

IN RE: PETITIONS FOR SPECIAL EXCEPTION, \*  
SPECIAL HEARING & VARIANCE  
N/S of Bird River Grove Road, \*  
2,520 feet east of Ebenezer Road  
15<sup>th</sup> Election District \*  
6<sup>th</sup> Councilmanic District  
**(11010 and 11014 Bird River Grove Road)**

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY

John M. Hunter  
*Legal Owner and Petitioner*

\* CASE NO. 06-516-SPHXA

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Exception, Special Hearing and Variance filed by the legal owner of the subject property, John M. Hunter. The Petitioner is requesting special exception, special hearing and variance relief for property located at 11010 and 11014 Bird River Grove Road. The special exception request is to permit an arcade (up to 10 machines) pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The special hearing relief is requested to allow business parking in a residential zone (for parts of 7 existing parking spaces). Variance relief is requested to permit 58 parking spaces in lieu of the required 137 parking spaces and to permit a driveway and parking surface of compacted stone in lieu of the required durable and dustless surface and to permit unstriped parking spaces in lieu of the required striping.

The property was posted with Notice of Hearing on June 26, 2006, 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 June 27, 2006 to notify any interested persons of the scheduled hearing date.

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## 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 spirit 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]

### Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

### 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, off-street 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

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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 Bureau of Development Plans Review dated May 25, 2006, which contains restrictions. A ZAC comment letter was received from the Department of Environmental Planning and Resource Management dated June 6, 2006, and contains restrictions. A ZAC comment letter was received from the Office of Planning dated June 7, 2006 and contains restrictions. Copies of which are attached hereto and made a part hereof.

#### **Interested Persons**

Appearing at the hearing on behalf of the variance, special hearing and special exception requests were Clyde Hinkle P.E., with Bafitis & Associates, Inc., who prepared the site plan, John Hunter, Petitioner, Debra Davis and Lawrence E. Schmidt, Esquire, attorney for the Petitioner. There were no protestants or citizens attending the hearing. People’s Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

#### **Testimony and Evidence**

The property contains 1.7 acres zoned ML, BL and RC 2 and is improved by the “Dug Out Bar”, a neighborhood tavern and a garage. Given the complexity of the zoning on the property the Petitioner presented exhibit 2 which shows the existing tavern and parking field located on the BL portion of the property. There is a small portion of ML reflecting the ML uses

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on the other side of White Marsh Run. The BL portion the property is flanked by RC 2 zoned land as shown.

The 75 seat tavern is on the first floor and the owner's residence above on the second floor having approximately 3,000 square feet. The Petitioner indicated the tavern theme is that of a sports bar attracting mostly neighborhood customers. He noted that there are existing video machines, pool tables as well as tables and chairs for customers. Parking for 45 vehicles is provided on crusher run paving as shown on exhibit 1.

Testimony and evidence indicated that this waterfront property had been subject to substantial flooding during Hurricane Isabel as shown by the Petitioner's photographs exhibit 3 A through 3 M. Water from the flood tide rose to several feet deep in the tavern but in spite of this damage the Petitioner repaired the damage and reopened the tavern. However the Petitioner was aware that the business continues to be vulnerable to flooding as shown by photographs 4A through 4 H which were taken after a recent rainstorm. In addition having been built 50 years ago, the tavern is not ADA compliant, has an old cramped kitchen which has been the subject of complaints by the Health Department, has no office for management and is virtually uninsurable.

Given these problems the Petition would like to raze the old structure and erect a new tavern which would seat 130, would have an office for management, a modern kitchen and ADA facilities, and be raised off the flood tide level as shown in exhibit 1. However the Petitioner wants to continue the sports bar theme with pool tables and 10 video games. The latter requires a special exception. The new building would no longer provide room for the Petitioner's residence which would be built on the adjacent property owned by the Petitioner and Ms. Davis. This property is in the RC 2 zone as well. Access to this lot is made by means of a 40 foot wide

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in fee strip which lies along the eastern boundary of the subject property connecting the bulk of this 6.9 acre property to Bird River Grove Road.

The new building would be 5,334 square feet to allow for the new kitchen, compliant toilets, office, video machines, bar and sports equipment including pool tables as shown on exhibit 6. In addition there would be a 1,500 square feet seasonal deck. Parking of 58 spaces would be reconfigured on the BL portion of the property using crusher run as paving. The zoning regulations require 137 spaces based on the size of the building. The Petitioner presented a letter of support from the Bowerman Loreley Beach Community Association, exhibit 5.

Mr. Schmidt pointed out that there are no homes in the area which are not family, the property has many environmental constraints, and that customer parking will not spill over into a neighborhood which sometimes causes problems with these uses.

Mr. Schmidt proffered the existing video machines probably would be non-conforming but the Petitioner would like to have a special exception for 10 machines. He opined that granting this special exception met all the criteria of Section 502.1 of the BCZR and would not be detrimental to the neighborhood. In regard to the special hearing for a use permit for business parking in a residential zone, he noted that a portion of seven existing parking spaces is in the RC 2 zone as shown on exhibit 1 but that there are no homes on this side of the property. In fact there is 75 feet from these spaces to the western property line. Again he indicated there would be no adverse impact on the community as these seven spaces have been there for many years.

In regard to the variance request he noted that the property is in the Chesapeake Bay Critical Area, and DEPRM prefers pervious surfaces for parking lots to reduce storm water runoff. Clearly gravel parking lots cannot be striped. He opined that the ZAC comments by

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DEPRM are aimed at the new house on the Petitioner's adjacent property and not at this request and that DEPRM has approved this new building.

At this point in the hearing a general discussion of the Planning Office comments regarding the size of the building began. The Petitioner agreed to the conditions listed in the comment. The Petitioner was asked why additional parking could not be added on the adjacent property to lessen the parking variance. Mr. Schmidt opined that while the Petitioner and Ms. Davis own 6.9 acres adjacent to the property, they only own 40 feet of an in fee access strip along the eastern boundary of the subject property where added parking would not be practical. In addition parking on the bulk of the adjacent property is constrained by White Marsh Run and its environmental buffers and wetlands.

The Petitioner indicated that while the proposed building is larger than the existing tavern, parking increases from 45 to 58 spaces, much of the interior of the building will be taken up with sports theme, restaurant facilities, and office so that not that many more customers will avail themselves of the premises. He indicated parking has never been a problem in the past. The Petitioner indicated that customers generally come to the tavern two to a vehicle but often four to a vehicle. Many walk. He opined that the proposed parking is adequate for the proposed tavern. Finally the Petitioner agreed to a condition of approval of 130 seats maximum which includes the seasonal deck.

#### **Findings of Fact and Conclusions of Law**

#### **Variances**

The obvious problem in this case is the size of the proposed tavern and number of parking spaces. I accept the testimony that given the sports bar theme the density of seating and supporting parking spaces is appropriate for this Petitioner. Testimony indicated that customers

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come 2 and sometime 4 to a car. Some walk. Pool tables and video machines take up a lot of room. The new kitchen, office and toilets will take up much interior space.

My concern is with a new owner who changes the sports bar theme replacing the pool tables, video machines and the like with seating. Given the size of the proposed building there could be a severe parking problem along Bird River Grove Road and in the environmentally sensitive areas nearby. Consequently I find that the parking variances can be granted only if the seating is limited to 130 persons to which the Petitioner agreed.

In regard to the surface of paving for the parking lot, I agree with the Petitioner that compacted stone is preferable to asphalt in this Chesapeake Bay Critical Area. Stone will certainly be less impervious than asphalt reducing storm water runoff into the Bay. It is not practical to stripe stone.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This property is severely constrained by White Marsh Run, its buffers and wetlands. In addition the property is split zoned BL, RC 2 and ML. The RC 2 portion of the property presents substantial limitations for parking. The imposition of zoning on this property disproportionately impacts the subject property as compared to others in the zoning district. Consequently I find the property unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The flood damaged tavern must be replaced.

Residential density is not an issue in this case.

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Finally, I find this variance 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. The community association support the requests. There is no adjacent neighborhood where parking spillage will become a problem. But there could be a parking problem if a new owner would change the theme replacing the sports bar equipment with seating. Consequently I will limit the seating to 130 persons.

**Special Hearing**

I find that allowing portions of seven existing parking spaces in the RC 2 zone will not adversely affect the neighborhood and are within the spirit and intent of the regulations

**Special Exception**

Finally I find that the Petitioner already has video machines and given the floor plan, sports bar theme and location of the property, allowing up to ten machines will not adversely affect the community and satisfies each criteria of Section 502.1 of the BCZR

THEREFORE, IT IS ORDERED, this 20<sup>th</sup> day of July, 2006, by the Deputy Zoning Commissioner, that the Special Exception request to permit an arcade (up to 10 machines) pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that the special hearing relief to allow business parking in a residential zone (for parts of 7 existing parking spaces), be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that the variance relief to permit 58 parking spaces in lieu of the required 137 parking spaces and to permit a driveway and parking surface of compacted stone in lieu of the required durable and dustless surface and to permit unstriped parking spaces

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[Signature]

in lieu of the required striping, be and is hereby GRANTED subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Seating shall be limited to 130 persons including the indoor tavern and seasonal deck.
3. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).
4. The applicant shall submit to the Office of Planning building elevations including exterior building materials, colors and architectural detail to ensure compatibility with the adjacent residential community.
5. All proposed signage, both building and freestanding, shall be submitted to the Planning Office for review and approval.
6. All loading areas, refuse areas and/or dumpsters shall be adequately screened.
7. The parking spaces on the west side of the property shall be adequately screened from the adjacent residence located at 11016 Bird River Grove Road.
8. In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.
9. The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.
10. The building engineer requires a permit for this project.
11. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
12. Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building code adopted by the County.

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

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## BALTIMORE COUNTY

M A R Y L A N D

July 20, 2006

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

LAWRENCE E. SCHMIDT, ESQUIRE  
GILDEA & SCHMIDT, LLC  
300 E. LOMBARD STREET, STE. 1440  
BALTIMORE, MD 21202-3228

LAWRENCE E. SCHMIDT, ESQUIRE  
220 BOSLEY AVENUE  
TOWSON, MD 21204

Re: Petitions for Special Exception, Special  
Hearing & Variance  
Case No. 06-516-SPHXA  
Property: 11010 and 11014 Bird River Grove Road

Dear Mr. Schmidt:

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

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

Very truly yours,

Handwritten signature of John V. Murphy in cursive.

John V. Murphy  
Deputy Zoning Commissioner

JVM:pz  
Enclosure

c: John Hunter, 11010 Bird River Grove Road, White Marsh, MD 21162  
Debra Davis, 11010 Bird River Grove Road, White Marsh, MD 21162  
Clyde Hinkle, Bafitis & Associates, Inc., 1249 Engleberth Road, Baltimore MD 21221

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JVM



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11010 BIRD RIVER GROVE ROAD

which is presently zoned RC-2 & BL

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 600.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Business Parking in a Residential Zone (RC-2) Per Section 409.8B.1. & 2. (B.C.Z.R.) (FOR <sup>PART OF</sup> ~~THE~~ EXISTING

PARKING SPACES.)

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

To Be Determined

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

John M. Hunter

Name - Type or Print

Signature

Debra Davis

Name - Type or Print

Signature

11010 Bird River Grove Road

410-344-0492

Address

Telephone No.

White Marsh

MD

21162

City

State

Zip Code

## Representative to be Contacted:

Bafitis & Associates, Inc.

Clyde F. Hinkle

Name

1249 Engleberth Road

410-391-2336

Address

Telephone No.

Baltimore

MD

21221

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS

UNAVAILABLE FOR HEARING

Reviewed By JL Date 4/17/06

REV 9/15/98

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7-20-06

PH



CBCA FLOOD

REV.

# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 11010 & 11014 Bird River Grove Road

which is presently zoned RC-2 & BL

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

to permit a arcade (up to ten (10) machines) pursuant to Section 230.13 of the BCZR.

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

300 E. Lombard Street, Suite 1440 (410) 234-0070

Address

Baltimore

MD

Telephone No.

21202

City

State

Zip Code

## Legal Owner(s):

John M. Hunter

Name - Type or Print

Signature

N/A

Name - Type or Print

Signature

11010 Bird River Grove Road

(410) 344-0492

Address

White Marsh

MD

Telephone No.

21162

State

Zip Code

## Representative to be Contacted:

Lawrence E. Schmidt

Name

300 E. Lombard Street, Suite 1440

(410) 234-0070

Address

Baltimore

MD

Telephone No.

21202

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JL  
DRP/CKP  
Date 5/15/06

REV 09/15/98

ORDER RECEIVED FOR FILING

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# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11010 & 11014 Bird River Grove Road

which is presently zoned RC-2 & BL

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)

Section 409.6A.2. (B.C.Z.R.) to permit 58 parking spaces in-lieu-of the required 137 parking spaces.

Section 409.8A.2. (B.C.Z.R.) to permit a driveway and parking surface of compacted stone in-lieu-of the required durable and dustless surface. Section 409.8A.6. (B.C.Z.R.) to permit unstriped parking spaces in-lieu-of the required striping.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Existing Tavern Building was severely damaged by Hurricane Isabel and with temporary repairs has reopened awaiting construction of new building situated above flood level. Site is situated within Chesapeake Bay Critical Area which limits impervious surfaces. Therefore, existing parking areas and drives are to be preserved to the extent possible.

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

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

I/We do solemnly 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:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

To Be Determined

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 06 516 SPHA  
ALB 516 SPHA

REV 9/15/98

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7-20-06

pb

## Legal Owner(s):

John M. Hunter

Name - Type or Print

Signature

Debra Davis

Name - Type or Print

Signature

11010 Bird River Grove Road

410-344-0492

Address

Telephone No.

White Marsh

MD

21162

City

State

Zip Code

## Representative to be Contacted:

Bafitis & Associates, Inc.

Clyde F. Hinkle

Name

1249 Engleberth Road

410-391-2336

Address

Telephone No.

Baltimore

MD

21221

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS

UNAVAILABLE FOR HEARING

Reviewed By JK

Date 4/17/06



Bafitis & Associates, Inc.

516

**ZONING DESCRIPTION  
OF  
LOT LINE ADJUSTMENT AREA  
BETWEEN  
11010 AND 11014 BIRD RIVER GROVE ROAD  
15<sup>TH</sup> ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Description of that portion of land to be conveyed from that lot ground known as 11014 Bird River Grove Road to that lot of ground known as 11010 Bird River Grove Road.

Beginning at a point (P.O. B. No. 11010) located on the North side of Bird River Grove Road, 30 feet wide, said point being located 2,520, feet, more or less, Northeasterly from the centerline of Ebenezer Road; thence binding on the North side of said Bird River Grove Road in a Northeasterly direction and reversing on South 57°-02'-30" West, 97.44 feet, thence Northeasterly by a curve to the right with a radius of 287.77 feet and a length of 103.03 feet to the Point Of Beginning (No. 11014.), for the description of the lot line adjustment between 11010 and 11014 Bird River Grove Road.

Thence leaving said Bird River Grove Road and binding on and reversing on the common lot line between 11010 and 11014 Bird River Grove Road, North 01°-56'-00" West, 330.29 feet to a point in or along White Marsh Run, thence along White Marsh Run North 26°-39'-02" East 113.05 feet, thence for a new line of division between 11010 and 11014 Bird River Grove Road, and recrossing White Marsh Run South 08°-41'-11" East 69.08 feet; to point on the South side of White Marsh Run, thence continuing along the line of division, South 01°-56'-00" West, 355.97 feet to the Northeast side of Bird River Grove Road, thence binding on the Northeast side of Bird River Grove Road South 86°-56'-00" West 14.23 feet; thence Southwesterly by a curve to the left with a radius of 287.77 feet and a length of 47.10 feet to the Point Of Beginning (No. 11014).

Containing 22,789.69 Square Feet or 0.523 Acres of land, more or less, including portions of White Marsh Run.

Being a portion of that lot of ground deeded to John M. Hunter and Debra A. Davis in Deed Liber 16288, Folio 262 and recorded among the Land Records of Baltimore County, Maryland and Dated April 4, 2002.



4/7/06  
Date



Bafitis & Associates, Inc.

For <sup>new</sup> SPX  
REVISION

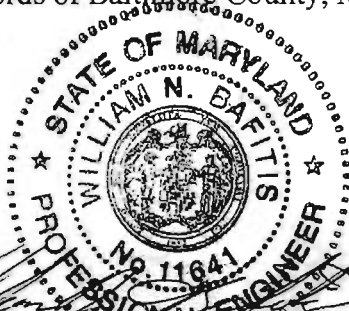
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ZONING DESCRIPTION  
OF  
BL ZONED LAND  
AT  
11010 AND 11014 BIRD RIVER GROVE ROAD  
15<sup>TH</sup> ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

Beginning at a point (P.O.B. No. 11010) located on the Northside of Bird River Grove Road, 30 feet wide, said point being located 2,520 feet, more or less, Northeasterly from the centerline of Ebenezer Road; thence binding on the North side of Bird River Grove Road in a Northeasterly direction and reversing on South 57°-02'-30" West 76 feet, more or less, to the Point Of Beginning intended to be on the zoning line of division between RC-2 and BL Zones; thence leaving the North side of Bird River Grove Road and intending to bind on said zoning division line Northwesterly 210 feet, more or less, to the center of White Marsh Run; thence Northeasterly binding on the zoning division line between ML and BL zones and the approximate center of White Marsh Run 303 feet, more or less to a point on the outline of 11010 Bird River Grove Road; thence binding on the outline of 11010 Bird River Grove Road North 58°-16'-06" East 57.5 feet, more or less; thence binding on the outline of #11014 Bird River Grove Road, North 26°-39'-02" East 35 feet, more or less, to the zoning division line between ML and BL in White Marsh Run; thence binding on said zoning division line Northeasterly 52 feet, more or less, along the centerline of White Marsh Run; thence leaving the centerline of White Marsh Run, intending to follow on or along the zoning division line between BL and RC-2 Zones and reversing on a proposed lot line South 08°-41'-11" East, 32 feet, more or less and South 01°-56'-00" West 355.97 feet to the said North side of Bird River Grove Road; thence binding on the North side of Bird River Grove Road South 86°-56'-00" West 54.39 feet; thence by a curve to the left with a radius of 287.77 feet and a arc length of 150.13 feet; South 57°-02'-30" West 21.44 feet to the Point Of Beginning.

Containing 75,468.25 Square feet or 1.732 Acres of land, more or less, zoned BL, including portions of White Marsh Run.

Being portions of those parcels of ground deeded to John M. Hunter and John M. Hunter and Debra A. Davis in Deeds Liber 20976, Folio 714 and Liber 16288, Folio 262, recorded among the land records of Baltimore County, Maryland and dated November 10, 2004 and April 4, 2002 respectfully.



William N. Bafitis, P.E., M.E. Reg. #11641

Date

5/4/06

# CERTIFICATE OF POSTING

RE: Case No. 06-516-SPHXA

Petitioner/Developer: JOHN M.

HUNTER

Date of Hearing/Closing: JULY 11, 2006

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:

11010 + 11014 BIRD RIVER GROVE ROAD

The sign(s) were posted on

6-26-06

(Month, Day, Year)

Sincerely,

Robert Black 6-27-06  
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



# 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: # 06-516-SPHXA

11010 & 11014 Bird River Grove Road

North side of Bird River Grove Road, 2,520 feet east of Ebenezer Road

15th Election District — 6th Councilmanic District

Legal Owner(s): John M. Hurter

**Special Hearing:** to allow business parking in a residential zone (for parts of 7 existing parking spaces).

**Variance:** to permit 58 parking spaces in lieu of the required 137 parking spaces and to permit a driveway and parking surface of compacted stone in lieu of the required durable and dustless surface and to permit unstriped parking spaces in lieu of the required striping.

**Special Exception:** to permit an arcade (up to 10 machines) pursuant to Section 230.13 of the BCZR.

**Hearing:** Tuesday, July 11, 2006 at 2:00 p.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 accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 6/747 June 27

100153

## CERTIFICATE OF PUBLICATION

6/29/2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/27/2006.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

*J. Wilkinson*

LEGAL ADVERTISING

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET & FINANCE**  
**MISCELLANEOUS RECEIPT**

No.

516  
5977

DATE

4/14/06

ACCOUNT

0010066150

AMOUNT \$

650.00

RECEIVED  
FROM:

Baptis + Assoc.

FOR:

Nov Per SPA + Variance

11013 + 11014 Bnd Revs from Ref

**DISTRIBUTION**

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**PAID RECEIPT**

| BUSINESS                          | ACTUAL    | TIME      | DRM |
|-----------------------------------|-----------|-----------|-----|
| 4/18/2006                         | 4/17/2006 | 10:41:41  | 1   |
| REG NBD1                          | WALKIN    | 310 JPR   |     |
| >>RECEIPT H 202355 4/17/2006 OFLH |           |           |     |
| Dept 5 520 TIMING VERIFICATION    |           |           |     |
| CR NO. 005977                     |           |           |     |
| Recpt Tot                         |           | \$650.00  |     |
| \$650.00 CR                       |           | \$0.00 CA |     |
| Baltimore County, Maryland        |           |           |     |

**CASHIER'S VALIDATION**

**BALTIMORE COUNTY, MARYLAND****OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT**

No. 6025

DATE 5/15/06 ACCOUNT 001-006-6150

AMOUNT \$

150.00RECEIVED  
FROM:Gildea & Schmidt LLCFOR: 06-516 SPHXA11010 & 11014 Bird River Grove Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRN

5/16/2006 5/16/2006 08:53:48 4

REG WSD6 WALKIN KNCH KXH

&gt;&gt;RECEIPT # 475141 5/16/2006 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 006025

Recpt Tot \$150.00

\$150.00 CR \$0.00 CA

Baltimore County, Maryland

**CASHIER'S VALIDATION**

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, June 27, 2006 Issue - Jeffersonian

Please forward billing to:

John M. Hunter  
11010 Bird River Grove Road  
White Marsh, MD 21162

410-335-9840

---

## 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: 06-516-SPHXA**

11010 & 11014 Bird River Grove Road

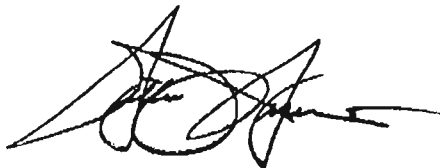
North side of Bird River Grove Road, 2,520 feet east of Ebenezer Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: John M. Hunter

Special Hearing to allow business parking in a residential zone (for parts of 7 existing parking spaces). Variance to permit 58 parking spaces in lieu of the required 137 parking spaces and to permit a driveway and parking surface of compacted stone in lieu of the required durable and dustless surface and to permit unstriped parking spaces in lieu of the required striping. Special Exception to permit an arcade (up to 10 machines) pursuant to Section 230.13 if the BCZR.

Hearing: Tuesday, July 11, 2006 at 2:00 p.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.



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 31, 2006

## 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: 06-516-SPHXA**

11010 & 11014 Bird River Grove Road

North side of Bird River Grove Road, 2,520 feet east of Ebenezer Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: John M. Hunter

Special Hearing to allow business parking in a residential zone (for parts of 7 existing parking spaces). Variance to permit 58 parking spaces in lieu of the required 137 parking spaces and to permit a driveway and parking surface of compacted stone in lieu of the required durable and dustless surface and to permit unstriped parking spaces in lieu of the required striping. Special Exception to permit an arcade (up to 10 machines) pursuant to Section 230.13 if the BCZR.

Hearing: Tuesday, July 11, 2006 at 2:00 p.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Lawrence Schmidt, 300 E. Lombard Street, Ste. 1440, Baltimore 21202  
John Hunter, 11010 Bird River Grove Road, White Marsh 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 26, 2006.**
- (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](http://www.baltimorecountyonline.info)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

---

---

For Newspaper Advertising:

Item Number or Case Number: 06 516 SP#A  
Petitioner: John M. Hunter & Debra A. Davis  
Address or Location: 11010 Bird River Grove Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. John M. Hunter  
Address: 11010 Bird River Grove Road  
White Marsh, MD 21162  
Telephone Number: 410-335-9840

Revised 2/20/98 - SCJ



**BALTIMORE COUNTY**

M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and*  
*Development Management*

July 7, 2006

Lawrence Schmidt  
Gildea & Schmidt, LLC  
300 E. Lombard St.  
Baltimore, MD 21202

Dear: Mr. Schmidt,

RE: Case Number: 06-516-SPHXA, 11010&11014 Bird River Grove Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 15, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:sma

Enclosures

c: People's Counsel  
John Hunter 11010 Bird River Rd. White Marsh, MD 21162

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Timothy M. Kotroco, Director  
Department of Permits & Development  
Management

**DATE:** May 25, 2006

**FROM:** Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 30, 2006  
Item No. 516

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw  
cc: File  
ZAC-ITEM NO 516-05252006.doc

RECEIVED FOR FILING  
7-20-06  
Pg

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 08 2006

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Jeff Livingston, DEPRM - Development Coordination JWL

DATE: 06/06/2006

SUBJECT: Zoning Item # 06-516-SPHXA  
Address 11010 & 11014 Bird River Grove Road

Zoning Advisory Committee Meeting of May 22, 2006

\_\_\_\_\_ 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 33-3-101 through 33-3-120 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

The proposed lot line adjustment would reduce the residential building lot area closest to the road for the purpose of providing additional parking for proposed expansion of the Dug Out Bar. County approval of this lot line adjustment would not justify any permanent impacts to forested buffer to tidal waters and wetlands necessary to facilitate the subsequent two lot minor residential subdivision that the bar's owner is also pursuing,

jm  
7/11

7-20-06  
p3

as it would create a self-imposed hardship and force a subdivision design that does not minimize impacts to water quality, fish, wildlife, and/or plant habitat within the Chesapeake Bay Critical Area (CBCA). Consequently, Environmental Impact Review in DEPRM could not support any CBCA administrative variance authorizing such impacts. Furthermore, DEPRM can only support the lot line adjustment request with the petitioner's clear understanding that such support is not tacit approval of any subsequent development proposing impacts to the wetlands or buffer, and that any such development will be reviewed on its own merits.

Reviewer: Martha Stauss, Glenn Shaffer

Date: 6/6/2006

jm  
7/11

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Timothy M. Kotroco, Director  
Department of Permits and  
Development Management

**DATE:** June 7, 2006

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

**SUBJECT:** 11010 & 11014 Bird River Grove Road

**INFORMATION:**

**Item Number:** 6-516

**Petitioner:** John Hunter and Debra Davis

**Zoning:** RC 2 and BL

**Requested Action:** Special Hearing and Variance

RECEIVED

JUN 09 2006

ZONING COMMISSIONER

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning has reviewed the petitioner's request and offers the following comments:

The Office of Planning has significant concern about the proposed parking variance. The existing building's square footage has been more than doubled in area with the proposed building. The number of parking spaces that are to be provided and that which are required differ significantly. If the proposed establishment has patrons to capacity the proposed parking will not support the amount of vehicles that will be a result of the said patronage. There shall be no net gain in parking into the adjacent RC 2 zone. The proposed building's square footage should be reduced so that there is not such a significant difference between the required parking and that, which is actually feasible.

Should the petitioner demonstrate a hardship or practical difficulty, resulting in the Zoning Commissioner granting the subject request the following conditions shall be placed on the decision:

1. The applicant shall submit to the Office of Planning, building elevations indicating exterior building materials, colors, and architectural detail to ensure compatibility with the adjacent residential community.
2. All proposed signage, both building and freestanding, shall be submitted to this office for review and approval.
3. All loading areas refuse areas and /or dumpsters shall be adequately screened.
4. The parking spaces on the west side of the property shall be adequately screened from the adjacent residence located at 11016 Bird River Grove Road.

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

Prepared by:

*Curtis Murray*

Division Chief:

AFK/LL: CM

*Larry Jackson*

RECEIVED FOR FILING  
7-21-06  
PZ

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



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

Maryland Department of Transportation

Date: 4.21.06

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

RE: Baltimore County  
Item No. 516 JLL

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

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)



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

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

Maryland Department of Transportation

Date: 5.19.06

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

RE: Baltimore County  
Item No. 516 JLL

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

My telephone number/toll-free number is -

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)

## 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

April 21, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 24, 2006

Item Numbers: 516

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.

3. 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.

Lieutenant Roland P Bosley Jr.  
Fire Marshal's Office  
410-887-4881 (C) 443-829-2946  
MS-1102F

cc: File

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



Printed on Recycled Paper

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE \*  
11010 & 11014 Bird River Grove Road; N/S \* ZONING COMMISSIONER  
Bird River Grove Road, 2,520' Ebenezer Road \*  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts \* FOR  
Legal Owner(s): John Hunter & Debra Davis \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 06-516-SPHA

\* \* \* \* \*

### 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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

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 21st day of April, 2006, a copy of the foregoing Entry of Appearance was mailed Bafitis & Associates, Inc, 1249 Engleberth Road, Baltimore, MD 21221, Representative for Petitioner(s).

RECEIVED

APR 21 2006

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

**GILDEA & SCHMIDT, LLC**

DAVID K. GILDEA  
DAVIDGILDEA@GILDEALLC.COM

LAWRENCE E. SCHMIDT  
LSCHMIDT@GILDEALLC.COM

SEBASTIAN A. CROSS  
SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III  
JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN  
DHOLMAN@GILDEALLC.COM

JASON T. VETTORI  
JVETTORI@GILDEALLC.COM

300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070

FACSIMILE 410-234-0072

[www.gildeallc.com](http://www.gildeallc.com)

TOWSON, MD OFFICE  
220 BOSLEY AVENUE  
TOWSON, MARYLAND 21204  
TELEPHONE 410-337-7057

August 2, 2006

RECEIVED

AUG 07 2006

ZONING COMMISSIONER

John V. Murphy  
Deputy Zoning Commissioner  
Baltimore County  
401 Bosley Ave, 4th Floor  
Towson MD 21204

**Re: Hunter/Dougout Tavern  
Case #06-516 SPHA**

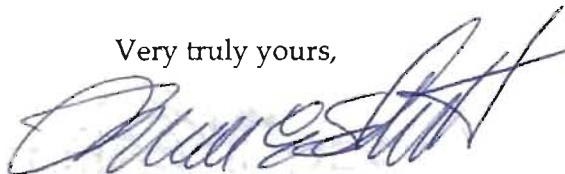
Dear Mr. Murphy:

Thank you for your Findings of Fact and Conclusions of Law and Order issued in the above matter on July 20, 2006. Mr. Hinkle of Bafitis and Associates, Inc. has requested that I contact you to clarify certain findings within your written decision. Specifically, your decision indicates in several places (e.g. page 4) that the existing parking lot is a crusher type surface. This finding suggests that the entire existing lot is of a pervious nature.

Although it is the property owner's intent to provide a durable and dustless parking surface (hence the petition for zoning variance) the existing parking surface is a combination of paved/impervious surface and crusher run pervious surface. This existing condition is significant insofar as DEPRM's evaluation of existing conditions and that agency's application of the Chesapeake Bay Critical Area standards. Thus, I wanted to make certain that your written findings would not be interpreted as rendering a finding that the existing lot is entirely pervious/crusher run. That is, it is a combination of both pervious and impervious surface.

I do not believe that any additions need be made to your order, however; I am requesting that you include this letter in the case file. I am also forwarding a copy to DEPRM as that agency has already been on site and investigated the existing conditions.

Very truly yours,



Lawrence E. Schmidt

LES: jls

cc: John M. Hunter  
Clyde F. Hinkle, Bafitis & Associates, Inc.  
Glenn Schaeffer, DEPRM



Bowerman Loreley Beach

Community Association Incorporated

P.O. Box 93 White Marsh, Maryland 21162

May 15, 2006

To Whom It May Concern:

On behalf of the Bowerman Loreley Beach Community Association we are not opposed to the new construction of the Dug Out. They have always been good neighbors and very involved in their community. We have enjoyed working with them in the past and look forward to future endeavors

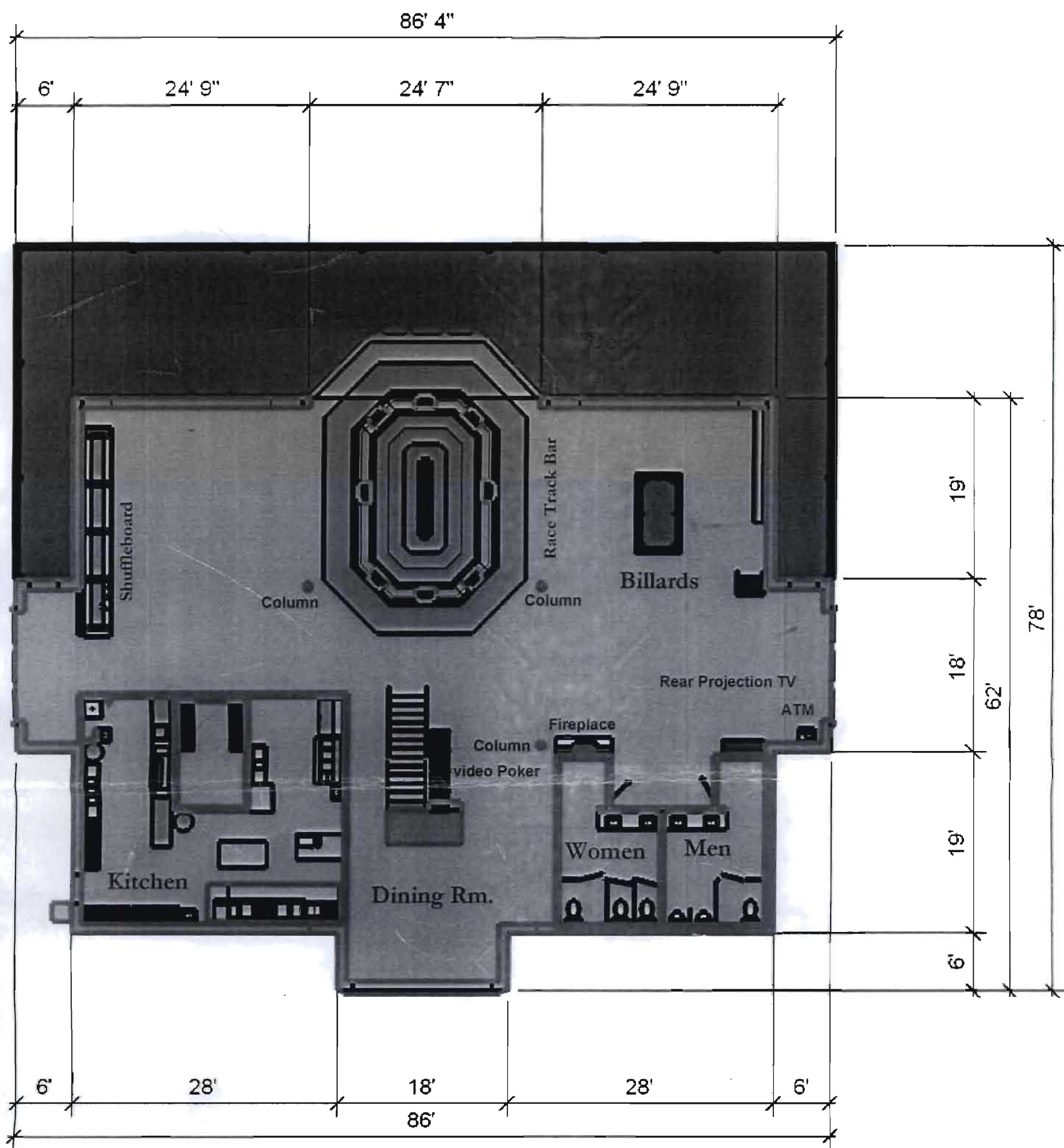
If you need further information, please contact me at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Holter". The signature is written in a cursive style with a long horizontal line extending from the end.

Patrick Holter  
President  
B.L.B.C.A.

Pct No 5



**Dimensioned Plan**

*Ref No 6*

CASE NAME 06-516-SPHYKA  
CASE NUMBER 7/11/06  
DATE HUNTER  
**LET** DUG OUT

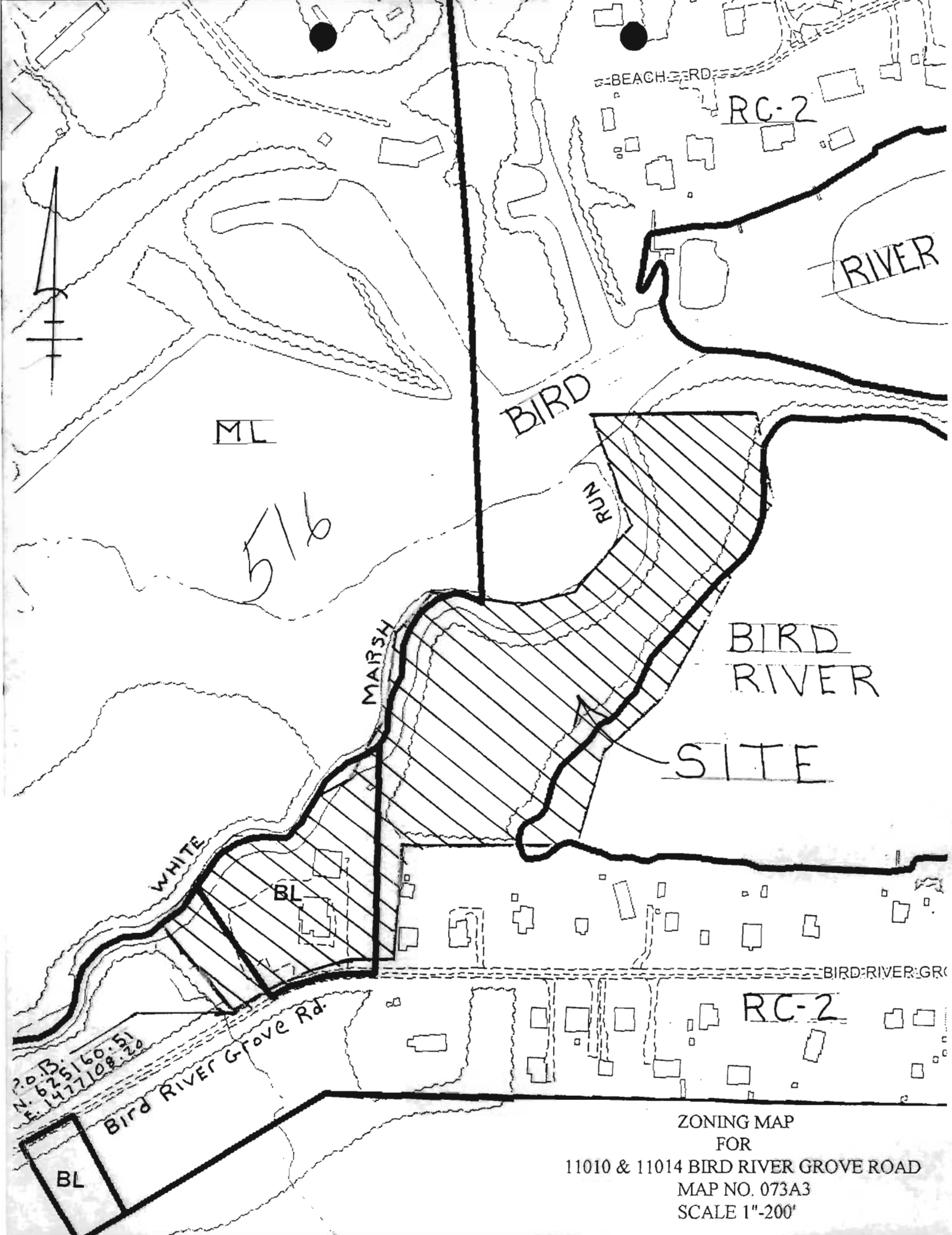
D06 007

owner of adjacent property  
ADDRESS

CITY, STATE, ZIP

E-MAIL

|                    |                                            |                      |                |
|--------------------|--------------------------------------------|----------------------|----------------|
| John Hunter        | 11010 Bird River Grove Rd                  | White Marsh Md 21162 |                |
| Debra Davis        | 11010 Bird River Grove Rd                  | White Marsh MD 21162 |                |
| Lawrence E Schmidt | 220 Buskey Ave                             | Towson, MD 21204     |                |
| Clyde Hinkle       | 1249 Englebert Rd                          | Baltimore, MD 21221  | Baptist Assoc. |
|                    | <del>220</del> Zoning Consultant - Pafitis |                      |                |



ZONING MAP  
FOR

11010 & 11014 BIRD RIVER GROVE ROAD

MAP NO. 073A3

SCALE 1"=200'











































## STORM WATER MANAGEMENT

- 1) A WAIVER OF STORM WATER QUANTITY MANAGEMENT WILL BE REQUESTED DUE TO DIRECT TIDAL DISCHARGE OF STORM WATER RUNOFF.
- 2) IT IS ANTICIPATED THAT STORM WATER QUALITY MANAGEMENT WILL BE ADDRESSED BY RETAINING OR REDUCING ONSITE IMPERVIOUS AREA, IMPROVING ENVIRONMENTAL CONDITIONS ALONG SITES' WATERFRONT AND/OR PLANTINGS IN THE 100' CRITICAL AREA BUFFER AND/OR OTHER ONSITE PLANTINGS.

## FLOOD NOTE

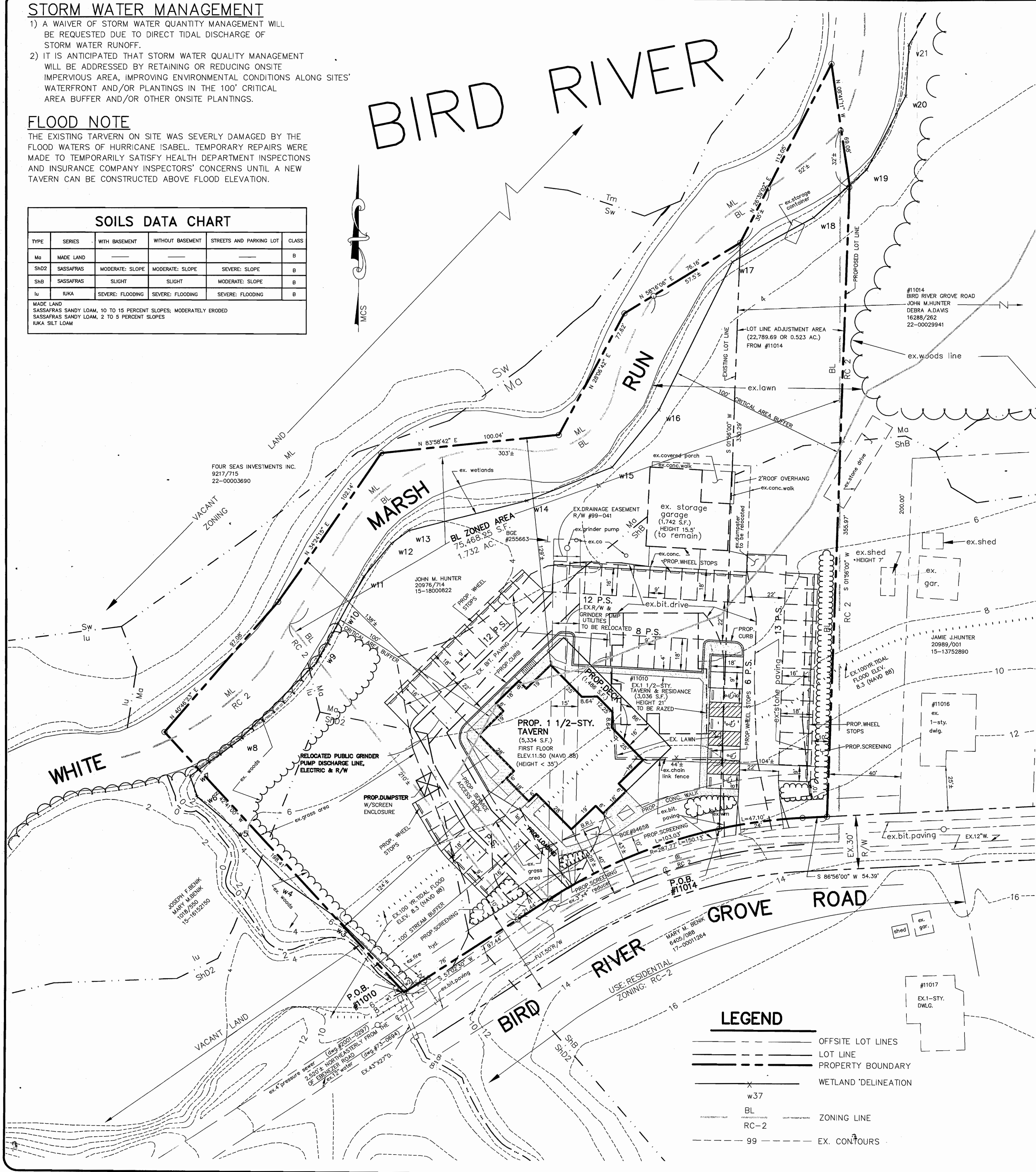
THE EXISTING TARNVERN ON SITE WAS SEVERLY DAMAGED BY THE FLOOD WATERS OF HURRICANE ISABEL. TEMPORARY REPAIRS WERE MADE TO TEMPORARILY SATISFY HEALTH DEPARTMENT INSPECTIONS AND INSURANCE COMPANY INSPECTORS' CONCERNS UNTIL A NEW TAVERN CAN BE CONSTRUCTED ABOVE FLOOD ELEVATION.

## SOILS DATA CHART

| TYPE | SERIES    | WITH BASEMENT    | WITHOUT BASEMENT | STREETS AND PARKING LOT | CLASS |
|------|-----------|------------------|------------------|-------------------------|-------|
| Ma   | MADE LAND |                  |                  |                         | B     |
| ShD2 | SASSAFRAS | MODERATE: SLOPE  | MODERATE: SLOPE  | SEVERE: SLOPE           | B     |
| ShB  | SASSAFRAS | SLIGHT           | SLIGHT           | MODERATE: SLOPE         | B     |
| lu   | LURA      | SEVERE: FLOODING | SEVERE: FLOODING | SEVERE: FLOODING        | B     |

MADE LAND  
SASSAFRAS SANDY LOAM, 10 TO 15 PERCENT SLOPES; MODERATELY ERODED  
SASSAFRAS SANDY LOAM, 2 TO 5 PERCENT SLOPES  
LURA SILT LOAM

# BIRD RIVER



## NOTES

1. Topography shown hereon was taken from Baltimore County GIS Topography & Updated by field survey. (JULY 2005)
2. This site is partially situated within the tidal flood plain of Bird River.
3. The Firm Insurance Rate Map, Panel 295 of 575 indicates this is situated within flood Zones A & B with a Flood Elevation of 10.0 (BCMD) for this site. Utilizing North American Vertical Datum (NAVD) of 1988 for this site the flood elevation is 8.3 (NAVD 88). (Baltimore County requires a minimum first floor elevation of 9.5) NAVD 88.
4. Property lines shown hereon were established by a boundary survey.
5. This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 73).
6. There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
7. Any Critical Area easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.
8. This site is not situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
9. There are no forest or developed woodlands on this site.
10. Tidal & Non-Tidal Wetlands shown on this site were field delineated and verified by Baltimore County DEPRM.
11. There is no significant plant or animal habitat on this site.
12. There are no slopes greater than 15% on this site except as shown along White Marsh Run.
13. There are no known wells on this site.
14. There are no known underground storage tanks or septic systems on this site.
15. There are no known potentially hazardous materials on this site as defined by Title 7--Health and Environmental Article, Annotated Code of Maryland, except as noted.
16. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
17. The site has 525± of water frontage.
18. Public Water and sewer serve this site.
19. This site has not been the subject of the CRG Process.
20. All signs shall comply with current Baltimore County Zoning Regulations.
21. Caution underground utilities may exist in Bird River Grove Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
22. Proposed building height < 35'.
23. All roof downspouts must discharge rainwater runoff on-to a pervious surface.
24. Lighting Fixtures shall be so arranged as to reflect light away from residential lots and public streets.
25. Lighting standards shall be protected from vehicular traffic by curbing or landscaping.

## ZONING HISTORY

NO PREVIOUS ZONING HEARINGS OR CASES.

## ZONING VARIANCE REQUEST

- 1) TO PERMIT 58 PARKING SPACES IN LIEU OF THE REQUIRED 137 PARKING SPACES. SECTION 409.6A.2. B.C.Z.R.
- 2) TO PERMIT A DRIVEWAY AND PARKING SURFACE OF COMPACTED STONE IN LIEU OF THE REQUIRED DURABLE AND DUSTLESS SURFACE PER SECTION 409.8A.2.(B.C.Z.R.).
- 3) TO PERMIT UNSTRIPED PARKING SPACES IN LIEU OF THE REQUIRED STRIPING PER SECTION 409.8A.6.(B.C.Z.R.).

## ZONING SPECIAL HEARING REQUEST

- 1) TO PERMIT BUSINESS PARKING IN A RESIDENTIAL ZONE (RC-2) PER SECTION 409.8B.1.& 2.(B.C.Z.R.).

## ZONING SPECIAL EXCEPTION REQUEST

- 1) AN ARCADE (UP TO 10 MACHINES) PER. SECTION 230.13 OF B.C.Z.R.

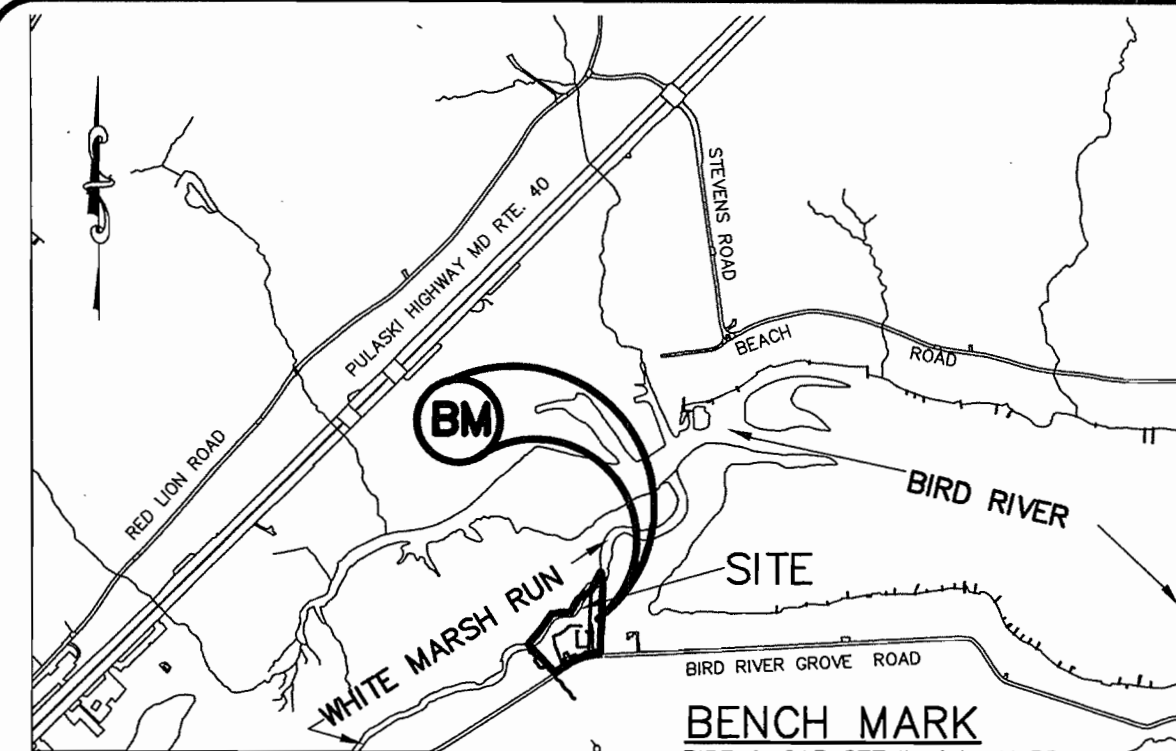
## SITE AREAS

| DESCRIPTION                    | EXISTING LOT AREA           | LOT LINE ADJUSTMENT AREA    |
|--------------------------------|-----------------------------|-----------------------------|
| (A) LAND AREA                  | 61,916.90 S.F. OR 1.421 AC. | 20,593.86 S.F. OR 0.473 AC. |
| (B) WATER AREA                 | 12,285.34 S.F. OR 0.281 AC. | 2,195.83 S.F. OR 0.050 AC.  |
| (C) TOTAL                      | 74,182.24 S.F. OR 1.703 AC. | 22,789.69 S.F. OR 0.523 AC. |
| (D) 1/2 ROAD RIGHT-OF-WAY      | 2,912.50 S.F. OR 0.066 AC.  | 914.00 S.F. OR 0.021 AC.    |
| (E) GROSS LAND AREA (A & D)    | 64,829.40 S.F. OR 1.487 AC. | 21,507.86 S.F. OR 0.494 AC. |
| PROPOSED TOTAL SITE AREA (A's) | 82,510.76 S.F. OR 1.894 AC. |                             |
| GROSS SITE AREA (A's & D's)    | 86,337.26 S.F. OR 1.982 AC. |                             |

## NOTE

APPLICATION HAS BEEN MADE TO THE DEVELOPMENT REVIEW COMMITTEE (DRC) FOR LOT LINE ADJUSTMENT AS SHOWN HEREON.

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM NAD 83/91 HORIZONTAL AND NAVD 1988 VERTICAL DATUM



## VICINITY MAP

(SCALE: 1" = 1000')

## SITE DATA

- 1) OWNER: JOHN M. HUNTER  
JOHN M. HUNTER & DEBRA A. DAVIS  
#11010 BIRD RIVER GROVE ROAD  
WHITE MARSH, MARYLAND 21162
- 2) DEED REF: 20976/714 & 16288/262
- 3) TAX ACC. NO.: 15-18000822 & 22-00029941
- 4) TAX MAP: 73 PARCEL: 23 & 22 LOT: NONE
- 5) PLAT REF: NONE
- 6) ELECTION DISTRICT: 15TH
- 7) CONCILMANIC DISTRICT: 6TH
- 8) REGIONAL PLANNING DISTRICT: 322B
- 9) CENSUS TRACT: 4517.02
- 10) ZONING: BL & RC 2
- 11) ZONING MAP: 073A3
- 12) USE: EXISTING: RESIDENTIAL, TAVERN & PARKING  
PROPOSED: TAVERN, ARCADE & PARKING
- 13) PROPOSED FLOOR AREAS:  
TAVERN 1ST FLOOR = 4,584 S.F.  
TAVERN 2ND FLOOR = 750 S.F.  
TAVERN DECK = 1,486 S.F..  
TOTAL FLOOR AREA = 6,820 S.F.
- 14) SITE AREAS: SEE TABLE AT LEFT
- 15) FLOOR AREA RATIO: \*  
PERMITTED: 3.0 MAX. (BL ZONE)  
PROPOSED: < 3.0  
WITHIN 750' OF RC ZONE 0.5 (SECT.232C.1B B.C.Z.R.)  
PROPOSED: < 0.5  
\* INCLUDING LOT LINE ADJUSTMENT AREA
- 16) PARKING:  
REQUIRED: TAVERN 20 P.S. / 1,000 S.F.  
 $\frac{6,820}{1,000} \times 20 = 136.4 = 137$  P.S.  
PROVIDED: 58 P.S.



Bafitis & Associates, Inc.

William N. Bafitis, P.E.  
PRESIDENT

Civil Engineers/Land Planners  
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

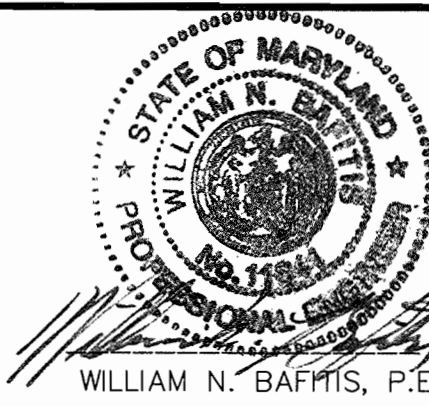
(410) 391-2336

## PLAN TO ACCOMPANY

PETITION FOR ZONING VARIANCES,  
SPECIAL HEARING, AND SPECIAL EXCEPTION  
FOR  
#11010 & 11014 BIRD RIVER GROVE ROAD

15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND



1

SCALE:

1" = 30'

JOB ORDER NO:

20503

DATE:

04/12/06

SHEET 1 OF 1

| NO. | REVISIONS             | DATE     |
|-----|-----------------------|----------|
|     | ADD SPECIAL EXCEPTION | 05/05/06 |
|     |                       |          |
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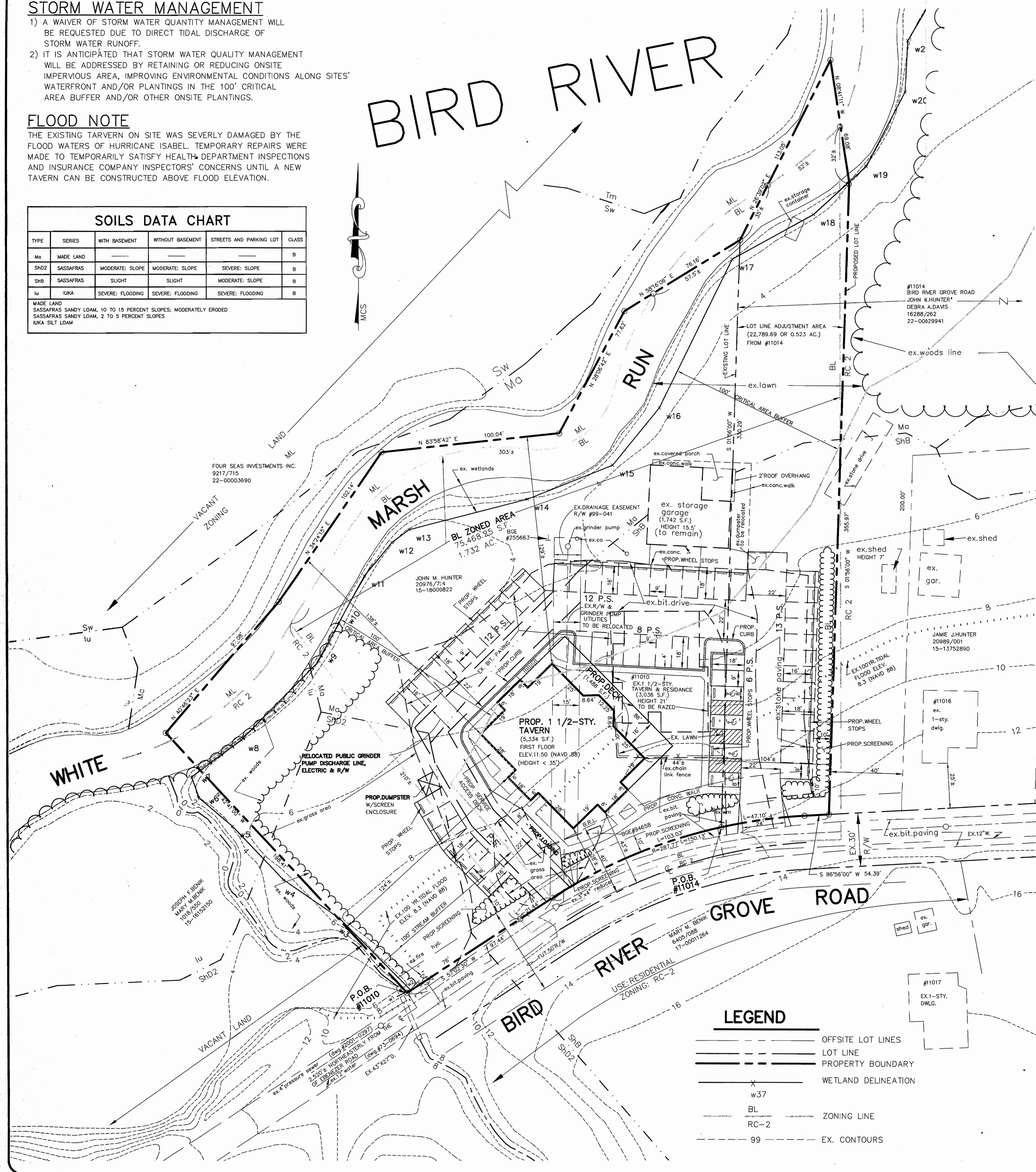
REVISED 06 516 SPHXA

- 1) A WAIVER OF STORM WATER QUANTITY MANAGEMENT WILL BE REQUESTED DUE TO DIRECT TIDAL DISCHARGE OF STORM WATER RUNOFF.
- 2) IT IS ANTICIPATED THAT STORM WATER QUALITY MANAGEMENT WILL BE ADDRESSED BY RETAINING OR REDUCING ONSITE IMPERVIOUS AREA, IMPROVING ENVIRONMENTAL CONDITIONS ALONG SITES WATERFRONT AND/OR PLANTINGS IN THE 100' CRITICAL AREA BUFFER AND/OR OTHER ONSITE PLANTINGS.

THE EXISTING TAVERN ON SITE WAS SEVERELY DAMAGED BY THE FLOOD WATERS OF HURRICANE ISABEL. TEMPORARY REPAIRS WERE MADE TO TEMPORARILY SATISFY HEALTH DEPARTMENT INSPECTIONS AND INSURANCE COMPANY INSPECTORS' CONCERNS UNTIL A NEW TAVERN CAN BE CONSTRUCTED ABOVE FLOOD ELEVATION.

| SOILS DATA CHART |           |                  |                  |                         |       |
|------------------|-----------|------------------|------------------|-------------------------|-------|
| TYPE             | SERIES    | WITH BASEMENT    | WITHOUT BASEMENT | STREETS AND PARKING LOT | CLASS |
| Mo               | MADE LAND | _____            | _____            | _____                   | B     |
| SKDZ             | SASSAFRAS | MODERATE: SLOPE  | MODERATE: SLOPE  | SEVERE: SLOPE           | B     |
| SHB              | SASSAFRAS | SLIGHT           | SLIGHT           | MODERATE: SLOPE         | B     |
| Iu               | IUKA      | SEVERE: FLOODING | SEVERE: FLOODING | SEVERE: FLOODING        | B     |

MADE LAND  
 SASSAFRAS SANDY LOAM, 10 TO 15 PERCENT SLOPES, MODERATELY ERODED  
 SASSAFRAS SANDY LOAM, 2 TO 5 PERCENT SLOPES  
 IUKA SILT LOAM



1. Topography shown hereon was taken from Baltimore County GIS Topography & Updated by field survey. (JULY 2005).
2. This site is partially situated within the tidal flood plain of Bird River.
3. The Firm Insurance Rate Map, Panel 295 of 575 indicates this is situated within 'flood Zones A with a Flood Elevation of 10.0 (BCMD) for this site. Utilizing North American Vertical Datum (NAVD) of 1988 for this site the flood elevation is 8.3 (NAVD 88). (Baltimore County requires a minimum first floor elevation of 9.5) NAVD 88.
4. Property lines shown hereon were established by a boundary survey.
5. This site is situated within the Chesapeake Bay Critical Areas and is classified by 'land use as Limited Development Area (LDA) (MAP 73).
6. There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
7. Any Critical Area easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.
8. This site is not situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
9. There are no forest or developed woodlands on this site.
10. Tidal & Non-Tidal Wetlands shown on this site were field delineated and verified by Baltimore County DEPRM.
11. There is no significant plant or animal habitat on this site.
12. There are no slopes greater than 15% on this site except as shown along White Marsh Run.
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14. There are no known underground storage tanks or septic systems on this site.
15. There are no known potentially hazardous materials on this site as defined by Title 7 - Health and Environmental Article, Annotated Code of Maryland, except as noted.
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17. The site has 525± of water frontage.
18. Public Water and sewer serve this site.
19. This site has not been the subject of the CRG Process.
20. All signs shall comply with current Baltimore County Zoning Regulations.
21. Caution underground utilities may exist in Bird River Groe Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
22. Proposed building height < 35'.
23. All roof downspouts must discharge rainwater runoff on-to a pervious surface.
24. Lighting Fixtures shall be so arranged as to reflect light away from residential lots and public streets.
25. Lighting standards shall be protected from vehicular traffic by curbing or landscaping.

NO PREVIOUS ZONING HEARINGS OR CASES.

- 1) TO PERMIT 58 PARKING SPACES IN LIEU OF THE REQUIRED 137 PARKING SPACES. SECTION 409.6A.2.(B.C.Z.R.).
- 2) TO PERMIT A DRIVEWAY AND PARKING SURFACE OF COMPACTED STONE IN LIEU OF THE REQUIRED DURABLE AND DUSTLESS SURFACE PER SECTION 409.8A.2.(B.C.Z.R.).
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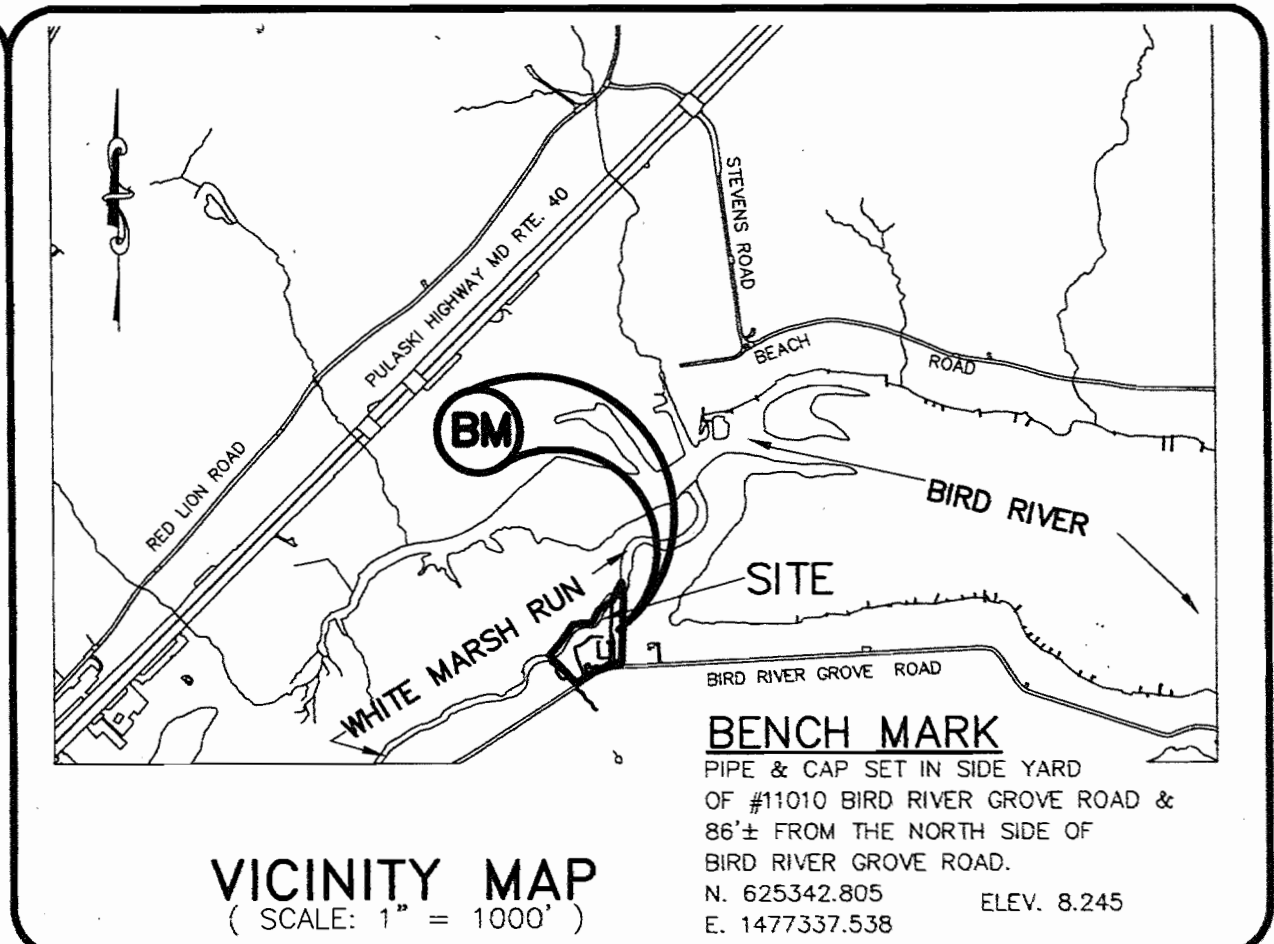
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PER SECTION 409.8B.1.& 2.(B.C.Z.R.).

1) AN ARCADE (UP TO 10 MACHINES) PER. SECTION 230.13 OF B.C.Z.R.

| SITE AREAS                        |                              |                             |
|-----------------------------------|------------------------------|-----------------------------|
| DESCRIPTION                       | EXISTING LOT AREA            | LOT LINE<br>ADJUSTMENT AREA |
| (A) LAND AREA                     | 61,916.90' S.F. OR 1.421 AC. | 20,593.86 S.F. OR 0.473 AC. |
| (B) WATER AREA                    | 12,285.34 S.F. OR 0.281 AC.  | 2,195.83 S.F. OR 0.050 AC.  |
| (C) TOTAL                         | 74,182.24 S.F. OR 1.703 AC.  | 22,789.69 S.F. OR 0.523 AC. |
| (D) 1/2 ROAD<br>RIGHT-OF-WAY      | 2,912.50 S.F. OR 0.066 AC.   | 914.00 S.F. OR 0.021 AC.    |
| (E) GROSS LAND<br>AREA (A & D)    | 64,829.40 S.F. OR 1.487 AC.  | 21,507.86 S.F. OR 0.494 AC. |
| PROPOSED TOTAL<br>SITE AREA (A's) | 82,510.76 S.F. OR 1.894 AC.  |                             |
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APPLICATION HAS BEEN MADE TO THE DEVELOPMENT REVIEW COMMITTEE (DRC)  
FOR LOT LINE ADJUSTMENT AS SHOWN HEREON.

DESIGN & DRAWING BASED ON  
MARYLAND COORDINATE SYSTEM  
NAD 83/91 HORIZONTAL AND  
NAVD 1988 VERTICAL DATUM



1) OWNER: JOHN M. HUNTER  
JOHN M. HUNTER & DEBRA A. DAVIS  
#1010 BIRD RIVER GROVE ROAD  
WHITE MARSH, MARYLAND 21162

2) DEED REF: 20976/714 & 16288/262

3) TAX ACC. NO.: 15-18000822 & 22-00029941

4) TAX MAP: 73 PARCEL: 23 & 22 LOT: NONE

5) PLAT REF: NONE

6) ELECTION DISTRICT: 15TH

7) CONCLIMANIC DISTRICT: 6TH

8) REGIONAL PLANNING DISTRICT: 322B

9) CENSUS TRACT: 4517.02

10) ZONING: BL & RC 2

11) ZONING MAP: Q73A3

12) USE: EXISTING: RESIDENTIAL TAVERN & PARKING  
PROPOSED: TAVERN, ARCADE & PARKING

13) PROPOSED FLOOR AREAS:

|                  |   |            |
|------------------|---|------------|
| TAVERN 1ST FLOOR | = | 4,584 S.F. |
| TAVERN 2ND FLOOR | = | 750 S.F.   |
| TAVERN DECK      | = | 1,486 S.F. |
| TOTAL FLOOR AREA | = | 6,820 S.F. |

14) SITE AREAS: SEE TABLE AT LEFT

15) FLOOR AREA RATIO: \*

PERMITTED: 3.0 MAX. (BL ZONE)

PROPOSED: < 3.0

WITHIN 750' OF RC ZONE 0.5 (SECT.232C)

PROPOSED: < 0.5

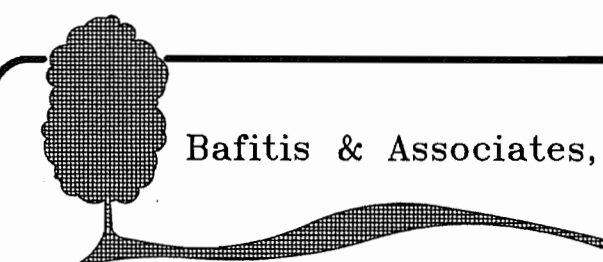
\* INCLUDING LOT LINE ADJUSTMENT AREA

16) PARKING:

REQUIRED: TAVERN 20 P.S. / 1,000 S.F.

|       |                   |
|-------|-------------------|
| 6,820 | X 20 = 136.4 = 13 |
| 1,000 |                   |

PROVIDED: 58 P.S.

 Bafitis & Associates, Inc.

William N. Bafitis, P.E.  
PRESIDENT

Civil Engineers/Land Planners  
SURVEYORS

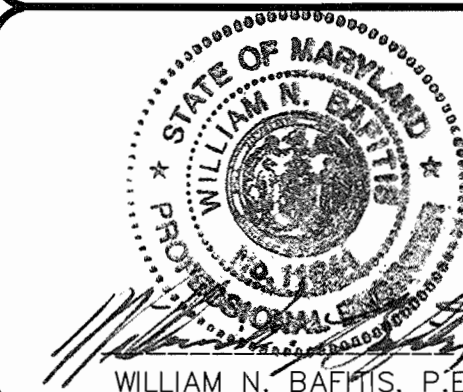
1249 Engleberth Rd. Baltimore, MD 21221

(410) 391-2336

**PLAN TO ACCOMPANY  
PETITION FOR ZONING VARIANCES,  
SPECIAL HEARING, AND SPECIAL EXCEPTION  
FOR  
#11010 & 11014 BIRD RIVER GROVE ROAD**

15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND



Ret. No 1  
1

SCALE:

JOB ORDER NO:  
20503

DATE:  
04/12/06

WILLIAM N. BAFTIS, P.E.

SHEET 1 OF 1

—

|  |                       |
|--|-----------------------|
|  | RE                    |
|  | ADD SPECIAL EXCEPTION |

|      |
|------|
| DATE |
|------|

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| TYPE | SERIES    | WITH BASEMENT    | WITHOUT BASEMENT | STREETS AND PARKING LOT | CLASS |
|------|-----------|------------------|------------------|-------------------------|-------|
| Mq   | MADE LAND | _____            | _____            | _____                   | B     |
| SH02 | SASSAFRAS | MODERATE: SLOPE  | MODERATE: SLOPE  | SEVERE: SLOPE           | B     |
| SHB  | SASSAFRAS | SLIGHT           | SLIGHT           | MODERATE: SLOPE         | B     |
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DESIGN & DRAWING BASED ON  
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- 3) TAX ACC. NO.: 15-0008822 & 22-00029941
- 4) TAX MAP: 73. PARCEL: 23 & 22 LOT: NONE
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- 14) SITE AREAS: SEE TABLE AT LEFT

PERMITTED: 3.0 MAX. (BL ZONE)  
PROPOSED: < 3.0

WITHIN 750' OF RC ZONE 0.5 (SECT.232C.1B B.C.Z.R.)  
PROPOSED: < 0.5

REQUIRED: TAVERN 20 P.S. / 1,000 S.F.

|                       |                                        |
|-----------------------|----------------------------------------|
| $\frac{6,820}{1,000}$ | $\times 20 = 136.4 = 137 \text{ P.S.}$ |
|-----------------------|----------------------------------------|

PROVIDED: 58 P.S.

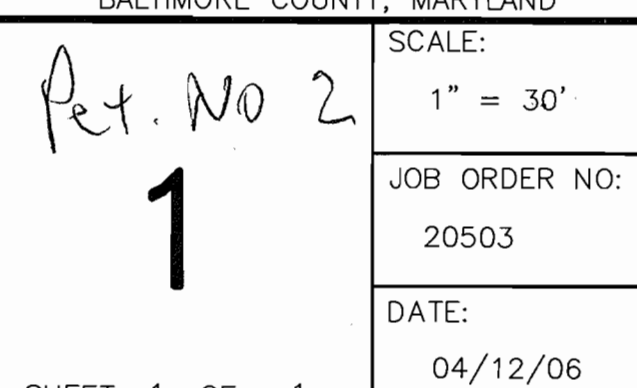
William N. Bafitis, P.E.  
PRESIDENT

Civil Engineers/Land Planners  
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

(410) 391-2336

## 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

[illegible]