francis S. Bergring, Jr., Esq.
409 Washington Avenue, Suite 600
Towson, Maryland 21204
296-6820

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, 111 West Chesapeake Avenue in Towson, Maryland 21204 on February 23, 1994 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-291-8 (Item 292)
1005 York Road - Petitioner: Race
425 Park Road, W. Intervenor: w and Radcliffe Inc.
9th Election District - 4th Councilmatic
Legal Owner(s): Radcliffe Property, Inc.
Contract Purchaser(s): Providence Bank of Maryland
HEARING: FEBRUARY 23, 1994 at 10:00 a.m. in Room 106, County Office Building.

Variances to permit a 7 foot setback for parking space to road right-of-way line in line of the required 10 foot and to permit a 15 foot setback for a drive-thru window canopy from road right-of-way line in line of the required 15.5 foot.

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

receipt
94-291-8
Account: R016180
Number: 30M
Date: 1-26-94
JAN. (200) 250.00
POSTING (250) 35.00
285.00
CASH ON HAND 4785.00
Please Make Checks Payable To: Baltimore County
Cashier: Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
FEBRUARY 4, 1994
(410) 887-3353
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, 111 West Chesapeake Avenue in Towson, Maryland 21204 on February 23, 1994 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204 as follows:
CASE NUMBER: 94-291-8 (Item 292)
1005 York Road - Petitioner: Race
425 Park Road, W. Intervenor: w and Radcliffe Inc.
9th Election District - 4th Councilmatic
Legal Owner(s): Radcliffe Property, Inc.
Contract Purchaser(s): Providence Bank of Maryland
HEARING: FEBRUARY 23, 1994 at 10:00 a.m. in Room 106, County Office Building.
Variances to permit a 7 foot setback for parking space to road right-of-way line in line of the required 10 foot and to permit a 15 foot setback for a drive-thru window canopy from road right-of-way line in line of the required 15.5 foot.
Arnold Jablon, Director
cc: Providence Bank of Maryland
Radcliffe Property, Inc.
Francis S. Bergring, Jr., Esq.
NOTES: (1) ZONING IS A POST HEARING BY RETURN TO RM 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE NONRECURRING ACCESSIBLE FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
February 23, 1994
(410) 887-3353
Francis S. Bergring, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204
RE: Case No. 94-291-8, Item No. 292
Petitioner: Radcliffe Property, Incorporated
Petition for Variance
Dear Mr. Bergring:
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 ensure that all parties, i.e., zoning commission, 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 comments are received from other members of ZAC, I will forward them to the hearing file. This petition was accepted for filing on January 26, 1994, 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 filling all requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE
TO: Arnold Jablon, Director DATE: February 16, 1994
Zoning Administration and Development Management
FROM: Robert W. Bowling, Chief
Developers Engineering Section
RE: Zoning Advisory Committee Meeting
for February 14, 1994
Item No. 292
The Developers Engineering Section has reviewed the subject zoning item. This site is subject to State Highway Administration Standards and approval for the commercial property fronting on the State Road. In addition, the site is subject to Baltimore County Department of Public Works Standard Plate R-32, for a single commercial entrance. Relocate the existing inlet on York Road 6 feet southwesterly toward Radcliffe Road to accommodate the new entrance. "Drive-Thru Only" signs need to be shown where "Do Not Enter" signs are proposed.

Baltimore County Government
Fire Department
700 East Joppa Road Suite 901
Towson, MD 21286-5500
(410) 887-4500
DATE: 02/03/94
Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
PHIL STYOP-1105
RE: Property Owner: SEE BELOW
LOCATION: SEE BELOW
Item No.: SEE BELOW Zoning Agenda:
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 FOR THE FOLLOWING "ITEM NUMBERS": 285, 289, 291, 292, 293, 294 AND 298.

REVIEWED BY: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE: 887-4831, MS-1102F
cc: File
RECEIVED
FEB 3 1994
ZADM

44-241-113
42

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: February 17, 1994

SUBJECT: 1005 York Road

INFORMATION:
1. Design Number: 792
2. Petitioner: Radcliffe Property, Inc. Limited Partnership
3. Property Size: _____
4. Zoning: R.B.
5. Requested Action: _____
6. Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The proposed Variance requested for this site involve Section 409.0A of the R.C.Z.M. to permit a 15' setback in lieu of the required 10' and Section 501.1A of the R.C.Z.M. to permit a 15' setback for a drive-thru window canopy in lieu of the required 11.5'.

The site is within the area of the Towns Community Plan as adopted on 2/13/93 by the Baltimore County Council. It is within a Design Review area, York Road North and as such was the subject of a Design Review Panel (DRP) meeting on 9/23/93. Comments were forwarded after that review was completed. (See attached.)

The site plan was revised subsequent to the DRP meeting; a HVAC unit which was to be on the roof is now to the rear of the building, a curbside has been changed to the rear property line significantly reducing the planting island, and the one-way driveway was increased to 16' from 15'. One of several DRP comments was addressed, but others were not. They are as follows:

1. The Towns Community Plan stipulates that signage along York Road should be limited to reduce visual clutter of the commercial corridor. A low profile mounted pedestrian sign is recommended instead of the 21' high pole mounted sign that is proposed.

2. The Towns Community Plan stipulates that signage along York Road should be limited to reduce visual clutter of the commercial corridor. A low profile mounted pedestrian sign is recommended instead of the 21' high pole mounted sign that is proposed.

DRPANEL FRP/PZONE/TXTWAYNE Pg. 1

2. Detailed landscaping and lighting comments were made that are difficult to check without a revised landscape plan. Additional planting was requested in the vicinity of the landscaped parking space and a sidewalk adjacent to parking space 48; these items have not been shown on the plan dated January 3, 1993. The 14' wide one-way driveway can and should be reduced. It will still comply with Traffic Engineering's requirements and will allow the planting island to be restored between the driveway and the Quality Inn site. The DRP unit should be screened adequately as well. It should be noted that Note 11 on the revised site plan indicates that the property is to be landscaped in accordance with DRP meeting of 11/9/93. Only with the aforementioned revisions will this note be accurate.

3. Sidewalks were requested along the entire York Road frontage, and from Radcliffe Road to the front door of the building.

4. Detailed comments regarding the architecture, building color and window treatments were made that cannot be checked without revised elevation drawings. They involved better integration of the canopy with the building by repeating the gable treatment and through the use of similar materials and details.

While the DRP approved the limited exemption on 12/13/93, as Note 13 indicates, a development plan has not been approved to date. The development plan must also incorporate these comments.

In summation, the Office of Planning and Zoning recommends approval of these Variance provided DRP recommendations are incorporated and the necessary site plan, landscape plan, and architectural drawings are revised accordingly.

Prepared by: *Jeffrey M. Jones*
Division Chief: *Pat Keller*
PW/Julie

DRPANEL FRP/PZONE/TXCI Pg. 2

Baltimore County Government
Office of Planning and Zoning

401 Bosley Avenue
Towson, MD 21204

(410) 887-3211
Fax (410) 887-3862

DESIGN REVIEW PANEL

TO: Ervin McDaniel, Chief
Design Review Section
Strategic Planning Division, OPZ

FROM: Lynn Lashae
Coordinator, Design Review Panel

DATE: November 24, 1993

PROJECT NAME: Provident Bank
(Former Sunoco Service Station @ York Rd & Radcliffe Rd)

SUBJECT: Minutes of Meeting Held November 9, 1993

PROJECT NUMBER: DRP0401 (DRC #52438)

PROJECT TYPE: Limited Exemption

A presentation of the proposed development was given by the engineer: Paul Lee, the architect: Ron Clayton, the landscape architect: John Rodas, and the bank representative: Dick Becker.

DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE

William Chen
Michael Erat
George Holback
Nicholas Philippan

Harry Rose
Emily Malena
Odeh Syed
Steve Ziger

DESIGN REVIEW PANEL COMMENTS

The following issues and recommendations were identified at the Design Review Panel meeting. These recommendations may be incorporated into Planning & Zoning's Final Report.

1. York Road building elevation requires further definition to establish a presence to York Road.
Recommendations:
- The gable treatment should be repeated from front entry to York Road facade and canopy through the use of similar roof style, shape, materials, and detail. The canopy should be made a part of the building as much as possible and not be an add-on.
- Blank wall should be relieved through the detailing of brick or dryvit pattern.
- Building should be stylistically uniform - elements used on entry elevation should be repeated throughout building design.

DRPANEL FRP/PZONE/TXTWAYNE Pg. 1

PROJECT NAME: Provident Bank
(Former Sunoco Service Station @ York Rd & Radcliffe Rd)

PROJECT NUMBER: DRP0401 (DRC #52438)

DESIGN REVIEW PANEL COMMENTS (Continued)

2. Window treatment is not residential.
Recommendation:
- Scale and detailing of windows should have a stronger commercial character.
3. Pedestrian connections are needed.
Recommendation:
- The sidewalk from York Road to front door should be extended and an opening in the hedge should be provided. A path with special paving across drive through area should be delineated.
- The sidewalk from Radcliffe Road to front door should be extended and an opening in hedge should be provided. Parking spaces should be eliminated to allow for landscaped island with sidewalk. A path with special paving across the parking aisle should be delineated.
4. Location of mechanical equipment.
Recommendation:
- The mechanical equipment should be located on the ground at the rear of the building and it should be screening.
5. Building colors
Recommendation:
- The building should have buff colored brick with similarly colored dryvit and grey roof.
6. Landscaping and Lighting
Recommendations:
- Lighting should be shown on the Landscape Plan and should be used to reinforce the design intent of the building and landscaping as well as for security purposes.
- Additional parking lot island should be provided at the southeast building corner to accommodate landscaping and the walkway.
- Additional street trees should be added along the York Road frontage.
7. Building Orientation and Location
Recommendation:
- The panel questioned the location of the building and the side orientation versus the front orientation toward York Road. The Applicant presented alternate building location schemes, but stated they were unable to resolve circulation and stacking problems associated with these designs.
- None. The panel directed these concerns toward further definition of the York Road elevation. (See Comment p.1.)

NOTE: The Office of Planning and Zoning will issue a Final Report that will be conditions of approval for the Limited Exemption.

DRPANEL FRP/PZONE/TXTWAYNE Pg. 2

PROJECT NAME: Provident Bank
(Former Sunoco Service Station @ York Rd & Radcliffe Rd)

PROJECT NUMBER: DRP0401 (DRC #52438)

D. Landscaping & Lighting

1. Trees (Elkova) and hedge should be provided along the north driveway that separates the drive from Radcliffe School parking area.
2. A total of 3 tall trees should be provided along York Road rather than the two shown.
3. Two flowering trees should be provided behind the sign at the corner to conform to the Towns Streetscape recommendations.
4. An additional parking lot island should be provided at the southwest building corner to accommodate landscaping, walkway, and to soften green shrubs/ground cover and one tree (Elkova).
5. Lighting should be shown on the Landscape Plan and should be used to reinforce the design intent of the building and landscaping as well as enhance security.
6. Special paving should be eliminated in the landscaped area along rear property line (northwest edge) except to provide pedestrian access between the two sites.

Pat Keller, Deputy Director

PROF/PE/bjs

CC: Paul Lee/Engineering, Inc.
Ron Douglas B. Riley/Attn. Mr. Lisa Kiv
Wayne Rainier, Towns Development Corp.
Title

DRPANEL FRP/PZONE/TXTWAYNE Pg. 3

Baltimore County Government
Office of Planning and Zoning

401 Bosley Avenue
Towson, MD 21204

(410) 887-3211
Fax (410) 887-3862

TO: Kurt Kugelberg, Chairman
Development Review Committee, ZADM

FROM: P. David Fields, Director
Office of Planning & Zoning

DATE: December 2, 1993

PROJECT NAME: Provident Bank - 1005 York Road
(Former Sunoco Service Station @ York Rd & Radcliffe Rd)

PROJECT NUMBER: DRP0401 (DRC #52438)

PROJECT TYPE: Limited Exemption/Design Review

GENERAL INFORMATION

Applicant Name: Paul Lee Engineering, Inc.
304 V Pennsylvania Ave. Towson, MD 21204

Location: 1005 York Rd/Towson Park Sunoco

Commuter District: 4th

Growth Management Area: Urban Center

Community Plan: The Towns Community Plan

Zoning: R.B./Special Exemption

Acres: 0.75 ± acres

Project Proposal:

The Applicant proposes to expand the existing building and convert it to a bank with drive-up deposit windows.

DRPANEL FRP/PZONE/TXTWAYNE Pg. 1

PROJECT NAME: Provident Bank
(Former Sunoco Service Station @ York Rd & Radcliffe Rd)

PROJECT NUMBER: DRP0401 (DRC #52438)

Other Anticipated Actions and Additional Review Items:

Special Exception	Referral to Planning Board	NO
Variance	Compatibility	Other
Waiver	Scenic Route	
RTA Modification	Design Review Panel	

NOTE: Design Review Panel review was completed November 8, 1993.

RECOMMENDATIONS

The Office of Planning and Zoning has reviewed the Development Plan with a Limited Exemption and the comments of the Design Review Panel, and recommends that the Plan be approved subject to the following conditions:

- A. Building Design
 1. The gable treatment should be repeated from front entry to York Road facade and canopy through the use of similar roof style, shape, materials, and detail. The canopy should be made a part of the building as much as possible and not be an add-on.
 2. The blank wall facing York Road should be relieved through the detailing of brick or dryvit pattern.
 3. The building should be stylistically uniform - elements used on entry elevation should be repeated throughout building design.
 4. The scale and detailing of windows should have a stronger commercial character.
 5. The mechanical equipment should be located on the ground at the rear of the building and it should be screened.
 6. The building should have buff colored brick with similarly colored dryvit and grey roof.
- B. Site Planning
 1. The sidewalk from York Road to the front door should be extended and an opening in the hedge should be provided. The walk in front of the driveway barriers should be striped and a pedestrian sign should be provided to warn drivers of the pedestrian crossing.
 2. Sidewalks should be continued to Radcliffe at the drive entrance.
- C. Signage

The Towns Community Plan stipulates that signage along York Road should be simplified in order to reduce visual clutter of the commercial corridor. To this end, the site sign on the corner of York Road and Radcliffe should be a low ground mounted pedestrian sign rather than the pole mounted sign that is proposed.

DRPANEL FRP/PZONE/TXTWAYNE Pg. 2

42 BA-46
Baltimore MD 21201-1616

Provident

June 9, 1994

Dear Mr. Keller:

I am in receipt of your letter dated 6/1/94 and would like to offer the following with regard to the Pylon sign issue.

After the September 23, 1993 meeting with the Design Review Panel, I had discussions with the Bank's Marketing and Community Banking groups concerning the comments received at that meeting. The Bank was in agreement with the majority of the design changes to the Bank's Standard Pylon sign at the Branch in favor of a low ground mounted sign. This Standard sign is currently in use at several Provident Bank branches in Baltimore and surrounding counties. The primary reason for the rejection of the ground mounted sign was the fact that the 21' high Standard Pylon would be visible from both North and South bound traffic but a lower sign would not be visible from southbound traffic until after a car created the hill, which is just north of the site. Branch visibility is an important aspect of the Bank's site selection process. The fact that existing Baltimore County zoning regulations would allow a Pylon sign at this location was one of the determining factors in selecting this site.

Comments concerning the use of the 21' High Pylon sign were addressed in the zoning decision of March 14, 1994 as well as in comments received during the Development Plan review and approval process with ZADM. The Development Plan, showing a 21' high Pylon sign with a comment that the sign be in conformance with RCZ and policies, was approved by Joseph V. Maranto (of ZADM) on May 10, 1994 (see drawing ZADM112-009, Pylon sign Elevation and Note #271).

Member Federal Deposit Insurance Corporation

I was of the assumption that any comments exchanged during the Development Plan Approval process would satisfy the condition of "continued discussion" referenced in Condition #4 of the Zoning Decision of March 14 (Case No.940291-A). It is my understanding that the Development Plans submitted were reviewed and signed off by zoning.

After the Development Plan was approved with the 21' Pylon Sign, I assumed that the signage issue was closed and applied for the Sign Permit. Again it is my understanding that the sign permit application is reviewed and signed off by zoning prior to the issuing of a permit. The Sign Permit for the 21' high Pylon sign which meets BCIR was issued, by Don Rascoe of ZADM, to the Bank on May 19, 1994 (Permit #8198771).

As requested in your letter of 6/1/94, I spoke with Lynn Lanham of your office on 6/7/94 and was informed, to my disappointment, that the Bank's Permit to erect a 21' high Pylon Sign had been rescinded.

Ms. Lanham indicated in our conversation that the new Design Review Panel would like to begin a "clean-up" process of the signage and clutter along the York Road corridor were Provident's new Branch is under construction. The Bank agrees, and is assisting with the process, by replacing a gas station with an attractive Bank Branch as well as replacing a 35'-0" high large SUNOCO sign with a New Sign which conforms to the existing Baltimore County Zoning Regulations. I don't understand how the County can not be allow the Bank to erect the Standard 21' Pylon sign at this site and feel that a compromise to a low sign would severely reduce the Bank's visibility at this location.

Based on the above, I ask that you reinstate our signage permit as originally approved. Your written conformation of this reinstatement would be appreciated. I may be reached at 576-2790 if you feel that further discussion would be beneficial.

Sincerely,

Richard J. Boecker Jr.
Richard J. Boecker Jr.
Assistant Vice President
Project Manager

cc: Tim Kotroco, Deputy Zoning Commissioner
Don Rascoe, Development Manager, ZADM
Lynn Lanham, Chairperson, Design Review Panel

Member Federal Deposit Insurance Corporation

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

PAUL LEE FRANK

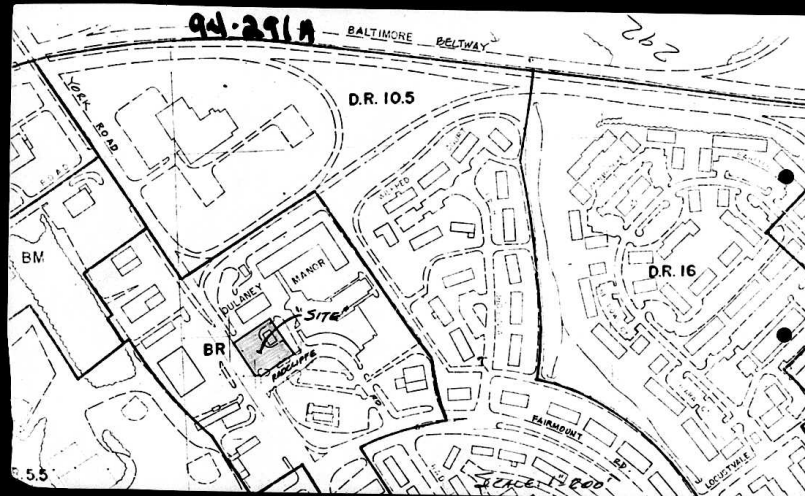
RICHARD J. BOECKER JR.

REINHOLD W. CLAYTON

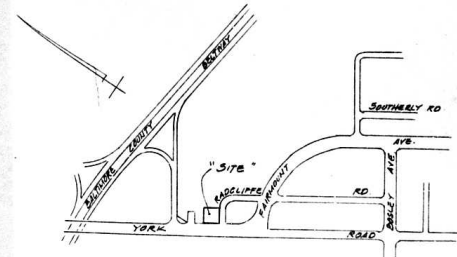
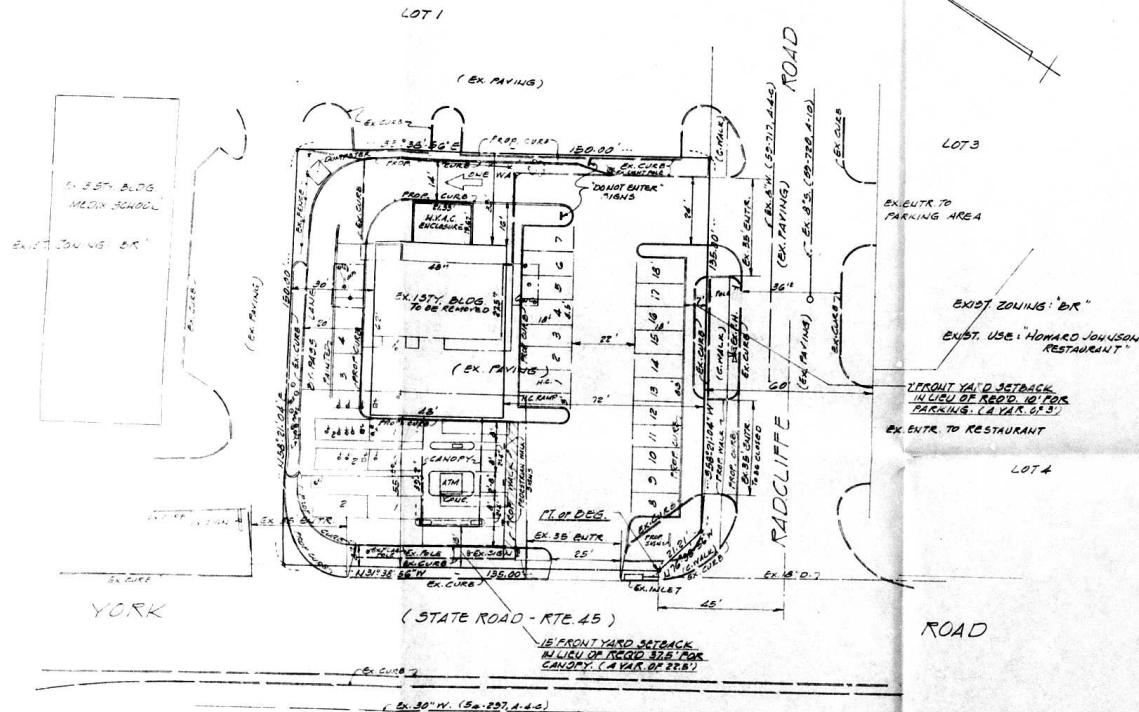
304 W. PENNA AVE.

110 E. LEXINGTON ST. BALD. 21202

2508 N. CALVERT ST. BALD. 21218



EXIST. ZONING: "BR"
EXIST. USE: "RETAIL" (ORIGINALLY "QUALITY INN")



LOCATION PLAN
SCALE: 1"=500'

GENERAL NOTES

1. AREA OF PROPERTY: 20,397.50 SQ. FT. (0.46 AC.)
2. EXISTING ZONING OF PROPERTY: "BR" WITH SPECIAL EXCEPTION
3. EXISTING USE OF PROPERTY: "VACANT SUNOCO SERVICE STATION"
4. PROPOSED ZONING OF PROPERTY: "BR"
5. PROPOSED USE OF PROPERTY: "PROVIDENT BANK"
6. OFF-STREET PARKING REQUIRED: 62.48 - 207.50 ± 53/1000 ± 5.8 = 10.75
7. NUMBER OF PARKING SPACES SHOWN: 18 RS.
8. PUBLIC UTILITIES: EXISTING TO SITE
9. PETITIONER REQUESTING A VARIANCE TO SECTION 402.8.4.4 OF THE BCR TO PERMIT A 7' SETBACK FOR PARKING SPACES TO ROAD R/W LINE IN LIEU OF REQ'D 10' (A VARIANCE OF 3')
10. PETITIONER REQUESTING A VARIANCE TO SECTION 301.1.4 OF THE BCR TO PERMIT A 15' SETBACK FOR DRIVE THRU WINDOW CANOPY FROM ROAD R/W LINE IN LIEU OF REQ'D 37.5' (A VARIANCE OF 22.5')
11. PROPERTY TO BE LANDSCAPED IN ACCORDANCE WITH DRP MEETING OF 11-8-93
12. PROPERTY REVIEWED BY DRP 11-8-93 PROJECT # 2074801 (001-52434)
13. LIMITED EXEMPT ON APPROVAL GRANTED 11-8-93 DRP NO. 12-234, P.G.4

94-291A

PLAN TO ACCOMPANY PETITION
FOR

VARIANCES

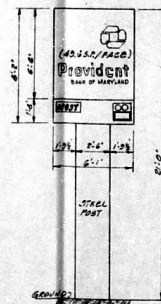
*1075 YORK ROAD
PROVIDENT BANK

ELECT. D. 37.5
SCALE: 1"=20'

BALTIMORE COUNTY, MD
JAN. 3, 1993

292

EXIST. ZONING: "BR"
EXIST. USE: "RETAIL STORES"



2-FACE PYLON SIGN

SCALE: 1"=4'

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

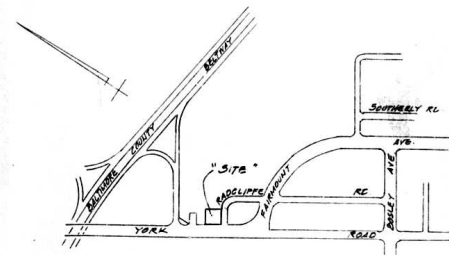


EXIST ZONING: "BR"
EXIST USE: "RETAIL (ORIGINALLY QUALITY INN)"

LOT 1

LOT 3

LOT 4



LOCATION PLAN
SCALE: 1"=50'

GENERAL NOTES

1. AREA OF PROPERTY = 20,387.60 SQ. FT. (0.51 AC.); GROSS = 0.74 AC.
2. EXISTING ZONING OF PROPERTY = "BR" W/ SPECIAL EXCEPTION
3. EXISTING USE OF PROPERTY = "VACANT SUNOCO SERVICE STATION"
4. PROPOSED ZONING OF PROPERTY = "BR"
5. PROPOSED USE OF PROPERTY = "PROVIDENT BANK"
6. OFF STREET PARKING REQUIRED: 62' x 48' x 32' x 1000' x 3.8 = 1075.
7. NUMBER OF PARKING SPACES SHOWN = 18 RS.
8. PUBLIC UTILITIES EXISTING TO SITE
9. PETITIONER REQUESTING A VARIANCE TO SECTION 402.8.2.4 OF THE PCR TO PERMIT A 15' SETBACK FOR PARKING SPACES TO ROAD R/W LINE IN LIEU OF REQ'D 12' (A VARIANCE OF 3')
10. PETITIONER REQUESTING A VARIANCE TO SECTION 301.1.4 OF THE PCR TO PERMIT A 15' SETBACK FOR DRIVE THRU WINDOW CANOPY FROM ROAD R/W LINE IN LIEU OF REQ'D 37.5' (A VARIANCE OF 22.5')
11. PROPERTY TO BE LANDSCAPED IN ACCORDANCE WITH DRP MEETING OF 11-8-93
12. PROPERTY REVIEWED BY DRP 11-8-93 PROJECT # 200-001 (CORR. 3/24/94)
13. LIMITED EXEMPTION APPROVAL GRANTED 11-8-93 DRP NO. 11-133-0, P.C.

PLAT TO ACCOMPANY PETITION
FOR

VARIANCES "1005 YORK ROAD PROVIDENT BANK"

ELECT. DIST. 3
SCALE: 1"=20'

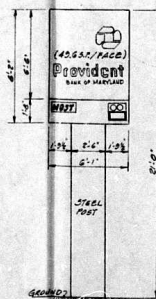
BALTIMORE COUNTY, MD.

JAN. 3, 1994

FEB. 15, 1994 REV. GURNEY DR. TO 18"

ENGINEER'S
DRAWING NO. 1

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



2 FACED PYLON SIGN

SCALE: 1"=4'

EXIST. ZONING: "BR"
EXIST. USE: "RETAIL STORES"