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IN RE: PETITION FOR VARIANCE

NE/Corner of Reisterstown Road

and Old Court Road 3rd Election District

2nd Councilmanic District

(1501 Reisterstown Road)

Maryland Permanent Bank & Trust Co., By: Michael P. Meisel, Chairman

Petitioner

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-003-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Maryland Permanent Bank & Trust Co., by Michael P. Meisel, Chairman. The Petitioner is requesting variance relief for property located at 1501 Reisterstown Road in Baltimore County. The variance requests are from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

- 1. Section 409.10, to allow 4 stacking spaces for a drive-through bank facility in lieu of the required 7 spaces; and
- 2. Section 450.4.5(a), to allow a total of 7 wall-mounted enterprise signs (no more than 2) on each façade in lieu of the permitted 3 signs (no more than 2 on each façade).

The property was posted with Notice of Hearing on August 8, 2005, 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 August 9, 2005 to notify any interested persons of the scheduled hearing date.

#### **Amended Petition**

After discussing these requests with the neighborhood community associations, the Petitioner amended their Petition as follows:

- 1. Section 409.10, to allow 4 stacking spaces for a drive-through bank facility in lieu of the required 7 spaces; and
- 2. Section 450.4.5(a), to allow a total of 4 wall-mounted enterprise signs (no more than 2 on each façade in lieu of the permitted 3 signs (no more than 2 on each façade).

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#### Applicable Law

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

#### Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated July 18, 2005, a copy of which is attached hereto and made a part hereof.

#### Interested Persons

Appearing at the hearing on behalf of the variance request were Michael Meisel for the Petitioner, as well as Brandon Nevers, David Gleason and Michael Walkley. Arnold Jablon, Esquire and David H. Karceski, Esquire represented the Petitioner. Ann Zukerberg appeared as an interested citizen at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

#### Testimony and Evidence

Testimony and evidence indicated that this property contains 15,367 sq. ft. in two parcels both of which are owned by the Petitioner and zoned BL-CT. A County owned alley as shown on the revised site plan, Petitioner's Exhibits 1A, 1B and 1C, separate these parcels. Mr. Karceski proffered that the southern portion of the property is improved by an existing commercial building,

which is presently vacant. See Petitioner's photograph Exhibit 4. The northern portion of the property is paved parking lot.

The Petitioner plans to substantially improve and upgrade the existing building into a community bank with a drive-through window. The façade facing Reisterstown Road will be improved with a four-sided tower as an architectural feature as shown in Exhibit 4. After negotiations with the community associations, the tower will contain a clock, which will eliminate two signs from the Petitioner's initial request. Two identification signs will still be placed on the north and south faces of the tower as originally planned. The third sign would be at street level for pedestrians on Reisterstown Road as shown on Exhibit 1B. This sign will cover a night deposit draw used by the jewelry store, which previously occupied the building.

Mr. Karceski indicated that the bank is located adjacent to the Giant Shopping Center more clearly shown in Exhibit 2. Customers will come from the shopping center to the bank. Consequently, a fourth identification sign is required on the rear façade facing the shopping center. Thus, the request for variance for four signs in lieu of the three now allowed under the regulations. The subject property is completely surrounded by commercial uses with the exception of the Jefferson Hall operated by the Oddfellows fraternal organization whose members meet once a week at night after the bank is closed. As a courtesy, the bank will allow members to park on their lot.

The new bank will also be in the Pikesville Revitalization District and any renovation must be approved by the Design Review Panel. Correspondence from the community, which Mr. Karceski affirmed, indicated that the DRP had not completed its review of the project. The Petitioner agreed to keep the record open in this case to allow the DRP to complete their review as this may change the site plan to some extent.

As mentioned, a County owned alley separates the two portions of the property. The northern portion will be used for customer and employee parking, as it is presently. The drive-through window on the bank building below, then will have stacking lanes for the window which extend

toward and are limited by the location of the alley. Four stacking spaces fit between the window and the alley. Seven are required. Mr. Karceski proffered that there is virtually no traffic on the alley as it serves only the Petitioner's properties and the Lodge. Old Court Road is also greatly limited by the fact the Giant Shopping Center had a portion of this road closed and now uses the roadbed for its parking field. He opined that, based on a study by the Petitioner's traffic engineer who examined the Petitioner's other drive through window, any stacking at the window would be very unlikely. However, if this should occur, the customers could readily use the dead-end County alley for additional stacking. Consequently, there would be no adverse impact on the community if the stacking space variance were granted.

Mr. Karceski proffered that the property was unique from a zoning standpoint primarily because of the existing building. Its location on the southern portion of the Petitioner's property indicates a special circumstance peculiar to a structure which makes the impact of the regulations impact this property differently than others in the district without such a building. In addition, the County owned alley separates the properties. This is most peculiar and greatly constrains the use of the properties for the BL uses envisioned by the regulations. He further opined that it would be a hardship and practical difficulty to try to close the County alley or not use the existing building, especially in this revitalization district which encourages reuse and redevelopment of urban town centers. Again, reuse of this vacant commercial building would be a benefit to the community and certainly not a detriment.

As mentioned above the site plan was to be reviewed by the Design Review Panel. Apparently that review required several iterations but eventually resulted in a plan approved by the DRP and entered as exhibit 6 in the record of this case. As noted on exhibit 6, the DRP required the changes in "revisions 1 and 2" as shown on the site plan and involved adjusting entrances, parking among other items.

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#### Findings of Fact and Conclusions of Law

In regard to the changes to the site plan resulting from the DRP review, I find these to be basic refinements to the original plan and did not involve changing the Petition. The Petitioner still requests four stacking spaces and four signs as previously presented at the zoning hearing. As such I find the testimony and evidence presented at the august 25, 2005 hearing to continue to be applicable to the zoning issues requested by the Petitioner.

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. In particular, I find that the County owned alley which bifurcates the Petitioner's property and the existing building are peculiar circumstances which cause the regulations to impact this property differently than others in the neighborhood. I further find that the Petitioner would suffer hardship if the existing building could not be used. Consequently, I also find strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Finally, I find this request can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. This proposal is an asset to the community in this revitalization district. The Design Review Panel has approved signs and stacking space requests.

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 Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this \_\_\_\_\_\_ day of December, 2005, by this Deputy Zoning Commissioner, that the Petitioner's requests for variance from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

 Section 409.10, to allow 4 stacking spaces for a drive-through bank facility in lieu of the required 7 spaces; and

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2. Section 450.4.5(a), to allow a total of 4 wall-mounted enterprise signs (no more than 2 on each façade in lieu of the permitted 3 signs (no more than 2 on each façade) be and they are 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

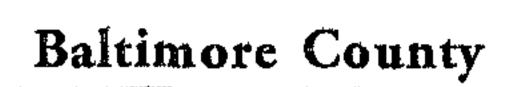
FOR BALTIMORE COUNTY

JVM:raj

## Zoning Commissioner

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





James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

December 16, 2005

Arnold Jablon, Esquire David Karceski, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, Maryland 21204

Re: Petition for Variance
Case No. 06-003-A
Property: 1501 Reisterstown Road

Dear Messrs. Jablon and Karceski:

Enclosed please find the decision rendered in the above-captioned case. The petition for Variance 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 V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:dlw Enclosure

c: Alan Zukerberg, 7919 Long Meadow Road, Baltimore, MD 21208
Michael P. Meisel, Chairman, Maryland Permanent Bank & Trust Co.,
9612 Reisterstown Road, Owings Mills, MD 21117
Brandon Nevers, 36 S. Charles St., Suite 2204, Baltimore, MD 21201
David Gleason, 520 A North Eutaw St., Baltimore, MD 21201
Michael Walkley, P.E., 2000 Clipper Park Road, Suite 200, Baltimore, MD 21211
People's Counsel; Case File



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



# retition tor ariance

## to the Zoning Commissioner of Baltimore County

for the property located at 1501 Reisterstown Road

which is presently zoned BL-CT

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.

		is the subject of this Letition.				
Contract Purchaser/Lessee:	Legal Owner(s):					
Maria - Tues es Cal-s		Maryland Permanent Banl				
Name - Type or Print		Name - Type or Print				
Signature		Signature By: Michael P. Meisel,				
Address	Telephone No.	Name - Type or Print				
City	Zip Code	Signature				
Attorney For Petitioner:		9612 Reisterstown Road				
Arnold Jablon/David H. Ka	ar <b>g</b> eski	Address Owings Mills, Maryland				
Name - Type or Rrint		City				
Maria Du John M		Representative to be Contacted				
Venable LLP		David H. Karceski				
company 210 Allegheny Avenue 410	0-494-6285	Name 210 Allegheny Avenue				
Cowson, Maryland 21204	Telephone No.	Address Towson, Maryland				
State	Zip Code	City				
		OFFICE USE ONLY				
3 se No. 06-003 A		ESTIMATED LENGTH OF HEARI				
9115198		UNAVAILABLE FOR HEARING				
./ W						

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 Patition

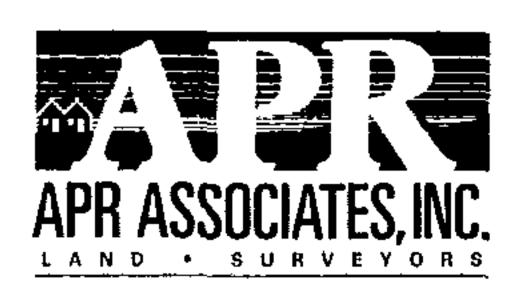
Maryland Permanen	C Dallie	C LL CO	·
Name - Type or Print			
- Much 600			
Signature By: Michael P. Me	isel,	Chairman	 
Name - Type or Print			1
Signature	<u> </u>	• ··· • • · · · · · · · · · · · · · · ·	<del></del>
9612 Reisterstown			1
Address Owings Mills, Mar	vilond '	7 1 1 7 Telephor	ne No.
	ATCILL 1	Car alle alle de la	
City	State	Zip	Code
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City  Representative to be Co  David H. Karceski	State	Zip	Code
Representative to be Co	state ntacted:	Z(p	Gode
Representative to be Constitute of the Constitution of the Constit	State ntacted:	410-494-6	285
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Representative to be Condition David H. Karceski Name 210 Allegheny Aver Address Towson, Maryland	nue 4	10-494-6 Telephone	285 No.
Representative to be Constitute to be Co	nue 4	10-494-6 Telephone	285

ite 6.30-05

ORITIES

# ATTACHED SHEET 1501 Reisterstown Road

- 1. Variance from Section 409.10 of the Baltimore County Zoning Regulations ("BCZR") to allow 4 stacking spaces for a drive-through bank facility in lieu of the required 7 spaces.
- 2. Variance from BCZR Section 450.4.5(a) to allow a total of 7 wall-mounted enterprise signs (no more than 2 on each façade) in lieu of the permitted 3 signs (no more than 2 on each façade).



#### ZONING DESCRIPTION FOR 1501 REISTERSTOWN ROAD AND #2 OLD COURT ROAD

#### PARCEL 1

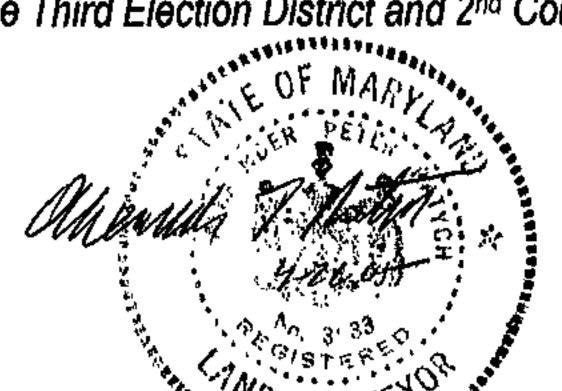
BEGINNING at a point of intersection of the Northwesterly side of Old Court Road, which is 25 feet wide, with the Northeasterly side of Reisterstown Road which is 66 feet wide; as recorded in Deed Liber 20633, Folio 543; thence running along the Northeasterly side of Reisterstown Road North 41 degrees 34 minutes 25 seconds West 107.50 feet; thence leaving Reisterstown Road and running North 47 degrees 52 minutes 33 seconds East 88.07 feet and then South 41 degrees 34 minutes 25 seconds East 107.50 feet to intersect the Southeasterly side of Old Court Road; thence binding thereon South 47 degrees 52 minutes 33 seconds West 88.07 feet to the place of beginning;

Containing 9,467 square feet or 0.2173 acres more or less. Also known as 1501 Reisterstown Road and located in the 3<sup>rd</sup> Election District and 2<sup>nd</sup> Councilmanic District.

PARCEL 2

BEGINNING at a point on the Northwesterly side of Old Court Road which is 25 feet wide at the distance of 103.07 feet from the Northeasterly side of Reisterstown Road, which is 66 feet wide, as recorded in Liber 20633, Folio 543; thence leaving Old Court Road and running with the Northeasterly side of an alley, 15 feet wide, North 41 degrees 34 minutes 25 seconds West 147.50 feet, then North 47 degrees 52 minutes 33 seconds East 40.00 feet, South 41 degrees 34 minutes 25 seconds East 147.50 feet to intersect the Northwesterly side of Old Court Road; thence South 47 degrees 52 minutes 33 seconds West 40.00 feet to the point of beginning;

Containing 5,900 square feet per 0.1359 acres more or less. ALSO KNOWN AS #2 Old Court Road and located in the Third Election District and 2<sup>nd</sup> Councilmanic District.



7427 Harford Road Baltimore, Maryland 21234-7160 (410) 444-4312 Fax: (410) 444-1647

DISTRUBUTION WHITE - CASHIER	- F	RECEIVED FROM:		DATE	BALTIMORE OF BUILDING OFFICE OF BUILDING
PINK - AGENCY	7 1 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	BALTIMORE COUNTY, MARNOFFICE OF BUDGET & FMANCE MISCELLANEOUS RECEIPT
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#### NUTICE OF ZONING HEARING

The Zoning Commissioner of Saltimore County by authority of the Zoning Act and Regulations of Saltimore County will hold a public hearing in Towson. Maryland on the property identified herein as follows:

Case: #06-003-A

1501 Relaterstown Road
N/east corner of Relaterstown Road and Old Court Road
3rd Election District - 2nd Councilmanic District.
Legal Dwher(s): Maryland Permanent Bank & Trust Co.
Variance: to allow 4 stacking spaces for a drive through bank facility in lieu of the required 7 spaces and to allow a total of 7 wall-mounted enterprise signs (no more than two on each facade) in lieu of the permitted 3 signs (no more than 2 on each facade).
Hearing: Thursday, August 26, 2008 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handlcapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4388.

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

JT/8/632 Aug. 9

#### CERTIFICATE OF PUBLICATION

8/10/,2005
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
once in each ofsuccessive weeks, the first publication appearing on $89,5$ , $2005$ .
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: <u>OG-OO3-A</u>

Petitioner/Developer: <u>MARYLAND</u>

PERMANENT BANK + TRUST CO.

Date of Hearing/Closing: <u>AUG 25</u>, 2005 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 **ATTN: Kristen Matthews {(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: 1501 REISTERSTOWN RD AUG 8. 2005 The sign(s) were posted on \_\_\_\_\_ (Month, Day, Year) Sincerely, Black 8-7-05. (Signature of Sign Poster) 1111 108 (C) (C) 3 (A) **SSG Robert Black** PURITE HEARING WITE BE HELD BY (Print Name) 有值 对证明的 化解循环结构键法 16 10岁年11 新印 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

1501 REISTERSTOWN

RE: PETITION FOR VARIANCE

1501 Reisterstown Road; NE corner of
Reisterstown Road and Old Court Road

3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts
Legal Owner(s): Maryland Permanent Bank \*
and Trust Co. – Michael Meisel, Chairman
Petitioner(s) \*

BEFORE THE

ZONING COMMISSIONER

**FOR** 

BALTIMORE COUNTY

06-03-A

#### 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 and all 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 18<sup>th</sup> day of July, 2005, a copy of the foregoing Entry of Appearance was mailed to, Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JUL 18216

Per....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

lax dimmorman

#### 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

July 12, 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: 06-003-A

1501 Reisterstown Road

N/east corner of Reisterstown Road and Old Court Road

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Maryland Permanent Bank & Trust Co.

<u>Variance</u> to allow 4 stacking spaces for a drive through bank facility in lieu of the required 7 spaces and to allow a total of 7 wall-mounted enterprise signs (no more than two on each façade) in lieu of the permitted 3 signs (no more than 2 on each façade).

Hearing: Thursday, August 25, 2005 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Arnold Jablon, 210 Allegheny Avenue, Towson 21204 Michael Meisel, 9612 Reisterstown Road, Owings Mills 21117 David Karceski, 210 Allegheny Avenue, Towson 21204

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 10, 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.



TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 9, 2005 Issue - Jeffersonian

Please forward billing to:

Amy Dontell Venable, LLP 210 Allegheny Avenue Towson, MD 21204

410-494-6244

#### 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: 06-003-A

1501 Reisterstown Road
N/east corner of Reisterstown Road and Old Court Road
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District
Legal Owners: Maryland Permanent Bank & Trust Co.

<u>Variance</u> to allow 4 stacking spaces for a drive through bank facility in lieu of the required 7 spaces and to allow a total of 7 wall-mounted enterprise signs (no more than two on each façade) in lieu of the permitted 3 signs (no more than 2 on each façade).

Hearing: Thursday, August 25, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley 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 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 ubject 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.

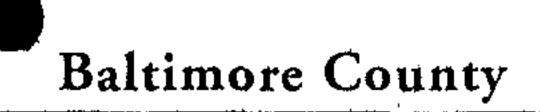
#### OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 06 003 - A
Petitioner: Maryland Permanent Bank & Trust, Co.
Address or Location: 1501 Poisterstoners Road
PLEASE FORWARD ADVERTISING BILL TO:
Name: Four Tryte!
Address: Verable, LiP
210 Allegbrery Avenue
Transon Maryland 21204
Telephone Number: (44) 494-Leall

# Department of Permits and Development Management

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





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

August 15, 2005

Arnold Jablon Venable, LLP. 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Jablon:

RE: Case Number: 06-003-A, 1501 Reisterstown Road

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

U. Carl Rolla D

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

**Enclosures** 

c: People's Counsel

Maryland Permanent Bank & Trust Michael P. Meisel 9612 Reisterstown Road Owings Mills

21117

David H. Karceski Venable, LLP.210 Allegheny 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



# Baltimore County

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

July 14,2005

ATTENTION: Zoning Review planners

Distribution Meeting of: July 18,, 2005

Item No.: 001 (003) 006,007,008,011,013,014,015,016,017,018,019

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.

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

Acting Lieutenant David S. Heath Fire Marshal's Office (0)410-887-4881 MS-1102F

cc: File



#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 25, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 25, 2005 Item Nos. 001, 003, 006, 008, 011, 012, 013, 014, 016, 047, 018, and 019

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-07252005.doc

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 18, 2005

Department of Permits and Development Management

FROM:

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

SUBJECT:

1501 Reisterstown Road

**INFORMATION:** 

Item Number:

6-003

Petitioner:

Maryland Permanent Bank & Trust Co.

Zoning:

BL-CT

Requested Action:

Variance

The subject property is located within the Pikesville Revitalization District and is within a Design Review Panel (DRP) area. The DRP met on July 13, 2005 and reviewed the submitted site plan and architectural elevation drawings. The panel expressed concerns about the function of the drive-thru and pedestrian safety, the landscape plan, proposed building materials and signage. They requested additional information to be provided at a second DRP meeting, which has not been scheduled at this time.

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning reviewed the petitioner's request and is of the opinion that the Design Review Panel recommendations should be incorporated into the Zoning Commissioner's order. The Office of Planning requests that the Zoning Commissioner's order be held in abeyance until the DRP meets and minutes are transmitted to the Zoning Commissioner.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by

Division Chief:

AFK/LL: CM

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#### BALTIMORE COUNTY, MARYLAND

#### INTRA-OFFICE CORRESPONDENCE

NOV 2 9 2005

#### DESIGN REVIEW COMMENTS

ZONING COMMISSIONER

TO:

Timothy M. Kotroco, Director

**DATE:** November 29, 2005

Department of Permits and Development

Management

FROM:

Lynn Lanham, Coordinator

Design Review Panel

**SUBJECT:** 

Final Approval

PROJECT NAME: 1501 Reisterstown Road

ZAC 6-003

PROJECT#: 460

**PROJECT TYPE:** Commercial Improvements and Additions (Pikesville)

#### **DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:**

Geoffrey Glazer Dean Hoover Donald Kann Thomas Repsher Michael Ertel

#### PROJECT DESCRIPTION:

The project was originally submitted by the applicant at the July 13, 2005 Design Review Panel meeting. A second review was held on September 14, 2005. The plans were approved subject to the following comments:

- 1. The signage on the site is to be appropriately placed as well as text and painting on the pavement directing the traffic flow.
- 2. The entrance to the site from Reisterstown Road should be narrowed as much as possible to help prevent any potential problems.
- 3. Provide a cut-sheet to the Office of Planning for the Security Lights
- 4. Provide a revised landscape plan to the Office of Planning
- 5. Provide a revised site plan to show the designated employee parking, site signage, and directional paving markings to the Office of Planning.

#### **DISPOSITION:**

The applicant submitted revisions on November 1, 2005. The Office of Planning reviewed these changes with Geoffrey Glazer, Chair of the DRP.

The Office of Planning finds that the revisions have addressed the comments above and recommends approval.

C: DRP in attendance Councilman Kevin Kamenetz Jack Murphy, Deputy Zoning Commissioner David Karceski, Venable Baetjer & Howard Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor



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

Maryland Department of Transportation

Date:

7.25.05

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

RE:

**Baltimore County** 

Item No. 773

BPR

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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



1007 Windsor Road Pikesville, MD 21208 August 24, 2005

Timothy M. Kotrocco, Director
Department of Permits and Development Management
401 Bosley Avenue
Towson, MD 21204

# Re: Case Number 06-003-A. Maryland Permanent Bank

Dear Commissioner Kotrocco:

We thank Maryland Permanent Bank for providing us with a copy of its site plan and elevations for redeveloping the existing structure at 1501 Reisterstown Road. We appreciate its interest in investing in older Pikesville.

Sudbrook Park is Pikesville's earliest (1889) community and has been actively involved in Pikesville's recent revitalization effort. Although we cannot attend the hearing on August 25, we wish to comment on the proposal.

We understand that the Bank wishes to establish an identity in the community, but its request for a variance to allow a total of 7 wall-mounted enterprise signs in lieu of the permitted 3 signs is overkill and should be denied for the following reasons:

1. The property at issue in no way qualifies for variance relief under the requirements set down by Maryland courts in <u>Cromwell v. Ward</u> and related cases. The property is not unique in shape, location, topography or any other attribute; rather, it is substantially similar to many others fronting Reisterstown Road. Since the property does not even meet the threshold criteria to qualify for a variance under Maryland law, variance relief should not be granted.

2. Other banks in the area have established identities and loyal clienteles while having only one or two signs. Signs alone will not establish identity and too many of them present a cluttered appearance, which is the antithesis of the goals set forth in the Pikeville Revitalization Plan Update, 2003. Excellent architecture complemented by quality landscaping would be the best way to get noticed

3. The current plans show a kind of "clock tower" with signs on three sides, but no clock. If the DRP approves the clock tower, the Bank should put an attractive clock face on the front (west) side at least (and maybe other sides). The clock tower alone would become an identifying feature, since it would be the only one in Pikesville.

Sudbrook Park was designed by Frederick Law Olmsted. Sr. in 1889. Historic Sudbrook Park is on the National Register of Historic Places and is a Baltimore County Hist vic District.



Timothy M. Kotrocco, Director, DPDM August 24, 2005 p. 2 of 2

4. Apparently the Bank is allowed 3 signs. These could be the street/car level one on the front; one at the back and one on the side. This would be quite adequate.

This project is scheduled to return to the Design Review Panel on September 14 because of several concerns, including drive-thru and pedestrian safety. We think it would be unwise and premature to grant the requested variance to allow 4 stacking spaces for a drive-thru in lieu of the required 7 spaces until traffic and safety issues are addressed at the DRP

In conjunction with the Office of Planning's recommendations, we urge you to hold in abeyance any decision pending receipt and incorporation of the DRP's comments. We oppose granting the sign variance, as discussed above, and reserve comment on the parking variance until after the DRP meeting.

Thank you for your consideration of our comments.

Sincerely,

Melanie Anson, Zoning Committee

(Elanie Luson

cc: Carolyn Black Sotir, President, SPI, and Board

8/25 NOTE: I spoke this morning with Michael Meisel, Chairman of MD Permanent Bank, and with David Karceski, Esquire, Counsel for the Bank. They indicated that at today's hearing they will be revising from 7 to 4 their sign variance request and that there is to be a clock on the tower. They asked if we would support the reduced sign variance request. We will certainly consider this. Although there is not time to do so before today's hearing, we agreed that we will get back to them on it before the DRP meeting.



# PIKESVILLE TOWNSHIP ASSOCIATION, INC.

A COMMUNITY IMPROVEMENT ASSOCIATION

218 Church Lane Pikesville, MD 21208 August 24, 2005

By fax to 410-887-3468

Timothy M. Kotrocco, Director
Department of Permits and Development Management
401 Bosley Avenue
Towson, MD 21204

Re: Case Number 06-003-A. Maryland Permanent Bank

Dear Commissioner Kotrocco:

Our community, located just off Reisterstown Road down Church and Sudbrook Lanes, is very interested in projects along Pikesville's Main Street section and participated in the process to update the Pikeville Revitalization Plan in 2003. We had an opportunity to review the site plan and elevations for 1501 Reisterstown Road that Sudbrook Park obtained from Maryland Permanent Bank. We are unable to attend the hearing on August 25 but submit these comments for your consideration.

We ask you to deny a variance to allow a total of 7 wall-mounted enterprise signs in lieu of the permitted 3 signs. Seven signs are redundant and would clutter the streetscape. In addition, granting this variance would provide a sorry precedent that might result in an excess of signs for other development as well. We are confused about why the drawings show a "clock tower" with signs, but no clock and suggest a clock instead.

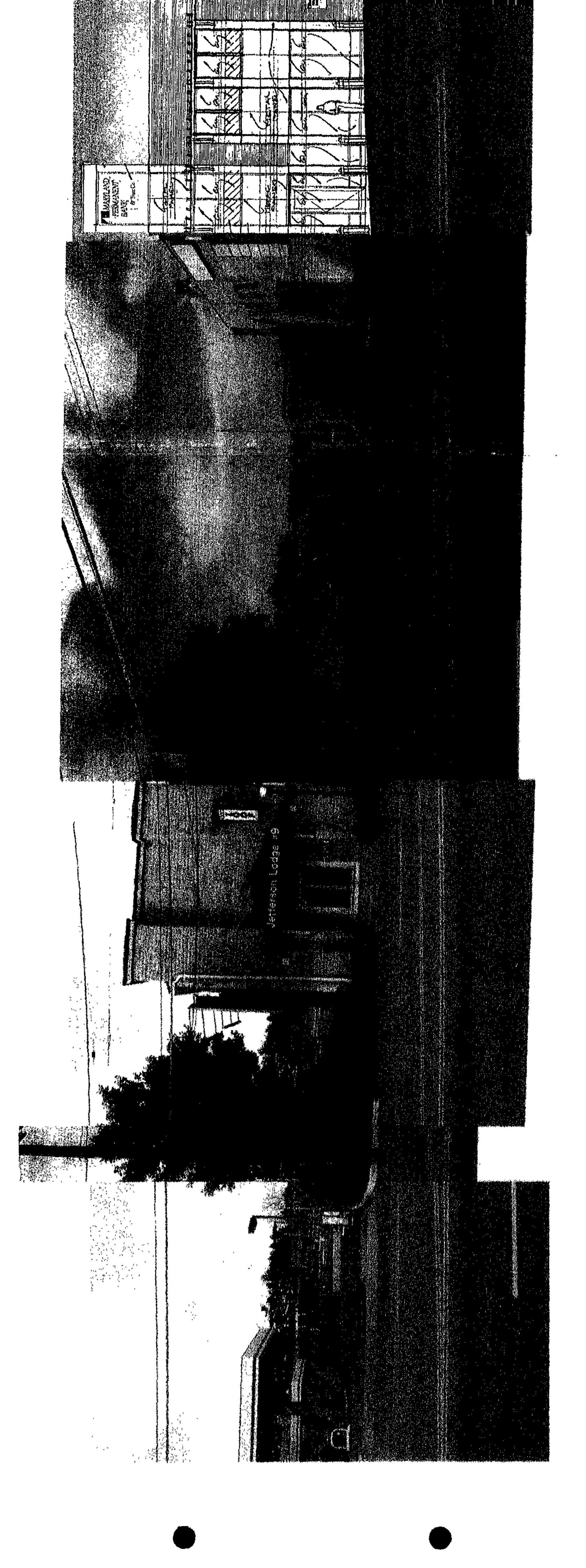
We urge you to deny the requested sign variance and thank you for taking our comments into account.

Sincerely.

Celeve Rosenberg

Arlene Rosenberg, President



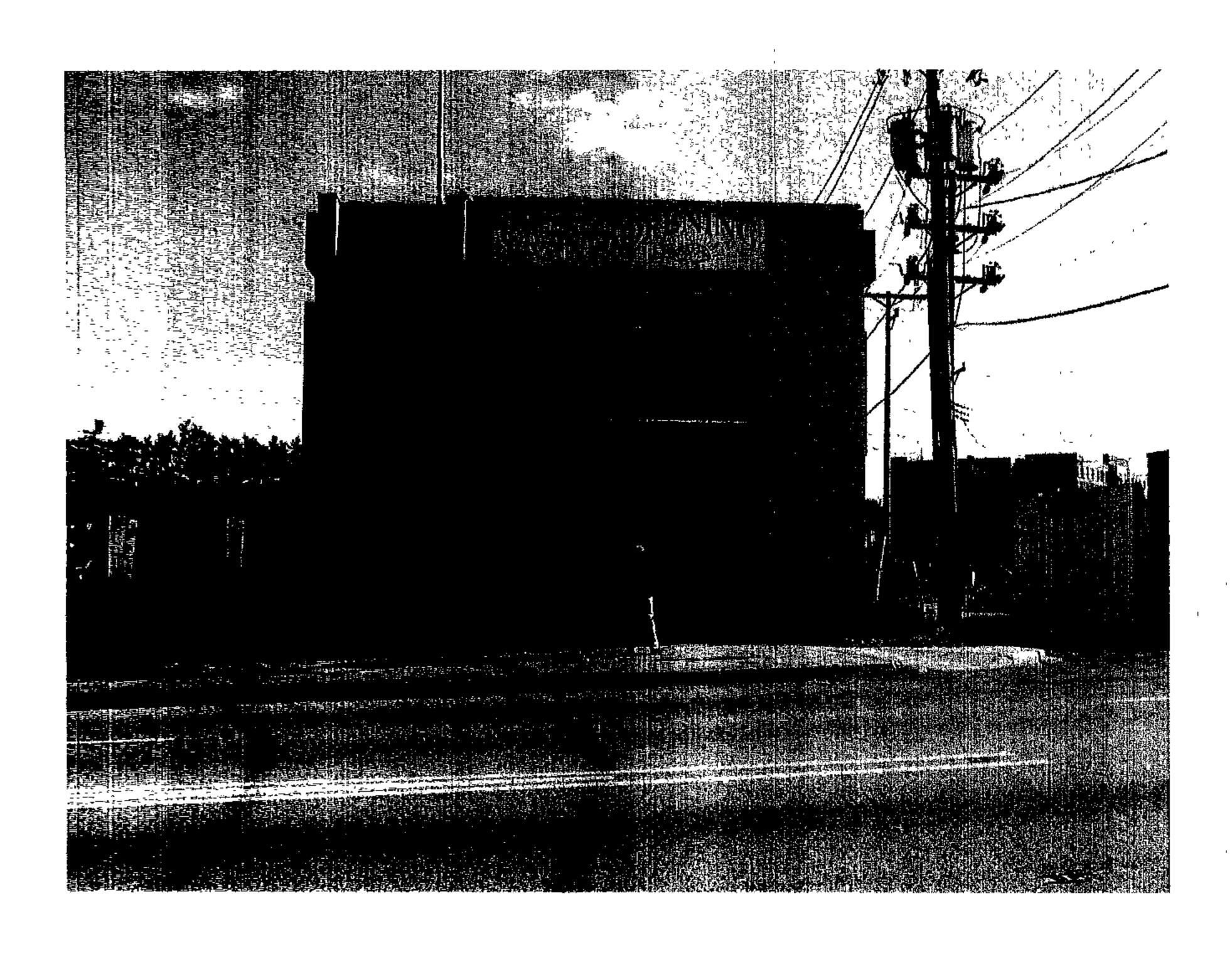




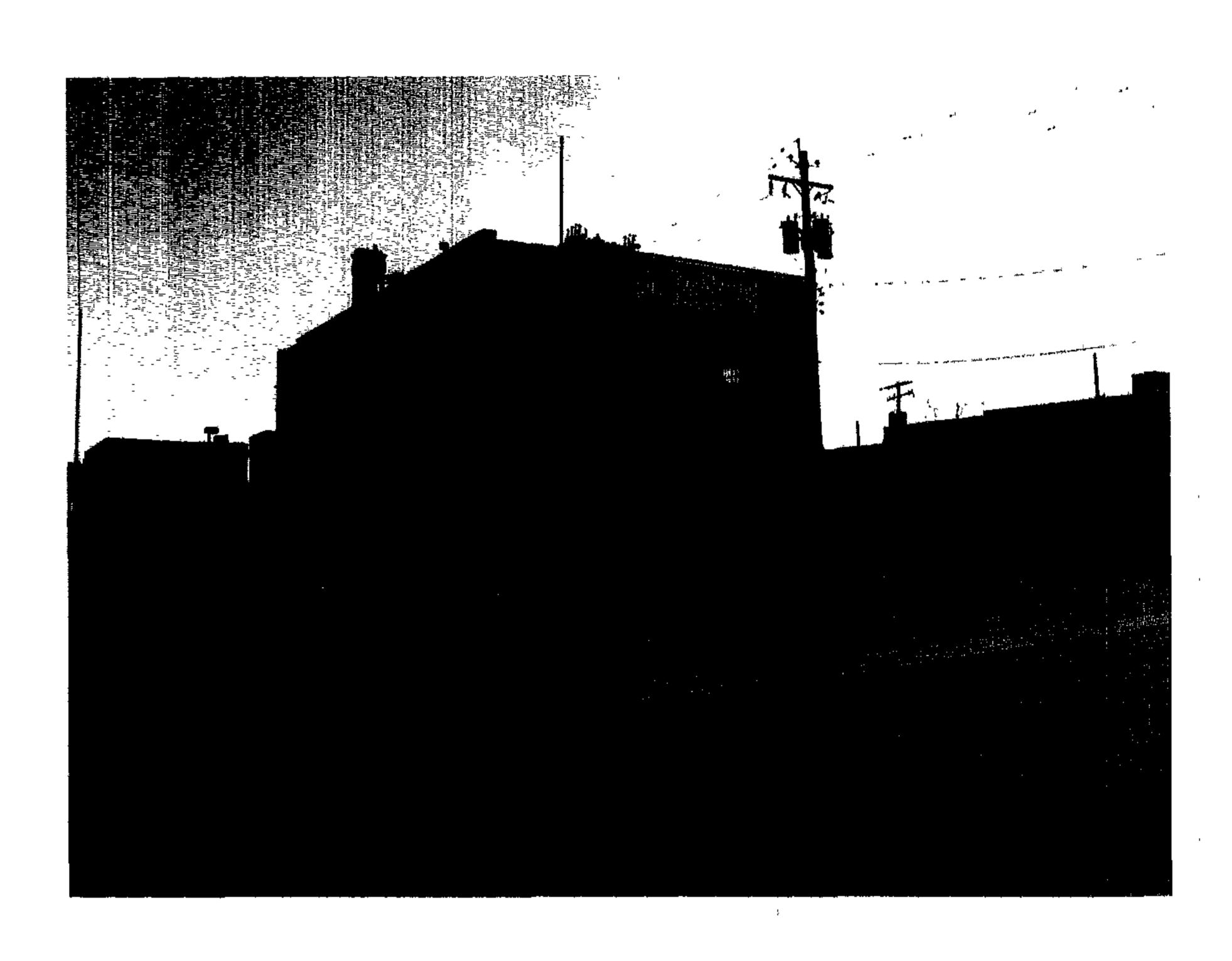






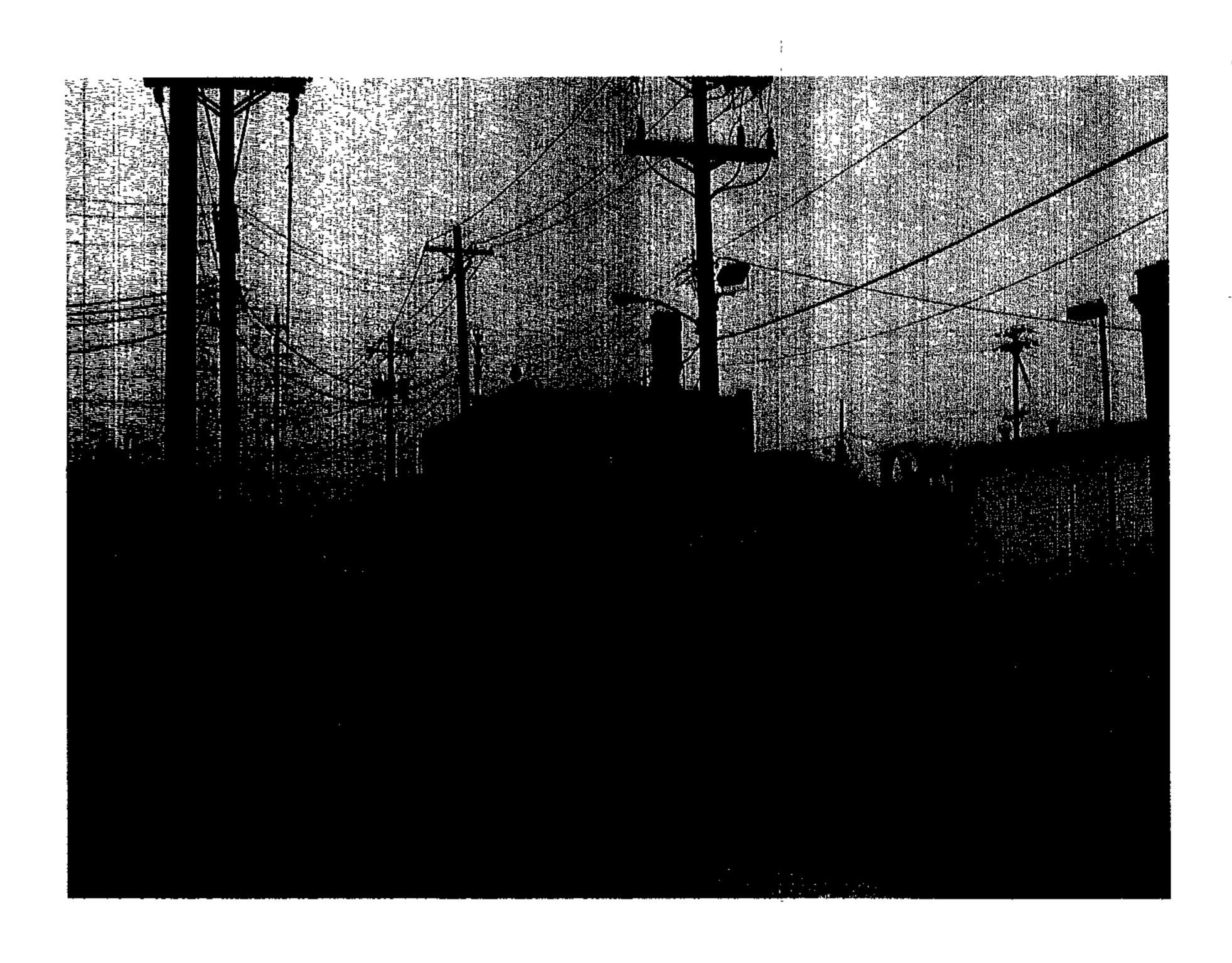


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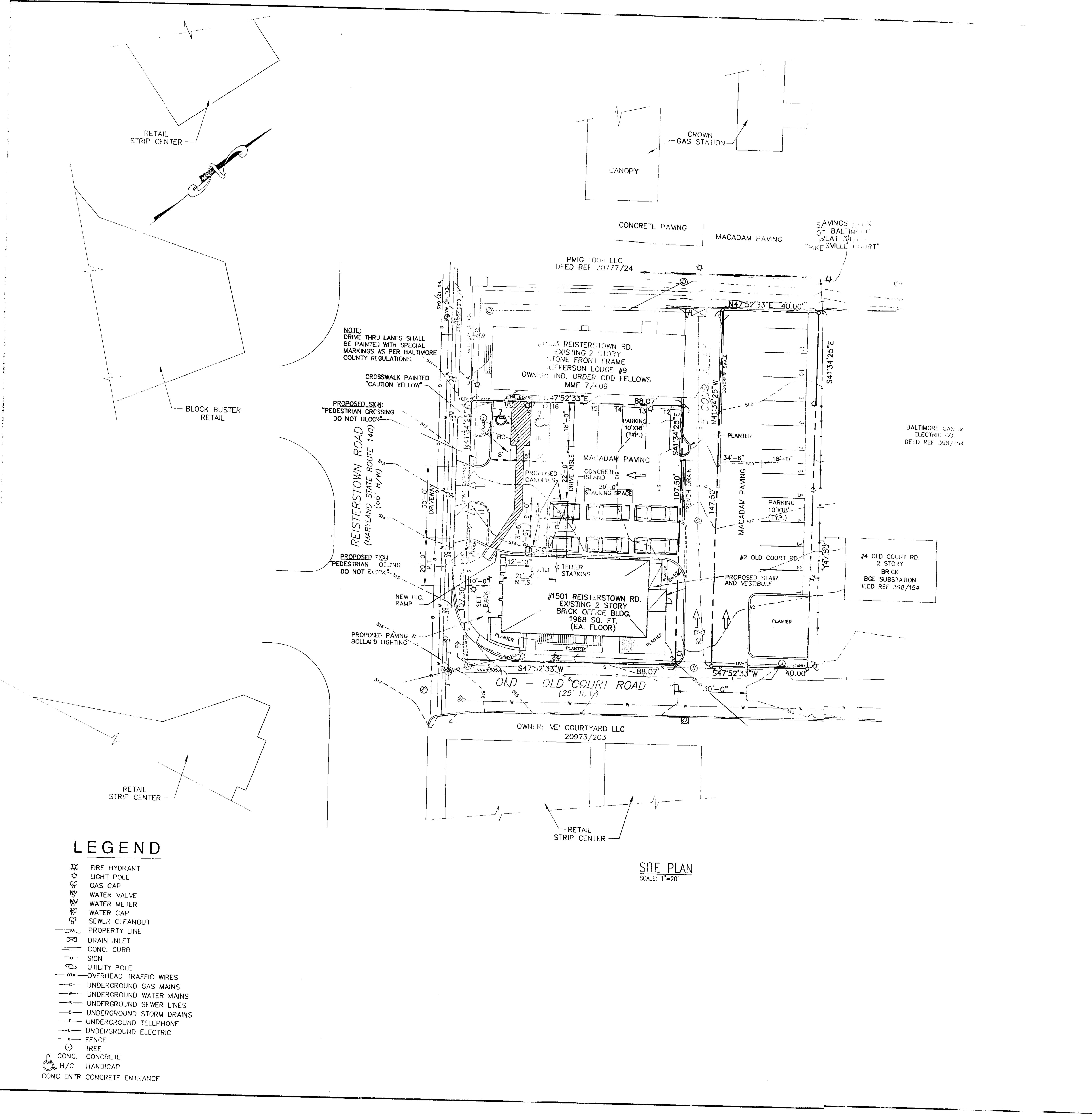
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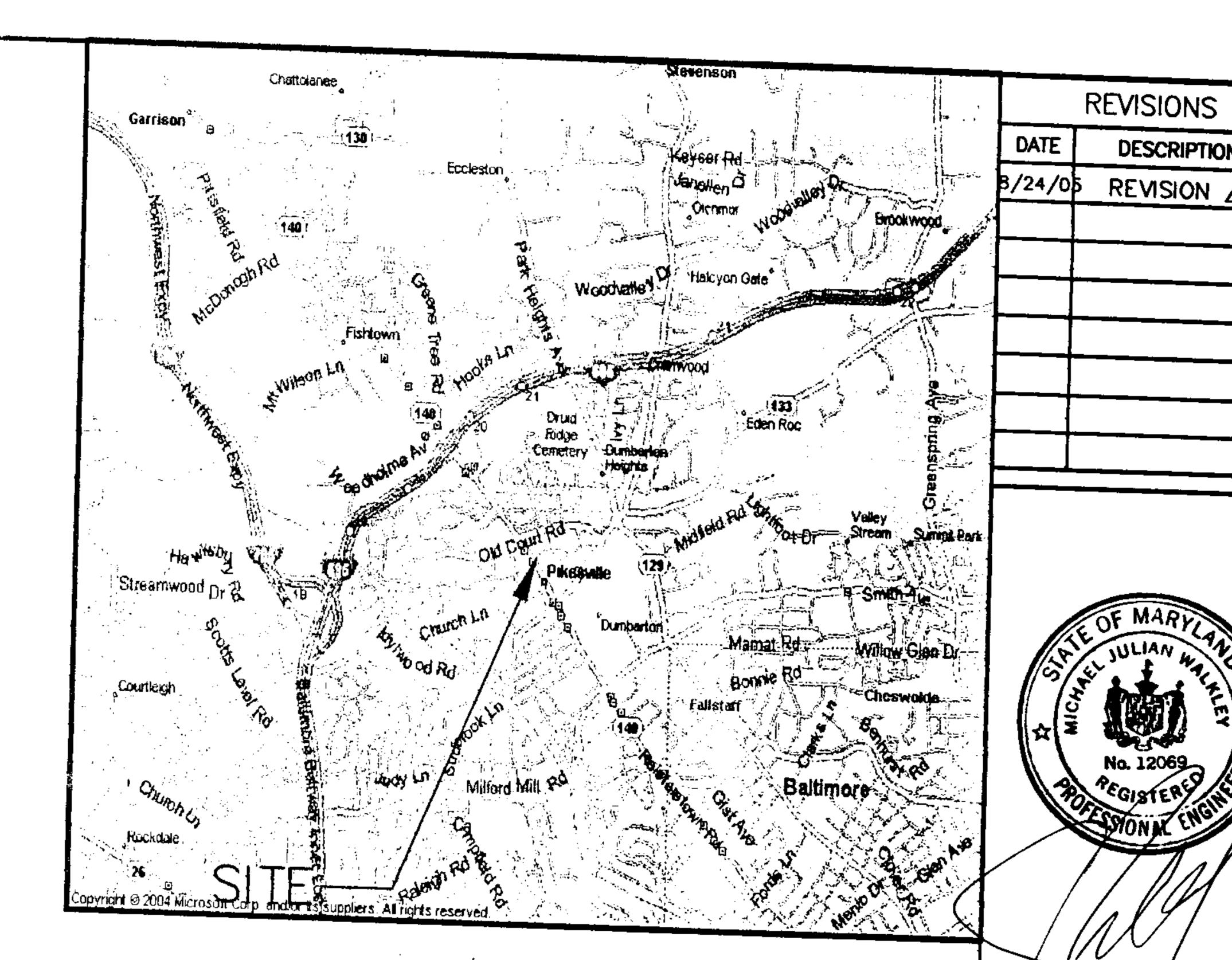
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REVISION 1

COURT ILLC CUSTER COURT ILLC CLISTER COURT LLC

PLAT 75/75 "CENTRE COURT"

GIANT

FCODS

A) ADDED VESTIBULE STAIR & PLANTINGS AT ALLEY SIDE OF BUILDING. B) REMOVED SIDEWALK & REVISED CURB ON TELLERS SIDE.

C) CHANGED EGRESS DIRECTIONAL ARROWS & ADDED EGRESS NOTE. رم) WIDENED BANK ISLAND FROM 2'-0" TO 3'-6" & CHANGED

CAR AISLE FROM 9'-0" TO 9'-5".

E. ADDED CANOPIES AT TELLER STATION & ATM.

F. REMOVE EXISTING CANOPIES ON REISTERSTOWN ROAD SIDE OF BUILDING.

G. CHANGED 23'-0" TO 21'-4" TO C TELLER STATION AND ADDED H. ENLARGED PLANTER & SHIFTED PARKING #2 OLD COURT RD.

J. ADJUSTED DRIVEWAY LOCATION & PLANTER.

K. ADDED DRIVEWAY OPENINGS ACROSS REISTERSTOWN ROAD.

L. ADJUSTED NEW HANDICAP RAMP.

M. ADJUSTED PLANTING AREAS AT BUILDING.

### GENERAL NOTES:

1) CURRENT OWNER: MARYLAND PERMANENT BANK & TRUST CO. 9612 REISTERSTOWN RD., OWINGS MILLS, MD. 21117. 2) CURRENT DEED REF.: 20633/543

#1501 REISTERSTOWN RD.: 9,467 S.F. OR 0.2173 AC ± #2 OLD COURT RD.: 5,900 S.F. OR 0.1364 AC ± 15,367 S.F. OR 0.3528 AC ±

4) 3RD. ELECTION DISTRICT- BALTIMORE COUNTY, MD. ZONING- BLCT

5) F.A.R. COMPUTATIONS:

PROPERTY= 15,367 SQ. FT. GROSS AREA= 0.3528 ACRES 1968 SQ. FT. X 3 FLOORS (BASEMENT STORAGE ONLY)= 5904 SQ. FT. 1 5904/15,367 SQ. FT.= 0.384: F.A.R. ALLOWED= 3.0

REQUIRED PARKING:

BANK= 3.3 PER 1000 SQ. FT. (1st FLOOR) 1968 SQ. FT. OFFICE= 4.5 PER 1000 SQ. FT. (2nd FLOOR) 1968 SQ. FT.

REQUIRED PROVIDED

\*INCLUDES TWO HANDICAPPED SPACES PAVING TYPE- MACADAM SPACES PERMANENTLY STRIPED

ALL SIGNS AS PER LATEST BALTIMORE COUNTY REGULATIONS

COMMERCIAL PERMITS:

P 322343

<u>CONTROL NO.</u> 141772 150962 322516

.322516 ACCORDING TO INSPECTION RECORDS

ALL PRIOR TO 1989

ZONING HISTORY: #84-282-A ON 5/14/84 VARIANCE PERMITTED 23 PARKING SPACES IN LIEU OF 30 SPACES PREVIOUSLY REQUIRED.

#74-55-R ON 9/11/73 RECLASSIFICATION OF PROPERTY FROM BL ZONE TO B.M. ZONE APPROVED.

PROPERTY IS NOT IN THE 100-YEAR FLOOD PLAIN. ZONE C: 2400100240 B 3/02/1981

AMENITY OPEN SPACES: VARIOUS PLANTERS AND PARKING AREA (SHADED ON PLAN)= 1248 SF  $\pm$ 1968 SQ FT/FLOOR X 2= 3936 SF 1248 3936=0.31-AS PER ZONING ONLY 0.1 RATIO REQUIRED FOR BLCT.

NOTE:
INFORMATION ON THIS DRAWING WAS TAKEN FROM
ROUNDARY AND TOPOST APR ASSOCIATES, INC. BOUNDARY AND TOPOGRAPHIC SURVEY DATED NOVEMBER 8, 2004.

NO CHANGES TO EXISTING GRADING

THE SUBJECT PROPERTY IS LOCATED WITHIN THE PIKESVILLE REVITALIZATION DISTRICT.

EGRESS ONLY TO REISTERSTOWN ROAD.


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
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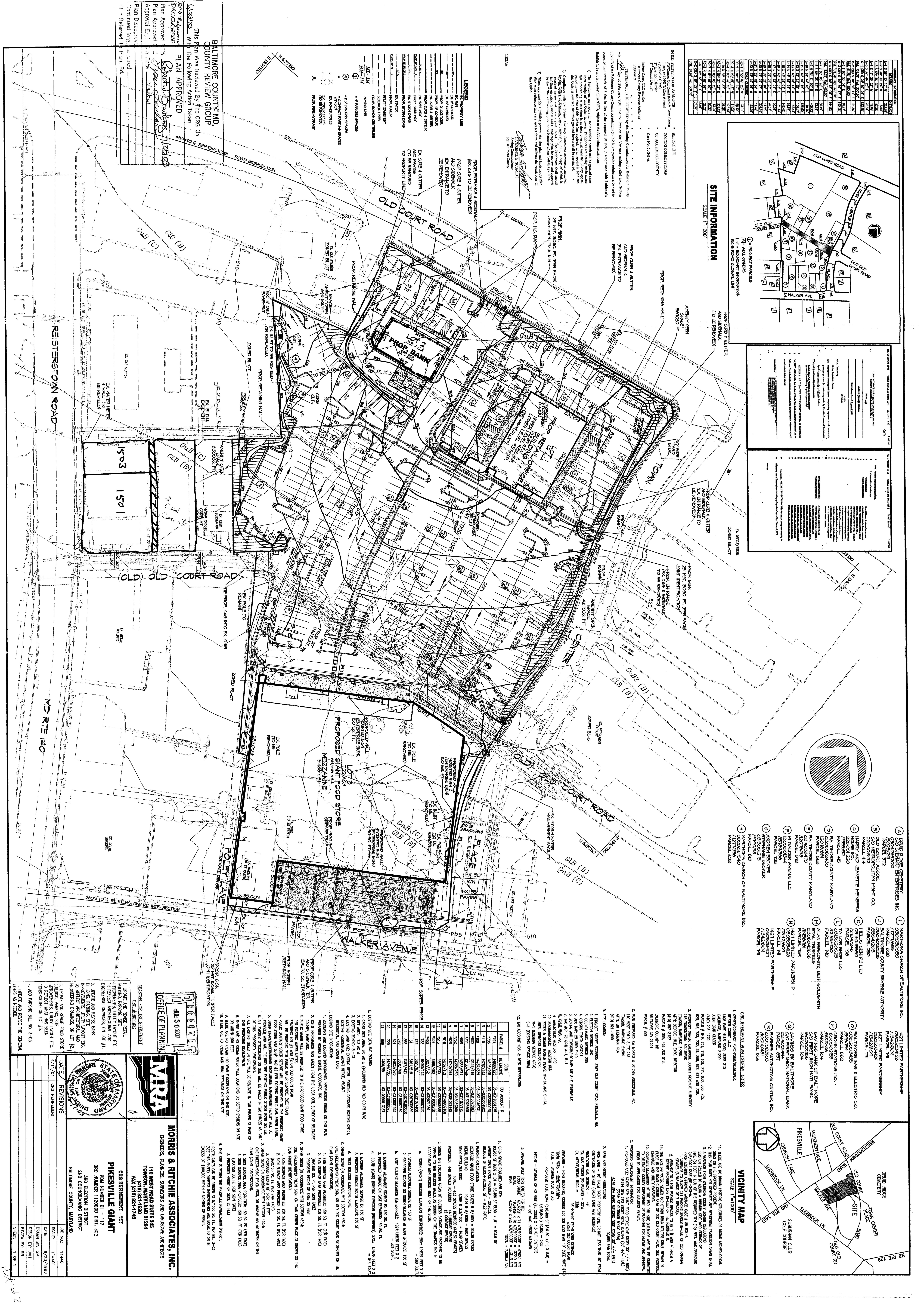
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
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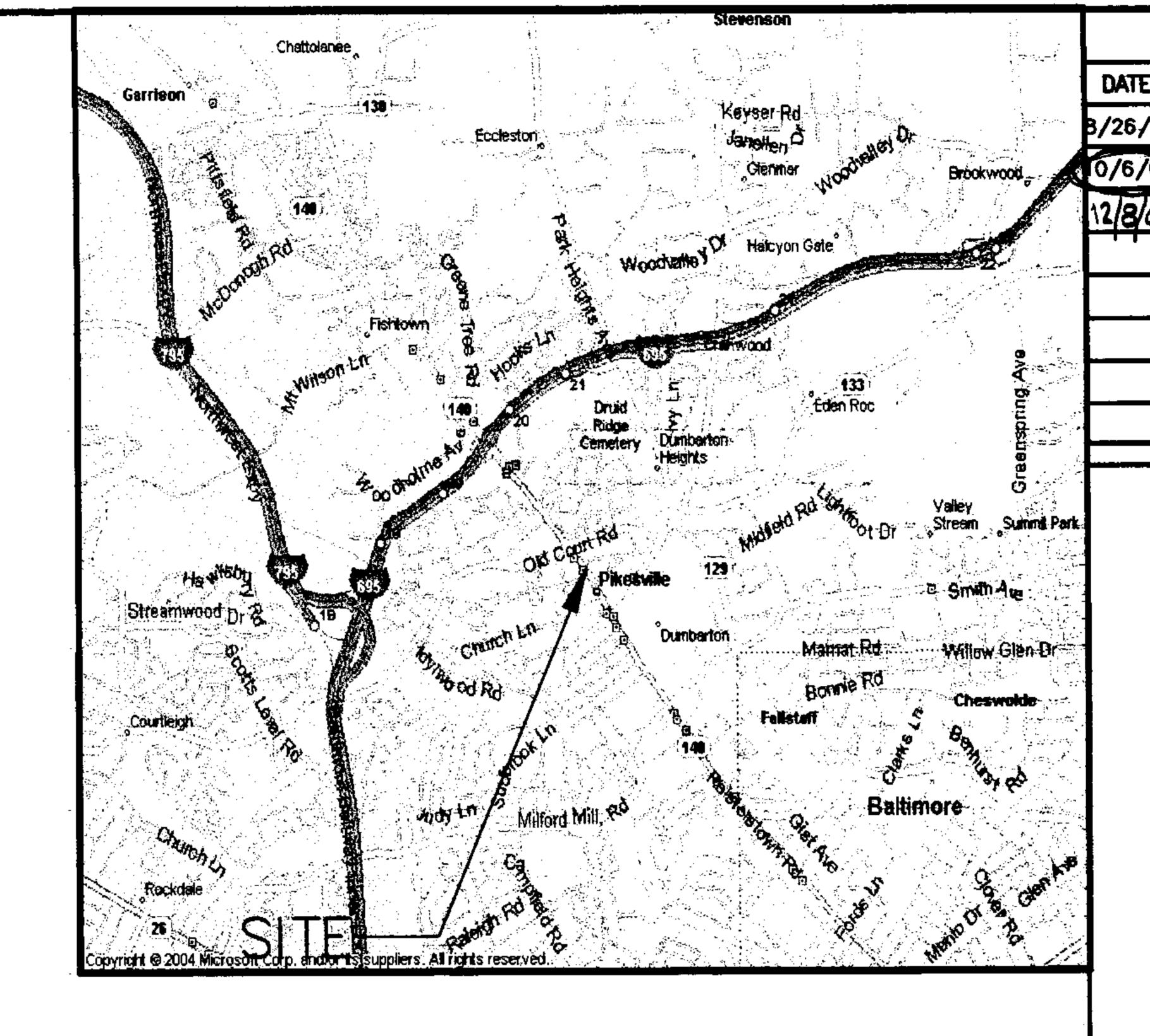




6/22/05







REVISION A

PLAT 75/75
"CENTRE COURT"

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CHANGED 23'-0" TO 21'-4" TO C TELLER STATION AND ADDED

L. ADJUSTED NEW HANDICAP RAMP.
M. ADJUSTED PLANTING AREAS AT BUILDING.

REVISION (2)

REMOVED EXIT SIGNS.

NARROWED ENTRANCE OFF REISTERSTOWN ROAD FROM 30' TO 25'. LABELED PARKING SPACES 1 AND 2 AS EMPLOYEE PARKING.

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CHECKED BY: PRA 6/26/05 W793 SCALE: 1"=20"

SHEET

