

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
SE/S Philadelphia Road, 150' SW	*	DEPUTY ZONING COMMISSIONER
Centerline of Rustic Avenue		
15th Election District	*	OF BALTIMORE COUNTY
7th Councilmanic District		
(8335 Philadelphia Road)	*	CASE NO. 01-139-XA
Flower Columbus Club, Inc.	*	
By: Jere Danaher, President/Chairman		
Petitioners		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception and Variance filed by the legal owner of the subject property, the Flower Columbus Club, Inc., by and through Jere Danaher, its President. The special exception request is for a community building for social, recreational or educational uses in accordance with Section 1B01.1.C.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) and a variance request as follows:

1. From Section 1B01.2.C(1)(a) to provide a side yard building setback of 13 ft. for an existing building in lieu of the required 20 ft.; and
2. From Section 1B01.B(1)(c), to allow the Hearing Officer to determine the amount of RTA where the single tract has no more than one single family detached structure pursuant to Section 1B01.1(e)(2), (3), (4) and (5), and the Hearing Officer makes findings as required by Section 1B01.1B(1)(g)10 as part of the special exception approval for a new community building or structure devoted to civic, social, recreational, fraternal, or educational activities; and
3. To provide twenty-four (24) in lieu of the required twenty-five (25) parking spaces pursuant to B.C.Z.R. Section 409.6 for a community building; and
4. From Section 409.4(A) and (C) of the B.C.Z.R., to allow direct access to parking spaces from a driveway, and to allow a driveway of 15 ft. in lieu of the required 20 ft. for two way movement.

Appearing at the hearing on behalf of the special exception and variance request were Jere Danaher, President of the Flower Columbus Club, Inc. and Herbert Malmud, professional engineer

CROSS RECORDED FOR FILING
 Date 11/14/00
 By H. Malmud

who prepared the site plan of the property. The Petitioners were represented by Michael Tanczyn, attorney at law. Nancy Leiter of the Rosedale Community Association appeared at the hearing as an interested citizen. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 0.357 acres, more or less, zoned DR 5.5. The subject property is improved with a 1 ½ story frame dwelling, which the Petitioners propose to utilize as their meeting hall. The Flower Columbus Club, Inc., is actually the Knights of Columbus, a well known fraternal organization. The Knights have purchased the subject property and intend to renovate the 1 ½ story frame building for purposes of holding their meetings at this location. The Petitioners propose to make other improvements, as shown on the site plan submitted, to accommodate the parking of their members. Mr. Danaher testified that the Knights of Columbus intend to meet at this location three (3) evenings per month and will also utilize the meeting hall for approximately two other meetings dealing with the installation of officers. In order to proceed with the utilization of the property, the special exception is necessary, as well as the variances requested.

As stated previously, Nancy Leiter, President of the Rosedale Community Association, attended the hearing. Ms. Leiter indicated that she and her association fully support the Knights of Columbus in their renovation of the building and use of same. However, she did indicate that the association would like to see the Petitioners improve the sidewalk located across the front of the property, adjacent to Philadelphia Road. The sidewalk currently is paved with macadam which has deteriorated over the years. Therefore, the association has asked that the Knights of Columbus replace the macadam sidewalk with a concrete sidewalk which will provide a more durable surface and give the property a more attractive appearance. Mr. Danaher could not commit the Knights of Columbus to this additional improvement, however, he indicated that he would provide a favorable recommendation to his fellow members regarding this sidewalk request.

OFFER RECEIVED FOR FILING
11/14/00
R. Tanczyn

After considering the testimony and evidence offered at the hearing, I find that the special exception request, to allow the Knights of Columbus to utilize the property for the purpose of a community building for social, recreational or educational uses be and is hereby approved.

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

The Petitioners 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 Baltimore County Zoning Regulations. The Petitioners have 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 Petitioners' Exhibit No. 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, 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.

As to the variance requests, an area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners 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

DATE: 11/14/00
BY: R. J. JONES

unnecessarily burdensome;

- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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 circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek 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 cause any injury 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 these Petitions held, and for the reasons given above, the relief requested in the special exception and variance should be granted.

THEREFORE, IT IS ORDERED this 14th day of November, 2000, by this Deputy Zoning Commissioner, that the Petitioners' Special Exception Request from Section 1B01.1.C.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a community building for social, recreational or educational, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) from Section 1B01.2.C(1)(a), to provide a side yard building setback of 13 ft. for an existing building in lieu of the required 20 ft.; (2) from Section 1B01.2.C(1)(a), to allow the Hearing Officer to determine the amount of RTA where the single tract has no more than one single family detached structure pursuant to Section 1B01.1(e)(2), (3), (4) and (5), and the Hearing Officer makes findings as

required by Section 1B01.1B(1)(g)10 as part of the special exception approval for a new community building or structure devoted to civic, social, recreational, fraternal, or educational activities; and (3) to provide twenty-four (24) in lieu of the required twenty-five (25) parking spaces pursuant to B.C.Z.R. Section 409.6 for a community building; and (4) from Section 409.4(A) and (C) of the B.C.Z.R., to allow direct access to parking spaces from a driveway, and to allow a driveway of 15 ft. in lieu of the required 20 ft. for two way movement, be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their permit upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. The Petitioners shall be required to replace the existing macadam sidewalk with a new concrete sidewalk across the front of their property. Said sidewalk must be installed within 180 days from the date 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR SIGNING
11/14/00
R. J. Johnson



Baltimore County
Zoning Commissioner

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

November 14, 2000

Michael P. Tanczyn, Esquire
Law Offices of Michael P. Tanczyn
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: Petitions for Special Exception & Variance
Case No. 01-139-XA
Property: 8335 Philadelphia Road

Dear Mr. Tanczyn:

Enclosed please find the decision rendered in the above-captioned case. The Petitions for Special Exception and Variance have 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 Office 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,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Herbert Malmud & Associates, Inc.
c/o Herbert Malmud, Engineer
100 church Lane
Baltimore, MD 21208

Flower Columbus Club, Inc.
c/o Jere Danaher
2834 Roselawn Avenue
Baltimore, MD 21214

Ms. Nancy Leiter, President
Rosedale Community Assn.
P. O Box 9680
Baltimore, MD 21237

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 Exception

to the Zoning Commissioner of Baltimore County

8335 Philadelphia Road

for the property located at Baltimore, MD 21237

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A community building or other similar social, recreational, or educational uses pursuant to Baltimore County Zoning Regulations 1B01.1.C.4.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, 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:

Michael P. Tanczyn, Esq.

Name - Type or Print

Signature

Law Offices of Michael P. Tanczyn

Company

606 Baltimore Ave., Suite 106

Address

Telephone No.

Towson, Maryland 21204 410-296-8823

City

State

Zip Code

Legal Owner(s):

Flower Columbus Club, Inc. By pres.
Name - Type or Print Jeri Danaher, Chairman/

Signature

Name - Type or Print

Signature

2824 Roselawn Avenue 410-426-8236

Address

Telephone No.

Baltimore

MD

21214

City

State

Zip Code

Representative to be Contacted:

Herbert Malmud & Associates, Inc.

Attn: Herbert Malmud, Engineer

Name

100 Church Lane 410-653-9511

Address

Telephone No.

Baltimore,

MD

21208

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

TAG

Date

9-26-00

Case No. 01-139 XA

200 09/15/98

ORDER RECEIVED FOR FILING
Date 11/14/00
By R. J. [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8335 Philadelphia Road ^{Balto.} MD

which is presently zoned DR5.5 21237

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 Variance from Section(s)

SEE ATTACHED LIST OF VARIANCES REQUESTED

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, 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:

Michael P. Tanczyn, Esq.

Name - Type or Print

Signature

Law Offices of Michael P. Tanczyn, P.A.

Company

606 Baltimore Ave., Ste. 106 410-296-8823

Address

Telephone No.

Towson, Maryland

21204

City

State

Zip Code

Legal Owner(s):

Flower Columbus Club, Inc. By Pres.,
Name - Type or Print Jere Danaher Chairman

Signature

Name - Type or Print

Signature

2824 Roselawn Avenue 410-426-8236

Address

Telephone No.

Baltimore, Maryland 21214

City

State

Zip Code

Representative to be Contacted:

Herbert Malmud & Assoc., Inc.

Attn: Herbert Malmud, Engineer

Name

100 Church Lane 410-653-9511

Address

Telephone No.

Baltimore, Maryland 21208

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By TAG Date 9-26-00

Case No. 01-139 XA

ATTACHMENT TO PETITION FOR VARIANCE

Property Location: 8335 Philadelphia Road, Baltimore, MD 21237

Presently Zoned: DR5.5

1. A variance from 1B01.2C(1)(a) to provide a side yard building setback of thirteen (13) feet for an existing building in lieu of the required twenty (20) feet.
2. A variance from 1B01.1B(1)(c) to allow the Hearing Officer to determine the amount of RTA where the single tract has no more than one single family detached structure pursuant to 1B01.1(e)(2), (3), (4), and (5), and the Hearing Officer makes findings as required by 1B01.1B(1)(g)10 as part of a Special Exception approval for a new community building or structure devoted to civic, social recreational, fraternal, or educational activities.
3. To provide twenty-four (24) in lieu of the required twenty-five (25) parking spaces pursuant to BCZR 409.6 for a community building.
4. A variance from BCZR 409.4(A) and (C) to allow direct access to parking spaces from a driveway, and to allow a driveway of fifteen (15) feet in lieu of the required twenty (20) feet for two way movement.

01-139KA

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208

TELEPHONE 410 653-9511

ZONING DESCRIPTION OF
8335 PHILADELPHIA ROAD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING ON THE SOUTHEAST SIDE OF PHILADELPHIA ROAD, 48 FEET WIDE AT A
DISTANCE OF 150 FEET SOUTHEASTERLY FROM THE FROM THE CENTER OF RUSTIC AVENUE,
THENCE BINDING ON PHILADELPHIA ROAD:

- (1) SOUTH 56 DEGREES 11' 00" WEST 91.76 FEET, THENCE LEAVING PHILADELPHIA
ROAD AND RUNNING THE THREE (3) FOLLOWING COURES AND DISTANCES;
- (2) SOUTH 47 DEGREES 11' 00" EAST 180.20 FEET,
- (3) NORTH 48 DEGREES 23' 00" EAST 89.69 FEET AND
- (4) NORTH 47 DEGREES 11' 00" WEST 167.69 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.36 OF AN ACRE OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE
CONVEYANCE OF TITLE.

HERBERT MALMUD
REGISTERED LAND SURVEYOR
MARYLAND # 7558

SEPTEMBER 19, 2000

FILE: PhiladelphiaRdZoningVariance



01-139-XA

01-139XA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

86641

DATE

9-30-00

ACCOUNT

R001 6150

AMOUNT

\$ 550.00

RECEIVED
FROM:

Michael Tanazyn

FOR:

CV + SE 8335 Philadelphia Rd.

Flower/Chambers Club 01-139XA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT

ACTUAL

TIME

9/27/2000 9/26/2000 10:41:01

REG 0001 CASHIER JRIC JMR DAWNER

DEPT 5 528 ZONING VERIFICATION

Receipt # 163957

CR NO. 096041

Receipt Tot

550.00

550.00 CR

00 SA

Baltimore County, Maryland

01-139-XA

CASHIER'S VALIDATION

01-139-XA

CERTIFICATE OF POSTING

**RE: CASE # 01-139-XA
PETITIONER/DEVELOPER
(Flower Columbus Club, Inc.)
DATE OF Hearing
(11-8-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

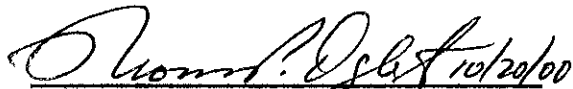
LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

8335 Philadelphia Road Baltimore, Maryland 21237_____

THE SIGN(S) WERE POSTED ON_____ 10-20-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)

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: #01-139-XA

8335 Philadelphia Road

SE/S Philadelphia Road, 150-feet SW of

centerline Rustic Avenue

15th Election District - 7th Councilmanic District

Legal Owner(s): Flower Columbus Club, Inc.

Special Exception: for a community building or other similar social, recreational or educational uses. **Variance:** to permit a side yard building setback of 13-feet in lieu of the required 20-feet; to determine the amount of RTA where the single tract has no more than one single family detached structure; to permit 24 parking spaces in lieu of the required 25 spaces; to allow direct access to parking spaces from a driveway; and to allow a driveway of 15-feet in lieu of the required 20-feet.

Hearing: **Wednesday, November 8, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/17/99 October 19

C427617

CERTIFICATE OF PUBLICATION

TOWSON, MD,

10/19/

, 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 10/19/, 2000.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE *
8335 Philadelphia Road, SE/S Philadelphia Rd, 150' SW * ZONING COMMISSIONER
of c/l Rustic Ave *
15th Election District, 7th Councilmanic * FOR
Legal Owner: Flower Columbus Club, Inc. * BALTIMORE COUNTY
Petitioner(s) *
Case No. 01-139-XA

* * * * *

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.

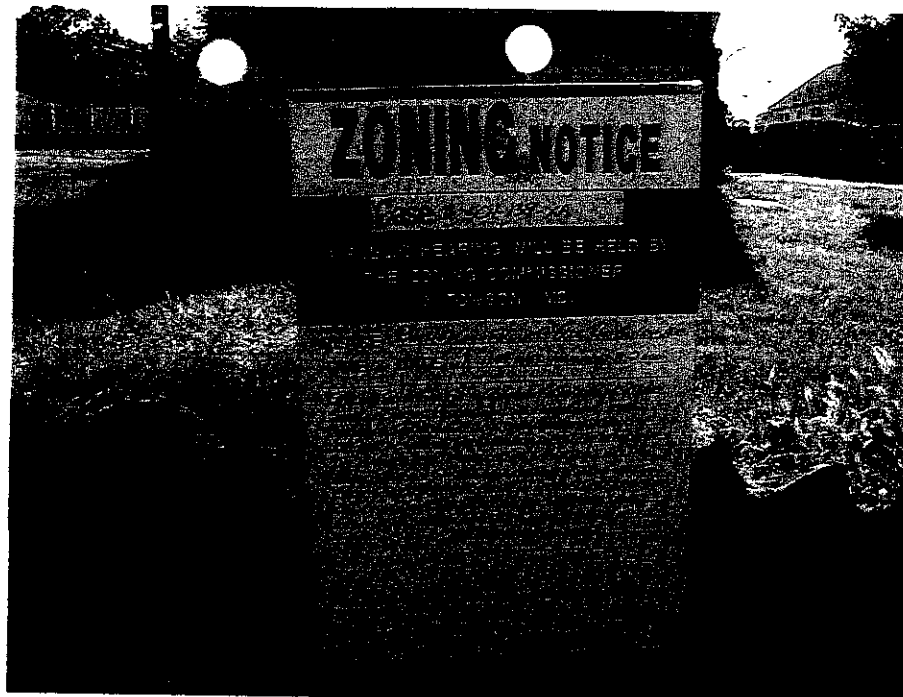

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 16th day of October, 2000 a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esq., 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



8335 Philadelphia Road



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

October 6, 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: 01-139-XA
8335 Philadelphia Road
SE/S Philadelphia Road, 150-feet SW of centerline Rustic Avenue
15th Election District – 7th Councilmanic District
Legal Owner: Flower Columbus Club, Inc.

Special Exception for a community building or other similar social, recreational or educational uses. Variance to permit a side yard building setback of 13-feet in lieu of the required 20-feet; to determine the amount of RTA where the single tract has no more than one single family detached structure; to permit 24 parking spaces in lieu of the required 25 spaces; to allow direct access to parking spaces from a driveway; and to allow a driveway of 15-feet in lieu of the required 20-feet.

HEARING: Wednesday, November 8, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon", with the initials "GJZ" written below it.

Arnold Jablon
Director

C: Michael P. Tanczyn, Esquire, Law Offices of Michael P. Tanczyn
606 Baltimore Avenue, Suite 106, Towson 21204
Flower Columbus Club, Inc, Jere Danaher, Chairman, 2824 Roselawn Avenue
Baltimore 21214
Herbert Malmud, Engineer, Herbert Malmud & Assoc., Inc., 100 Church Lane
Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 20, 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, October 19, 2000 Issue – Jeffersonian

Please forward billing to:
Michael P. Tanczyn PA
606 Baltimore Avenue
Suite 106
Towson, MD 21204

410 296-8823

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: 01-139-XA
8335 Philadelphia Road
SE/S Philadelphia Road, 150-feet SW of centerline Rustic Avenue
15th Election District – 7th Councilmanic District
Legal Owner: Flower Columbus Club, Inc.

Special Exception for a community building or other similar social, recreational or educational uses. Variance to permit a side yard building setback of 13-feet in lieu of the required 20-feet; to determine the amount of RTA where the single tract has no more than one single family detached structure; to permit 24 parking spaces in lieu of the required 25 spaces; to allow direct access to parking spaces from a driveway; and to allow a driveway of 15-feet in lieu of the required 20-feet.

HEARING: Wednesday, November 8, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

G12

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.



Baltimore County
Department of Permits and
Development Management

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

November 3, 2000

Michael P. Tanczyn, Esquire
Law Offices of Michael P. Tanczyn
606 Baltimore Avenue, Suite 106
Towson, MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 01-139-XA, 8335 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 26, 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. 622
Supervisor, Zoning Review

WCR:

Enclosures

C: Herbert Malmud, Engineer, Herbert Malmud & Associates, Inc.,
100 Church Lane, Baltimore 21208
Jere Danaher, Chairman, Flower Columbus Club, Inc.,
2824 Roselawn Avenue, Baltimore 21214
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 9, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For October 16, 2000
Item No. 139

The Bureau of Development Plans Review has reviewed the subject zoning item. Philadelphia Road, Maryland Route No. 7, is a state road. All improvements, intersections, entrances, drainage requirements and construction affecting a state road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 12, 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: GRETTEL WHITE - 148
RAYRAI J. STINNETT & DONALD W. STINNETT - 143
FLOWER COLUMBUS CLUB, INC. - 139
IONNIS KOROLOGOS & TRIANTFILOS KOROLOGOS - 138

Location: DISTRIBUTION MEETING OF OCTOBER 10, 2000

Item No.: 148, 143, 139, & 138

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.

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.

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

cc: File

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: October 19, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of October 10, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
118	9616 Reisterstown Road
136	1501 Francke Avenue
137	7659 Old Battle Grove Road
138	6300 Baltimore National Pike
139	8335 Philadelphia Road
140	1401 Broadway Road
141	15 Bright Sky Court
142	14400 Green Road
144	8204 Anita Road
145	404 Kauffman Road

Jim
11/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

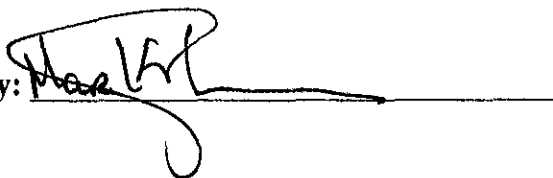
DATE: October 17, 2000

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

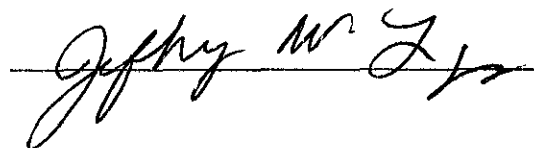
SUBJECT: Zoning Advisory Petition(s): Case(s) 01-139, 01-149 and 01-157.

The Office of Planning has reviewed the above referenced case(s) 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



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: October 11, 2000

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 139 (TAG)
8335 Philadelphia Road
MD 7

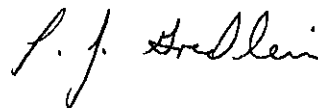
Dear Ms. Jackson:

This office has reviewed the referenced Item and has no objection to approval.

However, we will require the owner to obtain an access permit. Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

LG

My telephone number is _____

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

LAW OFFICES
MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

September 21, 2000

Hand Delivered

Office of Zoning
Attn: W. Carl C. Richards
Room 109, County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Flower Columbus Club, Inc. – 8335 Philadelphia Rd., Baltimore., Maryland 21237

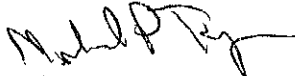
Dear Mr. Richards:

With regard to the above property, enclosed herewith for drop off you will find the following:

1. Ten copies of the plat.
2. Three sealed descriptions for the property.
3. Three signed Petitions for Variance and three signed Petitions for Special Hearing.
4. Our check for filing costs.

Please notify us of the hearing date once this has been accepted. To the best of our knowledge, there are no open zoning violation cases for this location.

Very truly yours,



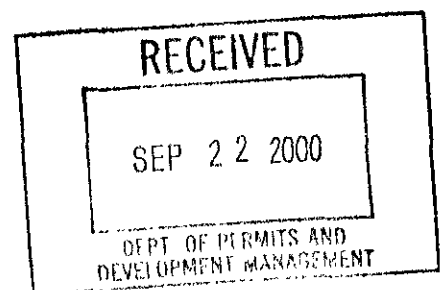
Michael P. Tanczyn, Esquire

MPT/gr
Enclosures

cc: Flower Columbus Club, Inc.
Herb Malmud & Associates

01-139-XA

01-139 X14



AX-P 81-10

TAG

Intake Planner

9/25/00

Date Assigned

**DROP-OFF PETITIONS
PROCESSING CHECK-OFF**



Two Questions Answered on Cover Sheet:

Any previous reviews in the zoning office?

Any current building or zoning violations on site?



Petition Form Matches Plat in these areas:

Address

Zoning

Legal Owner(s)

Contract Purchaser(s)

Request (if listed on plat)



Petition Form (must be current PDM form) is Complete:

Request:

Section Numbers

Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.

Hardship/Practical Difficulty Reasons

Legal Owner/Contract Purchaser:

Signatures (originals)

Printed/Typed Name and Title (if company)

Attorney (if incorporated)

Signature/Address/Telephone Number of Attorney



Correct Number of Petition Forms, Descriptions and Plats



200 Scale Zoning Map



Check: Amount Correct? Signed?



ZAC Plat Information:

Location (by Carl)

SE/4 Philadelphia R.O. 150' SW
4 Rustic Ave.

Zoning: DR-5.5

Acreage: 0.36

Previous Hearing Listed With Decision

Election District 15

Councilmanic District 7

Case # NONE

Check to See if the Subject Site or Request is:

CBCA NO

Floodplain NO

Elderly NO

Historical NO

Pawn Shop NO

Helicopter NO

*If Yes, Print Special Handling Category Here

*If No, Print No

01-139 XA

Item Number Assigned

9-26-00

Date Accepted for Filing

01-139-XA

Nov 8, 2000
01-139XA

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Michael TANCZYN

E. JERE DANAHY JR

HERBERT MALMUD

STE 106, 606 BALTIMORE AVE Towson Md 21204

2824 Rose Lawn Ave 21214

H. MALMUD & ASSO. INC

100 CHURCH LANE

BALTIMORE, MD. 21208



Nov 8, 2000
01-139XA

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

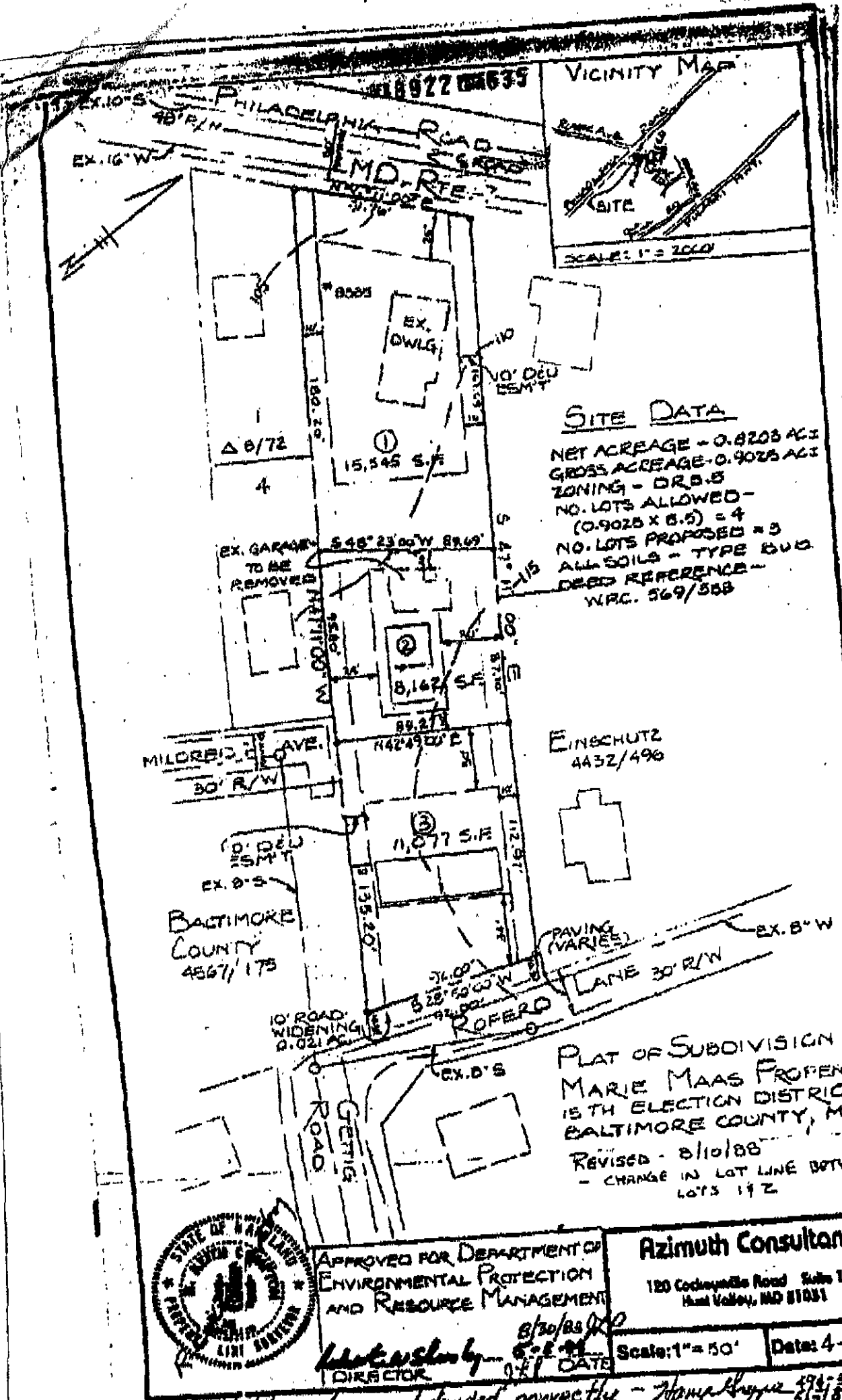
NAME

ADDRESS

NANCY LEITER, PRES. ROSEDALE COMMUNITY ASSN.

POB 9680 BALTO MD 21237





This plat has been subdivided correctly - *Handwritten signature*
 The Revision dated 8/10/88 has also been subdivided correctly - *Handwritten signature*

Handwritten initials/signature



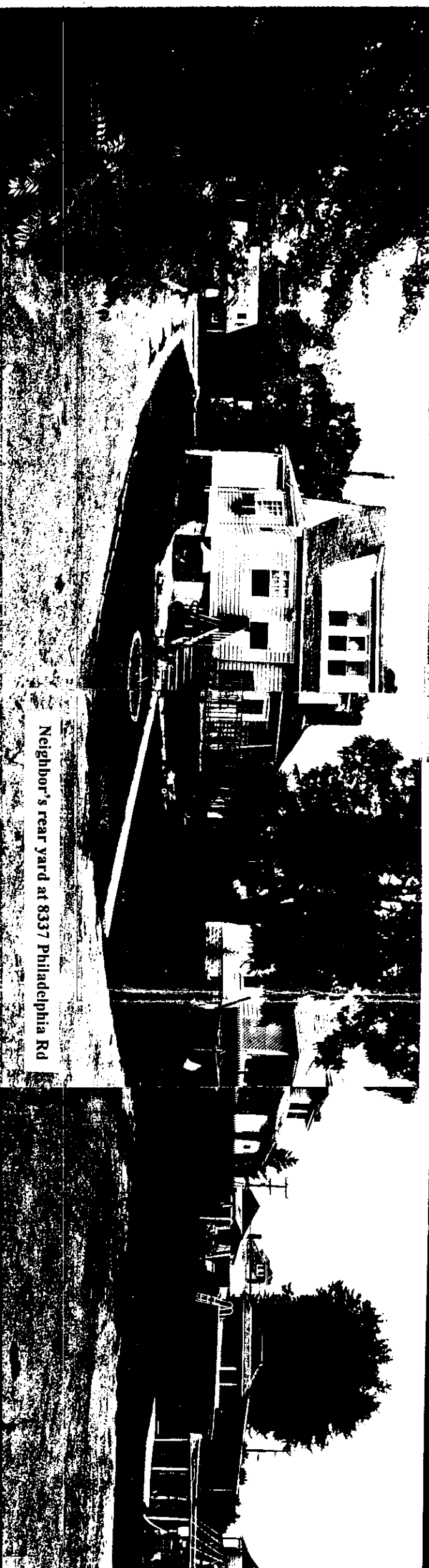
Neighbor's rear yard at 8333 Philadelphia Rd



SITE (fence at rear of property)



SITE (south side - rear yard)



Neighbor's rear yard at 8337 Philadelphia Rd

Pet
23

SITE PHOTOS TO ACCOMPANY VARIANCE REQUEST FOR

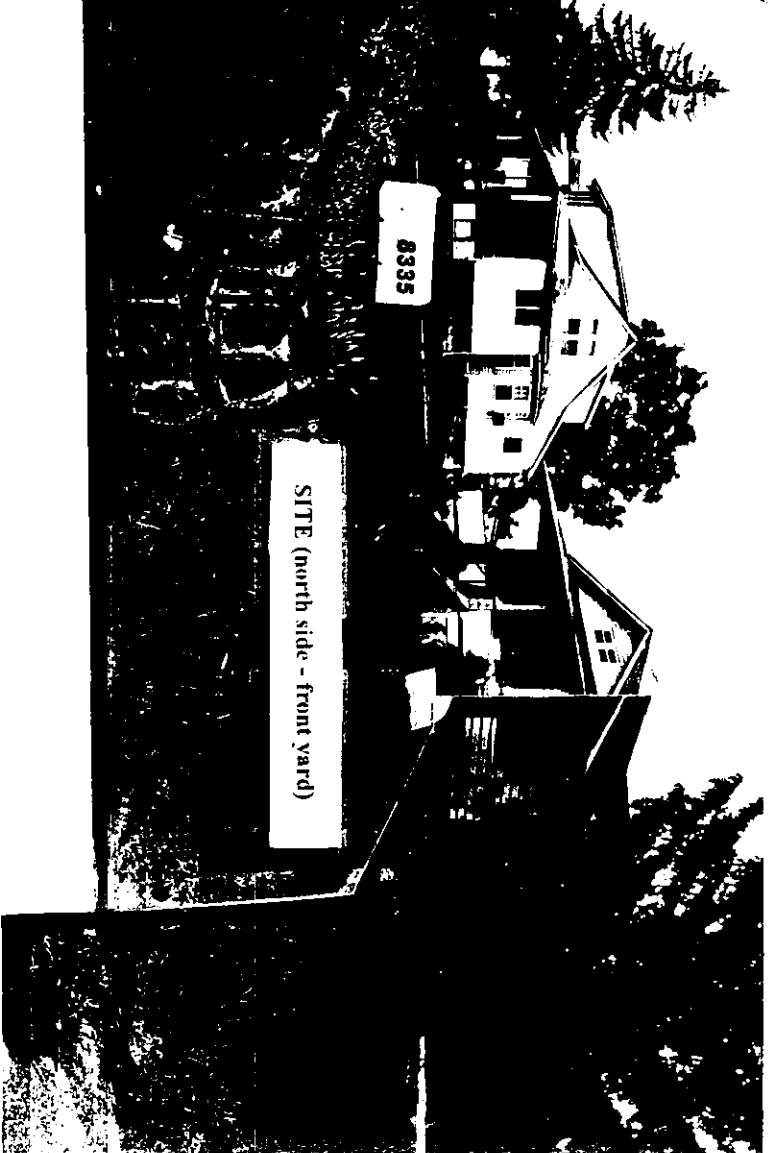
**8335 PHILADELPHIA ROAD
ELECTION DISTRICT NO. 15
COUNCILMANIC DISTRICT NO. 7
BALTIMORE COUNTY, MARYLAND
Date of Photos: August 4, 2000**

Prepared by:
H. Mahmud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208
Telephone 410 653-9511



8335

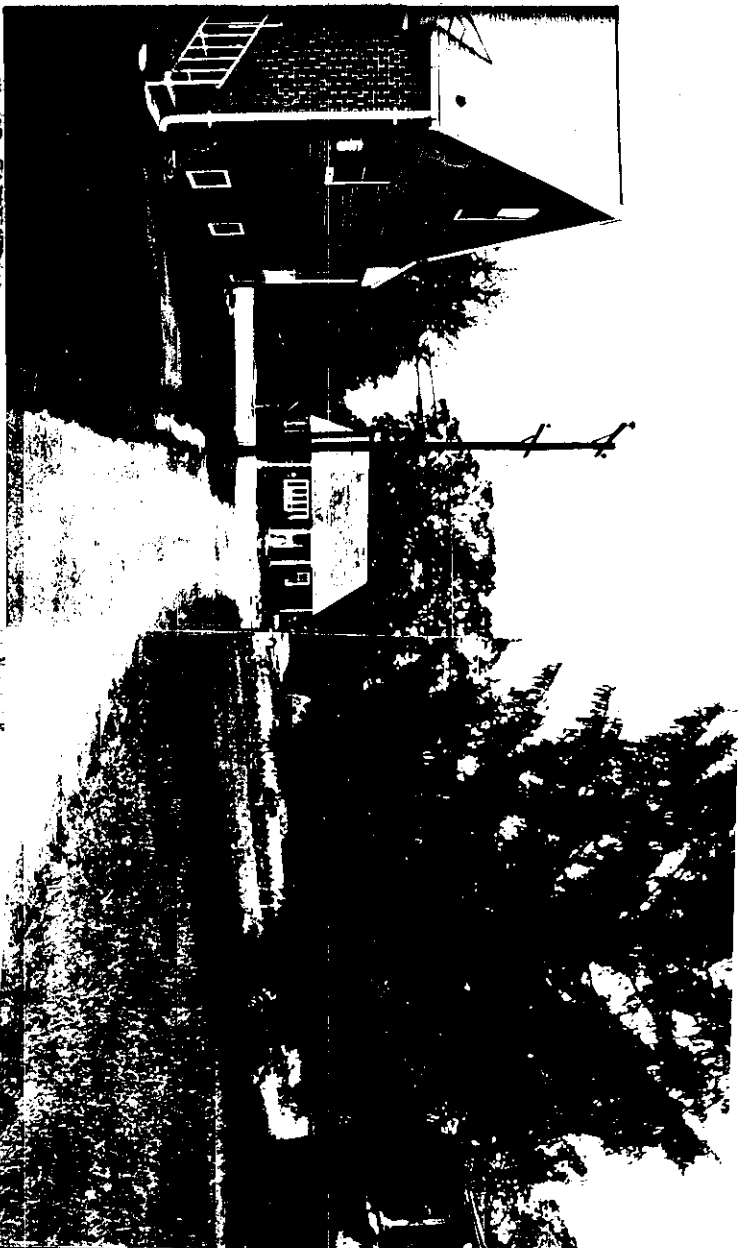
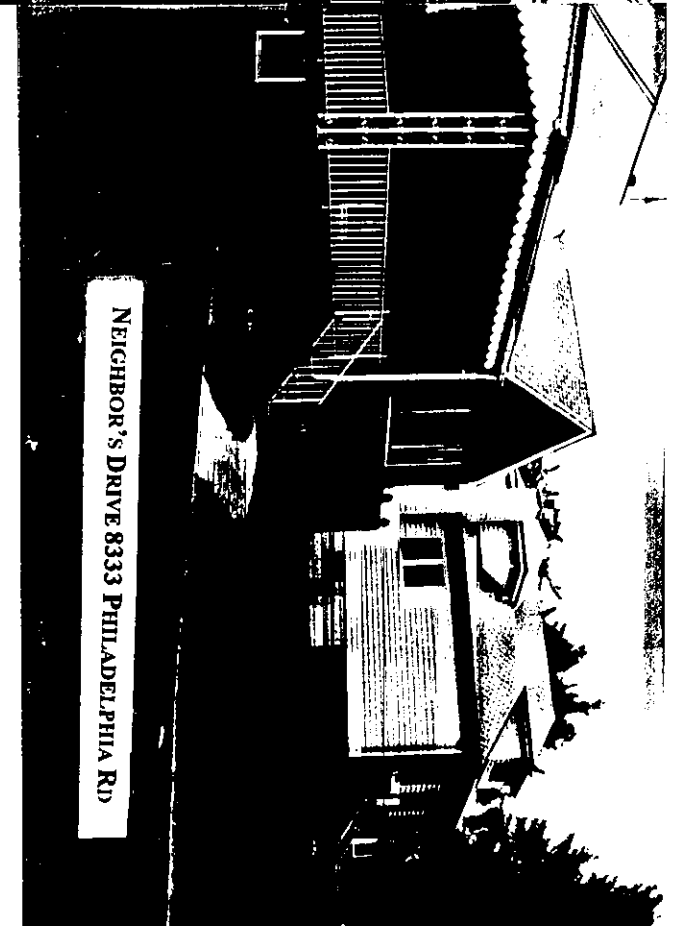
SITE (north side - front yard)



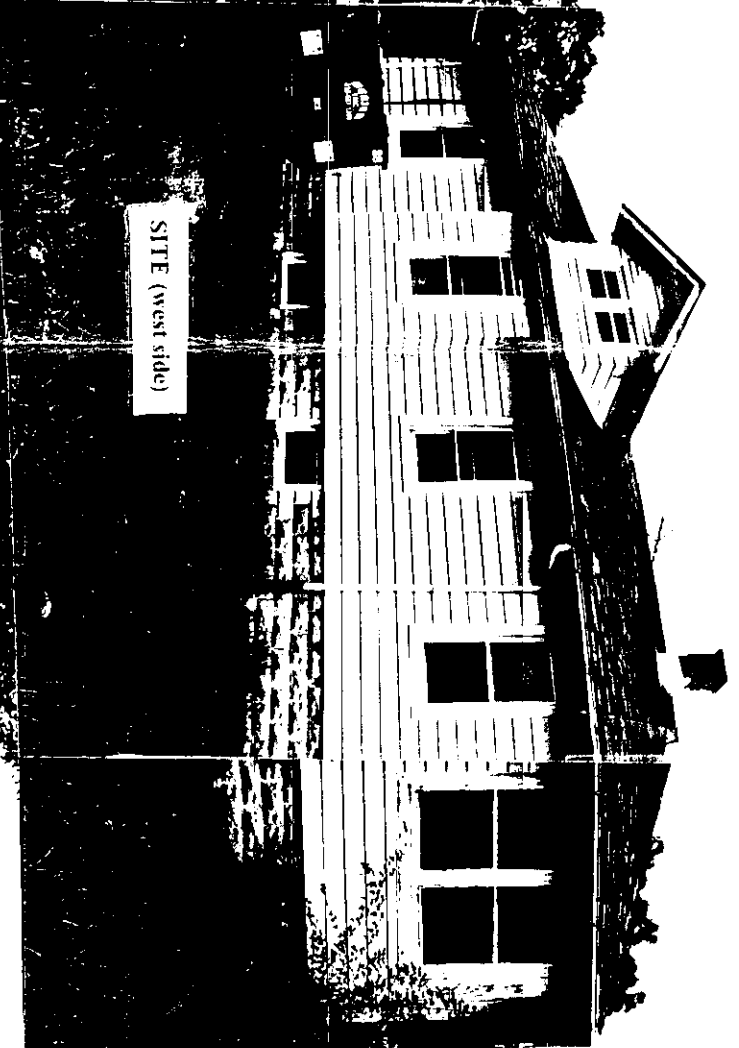
Site Drive from Philadelphia Rd



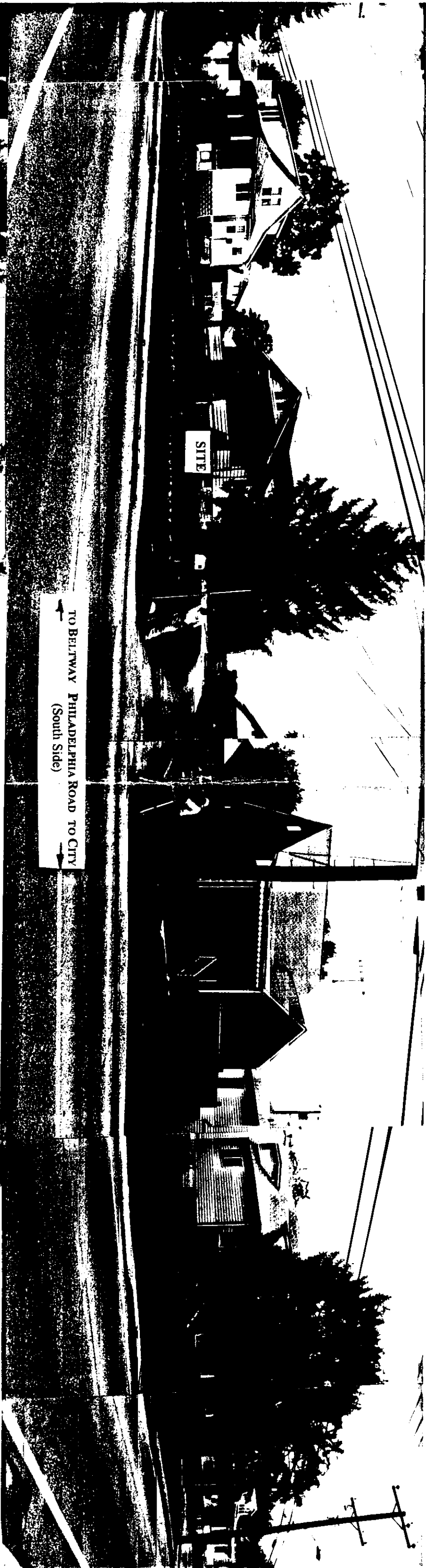
NEIGHBOR'S DRIVE 8333 PHILADELPHIA RD



SITE (west side)



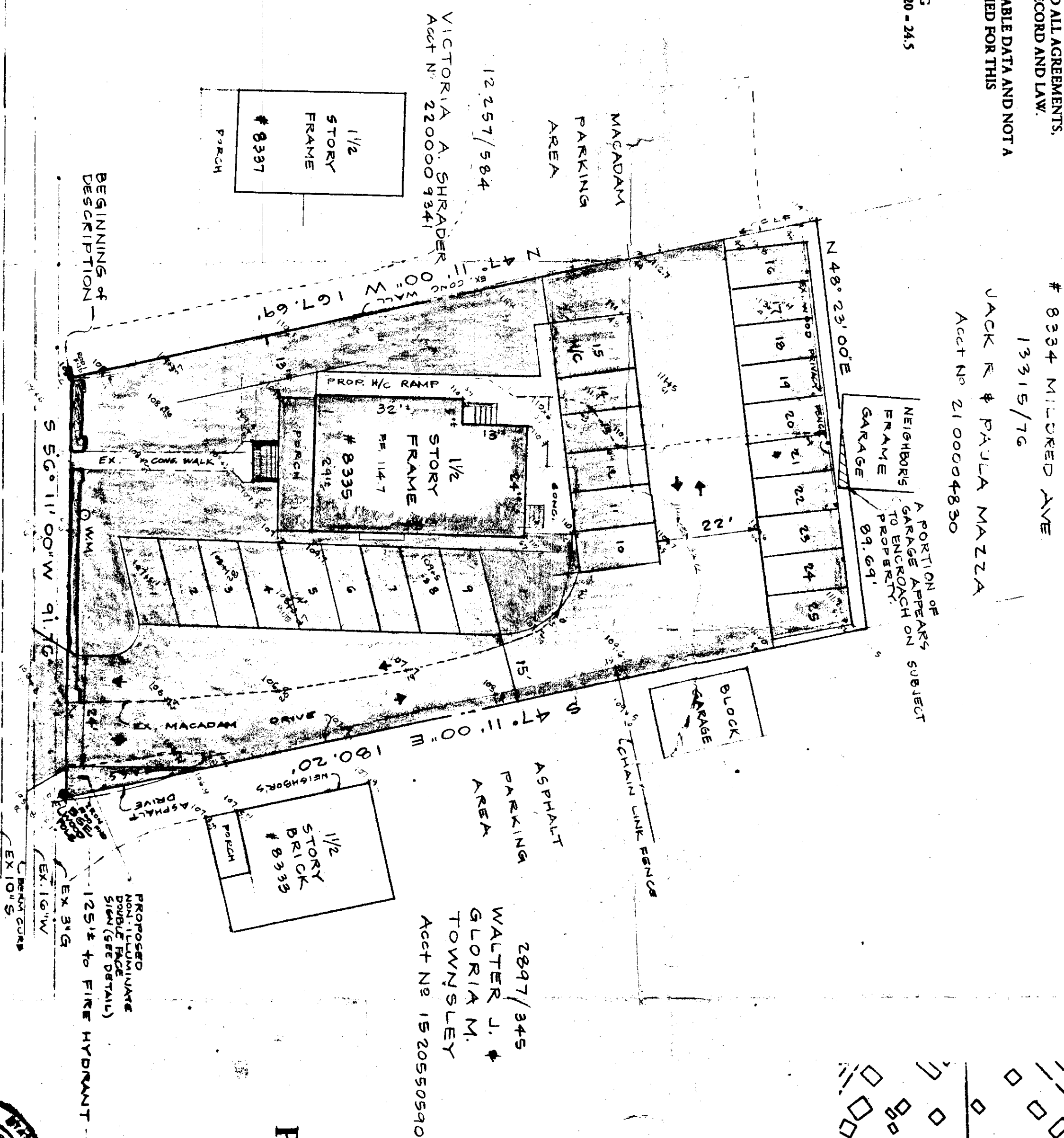
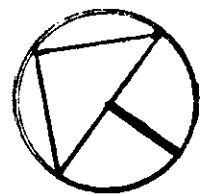
SITE (east side)



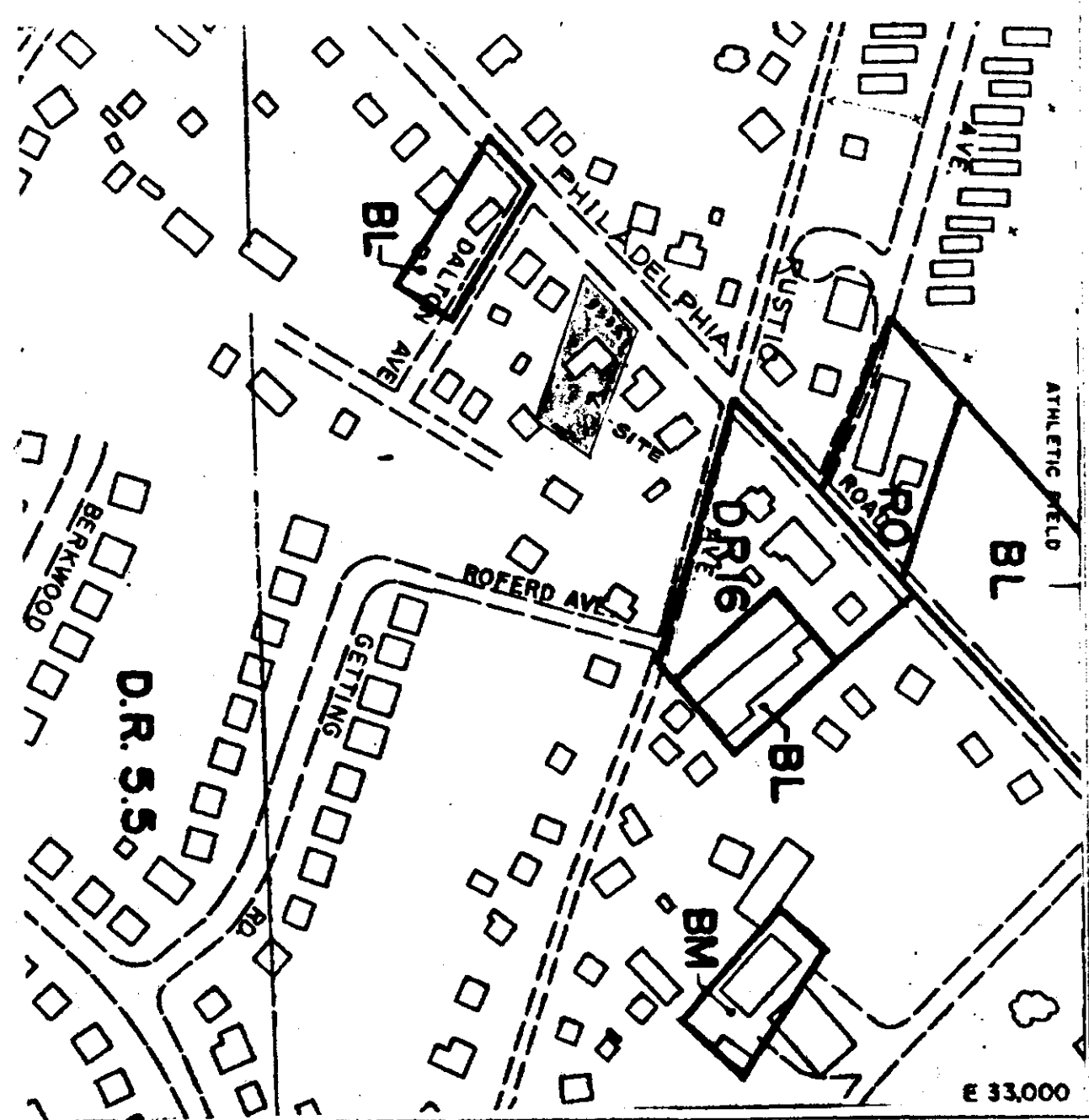
#3
 City
 Ref
 101-139-A

NOTES

1. OWNER/PETITIONER:
FLOWER COLUMBUS CLUB, INC.
8335 PHILADELPHIA ROAD, BALTIMORE, MD 21237
TELEPHONE: 410 767-8252 (JERRY DANANHER - CHAIRMAN OF BOARD)
DEED REFERENCE: LIBER 14415, FOLIO 614.
PLAT REFERENCE: LOT 1, PLAT OF SUBDIVISION OF THE MARIE
MAAS PROPERTY REVEALED 8/10/88, LIBER 8922, FOLIO 628
TAX MAP 89, GRID 17, PARCEL 1028.
ACCT NO. 22-00004325
 2. EXISTING ZONING: D.R. 5.5
 3. PUBLIC WATER AND SEWER SERVES THIS SITE.
 4. EXISTING USE: RESIDENTIAL
 5. PROPOSED USE: KNIGHTS OF COLUMBUS COMMUNITY BUILDING
 6. ZONING HISTORY: NONE
 7. AREA OF PROPERTY: 15529 SQ. FT. OR 0.357 ACRE +/-
- THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.
- THE PROPERTY LINES SHOWN HEREON ARE FROM AVAILABLE DATA AND NOT A BOUNDARY SURVEY. A TITLE SEARCH WAS NOT FURNISHED FOR THIS PETITION.
- PARKING DATA:
PRIVATE ORGANIZATION - COMMUNITY BUILDING
BUILDING AREA: 1240 SQUARE FEET ± 1000 - 1.24 X 20 - 24.5
OR 25 PARKING SPACES REQUIRED.
TYPICAL SPACE: 8.5' X 18'.



VICINITY & ZONING MAP
Rosedale N.E. 3-F
Scale: 1" = 200'



PLAT TO ACCOMPANY A PETITION FOR VARIANCE REQUESTS

8335 PHILADELPHIA ROAD
15TH ELECTION DISTRICT
COUNCILMANIC DISTRICT NO. 7
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'

September 19, 2000

Prepared by:

H. Mahmud & Associates, Inc.
100 Church Lane
Baltimore, Maryland 21208
Telephone 410 653-9511

