IN RE: PETITION FOR SPECIAL EXCEPTION

N/S of Hazelwood Avenue,

225 ft. W Kenwood Avenue

14th Election District

6th Election District

(6200 Hazelwood Avenue)

Thomas J. D'Alesandro, 3rd, et al *Petitioners*

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 04-439-X

* * * * * * * * * * * *

*

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Thomas J. D'Alesandro, 3rd, et al. The Petitioners are requesting a special exception for property located at 6200 Hazelwood Avenue known as the Kenwood Shopping Center in the eastern area of Baltimore County. The special exception request is for a community building to be used as a bingo hall in a BL-AS zone.

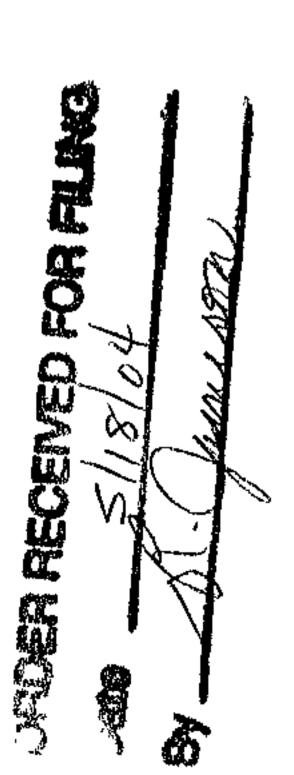
The property was posted with Notice of Hearing on April 23, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 27, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

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.

<u>Interested Persons</u>

Appearing at the hearing on behalf of the special exception request was Thomas J. D'Alesandro, 3rd, Petitioner. Kenneth J. Colbert, P.E., appeared on behalf of Colbert, Matz, Rosenfelt, Inc., the engineering firm that prepared the site plan of the property. Evelyn McKenny of St. Clement's Church and Leo Schroeder appeared at the hearing in opposition to the Petition. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence presented in this case indicated that this property was developed as the Kenwood Shopping Center, which was constructed in 1968. Mr. D'Alesandro indicated that the shopping center is located inside the Beltway in an established neighborhood and for many years had been anchored by a large food store. Several years ago, the store moved out and the center struggled to find tenants. After an extensive search, the landlord indicated that he has a prospective tenant who would like to operate a bingo hall in the store formerly occupied by "Good Stuff Cheap" store. This location has been vacant for several years. Thus this request.

Mr. Colbert indicated that the area included in the proposed special exception is shown on Petitioner's Exhibit No. 1 and is comprised by the 8,900 sq. foot building and parking spaces needed for the facility. He points out that there will be no change to the shopping center or its layout if this request is granted other than some simple signage changes. The parking calculation shown on Petitioner's Exhibit No. 1 for this facility and each of the other stores, shows that 436

SASSESSES CORPERIES

spaces are required while the shopping center provides 481 spaces. Both Mr. Colbert and Mr. D'Alesandro indicated from their personal knowledge that the parking lot has not been full in the past few years. In fact, but for the patrons using the adjacent public library the shopping center may not have survived.

Mr. Colbert testified that there is no specific mention of bingo halls in the zoning regulations. The Zoning Office has always interpreted the special exception for community halls to include bingo halls. In his opinion, granting the special exception would not be a detriment to the health, safety, and welfare of the community and would not violate any of the provisions of Section 502.1 of the BCZR. He emphasized that no new buildings or physical changes to the shopping center were being proposed. This was simply one tenant replacing another.

Ms. McKenny indicated that she operated the bingo hall for the benefit of St. Clement's Church as a volunteer and she was very concerned that the new hall would compete with and overwhelm her operation. She testified that the bingo generates 70% of the revenue for the parochial school and that any lost income would be devastating for this working class neighborhood. She presented a letter marked a protestant's Exhibit No. 1 from the school opposing this bingo hall.

She and Mr. Schroeder also expressed concern that the bingo hall would attract thieves and vagrants who Ms. McKenny said were bothering her bingo and that special security had to be provided. Mr. Schroeder emphasized the danger he saw in additional traffic on Hazelwood Avenue, especially when the proposed bingo hall lets out at 11:00 .PM.

Mr. D'Alesandro indicated that the hours of operation of the proposed bingo center were mostly in the evening and, therefore, complementary to the traffic and the use of the shopping center as a whole. He also indicated that the proposed hall would attract older women as a rule that would not be causing problems in the shopping center, but who hopefully will shop to some extent at the stores in the evening.

Finally, Mr. D'Alesandro indicated that he was unaware of the possible conflict with St. Clement's bingo and would see to it that the income of the school would not be adversely affected.

Findings of Fact and Conclusions of Law

I find that the special exception for a community service building in a BL-AS zone, as shown on Petitioners' Exhibit No. 1, will not endanger the health, safety, and welfare of the community, and that there will be no detriment to the area after considering each of the criteria listed under Section 502.1 of the B.C.Z.R. There are no physical changes to the shopping center that has been operating at this location since 1968. This is simply substituting one tenant of the shopping center for another. In fact, I find that this tenant is more compatible in regard to parking because this tenant will primarily conduct its business in the evening. I am also aware of the difficulty older commercial shopping centers have in competing with newer shopping centers located further out in the suburbs. A center with vacant stores is no asset to the community. Mr. D'Alesandro has struggled and it appears that he is about to succeed in turning this center into a viable community asset.

That said, assisting this shopping center by granting a special exception to allow a new tenant to open can not be done at the expense of destroying another pillar of the community, St. Clement's school. Ordinarily, I would not grant the special exception permitting this bingo hall to operate so close to and with such adverse impact on the school, which is an equally important community asset. However, Mr. D'Alesandro pledged that he would not let the school income be harmed by this tenant and I believe him. Based upon his word I will grant the special exception.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' request for special exception should be granted.

THEREFORE, IT IS ORDERED, this \(\sum_{\text{O}} \) day of May, 2004, by the Deputy Zoning Commissioner, that the Petitioners' request for special exception for a community building to operate as a bingo hall in a BL-AS zone, be and is hereby GRANTED.

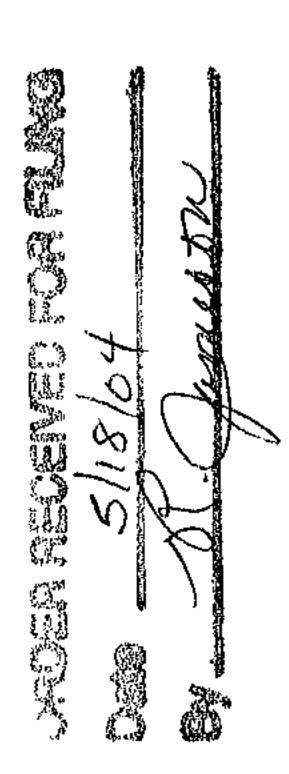
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

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

May 18, 2004

Thomas J. D'Alesandro, 3rd, et al. 110 E. Lexington Street, Suite 320 Baltimore, Maryland 21202

> Re: Petition for Special Exception Case No. 04-439-X Property: 6200 Hazelwood Avenue

Dear Mr. D'Alesandro:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

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

Very truly yours,

John W. Murphy John V. Murphy Deputy Zoning Commissioner

JVM:raj Enclosure

c: Kenneth J. Colbert, P.E. Colbert, Matz, Rosenfelt, Inc. 2835 Smith Ave., Suite G Baltimore, MD 21209

> Leo W. Schroeder 6512 Langdale Road Baltimore, MD 21237

Evelyn McKenny c/o St. Clement's Church 1220 Chesaco Avenue Baltimore, MD 21237



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



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at: 6200 Hazelwood Ave. which is presently zoned BL, BL-AS and

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 of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A community building in a BL-AS zone.

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

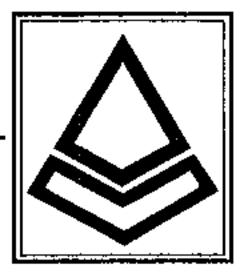
I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

> 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: <u>Legal Owner(s):</u> Thomas J. D'Alesandro, 3rd, et. al. Name - Type or Print Name -/Type or Print / D'alexater ve Signature Signature Address. Telephone No. Name - Type or Print City Zip Code Signature State **Attorney For Petitioner:** 110 E. Lexington Street, Suite 320 410-727-0114 Address. Telephone No. **Baltimore** MD 21202 Name - Type or Print City Zip Code State Representative to be Contacted: Signature Kenneth J. Colbert, P.E. **go**mpa**y**y COLBERT MATZ ROSENFELT, INC (eve) 410-581-2282 (day) 410-653-3838 2835 Smith Avenue, Suite G ddres Telephone No. Address Telephone No. 21209 **Baltimore** MD Zip Code State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING_ UNAVAILABLE FOR HEARING_ CHOCK RECEI Date 3/ Reviewed By _______

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION FOR 6200 HAZELWOOD AVENUE SPECIAL EXCEPTION

MARCH 24, 2004

Beginning at a point in the parking lot of the Kenwood Shopping Center, the following two (2) courses from the intersection of Kenwood Avenue and Hazelwood Avenue; A) North 83 degrees 59 minutes 30 seconds West 223.38 feet and B) North 06 degrees 00 minutes 30 seconds West 289.37 feet; thence

- 1) North 69 degrees 09 minutes 21 seconds West 144.50 feet; thence
- 2) North 20 degrees 50 minutes 39 seconds East 187.50 feet; thence
- 3) North 69 degrees 09 minutes 21 seconds West 68.00 feet; thence
- 4) North 33 degrees 58 minutes 14 seconds West 40.95 feet; thence
- 5) North 69 degrees 09 minutes 21 seconds West 134.00 feet; thence
- 6) North 20 degrees 50 minutes 39 seconds East 66.86 feet; thence
- 7) South 69 degrees 09 minutes 21 seconds East 134.00 feet; thence
- 8) South 82 degrees 39 minutes 30 seconds East 34.42 feet; thence
- 9) South 69 degrees 09 minutes 21 seconds East 42.25 feet; thence
- 10)North 21 degrees 09 minutes 36 seconds East 45.37 feet; thence
- 11)South 68 degrees 52 minutes 01 seconds East 102.00 feet; thence
- 12)South 20 degrees 50 minutes 39 seconds West 169.85 feet; thence
- 13)South 69 degrees 09 minutes 21 seconds East 51.00 feet; thence
- 14) South 04 degrees 26 minutes 01 seconds East 19.91 feet; thence
- 15)South 20 degrees 50 minutes 39 seconds West 18.00 feet; thence
- 16)South 03 degrees 03 minutes 37 seconds West 27.83 feet; thence

1 of 2

17) South 20 degrees 50 minutes 39 seconds West 98.50 feet to the point of beginning.

Containing 55,362 square feet or 1.271 acres more or less.

Being part of the property described in a deed dated May 20, 1982 that was granted and conveyed from Kenwood Inc. to Thomas J. Dalesandro and Margaret C. Dalesandro, et al and recorded among the land records of Baltimore County, Maryland in Liber 6396 at Folio 498.



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NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act thority 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: #04-439-X
6200 Hazelwood Averue
N/side of Hazelwood Avenue, 225 feet west of
Kenwood Ave., 289 feet

north
14th Election District
6th Councilmanic District
Legal : Owner(s): Thomas
D'Alesandro
Special Exception: to permit a community building in a BL-AS zone.
Hearing: Thursday, May
13, 2004 at 11:00 s.m. in
Room 407, County Courts
Building, 401 Bosley Avenue. nue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

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

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 8873391.

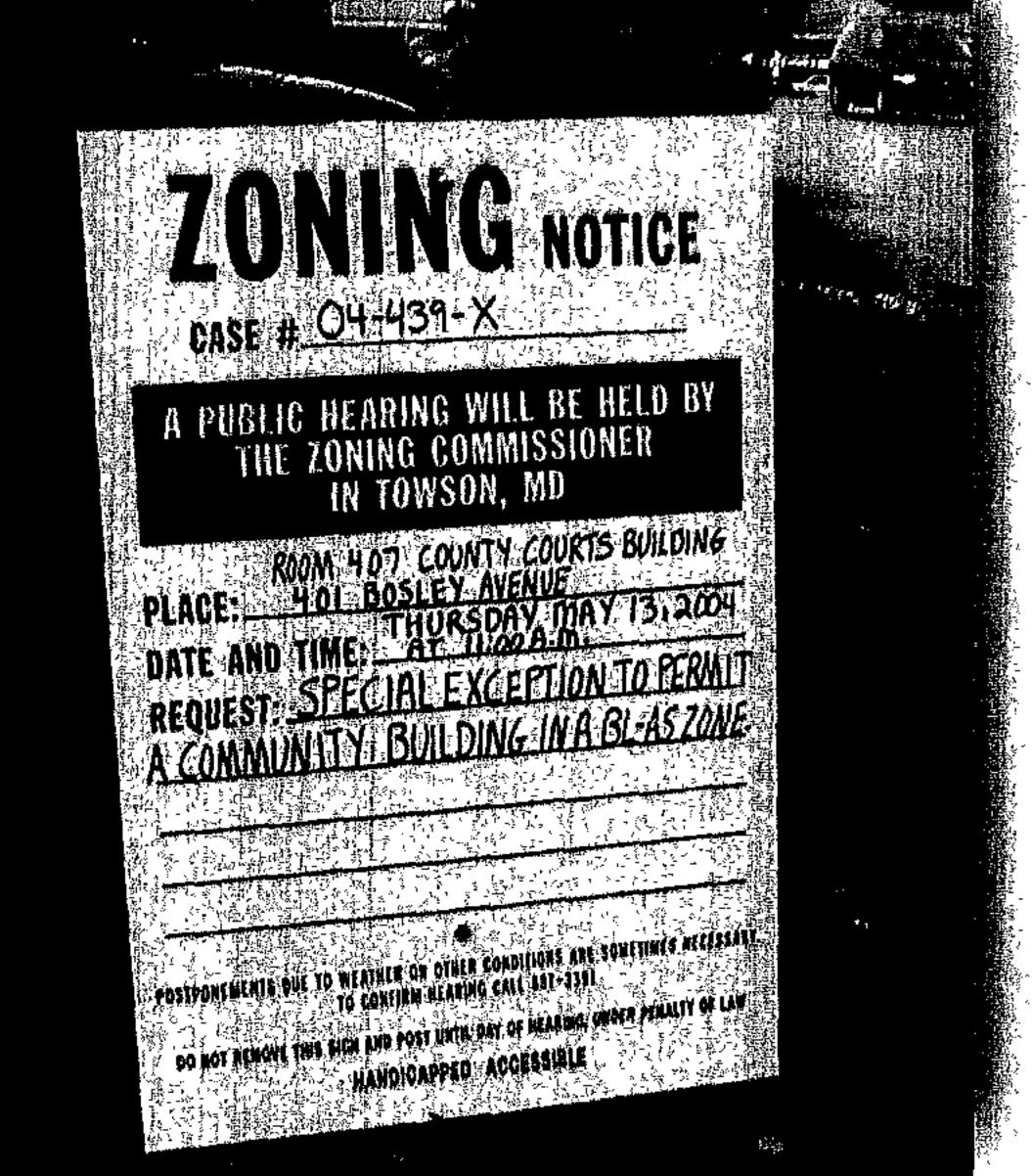
3391. JT/4/802 Apr27 C661901

CERTIFICATE OF PUBLICATION

4/28,2004
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 427,2004.
The Jeffersonian
🗀 Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
,
S. Wilking
LEGAL ADVERTISING

CERTIFICATE OF POSTING

·	Case Number 04-439-X THOMAS D'ALESANDRO, RENNETH COLBERT Petitioner/Developer COLBERT, MATZ & ROSENFELT Date of Hearing/Closing May 13,2004
	This is to certify under the penalties of perjury that the necessary sign(s) required by law posted conspicuously on the property located at 6200 HAZEL WOOD AVE
were	posted conspicuously on the property located at 6200 HAZEL WOOD AVE FIRST ENTRANCE TO SHOPPING CENTER
	The sign(s) were posted on April 23, 2004
	Linda O Keefe (Signature of Sign Poster)
Sign of the second seco	



Linda O'Keefe (Printed Name of Sign Poster)

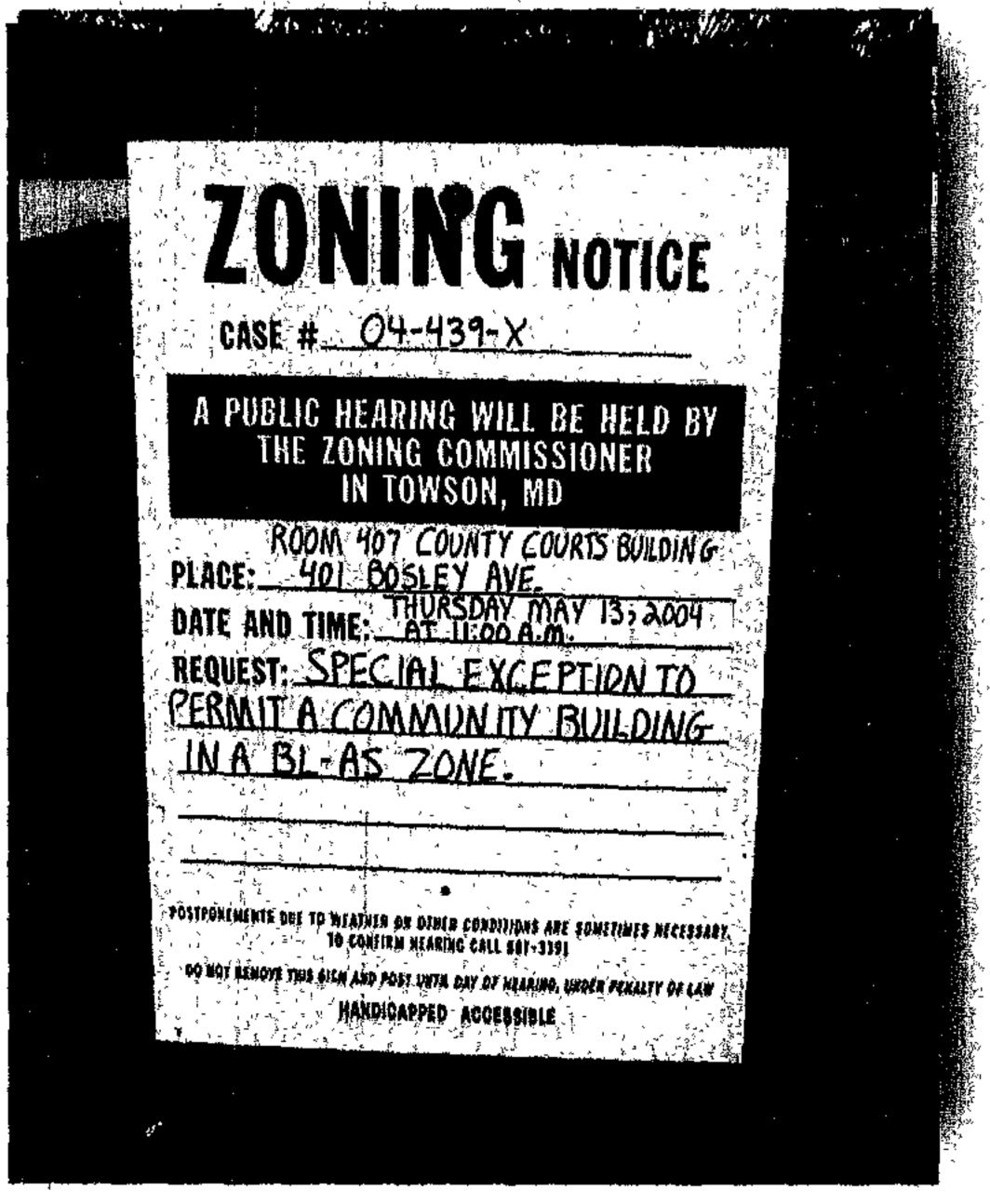
523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

	CEMITICALE OF POSITING
at RE:	tention: Kristen Matthews Date <u>April</u> 27, 2004 Case Number 04-439-X Petitioner/Developer THOMAS' O'ALESANDRON KENNETH COLBERT COLBERT, MATZ + ROSENFELT
	Date of Hearing)Closing MAY 13, 2004 This is to certify under the penalties of perjury that the necessary sign(s) required by law
were	This is to certify under the penalties of perjury that the necessary sign(s) required by law posted conspicuously on the property located at 6200 HAZELWOOD AVE SECOND ENTRANCE TO SHOPPING CENTER AT RENWOOD AVE.
	The sign(s) were posted on
, , , , , , , , , , , , , , , , , , ,	Lande O'Veeke



(Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

RE: PETITION FOR SPECIAL EXCEPTION

6200 Hazelwood Avenue; N/side Hazelwood

Avenue, 225' W Kenwood Avenue, 289' N *

14th Election & 6th Councilmanic Districts

Legal Owner(s): Thomas J D'Alesandro, 3rd *

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 04-439-X

* * * * * * * *

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 April, 2004, a copy of the foregoing Entry of Appearance was mailed to, Kenneth Colbert, PE, Colbert, Matz, Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, Representative for Petitioner(s).

RECEIVED

APR 0 8 2004

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per.....

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 27, 2004 Issue - Jeffersonian

Please forward billing to:

Thomas D'Alesandro 110 E. Lexington St., Ste. 320 Baltimore, MD 21202 410-727-0114

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: 04-439-X

6200 Hazelwood Avenue

N/side of Hazelwood Avenue, 225 feet west of Kenwood Ave., 289 feet north

14th Election District – 6th Councilmanic District

Legal Owner: Thomas D'Alesandro

Special Exception to permit a community building in a BL-AS zone.

Hearing: Thursday, May 13, 2004, at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

LAWRENCE E. SCHMIDT

Lawrence B. 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

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M Kotroco, Director

March 31, 2004

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: 04-439-X

6200 Hazelwood Avenue

N/side of Hazelwood Avenue, 225 feet west of Kenwood Ave., 289 feet north

14th Election District – 6th Councilmanic District

Legal Owner: Thomas D'Alesandro

Special Exception to permit a community building in a BL-AS zone.

Hearing: Thursday, May 13, 2004, at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Thomas D'Alesandro, 110 E. Lexington St., Ste. 320, Baltimore 21202 Kenneth Colbert, Colbert, Matz, Rosenfelt, 2835 Smith Ave., Ste. G., Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, APRIL 28, 2004.

- (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.



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.

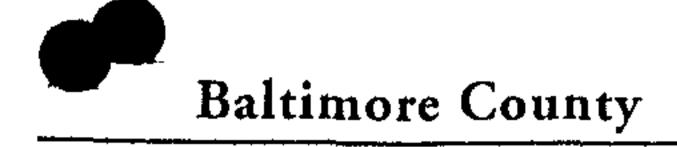
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID

For Newspaper Advertising:
Item Number or Case Number 04-439-X
Petitioner Thomas D'Alesandro, 300 et.al
Address or Location 6200 Hazelwood Avenue
PLEASE FORWARD ADVERTISING BILL TO
Name. THOMAS D'ALESANDRO
Address 110E. LEXINGTON ST
Suite 320
BACTIMORE, MU 21202
Telephone Number 410-727-0114

Department of Permits Development Management

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





James T. Smith, Jr, County Executive Timothy M. Kotroco, Director

May 3, 2004

Thomas J. D'Alesandro, III 110 E. Lexington Street, Suite 320 Baltimore, Maryland 21202

Dear Mr. D'Alesandro:

RE: Case Number:04-439-X, 6200 Hazelwood Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on Mach 24, 2004.

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.

U. Callinal Sours, Call Richard Source

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Kenneth J. Colbert, P.E. 2835 Smith Avenue, Suite G Baltimore 21209

Fire Department

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





James T. Smith, Jr., County Executive John J. Hohman, Chief

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

March 31, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 31, 2004

Item No.:

136-449

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.

6. 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: May 18, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 12, 2004 Item Nos. 436, 437, 438, 439, 440, 441, 445, 446, 447, 448, and 449

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

RWB:CEN:jrb

cc: File



TO:

Tim Kotroco

FROM:

R. Bruce Seeley (25/JpD)

DATE:

April 5, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

__X_ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-436

04-437

04-438

(04-439)

04-440

04-441

04-445

04-446

04-447

04-448

04-449

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

7/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** May 10, 2004

RECEIVED

FROM:

SUBJECT:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAY 1 1 2004

Zoning Advisory Petition(s): Case 4-439, 4-464, and 4-480 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.

Prepared By

Division Chief:

MAC/LL





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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.5.04

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

Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

RE:

Baltimore County

Item No. 439

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Dear. Ms.Matthews:

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,

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

1. 1. Andl

St. Clement Mary Hofbauer School 1216 Chesaco Avenue Baltimore, Maryland 21237 410.686.3316

To whom it may concern,

It is our understanding that there will be a zoning hearing to consider the approval of a bingo hall in the Kenwood Shopping Center. Please be advised that St. Clement Mary Hofbauer School, which is only one and one half miles from the Kenwood Shopping center, has operated a bingo hall for over twenty years. This fundraiser generates approximately 70% of our fundraiser funds that are used for tuition assistance, capital expenditures, and to reduce overall expenses of the school. Approval of the Kenwood location would ultimately doom our MUMBER ONE fundraiser and would result in the need to increase tuition by over \$400 per student. As history has proven, an increase of this magnitude would result in a significant enrollment decline, and impact the future viability of St. Clement Mary Hofbauer School in Rosedale. Please decline this zoning change in the interest of current and future young students at St. Clement Mary Hofbauer School. Thank you for your support.

Fr. Richard Florek

Se. Richard Horel

Pastor

Charles Limmer Jr
School Board President

Charle Lamin, Jr.

Finance Chairman

Angela Rebbert

Principal

8 months

RESUME

PROFESSIONAL BACKGROUND AND EXPERIENCE

KENNETH J. COLBERT 2835 SMITH AVENUE, SUITE G BALTIMORE, MD 21209

PROFESSIONAL STATUS: Professional Engineer, Maryland, PE No. 9752

EDUCATION: University of Missouri-Rolla

Rolla, Missouri

B.S. in Civil Engineering

PROFESSIONAL BACKGROUND AND EXPERIENCE:

Accepted as an expert in Civil Engineering and Site Planning for Land Development, and testified before the following:

Anne Arundel County Administrative Hearing Officer Anne Arundel County Board of Appeals City of Annapolis City Council

Oity of Assessable Diseases One

City of Annapolis Planning Commission Baltimore County Board of Appeals Baltimore County Zoning Commissioner

Baltimore City Board of Municipal Zoning Appeals

Cecil County Board of Appeals
City of Elkton Planning Board
City of Elkton City Council

Harford County Board of Appeals
City of Westminster Planning Board
Montgomery County Planning Board
Montgomery County Hearing Examiner
Montgomery County Board of Appeals
City of Gaithersburg Planning Board
City of Gaithersburg City Council

Testified as an expert witness in the field of Civil Engineering in the District Courts of Baltimore County and Howard County.

Det H

CASE NAME 6200 Hazelwood Ave. CASE NUMBER 04-439-X DATE 5/3/04

CITIZEN'S SIGN-IN SHEET

E- MAIL								
CITY, STATE, ZIP	21237							
1220 Charas And	6512 LANGOAUG RO							
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PLEASE PRINT CLEARLY

CASE NAME 6200 Hazelwood CASE NUMBER 04-439-X DATE 5/13/04

PETITIONER'S SIGN-IN SHEET

E- MAIL						
CITY, STATE, ZIP	Bath. MD 21209 Fathe - nd 21209					
Coller + Mats Result	5 Smith her					
NAME KENNETH COLBERT	Thun L. D'Alesohue					

