IN RE: PETITION FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE N/S of Saffell Road, 4,250 ft. W centerline of Berrymans Lane 4th Election District 4th Councilmanic District (1220 Saffell Road)

> Green Valley Swimming Club, Inc., By: M. John Meyer, President Petitioners

* BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-040-SPHXA

*

Order on Motion for Reconsideration

This matter comes before the Deputy Zoning Commissioner as a Motion for Reconsideration filed on October 14, 2003 by the Petitioner to modify Restriction 3 imposed upon the Special Permit in the Deputy Zoning Commissioner's Order dated September 26, 2003. As noted in the Motion, Restriction No. 3 reads as follows:

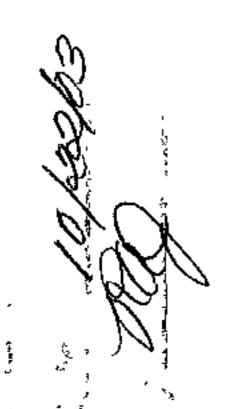
"The hours of operation required by Provision 2 of the Special Permit is hereby modified as follows:

8:00 a.m. to 9:00 p.m. except for ten special events which shall include one overnight children's camp-out on site and nine adult events which shall end by midnight."

The Petitioner has requested a minor modification of this restriction, noting that the club envisions that events other than a children's camp-out may be attended by all of its members rather than only adults. Consequently, the Petitioner requests:

"8:00 a.m. to 9:00 p.m. except for ten special events which shall include one overnight children's camp--out on site and nine other evening events which shall end by midnight."

As these matters were not in controversy and had all been accepted by all parties at the hearing, I will not require another hearing on this matter.



THEREFORE, IT IS ORDERED, this 22 day of October, 2003, by this Deputy Zoning Commissioner, that the Motion for Reconsideration is hereby GRANTED and the Order dated September 26, 2003 is hereby modified as follows:

1. Restriction No. 3 shall read:

"8:00 a.m. to 9:00 p.m. except for ten special events which shall include one overnight children's camp--out on site and nine other evening events which shall end by midnight."

IT IS FURTHER ORDERED, that all other terms and conditions of this office's September 26, 2003 decision not mandated by this Order shall remain in full force and effect.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

October 22, 2003

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

Re: Order on Motion for Reconsideration

Case No. 04-040-SPHXA Property: 1220 Saffell Road

Dear Mr. Hoffman:

Enclosed please find the order on motion for reconsideration rendered in the above-captioned case.

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,

John V. Thurshy John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



Copies to:

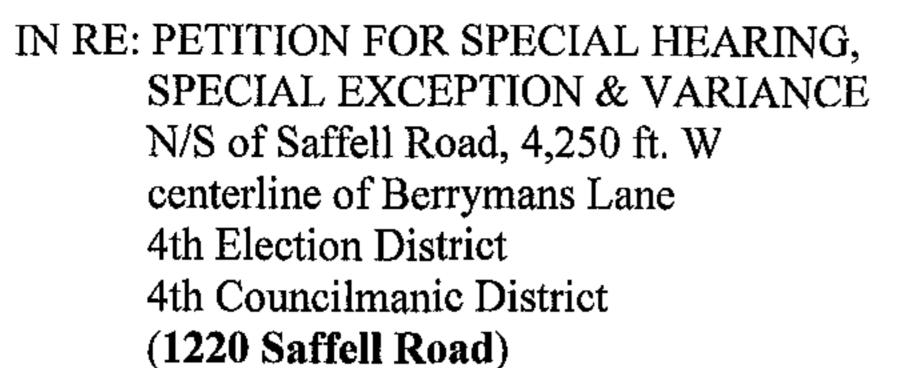
John Meyer 1655 Bullak Circle Owings Mills, MD 21117

J. Larry Ettlin 3936 Setonhurst Road Pikesville, MD 21208

Glenn Cook 9900 Franklin Square Drive, Suite H White Marsh, MD 21236

Bob Ferguson 1220 Saffell Road Reisterstown, MD 21136

Dwight Little Little & Associates 1055 Taylor Avenue, Suite 307 Towson, MD 21286



Green Valley Swimming Club, Inc., By: M. John Meyer, President Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-040-SPHXA

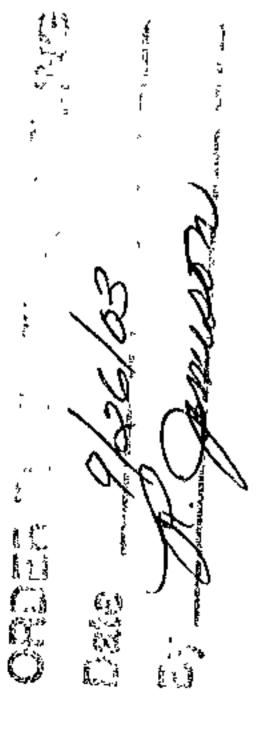
* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance filed by the legal owners of the subject property, Green Valley Swimming Club, Inc., by M. John Meyer, President. The Petitioners are requesting special hearing relief for property they own at 1220 Saffell Road. The special hearing request is pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a nonconforming outdoor recreation club. The special exception request is pursuant to Section 1A03.3.B.8 of the B.C.Z.R., to permit an outdoor recreation club in an R.C.4 zone for the existing facilities of Green Valley Swimming Club. Finally, the Petitioners are requesting variance relief, if necessary, as follows:

- 1. from Section 409.6.A.4 of the Baltimore County Zoning Regulations, to permit 83 parking spaces in lieu of the required 97 parking spaces;
- 2. from Section 409.8.A.2 and .6 of the B.C.Z.R., to permit a non-striped, stone parking lot in lieu of a striped, durable and dustless surface;
- 3. from Section 1A03.4.B.2 and 102.2 of the B.C.Z.R., to permit nonresidential principal structure to structure setbacks as close as 19 ft. in lieu of the required 100 ft.; and
- 4. from Section 1A03.4.B.2 of the B.C.Z.R., to permit nonresidential principal structure to lot line setbacks as close as 11 ft. in lieu of the required 50 ft.



The property was posted with Notice of Hearing on September 6, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 4, 2003 to notify any interested persons of the scheduled hearing date.

Notice is taken that the property, which is the subject of this special hearing request, consists of 54.883 acres, more or less, and zoned R.C.4.

Amended Petitions

Mr. Hoffman, Representing the Petitioners, began the Petitioners' case with several amendments to the Petitioners' case as filed. He discovered after the filing that the Petitioners had obtained a Special Permit for a private club in 1955. He proffered that a Special Permit previously granted under the then existing zoning regulations was essentially a Special Exception granted under today's regulations. I agree with this analysis noting that Section XIII—"Powers Relative to Special Exceptions and Special Permits" (from the 1955 Zoning Regulations) require basically the same list of findings under Subsection M as are found today in Section 502.1 of the Baltimore County Zoning Regulations.

Mr. Hoffman then amended the petitions as follows:

- a) Variance Requests were deleted as no longer necessary;
- b) Special hearing to approve a non conforming out-door recreation club was likewise deleted as no longer necessary;
- c) Special Exception to permit an outdoor recreation club in an RC 4 zone was amended to: 1) reduce the area covered by the Special Permit; and
 - 2) modify the conditions listed in the Special Permit to:
 - a) clarify and define the wooded buffer strip around the entire area; and
 - b) modify the hours of operation.

Applicable Law

1955 Zoning Regulations Section XIII subsection M. III

"III In the granting of any special permit under this Section (Section XIII), the Zoning Commissioner, and the Board of Zoning Appeals, upon appeal, shall be governed and controlled by the following principles, standards, rules, conditions and safeguards.

Before any such special permit shall be granted it must appear that the use, for which special permit is requested, will not:

- (a) Be detrimental to the safety, health, morals and general welfare of the community involved.
- (b) Tend to create congestion in roads, streets and alleys in the area involved,
- (c) Create a hazard from fire, panic or other dangers.
- (d) Tend to overcrowd land and cause undue concentration of population.
- (e) Interfere improperly with adequate provisions for schools, parks, water, sewerage, transportation and other public requirements, conveniences and improvements.
- (f) Interface with adequate light and air."

Present Zoning Regulations Section 502.1 of the B.C.Z.R. - Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing for the Petitioner was Dwight Little, whose firm Little & Associates prepared the original and redline plans to accompany these requests. Glenn Cook and Bob Ferguson also appeared for the Petitioners. Finally, John Meyer, President of the Green Valley Swimming Club and Larry Ettlin, former manager of the club for many years also came in support of the Petition. Robert A. Hoffman, Esquire represented the Petitioners. William Caswell appeared as an adjacent property owner. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this special permit hearing, is improved by a swim club, which has been in operation since 1955. The Petitioners presented a redline plan to accompany a special exception, Petitioner's Exhibit No. 1, which showed the boundaries of the whole property (approximately 54 acres) to which the 1955 Special Permit applied and the area shown by dark line (approximately 14 Acres) in which the Petitioners request the Special Permit now apply. The intention of this revision is to significantly reduce the area controlled by the Special Permit leaving the remaining property to be developed (or not) according to the R.C.4 zoning regulations. The redline exhibit also indicates the area the Petitioners propose to maintain a wooded buffer required by the Special Permit. This buffer is no longer around the entire tract but rather buffers the adjoining properties not owned by the Petitioners. The redline also indicates those areas along the adjacent properties where the Petitioners cannot maintain a full 20 ft. buffer due to existing facilities such as tennis courts, etc.

Mr. Hoffman proffered and Mr. Meyer and Mr. Ettlin confirmed that the swim club operates on an end of May to beginning of September schedule typical for such clubs. They also confirmed that generally they could conform to the hours of operation (8 AM to 9 PM) specified in the special permit without difficulty. However, there were approximately ten events per year, which would technically violate these rules such as various adult events, crab feasts, etc., which generally end at midnight. There is also one overnight event for the children in which they are allowed to camp out at the club. The Petitioners request that these changes be incorporated into a modified Special Permit. Mr. Hoffman proffered that these changes would not adversely impact the surrounding neighborhood pursuant to the criteria of Section 502.1 of today's regulations and Section M III of the 1955 regulations. This seems a most reasonable position in view of the fact that the swim club has operated for so many years on the property and the redline plan provided a minor increase in the actual area available to expand the club activities.

Mr. Caswell, the adjoining property owner, fully participated in the hearing and had no objection to any of the proposed changes to the Special Permit or conditions as proposed by the Petitioner.

I find, based testimony and evidence presented, that reducing the area upon which the Special Permit would apply as shown in Petitioners' redline Exhibit No. 1 would not have an adverse impact on the surrounding community. Similarly, I find that the proposed changes in the conditions of the Special Permit, such as the changes to the hours of operation to accommodate the special events regularly carried out by the club and to clarify and define the buffer area to be maintained by the Petitioners, would likewise have no discernable adverse impact on the neighborhood.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the modification of the Special Permit shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______day of September, 2003, that the Petitioners' Special Permit granted under the 1955 Zoning Regulations, pursuant to Section XIII, Subsection M, is hereby modified as follows:

- 1. The area subject to the Special Permit shall be reduced to the area indicated on Petitioners' Redline Plan, Exhibit No. 1, more fully described in the legal description attached hereto;
- 2. The wooded buffer strip required by provision 1 of the Special Permit is hereby modified to be a shown on Petitioners' Redline Plan, Exhibit No. 1; and
- 3. The hours of operation required by provision 2 of the Special Permit is hereby modified as follows:

8:00 a.m. to 9:00 p.m. except for ten special events which shall include one overnight children's camp-out on site and nine adult events which shall end by midnight.

IT IS FURTHER ORDERED, that the Petition for Special Hearing to approve a non conforming out-door recreation club, is hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED, that the Petition for Variances filed in this case, are hereby DISMISSED AS MOOT.

JOHON V. MURPHY

DEPUTY ZONING COMMISSIONER

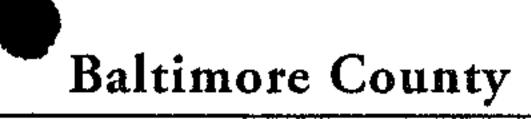
FOR BALTIMORE COUNTY

JVM:raj

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468





James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

September 24, 2003

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

> Re: Petitions for Special Exception, Special Hearing and Variance Case No. 04-040-SPHXA Property: 1220 Saffell Road

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case.

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,

John V. Murphy

Deputy Zoning Commissioner

John murphy

JVM:raj Enclosure



Visit the County's Website at www.baltimorecountyonline.info

Copies to:

John Meyer 1655 Bullak Circle Owings Mills, MD 21117

J. Larry Ettlin 3936 Setonhurst Road Pikesville, MD 21208

Glenn Cook 9900 Franklin Square Drive, Suite H White Marsh, MD 21236

Bob Ferguson 1220 Saffell Road Reisterstown, MD 21136

Dwight Little Little & Associates 1055 Taylor Avenue, Suite 307 Towson, MD 21286



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Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1220 Saffell Road

which is presently zoned R.C.4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto a made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

OR IN THE ALTERNATIVE -

Special exception to permitan outdoor recreation club in the R.C.4 zone, pursuant to Section 1A03.3.B.8 of the Baltimore County Zoning Regulations (for the existing facilities of Green Valley Swimming Club).

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 t 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:	Legal Owner(s):
	Green Valley Swimming Club, Inc.
Name - Type or Print	Nante - Type of Print
Signature	Signature M. John Meyer, President
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	6 Whitebridge Court (301)937-515]
Robert A. Hoffman	Address Telephone
	Baltimore, Maryland 21208
Name Type or Print A Chun SML	City State Zip Co
Signature Signature	Representative to be Contacted:
Venable, LLP	
Company	Robert A. Hoffman
210 Allegheny Avenue (410)494-6200	Name 210 Allegheny Avenue (410)494-620
Address Telephone No.	Address Telephone No
Towson, Maryland 21204	Towson, Maryland 21204
State Zip Code	City State Zip Cod
3	OFFICE USE ONLY
Case No. 04-040-SPHXA	ESTIMATED LENGTH OF HEARINGUNAVAILABLE FOR HEARING
REV 09/15/98	Reviewed By 1000 Date 7/24/0



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1220 Saffell Road

which is presently zoned R.C.4

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

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

To be determined at hearing.

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 of perjury, that I/we are is the subject of this	re the legal owner(s)	nder the penalties of of the property which
Contract Purchaser/Lessee	<u>:</u>	<u>Legal Owner(s</u>	1:	
Name - Type or Print		Green Valle	y Swimming	Club, Inc.
Signature		Signature	my	
Address	Telephone No.	M. John Mey Name - Type or Print	er, Preside:	nt
City	State Zip Code	Signature	<u>-</u>	· · · · · · · · · · · · · · · · · · ·
Attorney For Petitioner:		6 Whitebrid	ge Court (301)937-5151
Robert A. Hoffman		Address Baltimore,	· · · · · · · · · · · · · · · · · · ·	Telephone No
Name - Type or Print / Alphan/ 1/4	/	City	Maryland State	
Signature Signature	<u></u>	<u>Representative</u>	to be Contacte	<u>d:</u>
Venable, LLP Company		Robert A. H	offman	
210 Allegheny Avenue	(410)494-6200 Telephone No.	210 Alleghe	ny Avenue (4	410)494-6200
Towson. Maryland	•	Address Towson,	Maryland	Telephone No. 21204
City	State Zip Code	City	State	
		<u>o</u>	FFICE USE ONL	<u>Y</u>
Case No. 00-000.	- < = - · · · · · · · · · · · · · · · · · ·	ESTIMATED LE	NGTH OF HEARI	NG
REX 915198		UNAVAILABLE P Reviewed By	OR HEARING	ate 7/24/05
3 · 1 1 1 · · · ·		1		

PETITION FOR VARIANCE 1220 Saffell Road

IF NECESSARY:

- 1. Variance from Section 409.6.A.4 of the Baltimore County Zoning Regulations ("BCZR") to permit 83 parking spaces in lieu of the required 97 parking spaces.
- 2. Variance from BCZR Sections 409.8.A.2 and .6 to permit an non-striped, stone parking lot in lieu of a striped, durable and dustless surface.
- 3. Variance from BCZR Sections 1A03.4.B.2 and 102.2 to permit nonresidential principal structure to structure setbacks as close as 19 feet in lieu of the required 100 feet.
- 4. Variance from BCZR Section 1A03.4.B.2 to permit nonresidential principal structure to lot line setbacks as close as 11 feet in lieu of the required 50 feet.

TO1DOC\$1/DHK01/#165182 v1

#040

July 10, 2003

ZONING DESCRIPTION FOR THE GREEN VALLEY SWIM CLUB 4TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point on the north side of Saffell Road which is 50 feet wide, at the distance of 4250 feet west of the centerline of Berrymans Lane thence (1) by a curve to the left having a radius of 120.00 feet, an arc length of 234.32 feet and a chord bearing South 55 degrees 07 minutes 36 seconds West 198.83 feet; thence (2) South 00 degrees 48 minutes 43 seconds East 113.90 feet; thence (3) by a curve to the right having a radius of 80.00 feet, an arc length of 36.61 feet and a chord bearing South 12 degrees 17 minutes 56 seconds West 36.29 feet; thence (4) South 25 degrees 24 minutes 36 seconds West 359.00 feet; thence (5) North 70 degrees 35 minutes 24 seconds West 692.78 feet; thence (6) North 25 degrees 45 minutes 48 seconds East 347.95 feet; thence (7) North 68 degrees 45 minutes 18 seconds West 375.55 feet; thence (8) North 03 degrees 00 minutes 31 seconds East 287.22 feet; thence (9) North 82 degrees 49 minutes 52 seconds East 349.19 feet; thence (10) South 49 degrees 05 minutes 24 seconds East 95.10 feet; thence (11) South 64 degrees 05 minutes 24 seconds East 825.00 feet to the place of beginning. Containing 14.756 acres of land, more or less and being a part of that land recorded in Deed Liber 2656 Folio 409.

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-SPHXA		

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: #04-040-SPHXA

1220 Saffell Road

N/side of Saffell Road, 4,250 feet west of centerline of Berry-

mans Lane 4h Election District – 4h Councilmanic District

Legal Owner(s): Green Valley Swimming Club, Inc., M. John Meyer, President.

Special Exception: to permit an outdoor recreation club in the R.C. 4 zone for the existing facilities of Green Valley Swimming Club. Variance: to permit 83 parking spaces in lieu of the required 97 parking spaces. To permit a nonstriped, stone parking lot in lieu of the striped, durable and dustiess surface. To permit nonresidental principal structure to structure setbacks as close as 19 feet in lieu of the required 100 feet. To permit nonresidential principal structure to lot line setbacks as close as 11 feet in lieu of the required 50 feet. Special Hearing: to approve a non-conforming outdoor recreation club.

Hearing(s): Tuesday, September 23, 2003 at 16:00 a.m. in Room 106, County Office Building, 111 W. Chesa-

peake Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County NOTES: (1) Hearings are Handlcapped Accessible; for special accommodations Please Contact the Zoning Com-

missioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. C624180 9/107 Sep 4

CERTIFICATE OF PUBLICATION

9/5,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 9 4 ,2003.
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

LEGAL ADVERTISING

Willing

CERTIFICATE OF POSTING

Petitioner/Developer: GREEN JAL Date of Hearing/Closing: 9/23 Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Becky Hart {(410) 887-3394} 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: 220 SAFFEIL The sign(s) were posted on _____ (Month, Day, Year) Sincerely, (Signature of Sign Poster) ZONING NOTICE SSG Robert Black (Print Name) 1508 Leslie Road A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD (Address) PLACE: FLANILL CLEATY CAFEC LATE HE WITCH HEAVE HA Dundalk, Maryland 21222 DATE AND TIME: WEST STREET LAND AND STREET STATE OF STATE THE THE PERSON DESIGNATION OF THE PARTY OF T (City, State, Zip Code) (410) 282-7940 (Telephone Number)

RE: PETITION FOR SPECIAL HEARING * BEFORE THE SPECIAL EXCEPTION & VARIANCE

1220 Saffell Road; N/side Saffell Rd, 4,250' * ZONING COMMISSIONER

W c/line Berrysman Lane

4th Election & 4th Councilmanic Districts * FOR

Legal Owner(s): M. John Meyer, Pres Green

Valley Swimming Club, Inc * BALTIMORE COUNTY

Petitioner(s)

04-040-SPHXA

* * * * * * * * *

ENTRY OF APPEARANCE

*

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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

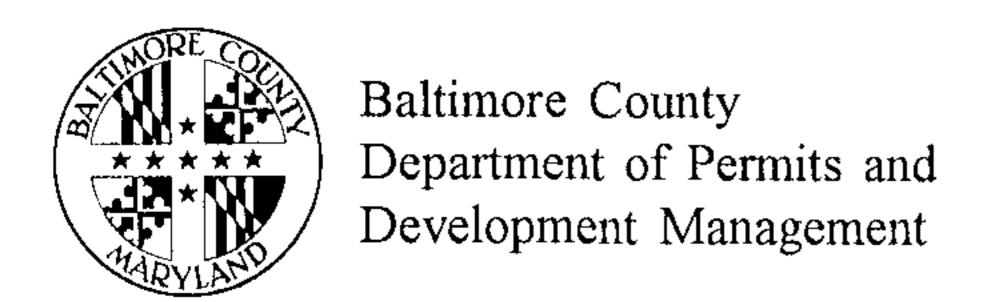
I HEREBY CERTIFY that on this 8th day of August, 2003, a copy of the foregoing Entry of Appearance was mailed to Robert Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED AUG 0 8 2003

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

morman

Per.



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

Fax: 410-887-5708

August 7, 2003

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: 04-040-SPHXA

1220 Saffell Road

N/side of Saffell Road, 4,250 feet west of centerline of Berrymans Lane 4th Election District – 4th Councilmanic District

Legal Owner: Green Valley Swimming Club, Inc., M. John Meyer, President

<u>Special Exception</u> to permit an outdoor recreation club in the R.C. 4 zone for the existing facilities of Green Valley Swimming Club. <u>Variance</u> to permit 83 parking spaces in lieu of the required 97 parking spaces. To permit a non-striped, stone parking lot in lieu of the striped, durable and dustless surface. To permit nonresidential principal structure to structure setbacks as close as 19 feet in lieu of the required 100 feet. To permit nonresidential principal structure to lot line setbacks as close as 11 feet in lieu of the required 50 feet. <u>Special Hearing</u> to approve a non-conforming outdoor recreation club.

Hearings:

Tuesday, September 23, 2003, at 10:00 a.m., in Room 106, County Office

Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:klm

C: Robert Hoffman, Venable, 210 Allegheny Ave., Towson 21204
Green Valley Swimming Club, Inc., M. John Meyer, 6 Whitebridge Ct., Baltimore 21208

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 8, 2003.

- (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, September 4, 2003 Issue - Jeffersonian

Please forward billing to:

Amy Dontell 210 Allegheny Avenue Towson, MD 21204

410-494-6285

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: 04-040-SPHXA

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<u>Special Exception</u> to permit an outdoor recreation club in the R.C. 4 zone for the existing facilities of Green Valley Swimming Club. <u>Variance</u> to permit 83 parking spaces in lieu of the required 97 parking spaces. To permit a non-striped, stone parking lot in lieu of the striped, durable and dustless surface. To permit nonresidential principal structure to structure setbacks as close as 19 feet in lieu of the required 100 feet. To permit nonresidential principal structure to lot line setbacks as close as 11 feet in lieu of the required 50 feet. <u>Special Hearing</u> to approve a non-conforming outdoor recreation club.

Hearings:

Tuesday, September 23, 2003, at 10:00 a.m., in Room 106, County Office

Building, 111 W. Chesapeake Avenue

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

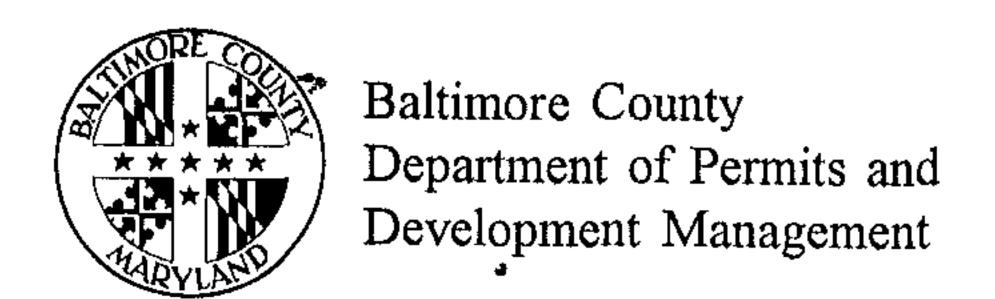
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Number	or Case Number: 04-040-SPHXA
Petitioner: _	GREEN VALLEY SWIMMING CLUB
Address or L	ocation: 1220 SAFFELL ROAD
	RWARD ADVERTISING BILL TO: AMY DONTELL
Address:	210 ALLEGHENY AVE.
	TOWSON, MD. 21204



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

September 22, 2003

Robert A. Hoffman Venable, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 04-040-SPHXA, 1220 Saffell Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 24, 2003.

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,

U. Callahal) W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:klm

Enclosures

People's Counsel C: Green Valley Swimming Club, John Meyer, 6 Whitebridge Court, Baltimore 21204



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 August 6, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: August 4, 2003

Item No.:

034, 036-045

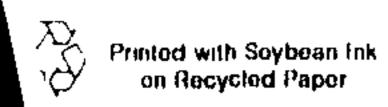
Dear Ms. Hart:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: September 25, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:()

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 11, 2003

Item Nos. 033, 034, 035, 036, 037, 039, 040, 041, 043, 045, and 046

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Zoning Advisory Petition(s): Case 04-040 **SUBJECT:**

DATE: August 13, 2003

RECEIVED

AUG 1 4 2003
ZONING COMMISSIONER

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.

Section Chief:

AFK/LL:MAC

Robert L. Ehrlich, Jr., Governor Michael S, Steele, Lt. Governor



Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

LTM

La Lon Designer of Transporting,

Date: 8.5.03

Item No.

Baltimore County

040

RE:

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

Dear. Ms. Hart:

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,

L

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

f. f. Gredh

VENABLE ...

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 Telephone 410-494-6200 Facsimile 410-821-0147

www.venable.com

David H. Karceski

(410) 494-6285

dhkarceski@venable.com

October 13, 2003

RECEIVED

OCT 1 4 2003

ZONING COMMISSIONER

HAND-DELIVERED

John V. Murphy, Deputy Zoning Commissioner for Baltimore County County Courts Building 401 Bosley Avenue Towson, MD 21204

Re: Green Valley Swim Club, Inc.

1220 Saffell Road

4th Election District, 4th Councilmanic District

Case No. 04-040-SPHXA

Dear Mr. Murphy:

I am in receipt of your Findings of Fact and Conclusions of Law dated September 26, 2003, for the above-captioned property and request clarification of the Order. In the Order, you imposed a restriction (Restriction No. 3) relating to the evening events Green Valley Swim Club desires to host on club grounds. Restriction No. 3 reads as follows:

The hours of operation required by provision 2 of the Special Permit is hereby modified as follows:

8:00 a.m. to 9:00 p.m. except for ten special events which shall include one overnight children's camp-out on site and nine adult events which shall end by midnight.

See Order, Page 6.

With regard to activities that extend past regular hours of operation, Green Valley Swim Club envisions that events, other than the overnight children's camp-out, may be attended by all of its members rather than only adults. For that reason, I am requesting that you modify Restriction No. 3 of your Order to read, in pertinent part, as follows:

8:00 a.m. to 9:00 p.m. except for ten special events which shall include one overnight children's camp-out on site and nine other evening events which shall end by midnight.

VENABLE

John V. Murphy, Deputy Zoning Commissioner October 13, 2003 Page 2

Such a restriction would fully accommodate the Club's envisioned use of the property for nighttime events.

I am, therefore, respectfully asking that you amend your Order to incorporate the above-revised Restriction No. 3.

I appreciate your attention to this matter.

Very truly yours,

David H. Karceski

DHK

cc:

Enclosure

Mr. Bob Ferguson Mr. M. John Meyer

Robert A. Hoffman, Esquire

TO1DOCS1/DHK01/#170533 v1

ZONING REGULATIONS AND RESTRICTIONS FOR

BALTIMORE COUNTY

2/2/45 - 7/2/53Tuc. Amond ments 7/2/53 - 3/30/55

PETITION FOR SPECIAL PERMIT

The same of the sa

IN THE MATTER OF

NAME OF LINGSMIN IN A COLUMN TO CAUSE

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

For a Special Permit.

To The Zoning Commissions. Date there County

Yalley Hearn Swining & Tennis Clut Incir. 35' Donor

heraby petition for a Special Permit, Under the Eming Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the acts of the Commal croumbly of Maryland of 1963, for a certain parma or area, as provided under said degulations and Act, as Solice .

A Special Permit to use the land (and improvements now or be created the receip here insister described for Phirate Plus

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	Valley Men Swimming - Tennin Tok
- Course Turemser	Jouan H. Cohen U. b. 1:0, 21 Conor Member of Boots of Binisten.
	67.2 Parl Heights Arc

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PLEASE PRINT CLEARLY

CASE NAME Valley Green Suin Club CASE NUMBER 04-040-58 HAT DATE 9/23/03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
John Neyer	1655 Bullak CW	Owings Mills, MD Zill7	Meyer @ KINB. com
J. LARRY BITLIN	3936 SETONHURST RD	PIKESVILLE MD ZIZO8	
Glenn Crox	9900 FRANKLINSE DR. Suite H	White MARSH, MD 21236	9000K@ TRAFFEGROUP CEM
Phob Hottona	210 Allenby Age	21204	KH Hoffman W Vonable Co
Dot vergnoon	1220 Saffell Rd	Renoteration Md. 21136	N/B
Lagut Vittle	1055 Taylor De Ste 307	Towson mp 21286	
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PLEASE PRINT CLEARLY

<i>.</i>	tuel _
	sveen Swim Club
CASE NUMBER	04-040-SPHXA
DATE 9/23/	03

CITIZEN'S SIGN-IN SHEET

NAME		ADDRESS	<u></u>	CITY, S	TATE, Z	IP .	E- N	1AIL
William Cas	well 1230	Saffell	Rol	Qristerstown	mb	21136		
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