

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
SE side of Bellvue Avenue; 142 feet SW	*	DEPUTY ZONING
of Bradshaw Road		
11 th Election District	*	COMMISSIONER
3 rd Councilmanic District		
(11601 Bellvue Avenue)	*	FOR BALTIMORE COUNTY
Kingsville Volunteer Fire Company	*	
<i>Petitioner</i>		Case No. 2010-0319-SPHA
	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Edward Griffiths, Captain, on behalf of the legal property owner, the Kingsville Volunteer Fire Company. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an amendment to the Special Exception orders and site plans in Case Nos. 3557-X, 78-111-A and 84-163-SPHA to allow additions to be constructed and revision to the setback variance. Petitioner is also requesting Variance relief from Section 409.6.A of the Zoning Policy Manual to permit 127 parking spaces in lieu of 187 spaces required, and Section 1A04.3.B.2 of the B.C.Z.R to permit a setback of 6 feet from a property line for a new building in lieu of the required 50 feet. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested relief was Captain Edward Griffiths with the Kingsville Volunteer Fire Company and John B. Gontrum, Esquire attorney for Petitioner. Also appearing in support of the requested relief was Rick Richardson

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Date 8-11-10

By [Signature]

with Richardson Engineering, LLC, the professional engineer who prepared the site plan. There were no Protestants or other interested persons in attendance.¹

Testimony and evidence offered revealed that the subject property is irregular-shaped and consists of approximately 3.6 acres, more or less, zoned R.C.5. The property is located at the southern terminus of Bellvue Avenue and is situated just south of the intersection of Bradshaw Road and Cedar Lane Road in the Kingsville area of Baltimore County. As shown on the site plan, the property is presently improved with an existing two-story 10,027 square foot building and a one-story 4,192 square foot addition. There are also designated paved parking areas throughout the property.

Further evidence indicated that the Kingsville Volunteer Fire Company was established in 1954 and has been at the subject site since 1956. Construction was started on the present fire station in September 1957 and the building was completed one year later and the equipment moved in on October 8, 1958. The most recent addition to the building was constructed in the early 1980's. Captain Griffiths testified that the nature and intensity of the calls for service have changed over the years and the sheer volume of calls has increased significantly. For example, in 1981, there were 450 fire calls and 415 EMS calls for a total of 865 calls for service. Fast forwarding to this past year, there were 1,050 fire calls and 1,170 EMS call for a total of 2,220 calls for service. The company not only serves the growing Kingsville area, but also smaller adjacent communities as well. In addition, Captain Griffiths explained that the fire and EMS equipment has also changed and evolved over the years. The trucks have gotten larger and their

¹ This matter was scheduled for a public hearing on July 16, 2010. For that hearing, the posting and publishing notices only referenced the special hearing request and the setback variance. Neither the sign nor the advertisement referenced the requested parking variance. As a result, the hearing was held and testimony and evidence taken as to the special hearing and variance requests; thereafter, the undersigned requested that the property be reposted (which was done on July 17, 2010) to include all the requested relief, including the parking variance, and rescheduled for August 6, 2010. The hearing was reconvened on that date with no additional attendees and was then concluded and the evidence closed.

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Date 8-11-10

By pb

equipment more complex, and the capital investment for the equipment is substantial, with a single truck running into the hundreds of thousands of dollars.

In order to keep up with the increased needs of the community and protect the investment into the fire trucks and related equipment, Petitioner desires to construct an addition to the fire station, as depicted on the site plan. The existing two-story building would remain and be converted from vehicle bays, while the existing one-story addition would be removed in favor of the proposed one-story 16,150 square foot addition, with a 1,996 square foot mezzanine and seven bays for the fire equipment. In order to accommodate the addition, some of the parking to the rear of the site would be moved and reconfigured. In order to follow through with these plans, Petitioner is in need of variance relief for a setback to a property line of 6 feet in lieu of the required 50 feet and 127 parking spaces in lieu of 187 spaces required. The 6 foot setback is shown on the site plan near one of the eastern property lines where the corner of the mezzanine will be located.

In support of the variance requests, Mr. Richardson indicated that the extreme irregular shape of the property and the original location of the fire station combine to drive the need for the variance relief. As shown on the site plan and the aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 2, the property is situated between residential properties to the north, east, and west, and rural farmland to the south. Essentially, the irregular shape "pinches" the property on all sides. Mr. Richardson also noted that the original fire station was constructed in 1957, well before the adoption of the R.C.5 zoning on the property. Virtually any improvements or additions to this station would necessitate variance relief due to the proximity of the station to the eastern property line -- the same property line from which variance relief is now requested. Mr. Richardson also mentioned that other constraints are present on the

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Date 8-11-10

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By BJ

property, including the location of the existing septic and well areas and some uneven contours of the land. There are also some wetlands toward the rear, southernmost portion of the site. In Mr. Richardson's expert opinion, all of these factors limit the degree to which improvements can be made and also limits the numbers of parking spaces that can be provide. On this issue in particular, Mr. Richardson opined that the reconfiguration of the parking to accommodate the addition and the providing of 127 spaces in lieu of 187 spaces required would be sufficient for the needs of the site.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated June 7, 2010 which indicates they do not oppose Petitioner's request for a special hearing and variance, provided Petitioner submits building elevations for review and approval to the Office of Planning prior to the application of building permit.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. The requested special hearing relief will update and incorporate the previous zoning cases into the instant matter and allow for a current paper trail for these cases. As to the variance requests, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. The uncontroverted testimony and evidence indicates a number of circumstances that render the property unique in a zoning sense, including its unusual shape, the original improvements predating the adoption of the zoning regulations in this part of the County, as well as the existing septic and well areas and uneven contours of the land. In my view these factors drive the need for the variance relief and strict compliance with the Zoning Regulations would create a practical difficulty and

ORDER RECEIVED FOR FILING

Date 8-11-10

4

By [Signature]

unreasonable hardship. I am also persuaded by Mr. Richardson's expert testimony that the proposed parking configuration and the number of spaces provided will be sufficient for the site.

Finally, I find that the variance relief 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. Thus, I find that the variance request can be granted in such a manner as to meet the requirements of Section 307.1 of the B.C.Z.R., as interpreted in *Cromwell v. Ward*, 102 Md.App. 691 (1995).

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioner's special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of August, 2010 that Petitioner's Special Hearing request in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") for an amendment to the Special Exception orders and site plans in Case Nos. 3557-X, 78-111-A and 84-163-SPHA to allow additions to be constructed and revision to the setback variance be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's Variance requests from Section 409.6.A of the Zoning Policy Manual to permit 127 parking spaces in lieu of 187 spaces required, and Section 1A04.3.B.2 of the B.C.Z.R to permit a setback of 6 feet from a property line for a new building in lieu of the required 50 feet, be and are hereby **GRANTED**.

The relief granted herein is subject to the following conditions:

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of

ORDER RECEIVED FOR FILING

Date 8-11-10

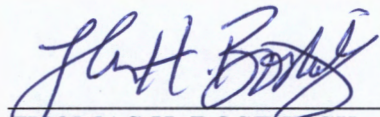
5

Bv ps

this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Petitioner shall submit building elevations to the Office of Planning for review and approval prior to the application of building permit.

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



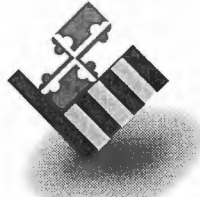
THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 8-11-10

By PB



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 11, 2010

JOHN B. GONTRUM, ESQUIRE
WHITEFORD, TAYLOR & PRESTON LLP
ONE WEST PENNSYLVANIA AVENUE
SUITE 300
TOWSON MD 21204

Re: Petition for Special Hearing and Variance
Case No. 2010-0319-SPHA
Property: 11601 Bellvue Avenue

Dear Mr. Gontrum:

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,

A handwritten signature in black ink, appearing to read "Tom H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: Captain Edward Griffiths, Kingsville Volunteer Fire Company, 11601 Bellvue Avenue,
Kingsville MD 21087



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11601 Bellvue Avenue
which is presently zoned R.C. 5

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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
(This box to be completed by planner)

An amendment to special exception Orders and site plans in Cases 3557-X, 78-111A and 84-163-SPHA to allow additions to be constructed and revision to setback variance.

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:

John B. Gontrum, Esquire
Name - Type or Print _____
Signature [Signature] _____
Whiteford, Taylor & Preston, LLP
Company _____
One W. Pennsylvania Ave., St. 300 410-832-2055
Address _____ Telephone No. _____
Towson, Maryland 21204-5025
City _____ State _____ Zip Code _____

Legal Owner(s):

Kingsville Volunteer Fire Company
Name - Type or Print _____
By: [Signature] _____
Signature Edward Griffiths, Captain _____
Name - Type or Print _____
Signature _____
11601 Bellvue Avenue 410-887-5773
Address _____ Telephone No. _____
Kingsville, Maryland 21087
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
ORDER RECEIVED FOR FILING
Address _____ Telephone No. _____
Date 8-11-10
City _____ State _____ Zip Code _____
By [Signature] _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2010-0319-SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By JUP Date 5/18/2010



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 11601 Bellvue Avenue
which is presently zoned R.C. 5

Deed Reference: 02814 / 001 Tax Account # 1111038380

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)

409.6.A of the Zoning Policy Manual to permit 127 parking spaces in lieu of 187 spaces required;
1A04.3.B.2 to permit a setback of 6' from a property line for a new
building in lieu of required 50'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

An expanded fire station is being requested to permit larger and more equipment and training facilities on irregularly shaped lot. The fire hall is not being expanded and no additional parking is needed because of larger equipment bays and meeting rooms. Without variances facility cannot modernize and for such other reasons to be provided at hearing.

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

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

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:

John B. Gontrum, Esquire

Name - Type or Print _____

Signature _____

Whiteford, Taylor & Preston, LLP

Company _____

One W. Pennsylvania Ave., St. 300 410-832-2055

Address _____ Telephone No. _____

Towson, Maryland 21204-5025

City _____ State _____ Zip Code _____

Legal Owner(s):

Kingsville Volunteer Fire Company

Name - Type or Print _____

By: Edward Griffiths, Captain
Signature _____

Name - Type or Print _____

Signature _____

11601 Bellvue Avenue 410-887-5773

Address _____ Telephone No. _____

Kingsville, Maryland 21087

City _____ State _____ Zip Code _____

Representative to be Contacted:

ORDER RECEIVED FOR FILING

Name _____

Date 8-11-10

Address _____ Telephone No. _____

By [Signature]

City _____ State _____ Zip Code _____

Case No. 2010-0319-SPHA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by JNP Date 5/18/2010

**ZONING DESCRIPTION FOR
11601 BELLVUE AVENUE
11TH ELECTION DISTRICT
3RD COUNCILMANIC District
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the southeast side right-of-way of Bellvue Avenue (50 feet in width) thence leaving Bellvue Avenue the following courses and distances; (1) S 54°11'38" E 47.57', (2) N 45°21'42" E 153.20', (3) S 44°38'18" E 50.00', (4) S 45°21'42" W 235.10', (5) S 33°40'18" E 275.03', (6) N 75°55'42" E 106.89', (7) S 24°19'18" E 128.20', (8) S 54°14'42" W 12.23', (9) S 35°45'18" E 14.23', (10) N 54°14'42" E 9.35', (11) S 24°19'18" E 75.34', (12) S 79°42'42" W 55.72', (13) S 25°29'42" W 63.68' to a point in the center of proposed Sparr Avenue (50 feet in width) thence binding on the centerline of proposed Sparr Avenue the two following courses and distances, (14) S 75°55'42" W 59.02', (15) by a curve to the right with an arc length of 365.17', with a radius of 475.00', with a chord bearing of N 82°02'47" W, with a chord length of 356.25', thence leaving Sparr Avenue the following courses and distances, (16) N 29°58'39" E 223.39', (17) N 53°33'48" W 197.58', (18) N 36°26'12" E 152.79', (19) N 35°48'22" E 149.53' to the point of beginning;

Containing a net area of 168,327 square feet, or 3.864 acres of land, more or less.



2010-0319-SPHA

**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: 2010-0319-SPHA
Petitioner: Kingsville Volunteer Fire Company
Address or Location: 11601 Bellvue Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kingsville Volunteer Fire Company
Address: 11601 Bellvue Avenue
Kingsville, Md. 21087
Telephone Number: 410-887-5723

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: # 2010-0319-SPHA

11601 Bellvue Avenue

S/east side of Bellvue Avenue, 142 feet s/west of Bradshaw Road

11th Election District — 3rd Councilmanic District

Legal Owner(s): Kingsville Volunteer Fire Company, Edward Griffiths, Captain

Special Hearing: for an amendment to Special Exception orders and site plans in cases 3557-X, 78-111-A and 84-163-SPHA to allow additions to be constructed and revision to setback variance. **Variance:** to permit a setback of 6 feet from a property line for a new building in lieu of required 50 feet.

Hearing: Friday, July 16, 2010 at 10:00 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 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.

7/076 July 1

245615

CERTIFICATE OF PUBLICATION

7/11, 2010

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 7/11, 2010.

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

J. Wilkins

LEGAL ADVERTISING

+ - CERTIFICATE OF POSTING

2010-0319-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Kingsville Volunteer Fire Company, Edward Griffiths, Captain.

July 16 2010

Date of Hearing/Closing: _____

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: _____
11601 Bellvue Avenue

June 30 2010

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

Sincerely,



July 3 2010

(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)

ZONING NOTICE

CASE # 2010-0319-SPHA

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

Room 104 JEFFERSON BUILDING 21204
105 WEST CHESAPEAKE AVENUE TOWSON

PLACE:

DATE AND TIME: FRIDAY, JULY 16, 2010 AT 10:00 A.M.

REQUEST: SPECIAL HEARING FOR AN AMENDMENT TO SPECIAL
EXCEPTION ORDERS AND SITE PLANS IN CASES 3557-X, 78-111-A
AND 84-163 SPHA TO ALLOW ADDITIONS TO BE CONSTRUCTED
AND REVISION TO SETBACK VARIANCE. VARIANCE TO PERMIT A SET-
BACK OF 6 FEET FROM A PROPERTY LINE FOR A NEW BUILDING IN LIEU
OF THE REQUIRED 50 FEET.

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

+ - CERTIFICATE OF POSTING

2010-0319-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Kingsville Volunteer Fire company , Edward Griffiths, Captain

August 6 , 2010

Date of Hearing/Closing: _____

**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: _____
11601 Bellvue Avenue**

July 17, 2010

**The sign(s) were posted on _____
(Month, Day, Year)**

Sincerely,

Robert Black

July 21 2010

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

ZONING NOTICE

CASE # 2010-0319-SPHA

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

Room 104 JEFFERSON BUILDING 21204
105 WEST CHESAPEAKE AVENUE TOWSON

PLACE:

DATE AND TIME: FRIDAY AUGUST 6, 2010 AT 9:00 AM

REQUEST: SPECIAL HEARING FOR AN AMENDMENT TO SPECIAL
EXCEPTION ORDERS AND SITE PLANS IN CASES 3557-X, 78-111-A
AND 84-163 SPHA TO ALLOW ADDITIONS TO BE CONSTRUCTED
AND REVISION TO SETBACK VARIANCE. VARIANCE TO PERMIT A SET-
BACK OF 6 FEET FROM A PROPERTY LINE FOR A NEW BUILDING IN LIEU
OF THE REQUIRED 50 FEET.

VARIANCE FOR 409.6.A OF THE ZONING POLICY MANUAL TO
PERMIT 127 PARKING SPACES IN LIEU OF 187 SPACES REQUIRED
1A04.3-B.2 TO PERMIT A SETBACK OF 6' FROM A PROPERTY LINE
FOR A NEW BUILDING IN LIEU OF THE REQUIRED 50'

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 1, 2010 Issue - Jeffersonian

Please forward billing to:

Kingsville Volunteer Fire Company
11601 Bellvue Avenue
Kingsville, MD 21087

410-887-5773

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: 2010-0319-SPHA

11601 Bellvue Avenue

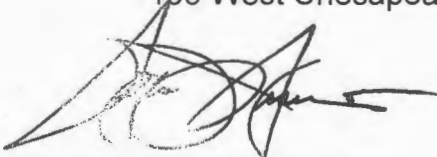
S/east side of Bellvue Avenue, 142 feet s/west of Bradshaw Road

11th Election District – 3rd Councilmanic District

Legal Owners: Kingsville Volunteer Fire Company, Edward Griffiths, Captain

Special Hearing for an amendment to Special Exception orders and site plans in cases 3557-X, 78-111-A and 84-163-SPHA to allow additions to be constructed and revision to setback variance. Variance to permit a setback of 6 feet from a property line for a new building in lieu of required 50 feet.

Hearing: Friday, July 16, 2010 at 10:00 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
June 3, 2010

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: 2010-0319-SPHA

11601 Bellvue Avenue

S/east side of Bellvue Avenue, 142 feet s/west of Bradshaw Road

11th Election District – 3rd Councilmanic District

Legal Owners: Kingsville Volunteer Fire Company, Edward Griffiths, Captain

Special Hearing for an amendment to Special Exception orders and site plans in cases 3557-X, 78-111-A and 84-163-SPHA to allow additions to be constructed and revision to setback variance. Variance to permit a setback of 6 feet from a property line for a new building in lieu of required 50 feet.

Hearing: Friday, July 16, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: John Gontrum, 1 West Pennsylvania Ave., Ste. 300, Towson 21204-5025
Edward Griffiths, 11601 Bellvue Avenue, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JULY 1, 2010.**
- (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.

CHECKLISTComment
ReceivedDepartmentSupport/Oppose
No Comment5-27-10

DEVELOPMENT PLANS REVIEW

nc6-28-10

DEPRM

conditions5-27-10

FIRE DEPARTMENT

nc6-7-10

PLANNING

(if not received, date e-mail sent _____)

supports -
1 condition6-1-10

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 7-1-10

SIGN POSTING

Date: 6-30-10

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐Comments, if any: portion of variance request re:parking spaces - not advertised or posted



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

July 7, 2010

John B. Gontrum, Esq.
Whiteford, Taylor & Preston, LLP
One W. Pennsylvania Ave., Ste. 300
Towson, MD 21204

Dear: John B. Gontrum, Esq.

RE: Case Number 2010-0319-SPHA, 11601 Bellvue Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 18, 2010. 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 that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Edward Griffiths, 11601 Bellvue Ave.; Kingsville, MD 21087

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 7, 2010
Item Nos. 2010- 302, 305, 309, 313,
314, 315, 316, 317, 318, 319, 320 &
321

DATE: May 27, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-006072010 -NO COMMENTS.doc



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 27, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 24th, 2010

Item Numbers: 0302, 0314, 0319

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

TB 7-16-10 10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 7, 2010

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

RECEIVED

JUN 11 2010

SUBJECT: 11601 Bellvue Avenue

INFORMATION:

ZONING COMMISSIONER

Item Number: 10-319

Petitioner: Kingsville Volunteer Fire Company

Zoning: RC 5

Requested Action: Special Hearing and Variance

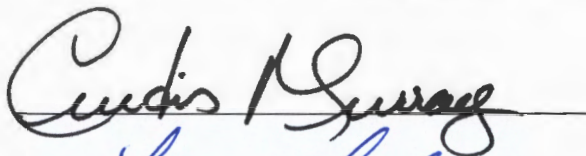
The petitioner requests a special hearing for an amendment to special exception Orders and site plans in Cases 3557-X, 78-111A, and 84-162-SPHA to allow additions to be constructed and revision to setback variance. The petitioner is also requesting a variance from Section 409.6.A of the Zoning Policy Manual to permit 127 parking spaces in lieu of 187 spaces required and from Section 1A04.3.B.2 of the BCZR to permit a setback of 6 feet from a property line for a new building in lieu of the required 50 feet.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request for a special hearing and variance, provided the petitioner submits building elevations for review and approval to the Office of Planning prior to the application of building permit.

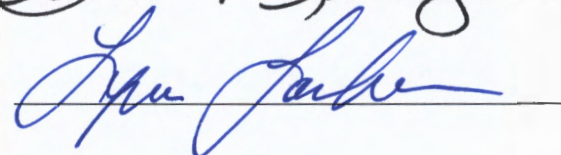
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:

AFK/LL: CM





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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 06-01-2010

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

RE: Baltimore County
Item No. 2010-0319-SPHA
11601 BELLEVUE AVE.
KINGSVILLE VOLUNTEER FIRE CO.
SPECIAL HEARING -
VARIANCE

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. 2010-0319-SPHA.

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

Very truly yours,

Foos Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

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.sha.maryland.gov

TB 7-16-10
7-16-10
10AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 28 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 28, 2010

SUBJECT: Zoning Item # 10-319-SPHA
Address 11601 Bellvue Avenue
(Kingsville Volunteer Fire Company)

Zoning Advisory Committee Meeting of May 24, 2010

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 Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). – *Regina Esslinger; Environmental Impact Review(EIR)*

Additional Comments:

Any proposed building permits for this site will be reviewed by the Groundwater Mgmt. Section. – *Dan Esser; Groundwater Management (GWM)*

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
11601 Bellvue Avenue; SE/S Bellvue Avenue,* ZONING COMMISSIONER
142' SW of Bradshaw Road *
11th Election & 3rd Councilmanic Districts * FOR
Legal Owner(s): Kingsville Volunteer Fire Co. *
Petitioner(s) * BALTIMORE COUNTY
* 10-319-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

MAY 28 2010

.....

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of May, 2010, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, One W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME KINGSVILLE FIRE CO.
CASE NUMBER 2010-0319-SPHA
DATE 7/16/10

[illegible]

Case No.: 2010-0319-5PHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Aerial Photograph	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



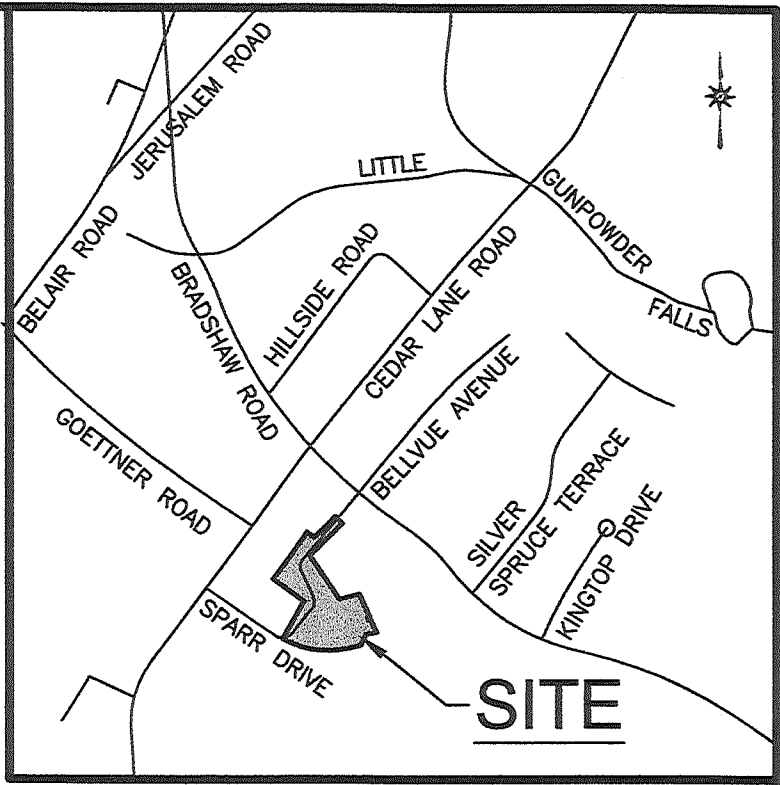
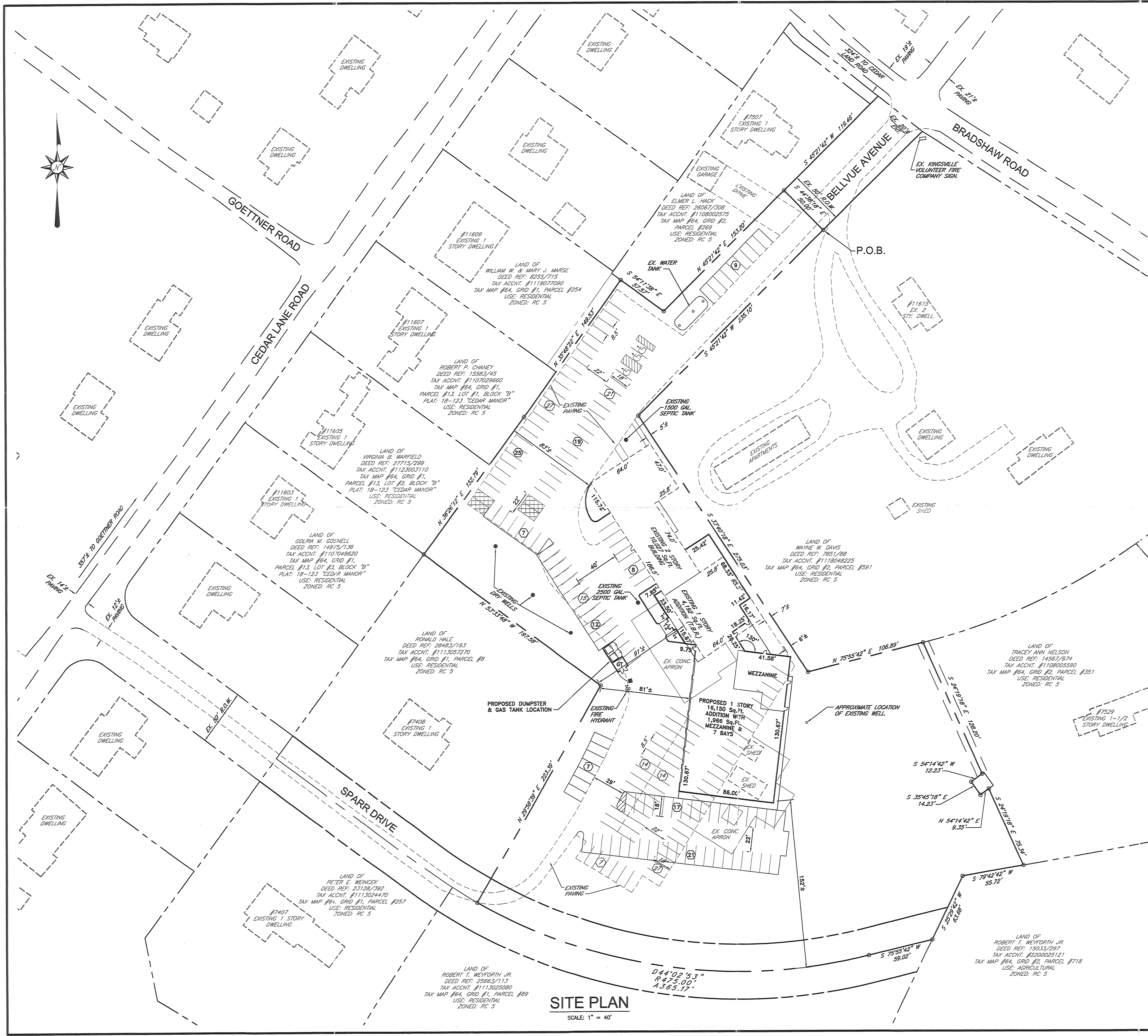
PETITIONER'S

EXHIBIT NO.

2

ZONING MAP #064 A-1
SCALE: 1" = 200'

2010-0319-SPHA



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: KINGSVILLE VOLUNTEER FIRE COMPANY
11601 BELLEVUE AVENUE
KINGSVILLE, MARYLAND 21087
- SITE AREA:
GROSS: 168,327 Sq.Ft. or 3.9 Ac.±
NET: 157,704 Sq.Ft. or 3.6 Ac.±
- BUILDING AREAS:
EXISTING: 10,027 Sq.Ft. (4,192 Sq.Ft. T.B.R.)
PROPOSED: 16,150 Sq.Ft.
TOTAL: (10,027+4,192)+16,150=21,985 Sq.Ft.
21,985/168327 = 13.1%
- UTILITIES
PRIVATE WATER & PRIVATE SEPTIC
- USE:
EXISTING: VOLUNTEER FIRE DEPARTMENT
EXISTING PARKING 125 SPACES
PROPOSED: SAME (NO CHANGE)
- PARKING:
MEETING/ASSEMBLY HALL
5,299 Sq.Ft. @ 20/1000
REQUIRED: 106 SPACES
- ENGINE ROOM
11,238 Sq.Ft. @ 3.3/1000
REQUIRED: 37 SPACES
- REMAINING FIREHOUSE
13,249 Sq.Ft. @ 3.3/1000
REQUIRED: 44 SPACES
- TOTAL REQUIRED: 187 SPACES
TOTAL PROVIDED: 125 SPACES
- SETBACKS: REQUIRED PROVIDED
FRONT 50' 91'±
SIDE 50' 83'±
REAR 50' 5'±
- DEED REF: 6833/521 (PRIOR DEED: 2814/1)
- TAX ACCOUNT #1111036380
- COUNCILMANIC DISTRICT: 3RD
- WATERSHED: LOWER GUNPOWDER
- FLOOR AREA RATIO: 29,786 ÷ 168,327 = .177
- ZONING: RC 5
(PER 1"=200' ZONING MAP 064A1)
- TAX MAP #64, PARCEL #134.
- NO NEW PROPOSED SIGNS.
- SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0285 F PANEL 285 OF 580 DATED SEPT. 26, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- BUILDING HEIGHT NOT TO EXCEED 35 FEET.
- THE SITE NOR THE BUILDING ARE HISTORIC.
- PREVIOUS PERMITS NOT ON FILE.
- PREVIOUS ZONING CASES:
3557-X GRANTED A VOLUNTEER FIRE COMPANY IN AN R-6 ZONE ON 04-25-1956.
- 78-111A TO PERMIT A SIDE YARD SETBACK OF 5' IN LIEU OF THE REQUIRED 50' GRANTED ON 11-30-1977.
- 84-162-SPHA TO AMEND 3557-X AND 78-111A, TO ALLOW ADDITIONS TO BE CONSTRUCTED AND A VARIANCE TO PERMIT A REAR YARD SETBACK OF 5' IN LIEU OF THE REQUIRED 50' GRANTED ON 02-29-1984.
- NO PREVIOUS DRC OR CRG ON FILE.

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 NUMBER 16557,
EXPIRATION DATE: 08-15-2011



Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY
ZONING PETITION FOR THE

KINGSVILLE VOLUNTEER
FIRE COMPANY
11601 BELLEVUE AVENUE
KINGSVILLE, MARYLAND 21087

11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	PETITIONER'S	DRAWN BY:	DESIGNED BY:	SCALE:
		CND	DNM	1" = 40'
	EXHIBIT NO. 1	DATE:	JOB NO.:	SHEET NO.:
		04-14-10	10021	1 OF 1

2010-0319-SPHA