

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE

W/S of North Point Road, 100' N
centerline of Delmar Avenue
15th Election District
5th Councilmanic District
(6521 North Point Road)

Wells-McComas Post #2678 VFW, Inc.
By: Edward Wisnewski, Commander
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-309-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, the Wells-McComas Post #2678 VFW, Inc., by and through Edward Wisnewski, its Commander. The special hearing and variance request are to approve an amendment to Special Exception Case No. 92-262-A for a revision to the proposed parking area and to permit the parking area to be constructed of stone in lieu of the required durable and dustless surface, to allow that parking area to be non-striped and to permit 134 parking spaces in lieu of the required 171.

Appearing at the hearing on behalf of the special hearing and variance requests were Phillip Medlein, appearing on behalf of the owner, Geoffrey Schultz, appearing on behalf of McKee & Associates, Inc., the engineers who prepared the site plan of the property and Howard Alderman, attorney at law, representing the Petitioners. There were also other community members in attendance at the hearing, all of whom supported the Petitioners' request.

Testimony and evidence indicated that the property, which is the subject of this special hearing and variance request, consists of 6.89 acres, more or less, zoned DR 5.5. The subject

ORDER RECEIVED FOR FILING
Date 4/9/01
By R. J. [Signature]

property is improved with an existing 1 story brick building which is the home of the Wells-McComas Post #2678 VFW. The subject property is located on the south side of North Point Boulevard at its intersection with Delmar Avenue. The Petitioners propose to add an additional parking lot in the area shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence. The additional parking lot is proposed to be constructed of crusher run stone in an effort to cut down on storm water runoff. The proposed parking lot is set back a sufficient distance from the rear of the homes of those residents who reside on Delmar Avenue. Therefore, they have no objection to the VFW proceeding with the installation of these new parking spaces. In order to proceed, the variances, as stated previously, and the special hearing request are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether 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

ORIGINAL RECEIVED FOR FILING
4/19/01
J.P. Gammara

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 Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

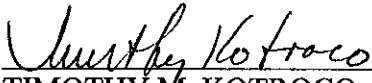
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the 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 held on the Petition and for the reasons given above, I believe that the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of April, 2001, that the Petitioners' Requests for Special Hearing and Variance, to approve an amendment to Special Exception Case No. 92-262-A for a revision to the proposed parking area and to permit the parking area to be constructed of stone in lieu of the required durable and dustless surface, to allow that parking area to be non-striped and to permit 134 parking spaces in lieu of the required 171, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

COPIES RECEIVED FOR FILE
DATE: 4/19/01
BY: J.R. [Signature]

1. The Petitioners may apply for their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall be required to submit a landscape plan to Mr. Avery Harden, Landscape Architect for Baltimore County, for his review and approval prior to the issuance of any permit for the construction of this parking lot.
3. When applying for a building permit, 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 RECORDED FOR FILING
Date 4/9/01
By R. P. Jernigan



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6521 North Point Road
which is presently zoned DR-5.5

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

An amendment to special exception case No. 92-262-XA for a revision to the proposed parking area.

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:

Howard L. Alderman, Jr.
Name - Type or Print _____
Signature _____
Levin & Gann, P.A.
Company _____
Nottingham Centre, 8th Floor
302 Washington Avenue (410) 321-0600
Address _____ Telephone No. _____
Towson, Maryland 21204-2801
City _____ State _____ Zip Code _____

Legal Owner(s):

Wells-McComas Post #2678 VFW, Inc.
Name - Type or Print _____
Signature Edward Wisniewski
By: Edward Wisniewski, Commander
Name - Type or Print _____
Signature _____

6521 North Point Road (410) 477-1543
Address _____ Telephone No. _____
Baltimore, Maryland 21219
City _____ State _____ Zip Code _____

Representative to be Contacted:

Geoffrey C. Schultz, Vice President
McKee & Associates, Inc.
Name _____ (410) 683-2344
5 Shawan Road, Suite 1 (410) 527-1555 day
Address _____ Telephone No. _____
Cockeysville, Maryland 21030
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 01-309-SPHA

Reviewed By BR Date 1/30/01

6521 NORTH POINT ROAD REQUESTED VARIANCES

- 1) Variance to Section 409.8.A.2 to permit a stone parking lot in lieu of the required durable and dustless surface.
- 2) Variance to Section 409.8.A.6 to permit a non-striped parking lot in lieu of the required striped lot, and
- 3) Variance to Section 409.6A to permit 134 parking spaces in lieu of the required 171.

HARDSHIP & PRACTICAL DIFFICULTY

The use of stone in lieu of macadam increases the amount of pervious areas on-site resulting in improved water quality and compliance with CBCA regulations with less wetland disturbance and a smaller stormwater facility. Additionally, the proposed lot is to be used for overflow parking for several events during the year only, and will not be subject to every day wear and tear. Additional reasons will be presented at the Zoning Hearing.



Baltimore County
Zoning Commissioner

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

April 9, 2001

Howard Alderman, Esquire
Levin & Gann
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 01-309-SPH
Property: 6521 North Point Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The Petitions for Special Hearing 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 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 cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Edward Wisnewski, Commander
c/o Wells-McComas Post #2678 VFW, Inc.
6521 North Point Road
Baltimore, Maryland 21219

Geoffrey C. Schultz, Vice-President
McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, Maryland 21030

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

February 9, 2000



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

BEGINNING at a point on the west side of North Point Road (60-foot wide right-of-way) at the distance of 100 feet north of the centerline of Delmar Avenue (40-foot wide right-of-way), thence running South $40^{\circ} 50' 29''$ West, 1,450.62 feet, North $08^{\circ} 22' 51''$ East, 208.85 feet, South $60^{\circ} 06' 53''$ East, 25.65 feet, by a curve to the left having a radius of 3,819.70 feet, a distance of 453.30 feet, North $68^{\circ} 51' 39''$ East, 279.89 feet, by a curve to the left having a radius of 1,039.93 feet, a distance of 224.75 feet, North $43^{\circ} 46' 59''$ East, 310.38 feet, North $86^{\circ} 44' 59''$ East, 86.09 feet, and South $51^{\circ} 19' 31''$ East, 97.40 feet to the place of beginning.

CONTAINING 6.89 acres of land lying in the 15th Election District of Baltimore County and being recorded in Deed, Liber 9304, Folio 168.

01-309-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

00690

DATE 1/31/01 ACCOUNT 101-6150

AMOUNT \$ 550.00

RECEIVED FROM: Wells - McCormick Post # 2678 UFW

FOR: Special Handling & Deliveries

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

IT-100 # 3-9

PAYEE RECEIPT
PAID BY: OFFICE OF BUDGET & FINANCE
TO: WELLS - MCCORMICK POST # 2678 UFW
FOR: SPECIAL HANDLING & DELIVERIES
DATE: 1/31/01
AMOUNT: 550.00
RECEIVED BY: [Signature]
CASHIER: [Signature]
Baltimore County, Maryland

CASHIER'S VALIDATION

Zoning Review needs to process a refund for Wells-McComas Post #2678 VFW, Inc. in the amount of \$50.00. The VFW filed a petition for variance and a petition for special hearing on January 30, 2001 with Bruno (case number 01-309-SPHA). The fee charged was \$550.00 (receipt number 90690). The correct fee for a commercial special hearing and variance is \$250.00 each, which totals \$500.00. Therefore, a refund of \$50.00 is due to the VFW.

Sophia C. Jennings
February 8, 2001

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: #01-309-SPHA

6521 North Point Road

SW/S North Point Road, 100' N of centerline Delmar Avenue

15th Election District - 7th Councilmanic District

Legal Owner(s): Wells-McComas Post #2678 VFW, Inc.

Special Hearing: to approve an amendment to special exception case number 92-262-XA. **Variance:** to permit a stone parking lot in lieu of the required durable and dustless surface; to permit a non-striped parking lot in lieu of the required striped lot; and to permit 134 parking spaces in lieu of the required 171.

Hearing: Wednesday, March 28, 2001 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.

JT/3/663 Mar. 13

C456008

CERTIFICATE OF PUBLICATION

TOWSON, MD, 3/15, 2001

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 3/13, 2001.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Ink
3/28/01

RE: Case No.: 01-309-SPHA

Petitioner/Developer: VFW Post #2678

Date of Hearing/Closing: 28 March 2001

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

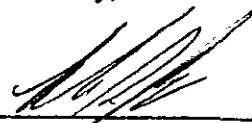
Attention: Ms. Gwendolyn Stephens

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 6521 North Point Rd

The sign(s) were posted on March 13 2001
(Month, Day, Year)

Sincerely,



13 MAR 2001

(Signature of Sign Poster and Date)

SSG Robert Black

(Printed Name)

1508 Leslie Road

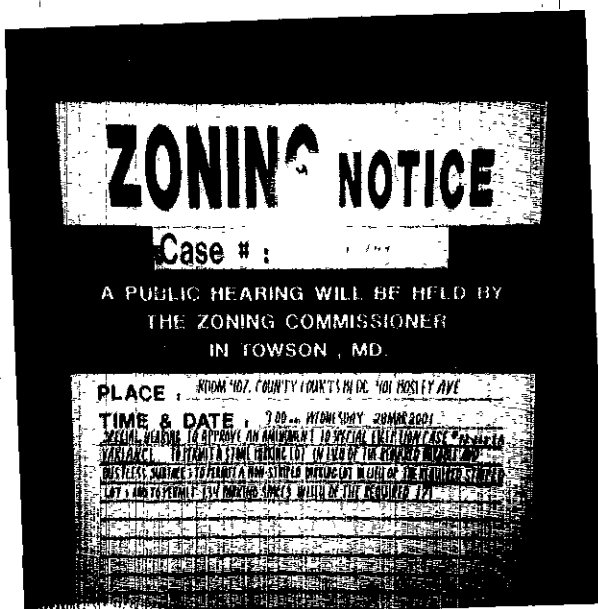
(Address)

Dundalk Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 01-309-SPNA

Petitioner/Developer: _____

WELLS-MCCOMAS POST # 2678 VFW.

Date of Hearing/Closing: MAR. 28, 2001

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 _____

6521 NORTH POINT ROAD

The sign(s) were posted on MARCH 12TH 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



ZONING NOTICE

CASE # 01-309-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 2407 COUNTY COURTS
PLACE BLDG-401 BOSLEY AVENUE
WEDNESDAY, MARCH 28, 2001
DATE AND TIME AT 2:00 AM

REQUEST SPECIAL HEARING - TO APPROVE
AN AMENDMENT TO SPECIAL EXCEPTION CASE
NO. 92-26236, VARIANCE - TO PERMIT A STONE
DARKSUE LIME IN LIEU OF THE REQUIRED DRYBRICK AND
DARKSUE SURFACE - TO PERMIT ALUMINUM-SURFED PARKING
LOT IN LIEU OF THE REQUIRED STRIPED LOT AND TO PERMIT
124 PARKING SPACES IN LIEU OF THE REQUIRED 171.

FOR MORE INFORMATION, CONTACT THE ZONING COMMISSIONER
AT 410-326-7331 OR VISIT THE ZONING WEBSITE AT
WWW.TOWSONMD.GOV



ZONING NOTICE
CASE # 01-309-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407 COUNTY COURTS
PINE BLDG- 201 BOSLEY AVENUE
DATE AND TIME: WEDNESDAY MARCH 28, 2001
AT 9:00 AM

REQUEST SPECIAL HEARING TO APPROVE
AN AMENDMENT TO SPECIAL EXCEPTION CASE
NO. 92-2222A, VARIANCE TO PERMIT A STONE
PARKING LOT IN LIEU OF THE REQUIRED DRIVEWAY AND
USELESS SURFACE, TO PERMIT A NEW STRIPED PARKING
RECONFIGURATION OF THE REQUIRED STRIPED LOT AND TO PERMIT
124 PARKING SPACES IN LIEU OF THE REQUIRED 171

IT IS THE POLICY OF THE ZONING COMMISSIONER TO PROMOTE THE BEST INTERESTS OF THE
COMMUNITY AND TO MAINTAIN THE CHARACTER OF THE NEIGHBORHOODS.

INVOICE

SOLD TO MCKEE & ASSOCIATES, INC.		BILL TO FROM GARDNER E. MOORE			
ADDRESS 5 SHAWAN RD. SUITE 1		ADDRESS 3225 RYERSON CIRCLE			
CITY, STATE, ZIP HUNT VALLEY, MD. 21038		CITY, STATE, ZIP BALTIMORE, MD. 21227			
CUSTOMER ORDER NO.	SOLD BY	TERMS	DATE 3-12-2001		
ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
		ZONING SIGN, POSTING			
		CERTIFICATION & PHOTOGRAPHS			
		CASE NO. 01-309-SPNA			
		WELLS-McCOMAS POST # 2678 VFW			
		6521 NORTH POINT ROAD			
					\$ 65.00
RECEIVED MAR 13 2001					

CERTIFICATE OF POSTING

RE: Case No.: 01-309-SPNA

Petitioner/Developer: _____

WELLS-McCOMAS POST # 2678 VFW.

Date of Hearing/Closing: MAR, 28, 2001

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 _____

6521 NORTH POINT ROAD

The sign(s) were posted on _____

MARCH 12TH 2001

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

Your

COPY

**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: 01-309-SPH A
Petitioner: EDWARD WITKOWSKI, COMMANDER
Address or Location: 6521 NORTH POINT ROAD
BALTO. MD 21210

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD WITKOWSKI, COMMANDER
Address: 6521 NORTH POINT RD
BALTO. MD 21234
Telephone Number: (410) 477-1543



Baltimore County
Department of Permits and
Development Management

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

March 23, 2001

Howard L Alderman Jr
Levin & Gann
502 Washington Avenue
8th Floor
Towson MD 21204-2801

Dear Mr. Alderman:

RE: Case Number: 01-309-SPHA, 6521 North Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 30, 2001.

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. 022
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Edward Wisnewski, Commander, Wells-McComas Post #2678 VFW, Inc.,
6521 North Point Road, Suite 1, Baltimore 21219
Geoffrey C Schultz, VP, McKee & Associates, Inc., 5 Shawan Road,
Suite 1, Cockeysville 21030
People's Counsel





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

February 14, 2001

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: 01-309-SPHA
6521 North Point Road
SW/S North Point Road, 100' N of centerline Delmar Avenue
15th Election District – 7th Councilmanic District
Legal Owner: Wells-McComas Post #2678 VFW, Inc.

Special Hearing to approve an amendment to special exception case number 92-262-XA. Variance to permit a stone parking lot in lieu of the required durable and dustless surface; to permit a non-striped parking lot in lieu of the required striped lot; and to permit 134 parking spaces in lieu of the required 171.

HEARING: Wednesday, March 28, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Howard L Alderman Jr, Levin & Gann, 502 Washington Avenue 8th Floor, Towson 21204
Edward Wisnewski Commander, Wells-McComas Post #2678 VFW Inc, 6521 North Point Road, Baltimore 21219
Geoffrey C Schultz VP, McKee & Assoc Inc, 5 Shawan Road Suite 1, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 13, 2001.**
(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
Tuesday, March 13, 2001 Issue – Jeffersonian

Please forward billing to:

Edward Wisniewski Commander
6521 North Point Road
Baltimore MD 21234

410 477-1543

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: 01-309-SPHA

6521 North Point Road

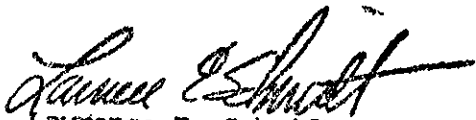
SW/S North Point Road, 100' N of centerline Delmar Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Wells-McComas Post #2678 VFW, Inc.

Special Hearing to approve an amendment to special exception case number 92-262-XA. Variance to permit a stone parking lot in lieu of the required durable and dustless surface; to permit a non-striped parking lot in lieu of the required striped lot; and to permit 134 parking spaces in lieu of the required 171.

HEARING: Wednesday, March 28, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
GDZ

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.

Jim
3/28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 20, 2001

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-309**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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: Mark A. Cunningham

Section Chief: Jeffrey W. Loe

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2-13-01

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

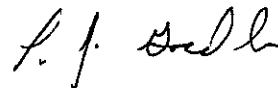
RE: Baltimore County
Item No. 309 BR

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, 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

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

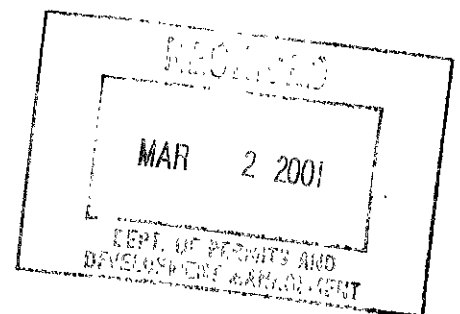
TO: Arnold Jablon
FROM: R. Bruce Seeley *M/RBS*
DATE: February 23, 2001
SUBJECT: Zoning Item #309
6521 North Point Road

Zoning Advisory Committee Meeting of February 12, 2001

- _____ 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.
- X 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).
- X 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: Keith Kelley

Date: February 14, 2001





**Baltimore County
Fire Department**

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

February 13, 2001

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: SEE BELOW

Location: DISTRIBUTION MEETING OF February 12, 2001

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

305, 306, 307, 309, 310, 311, 312, 313,

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

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 7, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For February 20, 2001
Item Nos. 305, 306, 307, 309, 310, 311,
and 312

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

RWB:HJO:jrb

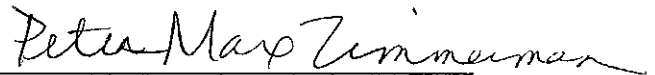
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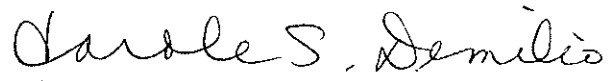
RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE *
6521 North Point Road, SW/S North Point Rd, 100' N of * ZONING COMMISSIONER
c/l Delmar Ave *
15th Election District, 7th Councilmanic * FOR
Legal Owner: Wells-McComas Post #2678 VFW, Inc. * BALTIMORE COUNTY
Petitioner(s) *
Case No. 01-309-SPHA

* * * * *

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 20th day of February, 2001 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

CASE NAME ~~Wells-McComas~~ Post #2678 VFW

CASE NUMBER 01-309-SPHA

DATE 28 March 2001

PETITIONER'S SIGN-IN SHEET

[illegible]

ZONING MAP

6521 NORTH POINT RD.

1"=200'

SE 5 H
6 H

PIERS

BL

D.R. 5.5

BR

D.R. 5.5

SITE

6521
NORTH POINT RD

BM

BL

DELMAR

SALISBURY

MACOMAS

D.R. 5.5

E 46.500' E 46.500'

LISBURY

TR AVE

AVENUE

DELMAR

AVE

SITE

6521
NORTH POINT RD

151

20

NORTH
BRIGHTLIGHT
SHORES

PIERS

PIER

POINT

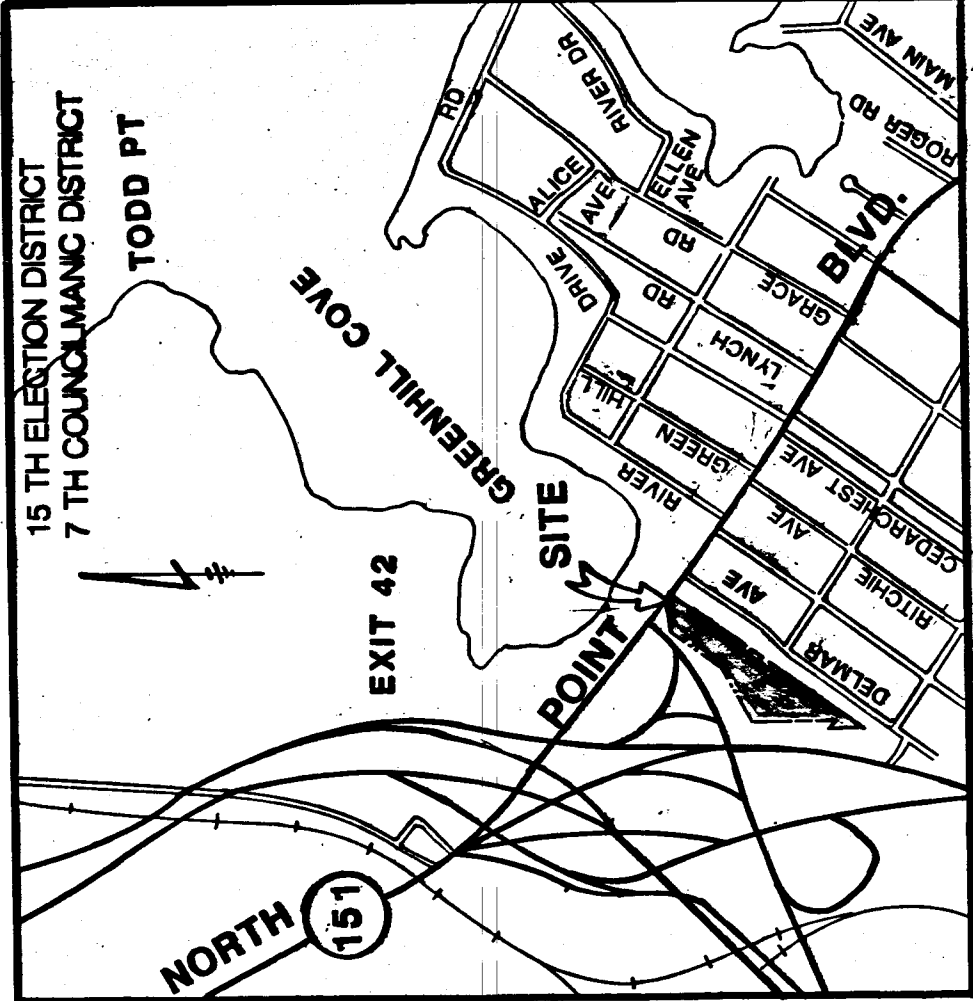
DELMAR

AVE

MACOMAS

D.R. 5.5

309



BENCH MARK
BALTO. CO. HUB 10023 ELEV. 10.780
DESCRIPTION: RR SPIKE IN MAC NE
SIDE NORTH POINT ROAD OFF RAMP
FROM NORTH POINT BLVD.

- ZONING RESTRICTIONS**
- Compliance with all zoning laws and regulations, including the Baltimore County Zoning Ordinance, as amended, and the Baltimore County Subdivision Ordinance, as amended.
 - Prior to the issuance of any occupancy permits, the applicant shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. The landscape plan shall include a copy of the proposed landscape plan and a copy of the proposed landscape plan for the entire site.
 - Prior to the issuance of any occupancy permits, the applicant shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. The landscape plan shall include a copy of the proposed landscape plan and a copy of the proposed landscape plan for the entire site.
 - When applying for any occupancy permits, the applicant shall address the restrictions of this Order.

PREVIOUS ZONING HEARING
CASE NO. 92-262-XA MARCH 1992
SPECIAL EXCEPTION
TO ALLOW A COMMUNITY BUILDING PURSUANT TO B.C.Z.R. SECTION 1801.0.6. (GRANTED)

VARIANCES
B.C.Z.R. SECTION 409.6.4 TO PERMIT A TOTAL OF 154 PARKING SPACES IN LIEU OF THE 171 REQUIRED (GRANTED)
B.C.Z.R. SECTION 413.1.4.1 TO PERMIT A TOTAL OF 90 SQUARE FEET IN LIEU OF THE 12,345 FEET PERMITTED.

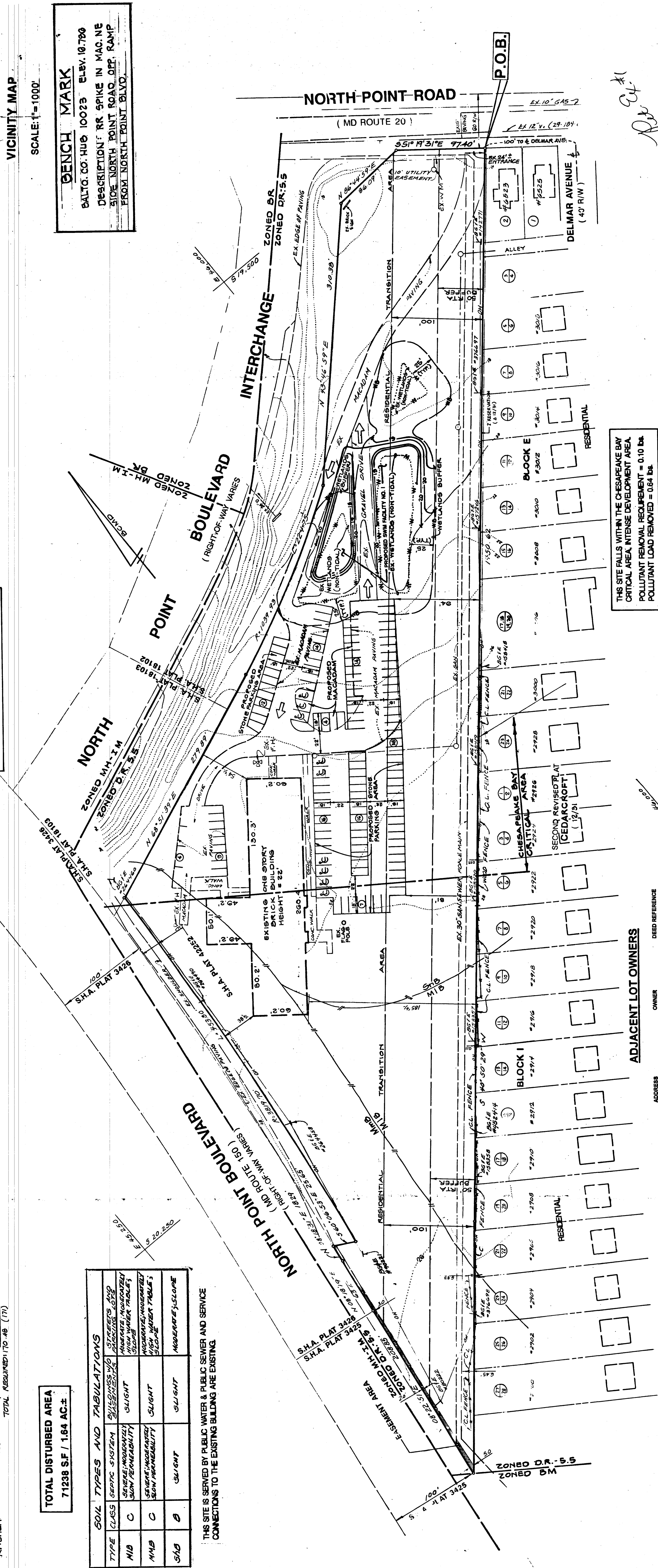
PREVIOUS PERMITS
GRADING GR C-324-85
BUILDING GR C-325-85
SWM SWM C-1555-85

- NOTES**
- No clearing, grading or construction in wetland or stream buffer areas, as defined by D.E.P.M.
 - To the best of our knowledge there are no flood plains, hazardous materials, storage tanks, archaeological sites, or historic areas on this site.
 - There are no forest or developed woodlands as per the January 1986 Baltimore County forest and developed woodland aerial photographs and no significant plant or animal habitat or endangered species habitat.

SITE DATA
Gross Site Area = 300,128 Square Feet or 6.89 Acres +/-
Existing Building Area = 18,153 Square Feet
DR 5.5
420
45
178,430 Square Feet / 4.1 AC +/-
154 (See Zoning case NO. 92-262-XA)
134
18,141 + 300,128 = 0.08 %

PARKING TABULATION

LOUNGE	3,100 S.F. @ 20/1,000 S.F. = 78
DANCE HALL	3,264 S.F. @ 20/1,000 S.F. = 83
MEETING ROOM	1,946 S.F. @ 33/1,000 S.F. = 6
OFFICES	1,992 S.F. @ 33/1,000 S.F. = 6
KITCHEN	728 S.F. @ 20/1,000 S.F. = 14
TOTAL REQUIRED	170 (77)



McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030 (410) 527-1555

OWNER / APPLICANT
WELLS - McCOMAS POST NO. 2678
VETERANS OF FOREIGN WARS OF UNITED STATES, INC.
6521 NORTH POINT ROAD
BALTIMORE, MARYLAND 21219

DEED REF. : 9304 / 168
ACCT. NO. 22-00-012622

ADJACENT LOT OWNERS

ADDRESS	OWNER	DEED REFERENCE
3018 Delmar Ave.	Neubauer, George	6502570
3014 Delmar Ave.	Neubauer, George	1325121
3012 Delmar Ave.	Holland, Charles D.	1160773
3010 Delmar Ave.	Gallagher, John & Mary D.	7021379
3008 Delmar Ave.	Barthel, Linda M.	11665717
3006 Delmar Ave.	Northrup, Victor A. & Evelyn G.	4857388
3004 Delmar Ave.	Rice, Eugene D.	5786535
3002 Delmar Ave.	William, James & Martha J.	5504222
2998 Delmar Ave.	Harrison, Dorothy J. & John R. & Sharon C.	12210591
2996 Delmar Ave.	Barthel, Linda M.	7423302
2994 Delmar Ave.	Barthel, Linda M.	11802218
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2498 Delmar Ave.	Barthel, Linda M.	11802218
2496 Delmar Ave.	Barthel, Linda M.	11802218
2494 Delmar Ave.	Barthel, Linda M.	11802218
2492 Delmar Ave.	Barthel, Linda M.	11802218
2490 Delmar Ave.	Barthel, Linda M.	11802218
2488 Delmar Ave.	Barthel, Linda M.	11802218
2486 Delmar Ave.	Barthel, Linda M.	11802218
2484 Delmar Ave.	Barthel, Linda M.	11802218
2482 Delmar Ave.	Barthel, Linda M.	11802218
2480 Delmar Ave.	Barthel, Linda M.	11802218
2478 Delmar Ave.	Barthel, Linda M.	11802218
2476 Delmar		