

M E M O R A N D U M

DATE: November 19, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0375-SPHXA - Appeal Period Expired

The appeal period for the above-referenced case expired on November 18, 2019. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PLANNED UNIT DEVELOPMENT & *
PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE *
(Wise Ave. & Grays Road)
15th Election District *
7th Councilmanic District *

COUNTRY CLUB ESTATES PUD
(Sparrows Point Country Club) *

CRD Golf, LLC, *Owner/Developer* *

BEFORE THE
OFFICE OF
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
CASE NOS. 15-1013 &
2019-0375-SPHXA

* * * * *

**ADMINISTRATIVE LAW JUDGE'S OPINION AND ORDER ON PLANNED UNIT
DEVELOPMENT (PUD)**

This matter comes before the Office of Administrative Hearings ("OAH") for a hearing pursuant to § 32-4-227 of the Baltimore County Code ("BCC"). In accordance with the development regulations codified in BCC Article 32, Title 4, CRD Golf, LLC ("Developer") seeks approval of a Development Plan (the "Plan") prepared by D.S. Thaler & Associates, LLC, for the proposed development of 53 attached villas, 193 townhouses and 60 single-family detached units for a total of 306 (the "subject property"). The proposed development is more particularly described on the six sheet redlined Plan submitted into evidence and marked as Developer's Exhibits 1A-1F.

The Baltimore County Council adopted Resolution 23-18 on March 19, 2018 stating that the proposed PUD site is eligible for County review in accordance with § 32-4-241 et. seq. of the BCC See Developer's Exhibit 2. The community benefit provided by the PUD consists of contributions totaling \$15,000.00 towards projects as identified in Resolution 23-18.

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The Developer is proposing to develop a residential development PUD consisting of 60 single-family detached homes, 193 single-family attached units, 53 "villa town houses" and an integrated 17.8 acres, more or less, park/environmental area surrounding the existing pond, and is located within the Urban Rural Demarcation Line ("URDL"). The existing Sparrows Point Country Club ("Club") and golf course will remain, with the total (approximately 65%) of the site is within the Chesapeake Bay Critical Area ("CBCA"). The project is subject to review by the Baltimore County Growth Allocation Review Committee ("GARC") and the Chesapeake Bay Critical Area Commission ("CBCAC").

The site was the subject of 2012 Comprehensive Zoning Map Process ("CZMP") Issue No. 7-008. The County Council granted 40.03 acres of DR 5.5, 16.62 acres of DR 1 and 0.41 acres of RC 20. A PUD application was submitted to the County Council on November 7, 2017. A post-submission Community Input Meeting ("CIM") occurred on December 5, 2017. A Concept Plan was filed with Baltimore County on June 13, 2018.

A Projected Impacts of Development Report, dated November 7, 2017, was submitted as part of the PUD application. The report indicated that the project is not located in any failing transportation or water and sewer area, fire and police protections are adequate to include all residences to have sprinklers, student capacities do not exceed State Rated Capacity ("SRC") limits in the affected elementary, middle and high school districts. The report further indicated that the PUD design responds positively to the requirement of the CBCA requirements and storm water management will be installed pursuant to Baltimore County standards.

The Developer also filed a Petition for Special Hearing to approve the following: (1) Continuation of the country club as a legal non-conforming use, with a permitted maximum 25% increase in ground floor area, within the DR 1, DR 5.5 and RC 20 zoned portions of the

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property pursuant to Baltimore County Zoning Regulations ("BCZR") Section 104' (2) To approve the nonconforming status of any existing building and parking facilities to remain on the property pursuant to BCZR Section 104; (3) To approve the provision of 253 parking spaces for the country club pursuant to BCZR Section 409.6.A; and (4) To confirm that the proposed location of the tennis and sport courts, more than 100 ft. from the boundary of the closest proposed residential lot line, satisfies BCZR Section 409.6.A.3.

In addition, the Developer filed a Petition for Special Exception pursuant to BCZR Sections 1B01.1.C.4 and 1A05.2.D.8, for a country club within the DR 1, DR 5.5 and RC 20 zoned portions of the property.

Furthermore, the Developer filed a Petition for Variance as follows: (1) From BCZR Section 233.1.B, to allow parking facilities on the BM zoned portion of the property associated with the country club to be located as close as 28 ft. to proposed property boundary line in lieu of the 60 ft. setback required; (2) From BCZR Section 235C.1, to allow a building height of 45 ft. in lieu of the maximum height of 35 ft. on the BM zoned portion of the property within 750 ft. of an RC Zone, and (3) From BCZR Section 409.8.A.1 and the Baltimore County Landscape Manual, to waive certain landscaping requirements for the parking facilities associated with the country club, as well as a special variance to approve removal of 51 "specimen trees".

A Development Plan Conference ("DPC") was held between the Developer's consultants and various Baltimore County agencies, to consider the project. In this case, the DPC was held on August 21, 2019. At the DPC, the Baltimore County agencies responsible for the review of the Development Plan submit written comments regarding whether the plan complies with the various Baltimore County regulations governing land development. The Hearing Officer's Hearing was held before me on September 13, 2019.

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Appearing at the public hearing on behalf of the Developer were Ronald Belbot, Stacey A. McArthur, registered landscape architect, and David S. Thaler with D.S. Thaler & Associates, LLC, the engineering firm that prepared the Plan, and Mark Keeley, a certified traffic engineer. Conor Gilligan, a representative of the Developer, although not sworn, appeared at the hearing and answered a question regarding the project posed by one of the citizen participants. Patricia A. Malone, Esquire and Adam Rosenblatt, Esquire with Venable, LLP appeared as counsel for the Developer. A number of neighbors attended the hearing and expressed concerns about various aspects of the project. Their names are included in the Citizen's "Sign-In Sheet".

Representatives of the various Baltimore County agencies who reviewed the Plan attended the hearing, including the following individuals: Darryl D. Putty, Project Manager, Development Processing, Department of Permits, Approvals and Inspections ("PAI"); Jim Hermann, Baltimore County Landscape Architect – PAI (also reviewing on behalf of the Department of Recreation & Parks) ["R&P"]; Vishnu Desai (PAI – Development Plans Review), also reviewing for the Department of Public Works ("DPW"); Brad Knatz (PAI - Real Estate Compliance); Gary Hucik (PAI - Office of Zoning Review); Jeff Livingston (Department of Environmental Protection & Sustainability – "DEPS"), and Lloyd Moxley (Department of Planning ["DOP"]).

Each County agency representative indicated that the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Jim Hermann confirmed that the schematic landscape plan (County Exhibit 1) was approved and noted that the open space provided by the Developer significantly exceeded that which was required by the regulations. Mr. Desai stated that the Developer had submitted a flood plain study, and the Director of DPW had determined no further relief was necessary (County Exhibit 2B). In

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addition, he noted that DPW had approved waiver requests as to road widths, sidewalks and grinder pumps, and that the Developer's Traffic Impact Analysis ("TIA") was also approved. It should also be noted that the Maryland Department of Transportation, State Highway Administration ("SHA") comment was also placed in the record, confirming that it had also reviewed the TIA and found it to be acceptable. Based upon the above waivers and submissions, Mr. Desai concluded that all applicable standards had been met and recommended approval of the Plan.

Mr. Knatz and Mr. Hucik testified that they had reviewed the Plan and on behalf of their departments recommended approval of the Developer's Plan as set out in Developer's Exhibit 1. Mr. Livingston testified that he had reviewed the project's stormwater management plan and recommended its approval. However, he noted that notwithstanding other approvals, the project will still need approval of an Application for Growth Allocation pursuant to BCC § 32-9-106.

Lloyd Moxley testified on behalf of DOP. He noted that the County Council in its resolution had approved modification as to density for the project. He further stated that the project met compatibility standards as set out in BCC § 32-4-402 and that all negative impacts had been mitigated. He stated that it had been determined that the Developer's request for modification of standards were necessary to achieve a compatible site design in relation to critical areas; and that is well the result would be a development of "higher quality" than by standard development. He advised that his department recommended approval of the requested modification of standards. He introduced written confirmation that the Baltimore County Planning Board, pursuant to BCC § 32-4-232 and BCC Title 2, had approved a variation of standards on July 18, 2019 (County Exhibit 5 noted earlier).

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Mr. Moxley testified that the Plan satisfied the regulations as regards school capacity and introduced the required School Impact Analysis ("SIA") [County Exhibit 4]. He noted that under current and projected school population figures both Sparrows Point Middle School and Sparrows Point High School would be at 115% and 118% respectively above the permitted 115% School Rated Capacity ("SRC"). However, he explained that the regulations set out in BCC § 32-4-103(F)(3). Those requirements were satisfied by showing that there is sufficient spare capacity in adjacent school districts (at both the middle and high school levels) to absorb the additional students. He stated that additional pupil space was available in adjacent Deep Creek, Dundalk and Middle River Middle Schools as well as Chesapeake, Dundalk, and Patapsco Schools. In response to questioning, he related that Sparrows Point Middle School will be one (1) student over permitted capacity and Sparrows Point High School will be 34 students over permitted capacity; with the adjacent middle schools having an additional 1,143 seats and the adjacent high schools 229 additional seats.

Based upon all of the above, Mr. Moxley concluded by stating that the DOP recommended approval of the proposed development and pattern book.

DEVELOPER'S CASE

In the "formal" portion of the case, the Developer presented several witnesses, including Ronald Belbot, Stacey A. McArthur, David S. Thaler, and Mark Keeley.

Ronald Belbot, President of the Board of Governor's of Sparrows Point Country Club, a post he's held for four (4) years, stated that he had been a member of the Club for many years and described the existing structures and improvements on the property; and described the various activities that regularly took place on the site.

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He related the failing financial situation of the Club, the decline in membership since the Club's inception in 1953, and its heyday in those years when it was connected to Bethlehem Steel. He spoke of the decision to sell a part of the property to the present Developer and its Club's plan to make renovations and improvements to the Club. He asserted that future operations would be similar to those at present; although the golf course itself would be reduced to 18 holes and the tennis courts will be relocated away from designated critical areas.

The witness addressed the parking to be provided when the renovation of the Club is complete. He stated that he believes, based upon his experience at the facility, that the 253 parking spaces called for in the Plan would be sufficient for staff members and guests and that at present the lot is usually underutilized; and that the number of spaces requested in the Plan is significantly more than that which has been needed for the biggest affairs that have been held at the Club in the past years. Finally, he asserted that the Club in its 66 year history has not been, and after the development proposed, will not have an adverse impact on the surrounding community.

In response to a citizen question, the witness stated that the driving range would be moved back to the clubhouse area from its present location; and that the Club would remain privately owned, although residents in the new community would pay a nominal fee to use the Club's facilities.

Stacey A. McArthur, a registered landscape architect with 30 years of experience in preparing and presenting zoning and development plans in Baltimore County, was offered and accepted as an expert witness. She testified that she prepared the development plan and pattern book. She began her testimony by describing the layout of the development, including each area where different housing units are proposed, the internal road network, public facilities,

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stormwater management and environmental arrangements; all of which she noted were in compliance with County regulations. She then went through the development process itself leading up to this hearing, and addressed the various limitations within which the Plan was set out.

Building on Mr. Belbot's testimony, the witness testified as to an alternative request to grant a special exception to the Club to operate, while granting the existing buildings and other improvements nonconforming status. She opined and explained how all of the requirements set out in BCZR § 502.1 were met by the project.

As to environmental issues, she confirmed that an Application for Growth Allocation had been submitted and is in process. In addition, she addressed the requested need for approval of a petition for special variance to allow the removal of 51 specimen trees, most of which line and define the golf course fairways. She noted that these trees are not part of a forest and that strict compliance with Article 33, Title 6, would cause unwarranted hardship, due to circumstances unique to the site in light of the surrounding area. She further testified that the grant of the petition will not adversely change or otherwise alter the surrounding area. She concluded by noting that this request was submitted to DEPS and was approved on June 17, 2019 (Developer's Exhibit 9).

As to the petitions for special hearing and variance concerning various setbacks, height in relation to the property lines, residential lot lines or the RC line, Ms. McArthur explained that all are internal to the property and that all external building setbacks will be respected. As such, she noted that the requests of the Developer are all as to the new improvements and boundary lines between the Club and the new community, including lot lines. She supported these requests by observing that, given the numerous surrounding industrial and commercial uses in the area and

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high density residential areas, the subject property is clearly unique. She continued that complying with all existing zoning regulations would result in the Developer experiencing considerable practical difficulties (considering existing structures and environmental limitations) in the use itself; including the positioning of the new residential structures.

In answer to a number of community concerns regarding traffic flow and safety, the Developer called Mark Keeley, a certified traffic engineer, who was offered and accepted as an expert. Mr. Keeley stated that he prepared, at the request of the County, the Traffic Impact Analysis ("TIA") for this development (Developer's Exhibits 12 and 13). He then explained both the study and its results, concluding that even in the likelihood of the completed development and increased membership in the Club, the area intersections would all be operating at acceptable "levels of service". In addition, he carried on a "queueing" and concluded thereby that there would be no "queues" created. In response to questions that had been raised by citizens, he explained the process getting the installation of a traffic signal or signals at a number of citizen suggested locations, and concluded that the traffic volume would not support such requests to the County. He concluded by opining that the ingress and egress from the development would not create "congestion in the roads, streets, or alleys"; and it was his opinion that, even with increased Club membership, the development and based on his analysis, would not have an adverse impact on the surrounding community.

David S. Thaler, a certified engineer and principal of D.S. Thaler & Associates, LLC, was also called as a rebuttal witness regarding the proposed use of "grinder" pumps in the development. He stated that 131 units will include such pumps, and that thousands are in use in the area. He described their operation, including warning systems if a failure occurs, and the

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assurance on his part that the large "double capacity" of each unit would allow it to continue to operate properly until repair or replacement was accomplished.

Although not sworn as a witness, Conor Gilligan of Craftsmen Developers, in answer to a question raised by a community member, offered that the timetable for construction completion would depend on the pace of sales.

COMMUNITY CONCERNS

Through questioning as each County department representative and development witness testified as well as offered testimony, the community members who attended the hearing raised several concerns. The primary concern raised was whether or not and to what extent Sparrows Point Middle School and High School would experience overcrowding. These concerns included questioning which statistics were used in preparing the SIA, the use by the County of the availability of adjacent schools that were actually a greater distance away due to the geography of Sparrows Point; as well as numbers to be generated by other developments in the area which may or may not yet be completely built. To that end, a number of charts and documents were entered by the Protestants (Community Exhibits 1 and 2).

Rodney McMillian, a school board member, was concerned about these issues and described conditions, including five (5) "lunch shifts" at the affected schools. He voiced the geographic concerns regarding the use of adjacent school districts to the Sparrows Point peninsula and stated that, enrollment numbers being "dynamic" there was, he believed, an inherent breakdown between the Board of Education and the DOP. A number of the citizens present supported his testimony and focused on the effect of other developments in the area having an impact on the school numbers now and in the future.

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Richard Taylor, an adjoining neighbor to the proposed site of some 30 years, voiced his appreciation of the proposed Wise Avenue setback, but was concerned about traffic and the possibility of accidents. Nancy Taylor joined in those concerns.

William Lambdin, another area resident, asked a number of questions during the County and Developer presentations. He was unhappy with the development as well as the entire process in general; acknowledging that issues remain to be determined during the Growth Allocation process.

Scott Pappas, President of the Fort Howard Community Association, asked numerous questions during the County and Developer presentations and in his own testimony joined in the concerns of the Protestants as to the issues of traffic and school overcrowding.

David Patro, Sr., President of the North Point Community Association, another longtime resident of the area, spoke of the positive effects of this and other recent developments on the area; and believed it was "good to see" the details of this new proposed development, which he believes will be "upscale". He stated that his association is in favor of this development project, and believes that communities need to "work together" and not at odds in these types of matters. Noting the many concerns, he favors increased school construction to deal with the issue of overcrowding. He concluded that "this PUD is making it a better Dundalk", and voiced his support and belief that the County Executive's continuing efforts to deal with the issue of school overcrowding will ultimately improve the situation.

Baltimore County Code Requirements

The Hearing Officer can approve a PUD Development Plan only upon finding:

- (1) The proposed development meets the intent, purpose, conditions, and standards of this section;

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- (2) The proposed development will conform with § 502.1.A, B, C, D, E and F of the Baltimore County Zoning Regulations and will constitute a good design, use, and layout of the proposed site;
- (3) There is a reasonable expectation that the proposed development, including development schedules contained in the PUD development plan, will be developed to the full extent of the plan;
- (4) Subject to the provisions of § 32-4-242(c)(2), the development is in compliance with § 430 of the Baltimore County Zoning Regulations; and
- (5) The PUD development plan is in conformance with the goals, objectives, and recommendations of the Master Plan, area plans, or the Department of Planning.

BCC § 32-4-245(c)(1)-(5).

In this case, the Developer presented evidence and testimony which, when coupled with the findings of the DOP's final report establishes each of these elements. The DOP indicated that the PUD Development Plan herein was in accordance with the Master Plan and that it also satisfied the Baltimore County Zoning Regulations ("BCZR") § 260 performance standards and the compatibility requirements of the BCC. Witness Ms. McArthur testified that she believed that the development would be completed to the full extent of the Plan, satisfying BCC § 32-4-245. Finally, she testified that the project satisfied the BCZR § 502 special exception requirements, complied with BCZR § 430 (governing PUDs) and met all intent and standards set forth in the BCC [including but not limited to BCC § 32-4-245(c)(1)-(5)] and the BCZR.

A PUD is required to provide a "community benefit" per BCC § 32-4-242(b)(6)(iii). The

Developer provided to Baltimore County contributions totaling \$150,000.00 towards projects as

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By LSW

identified in County Council Resolution 23-18, and thus this requirement is satisfied. The Code also requires the ALJ to state how any approved Modification of Standards would impact surrounding uses and promote the public interest. BCC § 32-4-245(a)(3). On this issue, I am persuaded by the testimony of Ms. McArthur that the modifications will allow Developer to construct a well-designed community while providing resources for the continued operation of the Sparrows Point Country Club which is a longstanding asset in the community, a compatible site design that is sensitive to the critical area and results in a development of higher quality than that achieved by conventional development. As such, I believe the modifications would be in the public interest.

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*, 451 Md. 272, (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. Belbot's testimony and to a much greater extent that of Ms. McArthur addressed the requirements of BCZR § 502.1. I found their testimony (and that of Mr. Keeley) uncontradicted and convincing. Moreover, the new "reality" of the Club, although the existing structures and improvements to remain there are certainly amenable to status as nonconforming, the future of that entity would be best served if it were established going forward as a special exception use. I shall so find.

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By 19W

Variances

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Testimony reveals that the area surrounding the proposed development contains industrial, commercial, and high density residential uses of varying sizes and shapes. As such, the large tract containing the proposed development is clearly unique. It is also clear from the testimony that if the regulations were strictly interpreted, the Developer would experience a considerable practical difficulty because it would be unable to construct the project shown on the redlined Plan. As to the special variance requested, testimony established that the "specimen trees" were not part of a forest and that the request for special variance for their removal was submitted to, reviewed, and approved by DEPS. Finally, I find that the variances can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. Under the testimony and evidence presented, I also find that the proposed development would not have a detrimental impact upon the surrounding communities.

Special Hearing

I am convinced by the testimony of Mr. Belbot and Ms. McArthur that the number of parking spaces requested are appropriate, given the uses of the Club and its relation to the proposed residential community.

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By GW

As regards the other requests for special hearing, it was noted that the boundary line between the Club and the new residential community is yet to be established. The requested relief is wholly internal in nature. They will have no impact on surrounding or adjacent properties. I find that they are necessary for the proper implementation of the proposed Plan.

THEREFORE, IT IS ORDERED by this Hearing Officer/Administrative Law Judge this 17th day of **October, 2019**, that the Development Plan identified herein as COUNTRY CLUB ESTATES PUD (Sparrows Point Country Club) [Developer's Exhibits 1A-1F], be and is hereby **APPROVED**.

IT IS FURTHER ORDERED that the Petition for Special Hearing, pursuant to BCZR § 104 for continuation of the nonconforming use of the country club/golf course with a 25% increase, be and is hereby **DISMISSED WITHOUT PREJUDICE AS MOOT**.

IT IS FURTHER ORDERED that the Petition for Special Hearing, pursuant to BCZR § 104 to approve the nonconforming status of any existing buildings and parking facilities to remain, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Hearing, pursuant to BCZR § 409.6.A to approve the provision of 253 parking spaces for the country club/golf course, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Hearing, pursuant to BCZR § 406.A.3 to approve the location of the tennis and sport courts, less than 100 ft. from the proposed RC zoned property boundary line for club but more than 100 ft. from the boundary of the closest proposed residential lot line, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Exception, pursuant to BCZR §§ 1B01.1.C.4 and 1A05.2.D.8 for approval of a country club/golf course within the DR 1, DR

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By [Signature]

5.5 and RC 20 zoned portions of the property, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Variance, pursuant to BCZR § 233.1.B, to allow parking facilities on the BM zoned portion of the property to be located as close as 28 ft. to the proposed property boundary line in lieu of the required 60 ft. setback, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Variance, pursuant to BCZR § 235.C.1, to allow a building height of 45 ft. in lieu of the maximum height of 35 ft. permitted on the BM zoned portion of the property within 750 ft. of an RC zone, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Variance, pursuant to BCZR § 409.8.A.1, to waive the requirements of the Baltimore County Landscape Manual for parking facilities associated with the country club/golf course, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Variance to remove/impact 51 specimen trees on the subject property, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- Developer may apply for necessary permits and/or licenses upon receipt of this Order. However, Developer 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, Developer would be required to return the subject property to its original condition.
- Developer shall obtain approval of an Application for Growth Allocation pursuant to BCC § 32-9-106.

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By [Signature]

Any appeal of this Order shall be taken in accordance with Baltimore County Code,
§ 32-4-281.



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS/dlw

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By dw



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 919 Wise Avenue which is presently zoned BM, RC20, DR1, MH IM, DR5.5
 Deed References: 7056/756 10 Digit Tax Account # 2000005973
 Property Owner(s) Printed Name(s) Sparrows Point Country Club, Inc.

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

See attached

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

See attached

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

See attached.

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)

TO BE PRESENTED AT HEARING

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

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Patricia A. Malone

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6206 / pamalone@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:

Patricia A. Malone

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6206 / pamalone@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2019-0375-SPHKA Filing Date 10/17/19

Do Not Schedule Dates: _____

Reviewer gh

REV. 10/4/11

Petition for Special Hearing, Special Exception, and Variance

Sparrows Point Country Club
919 Wise Avenue

Petition for Special Hearing

Special Hearing to approve the continuation of the country club as a legal non-conforming use, with a permitted maximum 25% increase in ground floor area, within the DR 1, DR 5.5, and RC 20 zoned portions of the property pursuant to BCZR Section 104.

Special Hearing to approve the nonconforming status of any existing buildings and parking facilities to remain on the property pursuant to BCZR Section 104.

Special Hearing to approve the provision of 253 parking spaces for the country club pursuant to BCZR Section 409.6.A.

Special Hearing to confirm that the proposed location of the tennis and sport courts, more than 100 feet from the boundary of the closest proposed residential lot line, satisfies BCZR Section 409.6.A.3.

In the alternative, Petition for Special Exception

Special Exception, pursuant to BCZR Sections 1B01.1.C.4 and 1A05.2.D.8, for a country club within the DR 1, DR 5.5, and RC 20 zoned portions of the property.

In the alternative, Petition for Variance

Variance, from BCZR Sections 233.1.B, to allow parking facilities on the BM zoned portion of the property associated with the country club to be located as close as 28 feet to the proposed property boundary line in lieu of the 60 foot setback required.

Variance, from BCZR Sections 235C.1, to allow a building height of 45 feet in lieu of the maximum height of 35 feet on the BM zoned portion of the property within 750 feet of an RC zone.

Variance, from BCZR Section 409.8.A.1 and the Baltimore County Landscape Manual, to waive certain landscaping requirements for the parking facilities associated with the country club.

Also, for such further relief as the Administrative Law Judge may deem necessary.

ATTACHMENT TO
ZONING PETITION

Legal Owner:

Sparrows Point Country Club, Inc.

By:

Name: Ronald P. Belbot

Title: President, Sparrows Point CC

**ATTACHMENT TO
ZONING PETITION**

Developer/Contract Purchaser:

CRD Golf, LLC

By: 
Name: Bob Schultz
Title: Member

June 19, 2019

ZONING DESCRIPTION

SPARROWS POINT COUNTRY CLUB

Beginning at a point approximately 1,881 feet southwesterly from the centerline intersection of Wise Avenue, a 70-foot right-of-way, and Pin Oak Avenue, a 40-foot right-of-way, said point having MCS coordinate values of North 579,619 East 1,460,684, thence running the following courses and distances:

1. South 34°34'26" East 68.64 feet to a point; thence,
2. South 04°15'11" East 25.18 feet to a point; thence,
3. South 28°57'50" East 224.15 feet to a point; thence,
4. South 32°39'19" West 39.49 feet to a point; thence,
5. South 63°02'39" East 33.39 feet to a point; thence,
6. North 33°59'15" East 20.91 feet to a point; thence,
7. North 60°58'04" East 26.36 feet to a point; thence,
8. South 55°25'52" East 102.53 feet to a point; thence,
9. North 86°18'41" East 56.56 feet to a point; thence,
10. Northeasterly 101.42 feet by a curve to the left having a radius of 82.48 feet and a chord bearing North 51°05'12" East 95.15 feet to point; thence,
11. North 50°54'06" East 22.49 feet to a point; thence,
12. North 90°00'00" East 205.00 feet to a point; thence,
13. Northeasterly 190.84 feet by a curve to the left having a radius of 430.00 feet and a chord bearing North 77°17'09" East 189.28 feet to a point; thence,

2019-0375-SPHKA

14. South 76°25'26" East 25.84 feet to a point; thence,
15. South 30°52'00" East 53.78 feet to a point; thence,
16. Southeasterly 83.61 feet by a curve to the left having a radius of 785.60 feet and
a chord bearing South 29°03'49" East 83.57 feet to a point; thence,
17. South 31°25'27" East 270.22 feet to a point; thence,
18. Southwesterly 158.48 feet by a curve to the left having a radius of 290.00 feet
and a chord bearing South 56°34'26" West 156.51 feet to a point; thence,
19. South 40°55'07" West 71.38 feet to a point; thence,
20. Southeasterly 569.19 feet by a curve to the left having a radius of 260.00 feet and
a chord bearing South 21°47'51" East 462.15 feet to a point; thence,
21. South 84°30'49" East 254.92 feet to a point; thence,
22. Northeasterly 185.64 feet by a curve to the left having a radius of 340.00 feet
and a chord bearing North 79°50'41" East 183.34 feet to a point; thence,
23. South 82°35'11" East 79.98 feet to a point; thence,
24. Southeasterly 109.02 feet by a curve to the left having a radius of 391.00 feet
and a chord bearing South 58°23'52" East 108.67 feet to a point; thence,
25. South 66°23'09" East 180.03 feet to a point; thence,
26. South 62°06'03" East 161.75 feet to a point; thence,
27. South 58°38'52" East 223.24 feet to a point; thence,
28. Southwesterly 130.44 feet by a curve to the left having a radius of 451.27 feet
and a chord bearing South 04°15'01" West 129.98 feet to a point; thence,
29. South 04°01'51" East 2,071.26 feet to a point; thence,
30. South 13°46'51" East 743.28 feet to a point; thence,

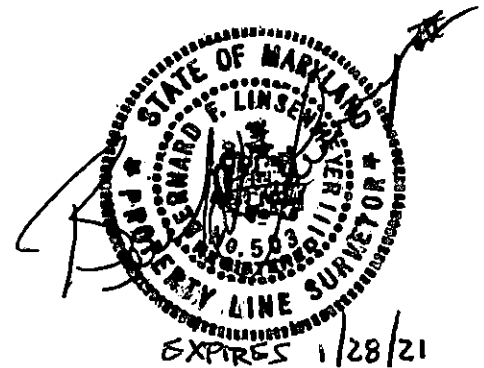
31. South 43°16'19" West 170.69 feet to a point; thence,
32. North 77°27'38" West 596.64 feet to a point; thence,
33. North 78°00'46" West 1,662.53 feet to a point; thence,
34. North 14°11'01" East 618.82 feet to a point; thence,
35. North 53°35'15" West 509.00 feet to a point; thence,
36. North 31°19'33" West 141.21 feet to a point; thence,
37. North 80°56'25" West 67.44 feet to a point; thence,
38. North 22°19'43" West 78.77 feet to a point; thence,
39. North 51°12'30" West 65.29 feet to a point; thence,
40. South 56°33'24" West 63.33 feet to a point; thence,
41. North 73°57'50" West 148.12 feet to a point; thence,
42. North 12°32'24" East 162.91 feet to a point; thence,
43. North 17°28'37" West 101.81 feet to a point; thence,
44. North 60°35'40" West 131.69 feet to a point; thence,
45. North 56°13'17" West 162.49 feet to a point; thence,
46. North 80°05'55" West 106.71 feet to a point; thence,
47. North 09°35'26" West 81.29 feet to a point; thence,
48. North 39°55'08" West 180.77 feet to a point; thence,
49. North 06°47'05" West 225.09 feet to a point; thence,
50. North 46°46'34" East 140.87 feet to a point; thence,
51. North 36°43'43" East 120.85 feet to a point; thence,
52. North 37°08'09" East 205.45 feet to a point; thence,
53. North 21°34'51" East 190.51 feet to a point; thence,

54. North 39°40'57" East 83.54 feet to a point; thence,
55. South 88°23'06" East 38.92 feet to a point; thence,
56. South 48°53'10" East 187.26 feet to a point; thence,
57. South 71°08'06" East 369.36 feet to a point; thence,
58. North 68°49'28" East 145.44 feet to a point; thence,
59. North 77°59'53" East 133.03 feet to a point; thence,
60. South 78°08'16" East 167.24 feet to a point; thence,
61. South 45°57'00" East 103.05 feet to a point; thence,
62. South 18°49'47" East 161.03 feet to a point; thence,
63. South 04°38'35" East 87.23 feet to a point; thence,
64. South 46°16'15" East 78.44 feet to a point; thence,
65. South 77°37'02" East 47.15 feet to a point; thence,
66. South 53°48'26" East 36.35 feet to a point; thence,
67. South 31°50'38" East 98.41 feet to a point; thence,
68. South 69°58'01" East 176.50 feet to a point; thence,
69. South 57°18'38" East 137.24 feet to a point; thence,
70. South 53°19'34" East 180.84 feet to a point; thence,
71. South 33°49'41" East 87.89 feet to a point; thence,
72. North 87°02'19" East 142.95 feet to a point; thence,
73. North 70°06'12" East 108.30 feet to a point; thence,
74. North 77°57'38" East 86.92 feet to a point; thence,
75. North 25°48'59" West 125.85 feet to a point; thence,
76. North 57°22'12" West 229.29 feet to a point; thence,

77. North 44°44'43" West 460.76 feet to a point; thence,
78. North 87°23'51" West 161.60 feet to a point; thence,
79. North 50°45'46" West 73.15 feet to a point; thence,
80. North 07°44'04" West 84.68 feet to a point; thence,
81. North 12°01'58" East 83.44 feet to a point; thence,
82. North 15°16'29" West 72.71 feet to a point; thence,
83. North 36°09'22" West 104.35 feet to a point; thence,
84. North 49°18'14" West 143.09 feet to a point; thence,
85. North 69°36'50" West 115.79 feet to a point; thence,
86. North 85°24'41" West 248.65 feet to a point; thence,
87. North 70°22'13" West 254.17 feet to a point; thence,
88. North 51°04'10" West 63.20 feet to a point; thence,
89. North 15°01'59" West 276.50 feet to a point; thence,
90. North 33°17'52" West 68.83 feet to a point; thence,
91. North 06°26'42" West 171.52 feet to a point; thence,
92. North 09°54'33" East 178.98 feet to a point; thence,
93. North 26°28'18" East 191.59 feet to a point; thence,
94. North 28°11'46" East 320.10 feet to a point; thence,
95. North 51°53'49" East 27.80 feet to the point of beginning.

Containing 191.66 acres of land, more or less.

Located in the Seventh Councilmanic District and the Fifteenth Election
District of Baltimore County, Maryland.

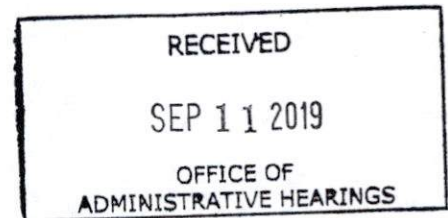


Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Tuesday, September 10, 2019 5:43 PM
To: Barbara Lukasevich; pamalone@venable.com; Administrative Hearings;
smcarthur@dsthaler.com
Subject: Recertification's For 2019-0375-SPHXA
Attachments: Re-Cert 1 2019-0375-SPHXA.doc; Re-Cert 2 2019-0375-SPHXA.doc; Re-Cert 3
2019-0375-SPHXA.doc; Re-Cert 4 2019-0375-SPHXA.doc; Re-Cert 5 2019-0375-
SPHXA.doc; Re-Cert 6 2019-0375-SPHXA.doc; Re-Cert 2019-0375-SPHXA Groups 1 &
2.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 919 Wise Avenue (Country Club Estates). Thanks.



CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

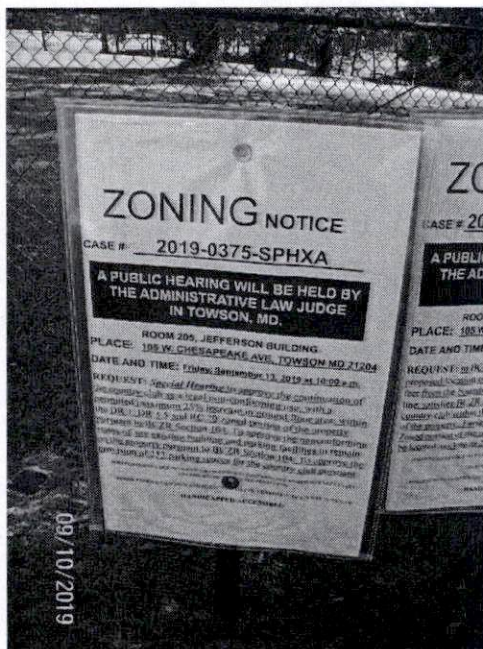
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

919 Wise Avenue

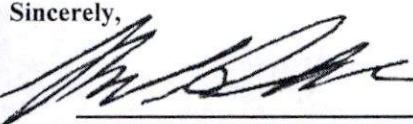
SIGN 1 Recertification

August 15, 2019

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



Sincerely,

 September 10, 2019

(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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: _____

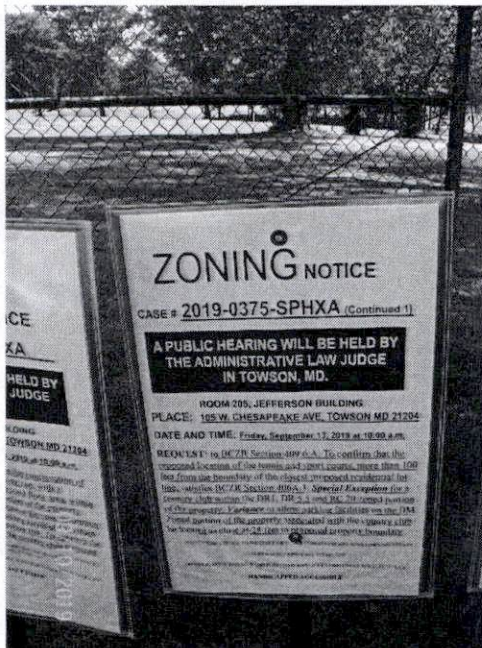


919 Wise Avenue

SIGN 2 Recertification

August 15, 2019

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



Sincerely,

 September 10, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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: _____

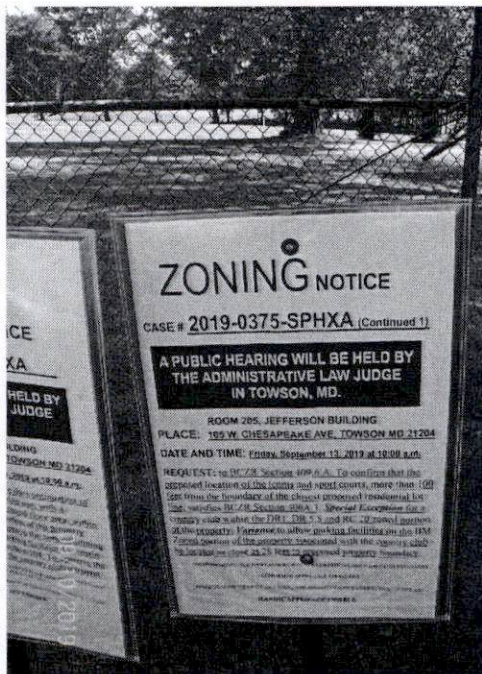


919 Wise Avenue

SIGN 3 Recertification

August 15, 2019

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



Sincerely,

 September 10, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

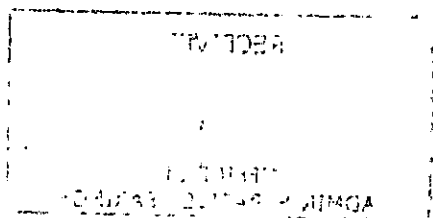
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

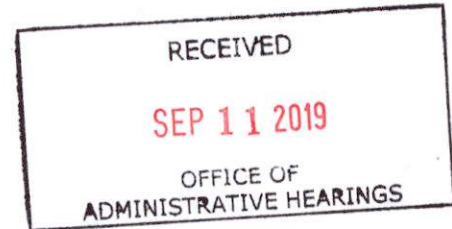
September 13, 2019

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:



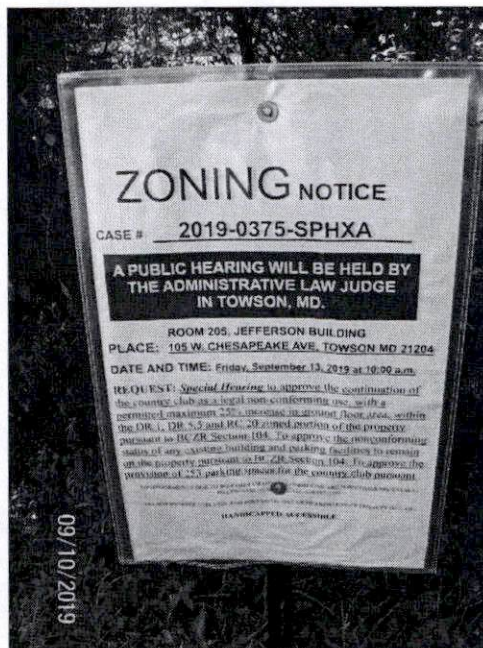
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

919 Wise Avenue

SIGN 4 Recertification

August 15, 2019

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



Sincerely,

 September 10, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

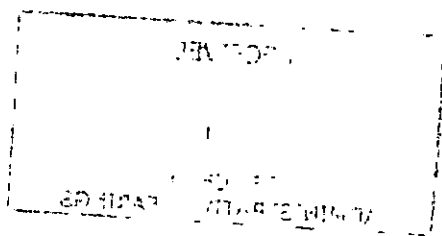
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____
Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019
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: _____

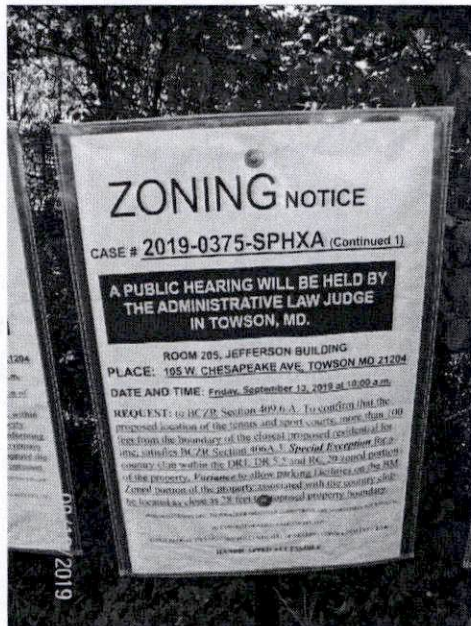


919 Wise Avenue

SIGN 5 Recertification

August 15, 2019

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



Sincerely,

 September 10, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:



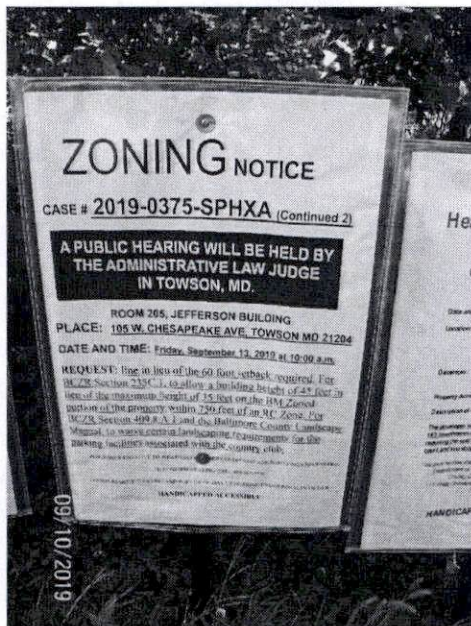
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

919 Wise Avenue

SIGN 6 Recertification

August 15, 2019

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



Sincerely,

 September 10, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

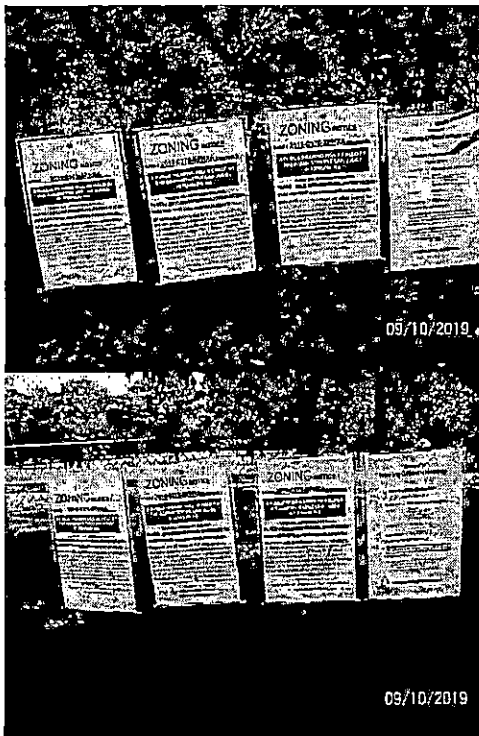
RECEIVED
SEP 11 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

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: _____

919 Wise Avenue **Groups 1 & 2 Recertification**

August 15, 2019

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



Sincerely,

September 10, 2019

(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)

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
SPECIAL EXCEPTION AND VARIANCE		
919 Wise Avenue; NE/S of Wire Mill Road,	*	OF ADMINISTRATIVE
W 2036' to c/line of Grays Road		
15 th Election & 7 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner: Sparrows Point Country Club, Inc.		
Contract Purchaser(s): CRD Golf, LLC	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2019-375-SPHXA

* * * * *

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

JUN 26 2019

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 26th day of June, 2019, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire, Venable, LLP, 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

TO: THE DAILY RECORD
Friday, August 23, 2019 - Issue

Please forward billing to:
Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

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: 2019-0375-SPHXA

919 Wise Avenue
N/east side of Wire Mill Road, west of Grays Road
15th Election District – 7th Councilmanic District
Legal Owners: Sparrows Point Country Club, Inc.
Contract Purchaser: CRD Golf, LLC

Special Hearing to approve the continuation of the county club as a legal non-conforming use, with a permitted maximum 25% increase in ground floor area, within the DR 1, DR 5.5 and RC 20 zoned portions of the property pursuant to BCZR Section 104. To approve the nonconforming status of any existing building and parking facilities to remain on the property pursuant to BCZR Section 104. To approve the provision of 253 parking spaces for the county club pursuant to BCZR Section 409.6.A. To confirm that the proposed location of the tennis and sport courts, more than 100 feet from the boundary of the closest proposed residential lot line, satisfies BCZR Section 409.6.A.3. Special Exception for a county club within the DR 1, DR 5.5 and RC 20 zoned portions of the property. Variance to allow parking facilities on the BM Zoned portion of the property associated with the country club to be located as close as 28 feet to proposed property boundary line in lieu of the 60 foot setback required. For BCZR Section 235C.1, to allow a building height of 45 feet in lieu of the maximum height of 35 feet on the BM Zoned portion of the property within 750 feet of an RC Zone. For BCZR Section 409.8.A.1 and the Baltimore County Landscape Manual, to waive certain landscaping requirements for the parking facilities associated with the country club.

Hearing: Friday, September 13, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
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.



August 6, 2019. A. OLSZEWSKI, JR.
County Executive

NOTICE OF ZONING HEARING

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

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: 2019-0375-SPHXA

919 Wise Avenue
N/east side of Wire Mill Road, west of Grays Road
15th Election District – 7th Councilmanic District
Legal Owners: Sparrows Point Country Club, Inc.
Contract Purchaser: CRD Golf, LLC

Special Hearing to approve the continuation of the county club as a legal non-conforming use, with a permitted maximum 25% increase in ground floor area, within the DR 1, DR 5.5 and RC 20 zoned portions of the property pursuant to BCZR Section 104. To approve the nonconforming status of any existing building and parking facilities to remain on the property pursuant to BCZR Section 104. To approve the provision of 253 parking spaces for the county club pursuant to BCZR Section 409.6.A. To confirm that the proposed location of the tennis and sport courts, more than 100 feet from the boundary of the closest proposed residential lot line, satisfies BCZR Section 409.6.A.3. Special Exception for a county club within the DR 1, DR 5.5 and RC 20 zoned portions of the property. Variance to allow parking facilities on the BM Zoned portion of the property associated with the country club to be located as close as 28 feet to proposed property boundary line in lieu of the 60 foot setback required. For BCZR Section 235C.1, to allow a building height of 45 feet in lieu of the maximum height of 35 feet on the BM Zoned portion of the property within 750 feet of an RC Zone. For BCZR Section 409.8.A.1 and the Baltimore County Landscape Manual, to waive certain landscaping requirements for the parking facilities associated with the country club.

Hearing: Friday, September 13, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Patricia Malone, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 24, 2019.**
- (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.

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

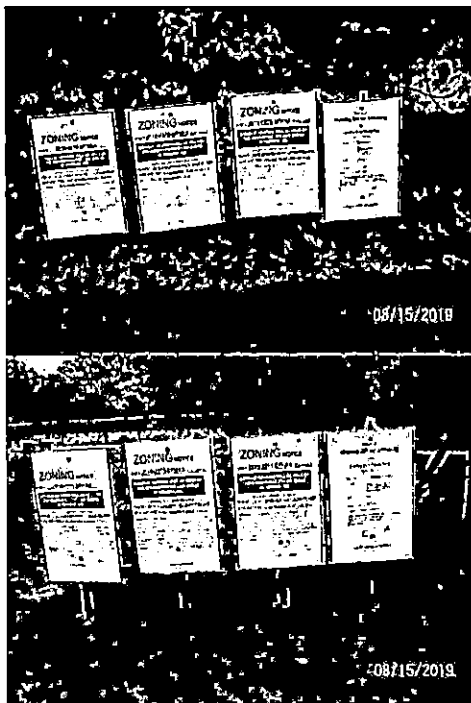
Ladies and Gentlemen:

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: _____

919 Wise Avenue **Groups 1 (Bottom) & 2 (Top)**

August 15, 2019

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



Sincerely,

 August 15, 2019

(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

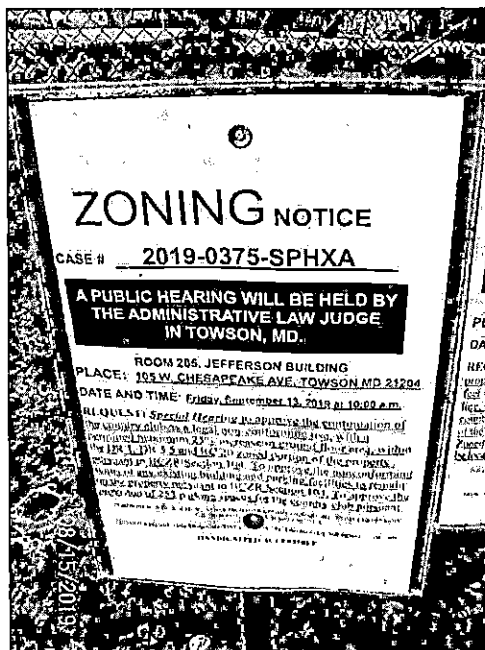
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

919 Wise Avenue

SIGN 1

August 15, 2019

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



Sincerely,

 August 15, 2019

(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

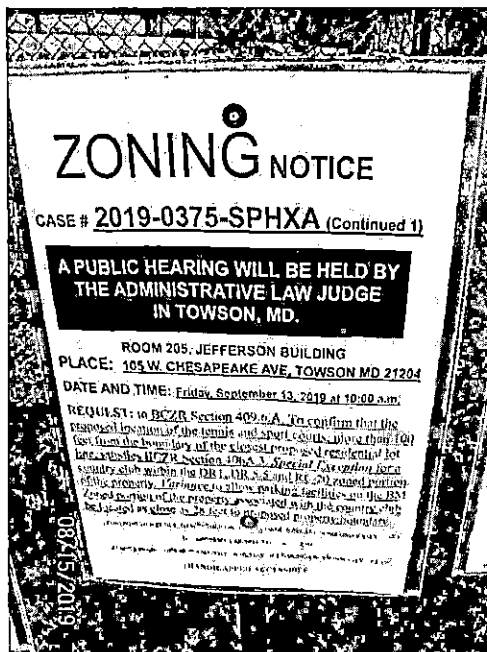
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

919 Wise Avenue

SIGN 2

August 15, 2019

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



Sincerely,

 August 15, 2019
(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)

CERTIFICATE OF POSTING

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Sparrows Point County Club, Inc.
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September 13, 2019

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Attn: Kristen Lewis:

Ladies and Gentlemen:

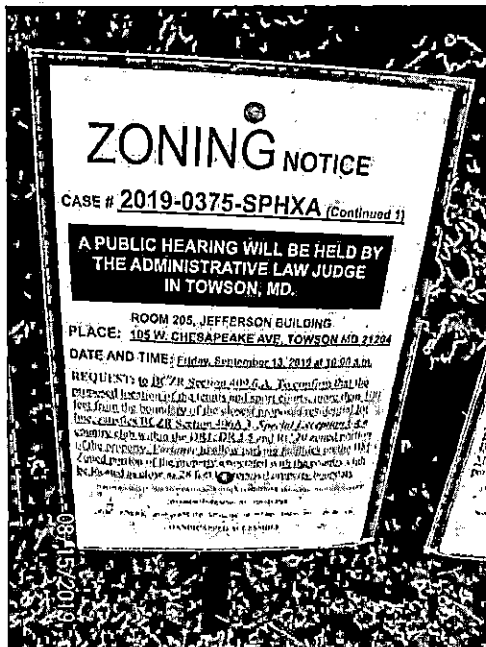
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

919 Wise Avenue

SIGN 5

August 15, 2019

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



Sincerely,

 August 15, 2019
(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)

CERTIFICATE OF POSTING

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RE: Case No.: _____

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Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

Date of Hearing/Closing: _____

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919 Wise Avenue

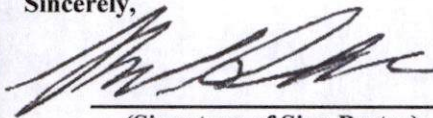
Groups 1 (Bottom) & 2 (Top)

August 15, 2019

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



Sincerely,

 August 15, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

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August 15, 2019

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(Month, Day, Year)

Sincerely,

August 15, 2019

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

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(410) 282-7940

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CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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919 Wise Avenue

SIGN 2

August 15, 2019

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



Sincerely,

 August 15, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

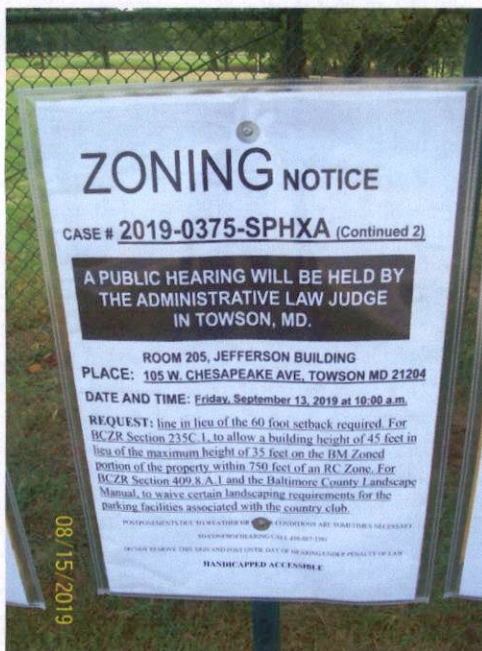
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

919 Wise Avenue

SIGN 3

August 15, 2019

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



Sincerely,

 August 15, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

**Sparrows Point County Club, Inc.
CRD Golf, LLC**

September 13, 2019

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
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Attn: Kristen Lewis:

Ladies and Gentlemen:

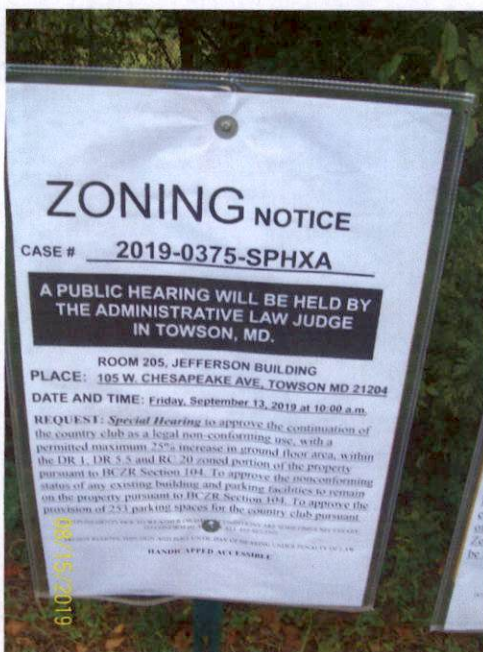
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919 Wise Avenue

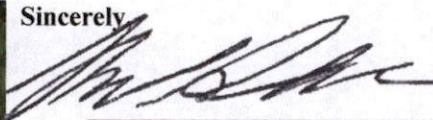
SIGN 4

August 15, 2019

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



Sincerely,

 **August 15, 2019**

(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

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919 Wise Avenue

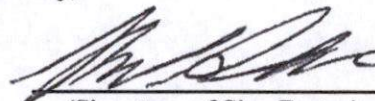
SIGN 5

August 15, 2019

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



Sincerely,

 August 15, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
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Attn: Kristen Lewis:

Ladies and Gentlemen:

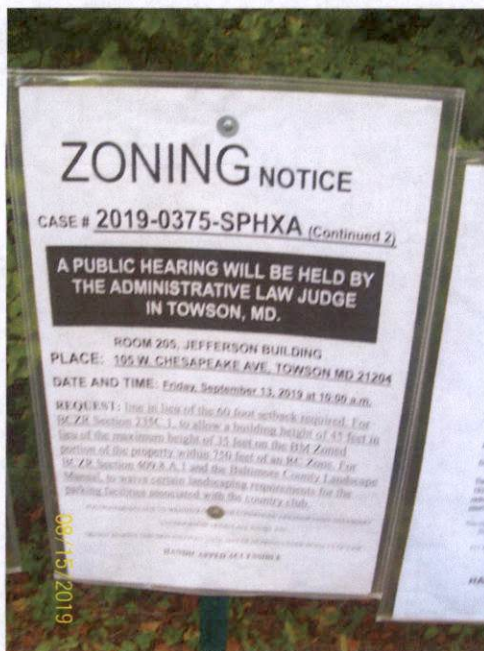
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919 Wise Avenue

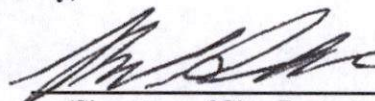
SIGN 6

August 15, 2019

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



Sincerely,

 August 15, 2019
(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)

CERTIFICATE OF POSTING

2019-0375-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Sparrows Point County Club, Inc.
CRD Golf, LLC

September 13, 2019

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:

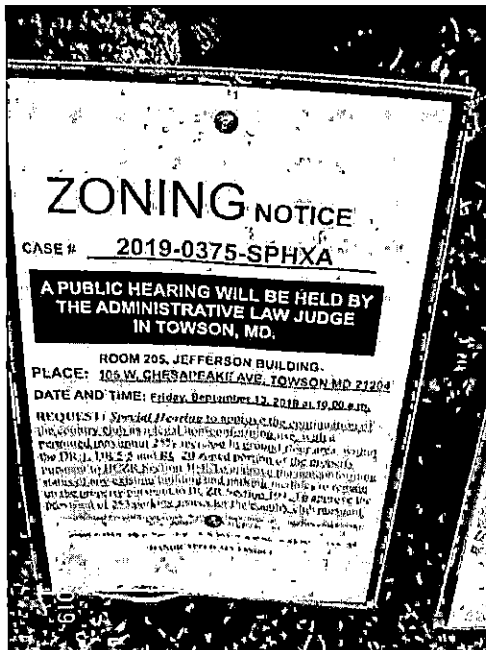
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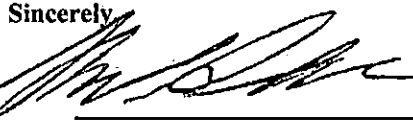
SIGN 4

August 15, 2019

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



Sincerely,



(Signature of Sign Poster)

August 15, 2019

(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

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

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:

8/23/2019

Order #: 11777803
Case #: 2019-0375-SPHXA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0375-SPHXA



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: 2019-0375-SPHXA

919 Wise Avenue

N/east side of Wire Mill Road, west of Grays Road

15th Election District - 7th Councilmanic District

Legal Owners: Sparrows Point Country Club, Inc.

Contract Purchaser: CRD Golf, LLC

Special Hearing to approve the continuation of the country club as a legal non-conforming use, with a permitted maximum 25% increase in ground floor area, within the DR 1, DR 5.5 and RC 20 zoned portions of the property pursuant to BCZR Section 104. To approve the nonconforming status of any existing building and parking facilities to remain on the property pursuant to BCZR Section 104. To approve the provision of 253 parking spaces for the country club pursuant to BCZR Section 409.6.A. To confirm that the proposed location of the tennis and sport courts, more than 100 feet from the boundary of the closest proposed residential lot line, satisfies BCZR Section 406.A.3. Special Exception for a county club within the DR 1, DR 5.5 and RC 20 zoned portions of the property. Variance to allow parking facilities on the BM Zoned portion of the property associated with the country club to be located as close as 28 feet to proposed property boundary line in lieu of the 60 foot setback required. For BCZR Section 235C.1, to allow a building height of 45 feet in lieu of the maximum height of 36 feet on the BM Zoned portion of the property within 750 feet of an RC Zone. For BCZR Section 409.8.A.1 and the Baltimore County Landscape Manual, to waive certain landscaping requirements for the parking facilities associated with the country club.

Hearing: Friday, September 13, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS, 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.

au23

**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: 2019-0375-SPHXA

Property Address: 919 WISE AVENUE

Property Description: _____

Legal Owners (Petitioners): SPARROWS POINT COUNTRY CLUB, INC.

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA LUKASZAK

Company/Firm (if applicable): VENABLE, LLP

Address: 210 W. PENN AVE, Ste 500
TOWSON, MD 21204

Telephone Number: 410-494-6200

Revised 7/9/2015

101-11-101
101-11-101

101-11-101

101-11-101

101-11-101

101-11-101

101-11-101

**CASHIER'S
VALIDATION**

Kristen L Lewis

From: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Sent: Friday, June 28, 2019 10:13 AM
To: Kristen L Lewis
Subject: Scheduling for Sparrows Point Country Club PUD and zoning case

CAUTION: This message from AMRosenblatt@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Kristen,

We recently filed a Development Plan for a PUD and a separate zoning case that deals with the same property. I just want to make sure that the cases are filed for the same hearing date/time. The numbers are:

PAI 15-1013
Case No. 2019-375-SPHXA

Please confirm that these will be simultaneously scheduled. Thank you very much.

Adam M. Rosenblatt, Esq. | Venable LLP
t 410.494.6271 | f 410.821.0147 | m 410.294.9430
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

AMRosenblatt@Venable.com | http://secure-web.cisco.com/1VMPmXyPQTUzYYh4P2fo53WOH6RtybWCsiXs4aW5T3KJmXSlwD1swz67TB6PD3uogz7UrfOCjurZVaZJHETTUI4PFpmRrYZklnQ8LXLcNVZai5x-Hc8j0q1XVIQEIDDIB7JcJ2EyrNkKF2Vkg_JQCr4qGrfzQ4xqzRRd7HxYydW2PFjtGKr7GedEwgYVZxKsTuWM5No1Bre40xWks-7c8bCSDsb2i8vYobdnNfzJCjOB3MBq17tsTdSA_M6QCgrSO8KU2A3PJ1hyQpSNqhvJQa61O2t9k9EW3painDq4aqKQpNtr3jpX56ocz_fPlhMwKH2F49-lbQk2ly-6pF0qdp1Y9ND9kOUaef5UTj1KiMEpXTxe3Uuez6oG5cZ723ZqZLj2YeFHSjdDXTzDYN66QJwA7CxjjiGXLoYvaSxQEmrUz9BnkBYXSYLpNT7j4leu4PvxqB378dY00AXib2Q/http%3A%2F%2Fwww.Venable.com

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

September 05, 2019

Patricia A Malone
210 W. Pennsylvania Ave Suite 500
Towson MD 21204

RE: Case Number: 2019-0410-SPHXA, 919 Wise Avenue

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 June 20, 2019. 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, appearing to read "W. Carl Richards, Jr.", written over the words "Very truly yours,".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

Date: 6/26/19

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019-0375-SHA

*Special Hearing, Special Exception, Variance
Sparrows Point Country Club, Inc.
969 Wise Road*

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

Sincerely,



for Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/1/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-375

INFORMATION:

Property Address: Sparrows Point Country Club, 919 Wise Avenue
Petitioner: Ron Belbot, President, Sparrows Point Country Club
Zoning: BM, RC 20, DR 1, MH-IM, DR 5.5
Requested Action: Special Hearing, Special Exception, Variance

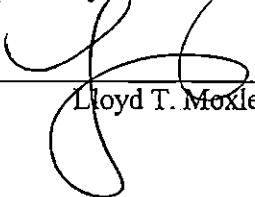
The Department of Planning has reviewed the petition for zoning relief as listed on the attachment filed in support of said petition.

A meeting was held with the petitioners on July 11, 2019. The Department understands that the requested zoning relief is limited to those lands containing the golf course use and ancillary structures and that no part of the planned unit development known as "Country Club Estates", filed under PAI # 15-1013, is subject to this zoning action. The petitioners indicated the Sparrows Point Country Club has been a part of the community for over 50 years.

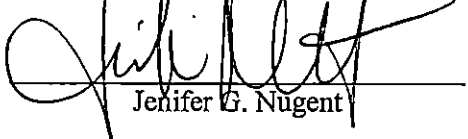
The Department has no objection to granting the petitioned zoning relief. Staff recommends the neighboring properties in the community will not be adversely affected by the continued operation of this long established use.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

CPG/JGN/LTM/

c: Krystle Patchak
Patricia A. Malone, Venable, LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 7/31/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-376

INFORMATION:

Property Address: 11761 Belair Road
Petitioner: Kingsville Plaza Limited Partnership
Zoning: BM-CR
Requested Action: Special Hearing, Variances

The Department of Planning has reviewed the petition for zoning relief as listed on the attachment filed in support of the petition.

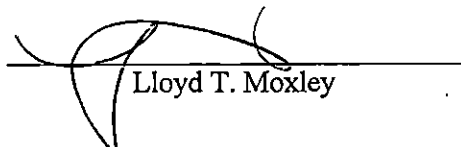
A site visit was conducted on June 16, 2018. The subject site is within The Greater Kingsville Area Community Plan which was made part of the Baltimore County Master Plan on July 1, 1996. Said community plan indicates "The need for existing businesses to improve and expand requires a creative approach (Page 29). The plan further supports the use of the CR district overlay.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

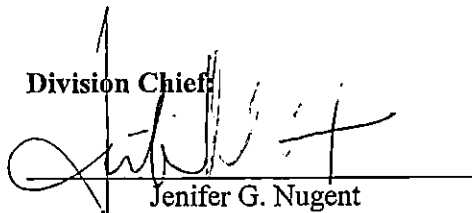
- The proposed sign shall only be externally illuminated by ground mounted sources.
- Text on the proposed four wall mounted signs shall be limited to a height of 24".
- The installation of two deciduous trees of at least 30' height at maturity along the property frontage between the road and the parking lot.

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

Prepared by:


Lloyd T. Moxley

Division Chief


Jenifer G. Nugent

CPG/JGN/LTM/

c: Wally Lippincott

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

John B. Gontrum, Esquire

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/1/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-381

INFORMATION:

Property Address: 6500 - 6516 Baltimore National Pike
Petitioner: Pike Park Associates, LLP
Zoning: BR (6.28± Acres), BR-AS (4.4± Acres)
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for variances as listed on the attachment submitted in support of the petition.

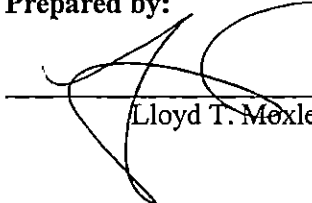
A site visit was conducted on July 9, 2019. In a meeting held on July 17, 2019 petitioner's representatives indicated that over time, changes to the parking regulations and methods of calculating required parking has created deficiencies, and confirmed there will be no change or increase in use or physical makeup of the site.

The Department has no objection to granting the requested relief, conditioned upon the following:

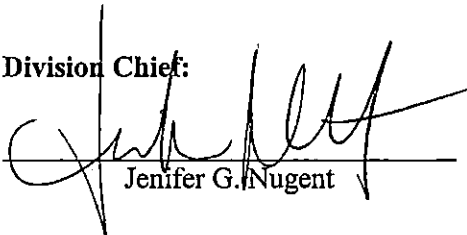
- Petitioners shall work with the Baltimore County Landscape Architect to explore opportunities to provide landscaping approaching the requirements of the Baltimore County Landscape Manual.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

CPG/JGN/LTM/

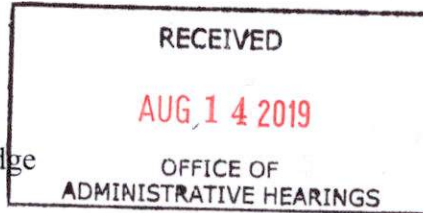
c: Josephine Selvakumar
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

9-13-19
10Am



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, *Director*
Department of Planning



August 6, 2019

Honorable John E. Beverungen
Baltimore County Administrative Law Judge
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Variation of Standards – Country Club Estates Planned Unit Development (PAI# 15-1013)

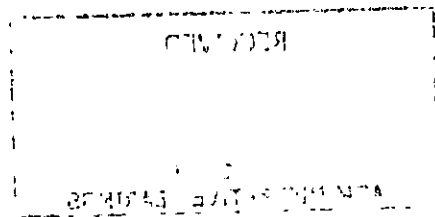
Dear Mr. Beverungen:

Baltimore County Code § 32-4-232 accords the Baltimore County Planning Board the authority to grant a variation from the standards provided under Baltimore County Code Article 33, Title 2 (variation of standards), in accordance with State mandated regulations adopted by the Critical Area Commission concerning variances. Specifically, there are several criteria listed in BCC § 32-4-232(d)(2) that must be used to evaluate the applicant's request. All of the criteria must be met in order to approve the variation of standards.

The applicant/developer's representative for Country Club Estates PUD has made a written request under the authority of COMAR 27.01.11.01.A for a variation from standards provided under said BCC Article 33, Title 2. The applicant presented a request for variation of standards approval from Critical Area buffer protection and management provisions in Sections 33-2-204 (Management Requirements), 33-2-401 (Tidal Buffer Establishment), and 33-2-402 (Buffer Requirements) of the Code for continued use and maintenance in the Critical Area buffer, and 0.05 acres of impacts associated with relocation of two cart paths.

The Planning Board approved the variation of standards as recommended by the Baltimore County Department of Environmental Protection and Sustainability staff with the following conditions:

1. This proposed development is the subject of a Critical Area growth allocation application. Growth allocation for this development must be approved by the State Critical Area Commission for the Chesapeake & Atlantic Coastal Bays or this variation of standards approval is null and void.
2. Mitigation to offset the continuance and maintenance of existing uses shall include 10.08 acres of forest planting and 5.08 acres of understory planting in the Critical Area buffer, in accordance with mitigation and planting standards outlined in COMAR 27.01 .09.01-2. A final Critical Area Management Plan shall be submitted to EPS for review and approval prior to grading plan approval for the site. This plan shall incorporate any



- additional requirements requested by the State Critical Area Commission for the Chesapeake and Atlantic Coastal Bays. Any plan changes must be approved by EPS.
3. Prior to grading permit issuance, the applicant shall sign an Environmental Agreement, and shall post a Critical Area Management security with EPS equal to 110% of the cost of implementing the Plan. At a minimum, the security amount for the planting portion of the Plan shall equal at least \$0.25 per square foot of planting.
 4. All State and Federal permits for the proposed living shoreline must be obtained prior to grading permit issuance.
 5. Release of the Critical Area Management Plan security shall generally be in accordance with the EPS established Environmental Agreement policy. As required by the policy, the applicants are responsible for submitting inspection reports to EPS for approval in accordance with the plan requirements.
 6. All mitigation shall be completed within a timeframe established by EPS, but no later than two years from grading permit issuance for the development.
 7. The approved Critical Area buffers, forest, and mitigation areas on the development site shall be recorded in Baltimore County Land Records as Critical Area Easements along with the appropriate Declarations of Protective Covenants, Conditions, and Restrictions.
 8. Except in the golf course play-through areas, surveyed limits of all Critical Area Easements shall be clearly marked in the field with easement "Do Not Disturb" signs. The locations of these signs and detailed specifications of these signs, including a timeframe for installation, shall be shown on the final Critical Area Management Plan. Within the golf course play-through areas, "No Mowing" signs shall be installed to demarcate planting areas and designated areas of forest and developed woodland where mowing is prohibited.
 9. This variation of standards is limited in scope to continuance and maintenance of existing golf course uses and amenities in the Critical Area buffer. Any proposed changes to the site layout, or different or expanded uses in the Critical Area buffer, will require prior written permission from EPS and may require an amended variation of standards.
 10. The approval conditions listed above shall be shown on both the County Club Estates Development Plan and Growth Allocation Plan.

Sincerely,



C. Pete Gutwald
Secretary to the Board

CPG:mrmm

Honorable John E. Beverungen
Variation of Standards
Country Club Estates Planned Unit Development
August 6, 2019
Page 3 of 3
Enclosure

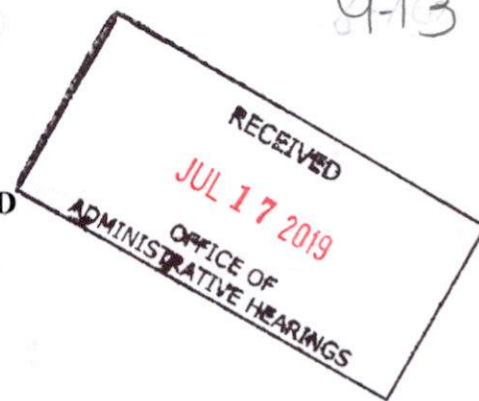
c: Members, Baltimore County Council
Thomas Peddicord, Legislative Counsel/Secretary
Lauren Smelkinson, County Auditor
Stacy L. Rodgers, Administrative Officer
Mike Field, County Attorney
Peter M. Zimmerman, P.C.
Kristy Bischoff, Daft McCune Walker
Patricia M. Farr, Manager, EPS

Edward P. Blades, Director, Budget
David Lykens, Dir., EPS
Michael Mallinoff, Dir., PAI
Steven A. Walsh, Dir., DPW
Barry F. Williams, Dir., Rec. and Parks
Patricia Malone, Esquire, Venable
Will Anderson, Dir., Econ. Dev.
John Canoles, Eco-Science Professionals

9-13

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: July 17, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0375-SPHXA
Address 919 Wise Road
(Sparrows Point Country Club
Property)

Zoning Advisory Committee Meeting of **June 24, 2019**

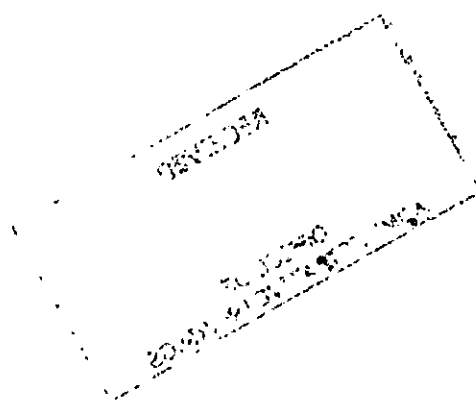
The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The proposed mitigation for the development of the property will substantially improve water quality and offset the long-term impacts of continued use and maintenance of golf course and club related activities in the Critical Area buffer. The applicants' proposal will also minimize water quality impacts by removing a portion of an existing parking lot from the Critical Area buffer and by providing stormwater management treatment for a currently untreated site. Therefore, this goal can be met.

2. Conserve fish, wildlife, and plant habitat;

Planting of the historically maintained buffer with native vegetation will increase the wildlife and plant habitat value of the buffer by providing additional vegetative cover and enhancing the wildlife corridor value of the Critical Area buffer. Increasing the filtering capacity of the buffer will



enhance the fish habitat value of Bear Creek. Installing the living shoreline will eliminate sediment pollution from the severely eroding shoreline and restore fish habitat near the shoreline. Thus, this goal can be met.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The development project must meet all Chesapeake Bay Critical Area requirements and will, therefore, be consistent with established land use policies for development in this portion of the County. Planting unvegetated areas of the buffer will help reduce the number, movement, and activities of persons that can potentially create adverse environmental impacts. Posting Critical Area Easement "Do Not Disturb" signs and "No Mow" signs in certain Critical Area buffer areas of the golf course will also reduce the number, movement, and activities of people in sensitive areas of the property.

Reviewer: Paul Dennis, Environmental Impact Review

JO 8-16-19 removed
9-13-19

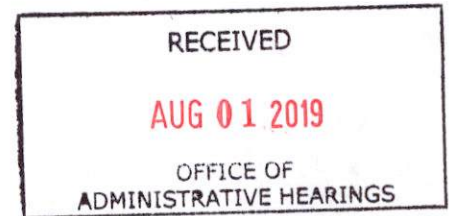
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/1/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-375



INFORMATION:

Property Address: Sparrows Point Country Club, 919 Wise Avenue
Petitioner: Ron Belbot, President, Sparrows Point Country Club
Zoning: BM, RC 20, DR 1, MH-IM, DR 5.5
Requested Action: Special Hearing, Special Exception, Variance

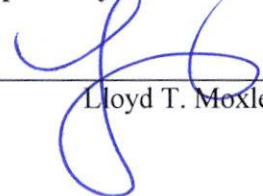
The Department of Planning has reviewed the petition for zoning relief as listed on the attachment filed in support of said petition.

A meeting was held with the petitioners on July 11, 2019. The Department understands that the requested zoning relief is limited to those lands containing the golf course use and ancillary structures and that no part of the planned unit development known as "Country Club Estates", filed under PAI # 15-1013, is subject to this zoning action. The petitioners indicated the Sparrows Point Country Club has been a part of the community for over 50 years.

The Department has no objection to granting the petitioned zoning relief. Staff recommends the neighboring properties in the community will not be adversely affected by the continued operation of this long established use.

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

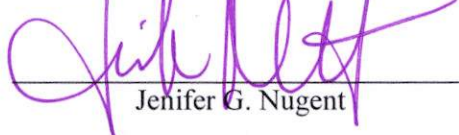
Prepared by:



Lloyd T. Moxley

CPG/JGN/LTM/

Division Chief:



Jenifer G. Nugent

c: Krystle Patchak
Patricia A. Malone, Venable, LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

To the Addressed,

File MT
15-1013

Attached please find a revised copy of the Planning Board's letter to the Administrative Law Judge regarding the Country Club Estates - Planned Unit Development Variation of Standards for your record. Corrections have been made to the recipients of the letter. Thank you for understanding and if you have any concerns please do not hesitate to contact.

Best,

Myles Muehlberger

Planner I

Baltimore County Department of Planning

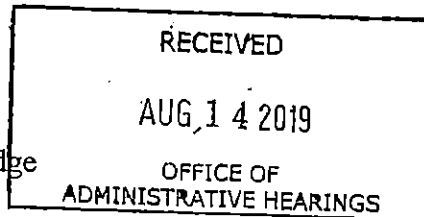
105 W. Chesapeake Avenue, Suite 101, Towson, MD 21204

P: 410-887-3521



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, *Director*
Department of Planning



August 6, 2019

Honorable John E. Beverungen
Baltimore County Administrative Law Judge
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Variation of Standards – Country Club Estates Planned Unit Development (PAI# 15-1013)

Dear Mr. Beverungen:

Baltimore County Code § 32-4-232 accords the Baltimore County Planning Board the authority to grant a variation from the standards provided under Baltimore County Code Article 33, Title 2 (variation of standards), in accordance with State mandated regulations adopted by the Critical Area Commission concerning variances. Specifically, there are several criteria listed in BCC § 32-4-232(d)(2) that must be used to evaluate the applicant's request. All of the criteria must be met in order to approve the variation of standards.

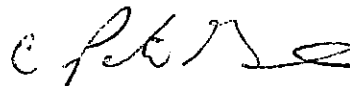
The applicant/developer's representative for Country Club Estates PUD has made a written request under the authority of COMAR 27.01.11.01.A for a variation from standards provided under said BCC Article 33, Title 2. The applicant presented a request for variation of standards approval from Critical Area buffer protection and management provisions in Sections 33-2-204 (Management Requirements), 33-2-401 (Tidal Buffer Establishment), and 33-2-402 (Buffer Requirements) of the Code for continued use and maintenance in the Critical Area buffer, and 0.05 acres of impacts associated with relocation of two cart paths.

The Planning Board approved the variation of standards as recommended by the Baltimore County Department of Environmental Protection and Sustainability staff with the following conditions:

1. This proposed development is the subject of a Critical Area growth allocation application. Growth allocation for this development must be approved by the State Critical Area Commission for the Chesapeake & Atlantic Coastal Bays or this variation of standards approval is null and void.
2. Mitigation to offset the continuance and maintenance of existing uses shall include 10.08 acres of forest planting and 5.08 acres of understory planting in the Critical Area buffer, in accordance with mitigation and planting standards outlined in COMAR 27.01 .09.01-2. A final Critical Area Management Plan shall be submitted to EPS for review and approval prior to grading plan approval for the site. This plan shall incorporate any

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3. Prior to grading permit issuance, the applicant shall sign an Environmental Agreement, and shall post a Critical Area Management security with EPS equal to 110% of the cost of implementing the Plan. At a minimum, the security amount for the planting portion of the Plan shall equal at least \$0.25 per square foot of planting.
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 10. The approval conditions listed above shall be shown on both the County Club Estates Development Plan and Growth Allocation Plan.

Sincerely,



C. Pete Gutwald
Secretary to the Board

CPG:mmm

Honorable John E. Beverungen
Variation of Standards
Country Club Estates Planned Unit Development
August 6, 2019
Page 3 of 3
Enclosure

c: Members, Baltimore County Council
Thomas Peddicord, Legislative Counsel/Secretary
Lauren Smelkinson, County Auditor
Stacy L. Rodgers, Administrative Officer
Mike Field, County Attorney
Peter M. Zimmerman, P.C.
Stacy A. McArthur, DS Thaler & Assoc.
Regina Esslinger, Manager, EPS

Edward P. Blades, Director, Budget
David Lykens, Dir., EPS
Michael Mallinoff, Dir., PAI
Steven A. Walsh, Dir., DPW
Barry F. Williams, Dir., Rec. and Parks
Patricia Malone, Esquire, Venable
Will Anderson, Dir., Econ. Dev.



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

fyi
Dev. Plan only

November 19, 2019

Patricia A. Malone, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Ave.
Suite 500
Towson, MD 21204



RE: **APPEAL – Development Plan Only**
PUD Case No. 15-1013
Project: COUNTRY CLUB ESTATES PUD
Address: Wise Avenue & Grays Road

Dear Counsel:

Please be advised that an appeal of the above-referenced case was filed in this Office on November 18, 2019. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

c: Darryl Putty & Jan Cook, Development Processing, PAI
Baltimore County Board of Appeals
People's Counsel

APPEAL – PUD Case No. 15-1013 – Development Plan Only

Project: COUNTRY CLUB ESTATES PUD – Sparrows Point Country Club

Address: Wise Ave. & Grays Rd.

Page 2

Ronald Belbot, 2624 Holly Beach Road, Essex, MD 21221
David & Brenda Patro, 7629 East Battle Grove Road, Baltimore, MD 21222
Willard McJilton, 23 Waterview Road, Baltimore, MD 21222
William & Bonnie Lambdin, 33 Waterview Road, Baltimore, MD 21222
Rob Zacherl, 8230 Rosebank Avenue, Baltimore, MD 21222
Francis Taylor, 7603 Iroquois Avenue, Baltimore, MD 21219
Rod McMillion, 324 Ida Avenue, Essex, MD 21221
Charles Cox, 12 Waterview Road, Baltimore, MD 21222
Joe O'Brennan, 7614 Old Battle Grove Road, Baltimore, MD 21222
Richard & Nancy Taylor, 8624 Wise Avenue, Baltimore, MD 21222
Holly Schultz, 2205 Maple Road, Baltimore, MD 212129
Pam Munday, 7528 Blank Avenue, Ft. Howard, MD 21052
Deanna Brown, 2410 East Avenue, Baltimore, MD 21219
David Hansford, 17 Waterview Road, Baltimore, MD 21222
James Young, 23 Vista Mobile Drive, Baltimore, MD 21222
Kiel Ward, 6211 Woodland Road, Linthicum, MD 21090
Airele Mouldsdales, 8219 Park Haven Road, Baltimore, MD 21222
Mark Murphy, 929 Short Road, Baltimore, MD 21222
Scott Pappas, 7613 Chestnut Avenue, P.O. Box 262, Ft. Howard, MD 21052
Kathleen Labuda, 9202 Howard Avenue, P.O. Box 156, Ft. Howard, MD 21052
Ed Crizer, 2627 Brannan Avenue, Sparrows Point, MD 21219
Greg Morgan, 5 Nayborly Court, Baltimore, MD 21228

4-13-19

PUD

Case No.: 15-1013 + 2019-0375-SPHXA

Exhibit Sheet

Original exhibits are
contained in the PUD case.

Petitioner/Developer

Protestants

B.C.

No. 1 A-F	REDLINED DP	School Cales	A-D APPROVED SCHEMATIC LANDSCAPE
No. 2	RENDERED ZONING PLAN PANGRA BOOK	SCHOOL OVERSIGHTING	A: PPD B: LANDSCAPE
No. 3 A-B	RENDERED ZONING PLAN RENDERED ZONING PLAN DEV PLAN	TRAFFIC CHART	PLANNING RECOMMENDATION
No. 4	STACEY CV	N. Pt Support	School En. Ann
No. 5	NEIGHBORHOOD AERIAL	WELLS SUPPORT	V.O.S. APPROVAL
No. 6	RENDERED DEVELOPMENT PLAN	JUNIOR AMING	DPL WANGER APPROVAL
No. 7	APP FOR SPEC VAR	LANDSCAPE NARRATIVE 2 ARTICLE 6	
No. 8	SPECIMEN TREE EXHIBIT	LANDSCAPE PLAN	
No. 9	DEPS GRANTING SPECIAL VARIANCE	PUD APPLICATION	
No. 10	Thaler CV		
No. 11	BD OF GD. SCHOOL ENROLLMENT A'S		
No. 12	K66264 CV		

Case No.: _____

Exhibit Sheet - Continued

Petitioner/Developer

Protestants

No. 13	TIS	
No. 14	School Calc Rags	
No. 15	RECEIVED	
No. 16		
No. 17		
No. 18		
No. 19		
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

PLEASE PRINT CLEARLY

CASE NAME COUNTRY CLUB ESTATES ^{MUD}
CASE NUMBER 15-1013
DATE SEPTEMBER 13, 2019

CITIZEN'S SIGN - IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

Brenda Patro	7629 East Baltimore ^{Battle Grove} Rd	Balto, MD 21222	brenda.patro@hotmail.com
David Patro, Sr.	7629 East Battle Grove Rd	Balto, MD 21222	npvca@hotmail.com
William M. J. Iltis	23 WATERVIEW RD	Balto MD 21222	WILLIAM.ILTIS@GMAIL.COM
William Lambdin	33 WATERVIEW Rd.	Balto. 21222	WLAMBDAIN1@VERIZON.NET
Bonnie Lambdin	33 Waterview Rd.	Balto., 21222	bonnie.lambdin@gmail.com
Rob Zachert	8230 Rosbank Av	Balto. 21222	RZACHERTstreettrafficstudio.com
Francis Taylor	7603 Iroquois Ave	Balto MD 21219	FRANTAY@Comcast.net
Red McMillion	324 Tola Ave	ESSEX 21221	rod.mcmillion@bcps
CHARLES Cox	12 WATERVIEW, Rd.	DUNDALK 21222	
Joe O'Brien	7214 71st Battle Grove Rd	Baltimore MD 21222	joeobrien@us101.com
Richard Taylor	8624 Wise Ave.	Baltimore MD 21222	RODOL@Hotmail.com
Nancy Taylor	8624 Wise Ave	Dundalk, MD 21222	njt01@hotmail.com
Holly Schults	2205 Maple Rd.	Balto. MD 21219	hollygump@yahoo.com
Pam Munday	7528 Blank Ave	Ft. Howard MD 21052	
Deanna Brown	2410 East Ave.	Balto MD 21219	deannabrown007@comcast.net
Ken Smith			
DAVID HANSTAD	17 Waterview Rd	Balto MD 21222	dhanstbd941@gmail.com
James Young	23 Vista Mobile DR	Balto 21222	STERRANSales@aol.com
Kiel Ward	6211 Woodland Road	Baltimore, MD 21040	wardk@gmail.com
Carol Mowdale	8219 Park Haver	Balto 21222	CMOWS@dtd@gmail.com
Mark Murphy	929 Short Rd.	Balto MD 21222	Cindymlrphy929@comcast.net

CASE NAME _____
CASE NUMBER _____
DATE _____

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

CASE NAME COUNTRY CLUB ESTATES A
CASE NUMBER 15-1013
DATE SEPTEMBER 13, 2017

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
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[illegible]

CASE NAME COUNTRY CLUB
ESTATES PUD
CASE NUMBER 15-1013
DATE 9/13/19

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
7-17	DEPS (if not received, date e-mail sent _____)	c
8-1	FIRE DEPARTMENT	_____
8/14 See below P.B.	PLANNING (if not received, date e-mail sent _____)	No objection w/ recommendation
6-26	STATE HIGHWAY ADMINISTRATION	No objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 8-23-19	Daily Record
SIGN POSTING (1 st)	Date: 8-15-19	by Black
SIGN POSTING (2 nd)	Date: 9-10-19	by "
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: * Planning Board Variation of Standards - 8-6-19		

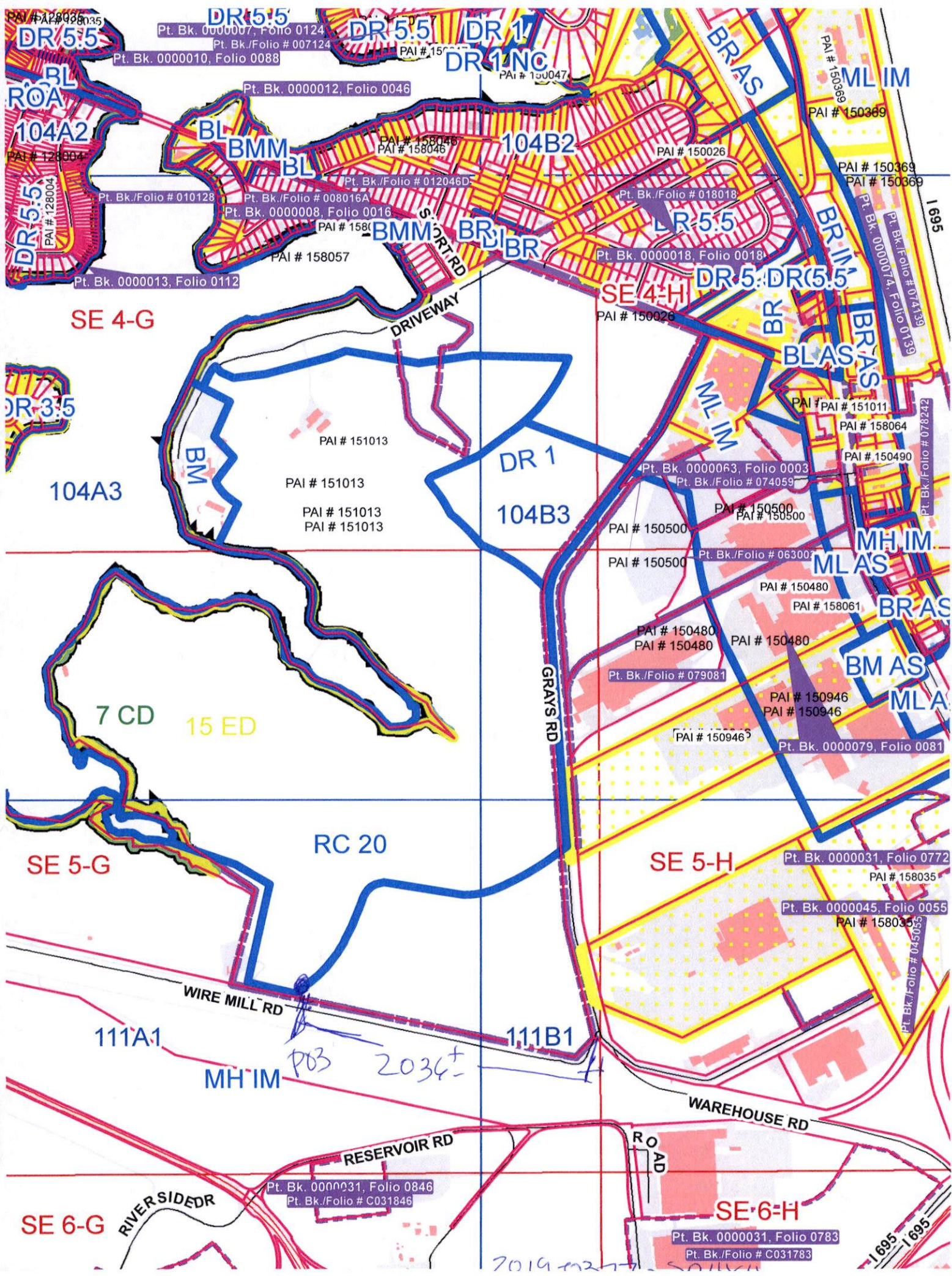
Search Result for BALTIMORE COUNTY

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:









SPARROWS POINT COUNTY CLUB

2019-0375-SPHXXA

Debra Wiley

From: Debra Wiley
Sent: Wednesday, October 16, 2019 2:53 PM
To: Janice M Kemp
Cc: Sherry Nuffer (snuffer@baltimorecountymd.gov); Jan Cook; Darryl D Putty
Subject: Web Postings
Attachments: 15-1013 and 2019-0375-SPHXA COUNTRY CLUB ESTATES PUD - SPARROWS POINT COUNTRY CLUB.doc

Hi Janice,

Please post the following to the web:

PUD Case No. 15-1013 & Zoning Case No. 2019-0375-SPHXA
Project: COUNTRY CLUB ESTATES PUD (Sparrows Point Country Club)
Address: Wise Ave. & Grays Rd.
Hearing: 9/13/19; Order: 10/17/19

Thank you.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

