

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
(1496 Reisterstown Road)		
3 rd Election District	*	OFFICE OF
2 nd Council District		
Club Centre, LLC	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2017-0223-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Exception filed on behalf of Club Centre, LLC, legal owner ("Petitioner"). The Special Exception was filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") for a community building for recreational and educational activities.

Yuliya Doronina and landscape architect David Martin appeared in support of the petition. Adam M. Rosenblatt, Esq. represented the Petitioner. There were no Protestants or interested citizens in attendance. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP).

The subject property is approximately 3.393 acres and is zoned BL-CT. The property is located in Pikesville and is improved with a strip shopping center. This case concerns a 3,500 sq. ft. tenant space in the center. Petitioner proposes to operate an "indoor playground" for children, which the zoning office considers to be a "community building." The Regulations define community building as one "devoted to civic, social, recreational and educational activities, including...a catering hall." Such a use is permitted by special exception in the BL zone. B.C.Z.R. §230.3.

ORDER RECEIVED FOR FILING

Date 4-17-17

By Sen

Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, ___ Md. ___, 152 A.3d 765 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Mr. Martin testified (via proffer) Petitioner satisfied the requirements of B.C.Z.R. §502.1, and I concur. The indoor playground will provide recreational opportunities for between 20-30 children on a daily basis. The center has 220 parking spaces, and Mr. Martin noted there will be ample spaces for the patrons of this facility. As such, I do not believe the use will have a detrimental impact upon the community, and the petition will be granted. The DOP comment noted the sidewalk and façade in front of the tenant space was damaged. Petitioner submitted photographs showing that the necessary repairs have been completed. Petitioner's Exhibit 4.

THEREFORE, IT IS ORDERED this 17th day of **April, 2017**, by this Administrative Law Judge, that the Petition for Special Exception for a community building for recreational and educational activities, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed,

ORDER RECEIVED FOR FILING

2

Date

4-17-17

By

Sen

Petitioner would be required to return the subject property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 4-17-17

By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

April 17, 2017

Adam Rosenblatt, Esq.
Venable
210 W. Pennsylvania Avenue, Suite 500
Towson, MD 21204

RE: Petition for Special Exception
Case No.: 2017-0223-X
Property: 1496 Reisterstown Road

Dear Mr. Rosenblatt:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1496 Reisterstown Road, Suites 217 and 218

which is presently zoned BL-CT

Deed References: 25867-217

10 Digit Tax Account # 2 1 0 0 0 0 5 9 2 6

Property Owner(s) Printed Name(s) Club Centre LLC

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. **X** a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
SEE ATTACHED

3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

SEE ATTACHED

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Adam M. Rosenblatt, Esquire

Name- Type or Print

Signature

210 W. Pennsylvania Avenue Towson MD

Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Adam M. Rosenblatt, Esquire

Name - Type or Print

Signature

210 W. Pennsylvania Avenue Towson MD

Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2017-0223-X Filing Date 2/21/17

ORDER RECEIVED FOR FILING

Do Not Schedule Dates:

Reviewer JF

Date 4-17-17 REV. 10/4/11

By Sen

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

**1496 Reisterstown Road
Pikesville, MD 21208**

Requested Relief:

1. Special exception pursuant to Section 230.3 of the BCZR for a community building for recreational and educational activities.
2. Also, for such further relief as the Administrative Law Judge may require.

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

**1496 Reisterstown Road
Pikesville, MD 21208**

Legal Owner (Petitioner):



**Club Center LLC
678 Reisterstown Road
Pikesville, MD 21208**

MARTIN

MARTIN
&
PHILLIPS

&

PHILLIPS

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

ZONING DESCRIPTION

February 17, 2017

Club Centre Shopping Center
1496 Reisterstown Road
Baltimore, MD 21208
Election District 3
Councilmanic District 2

Beginning for the description of a 3,503.60 square foot area, (Parcel A) located within the Club Center Shopping Center, at the centerline intersections of McHenry Avenue Road and Bedford Avenue thence N 37° 14' 30" E 174.07' feet more or less to a point of beginning at the southwestern most corner of commercial suite at the subject address,

Thence the following courses:

- 1) N12° 23' 43" W, 40.00', more or less, thence
- 2) N77° 36' 17" E, 87.59' more or less, thence
- 3) S12° 23' 43" W, 40.00, more or less, thence
- 4) S77° 36' 17" W, 87.59' more or less, back to the point of beginning

Containing 3,503.60 Square Feet or .08 Acres of building area more or less.

Beginning for the description of 18 parking spaces, (Parcel B) located within the Club Center Shopping Center, at the centerline intersections of McHenry Avenue Road and Bedford Avenue thence N 54° 27' 05" E 326.66' feet more or less to a point of beginning at the northeastern most corner of Parcel B

Thence the following courses:

- 1) S 77° 54' 40" W, 60.00', more or less, thence
- 2) N 12° 23' 47" W, 60.00' more or less, thence
- 3) N 77° 54' 40" E, 60.00', more or less, thence
- 4) S 12° 23' 47" E, 60.00' more or less, back to the point of beginning

Containing 3,600.00 Square Feet or .08 Acres of building area more or less.

The above bearings are based on the Maryland State Coordinate System (NAD83/91).

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.



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

Nº 150308

Date: 2/21/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		4180				500.00

Total: 500.00

Rec From: Variable, LLC

For: P-44 for Special Exception
Case # 2017-01223-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
2/21/2017 2/21/2017 10:50:30 5
REG WSOS WALKIN LRB
>>RECEIPT # 889016 2/21/2017 OFLR
Dept 5 528 ZONING VERIFICATION
CR NO. 150308
Recpt Tot \$500.00
\$500.00 CK \$0.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

2017-0223-X

RE: Case No.: _____

Petitioner/Developer: _____

Club Center, LLC

April 14, 2017

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

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: _____

1496 Reisterstown Road

March 25, 2017

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



Sincerely,

March 25, 2017

(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)

The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

<http://www.thedailyrecord.com>

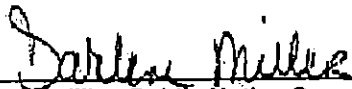
PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

3/24/2017

Order #: 11304348
Case #: 2017-0223-X
Description:

Case Number: 2017-0223-X - Notice of Zoning Hearing



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2017-0223-X

1496 Reisterstown Road

NW corner of McHenry Avenue and Bedford Avenue

3rd Election District- 2nd Councilmanic District

Legal Owners: Club Center, LLC

Special Exception for a community building for recreational and educational activities. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, April 14, 2017 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

ARNOLD JABLON,
Director of Permits,

Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

rh24

TO: DAILY RECORD
Friday, March 24, 2017 Issue

Please forward billing to:
Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6271

NOTICE OF ZONING HEARING

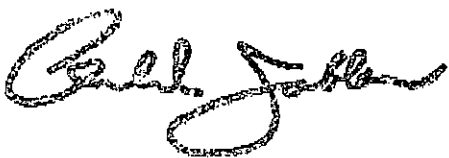
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0223-X

1496 Reisterstown Road
NW corner of McHenry Avenue and Bedford Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Club Center, LLC

Special Exception for a community building for recreational and educational activities. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, April 14, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

March 20, 2017

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2017-0223-X

1496 Reisterstown Road
NW corner of McHenry Avenue and Bedford Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Club Center, LLC

Special Exception for a community building for recreational and educational activities. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, April 14, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Adam Rosenblatt, 210 W. Pennsylvania Avenue, Towson 21204
Club Center, LLC, 678 Reisterstown Road, Pikesville 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 25, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: ~~11111111111111111111~~ 2017-0223-X

Property Address: 1496 REISTERSTOWN ROAD

Property Description: _____

Legal Owners (Petitioners): Club Centre LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich

Company/Firm (if applicable): Venable LLP

Address: 210 W. Pennsylvania Avenue
Towson, MD 21204

Telephone Number: 410-499-6271

Revised 7/9/2015



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 5, 2017

Club Center
678 Reisterstown Road
Pikesville MD 21208

RE: Case Number: 2017-0223 X, Address: 1496 Reisterstown Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 21, 2017. 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." The signature is stylized with a large, looped "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Adam M Rosenblatt, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 2/27/17

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 2/27/17. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Exception, Case Number 2017-0223-X.
Special Exception
Club Center
1496 Reisterstown Road.
MD140.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Zeller".

Wendy Wolcott, PLA
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

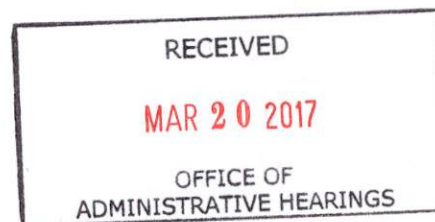
**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 3/15/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-223



INFORMATION:

Property Address: 1496 Reisterstown Road
Petitioner: Club Center, LLC
Zoning: BL-CT
Requested Action: Special Exception

The Department of Planning has reviewed the petition for special exception to determine whether or not the Administrative Law Judge should approve a community building for recreational and educational activities.

A site visit was conducted on March 5, 2017. The site is located within the Pikesville Commercial Revitalization District and the Pikesville Design Review Panel area (DRP), but is not subject to DRP review.

The Department has no objection to granting the petitioned zoning request conditioned on the following:

- Ensure that the gap between the sidewalk and façade is repaired.

For further information concerning the matters stated herein, please contact Bill Skibinski at (410) 887-3480.

Prepared by:



Jessie A. Bialek

Division Chief:



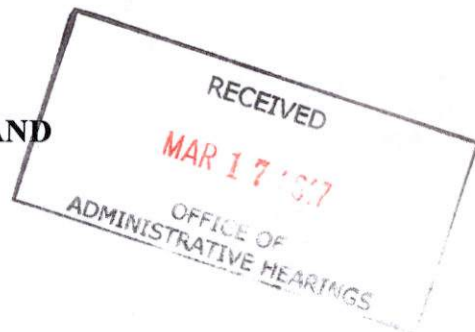
Kathy Schlachach

AVA/KS/JAB/ka

c: Bill Skibinski
Adam M. Rosenblatt, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: March 17, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0223-X
Address 678 Reisterstown Road
(Club Center Property)

Zoning Advisory Committee Meeting of **March 20, 2017**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 3-17-2017

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: March 1, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0223-X
Address 678 Reisterstown Road
(Club Center Property)

Zoning Advisory Committee Meeting of **March 3, 2017**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 3-1-2017

RECEIVED

MAR 28 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

20BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: March 21, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For March 20, 2017
Item No. 2017- 0202, 0223, 0232, 0233, 0235, 0236, 0237, 0238, 0239
and 0240

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

DAK:CEN

cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC03202017.doc

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: March 8, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For March 3, 2017
Item No. 2017-0221, 0222, 0223 and 0224

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

DAK:CEN
cc:file
G:\DevPlanRev\ZAC -No Comments\ZAC03032017.doc

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
1496 Reisterstown Road, Suites 217 & 218;
NW corner of McHenry & Bedford Avenues* OF ADMINISTRATIVE
3rd Election & 2nd Councilmanic Districts
Legal Owner(s): Club Center, LLC * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2017-223-X

* * * * *

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.

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

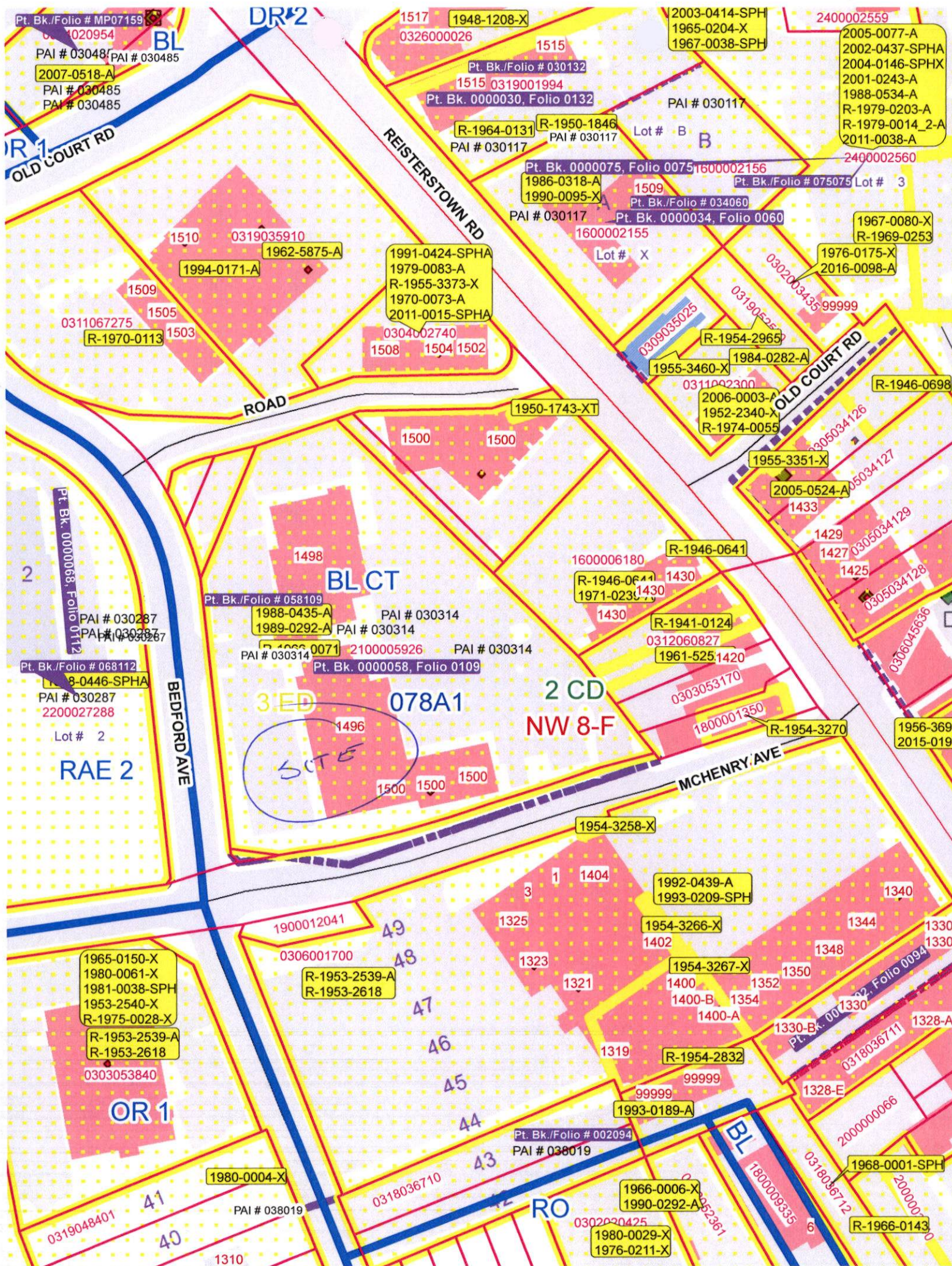
MAR 06 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of March, 2017, a copy of the foregoing Entry of Appearance was mailed to Adam Rosenblatt, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Real Property Data Search Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map				View GroundRent Redemption				View GroundRent Registration			
Account Identifier:				District - 03 Account Number - 2100005926							
Owner Information											
Owner Name:		CLUB CENTRE LLC				Use:		COMMERCIAL			
Mailing Address:		678 REISTERSTOWN RD BALTIMORE MD 21208-5112				Principal Residence:		NO			
						Deed Reference:		/25867/ 00217			
Location & Structure Information											
Premises Address:		1496 REISTERSTOWN RD BALTIMORE MD 21208-3842				Legal Description:		3.393 AC 1496 REISTERSTOWN RD CLUB CENTER			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:		
0078	0002	0033		0000				2016	Plat Ref:	0058/	0109
Special Tax Areas:						Town:		NONE			
						Ad Valorem:					
						Tax Class:					
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area		County Use		
							3.3900 AC		14		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
Value Information											
				Base Value		Value		Phase-in Assessments			
						As of		As of		As of	
						01/01/2016		07/01/2016		07/01/2017	
Land:		2,034,000		2,034,000							
Improvements		3,793,700		6,155,600							
Total:		5,827,700		8,189,600		6,615,000		7,402,300			
Preferential Land:		0						0			
Transfer Information											
Seller: MART LIMITED PARTNERSHIP				Date: 06/28/2007				Price: \$7,000,000			
Type: ARMS LENGTH IMPROVED				Deed1: /25867/ 00217				Deed2:			
Seller: TRIPEC ASSOCIATES LTD				Date: 06/30/1997				Price: \$4,872,004			
PRTSHP											
Type: ARMS LENGTH IMPROVED				Deed1: /12263/ 00258				Deed2:			
Seller:				Date:				Price:			
Type:				Deed1:				Deed2:			
Exemption Information											
Partial Exempt Assessments:		Class		07/01/2016				07/01/2017			
County:		000		0.00							
State:		000		0.00							
Municipal:		000		0.00 0.00				0.00 0.00			
Tax Exempt:				Special Tax Recapture:							
Exempt Class:				NONE							
Homestead Application Information											
Homestead Application Status: No Application											

CASE NAME CLUB CENTER
CASE NUMBER 2017-0223-X
DATE 4/19/17

[illegible]

James D. Jones

1850-1893-X

1841/12

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones

James D. Jones



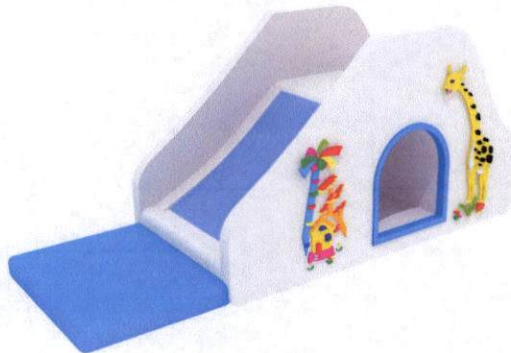
PETITIONER' S

EXHIBIT NO. 4





Codes and Regulations to Yuliya



Items-1: codes and regulations

- 1.Use age:1~6years**
- 2.Capacity:1kid at one time**
- 3.Instructions:From the top down to the bottom of the slide**
- 4.Tips:Children below 3years should be accompanied by parents**



Items-2: codes and regulations

- 1.Use age:3~6years**
- 2.Capacity:4kids at one time**
- 3.Instructions:kids sit on the seat and need hold on to the rope to prevent falling**
- 4.Tips:Children below 3years should be accompanied by parents**

PETITIONER' S

EXHIBIT NO.

2



Items-3: codes and regulations

1.Use age:3~6years

2.Capacity:8kids at one time

3.Instructions:kids sit on the seat and need hold on to the rope to prevent falling

4.Tips:Children below 3years should be accompanied by parents



Items-4: codes and regulations

1.Use age:3~6years

2.Capacity:4~6kids at one time

3.Instructions:

1)when kids sit on the seat need hold on by hand

2)when kids through the hole need go down and take care of the head

4.Tips:Children below 3years should be accompanied by parents



Items-5: codes and regulations

1.Use age:1~6years

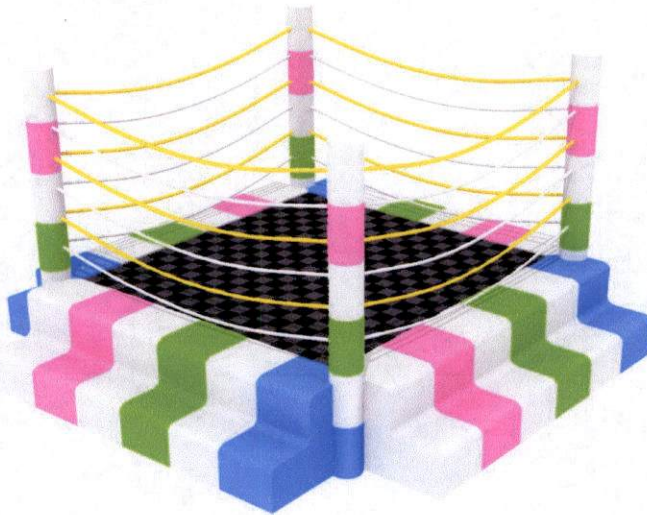
2.Capacity:2~3kids at one time

3.Instructions:

1)when kids sit on the seat need hold on by hand

2)when kids sit on the sea need keep balance by foot

4.Tips:Children below 3years should be accompanied by parents



Items-6: codes and regulations

1.Use age:6~12years

2.Capacity:4~8 children at one time

3.Instructions:

1)children bounce should stay in trampoline net

2)children bounce should keep body balance

3)children should not catch each other when bounce

Tips:Trampoline bear weight:not more than 400kgs will be more safe



Items-7: codes and regulations

1. Use age: 1~6 years
2. Capacity: 3 kids at one time
3. Instructions: kids could put can put any shape by hand
4. Tips: Children below 3 years should be accompanied by parents



Items-8: codes and regulations

1. Use age: 3~12 years
2. Capacity: 1 kid one seat
3. Instructions: when kids sit on the sea need keep balance by foot
4. Tips: Children below 3 years should be accompanied by parents



Items-9: codes and regulations

1.Use:desk

2.Tips:It can not put Very heavy things on desk



Items-10: codes and regulations

1.Use:seat for adult

2.Tips:if kids sit seat should keep body balance



Items-11: codes and regulations

1.Use age:1~6years

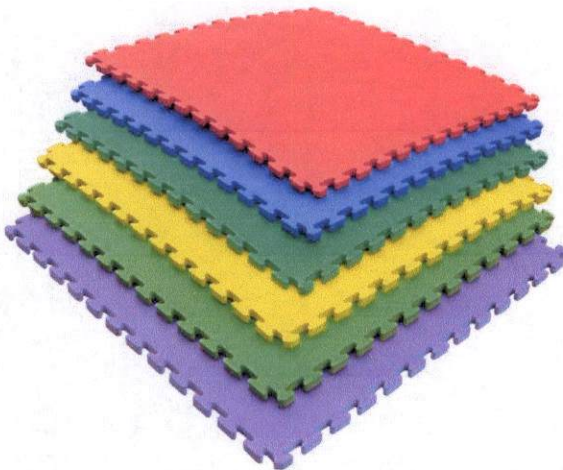
2.Capacity:4~6kids at one time

3.Instructions:

1)From the top down to the bottom of the slide

2)when kids go down should take care of other kids

4.Tips:Children below 3years should be accompanied by parents



Items-12: codes and regulations

1.Use:floor mat



Items-13: codes and regulations

1.Use age:3~12years

2.Capacity:15~20children at one time

3.Instructions:this structure mainly improve the child drill ability,climbing ability,ability to slip,roll ability,shake ability,swing ability,jumping ability,shake ability

4.Tips:

1)Enter into the structure please do not carry sharps, avoid scratching body during the game;

2)Please do not push each other in structure, avoiding injury accident;

3)Enter into the structure please take off your shoes;

4)Please do not pull the protection net

5)Please cleaning the structure after children finish game, keep clean

6)Children below 3years should be accompanied by parents



Items-14: codes and regulations

1.Use age:3~12years

2.Capacity:15~20children at one time

3.Instructions:this structure mainly improve the child drill ability,climbing ability,ability to slip,roll ability,shake ability,swing ability,jumping ability,shake ability

4.Tips:

1)Enter into the structure please do not carry sharps, avoid scratching body during the game;

2)Please do not push each other in structure, avoiding injury accident;

3)Enter into the structure please take off your shoes;

4)Please do not pull the protection net

5)Please cleaning the structure after children finish game, keep clean

6)Children below 3years should be accompanied by parents

MARTIN

MARTIN
&
PHILLIPS

PHILLIPS

&

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

CURRICULUM VITAE
DAVID L. MARTIN, L.A.

Martin & Phillips Design Associates, Inc., Principal
Director of Land Planning / Landscape Architecture

Professional Registration: Landscape Architect
Maryland - No. 776
Pennsylvania - No. 573-E

Education:

The Pennsylvania State University
Bachelor of Science Landscape Architecture - 1971

Professional Affiliations:

American Society of Landscape Architects, Member
Urban Land Institute, Member

Boards:

Baltimore County, Design Review Panel

Professional practice includes 44 years of land planning, landscape architecture, comprehensive zoning, PUD master planning, site planning, and expert witness testimony regarding land use and zoning issues. Mr. Martin has been practicing in the Greater Baltimore Metropolitan region since 1987 and has been qualified as an expert in land planning, site planning, and zoning cases in Anne Arundel County, Baltimore County, Howard County, Harford County, Cecil County, Bel Air, Aberdeen, Havre de Grace, Perryville, Port Deposit and Federal District Court of Baltimore.

Prior to his relocation to Maryland, Mr. Martin practiced landscape architecture and land planning in Pennsylvania, Florida, Massachusetts, Alabama, The Commonwealth of the Bahamas and Jamaica.

As President of Martin & Phillips Design Associates, Inc. Mr. Martin supervises community planning, site development, subdivision development plans, and master planning efforts. He also offers zoning testimony and interpretation on land planning issues before zoning commissioners, boards of appeals, planning commissions, and elected bodies. Mr. Martin facilitates community input meetings, and presents Development Plans in Baltimore County and oversees the preparation of special exception and variance plan requests. He also directs the design of parks, amenity features, lighting plans and landscape plans associated with residential, commercial and institutional projects.

Significant projects include Developments of Regional Impact (DRI) in the State of Florida including: Palm Coast, Florida - 10,000 acre master plan, Beverly Hills, Florida - 6,500 acre master plan, and Doral Park, Florida - 2000 acre master plan. Representative local projects include: Hollywoods, Monmouth Meadows, Greenbriar, Bainbridge Development, Forge Landing, Owings Mills Commerce Center, The Avenue at Whitmarsh, Cedar Lane Farms P.U.D., Westwicke, Beaverbrook, Biddison Property, Bridle Ridge, Green Spring Station, Home Depot of Owings Mills, Bel Air and Timonium, Ashland Market Place, Powell Property, and Baker Property, Highlands Corporate Park, Preston Gateway North Industrial Park, Catholic Charities Senior Housing at the Village Crossroads, Brandywine PUD and the Chapel Springs Senior Housing PUD.

Mr. Martin has prepared numerous comprehensive-zoning petitions in Baltimore County in every CZMP cycle since 1992 and has a thorough understanding of the principles of Euclidean zoning and their application throughout the Baltimore Metro region. He also served on an ad-hoc committee that authored the Service Employment (SE) Zone of Baltimore County and the Public Affairs Committee for NAIOP. He has extensive experience dealing with all of the Baltimore Regional Area County's development regulations.

TELEPHONE: 410.321.8444, TOLL FREE: 866.395.8595
FAX: 410.321.1175

PETITIONER'S

EXHIBIT NO.

3

Case No.:

2017-0223-X

Exhibit Sheet

4-17-17
Sen

Petitioner/Developer

Protestant

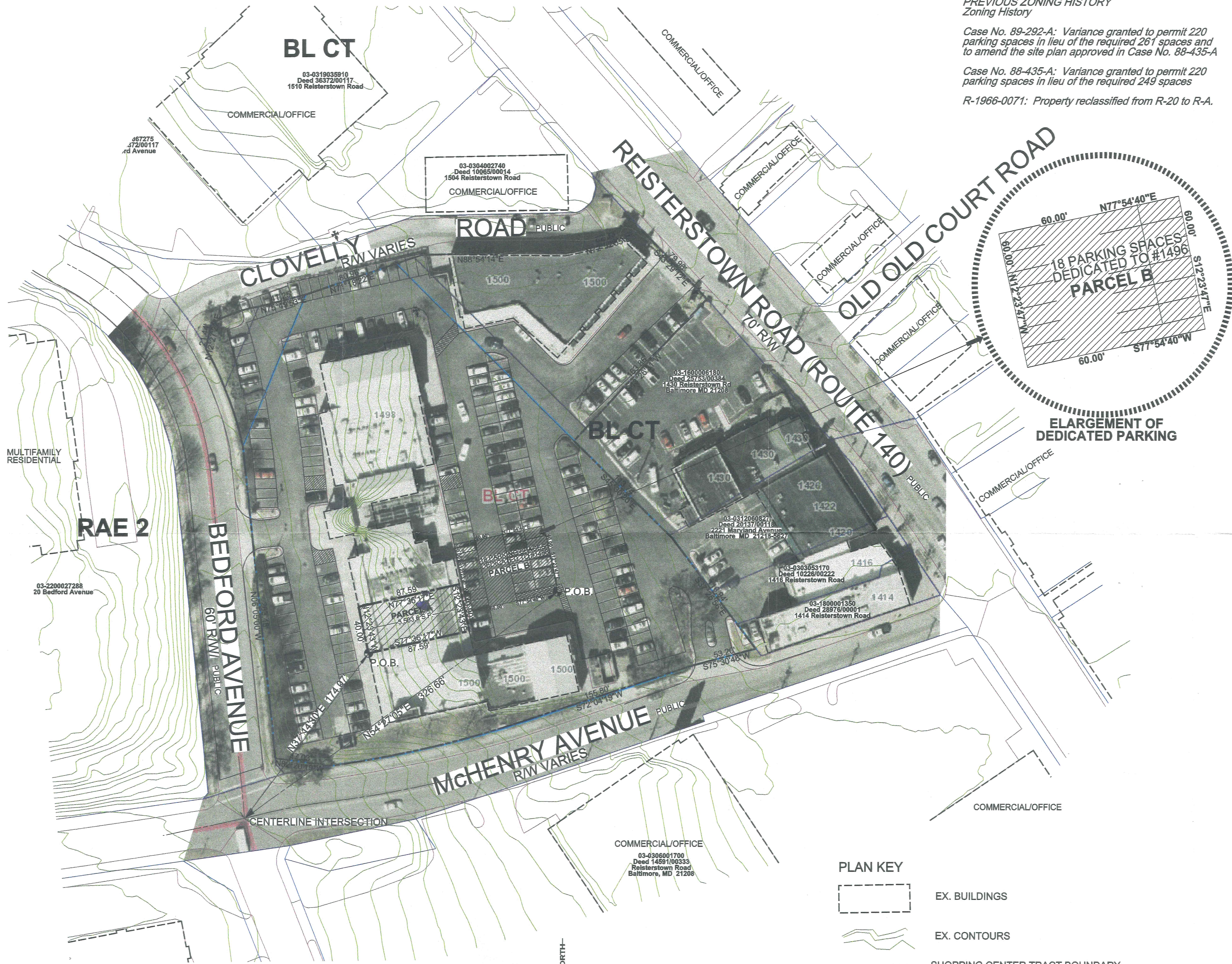
No. 1	Plan	
No. 2	Examples of playground equipment	
No. 3	Martin CV	
No. 4	Photos of site	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

M E M O R A N D U M

DATE: May 18, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0223-X- Appeal Period Expired

The appeal period for the above-referenced case expired on May 17, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

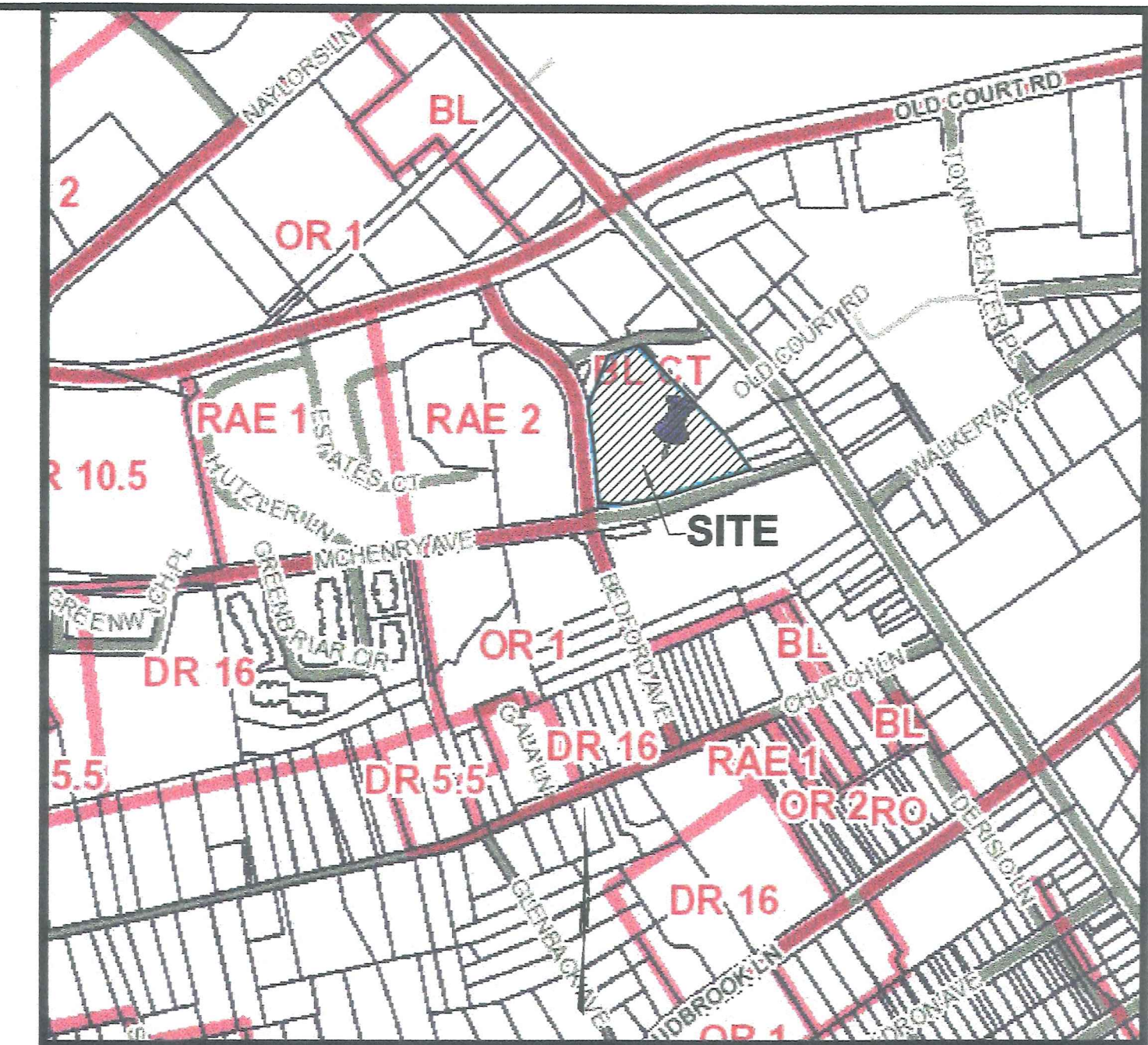


PREVIOUS ZONING HISTORY
Zoning History

Case No. 89-292-A: Variance granted to permit 220 parking spaces in lieu of the required 261 spaces and to amend the site plan approved in Case No. 88-435-A

Case No. 88-435-A: Variance granted to permit 220 parking spaces in lieu of the required 249 spaces

R-1966-0071: Property reclassified from R-20 to R-A.



VICINITY MAP
SCALE 1" = 1000'

GENERAL NOTES:

- PETITIONER: NEW TOWN INVESTMENTS LLC
1. PROPERTY ADDRESS 1496 REISTERSTOWN RD.
LOCATED WITHIN THE "CLUB CENTRE SHOPPING CENTER"
 2. TAX MAP 78
PARCEL 33
 3. DEED REFERENCE: 0058 / 0109
 3. TOTAL ZONING FOR SITE:
BL - CT - 3.393 AC +/- *
 4. TOTAL AREA FOR SITE:
GROSS - 4.003 AC +/-
NET - 3.393 AC +/-
 5. PRESENT USE: COMMERCIAL RETAIL SHOPPING CENTER
 6. ELECTION DISTRICT: 3
 7. COUNCILMANIC DISTRICT: 2
 8. CENSUS TRACT: 403400
 9. WATERSHED - JONES FALLS & GWYNNS FALLS
 10. PARKING TABULATIONS
TOTAL PROVIDED WITHIN THE SHOPPING CENTER - 220 SPACES
PARKING PROVIDED FOR SPECIAL EXCEPTION AREA - 18 SPACES
 11. LOADING SPACES:
REQUIRED: 2 PER BUILDING @ 10' X 25' MIN.
PROVIDED: 2 PER BUILDING
 12. UTILITIES: SHOPPING CENTER IS SERVED BY EXISTING WATER & SEWER
 13. THERE ARE NO 100 YEAR FLOOD PLAINS ON THE PROPERTY OR ADJACENT TO THE PROPERTY.
 14. PAVING IS BITUMINOUS CONCRETE WITH STONE BASE AND DRAINED WITH CONCRETE CURB AND GUTTER (EXCEPT WHERE OTHERWISE NOTED ON PLAN).
 15. NO HISTORIC BUILDINGS, WETLANDS, CBCA CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE.
 16. FLOOR AREA RATIO:
ALLOWED: 3.0
EXISTING: .8517 AC BILDING AREA / 3.393 ACREAS SITE = .25 F.A.R.
 17. STORMWATER MANAGEMENT IS PROVIDED BY EXISTING UNDERGROUND SYSTEM.

PLAN KEY

- EX. BUILDINGS
- EX. CONTOURS
- SHOPPING CENTER TRACT BOUNDARY
- AREA OF SPECIAL EXCEPTION
- ADJACENT PROPERTY LINES
- FIRE HYDRANT

MARTIN & PHILLIPS
DESIGN ASSOCIATES, INC.
LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE 611
TOWSON, MARYLAND 21204
TELE: (410) 321-8444 / FAX: (410) 321-1175

The above bearings are based on the Maryland State Coordinate System (NAD83/91).
NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.

PLAN SOURCE:
PLAINMETRIC DATA SHOWN HEREON IS SOURCED FROM BALTIMORE COUNTY'S GIS RESOURCES & IS USED SOLEY FOR THIS ZONING PLAT AND NOT FOR CONSTRUCTION OR PERMITTING.

SCALE: 1" = 40'



OWNER / PETITIONER
NEW TOWN INVESTMENT LLC
% YULIYA DORONINA
2023 MASTERS DRIVE
BALTIMORE, MD 21209

PETITIONER'S
EXHIBIT NO. 1

CLUB CENTRE LLC
PLAT TO ACCOMPANY A
SPECIAL EXCEPTION REQUEST
1496 REISTERSTOWN ROAD, BALTIMORE, MD
ELECTION DISTRICT 3 -- COUNCILMANIC DISTRICT 2