

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
SE/S Lillian Holt Drive and		
SW/S Rossville Boulevard	*	DEPUTY ZONING COMMISSIONER
14th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(7677 Lillian Holt Drive)		
	*	CASE NO. 01-006-SPH
YMCA of Central Maryland, Inc.		
Petitioner	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, the YMCA of Central Maryland, Inc., by Lee Jensen its President. The special hearing request is from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to extend the granting of a special exception in Case No. 99-40-SPHXA.

Appearing at the hearing on behalf of the special hearing request were Paula Ehoff and Ben Petrilli, appearing on behalf of the YMCA. The Petitioner was represented by David Karceski, attorney at law with Venable, Baetjer and Howard. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 20.69 acres, more or less, zoned DR 5.5. The subject property is the site of the YMCA. The property was the subject of Case No. 99-40-SPHXA wherein Commissioner Schmidt granted the Petitioner approval for an arcade, as well as a special hearing to amend a previously approved plan to include the construction of a community building with an ice rink.

The Petitioner is now requesting an extension of time within which to utilize the special exception for the arcade which was granted by Commissioner Schmidt on September 9, 1998.

MAILED 9/1/00

Date 9/1/00
By [Signature]

The Petitioner is not yet prepared to move forward with its arcade at this time and, therefore, has asked for a three year extension within which to utilize the special exception granted by Commissioner Schmidt. The original special exception was granted September 9, 1998. Therefore, the time within which the Petitioner must utilize the special exception for an arcade shall be extended until September 9, 2003.

It should be noted, pursuant to Commissioner Schmidt's Order, as well as the arguments made by Mr. Karceski on behalf of his client, that the ice rink and community building, which is also to be constructed on the property, was the subject of the special hearing relief granted by Commissioner Schmidt and not the special exception. Therefore, there is no time limit within which the Petitioner must construct the community building and ice rink on the subject property. There is no need to impose any such deadline upon the construction of that part of the YMCA's expansion.

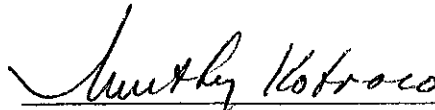
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of September, 2000, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), for an extension of the

special exception relief granted in Case No. 99-40-SPHXA for an arcade, be and is hereby extended until September 9, 2003.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CADEN RECEIVED FOR FILING

Date 9/1/00
By J.R. Garrison



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 1, 2000

David Karceski, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No 01-006-SPH
Property: 7677 Lillian Holt Drive

Dear Mr. Karceski:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: YMCA of Central Maryland, Inc.
c/o Lee Jensen, President/CEO
20 S. Charles Street, Suite 600
Baltimore, Maryland 21201

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7677 Lillian Holt Drive
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and 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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to approve the extension of the special exception relief granted in Case No. 99-40-SPXA.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print _____
Signature _____
Venable, Baetjer and Howard, LLP
Company
210 Allegheny Avenue 410-494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

YMCA of Central Maryland, Inc.
Name - Type or Print _____
By: _____
Signature _____
Lee Jensen, President/CEO
Name - Type or Print _____
Signature _____ 410-
20 S. Charles Street, Suite 600 837-9662
Address Telephone No.
Baltimore, MD 21201
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman
Name
210 Allegheny Avenue 410-494-6200
Address Telephone No.
Towson, MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr

UNAVAILABLE FOR HEARING _____

Reviewed By MMH Date 7/10/02

Case No. 01-006-SP4

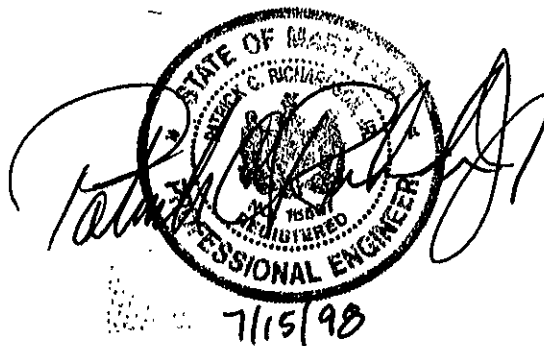
ORDER RECEIVED FOR FILING

Date 9/11/00
By 9/11/00

**ZONING DESCRIPTION
Y.M.C.A. PROPERTY
7677 LILLIAN HOLT DRIVE
14TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SPECIAL HEARING AREA**

Beginning at a point, being at the intersection of the northern most right of way line and right of way line of through highway (Baltimore Beltway), and the southern most right of way line of Lillian Holt Drive, and running thence and binding along a part of the aforesaid southeastern most right of way line of Lillian Holt Drive by a curve to the right, having a radius of 1722.95 feet for a distance of 552.01 feet, said curve being subtended by a chord (1) North 85 degrees 48 minutes 16 seconds East 549.65 feet, - thence (2) North 83 degrees 54 minutes 56 seconds East 183.40 feet, (3) North 84 degrees 36 minutes 21 seconds East 120.31 feet, (4) South 68 degrees 18 minutes 36 seconds East 85.63 feet, (5) South 76 degrees 32 minutes 12 seconds East 167.19 feet, thence with the right of way line of Rossville Blvd. by a curve to the left having a radius of 1,472.39 feet for a distance of 244.62 feet, said curve being subtended by a chord (6) North 23 degrees 50 minutes 42 seconds West 244.33 feet, thence (7) South 05 degrees 57 minutes 49 seconds West 48.45 feet, (8) South 05 degrees 54 minutes 20 seconds West 317.46 feet, (9) North 84 degrees 58 minutes 24 seconds West 30.48 feet, (10) South 78 degrees 23 minutes 59 seconds West 117.00 feet, (11) South 16 degrees 58 minutes 07 seconds West 759.34 feet, (12) North 64 degrees 17 minutes 43 seconds West 136.93 feet, (13) North 36 degrees 57 minutes 41 seconds West 166.45 feet, (14) North 20 degrees 38 minutes 49 seconds West 506.56 feet, (15) North 27 degrees 53 minutes 34 seconds West 195.14 feet, (16) North 37 degrees 49 minutes 41 seconds West 145.91 feet, (17) North 38 degrees 28 minutes 22 seconds West 100.00 feet, (18) North 57 degrees 51 minutes 09 seconds West 62.06 feet, to the place of beginning.

Containing 855,912 square feet or 19.65 acres plus or minus.



006
01.006-SPH

H92-000.10

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083813

DATE 7/10/06 ACCOUNT 001-6150
P.O. 2005K
IA-006 AMOUNT \$ 250.00

RECEIVED FROM: Voucher, 3 months - 70776 Hk. Hk - D.

FOR: 030- Special Hk. — \$ 250.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	DATE	AMOUNT	TRK
7/10/06	7/10/2006	16421.00	
REG 0005	CASHIER UNIT LHM	ORDER	3
DEPT 5	528 ZONING VERIFICATION		
Receipt #	109960		0014
CP NO. 68003			
RECEIVED BY		250.00	
250.00 OK		250.00	
BALANCE CASH - 00000000			

01-006-SPH

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: 99-006-SPH
7677 Lillian Holt Drive (YMCA)
SE/S Lillian Holt Drive and
SW/S Rossville Boulevard
14th Election District
6th Councilmanic District
Legal Owner(s): YMCA
of Central Maryland, Inc.
Special Hearing: to ap-
prove the extension of the
special exception relief
granted in case number 99-
40-SPHXA.

Hearing: Tuesday, August
29, 2000 at 2:00 p.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

8/103 August 10 C410050

CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/10, 2000

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 8/10, 2000.

J. W. Jeffersonian
THE JEFFERSONIAN,
LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-006-SPH

Petitioner/Developer: YMCA, et al

% R. HOFFMAN, ESQ.

Date of Hearing/Closing: 8/29/00

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

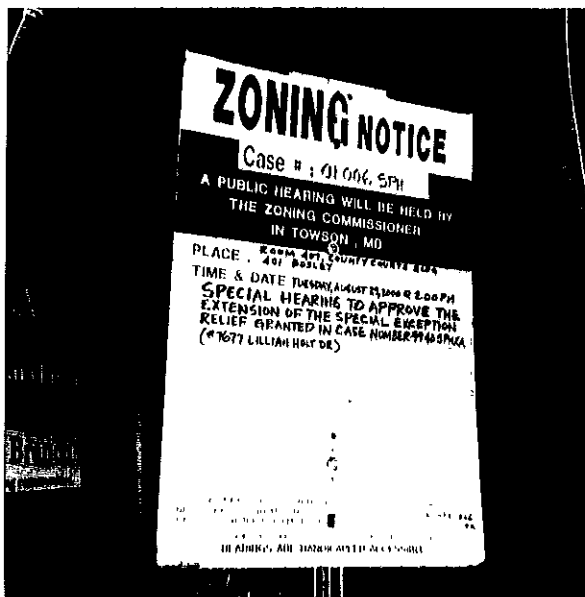
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #7677 LILIAN HOLT DR

The sign(s) were posted on _____

(Month, Day, Year)

8/9/00



Sincerely,

Patrick M. O'Keefe 8/10/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)

01-006-SPH
YMCA
P-8/9
H-8/29

RE: PETITION FOR SPECIAL HEARING
7677 Lillian Holt Drive, SE/S Lillian Holt Dr
and SW/S Rossville Blvd
14th Election District, 6th Councilmanic

Legal Owner: YMCA of Central Maryland, Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
*
* FOR
* BALTIMORE COUNTY
* Case No. 01-06-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffinan, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

July 25, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-006-SPH
7677 Lillian Holt Drive (YMCA)
SE/S Lillian Holt Drive and SW/S Rossville Boulevard
14th Election District – 6th Councilmanic District
Legal Owner: YMCA of Central Maryland, Inc.

Special Hearing to approve the extension of the special exception relief granted in case number 99-40-SPHXA.

HEARING: Tuesday, August 29, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, LLP, 210 Allegheny Avenue, Towson, MD 21204
YMCA of Central Maryland, Inc., c/o Lee Jensen, President/CEO, 20 South Charles Street, Suite 600, Baltimore, MD 21201

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 14, 2000.**
(2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
(3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Thursday, August 10, 2000 Issue – Jeffersonian

Please forward billing to:

Barbara W. Ormord, Legal Assistant
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6201

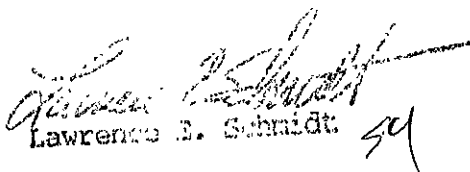
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-006-SPH
7677 Lillian Holt Drive (YMCA)
SE/S Lillian Holt Drive and SW/S Rossville Boulevard
14th Election District – 6th Councilmanic District
Legal Owner: YMCA of Central Maryland, Inc.

Special Hearing to approve the extension of the special exception relief granted in case number 99-40-SPHXA.

HEARING: Tuesday, August 29, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-006-SPH

Petitioner: YUCA of Central Maryland, Inc.

Address or Location: 7677 Lillian Hret Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara W. Osmore, Legal Assistant

Address: Verable, Bartier + Howard, LLP.

210 Allegheny Avenue, Towson, Md 21204

Telephone Number: 410-494-6201



Baltimore County
Department of Permits and
Development Management

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

August 23, 2000

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 01-006-SPH, 7677 Lillian Holt Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 15, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: YMCA of Central Maryland, Inc., c/o Lee Jensen, President/CEO, 20 South Charles Street, Suite 600, Baltimore 21201
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 29, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 31, 2000
Item Nos. 006, 008, 009, 010, 011, 012,
013, 014, 015, 016, 017, 018, 019, and
020

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

July 31, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner:
Benjamin H. Griswold, Jr. and Wendy G. Griswold - 010
Patrick Meadowcroft and Susan Meadowcroft - 014, 015, 016
**YMCA Of Central Maryland, Inc. - 006

Location: DISTRIBUTION MEETING OF July 24, 2000
Item No.: See Below

Dear Ms. Stephens:

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.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

- ** FOR ITEM NUMBER: 006 ONLY IN ADDITION TO COMMENTS 4 & 5.
10. IF ACCESS FOR FIRE DEPARTMENT EMERGENCY APPARATUS CANNOT BE PROVIDED AT THE REAR OF THE BUILDING, ALL STAIRWELLS SHALL BE PROVIDED WITH WET STANDPIPES.

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *ums*
DATE: July 27, 2000
SUBJECT: Zoning Item #006
7677 Lillian Holt Drive (YMCA)

Zoning Advisory Committee Meeting of July 24, 2000

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☒ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Reviewer: Glenn Shaffer

Date: July 27, 2000

Jim
8/29

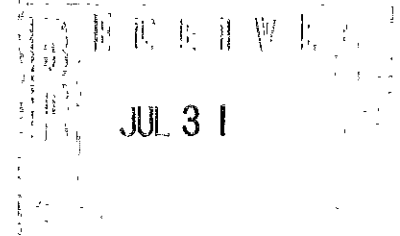
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: July 31, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning



SUBJECT: Zoning Advisory Petition(s): Case(s) 006 and 031

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC

IN RE: PETITIONS FOR SPECIAL HEARING.
SPECIAL EXCEPTION & VARIANCE
SEC Lillian Holt Drive & I-695

* BEFORE THE
* ZONING COMMISSIONER

7677 Lillian Holt Drive
14th Election District
6th Councilmanic District

* OF BALTIMORE COUNTY
* Case No. 99-40-SPHXA

YMCA of Central Md., Inc., Petitioner

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Special Hearing, Petition for Special Exception and for Variance relief, all for the property located at 7677 Lillian Holt Drive in White Marsh. The Petitions were filed by the YMCA of Central Md., Inc., property owner. Special Hearing relief is requested to approve an amendment to a previously approved special exception (case No. 70-29-RX) for a community building, other structures or land uses devoted to civic, social, recreational, or educational activities to permit changes and additions to allow for an ice skating rink and additional recreational facilities, pursuant to Section 1B01.1.C.6 of the Baltimore County Zoning Regulations (BCZR). The Petitioner also seeks confirmation that the number of parking spaces provided is sufficient for the proposed and existing uses, pursuant to Section 409.6.A.2 of the BCZR. Variance relief is requested to permit a maximum building length/width of 285 ft. and 265 ft., respectively, in lieu of the maximum permitted 200 ft., by Section 504 of the BCZR and the CMDP. Special Exception relief is requested for an arcade, pursuant to Section 423.C of the BCZR.

The subject property and requested relief are more particularly shown on the site plan to accompany the Petitions for Special Exception, Special Hearing and Variances, marked as Petitioner's Exhibit No.1.

Appearing at the requisite public hearing on behalf of the Petitions

were Paula Ehoff and Mark Elsanner on behalf of the YMCA of Central Maryland, Inc., property owner/Petitioner. Appearing in support of the Petitions were Ed Hagens, Stan Kozenewski and David Goldbloom. Testifying in support of the Petitions was William Monk, a land planner and consultant engaged by the Petitioner. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is approximately 28 acres in area, zoned D.R.5.5. The property is located adjacent to the intersection of Rossville Boulevard and Lillian Holt Drive, not far from the Baltimore Beltway (I-695) in the Perry Hall/White Marsh community of eastern Baltimore County. Apparently, the property has been owned by the YMCA and utilized by that entity for many years. Presently, the site is improved with a number of structures and uses which serve the YMCA's purpose of providing recreational, social and educational programs to the public. The existing improvements and uses include several athletic fields, an outdoor swimming pool, two multi-purpose outdoor courts, a hiking trail and similar facilities.

Ms. Ehoff testified extensively about the present use of the property and proposed expansion. She noted that this YMCA location provides extensive services for children and adults in the community. The YMCA conducts a thriving camp program for children, particularly during the Summer, and also provides recreational facilities and athletic league facilities for adults and children. Obviously, the YMCA operation at this location provides needed services to the public, which contribute to the quality of life in this region of the County.

The YMCA proposes an expansion of its program. Specifically, the property owner wishes to construct 68,763 sq. ft. building. Primarily, the

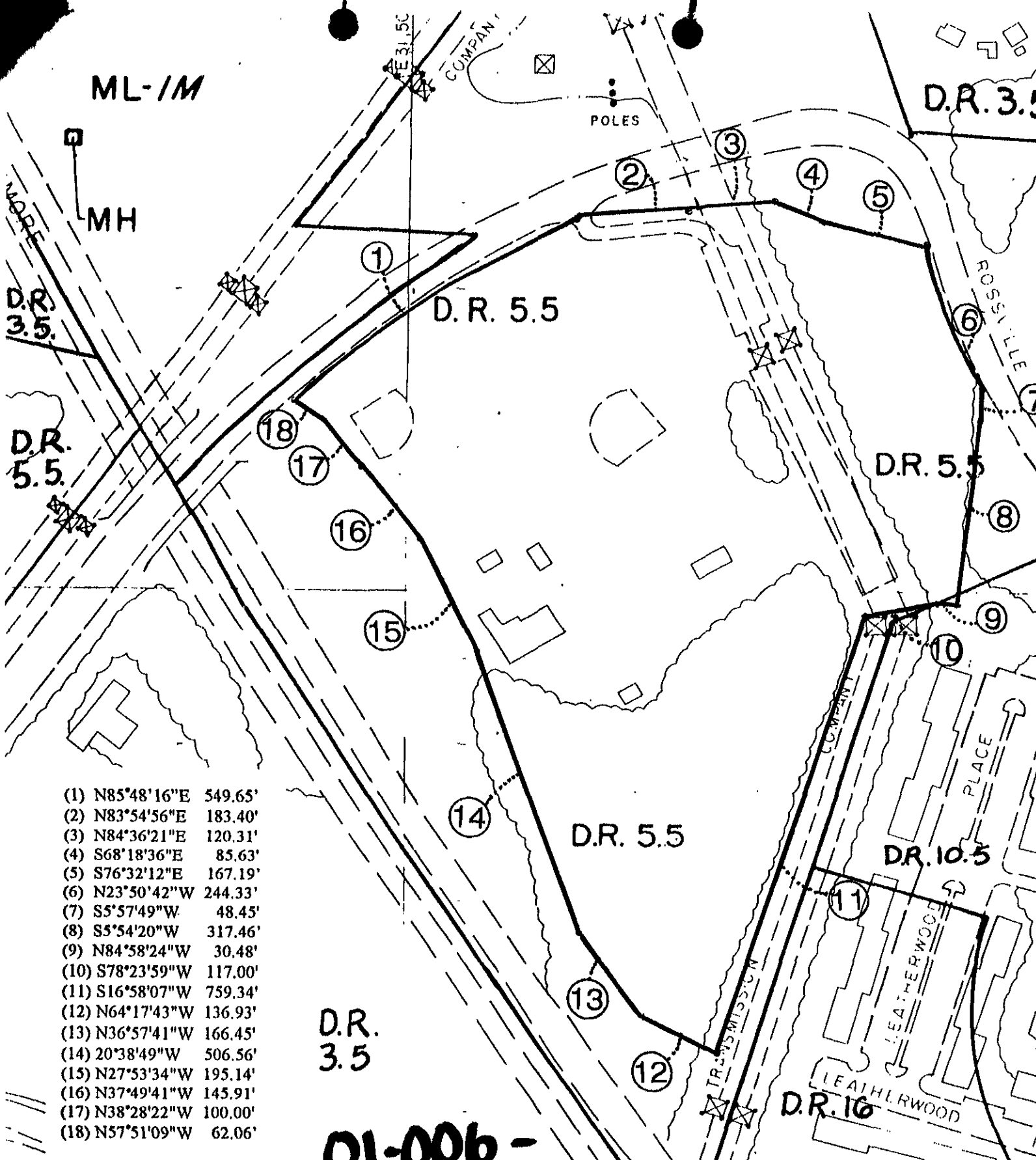
building will provide two indoor ice skating rinks. However, the facility will also provide additional room for adult and child indoor sports, offices, etc. It was indicated that few ice skating facilities operate in Baltimore County and that this project will help address this need.

Although open to all YMCA members, the ice skating rink operation will actually be managed pursuant to a contract with an entity other than the YMCA. In this regard, Mr. Hagens testified on behalf of his organization, which has long experience in the operation of ice skating rinks. He described the proposed ice skating rink operation including the expected use thereof. He envisions that the rink will be open to all YMCA members and the public for ice skating lessons and recreational purposes. Additionally, the rink will provide a needed facility for sports leagues, including high school and inter-collegiate ice hockey.

As to the proposed special exception, the Petitioner proposes installing up to 40 video machines for use by patrons of the ice skating rink. It is contemplated that these machines will not be the primary focus of activity within the building, but only provide a recreational amenity to those using the ice skating rink and other facilities in the new building. Nonetheless, pursuant to Section 423 of the BCZR, special exception is requested.

Variance relief is need to approve the proposed building. As noted, the building will be quite large in order to accommodate the rinks and provide the needed recreational facilities. The building will be 280 ft. x 265 ft. in dimension; in excess of 200 ft. allowed by the BCZR.

Special Hearing relief is requested to approve amendments to the previous site plan approved when this facility opened in 1970. In this regard, extensive testimony was received from Mr. William Monk about the revised plan. He indicated that sufficient parking would be provided to accommodate



- (1) N85°48'16"E 549.65'
- (2) N83°54'56"E 183.40'
- (3) N84°36'21"E 120.31'
- (4) S68°18'36"E 85.63'
- (5) S76°32'12"E 167.19'
- (6) N23°50'42"W 244.33'
- (7) S5°57'49"W 48.45'
- (8) S5°54'20"W 317.46'
- (9) N84°58'24"W 30.48'
- (10) S78°23'59"W 117.00'
- (11) S16°58'07"W 759.34'
- (12) N64°17'43"W 136.93'
- (13) N36°57'41"W 166.45'
- (14) 20°38'49"W 506.56'
- (15) N27°53'34"W 195.14'
- (16) N37°49'41"W 145.91'
- (17) N38°28'22"W 100.00'
- (18) N57°51'09"W 62.06'

D.R. 3.5

D.R. 5.5

D.R. 10.5

D.R. 16

01-006-SPH

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
ON FEBRUARY 1, 1996

Bill No. 129 96, 137 96, 140 96, 141 96, 142 96, 143 96, 144 96, 145 96

Kenneth K...

SCALE

1" = 200' ±

LOCATION

ROSSVILLE
VICINITY

DATE
OF
PHOTOGRAPHY
JANUARY
1986

SHEET

NE

6-F

VICINITY MAP
SCALE: 1"=1000'

NOTES

- [illegible]

31. ZONING HEARING: CASE # 99-40-SPHYA : APPROVED 9/8/98

William Monk, Inc.

ENGINEERS • PLANNERS

Courthouse Commons
222 Bosley Avenue, Suite B-6
Towson, Maryland 21204
Phone: 410-494-8981 Fax: 410-494-9981

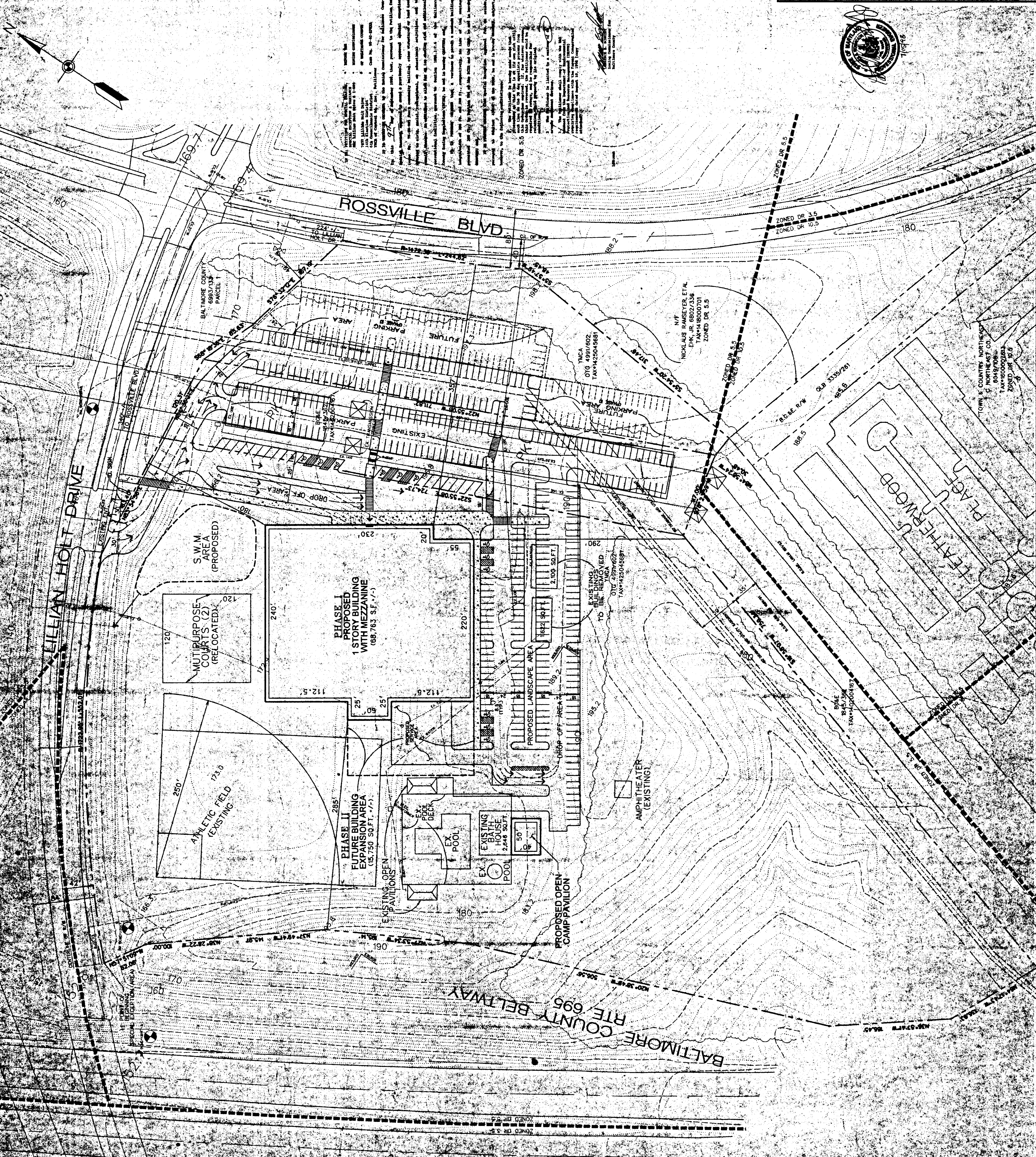
~~PLAT TO ACCOMPANY~~
~~SPECIAL EXCEPTION~~
~~AND SPECIAL HEARING~~

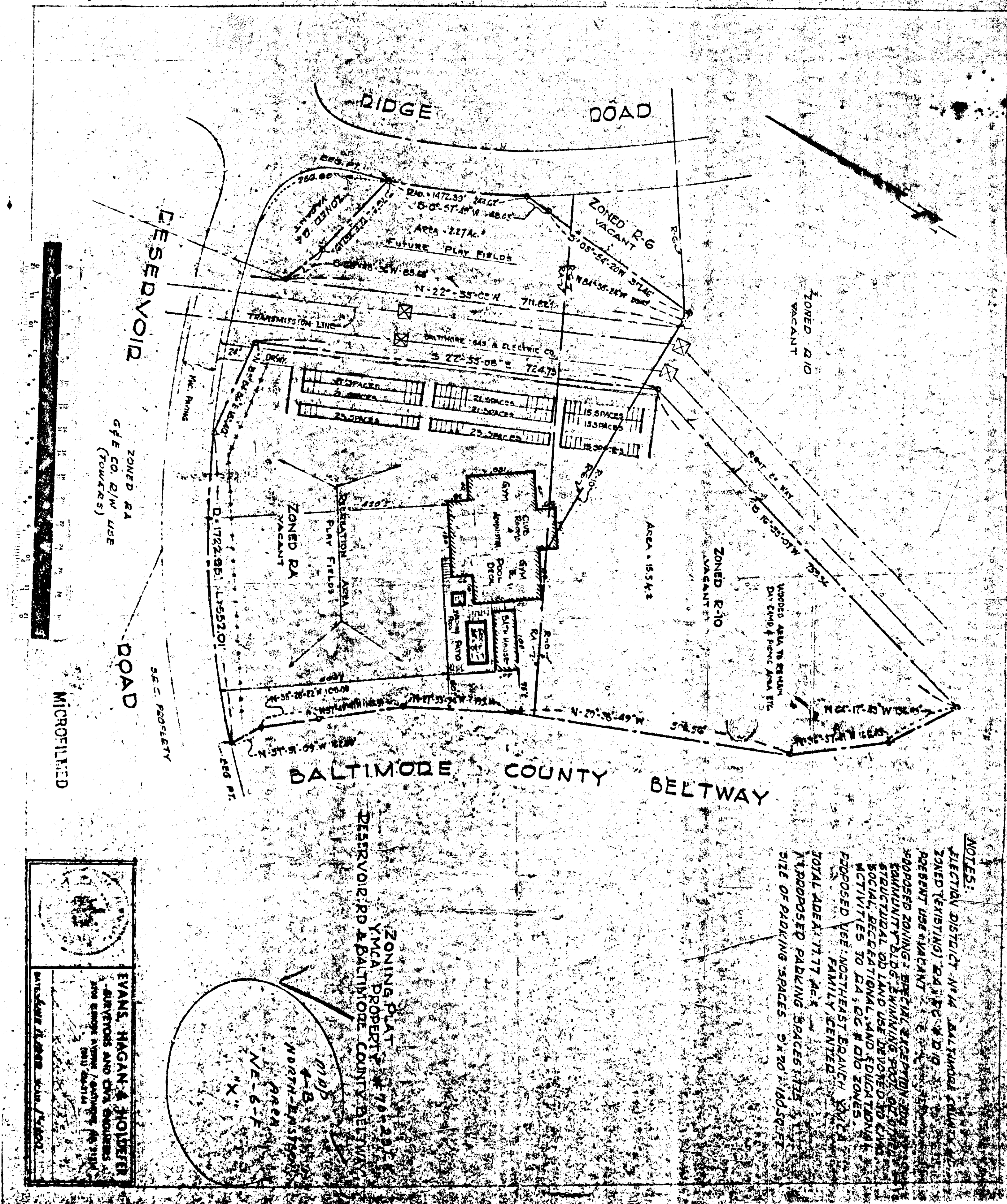
FOR EXTREME

FAMILY FITNESS & PROGRAM CENTER

7677 LILLIAN HOLT DRIVE
BALTIMORE COUNTY, MARYLAND

900-900-10
 #006
 06/01/4
 7714782
 2011
 PROSTATE
 2011





the mixed uses which will occur on this site. He also provided an explanation regarding vehicular access to the site, internal traffic patterns and the design of the building. Due to the grade and topography of the site, the building will blend well to its surroundings and will not detrimentally impact adjacent neighborhoods. In this regard, the property is primarily in a commercial area and the uses which are on the site are generally not visible from the nearest residential community.

Based upon the testimony and evidence offered, I am persuaded to grant the relief requested. In this regard, I concur with the Zoning Plans Advisory Committee (ZAC) comment offered by the Office of Planning; to wit, that, "The Developer should be applauded for providing much needed sports related activities in this particular area of the County. In addition, from a planning perspective, the subject site enjoys excellent transportation access, and the proposed improvements to the property will be sufficiently buffered by existing forested areas in the site's natural topography." I believe that that accurately summarizes the merits of the Petitions and that relief should be granted. I find that the relief complies with the requirements set out in Section 502.1 and 307 of the BCZR.

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

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 9th day of September 1998, that, pursuant to the Petition for Special Hearing, approval to amend a previously approved special exception (case No. 70-29-RX) for a community building, other structures or land uses devoted to civic, social, recreational, or educational activities, and to permit changes in additions to allow for an ice skating rink and additional

recreational facilities, pursuant to Section 1B01.1.C.6 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit a maximum building length/width of 285 ft. and 265 ft., respectively, in lieu of the maximum permitted 200 ft., by Section 504 of the BCZR and the CMDP, be and is hereby GRANTED; and,

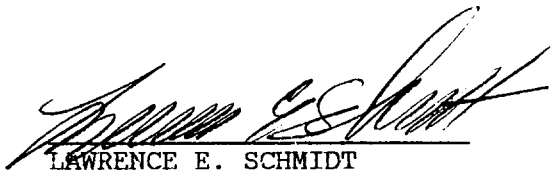
IT IS FURTHER ORDERED that Special Exception approval for an arcade, pursuant to Section 423.C of the BCZR, be and is hereby GRANTED, subject, however, to the following restrictions.

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2 The Petitioner is limited to a maximum of 40 arcade amusement devices.

3. The Petitioner shall comply with the ZAC comment from the Department of Environmental Protection and Resource Management (DEPRM) requiring compliance with the Forest Conservation requirements dated August 10, 1998 (copy attached).

LES:mmm


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County