

IN RE: PETITION FOR SPECIAL HEARING *

NW corner of North Point Road, 20' NW
of the c/l of Sparrows Point Road *
(7114 North Point Road) *

15th Election District
7th Council District *

Bay Vanguard Federal Savings Bank *
Petitioner

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No. 2009-0268-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 Bay Vanguard Federal Savings Bank, through Carolyn Mroz, its authorized representative, through their attorney, Lawrence E. Schmidt, Esquire. The Petitioner requests a special hearing pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) to: (1) allow business parking in a residential zone from Section 409.8.B; (2) approve a modified parking plan from Section 409.12.B, and (3) confirm that the existing bank, office and carryout restaurant and proposed improvements are permitted by the B.C.Z.R. The subject property and requested relief are more particularly described on the site plan submitted which were accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Carolyn Mroz, President of Bay Vanguard Federal Savings Bank; William N. Bafitis, professional engineer with Bafitis & Associates, Inc., who prepared the site plan for this property, and Lawrence E. Schmidt, Esquire, of Gildea & Schmidt, LLC, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is an irregularly shaped parcel, approximately 1.214 acres, more or less, in area. The property is located at the

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Date 6-30-09
By [Signature]

northwest corner of the intersection of Sparrows Point Road and North Point Road in the Edgemere community of eastern Baltimore County. This property is within the commercial core of the well-established community of Edgemere and split-zoned with the front portion of the site adjacent to North Point Road zoned B.L.-A.S and the rear or southern portion of the property zoned D.R.5.5.

Testimony and evidence presented established that Bay Vanguard Federal Savings Bank is a community bank with five (5) offices in the Baltimore metropolitan area. Notwithstanding the trend in the financial industry towards large national banks, Bay Vanguard is a local institution and has a long tradition of providing banking services to the local community. The main headquarters for Bay Vanguard Federal Savings Bank is the subject site, within an existing one and one-half story building of approximately 9,262 square feet in area. The building was originally constructed in 1920 and has been used for a variety of businesses over the years. However, the Bank has been at this location for approximately 50 years. The front of the building somewhat resembles a small strip center in that there are multiple points of access and there have been different tenants in the building, even during the Bank's use. Presently, the largest entrance facing North Point Road is to the Bank. However, there is a second entrance which recently provided access to a finance company affiliated with Bay Vanguard. However, this finance company is no longer in operation and the Bank now uses that interior office space. There is also a small carry-out restaurant with frontage on North Point Road.

Bay Vanguard proposes a consolidation of its operations and a renovation and expansion of the existing building. It plans to consolidate some of its operations from a branch in Baltimore City at the subject location. A full second story will be added to the existing building. Presently, there is a portion of the building that contains a second story; however, this will be significantly

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enlarged and modernized. As part of the improvements, the existing parking lot serving the Bank will also be improved. Finally, a drive-through window will be added on the east side of the structure. All these proposed improvements are more particularly shown on the site plan.

Special Hearing relief is requested to allow business parking in a residential zone. As shown on the plan, the property is split-zoned and the present parking lot exists entirely within the B.L.-A.S. portion of the site. However, additional rows of parking will be provided which will be located in the D.R.5.5 area of the property. Notwithstanding this improvement, there will still remain a significant area of the rear of the site (zoned D.R.5.5), which will be undeveloped. This serves as a natural buffer to the residential properties which are located further down Sparrows Point Road. The end of the proposed paving will be approximately 90 feet from the rear property line. Photographs of the property show that this natural buffer area contains mature vegetation which will screen the commercial operations which front North Point Road from the residences located along Sparrows Point Road.

Special Hearing relief is also requested to approve a modified parking plan. In this regard, the number of spaces proposed falls just short of the required amount under B.C.Z.R. Section 409. Those requirements are based upon the square footage of the building as proposed and the uses therein. Additionally, the modified parking plan will also permit the proposed drive through facility. In this regard, Ms. Mroz indicated that these proposed improvements have received the enthusiastic support of many of her customers, particularly the elderly. This will enable them to do their banking business without exiting their vehicles, particularly during times of inclement weather. The new parking lot has been designed to provide easy access to the facility from Sparrows Point Road and avoid congestion/spill-over on North Point Road. Traffic will enter the property from Sparrows Point Road (only) and circulate through the site so as to

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Date 6-30-54
By [Signature]

exit onto North Point Road. This circulation pattern is designed to avoid congestion on the adjacent public streets.

Finally, Special Hearing relief is also requested to confirm the proposed and existing improvements are permitted under the B.C.Z.R. Banks, offices and carry-out restaurants are all permitted by right in the B.L. zone (*See* B.C.Z.R. Section 230.1). A review of the site plan shows compliance with the relevant bulk regulations for the B.L. zone. The Petitioner indicated that this part of the special hearing request is made to confirm that the site and improvements thereon comply with the bulk regulations, particularly given the age of construction. Moreover, it is to be noted that the footprint of the existing structure will not be enlarged as a result of the proposed improvements. All existing setbacks will be maintained.

There were no Protestants that appeared at the hearing and as indicated above, Ms. Mroz indicated that both her business and residential neighbors support the Bank's expansion. In this regard, she indicated that the Bank recently installed landscaping and closed a parking area in the front of the building as part of an effort to improve the aesthetics and function of the property facing North Point Road. Other businesses in the area have made similar improvements as part of a commercial renaissance of the area. These changes have improved the existing traffic conditions as the vehicles at the Bank no longer back out of the lot onto North Point Road and the recently installed landscaping has improved the appearance of the property.

Zoning Advisory Committee (ZAC) comments were also received and reviewed. There were no objections to the proposed expansion from either Development Plans Review (Traffic Engineering) or the State Highway Administration (SHA). This is of particular note as the request centers on the new parking layout and proposed access. The Department of Environmental Protection and Resource Management (DEPRM) indicated that the site is within

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Date 6-30-09
By [Signature]

the Chesapeake Bay Critical Area (CBCA) and subject to those regulations. Mr. Bafitis indicated that a proposed stormwater management infiltration trench will be constructed at the rear of the parking lot to address run off and stormwater management concerns. He also testified about the large area to be retained in its natural condition on the rear of the site as discussed above. The area provides protection to the environmental resources in the area.

Finally, a ZAC comment was received from the Office of Planning. In response to this comment, the Petitioner produced a series of photographs of the site. Those photographs show, as noted above, existing landscaping along the front of the property which faces North Point Road. The side/rear of the property does in fact face the rear of several houses on Grace Road. However, photographs submitted at the hearing show that those homeowners have constructed board on board fences along their rear property lines which provide a visual buffer to the Bank property. Additionally, the proposed parking lot will be improved with a series of landscaped areas which will break up the appearance of the macadam lot. It is also to be noted that the Bank is open only during business hours and does not have a nighttime operation. The carry-out restaurant will be relocated towards that part of the building immediately adjacent to the Sparrows Point Road/North Point Road intersection. Due to all of these factors, I do not believe that the proposed parking lot reconfiguration/expansion will be detrimental to any of the residential uses in the vicinity. The retention of existing landscaping and fencing, as well as proposed landscaping, are particularly dispositive factors in this regard.

Based on the testimony and evidence offered, I am persuaded to grant the relief requested. In my judgment, the proposal represents a significant upgrade to this long established commercial core in the Edgemere community. The Bank has been a solid and viable business in this community for generations. The improvement of this old building and reconfiguration of the

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Date 6-30-01
By [Signature]

site will assist with renovation and revitalization efforts in the overall community. For all of these reasons, I believe that the relief requested should be granted.

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

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 30th day of June 2009, that the Petition for Special Hearing seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to: (1) allow parking in a residential zone pursuant to Section 409.8.B; (2) approve a modified parking plan as provided in Section 409.12.B, and to (3) confirm that the existing bank, office and carryout restaurant and proposed improvements are permitted on the subject property zoned B.L., in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject to the following restrictions, which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for any necessary permits/use permit necessary in conjunction with the approval granted; however, Petitioner is hereby made aware that doing so shall be at its own risk until the thirty (30) day appeal period from the date this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Section 33-2-101 through 33-2-104, and other Sections, of the Baltimore County Code).
3. As the property is within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area, compliance with the 10% pollution reduction requirement must be addressed.

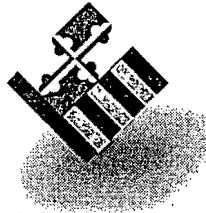
ORDER RECEIVED FOR FILING
Date 6-30-09
By [Signature]

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

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

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Date 6-30-09
By 152



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 30, 2009

Lawrence E. Schmidt, Esquire
Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204

IN RE: PETITION FOR SPECIAL HEARING

NW corner of North Point Road, 20' NW of the c/l of Sparrows Point Road
(7114 North Point Road)
15th Election District – 7th Council District
Bay Vanguard Federal Savings Bank - Petitioner
Case No. 2009-0268-SPH

Dear Mr. Schmidt:

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,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", written over a large, stylized "X" or similar graphic.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Carolyn Mroz, President, Bay Vanguard Federal Savings Bank,
7114 North Point Road, Baltimore, MD 21219
William Bafitis, P.E., Bafitis & Associates Inc., 1249 Engleberth Road, Essex, MD 21221
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100, Annapolis, MD 21401
People's Counsel; DPR; DEPRM; Office of Planning; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7114 North Point Road

which is presently zoned BL-AS, DR 5-5

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. As per BCZR Section 409.8.b for business parking in a residential zone and;
2. 409.12.b for a modified parking plan,
3. To confirm that the existing and proposed improvements are permitted by 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 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Sebastian A. Cross

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Carolyn Mroz, Authorized Representative, Bay Vanguard Federal Savings Bank

Name - Type or Print

Signature

Name - Type or Print

Signature

7114 North Point Road

410-477-5000 x 24

Address

Telephone No.

Baltimore

MD

21219

State

Zip Code

Representative to be Contacted:

Sebastian A. Cross

Name

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2009-0268-SPH

Reviewed By D.T. Date 4/8/09

REV 9/15/98

ADDED RECEIVED FOR FILING
Date 6-30-09
By [Signature]



**ZONING DESCRIPTION
FOR
7114 NORTH POINT ROAD
ELECTION DISTRICT 15TH,
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the North side of North Point Road 55' wide; and 20' ±
Northwesterly from centerline intersection of Sparrows Point Road 40' wide;

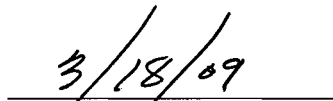
1. Thence running along North Point Road North 59°-45'-25" West 170.01' to a point;
2. Thence leaving said road, the following three courses and distances: North 30°-43'-57" East 112.79' to a point;
3. South 58°-58'-53" East 20.00' to a point;
4. North 30°-43'-57" East 225.72' to a point;
5. South 59°-16'-03" East 150.00' to a point on the West side of Sparrows Point Road;
6. Thence running along said road South 30°-43'-57" West 336.96'; to the point of beginning.

Containing 52,918 S.F. or 1.214 Ac. more or less.

Being known as lots 4-6 and 7-12 on a plat entitled "Section F Plat of Lynch Point", recorded among the Land Records of Baltimore County, Maryland, Plat Book 08, Folio 38. Deed Reference 27128/313.




William N. Bafitis, P.E., MD. License No. 11641


Date

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: # 2009-0268-SPH

7114 North Point Road

N/west corner of North Point Road, 20 feet n/west from the centerline of Sparrow Point Road

15th Election District — 7th Councilmanic District

Legal Owner(s): Bay Vanguard Federal Savings Bank,
Carolyn Mroz

Special Hearing: for business parking in a residential zone and for a modified parking plan; to confirm that the existing a bank, office and carryout restaurant and proposed improvements are permitted by the BCZR.

Hearing: Wednesday, June 17, 2009 at 11:00 a.m., Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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

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

JT 6/642 June 2

202703

CERTIFICATE OF PUBLICATION

6/4/, 2009

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 6/2/, 2009.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: 2009-0268-SPH

Petitioner/Developer: _____

Bay Vanguard Federal Savings Bank, Carolyn Mroz

Date of Hearing/Closing June 17, 2009

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristin Matthews,

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, _____
7114 North Point Road

The sign(s) were posted on _____ June 2, 2009
(Month, Day, Year)

Sincerely,

Robert Black

(Signature of Sign Poster)

June 3 2009
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2009-0268-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

Room 104, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE 21204
TOWSON

PLACE:

DATE AND TIME: Wednesday, June 17, 2009 at 11:00 a.m.

REQUEST: SPECIAL HEARING FOR BUSINESS PARKING IN A
RESIDENTIAL ZONE AND FOR A MODIFIED PARKING PLAN, TO
CONFIRM THAT THE EXISTING BANK OFFICE AND CARPOOL
RESTROOMS AND PROPOSED IMPROVEMENTS ARE PERMITTED BY
THE BCZB.

PROPOSED IMPROVEMENTS TO THE EXISTING BANK OFFICE AND CARPOOL
RESTROOMS ARE SUBMITTED FOR REVIEW.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

**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: 2009-0268-SPH
Petitioner: Carolyn Mroz
Address or Location: 7114 North Point Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gildea + Schmidt LLC
Address: 600 Washington Ave, Suite 200
Towson MD 21204
Telephone Number: 410 821-0070

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **37522**

Date: **4/8/09**

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				325.00

Total: **325.00**

Rec From: **GILDEA & SCHMIDT LLC**

For: **2009-02168-SPH**
7114 NORTH POINT RD.
D. THOMPSON

DISTRIBUTION

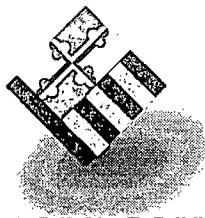
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BALTIMORE COUNTY
 4/09/2009 - 4/09/2009
 RECEIPT # 37522
 BALTIMORE COUNTY
 4/09/2009
 325.00
 BALTIMORE COUNTY

**CASHIER'S
 VALIDATION**



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

May 28, 2009
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 2009-0268-SPH

7114 North Point Road

N/west corner of North Point Road, 20 feet n/west from the centerline of Sparrow Point Road

15th Election District – 7th Councilmanic District

Legal Owners: Bay Vanguard Federal Savings Bank, Carolyn Mroz

Special Hearing for business parking in a residential zone and for a modified parking plan; to confirm that the existing a bank, office and carryout restaurant and proposed improvements are permitted by the BCZR.

Hearing: Wednesday, June 17, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy M. Kotroco in black ink.
Timothy M. Kotroco
Director

TK:klm

C: Sebastian Cross, Gildea & Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Carolyn Mroz, 7114 North Point Road, Baltimore 21219

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 2, 2009.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 2, 2009 Issue - Jeffersonian

Please forward billing to:
Gildea & Schmidt, LLC
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2009-0268-SPH

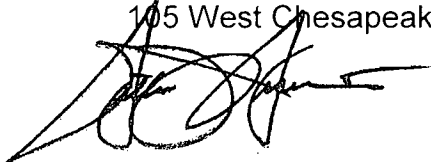
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N/west corner of North Point Road, 20 feet n/west from the centerline of Sparrow Point Road
15th Election District – 7th Councilmanic District

Legal Owners: Bay Vanguard Federal Savings Bank, Carolyn Mroz

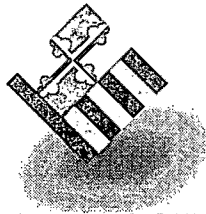
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Hearing: Wednesday, June 17, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

Sebastian A. Cross
Gildea & Schmidt, LLC
600 Washington Ave. Ste. 200
Towson, MD 21204

Dear: Sebastian A. Cross

RE: Case Number 2009-0268-SPH, 7114 North Point Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 8, 2009. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Carolyn Mroz: Bay Vanguard Federal Savings Bank; 7114 North Point Rd.; Baltimore, MD
21219

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 24, 2009

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For April 27, 2009
Item Nos. 2009-261, 265, 266, 267,
~~268~~ and 272

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

DAK:CEN:cab
cc: File
ZAC-04272009 -NO COMMENTS



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: APRIL 22, 2009

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

RE: Baltimore County
Item No 2009-0268-SPH
7114 NORTH POINT ROAD
BAY VANGUARD FEDERAL
SAVINGS BANK
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2009-0268-SPH

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

A handwritten signature in black ink that reads "Michael P. Bailey".

To: Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BW 6/17
11 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAY 13 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *DL*

DATE: May 13, 2009

SUBJECT: Zoning Item # 09-268-SPH
Address 7114 North Point Road
(Bay Vanguard Federal Savings Bank)

Zoning Advisory Committee Meeting of April 20, 2009.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

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 property is within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area. The 10% pollutant reduction requirement must be addressed.

Reviewer: Regina Esslinger

Date: April 30, 2009

BS 6/17
11 am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 30, 2009

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

SUBJECT: 7114 North Point Road

RECEIVED

INFORMATION:

MAY 06 2009

Item Number: 9-268

Petitioner: Carolyn Mroz

ZONING COMMISSIONER

Zoning: BL-AS and DR 5.5

Requested Action: Special Hearing

To confirm that existing and proposed improvements on the subject site are permitted by the BCZR.

SUMMARY OF RECOMMENDATIONS:

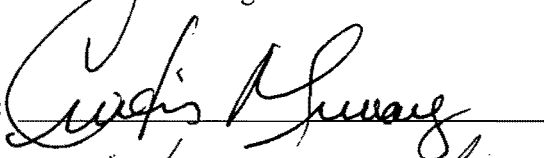
The Office of Planning has no comment as to whether the requested expansion of the existing non-conforming use is permitted by the zoning regulations.

The subject establishment is a very popular and frequently used and is often crowded and short of parking. It is surrounded on 3 sides by commercial uses. The parking lot to the rear abuts residential rear yards and is in the residential zone. The property line in the residential zone should be fenced and landscaped appropriately to screen the commercial use. Relocate the dumpster to the BL portion of the site.

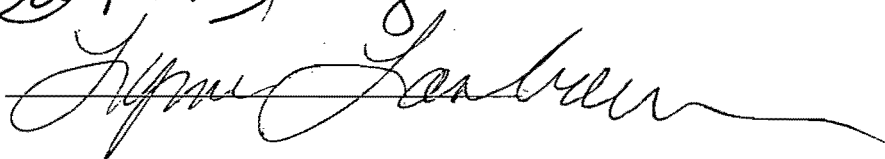
If written approval can be obtained from the residents whose properties will be compromised by such relief, this office has no objection to the extension of parking and addition of 2 drive-through stacking lanes with the appropriate aforementioned landscaping and fencing.

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

Prepared by:



Division Chief:
AFK/LL: CM



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
7114 North Point Road; NW corner of North *
Point Rd, 20' NW c/line Sparrows Point Rd * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Bay Vanguard Federal * FOR
Savings Bank *
Petitioner(s) * BALTIMORE COUNTY
* 09-268-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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

MAY 01 2009

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of May, 2009, a copy of the foregoing Entry of Appearance was mailed to Sebastian A. Cross, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 2009-268-SPH
CASE NUMBER BAW GUARDIAN
DATE 6/17/09

[illegible]



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3)

Go Back
View Map
New Search

Account Identifier: District - 15 Account Number - 1519580372

Owner Information

Owner Name: BAY-VANGUARD FEDERAL SAVINGS BANK Use: COMMERCIAL
Mailing Address: 7114 NORTH POINT RD Principal Residence: NO
BALTIMORE MD 21219-1220 Deed Reference: 1) /27128/ 313
2)

Location & Structure Information

Premises Address: 7114 NORTH POINT RD Legal Description: LT 4,5,6
7114 NORTH POINT RD
LYNCH POINT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
111	5	141			F		4	3	Plat Ref: 8/ 38

Special Tax Areas: Town Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1920	9,120 SF	28,314.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2008	As Of 07/01/2009
Land	133,300	181,600		
Improvements:	153,200	383,000		
Total:	286,500	564,600	286,500	379,200
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
SNYDER PAUL	06/25/2008	\$750,000
Type:	Deed1:	Deed2:
MULT ACCTS ARMS-LENGTH	/27128/ 313	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

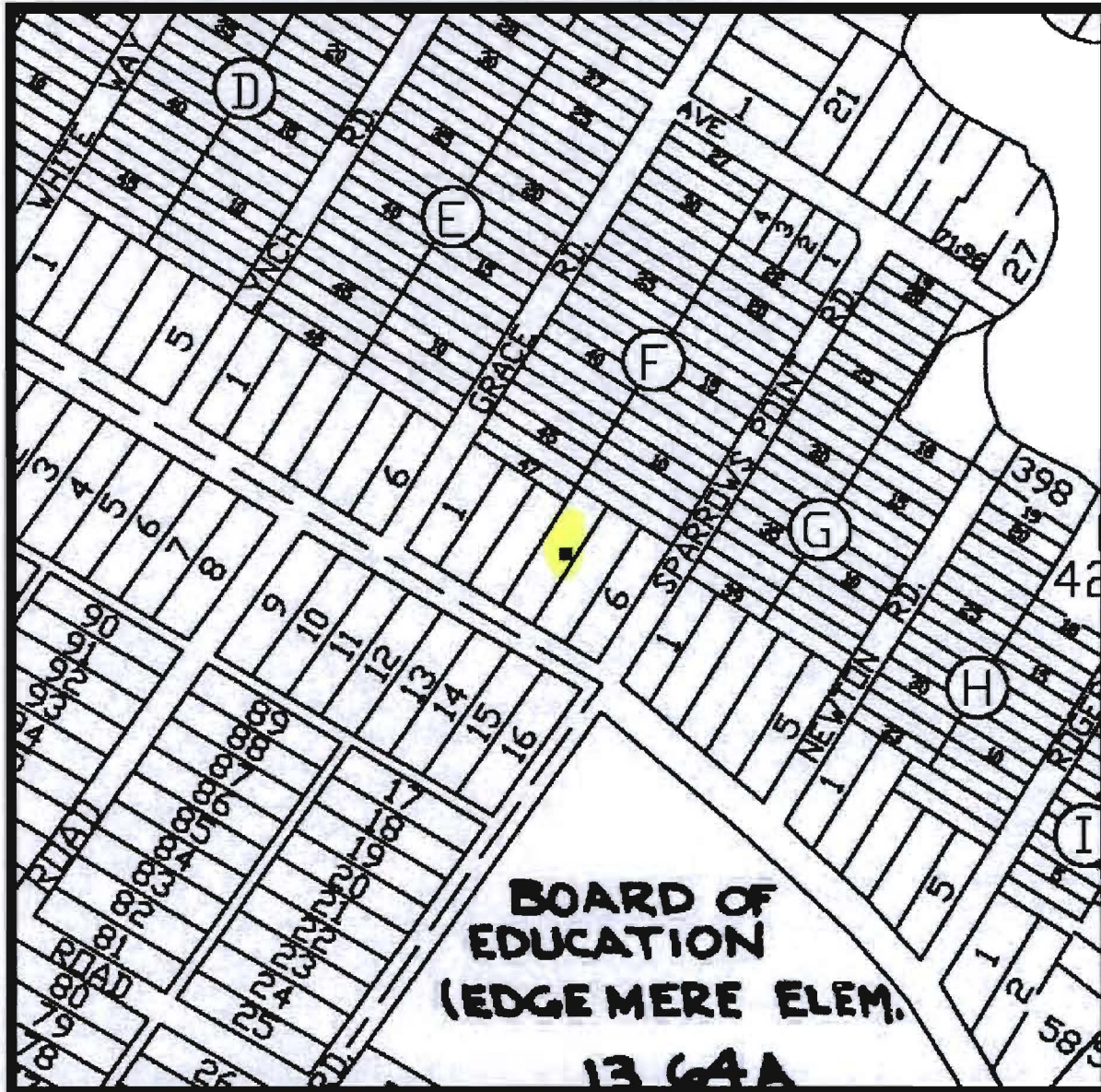
Special Tax Recapture:
* NONE *



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

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District - 15 Account Number - 1519580372



Property maps provided courtesy of the Maryland Department of Planning ©2008.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3)

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[View Map](#)
[New Search](#)

Account Identifier: District - 15 Account Number - 1519580371

Owner Information

Owner Name: BAY-VANGUARD FEDERAL SAVINGS BANK Use: COMMERCIAL
 Mailing Address: 7114 NORTH POINT RD Principal Residence: NO
 BALTIMORE MD 21219-1220 Deed Reference: 1) /27128/ 313
 2)

Location & Structure Information

Premises Address Legal Description
 SPARROWS POINT RD LT 7-12
 BALTIMORE MD 21219 LYNCH POINT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
111	5	141			F		7	3	Plat Ref: 8/ 38

Special Tax Areas Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		22,500.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value			Phase-in Assessments		
		As Of	As Of	As Of	As Of	As Of	As Of
		01/01/2009	07/01/2008	07/01/2009			
Land	59,620	145,000					
Improvements:	0	0					
Total:	59,620	145,000	59,620	88,080			
Preferential Land:	0	0	0	0			

Transfer Information

Seller: SNYDER PAUL	Date: 06/25/2008	Price: \$750,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /27128/ 313	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
 Exempt Class:

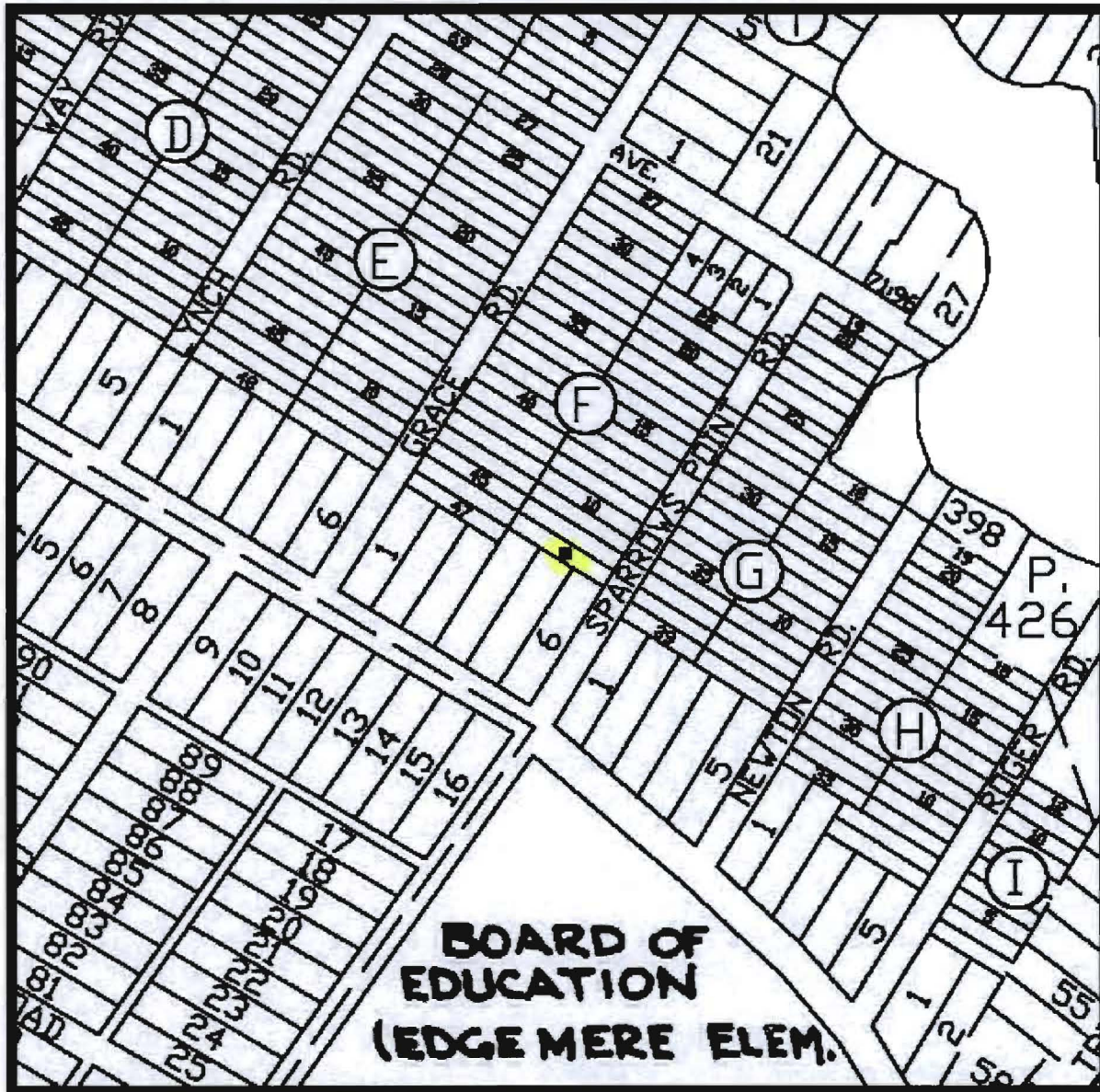
Special Tax Recapture:
 * NONE *



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

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District - 15 Account Number - 1519580371



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For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html

ZONING NOTICE

CASE # 2009-0268-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: ROOM 104 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE 21204
TOWSON

DATE AND TIME: WEDNESDAY, JUNE 17, 2009 AT 11:00 A.M.

REQUEST SPECIAL HEARING FOR BUSINESS PARKING IN A
RESIDENTIAL ZONE AND FOR A MODIFIED PARKING PLAN, TO
CONFIRM THAT THE EXISTING BANK, OFFICE AND CARRY-OUT
RESTAURANT AND PROPOSED IMPROVEMENTS ARE PERMITTED BY
THE BCZR.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

PETITIONER'S

EXHIBIT NO. 2

Bay-Vanguard

Federal Savings Bank

Insured Savings

FDIC INSURED TO \$100,000

7114

ZONING

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24 HR. ACCOUNT ACCE
**INTERNET
BANKING**

Bay-Vanguard
Federal Savings Bank
 **477-5000**
Since 1873
MEMBER FDIC



**MEYER &
HARRIS**











PETITIONER'S

EXHIBIT NO. 3

Read (Existing Parking)





Ready side / existing parking



Existing Area (Toward Shannon Point N.D.)



Waste, houses on Cape Road



12 AM (HOUSES ON GRACE ROAD)



10445 SW 4th Ave 10445



1000 02 16 1994 11:01:13



Houses in Saramon Point ND



Burn station 50, 100, 200 ft



Walmart Side next door



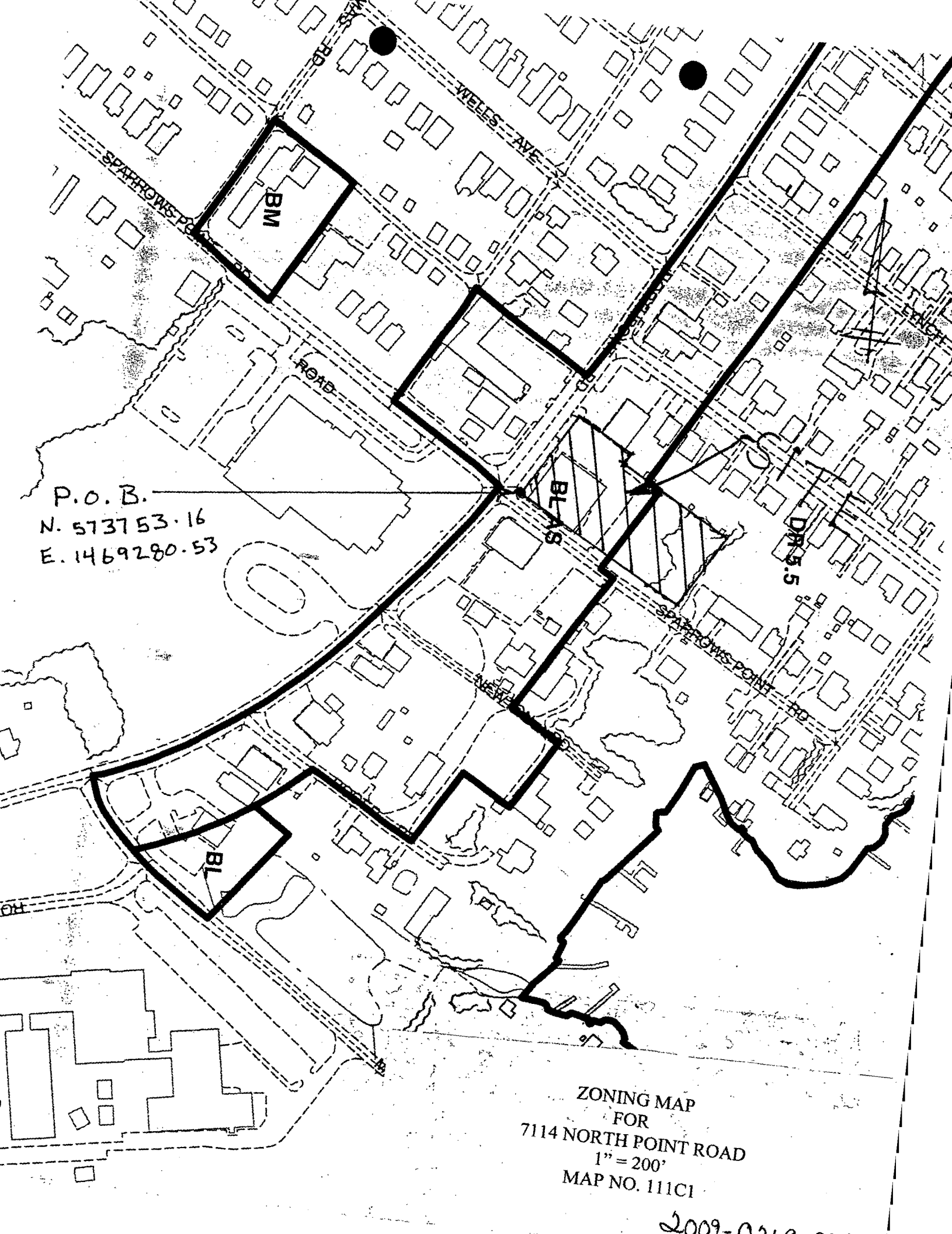
Case No.: 2009-0268-SPH 7114 North Point Road

Exhibit Sheet

Petitioner/Developer

Protestant

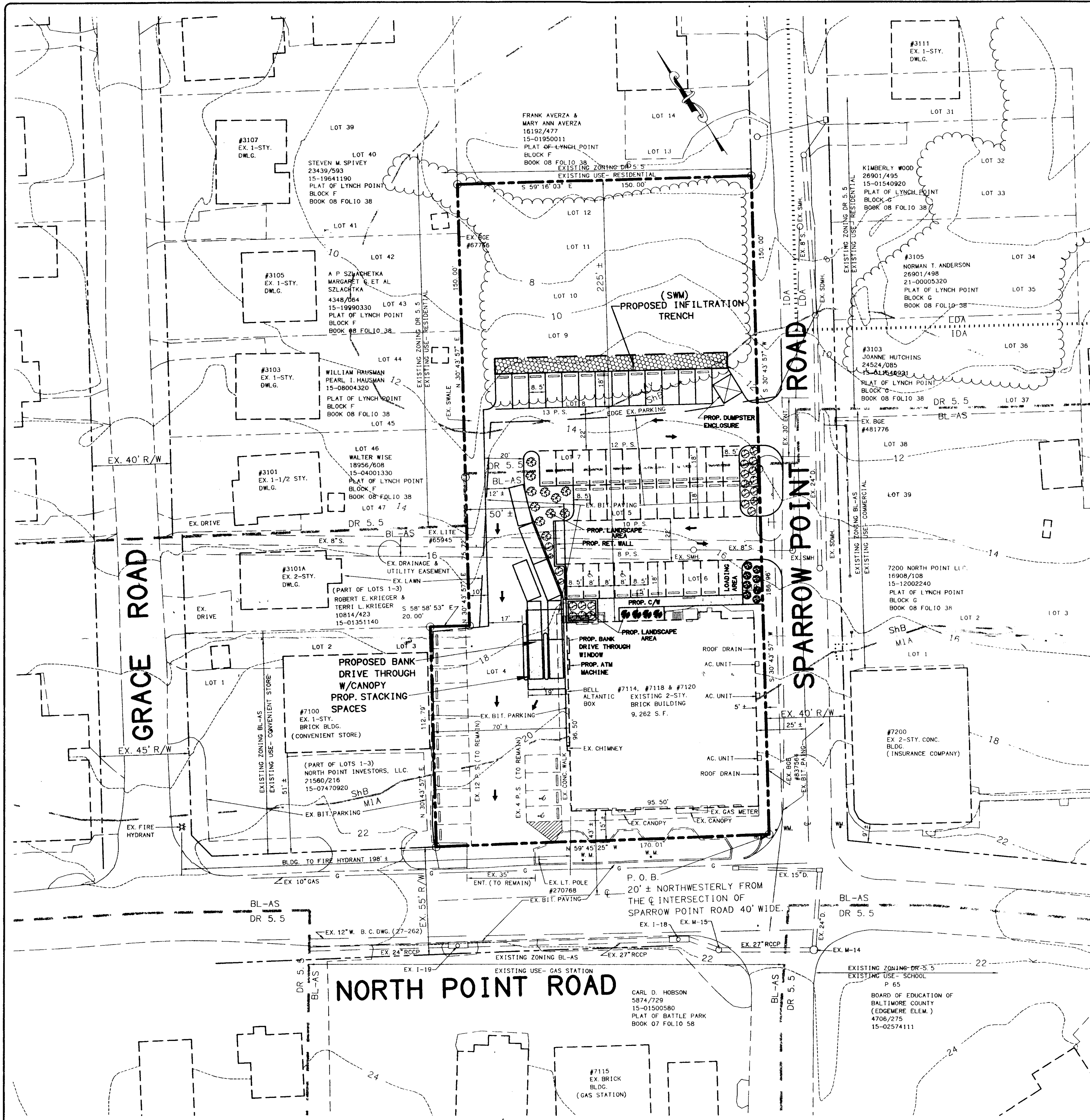
No. 1	Site Plan	
No. 2 Alvin H	Existing Conditions Photographs	
No. 3 Alvin K	Adjacent Properties	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



P.O.B.
N. 573753.16
E. 1469280.53

ZONING MAP
FOR
7114 NORTH POINT ROAD
1" = 200'
MAP NO. 111C1

2009-0210



SOILS DATA CHART					
TYPE	SERIES	WITH BASEMENT	WITHOUT BASEMENT	STREETS AND PARKING LOT	CLASS
Av	ALLUVIAL LAND	SEVERE: HIGH WATER TABLE; FLOODING HAZARD	SEVERE: HIGH WATER TABLE; FLOODING HAZARD	SEVERE: HIGH WATER TABLE; FLOODING HAZARD	D
SNB	SASSAFRAS	SLIGHT	SLIGHT	MODERATE: SLOPE	B
MIA	MATTAPEX	MODERATE: MODERATELY HIGH WATER TABLE	SLIGHT	MODERATE: MODERATELY HIGH WATER TABLE; SLOPE	C
ALLUVIAL LAND SASSAFRAS SANDY LOAM, 2 TO 5 PERCENT SLOPES MATTAPEX SILT LOAM, 2 TO 5 PERCENT SLOPES					

PLAN
SCALE: 1" = 30'

- ### NOTES
- Topography shown hereon was taken from Baltimore County GIS Topography & Updated by field survey, (NOV. 2008)
 - The Firm Insurance Rate Map, Panel 555 of 575 indicates this is situated within Flood Zone X with a Flood Elevation of 7.7 (NAVD 88) for this site. (Baltimore County requires a minimum first floor elevation of 9.7) NAVD 88.
 - Property lines shown hereon were established by public information.
 - This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Intensely Developed Area (IDA) (MAP 111).
 - There shall be no clearing, grading, construction or disturbance of vegetation within the Critical Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
 - This site is not situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
 - There are no forest or developed woodlands on this site.
 - There are no Tidal & Non-Tidal Wetlands shown on this site.
 - There is no significant plant or animal habitat on this site.
 - There are no existing slopes greater than 15% on this site.
 - There are no known wells on this site.
 - There are no known underground storage tanks or septic systems on this site.
 - 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.
 - 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.
 - Public Water and sewer serve this site.
 - This site has not been the subject of the CRC, DRC, or Waiver Processes.
 - All signs shall comply with current Baltimore County Zoning Regulations.
 - Caution underground utilities may exist in North Point Road & Sparrow Point Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
 - Proposed Building height 36.79'.
 - All roof downspouts must discharge rainwater runoff on-to a pervious surface.
 - 409.8 (A) Design Standards
- A. Surface a Durable and Dustless surface shall be provided and shall be properly drained so as not to create any undesirable conditions.
22. AVERAGE FRONT SETBACK 30'.

ZONING HISTORY

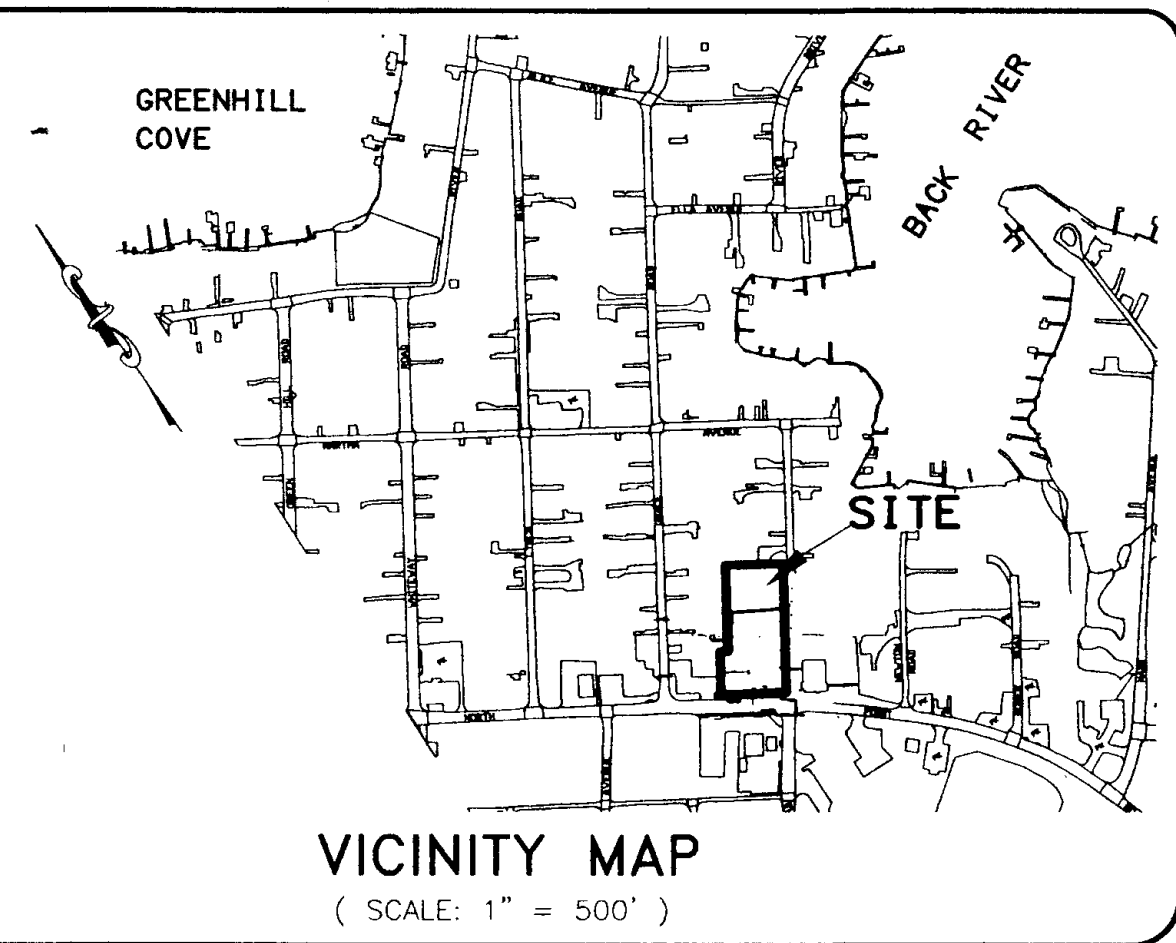
THERE ARE NO PREVIOUS ZONING CASES FOR THIS SITE.

ZONING SPECIAL HEARING REQUEST

- A) TO APPROVE BUSINESS PARKING IN A RESIDENTIAL ZONE PER BCZR 409.8.B.
- B) TO APPROVE A MODIFIED PARKING PLAN PER BCZR 409.12.b; AND,
- C) TO CONFIRM THAT THE EXISTING AND PROPOSED IMPROVEMENTS ARE PERMITTED BY THE BCZR.

LEGEND

- PROPERTY LINE
- RIGHT OF WAY
- LOT LINES
- EXISTING CONTOURS
- EXISTING STORM DRAINS
- PROPOSED INFILTRATION TRENCH
- EXISTING SANITARY SEWER
- EXISTING GAS
- EXISTING WATER
- EXISTING PAVING
- EDGE OF EX. WOODS
- PROP. LANDSCAPING
- PROP. CONCRETE
- HANDICAPPED P.S.
- HANDICAPPED ACCESS/LOADING AREA
- ZONING LINES
- TRAFFIC FLOW ARROWS
- SOIL LINES
- CHESAPEAKE BAY CRITICAL AREAS DESIGNATIONS
- STACKING SPACE



SITE DATA

- 1) OWNER: BAY-VANGUARD FEDERAL SAVINGS BANK
#7114 NORTH POINT ROAD
BALTIMORE MARYLAND 21219
- 2) DEED REF: 27128/313
- 3) TAX ACC. NO.: 15-19580372 & 15-19580371
- 4) TAX MAP: 111 PARCEL: 141 LOT: 4-6 & 7-12
- 5) PLAT REF: SECTION F PLAT OF LYNCH POINT BOOK 08 FOLIO 38
- 6) ELECTION DISTRICT: 15TH
- 7) COUNCILMANIC DISTRICT: 7TH
- 8) REGIONAL PLANNING DISTRICT: 331B
- 9) CENSUS TRACT: 4519
- 10) ZONING: BL-AS & DR 5.5
- 11) ZONING MAP: 111B1
- 12) USE: EXISTING: BANK, GENERAL OFFICE AND CARRYOUT RESTAURANT
PROPOSED: BANK, GENERAL OFFICE W/DRIVE THRU AND CARRYOUT RESTAURANT
- 13) SITE AREA: 52,918 S.F. OR 1.214 AC.
- 14) PARKING:
REQUIRED:
16,787 S.F. BANK/OFFICE 3.3 P.S. /1,000 S.F. 56 P.S.
1,737 S.F. CARRYOUT 5 P.S. /1,000 S.F. 9 P.S.
TOTAL REQUIRED: 65 P.S.
PROVIDED:
EXISTING P.S. (TO REMAIN) 14 P.S.
PROPOSED 8.5' X 18' P.S. 41 P.S.
PROPOSED H.C. P.S. 4 P.S.
TOTAL P.S. (SHOWN) 59 P.S.
- 15) REQUIRED STACKING SPACES:
REQUIRED: 7 SPACES
PROVIDED: 6 SPACES
- 16) FLOOR AREA RATIO:
PERMITTED: 3.0
PROPOSED: 18,524 / 52,918 = 0.35

Bafitis & Associates, Inc.
1249 Engleberth Rd. Baltimore, MD 21221

William N. Bafitis, P.E.
PRESIDENT
Civil Engineers/Land Planners SURVEYORS
(410) 391-2336

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR #7114 NORTH POINT ROAD

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 30'

JOB ORDER NO: 20825

DATE: 04/08/09

CHECKED: R.W.S.

DRAWN: N.W.B.

Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland License No. 11641 Expiration Date: 09/09/2009

NO. REVISIONS DATE

PETITIONER'S

EXHIBIT NO. 1