ORDER RECEIVED FOR FILING
By

IN RE: PETITION FOR SPECIAL HEARING

SE/Corner Peninsula Expressway and

Chesterwood Road

(2200 Chesterwood Road)

12th Election District 7th Council District

Baltimore County, Maryland, a
Body Corporate and Politic – Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 05-563-SPH

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by Anthony G. Marchione, Administrative Officer, on behalf of the owner of the subject property, Baltimore County, Maryland, a Body Corporate and Politic, by and through its attorney, Nancy C. West, Esquire. The Petitioner requests a special hearing to approve a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), of the requirements of Section 3112.0 of the Baltimore County Building Code, and Sections 32-4-107(a)(2) and 32-8-303 of the Baltimore County Code (B.C.C.). Specifically, relief is requested to build a concession/storage building and comfort station (restrooms) in a tidal floodplain with the first floor elevation below the required flood protection level. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Paul Walsky, Project Coordinator and Land Architect with the Baltimore County Department of Recreation and Parks, and Nancy C. West, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a large, irregular shaped waterfront parcel located on the southwest side of the Peninsula Expressway at the end of Chesterwood Road adjacent to Bullneck Creek in Dundalk. The property contains a gross area of 20.28 acres, more or less, zoned R.C.20 and is improved with several outbuildings/pavilions, a

playground, fishing pier, and accessory parking for up to 217 vehicles. The site is also known as Chesterwood Park and has been owned and maintained as a public park by Baltimore County for many years. The Petitioner proposes a redevelopment of the site, including the addition of a concession/storage building, two new pavilions, a comfort station (public restrooms), a new fishing pier, and a walkway that will access various areas of the park. The proposed concession and storage building will be located in the northern portion of the site across from proposed athletic fields and immediately adjacent to the existing main parking area. The proposed comfort station will be located in the southern portion of the tract. Because some areas of Chesterwood Park are located within the 100-year tidal floodplain, the requested special hearing relief is necessary in order to proceed with the proposed improvements.

In support of the request, Mr. Walsky testified that the proposed improvements are necessary to meet the recreational needs of the County's southeast sector. However, he indicated that the comfort station would not be operational until public sewer has been connected and is operating at the site. He further testified that the location of the proposed buildings was necessary due to their proximity to other recreational facilities within the park and that the razing/relocation of existing structures would be cost prohibitive and would not be practical or functional for recreational fields and pavilions. The comfort station and concession/storage buildings will serve the users of the proposed fields and picnic areas and other recreational facilities.

Mr. Walsky further testified that in order to minimize potential hazards to the public, the comfort station would not be utilized during flood events and that the County will install locks to restrict access when the park is closed. Further testimony indicated that the proposal will not appreciably alter the floodplain and is in accordance with waivers allowed by the County Code.

Although by law, Baltimore County is exempt from its own zoning regulations, the County is not exempt from the development regulations contained in Article 32 of the Baltimore County Code. Section 32-4-414 prohibits and regulates development and disturbance in a riverine floodplain. Moreover, the Floodplain Management Program is set out in Section 32-8-201, etc.

Section 32-8-301 and 32-8-303 of the Code provides for a waiver of these requirements. In order to "develop" the subject property as proposed the requested waivers are necessary.

After due consideration of the testimony and evidence presented, I find that the relief requested is appropriate in this instance and that the requested waivers should be granted. It is clear that the amenities offered by this parkland serve a legitimate public need and contribute to the quality of life of the residents in the area. A review of the site plan submitted and the record of this case discloses the efforts made to design a facility which will serve a real public need, but will not cause detrimental impacts to the surrounding locale. Moreover, the testimony and evidence offered established that the impact of the proposed "development" will be minimal and will not disturb the floodplain. Thus, I am easily persuaded that the Petition for Special Hearing should be granted. It is also to be noted that, as required by Section 32-4-107 of the B.C.C., the waiver was requested and is supported by the Department of Recreation and Parks. Mr. Walsky of that agency appeared and testified in detail about the nature of the request. Additionally, the waiver is supported by other agencies of Baltimore County, including the Department of Public Works.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22 day of June 2005 that the Petition for Special Hearing to approve a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) of the requirements of Section 3112.0 of the Baltimore County Building Code, and Sections 32-4-107(a)(2) and 32-8-303 of the Baltimore County Code (B.C.C.) to allow construction of a concession/storage building and comfort station (restrooms) in a tidal floodplain with the first floor elevation below the required flood protection level, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) To minimize potential hazards to the public, the proposed buildings located within the floodplain shall not be utilized during flood events. Additionally, the Department of Recreation and Parks shall install locks on the facilities to restrict access when the park is closed.
- 3) Compliance with the ZAC comment submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated June 2, 2005, a copy of which is attached hereto and made a part hereof.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Zoning Commissioner for Baltimore County

WJW:bjs

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 William J Wiseman III, Zoning Commissioner

June 22, 2005

Nancy C. West, Esquire Assistant County Attorney Baltimore County Office of Law 400 Washington Avenue Towson, Maryland 21204

PETITION FOR SPECIAL HEARING RE:

SE/Corner Peninsula Expressway & Chesterwood Road

(2200 Chesterwood Road, aka Chesterwood Park)

12th Election District – 7th Council District

Baltimore County, Maryland, a Body Corporate and Politic - Petitioner

Case No. 05-563-SPH

Dear Ms

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very tally yours,

LIAM J. WISEMAN, III

Zoning Commissioner WJW:bis for Baltimore County

Mr. Paul Wasky, Department of Recreation & Parks cc: People's Counsel; Case File





ORDER CROAFFAR

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at <u>2200 Chesterwood Road</u> which is presently zoned <u>RC20</u>

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing for a waiver pursuant to Section 500.6 of the Baltimore County Zoning Regulations; Section 3112.0 of the Baltimore County Building Code; and Sections 32-4-107 (a) (2), and 32-8-303 of the Baltimore County Code to build a concession/storage building and comfort station (restrooms) in a tidal floodplain with the first floor elevations below the flood protection level.

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

II, 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.

			perjury,	solemnly declare and af that I/we are the legal ovubject of this Petition.		
<u>Contract Purchaser/Lessee:</u> N/A			<u>Legal</u>	Owner(s):		
			Baltimo	ore County, Maryland, a	a body cor	porate and politic
Name -	Type or Print	· · · · · · · · · · · · · · · · · · ·	(h	Type or Print Theren I	aiski	ion
Signatui	re		Signatur			
Address		Telephone No	. Name -	Type or Print		
City	State ney For Petitioner:	Zip Code	Signatur	e 400 Washington Aver		410-887-2460
	Nancy C. West, Assistant Cou	unty Attorney	Address	Towson, MD	- '	Telephone No. 21204
	Type of Print Nana august		City Repre	sentative to be Cor	State ntacted:	Zip Code
Signatu	Baltimore County Office of La	W		Paul Walsky Department of Recrea	ation and	Parks
Compar	400 Washington Avenue	410-887-4420	Name	301 Washington Aver		410-887-2460
Address	Towson, MD	Telephone No. 21204	Address	Towson, MD		Telephone No. 21204
City	State	Zip Code	City	OFFICE USE	Ştate	Zip Code
			ESTIM	ATED LENGTH OF H		
Tase	No. <u>05-563-5</u>	<u>P</u> H		AILABLE FOR HEARII	NG	3/05

Department of Public Works

Bureau of Engineering and Construction 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3788





James T. Smith, Jr., County Executive Edward C. Adams, Jr., Director

Description

To Accompany Petition For Special Hearing 20.28 Acres

Southwest of Peninsula Expressway

Southeast of Chesterwood Road

Twelfth Election District, Baltimore County Maryland

BEGINNING FOR THE FIRST at the end of the following course and distance measured from the intersection of the centerline of Peninsula Expressway with the centerline of Chesterwood Road South 14 degrees 40 minutes East 1126 feet, thence leaving said point of beginning and running the twenty-six following courses and distances, viz: (1) South 55 degrees 08 minutes 35 seconds West 112.20 feet, thence (2) South 28 degrees 06 minutes 35 seconds East 181.50 feet, thence (3) South 56 degrees 21 minutes 35 seconds East 33.00 feet, thence (4) South 27 degrees 51 minutes 35 seconds East 90.75 feet, thence (5) South 02 degrees 21 minutes 35 seconds East 264.00 feet, thence (6) South 17 degrees 53 minutes 25 seconds West 110.55 feet, thence (7) South 73 degrees 08 minutes 35 seconds West 33.00 feet, thence (8) North 76 degrees 51 minutes 35 seconds West 186.45 feet, thence (9) North 47 degrees 21 minutes 35 seconds West 82.50 feet, thence (10) South 74 degrees 38 minutes 25 seconds West 77.55 feet, thence (11) South 33 degrees 38 minutes 25 seconds West 77.55 feet, (12) South 25 degrees 08 minutes 25 seconds West 77.55 feet, thence (13) South



05-563-SPH

67 degrees 08 minutes 25 seconds West 33.00 feet, thence (14) North 89 degrees
21 minutes 35 seconds West 99.00 feet, thence (15) North 63 degrees 21 minutes
35 seconds West 49.50 feet, thence (16) North 45 degrees 51 minutes 35 seconds West
99.00 feet, thence (17) North 32 degrees 31 minutes 35 seconds West 99.00 feet, thence
(18) North 24 degrees 51 minutes 35 seconds West 330.00 feet, thence (19) North 02
degrees 51 minutes 35 seconds West 165.00 feet, thence (20) North 23 degrees
51 minutes 35 seconds West 132.00 feet, thence (21) North 17 degrees 38 minutes
25 seconds East 66.00 feet, thence (22) North 46 degrees 38 minutes 25 seconds East
198.00 feet, thence (23) North 52 degrees 08 minutes 25 seconds East 99.00 feet, thence
(24) North 66 degrees 08 minutes 25 seconds East 66.00 feet, thence (25) North 27
degrees 17 minutes 40 seconds East 169.09 feet, and thence (26) South 47 degrees
36 minutes 25 seconds East 643.50 feet to the point of beginning; containing 16.48
acres of land, more or less.

BEGINNING FOR THE SECOND at the end of the following course and distance measured from the intersection of the centerline of Peninsula Expressway with the centerline of Chesterwood Road South 11 degrees 15 minutes East 394 feet, thence leaving said point of beginning and running the sixteen following courses and distances viz: (1) South 05 degrees 12 minutes East 15 feet, thence (2) South 11 degrees 12 minutes West 55.67 feet, thence (3) South 61 degrees 51 minutes West 35 feet, thence (4) North 49 degrees 22 minutes West 36 feet, thence (5) North 16 degrees 07 minutes West 25 feet, thence (6) South 10 degrees 32 minutes 47 seconds West 89.49 feet, thence (7) South 35 degrees 01 minute 48 seconds West 220.26 feet, thence (8) South 47 degrees 30 minutes East 577.10 feet, thence (9) South 60 degrees 00 minutes East 34 feet, thence

(10) South 88 degrees 00 minutes East 45.00 feet, thence (11) North 61 degrees 00 minutes East 36 feet, thence (12) North 15 degrees 35 minutes East 108.00 feet, thence (13) North 31 degrees 37 minutes 15 seconds West 201.57 feet, thence (14) North 34 degrees 20 minutes 15 seconds West 103.34 feet, thence (15) North 30 degrees 15 minutes 01 second West 260.43 feet, and thence (16) North 23 degrees 09 minutes 29 seconds West 122.13 feet to the point of beginning containing 3.80 acres of land, more or less.

The total area of land being petitioned for special hearing is 20.28 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

May 5, 2005



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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: #05-563-SPH

2200 Chesterwood Road

S/west side of Peninsula Expressway at the corner of the s/east side of Chesterwood Road

12th Election District — 7th Councilmanic District Legal Owner(s): Baltimore County, Maryland, Anthony G. Marchione, Administrative Officer

Special Hearing: for a waiver to build a concession/storage building and comfort station (Restrooms) in a tidal floodplain with the first floor elevations below flood protection level.

Hearing: Wednesday, June 1, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake

Avenue, Towson 21284.

WILLIAM J. WISEMAN, III

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 5/714 May 17

CERTIFICATE OF PUBLICATION

<u>5/19</u> , 20 <u>05</u>
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 $5/17/2005$.
The Jeffersonian Arbutus Times Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

The Zoring 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: #05-563-SPH

2200 Chesterwood Road

S/west side of Peninsula Expressway at the corner of

the s/east side of Chesterwood Road

12th Election District — 7th Councilmanic District Legal Owner(s): Baltimore County, Maryland, Anthony G. Marchione, Administrative Officer

Special Hearing: for a waiver to build a concession/storage building and comfort station (Restrooms) in a tidal floodplain with the first floor elevations below flood protection level. Hearing: Friday, June 3, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

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,

(2) For information concerning the 110 887-3391.

Contact the Zoning Review Office at (410) 887-3391. JT 5/773 May 24

CERTIFICATE OF PUBLICATION

5/26/,2005
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
524,2005.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY

Tuesday, May 17, 2005 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple 111 W. Chesapeake Avenue, Rm. 111 Towson, MD 21204 410-887-3353

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: 05-563-SPH

2200 Chesterwood Road

S/west side of Peninsula Expressway at the corner of the s/east side of Chesterwood Road 12th Election District – 7th Councilmanic District

Legal Owners: Baltimore County, Maryland, Anthony G. Marchione, Administrative Officer

Special Hearing for a waiver to build a concession/storage building and comfort station (restrooms) in a tidal floodplain with the first floor elevations below flood protection level.

Hearing: Wednesday, June 1, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

WILLIAM J WISEMAN III

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.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, May 23, 2005 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple 111 W. Chesapeake Avenue, Rm. 111 Towson, MD 21204 410-887-3353

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: 05-563-SPH

2200 Chesterwood Road

S/west side of Peninsula Expressway at the corner of the s/east side of Chesterwood Road 12th Election District – 7th Councilmanic District

Legal Owners: Baltimore County, Maryland, Anthony G. Marchione, Administrative Officer

Special Hearing for a waiver to build a concession/storage building and comfort station (restrooms) in a tidal floodplain with the first floor elevations below flood protection level.

Hearing: Friday, June 3, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

WILLIAM J WISEMAN III
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.

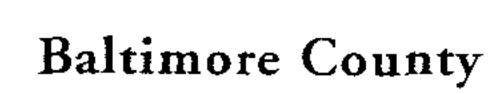
- - -

(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





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

May 10, 2005

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: 05-563-SPH

2200 Chesterwood Road

S/west side of Peninsula Expressway at the corner of the s/east side of Chesterwood Road 12th Election District – 7th Councilmanic District

Legal Owners: Baltimore County, Maryland, Anthony G. Marchione, Administrative Officer

Special Hearing for a waiver to build a concession/storage building and comfort station (restrooms) in a tidal floodplain with the first floor elevations below flood protection level.

Hearing: Wednesday, June 1, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

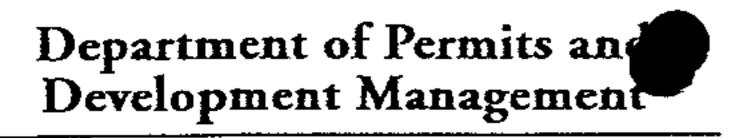
TK:klm

C: Nancy C. West, Assistant County Attorney, 400 Washington Avenue, Towson 21204 Anthony G. Marchione, Administrative Officer, 400 Washington Avenue, Towson 21204 Paul Walsky, Dept. of Recreation and Parks, 301 Washington Avenue, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 17, 2005.

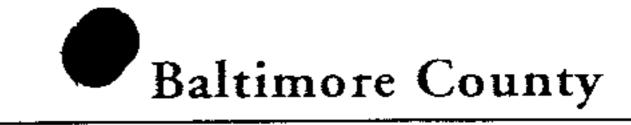
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





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





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

May 18, 2005

CORRECTED 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: 05-563-SPH

2200 Chesterwood Road

S/west side of Peninsula Expressway at the corner of the s/east side of Chesterwood Road 12th Election District – 7th Councilmanic District

Legal Owners: Baltimore County, Maryland, Anthony G. Marchione, Administrative Officer

Special Hearing for a waiver to build a concession/storage building and comfort station (restrooms) in a tidal floodplain with the first floor elevations below flood protection level.

Hearing: Friday, June 3, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

- C: Nancy C. West, Assistant County Attorney, 400 Washington Avenue, Towson 21204 Anthony G. Marchione, Administrative Officer, 400 Washington Avenue, Towson 21204 Paul Walsky, Dept. of Recreation and Parks, 301 Washington Avenue, Towson 21204
- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 19, 2005.
 - (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.



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

Department of Permit 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 23, 2005

Nancy C. West 400 Washington Avenue Towson, Maryland 21204

Dear Ms. West:

RE: Case Number: 05-563-SPH, 2200 Chesterwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 3, 2005.

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. Call Rila D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Anthony G. Marchione 400 Washington Avenue Towson 21204 Paul Walsky Dept. of Recreation & Parks 301 Washington Avenue Towson 21204



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

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 MAY 12, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: MAY 16, 2005

Item No.: 563

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Acting Lieutenant Don W. Muddiman Lieutenant Franklin J. Cook Fire Marshal's Office (0)410-887-4881 (C)443-829-2946 MS-1102F

cc: File



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director DATE: May 16, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 16, 2005

Item No. 542, 543, 545, 550, 552, 553, 554, 555, 563

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

Dak:CEN:clw ✗ cc: file

ZAC-NO COMMENTS-05162005.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 20, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 23, 2005 Item No: 558, 559, 561, 563, 565, 566, 569,

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

DAK:CEN:clw 5 & N

cc: File

ZAC-NO COMMENTS-05202005.doc

TO: Tim Kotroco PDM

JUN 3

ZONNIG COMMISSIONER

2005

John D. Oltman, Jr FROM:

DEPRM

June 2, 2005 DATE:

05-563 SUBJECT: Zoning Item

Address 22000 Chesterwood Road

Zoning Advisory Committee Meeting of May 16, 2005

 The Department of Environmental Protection and Resource Management has no
comments on the above-referenced zoning item.

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).

Additional Comments:

The Environmental impact review section is currently reviewing the overall park improvement project for compliance with the Critical Area Regulations and therefore offers no objection to the concession/comfort station as proposed (given the size and location shown on the plan accompanying the Petition).

Prior to issuance of any permits for this property, the Groundwater Management section of this Department may require soil evaluation testing, testing of the existing wastewater disposal system, or testing of the existing well(s).

Sue Farinetti, Glenn Shaffer Date: June 2, 2005 Reviewer:

RECEIVED

MAY 2 7 2005

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

COMMISSIONER

TO:

Timothy Kotroco, Director,

Permits & Development Management

ATTN:

Kristen Matthews

MS 1105

FROM:

Edward Adams, Director,

Public Works

DATE:

May 19, 2005

SUBJECT: Case No. 05-563 SPH

Special Hearing to permit construction of a concession / storage building

and comfort station (restrooms) in tidal floodplain with first floor

elevations below the flood protection level.

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

This waiver involves new structures incidental to the Chesterwood Park redevelopment project, none of which are permanently occupied dwellings. Since park operations would most likely be interrupted by a flood event, any risk associated with the flood hazard would be minimal.

This department therefore recommends approval of this waiver, with conditions that building code provisions (particularly for elevation of mechanical and electrical items) be observed as much as practicable, and that signs be placed advising the public that the structures are located in areas subject to flooding.

ECA/DLT/s

CC: John Joyce, State Coordinating Office, Maryland Department of Natural Resources; Nancy C. West; Steve Walsh; Dennis Kennedy

MAY 24 2005 05-882

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: May 13, 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAY 1 7 2005

ICAMA COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-563

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 Cunningham in the Office of Planning at 410-887-3480.

Division Chief:

MAC/LL



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

DATE: May 19, 2005

MAY 1 9 2005

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-563 and 5-564

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

MAC/LL







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

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

Maryland Department of Transportation

Date:

5.6.05

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

RE:

Baltimore County

Item No. 563 JAT

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,

Steven D. Foster, Chief

1.1. Gredh

Engineering Access Permits Division



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 5.13.05

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

RE: Baltimore County

Item No. 513 JMP

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,

Steven D. Foster, Chief

Engineering Access Permits Division

PETITION FOR SPECIAL HEARING *
2200 Chesterwood Rd; SW/side of Peninsula
Expressway corner SE/side Chesterwood Rd*
12th Election & 7th Councilmanic Districts
Legal Owner(s): Baltimore County, Maryland*
Anthony G. Marchione, Adminstrative Officer

RE:

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-563-SPH

* * * * * * * * *

Petitioner(s)

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 and documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

MAY 1 0 200

Per_

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 10th day of May, 2005, a copy of the foregoing Entry of Appearance was mailed to Paul Walsky, Department of Recreation and Parks, 301 Washington Avenue, Towson, MD 21204 and Nancy C. West, Assistant County Attorney, Baltimore County Office of Law, 400 Washington Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Draft

April 8, 2005

Mr. Tim Kotrocco, Director
Baltimore County Department of Permits and Development Management
and
Mr. Edward C. Adams, Director
Baltimore County Department of Public Works
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Floodplain Waiver Request for Chesterwood Park

Dear Sirs:

Portions of the Chesterwood Park property lie within the 100-year tidal floodplain. To develop the park to meet the County's recreational needs, in accordance with Section 500.6, BCZR, we request a waiver of Section 3112.0 Building Code; and Sections 32-4-107.(a)(2), 32-8-302 BCC to build a Concession / Storage Building and Comfort Station (for future restrooms when the public sewer is connected to the site). These facilities need to be located where they are proposed due to their proximity with the other proposed and existing facilities within the park. The raising of these proposed buildings would be cost prohibitive and not be practical or functional to the layout of the recreational fields and pavilions.

Nature of Construction: The nature of the construction for the structures are masonry block, brick veneer, slab on grade. The buildings will serve the recreational users of the proposed fields and picnic areas and other recreational uses. A plan view of the proposed improvements is attached with this letter.

Safety Issues: the proposed buildings within the floodplain would not be utilized during flood events. The County will install a lock to restrict access during flooding.

This County project has great importance for meeting recreational needs in the Southeast sector. The proposed park management will minimize potential hazards to the public. The improvements do not appreciably alter the floodplain, and are in accordance with waivers allowed by the County Code.

Page two
Messrs.Tim Kotrocco and Edward C. Adams

March 21, 2005

Please contact Paul Walsky, Project Coordinator, Recreation and Parks Capital Planning and Development Section, at x 3808, if you have any questions or need additional information. Thank you for your consideration of this important request.

Sincerely,

Robert J. Barrett Director

PSW

c: KCI



Gary Freund - Re: SIGNS TO BE POSTED

From:

Kristen Matthews

To:

Freund, Gary

Date:

5/12/2005 9:18 AM

Subject: Re: SIGNS TO BE POSTED

Forgot about that part, sorry:

05-563-SPH - 2200 Chesterwood Road (S/w side of Peninsula Expressway corner of SE/side of Chesterwood Road) - 12th Election District

05-419-A - 2413 Woodridge Road (N/e side of Woodridge Road, 225 ft. from n/side of North Cove Road) - 15th **Election District**

Thanks,

Kristen

>>> Gary Freund 05/12/05 9:15 AM >>> KRISTEN, I NEED THE ADDRESSES FOR POSTING OF: 05-563-SPH 05-419-A

THANKS

NO PICTURE
NO CAMERA.



BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS CAPITAL PLANNING AND DEVELOPMENT

301 Washington Avenue Towson, Maryland 21204 Phone: (410) 887-3808 Fax: (410) 825-3305



LETTER OF TRANSMITTAL

TO:	Baltimor	e County P	ADM	DATE:	April 13, 2005	
				RE:	Chesterwood Park	
ATTN:	Carl W.	Richards		Location:	Mancy West	
We are tran	smitting the fo	llowing:			uttl Call	
PLANS PRINTS			PRINTS	DISKS	SPECS Cell	
	COPY		REPORT	OTHER	<u>X</u>	
COPIES	DATE	NO.		DES	CRIPTION	
1			Petition for 2	Zoning Hearing		
1			Meets & Bou	ınds		
1			Letter to PAl	DM & DPW (draft		
1	Plan to Accompany Petition For Special Hearing			or Special Hearing		
These are to	ransmitted:					
A	PPROVAL	F	OR REVIEW	& COMMENT	AS REQUESTED	
<u>X</u> F	OR YOUR US	SE S	EE REMARK	S	FOR YOUR INFORMATION	
Remarks:						
Sincerely,						
Paul Walsk	Paul Walsky					
cc:	c:					

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search Ground Rent**

Account Identifier:

District - 12 Account Number - 1202000434

Owner Information

Owner Name:

BALTIMORE COUNTY MD

Use:

EXEMPT

12-R---024

Principal Residence:

1) / 3853/ 252

Mailing Address:

COURT HOUSE

Deed Reference:

2)

NO

BALTIMORE MD 21204

Location & Structure Information

Premises Address

CHESTERWOOD RD

Stories

Legal Description

16.482 AC ON BEAR CR CHESTERWOOD PK PART OF CHESTERWO

Section Block Plat No: **Subdivision Assesment Area Parcel Sub District** Lot Grid Map Plat Ref: 24 103

Special Tax Areas

Ad Valorem Tax Class

Town

Basement

Primary Structure Built

Enclosed Area

Property Land Area

County Use

0000

16.48 AC 01

Type

Exterior

Value Information

	Base	Value	Phase-in Assessments	
	Value	As Of	As Of	As Of
		01/01/2003	07/01/2004	07/01/2005
Land:	69,090	69,090		
Improvements:	141,750	122,770		
Total:	210,840	191,860	191,860	191,860
Preferential Land:	0	0	0	0

Transfer Information

06/16/1961 / 3853/ 252 Price: \$0 Deed2:

Type: Seller:

NOT ARMS-LENGTH

GREEN RICHARD FISHER

Deed1: Date: Deed1:

Date:

Price: Deed2:

Type: Seller: Type:

Seller:

Date: Deed1: Price: Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County State	000 000	0	0
Municipal	000	0	0

Tax Exempt: Exempt Class: COUNTY AND STATE

Special Tax Recapture:

* NONE *

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY Real Property Data Search**

Go Back View Map New Search **Ground Rent**

Account Identifier:

District - 12 Account Number - 1600005728

Owner Information

Owner Name:

BALTIMORE COUNTY, MARYLAND

Use: Principal Residence: **EXEMPT**

Mailing Address:

12-R---225

Deed Reference:

1) / 5247/ 393

2)

Assesment Area

NO

COURT HOUSE

BALTIMORE MD 21204

Sub District

Location & Structure Information

Section

Premises Address

CHESTERWOOD RD

Grid

Special Tax Areas

Map

Legal Description

3.7998 AC REAR ES CHESTERWOOD RD 1000 S STANSBURY RD

103 24 728 Town

> Ad Valorem Tax Class

Primary Structure Built

Enclosed Area

Subdivision

Property Land Area

County Use

Plat No:

Plat Ref:

0000

Parcel

3.80 AC

Lot

01

Stories

Basement

Type

Block

Exterior

Value Information

	Base	Value	Phase-in Assessments	
	Value	As Of	As Of	As Of
		01/01/2003	07/01/2004	07/01/2005
Land:	133,000	133,000		
Improvements:	168,000	145,500		
Total:	301,000	278,500	278,500	278,500
Preferential Land:	0	0	0	0

Transfer Information

INDUSTRIAL DEVEL OPMENT CORP Seller: **NOT ARMS-LENGTH** Type: Seller: Type:

02/03/1972 Date: **Deed1:** / 5247/ 393 Date:

Price: \$0 Deed2:

Deed1: Date:

Price: Deed2:

Deed1:

Price: Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0
runicipai	000	U	U

Tax Exempt: **Exempt Class:**

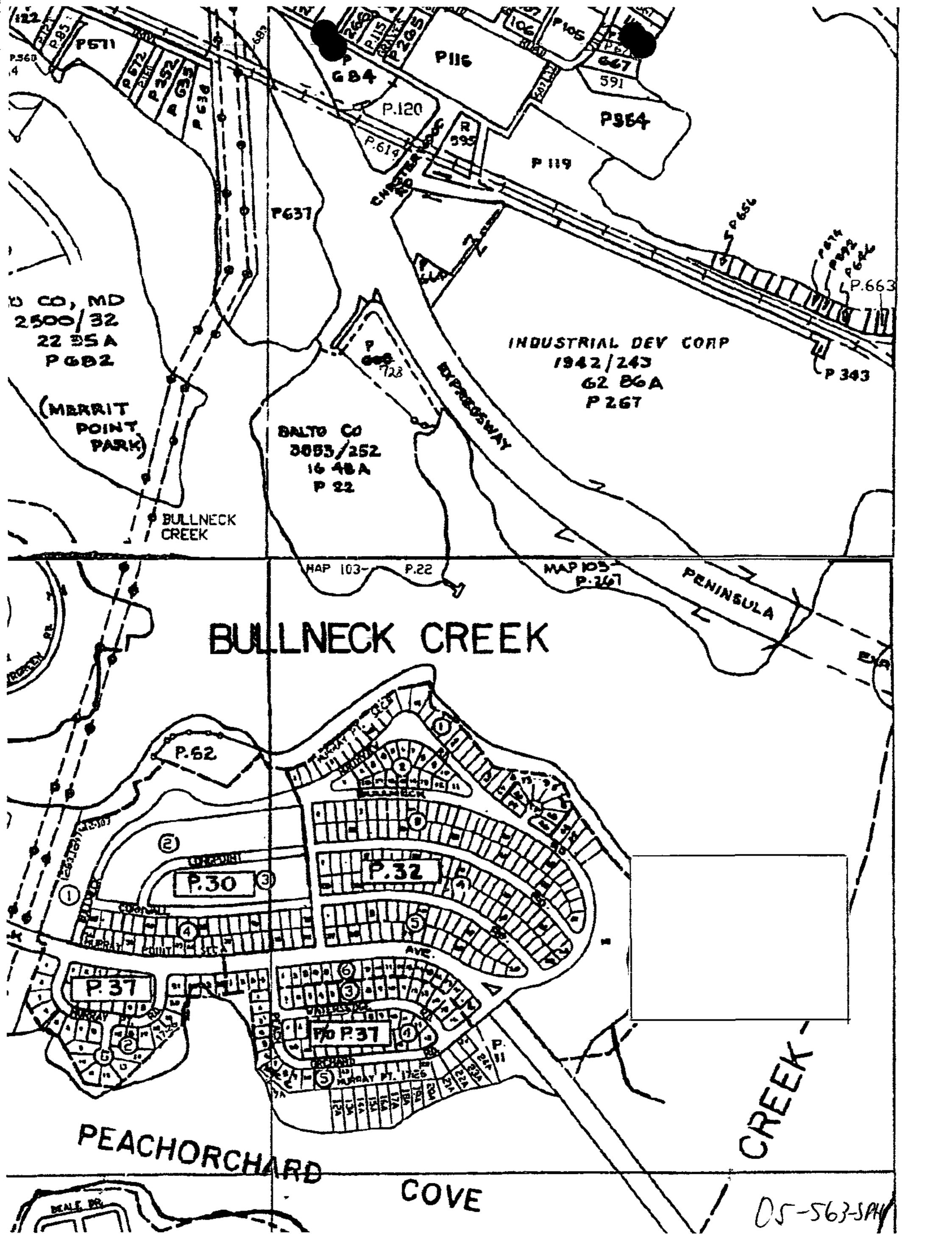
Seller:

Type:

COUNTY AND STATE

Special Tax Recapture:

* NONE *



DATE Vine	CASE NUMBER	CASE NAME
5 2000		

PETTICNER'S SIGN-IN SHEET

									AMUSKY	Mine aller ACA	NAME
•									TOI WASHINGTON ONE.	Mic allow Chance Mun	ADDRESS
										21204	CITY, STATE, ZIP
											E- MAIL

_	
Case	T I
1 200	$N\alpha$
Case	1 X ()

05-563-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Sitz PLAN				
No. 2					<u> </u>
No. 3		<u>, </u>		<u></u>	<u>. </u>
No. 4	······································	,			
No. 5				<u></u>	
No. 6					
No. 7			<u>. </u>	<u>.</u> <u></u>	
No. 8			<u>.</u>		
No. 9	, 			<u>. </u>	-
No. 10					
No. 11					
No. 12			<u> </u>		

