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IN RE: PETITION FOR SPECIAL HEARING Corner NE/S of Reisterstown Road & NW/S of Chestnut Hill Lane (11817 Reisterstown Road) 4th Election District

2^{no} Council District

Susquehanna Bank, Petitioner

BEFORE THE

* ZONING COMMISSIONER

* **FOR**

BALTIMORE COUNTY

* Case No. 06-574-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Susquehanna Bank, through its attorney Dino C. LaFiandra, Esquire. The Petitioner requests a special hearing pursuant to Baltimore County Zoning Regulations (B.C.Z.R.) Section 500.7 for an amendment to the approved plan for off-street parking in a residential zone (Case No. 73-286-SPH), including nonconformance from the residential transition area (RTA) and for one additional stacking space in a density residential (D.R.3.5) zone and approval of the site plan(s) accompanying the petition for special hearing. The subject property and requested relief are more particularly described on the site plan(s) submitted which were accepted into evidence and marked as Petitioner's Exhibit 2 ("interim conditions") and Exhibit 3 ("ultimate conditions").

Appearing at the requisite public hearing in support of the request were Lisia Franze, Vice President of Branch Operations and Christy Levine, Branch Manager representing the Susquehanna Bank. Also present was Matthew T. Allen, the professional engineer with Bohler Engineering who prepared the site plan and Dino C. LaFiandra, Esquire, Petitioner's Counsel. Diana Itter appeared on behalf of the Office of Planning and testified. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the present use of the property is that of a bank with a drive-thru. The property consists of a tract of land located on the east side of Reisterstown Road (Md. Rt. 140) to the north of its intersection with Chestnut Hill Lane 200 feet south of the intersection of Franklin Boulevard and Reisterstown Road, which is rated as a "C" Level of Service. The Property consists of approximately 1.652 acres, predominately zoned B.L., but with portions also zoned R-O and D.R. 3.5. The property is owned by the Susquehanna Bank, which acquired Reisterstown Federal Savings and Loan Association, the former owner of the property.

The site is presently developed and used primarily as a bank with a drive-thru aisle. The drive-thru is presently located to the rear or east side of the building. There is also a small house which fronts along Reisterstown Road in the northwest portion of the property. This small house is owned by the Petitioner and has been converted to office use consistent with the underlying zoning. The property accommodates the off-street parking requirements of the uses on-site.

As shown on the plans, the proposed improvements to the site involve a small addition to the rear of the bank, relocating the drive-thru function to the north side of the building and expanding the number of drive-thru lanes to three, providing additional off-street parking, and reworking the internal vehicular circulation patterns which presently exist on site to safely accommodate the revised site plan. The small house mentioned above which presently serves as an office will be razed.

The Petitioner proposes a phased approach to carrying out the ultimate build-out of this site. This phased approach is necessary to accommodate the comments of the Office of Planning related to internal vehicular circulation. With its petition for special hearing, Petitioner submitted a site plan (Exhibit 4) which called for the relocation of the drive-thru lanes to the

north side of the building, with full ingress and egress movements from the site through the existing curb cut along Reisterstown Road. The drive thru lanes, as originally proposed, would have aligned with the full movement curb cut. The Office of Planning provided insight in its comment that the planned configuration (Exhibit 4) may present a potential conflict between traffic utilizing the drive-thru lanes for banking transactions and traffic entering the site through this curb cut.

The Petitioner responded to the Office of Planning's comments by proposing to relocate the curb cut on Reisterstown Road approximately 60 feet to the north of its existing location, and making other changes to the layout of the parking lot, drive-aisles, and signage. This response was reflected on the redlined site plan, marked as ultimate conditions (Exhibit 3) and submitted at the hearing. However, because of the extent of site improvements required by Exhibit 3 and the regulatory burden in terms of permitting and other issues, and because there is an existing bank on-site, the Petitioner has also sought approval of its interim site plan (Exhibit 2), for authority to operate as proposed on a short-term basis (12 to 18 months), until such time as all permits have been acquired for the ultimate conditions plan. It is important to note that while the interim plan can be accomplished quickly and easily, in order to ensure the most effective and safe use of the property the ultimate conditions plan should be carried out. That being said, this Order will address both plans and their respective impacts on the property.

The interim plan (Exhibit 2) shows improvements planned for approximately one year pending approvals of the grading, building, and other permits in accordance with the long-range plan. The interim plan proposes a three-lane drive-thru located on the side of the building and a 292 square foot addition to the rear of the building. The razing of the existing office building,

The Petitioner and the Office of Planning's Ms. Itter are to be commended for their cooperative efforts undertaken to resolve most of the issues.

located in the northwest corner of the property to make room for additional off-street parking and drive aisles will occur even though it is shown on the interim plan. The existing curb cut along Reisterstown Road will remain and the north parking lot will be signed and used for employees only. Directional signs will be posted to avoid conflict between the traffic entering the site and the drive-thru traffic exiting the site. Additionally, an angled curb that directs the traffic exiting the drive-thru is proposed to mitigate the Office of Planning's concern related to a potential conflict between traffic entering thru the existing curb cut and cars using the drive-thru lanes.

The key zoning concerns surrounding the proposed site plans are the proposed use of residential zoned land for commercial parking and the non-conformance with the RTA. As reflected on the development plans, the property is split into three different zones. The northwest corner of the property is zoned R-O. Directly adjacent to the east of the R-O zone is an area zoned D.R.3.5. Wrapping itself around the R-O and D.R.3.5 zones in an L shape is the B.L. zone, which composes the majority of the property. The bank is located predominately in the B.L. zone, with a small portion of the northernmost proposed drive-thru lane straddling the B.L./R-O/D.R.3.5 zoning lines (see Petitioner's Exhibit No. 5). The proposed parking for the bank is located in all three of the zones.

Section 409.8.B of the B.C.Z.R. provides that upon application, the Zoning Commissioner may issue a permit for the use of land in a residential zone for business or industrial parking facilities to meet the requirements of B.C.Z.R. Section 409.6. In the instant case, both the interim and ultimate conditions plans propose parking spaces in the residentially zoned portion of the property. B.C.Z.R. Section 409.8.B clarifies that it is permissible for business parking to be located in a residential zone, provided the proposed development meets the conditions enumerated in B.C.Z.R. Section 409.8.B.2. This site already enjoys an approval

for commercial parking in a residential zone. Zoning Case No. 73-268 SPH pertains directly to this property and indicates that business parking has previously been permitted in the residential zone. Having reviewed the interim and ultimate conditions plans and having considered the applicable regulations and pertinent case law, I find that the proposed parking facilities conform to the design standards and conditions set forth in B.C.Z.R. Section 409.8. As a result, I will approve the amendment to the approved site plan for business parking in a residential zone for both the interim plan and the ultimate plan.

An RTA, as defined in B.C.Z.R. Section 1B01.1.B.1, is a 100 foot area, including any public road or public right-of-way, extending from a D.R. zoned tract boundary into the site that is being developed, provided the site being developed either has a detached, semi-detached or duplex dwelling located within 150 feet of the tract boundary or is a vacant lot of less than two acres and contains a buildable area at least 20 feet by 30 feet (that meets all of the required setbacks). Its purpose is to ensure that similar housing types are built adjacent to one another or, when this is not the case, that there is adequate buffer between dissimilar housing types. B.C.Z.R. Section 1B01.1.B.1a.2.

The interim plan, which relies on the 1973 use permit for parking in a residential zone, fails to conform to the conditions of the RTA. In the D.R.3.5 zoned section of the property there is a proposed parking area that falls within the RTA. Pursuant to B.C.Z.R. Section 1B01.1.B.1e.5, approved parking lots shall provide a 50-foot buffer and a 75-foot setback within the 100-foot transition area. The interim plan, which relies upon existing conditions, would seem to not conform to this regulation. As noted, these conditions have existed since at least as early as 1973, and therefore, I find that it is a non-conforming RTA within the context of the B.C.Z.R. since the RTA regulations were first enacted in 1981.

With the exception of a small portion of the parking lot, there is no proposed use of the R-O and D.R.3 5 zoned land on the ultimate plan. In other words, the ultimate plan all but eliminates any nonconforming use with the RTA.

It should be noted that the Office of Planning indicated in its comments that the Reisterstown Road ingress and egress point, wherever located, should be a "right in, right out" only, meaning that cars may not turn left into or out of the parking lot from Reisterstown Road. At the hearing, the Petitioner expressed its agreement with this proposed condition, but only if the condition were to be required by the State Highway Administration on its review of the access permit on Reisterstown Road (Md. Rt. 140). The Petitioner urged that I defer on this proposed condition to the judgment of the State Highway Administration, and I will do so. As a matter of this zoning approval, I decline to condition this Order on the Reisterstown Road curb cut being "right in, right out" only. The State Highway Administration is in a better position than I am to determine whether this condition is warranted.

It bears final note that there is a very small portion of the northernmost proposed drive-thru lane which straddles the B.L./R-O/D.R.3.5 zone line. At this drive-thru station, the bank patron, as well as all hardware and banking systems will be entirely within the B.L. zone. The bank transaction will occur within the B.L. zone. Only a portion of a vehicle at this station will be in either the R-O zone or the D.R.3.5 zone. I am affirmatively ratifying this configuration as part the approved site plan. I find that the layout as shown on Petitioner's Exhibit 2 and Exhibit 3 conforms to the zoning regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted for both the interim and the ultimate plans (Petitioner's Exhibits 2 and 3, respectively).

THEREFORE, IT IS ORDERED by the Zoning Commissioner/Hearing Officer for Baltimore County, this _______ day of October 2006, that the Petition for Special Hearing to approve an amendment to the approved plan for off-street parking in a residential zone (Case No. 73-286-SPH), including non-conformance from RTA and for one additional stacking space in a D.R.3.5 zone, in accordance with Petitioner's Exhibit 2 (interim conditions) and Exhibit 3 (ultimate conditions), be and are hereby GRANTED, subject to the following restrictions:

- The Petitioner may apply for its building permit(s) and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief herein shall be rescinded.
- Prior to the issuance of any building permits, the Petitioner shall submit a revised landscape plan to Avery Harden, the County's landscape architect for review and approval of improvements as shown on the ultimate long-range plan.
- The relocation of the banks access to Reisterstown Road, 60 feet to the north of the existing access point, shall be submitted to the Engineering Access Permits Division of the State Highway Administration for review and approval who will, in its judgment evaluate the circulation into and out of Reisterstown Road and determine whether this location should be restricted as a "right in, right out" only ingress and egress point.
- The drive-aisle circulation shall be assisted by striping the pavement with a one-way in and out directional arrow and sign. The parking lot to the north of the drive-thru shall be for employees only and shall be signed accordingly.
- When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this Order shall be taken in accordance with Baltimore County

Code Sections 32-3-401.

WILLIAM J. WISEMAN, III

Zoning Commissioner/Hearing Officer for

Baltimore County



JAMES T. SMITH, JR. County Executive

October 19, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Dino LaFiandra, Esquire Whiteford, Taylor & Preston, L.L.P. 210 W. Pennsylvania Avenue Towson, MD 21204

RE: PETITION FOR SPECIAL HEARING

Corner NE/S of Reisterstown Road & NW/S of Chestnut Hill Lane (11817 Reisterstown Road)
4th Election District – 2nd Council District
Susquehanna Bank - Petitioner
Case No. 06-574-SPH

Dear Mr. LaFiandra:

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

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

Very truly yours,

WINDAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

Ms. Lisia Franze, Vice President of Branch Operations, Susquehanna Bank, 100 West Road, Suite 200, Towson, Md. 21204

Ms. Christy Levine, 11817 Reisterstown Road, Baltimore, Md. 21136

Mr. Matthew T. Allen, Bohler Engineering, 810 Gleneagles Court,

Suite 300, Towson, Md. 21286

Avery Harden, DPDM; Diana Itter, Office of Planning; People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	11817 Reisterstown Road	
i – u ·	s presently zoned EL, RO, DR 3.5	

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

- 1) An amendment to the approved plan for off-street parking in a residential zone #73-268-SPH; and Text 1 MODITION AT STARKING SPACE IN DIZ. 3.5. Zenec.
- 2) The site plan accompanying the Petition for Special Hearing.

conformance from

RTA

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:	Legal Owner(s):
N/A	Susquehanna Rank
Name - Type or Print	Name - Type or Print By:
Signature	Signature Lisia France, VP Branch Operations Manager
Address Telephone No.	Name - Type or Phrit
City State Zip Code	e Signature
Attorney For Petitioner:	100 West Road, Suite 200 410-769-5465
	Address Telephone No.
Dine C. LaFiandra	Towson, Maryland 21204
Name - Type of Print	Clty State Zlp Code
/ Mondo	Representative to be Contacted:
Signature Signature The Constant of Description TTD	Dino C. Ia Fiandra
Whiteford, Taylor & Preston, LLP Company	Name
210 W. Pennsylvania Ave. 410-832-2000	210 W. Pennsylvania Ave. 410-832-2000
Address Telephone No.	
	Towson, Maryland 21204
Towson, Maryland 21204 City State Zip Cod	e Clty State Zip Code
	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No. 06-574. SPH	UNAVAILABLE FOR HEARING
DEV.9.15/98	Reviewed By 5177 Date 05-10-06 -

May 9, 2006

ZONING DESCRIPTION OF PART OF THE LANDS KNOWN AS PARCEL 103, TAX MAP 57 GRID 6 WITH DEED REFERENCE 6865/269, PARCEL 192, TAX MAP 57 GRID 6 WITH DEED REFERENCE 5260/912 WHICH IS OF VARIABLE WIDTH AT A DISTANCE OF 0 FEET NORTH OF THE INTERSECTION OF REISTERSTOWN ROAD (MD RTE 140) AND CHESTNUT HILL LANE AS RECORDED IN THE DATABASE OF BALTIMORE COUNTY, MARYLAND 4TH DISTRICT

BEGINNING AT A POINT ON THE NORTHWEST SIDE OF CHESTNUT HILL LANE, WITH A RIGHT-OF-WAY WIDTH OF FIFTY, AT THE DISTANCE OF 25' FROM THE CENTERLINE.

- 1. SOUTHWESTERLY BY A LINE CURVING TO THE NORTHWEST WITH A RADIUS OF 25.01 FOR A DISTANCE OF 38.43 FEET THE CHORD OF SAID ARC BEING SOUTH 83 DEGREES 25 MINUTES 48 SECONDS WEST; 28.98 FEET TO A POINT.
- 2. NORTH 40 DEGREES 47 MINUTES 33 SECONDS WEST; 107.28 FEET TO A POINT.
- 3. NORTH 43 DEGREES 55 MINUTES 52 SECONDS WEST; 136.20 FEET TO A POINT.
- 4. NORTH 48 DEGREES 01 MINUTES 17 SECONDS EAST; 279.87 FEET TO A POINT.
- 5. SOUTH 41 DEGREES 58 MINUTES 48 SECONDS EAST; 260.17 FEET TO A POINT.
- 6. SOUTH 48 DEGREES 01 MINUTES 12 SCONDS WEST; 253.84 FEET TO THE POINT OF BEGINNING.

BEING ALSO KNOWN AS PARCEL 103 AS RECORDED IN BALTIMORE COUNTY LIBER 6865 FOLIO 269 AND PARCEL 192 AS RECORDED IN BALTIMORE COUNTY LIBER 5260 FOLIO 912, CONTAINING IN ALL 1.652 ACRES OF LAND MORE OR LESS.

MOTIGE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Reputations of Baltimore County will hold a public hearing in Towson, Maryland on County will hold a public hearing in Towson, Maryland on Chestry identified herein as follows.

Case: #06-874-87H*

11817 Reisterstown Road

Corner n/east side of Reisterstown Road and northwest side of Chestry Hill

Ath Election District — 2nd Councilmanic District

Legal Owner(s) Susqueharina Bank.

Lieis frange VP Branch

Special Hearing for an amendment to the approved plan for off-street palking in a residential zone #73-286 SPH for off-street palking in a residential zone #73-286 SPH including non-conformance from RTA and for one-additional stacking space in DR 3.5 zone and the site plan accompanying the Healthon for Special Hearing.

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Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 8, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 9, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 9, 2006 at 9:00 a.m. in Room Hearing: Thursdey link 9, 2006 at 9:00 a.m. in Room Hearing: Thursd

Towson 21204.

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CERTIFICATE OF PUBLICATION

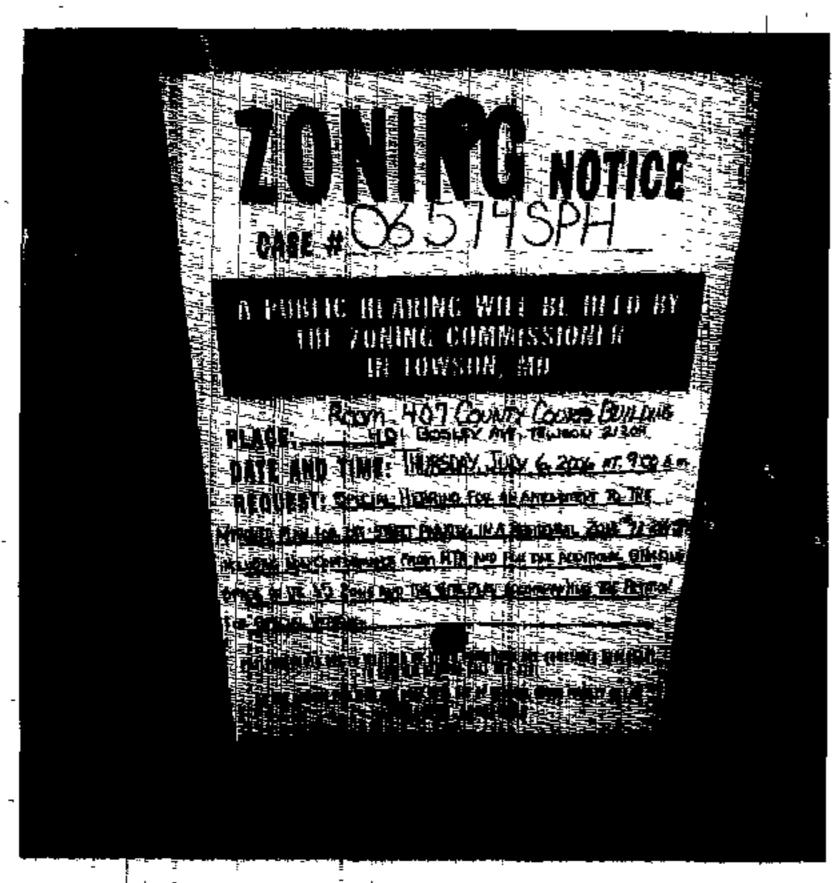
6/22,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 620,2006.
The Jeffersonian
🗀 Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

	BALTIMORE CO. OFFICE OF BUDGE, MISCELLANIEOU RECEIVED FROM FROM THE CASHON WANTE CASHON
	UNITY MARYLAND RECEIPT AMOUNT AMOUNT THE SERVER
	CASHIDA ANTONOM.

CERTIFICATE OF POSTING

RE: Case No.: 06-574-5PH Petitioner/Developer: SOSQUEHANNA BANK, LISIA FRANCE Date of Hearing/Closing: <u>JULY</u> 6, 2004 **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: 11817 REISTERSTOWN ROAD 6-20-06 The sign(s) were posted on (Month, Day, Year) Sincerely,



(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)

JUN 23 2006

1)

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

May 23, 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: 06-574-SPH

11817 Reisterstown Road

Corner n/east side of Reisterstown Road and northwest side of Chestnut Hill

4th Election District – 2nd Councilmanic District

Legal Owners: Susquehanna Bank, Lisia Frange, VP Branch

Special Hearing for an amendment to the approved plan for off-street parking in a residential zone #73-286-SPH, including non-conformance from RTA and for one additional stacking space in DR 3.5 zone and the site plan accompanying the Petition for Special Hearing.

Hearing: Thursday, July 6, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Dino LaFiandra, 210 W. Pennsylvania Avenue, Towson 21204 Lisia Frange, VP Branch, Operations Manager, 100 West Road, Ste. 200, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 21, 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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 20, 2006 Issue - Jeffersonian

Please forward billing to:

Dino LaFiandra
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, Ste. 400

Towson, MD 21204

410-832-2000

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: 06-574-SPH

11817 Reisterstown Road

Corner n/east side of Reisterstown Road and northwest side of Chestnut Hill

4th Election District – 2nd Councilmanic District

Legal Owners: Susquehanna Bank, Lisia Frange, VP Branch

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Hearing: Thursday, July 6, 2006 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 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: <u>OG-ご74- ごや</u> は
Petitioner: Susquehanna Bank
Address or Location: 11817 Reisterstown Rd
PLEASE FORWARD ADVERTISING BILL TO:
Name: Dino C. La Fiandra
Address: Ewhiteford Taylor + Mesten, LLP
210 w. Pennsylvania Avenue, Suite 400
Towson, MD Z1204
Telephone Number: 410 - 832-2000

Revised 7/11/05 - SCJ



JAMES T. SMITH, JR. County Executive

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

June 30, 2006

Dine LaFiandra Whiteford, Taylor & Preston LLP 210 W. Pennsylvania Ave. Towson, MD 21204

Dear: Mr. Laflandra,

RE: Case Number: 06-574-SPH, 11817 Reisterstown Rd

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 10, 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,
U. Call Rillal D

W. Carl Richards, Jr. Supervisor, Zoning R Supervisor, Zoning Review

WCR:sma

Enclosures

People's Counsel Susquehanna Bank Lisia Franze 100 West Rd. Suite 200 Towson, MD 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy Kotroco, Director

Date: July 5, 2006

Department of Permits and Development Management

FROM: Director, Arnold F. "Pat" Keller, III

Office of Planning

SUBJECT:

11817 Reisterstown Road

INFORMATION:

Item Number: 06-574

Petitioner:

Susquehanna Bank

Property Size: 1.652 acres

Zoning:

BL, RO, DR 3.5

REQUESTED ACTION: Special Hearing

The petitioner requests a special hearing to amend the site plan for off-street parking in a residential zone as approved by Case No. 73-268SPH and to allow an additional stacking space in the DR 3.5 zone. The site consists of a Susquehanna Bank, an office building to the north and three separate fields of parking.

The site is located about 200 feet south of the intersection of Franklin Boulevard and Reisterstown Road, which is rated as a C Level of Service. Chestnut Hill Lane adjoins the site to the southeast.

RECOMMENDATIONS:

The office's preliminary comments on the original plan dated 5/9/06 centered on 1) the potential for internal circulation conflicts and 2) proximity of the full use entrance to the intersection of Reisterstown Road and Franklin Boulevard. Two revised site plans dated 6/30/06 have been submitted for review in response to discussions with the applicant's representatives.

If approved, the interim plan shows improvements planned for approximately 1 year pending approvals for the grading and building permits in accordance with the long-range plan. The drive thru changes, and addition would occur as shown on the interim plan. The applicant's representatives have stated that and the razing of the existing office building will occur although it is shown on the interim plan. Significantly, the existing

access point would remain and the north parking lot would be signed and used for employees only. Directional signs would be posted to avoid conflict between the traffic entering the site and the drive-thru traffic exiting the site.

If approved, the long-range option would permit the drive-thru operation to be relocated and expanded from a single lane on the rear of the building to three drive-thru lanes on the side of the building. A small 292 square foot addition would be added on the rear of the building. The existing office building would be razed and the parking lot to its rear would be eliminated and revegetated. Access to Reisterstown Road would be relocated 60 feet to the north of the existing access point. Directional signage would also be added.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has coordinated these comments with the SHA and the Department of Public Works.

The Office supports the interim and long-range site plans under the following conditions:

- 1. The Office of Planning recommends the Reisterstown Road access should be right in and right out only on the interim plan. Restripe the paving with a one-way in and out directional arrow and sign accordingly. The parking lot to the north of the drive-thru shall be for employees only and shall be signed accordingly.
- 2. The new Reisterstown Road access shown on the long-range plan should also be right in, right out only. Larry Gredlein must approve access location and configuration, through SHA access permits.
- 3. Chestnut Hill Lane will continue to be used for two-way traffic ingress and egress on both the interim and long-range plans.
- 4. A revised landscape plan should be submitted to Avery Harden, County landscape architect for review and approval of improvements as shown on the long-range plan.

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

Division Chief:

AFK/LL:kma

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

Division Chief:

AFK/LL:kma

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination TWL

DATE:

May 31, 2006

SUBJECT:

Zoning Item # See List Below

Zoning Advisory Committee Meeting of May 22, 2006

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

06-569-A

06-570-A

06-574-SPE

06-575-A

06-576-A

06-577-A

06-580-SPH

06-583-SPH

06-584-SPHA

06-586-A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 25, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 30, 2006

Item No. 569, 570, 574, 575, 576, 577,

578, 579, 583, 584, 586, and 588

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-05252006.doc

RE: PETITION FOR VARIANCE

11817 Reisterstown Road; corner NE/S

Reisterstown Rd & NW/S Chestnut Hill Lane*

4th Election & 2nd Councilmanic Districts

Legal Owner(s):Susquehanna Bank

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

06-574-SPH

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 22nd day of May, 2006, a copy of the foregoing Entry of Appearance was mailed to, Dino LaFiandra, Esquire, Whiteford, Taylor & Preston, LLP, 210 West Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAY 2 2 2006

Per. Lon.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NUMBER 506-574-5PH

DATE TO

PETITIONER'S SIGN-IN SHEET

E-MAIL		Ursia, Franze a susque hanga.	Christy. Leviszerosusquebanna	mallen abouter engrum									
CITY, STATE, ZIP	13~	alack	21136	8126									
ADDRESS	210 w. Penn #460	3	n Rd.	7,									
NAME	T) wo La frendra	Insia Franze	Christy Levine	Mathew Allen						4			

Case No.:	06-5	74 - SPA
1		

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	
	MAHHEW T. ACCEN RESUME.
No. 2	SHEET 1 SITE PLAN
	INTROME CONISTHONS
No. 3	SHERT 2 SITEPLAN ALTIMATE - LONG RANGE
No. 4	ORINGINAL PLAN, accompany Letiton - 5/9/06
No. 5	Schemotri of Party (and
No. 6	
No. 7	
No. 8	
No. 9	
No. 10	,
No. 11	
,	
No. 12	

RESUME

Matthew T. Allen, P.E. Project Manager

EDUCATION:

- M.B.A. Finance, The Pennsylvania State University, Middletown, PA
- B.S. Civil Engineering, The Pennsylvania State University, University Park, PA

LICENSE:

- Delaware Professional Engineer, #13499
- District of Columbia Professional Engineer, #PE900965
- Maryland Professional Engineer, #28567
- Pennsylvania Professional Engineer, #PE061707
- Virginia Professional Engineer, #040239979

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering, P.C. in numerous municipalities before Planning Commissions, Board of Supervisors, Zoning Hearing Boards and related municipal entities in Delaware, Maryland, and Pennsylvania.

EXPERIENCE:

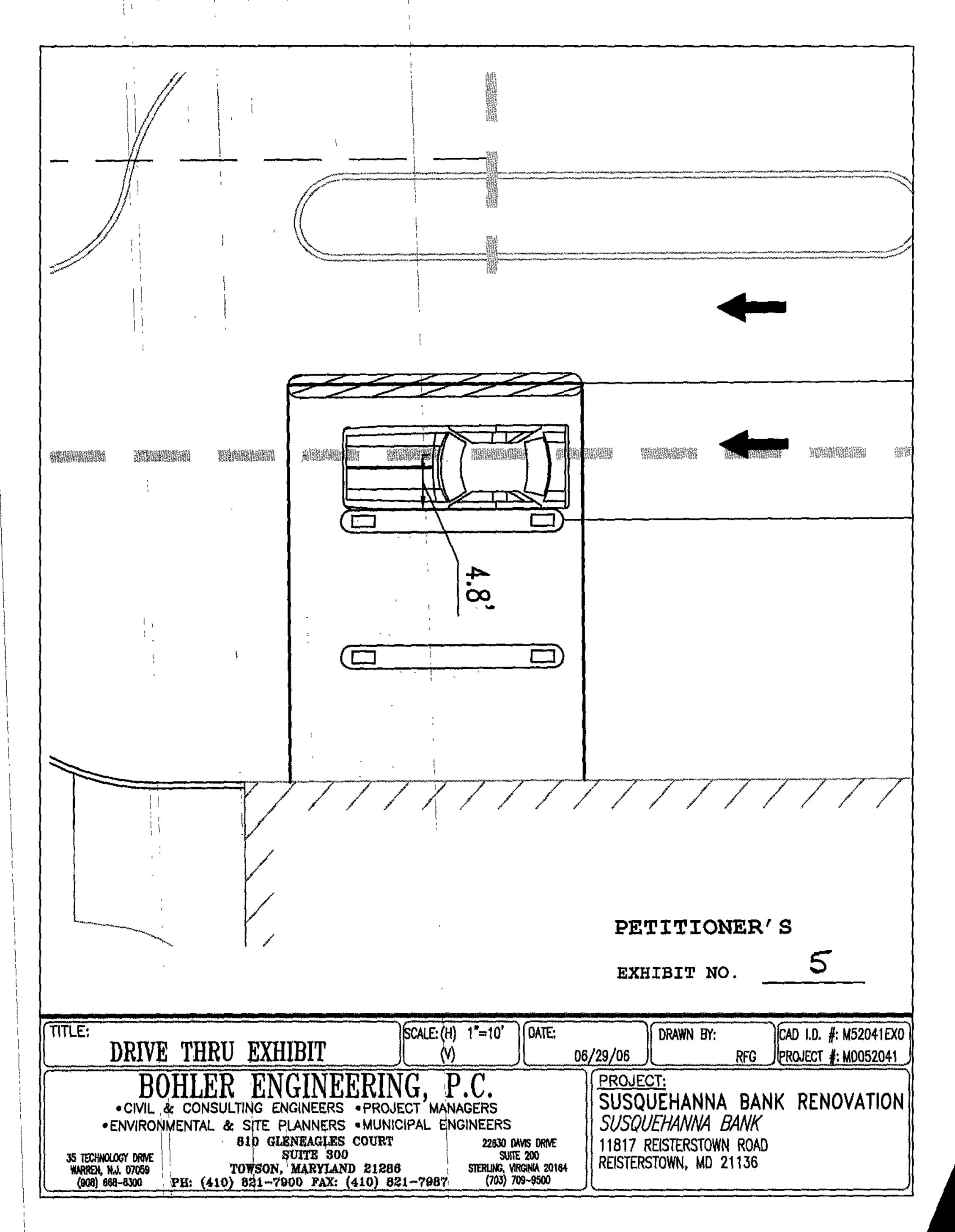
Currently serves as a Project Manager in Bohler Engineering, P.C.'s Towson, Maryland Office. Experience includes seven years of design and project management. Primarily responsible for client and project management for various commercial, residential and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes and other related projects in municipalities in Maryland, Virginia, District of Columbia, Delaware, and Pennsylvania.


PROFESSIONAL AFFILIATIONS:

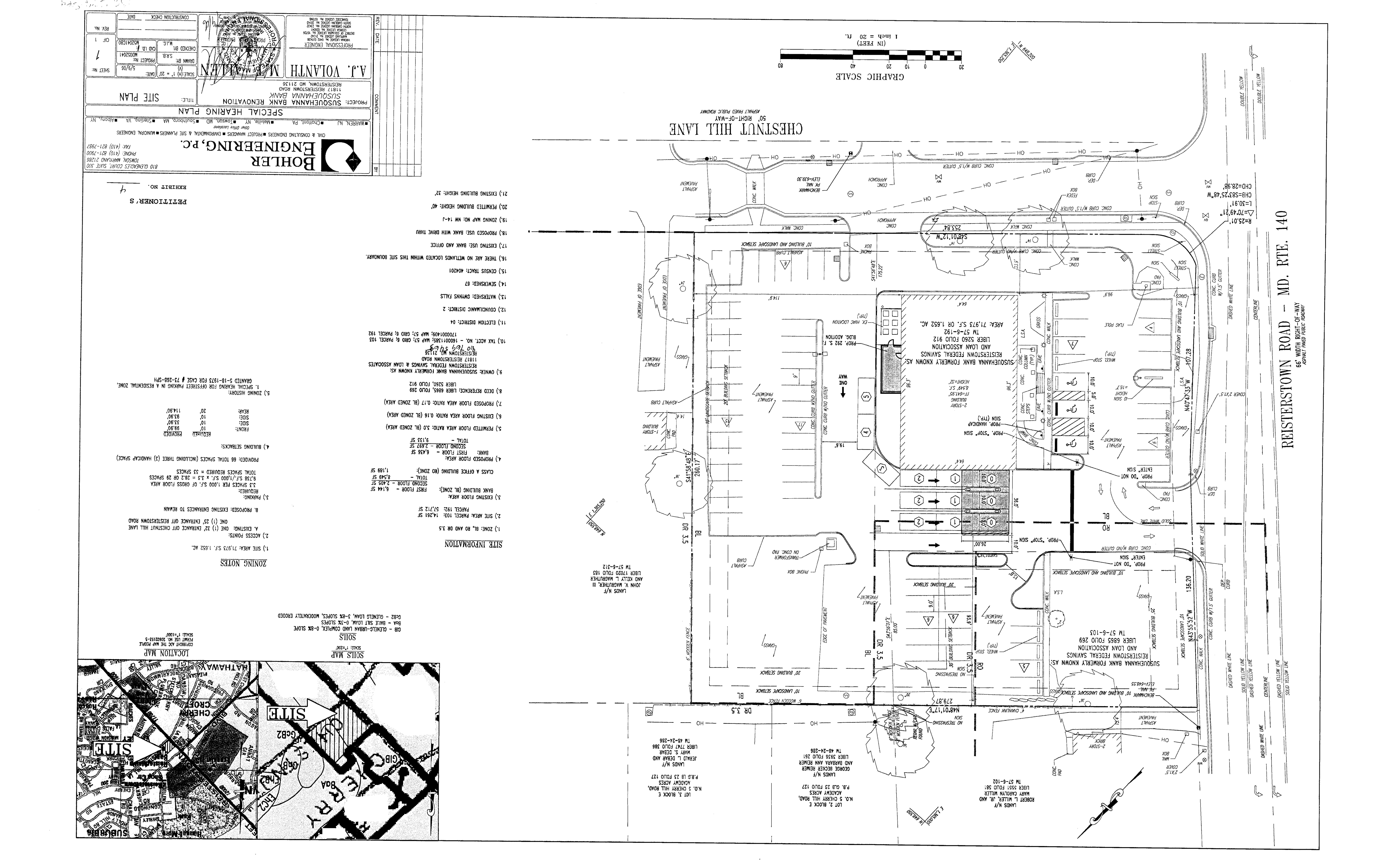
- National Society of Professional Engineers
- Maryland Society of Professional Engineers


PETITIONER'S


EXHIBIT NO.











anologo Bank wDo52041\Fxhibits\WD05204

Susquehanna Bank\MD0