



KATHERINE A. KLAUSMEIER
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

February 5, 2025

Bruce Covahey, Esquire bcovahey@cablaw.com
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2024-0266-A
Property: 8913 Harford Road

Dear Mr. Covahey:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A blue ink signature of Derek J. Baumgardner, consisting of a stylized 'D' and 'B' intertwined.

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB: dlm
Enclosure

c: Patrick Richardson rick@richardsonengineering.net
Brandon Weirich brandon@sandersdesigns.com
Timothy Sanders Tim@sandersdesigns.com
Jack Milburn jfmilburn@verizon.net

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868
www.administrativehearings@baltimorecountymd.gov

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(8913 Harford Road)		
14 th Election District	*	OF ADMINISTRATIVE
6 th Council District		
American Legion Dept. of MD, Parkville	*	HEARINGS FOR
Post 183 Inc.		
<i>Legal Owner</i>	*	BALTIMORE COUNTY
Petitioner	*	CASE NO. 2024-0266-A
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County (“OAH”) on a Petition for Variance filed by American Legion Dept. of MD, Parkville Post 183, Inc, (“Petitioner”), owner of the subject property located at 8913 Harford Road (“the Property”). Petitioner seeks a variance from Baltimore County Zoning Regulations (“BCZR”) Section 409.6.A.4 to permit 19 parking spaces in lieu of the required 27 spaces.

A public hearing was conducted on January 30, 2025, using the web-based platform WebEx in lieu of an in-person hearing. The Petition was properly advertised and posted. John Milburn appeared on behalf of Petitioner, American Legion Dept. of MD, Parkville Post 183, Inc., and was represented by Bruce Covahey of Covahey & Boozer, P.A. Patrick Richardson of Richardson Engineering appeared as Petitioner’s civil engineer and testified in support of the Petition, as did Timothy Sanders, the licensed architect on the project. There were no interested citizens or protestants that appeared at the hearing or submitted written testimony regarding same.

The following Zoning Advisory Comments (“ZAC”) were received from county/state agencies: (1) Department of Planning (“DOP”); (2) Department of Environmental Protection & Sustainability; (3) Development Plans Review (“DPR”) on behalf of DPR/DPWT/Rec & Parks; and (4) State Highway Administration. Agency ZAC comments did not indicate opposition to the

requested relief.

Findings of Fact

The Property is a corner parcel with approximately 14,766 sq. ft. in land area and is zoned CB. The property is improved with a two-story residential-type structure that was originally constructed in 1943 but has since been converted into commercial uses in recent years. The lot is also improved with an unmarked gravel parking area with unknown parking capacity and an accessory structure (garage) in the rear yard. If the Petition is approved, the garage will be razed and the parking area paved and striped to accommodate 18 vehicle parking spaces.

The property is located along a highly-trafficked corridor and abuts a single-family residential neighborhood to the east. The property is adjacent to other commercial uses to the north and south along Harford Road, similarly zoned CB, and across Harford Road to the west are institutional and commercial uses.

Mr. Richardson described the property as a four-lot parcel likely intended for additional structures when originally platted. *See* Pet. Exh. 4. Mr. Richardson further described the property's location within the community along Harford Road as well as surrounding uses and structures. *See* Pet. Exhibits 1 & 2. He stated that Petitioner intended to renovate the existing structure on site instead of demolishing and rebuilding thus maintaining existing lots, setbacks, and the residential-style of the building to ensure its character maintained the character of the residential community east of Harford Road. *See* Pet. Exh. 3. Mr. Richardson further averred that the parcel had been split zoned CB/DR 5.5, but had recently been rezoned CB for the purpose of facilitating the use of the property as a by-right community building like an American Legion Hall (a permitted use in the CB zone). He testified that the parking requirements for this use are based on the square footage

of the portions of the building (“community building”) used at any given time¹. Under this Petition, that would exclude use of the second floor as an accessory office, and would only include the basement (used for American Legion meetings) and the first floor (used for social gatherings for members). Mr. Richardson acknowledged that landscape and lightings plans would be needed for development plans review if the project were to move forward to mitigate any impacts on adjacent properties. Mr. Richardson further opined that the property was unique because of its size and location on the corner of Harford Road and Edgewood Avenue, as well as the intention to renovate the existing structure instead constructing a new building on site, preserving existing lot lines and setbacks.

Mr. Milburn, a member of American Legion Dept. of MD, Parkville Post 183 and chair of Post 183’s relocation committee, testified to the property’s intended use as a community building for Post 183 members to host meetings and social gatherings. Mr. Milburn described Post 183’s activities and move to this location including that Post 183 would likely have 2-3 meetings per month with no intention to rent the hall to third parties or third-party vendors. Mr. Milburn further stated that on-street parking is available on the adjacent side street, Edgewood Avenue, in the event that the American Legion Hall lot is full, as well as the intent to discuss a shared parking arrangement with the commercial business located across Edgewood Avenue in the event that overflow parking were needed for specific American Legion Hall events.

Mr. Sanders, a licensed Maryland architect, detailed the renovation plans for the building including the addition of an elevator that would provide access to the basement and first floors in compliance with ADA requirements. *See* Pet. Exhibit 5. Mr. Sanders further testified to Petitioner’s desire to renovate the existing structure instead of new construction to preserve

¹ 2,620 SF @ 10 parking spaces/1,000 SF = 27 spaces

existing lot lines, setbacks, and impacts on the surrounding community.

Conclusions of Law

Petitioner requests variance relief from Baltimore County Zoning Regulations (“BCZR”) Section 409.6.A.4 to permit 18 parking spaces in lieu of the required 27 spaces. Mr. Richardson stated that the parking requirements for this use are based on the square footage of the portions of the building (“community building”) used at any given time, which in this case would include the basement for American Legion meetings and the first floor for social gatherings. The second floor, used as an accessory office for Post 183, would not be included in that parking calculation. This is in error. BCZR § 409.6.A.4 provides no such limitation of “discount” nor can one be extrapolated from this record. The use of the property as a “community building” for use of Post 183 would include all primary uses of the property for that purpose, namely, meetings, social gatherings, and all other business of Post 183 to include any ancillary office uses that Post 183 wished to make of it. Moreover, there is no limitation on this use to just the basement and first floors, making the second floor usable for Post 183 activities however they see fit. To not include the square footage of the second floor for calculation of off-street parking requirements would defeat the purpose of the regulation. Performing a rough calculation that includes the square footage of all three floors of the existing structure results in a parking requirement of 40 spaces². Therefore, the Petition is hereby amended to reflect that the parking variance requested is 18 spaces in lieu of the required minimum parking of 40 spaces, or as correctly calculated using the square footage of all floors.

Pursuant to BCZR § 307.1, “...the [Administrative Law Judge] shall have ...the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to

² 4,032 sq. ft. @ 10 parking spaces/1,000 SF = approx. 40 spaces

the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship...Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare...” 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).

I find that the Property is unique due to its size, location, and existing improvements including the gravel parking area with existing access from Edgewood Avenue. I further find that special circumstances or conditions exist that are peculiar to this parcel and structure such that strict compliance with the Zoning Regulations for Baltimore County with respect to parking requirements would result in practical difficulty. The property is currently improved and requiring the expansion of the parking area would require demolishing a portion of the existing building without any showing of the need to do so for its permitted by-right use. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition and the availability of on-street parking on adjacent streets and by contract with adjacent commercial properties if overflow parking were needed for Post 183 activities.

THEREFORE, IT IS ORDERED, this 5th day of **February, 2025**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, Section 409.6.A.4, to permit 18 spaces in lieu of the required minimum parking of 40 spaces, or as correctly calculated using the square footage of all floors, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their 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, Petitioner would be required to return the subject property to its original condition;
2. Petitioner's Site Plan (Pet. Exhibit 4) is hereby incorporated into this Order;
3. Petitioner shall provide and maintain landscape and lighting plans in compliance with Planning and DPR/DPWT ZAC comments, copies of which are attached hereto and made a part hereof;
4. Pursuant to SHA recommendations, Petitioner shall eliminate vehicle access to the property from Harford Road;
5. This approval is for use of the premises by **The American Legion, its heirs or assigns, only**; any change of owner or operator **shall require a Special Hearing** to determine if such use comports with the parking variance granted in this case.

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



DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlm

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

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 1/3/2025

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

INFORMATION: Case Number: 2024-0266-A
Property Address: 8913 Harford Road
Petitioner: American Legion Department of Maryland Parkville Post 183 Inc.
Zoning: CB
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance – Under Section 409.6.A.4 of the Zoning Regulations of Baltimore County, to permit 18 parking spaces in lieu of the required 27 spaces.

The subject site is a 0.46-acre parcel located in the Parkville area and is currently a vacant gravel lot at the corner of Harford Road and Edgewood Avenue. The petitioner proposes constructing a 2,620-square-foot building for use by the American Legion Parkville Post 183. The property is zoned CB-Community Business, with adjacent properties designated as residential offices and single-family residential. The requested use is compatible with the current zoning and surrounding property uses.

The Department of Planning has no objections to the variance request to allow 18 parking spaces instead of the required 27 spaces, provided the following recommendations are met:

1. Site and Building Design

The site and building should be designed in accordance with the Comprehensive Manual of Development Policies (CMDP) Section III. Commercial Development Within the URDL B. Freestanding, specifically:

- **Landscaping**
 - (1b) Screening/buffering of adjoining residences: Provide a landscape buffer to the adjoining residential property to create privacy.
 - (1c) Screening/buffering of major roadways: Provide enhanced landscaping along Harford Road.
- **Lighting**
 - (1a) Lighting standards adjacent to residential areas should not exceed 18 feet in height and should be designed to prevent light spillover onto adjoining residences.
- **Architecture/Building Features**
 - (d) Blank walls facing streets should be avoided, particularly along Harford Road.

- (e) Exterior building elevations should maintain consistency on all sides regarding roof style, materials, form, and detailing.
- (g) Building materials and colors should be chosen based on their visual impact and compatibility with the neighborhood.

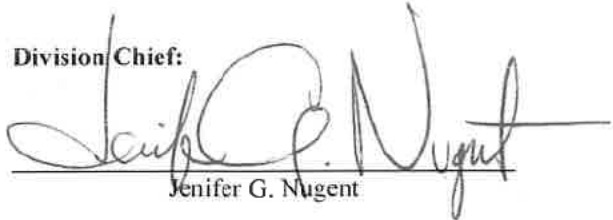
For further information concerning the matters stated herein, please contact Shawn Frankton at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Richardson Engineering, LLC, Petitioner's Representative
Megan Oliver, Community Planner for Council District 6
Jeff Perlow, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: December 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0266-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No Exception taken. Awaiting comments from Traffic Engineering.

Landscaping: If Special Exception and Zoning Relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

Recreations & Parks: No comment LOS & No Greenways affected.



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 8913 Harford Road

Currently Zoned CB

Deed Reference 49628/ 498

10 Digit Tax Account # 1422046125

Owner(s) Printed Name(s) AMERICAN LEGION DEPARTMENT OF MARYLAND PARKVILLE POST 183 INCORPORATED

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

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

3. X a **Variance** from Section(s) 409.6.A.4 to permit 18 parking spaces in lieu of the required 27 spaces

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/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Covahey & Boozer, P.A. *Bruce Covahey*

Name - Type or Print

Signature

614 Bosley Ave. Towson, MD

Mailing Address City State

21204 (410) 828-9441 / bcovahey@cablaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

AMERICAN LEGION DEPARTMENT OF MARYLAND PARKVILLE POST 183
INCORPORATED

Name #1 - Type or Print

Name #2 - Type or Print

Jalane Drobnerger, COMMANDER

Signature #1

Signature #2

PO Box 28216

Baltimore

MD

Mailing Address

City

State

21234 / 410-870-0625

/ webscb@verizon.net

Zip Code Telephone #'s (Cell and Home)

Email Address

Representative to be contacted:

Richardson Engineering, LLC

Name - Type or Print

Signature

7 Deneison Street

Timonium

MD

Mailing Address

City

State

21093 / 410-560-1502

/ rick@richardsonengineering.net

Zip Code

Telephone #

Email Address

Case Number 2024-0266-A

Filing Date 12 / 16 / 24

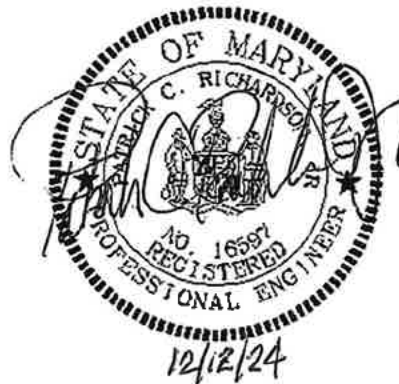
Do Not Schedule Dates

Reviewer JS

**ZONING PROPERTY DESCRIPTION FOR
8913 HARFORD ROAD
14th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning at a distance of 0' +/- southwesterly of the intersection of Harford Road and Edgewood Avenue. Running away from the southeast side of Harford Road (1) South 56 degrees 37 minutes 13 seconds East 125.00 feet, (2) South 33 degrees 37 minutes 47 seconds West 118.33 feet (3) North 56 degrees 37 minutes 13 seconds West 125.00 feet, (4) North 33 degrees 37 minutes 47 seconds East 118.33 feet, to the place of beginning.

Containing a net area of 14,766 square feet or 0.34 acres +/-.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2025

2024-0266-A

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

No. 235041

Date: 12/16/24

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6950					\$ 500.00

Total: \$ 500.00

Rec
From: AMERICAN LEGION POST 183 / RICHARDSON ENG.

For: 2024-0266-A

8913 HARFORD RD

SS 24-1140

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

1509

American Legion Parkville Post 183

8913 Harford Rd.
Parkville, MD 21234
410-665-9339



12/12/2024

PAY TO THE
ORDER OF Baltimore County, Maryland

\$**500.00

Five Hundred and 00/100*****

DOLLARS

MEMO

Petition for Parking Variance

Michael J. Allen
Margie
J. Alan Perren
AUTHORIZED SIGNATURE

Security features. Details on back.

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 14 Account Number - 1422046125		
Owner Information		
Owner Name:	AMERICAN LEGION DEPARTMENT OF MARYLAND PARKVILLE POST 183 INCORPORATED	Use: EXEMPT Principal Residence: NO
Mailing Address:	P O BOX 28216 BALTIMORE MD 21234-	Deed Reference: /49628/ 00498
Location & Structure Information		
Premises Address:	8913 HARFORD RD BALTIMORE 21234-	Legal Description: LT 307-308 CHARITABLE EXEMPTION 8913 HARFORD RD CALIFORNIA GROVE
Map: 0071	Grid: 0021	Parcel: 1180
Neighborhood: 14030034.04	Subdivision: 0000	Section: 307
Block: 2024	Lot: 2024	Assessment Year: 2
Plat No: 0007/ 0022	Plat Ref: 0007/ 0022	
Town: None		
Primary Structure Built 1943	Above Grade Living Area 2,394 SF	Finished Basement Area 1200 SF
Property Land Area 7,500 SF	County Use 01	
Stories 2	Basement YES	Type STANDARD UNIT
Exterior SIDING/ 4	Quality 4	Full/Half Bath 2 full/ 1 half
Garage 1 Detached	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2024
		Phase-in Assessments As of 07/01/2024
		As of 07/01/2025
Land:	73,500	75,700
Improvements	227,900	301,300
Total:	301,400	377,000
Preferential Land:	0	0
		326,600
		351,800
Transfer Information		
Seller: AMERICAN LEGION DEPARTMENT OF MARYLAND	Date: 11/22/2024	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /49628/ 00498	Deed2:
Seller: PETR MARY KATHERINE	Date: 09/08/2023	Price: \$325,000
Type: ARMS LENGTH MULTIPLE	Deed1: /48362/ 00316	Deed2:
Seller: PETR ROBERT T	Date: 08/31/2000	Price: \$218,000
Type: ARMS LENGTH MULTIPLE	Deed1: /14671/ 00412	Deed2:
Exemption Information		
Partial Exempt Assessments: Class	07/01/2024	07/01/2025
County: 050	326,600.00	351,800.00
State: 050	326,600.00	351,800.00
Municipal: 050	0.00 0.00	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

**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: 2024-0266 - A
Property Address: 8913 HARFORD RD
Legal Owners (Petitioners): AMERICAN LEGION DEPT OF MD PARKVILLE POST 183
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): AMERICAN LEGION
Address: PO BOX 28216
BALTIMORE MD 21234

Telephone Number: 410-870-0625

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
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Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Covahey & Boozer, P.A. *R. Vae Covahey*

Name - Type or Print

Signature

614 Bosley Ave. Towson, MD
Mailing Address City State

21204 (410) 828-9441 / bcovahey@cablaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

AMERICAN LEGION DEPARTMENT OF MARYLAND PARKVILLE POST 183
INCORPORATED

Name #1 - Type or Print

Name #2 - Type or Print

Jalane Drobnerberger, COMMANDER

Signature #1

Signature #2

PO Box 28216 Baltimore MD
Mailing Address City State

21234 / 410-870-0625 / webscb@verizon.net
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Richardson Engineering, LLC

Name - Type or Print

Richardson Engineering, LLC

Signature

7 Deneison Street Timonium MD
Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net
Zip Code Telephone # Email Address

Case Number 2024-0266-A Filing Date 12, 16, 24 Do Not Schedule Dates Reviewer JS

**ZONING PROPERTY DESCRIPTION FOR
8913 HARFORD ROAD
14th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

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THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2025

2024-0266-A

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: December 30, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0266-A
Address: 8913 HARFORD ROAD
Legal Owner: American Legion Dept. of Maryland
Parkville Post 183, Inc.

Zoning Advisory Committee Meeting of December 30, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: December 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0266-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No Exception taken. Awaiting comments from Traffic Engineering.

Landscaping: If Special Exception and Zoning Relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

Recreations & Parks: No comment LOS & No Greenways affected.

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

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 1/3/2025

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

INFORMATION: Case Number: 2024-0266-A
Property Address: 8913 Harford Road
Petitioner: American Legion Department of Maryland Parkville Post 183 Inc.
Zoning: CB
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance – Under Section 409.6.A.4 of the Zoning Regulations of Baltimore County, to permit 18 parking spaces in lieu of the required 27 spaces.

The subject site is a 0.46-acre parcel located in the Parkville area and is currently a vacant gravel lot at the corner of Harford Road and Edgewood Avenue. The petitioner proposes constructing a 2,620-square-foot building for use by the American Legion Parkville Post 183. The property is zoned CB-Community Business, with adjacent properties designated as residential offices and single-family residential. The requested use is compatible with the current zoning and surrounding property uses.

The Department of Planning has no objections to the variance request to allow 18 parking spaces instead of the required 27 spaces, provided the following recommendations are met:

1. Site and Building Design

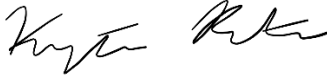
The site and building should be designed in accordance with the Comprehensive Manual of Development Policies (CMDP) Section III. Commercial Development Within the URDL B. Freestanding, specifically:

- **Landscaping**
 - (1b) Screening/buffering of adjoining residences: Provide a landscape buffer to the adjoining residential property to create privacy.
 - (1c) Screening/buffering of major roadways: Provide enhanced landscaping along Harford Road.
- **Lighting**
 - (1a) Lighting standards adjacent to residential areas should not exceed 18 feet in height and should be designed to prevent light spillover onto adjoining residences.
- **Architecture/Building Features**
 - (d) Blank walls facing streets should be avoided, particularly along Harford Road.

- (e) Exterior building elevations should maintain consistency on all sides regarding roof style, materials, form, and detailing.
- (g) Building materials and colors should be chosen based on their visual impact and compatibility with the neighborhood.

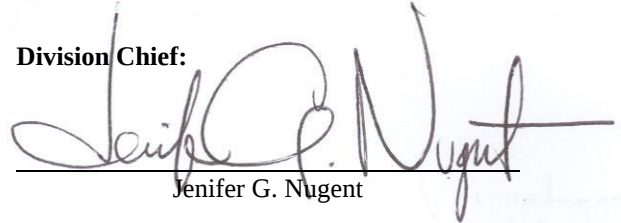
For further information concerning the matters stated herein, please contact Shawn Frankton at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Richardson Engineering, LLC, Petitioner's Representative
Megan Oliver, Community Planner for Council District 6
Jeff Perlow, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

CERTIFICATE OF POSTING

2024-0266-A

RE: Case No.: _____

Petitioner/Developer: _____

American Legion Dept. of Md, Parkville Post 183 Inc.

January 30, 2025

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: Jeff Perlow:

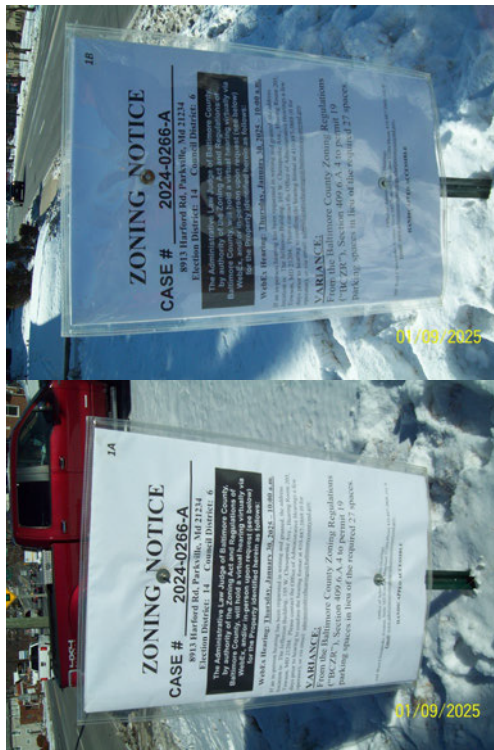
Ladies and Gentlemen:

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: _____

8913 Harford Road ***SIGN 1A & 1B***

January 9, 2025

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



Sincerely,

January 9, 2025

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

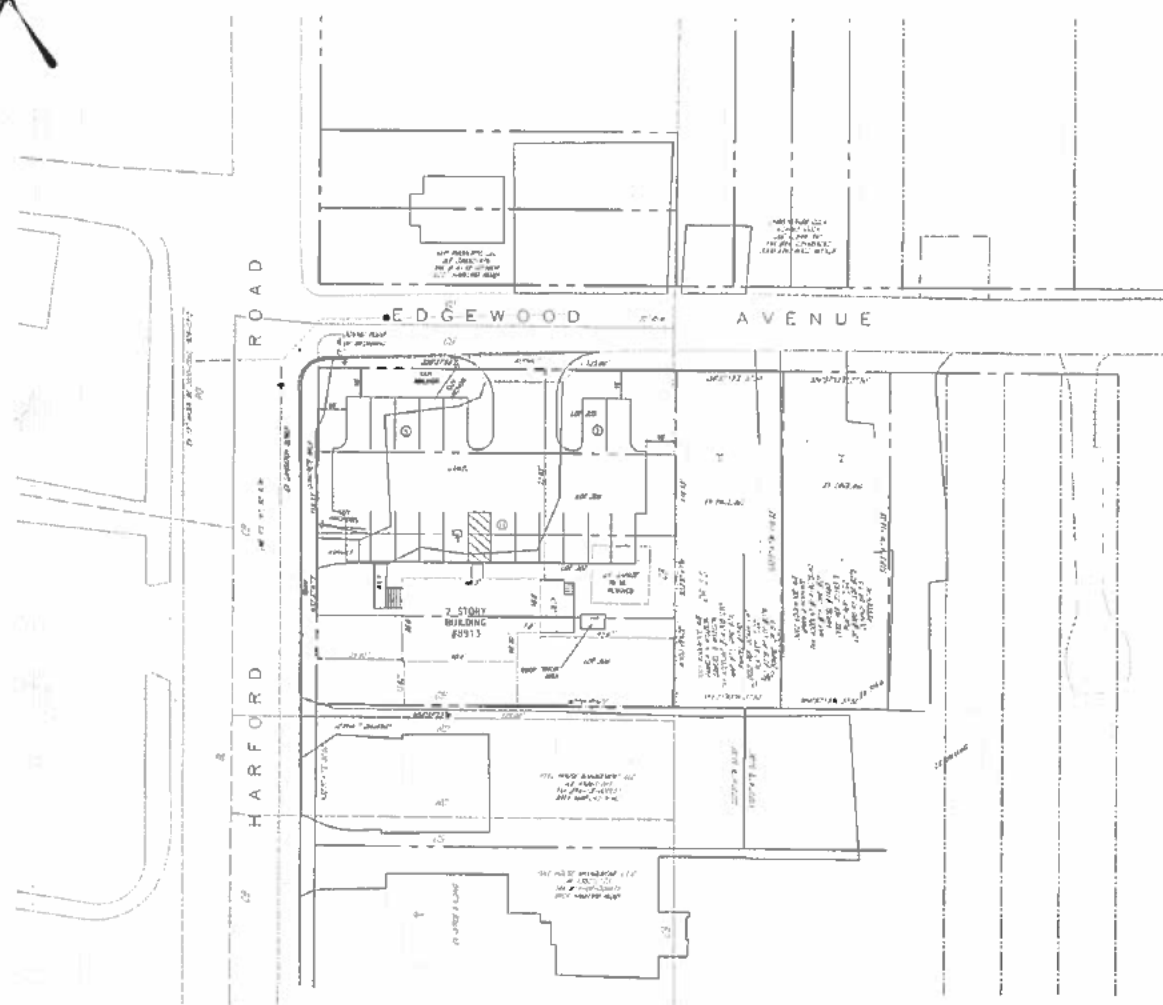
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



VICINITY MAP
SCALE 1" = 100'

GENERAL NOTES:

1. OWNER: AMERICAN LEGION DEPARTMENT OF MARYLAND, 14TH ELECTION DISTRICT, 8913 HARFORD ROAD, BALTIMORE, MARYLAND 21234
2. SITE AREA: 28,139 SF or 0.64 AC. (14,740 SF or 0.34 AC. BUILT)
3. BUILDING AREA: 14,740 SF
4. PROPOSED: 2,420 SF
5. EXISTING: PUBLIC USE
6. THE SITE DOES NOT LIE WITHIN A FLOODPLAIN AS SHOWN ON FIRM 2400100250P, PANEL 200 OF 200 DATED NOVEMBER 2, 2003
7. SEE ACCOUNT: 14TH ELECTION DISTRICT
8. COUNCILMANIC DISTRICT: 6TH
9. COUNCILMANIC DISTRICT: 6TH
10. COUNCILMANIC DISTRICT: 6TH
11. COUNCILMANIC DISTRICT: 6TH
12. SUBSTANCES: 3RD FLOOR
13. LAND: 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
14. PREVIOUS PERMITS OF FILE: NONE
15. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
16. THERE ARE NO HISTORIC FEATURES ON THE SITE AS THE SITE IS A HISTORIC
17. LAND USE: COMMUNITY BUILDING, CHESAPEAKE BAY CRITICAL AREA
18. 14TH ELECTION DISTRICT, 8913 HARFORD ROAD, BALTIMORE, MARYLAND 21234
19. ALL PROPOSED USES SHALL COMPLY TO THE BALTIMORE COUNTY ZONING CODE.
20. SETBACKS: 10' ON ZONE, 15' ON OTHER
21. SIDE YARD: 15' ON ZONE, 15' ON OTHER
22. REAR YARD: 15' ON ZONE, 15' ON OTHER
23. PROPOSED: 1,420/14,740 SF or 0.34 AC.
24. BASIC REQUIREMENT: 14,740 SF or 0.34 AC.
25. PROPOSED: 1,420/14,740 SF or 0.34 AC.
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98. PROPOSED: 1,420/14,740 SF or 0.34 AC.
99. PROPOSED: 1,420/14,740 SF or 0.34 AC.
100. PROPOSED: 1,420/14,740 SF or 0.34 AC.

**Richardson**
ENGINEERING

7 Doremus Street
Towson, Maryland 21204
Phone: 410-560-1582, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR
THE AMERICAN LEGION

8913 HARFORD ROAD
BALTIMORE COUNTY
14TH ELECTION DISTRICT

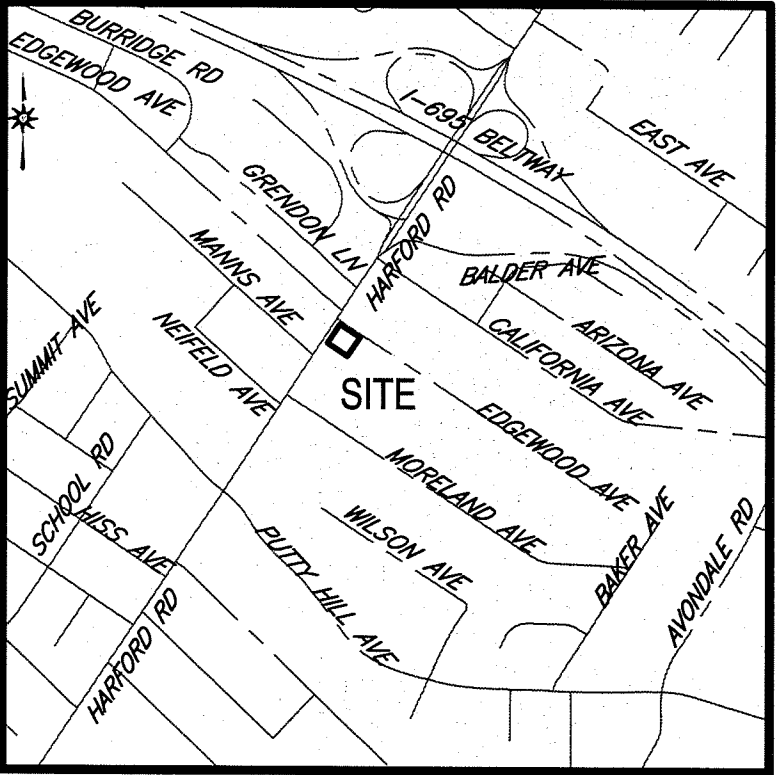
MARYLAND
6TH COUNCILMANIC DISTRICT

DATE	DRAWN BY	CHECKED BY	SCALE
12/08/24	24130	24130	1" = 100'



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BALTIMORE COUNTY DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

EXHIBIT 4



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: AMERICAN LEGION DEPARTMENT OF MARYLAND
PARKVILLE POST 183 INCORPORATED
PO BOX 28216
BALTIMORE, MARYLAND 21234
- SITE AREA
GROSS— 20,191 SF or 0.46 Ac.±
NET— 14,766 SF or 0.34 Ac.±
- BUILDING AREA
EXISTING: 2,620 SF
PROPOSED: 2,620 SF
- UTILITIES
PUBLIC WATER
PUBLIC SEWER
- THE SITE DOES NOT LIE WITHIN A FLOODPLAIN AS SHOWN ON F.I.R.M. 2400100290F, PANEL 290 OF 580 DATED NOVEMBER 2, 2023.
- DEED REF: 48362/326
- TAX ACCOUNT: 1422046125
- COUNCILMANIC DISTRICT: 6TH
- ELECTION DISTRICT: 14TH
- REGIONAL PLANNING DISTRICT: 316
- CENSUS TRACT: 4401.00
- WATERSHED: BIRD RIVER
- TAX MAP: 71, GRID: 21, PARCEL: 1180
- PREVIOUS PERMITS ON FILE: NONE
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- LAND USE
EXISTING: COMMUNITY BUILDING (AMERICAN LEGION HALL)
PROPOSED: COMMUNITY BUILDING (AMERICAN LEGION HALL)
- EXISTING ZONING: CB & DR 5.5 (PER 200 SCALE GIS TILE 07183)
- ANY PROPOSED SIGNS SHALL CONFORM TO THE BALTIMORE COUNTY ZONING CODE, SECTION 450.
- SETBACKS FOR CB ZONE
TYPE REQUIRED PROVIDED
FRONT YARD 25' 50'±
SIDE YARD 10' 15'±
REAR YARD 20' 47'±
- FLOOR AREA RATIO
PERMITTED: 0.33
PROPOSED: 2,620/14,766 = 0.18
- BASIC SERVICE MAP (2024)
TYPE DEFICIENT (Y/N)
SEWER N
WATER N
TRAFFIC N
- PREVIOUS ZONING CASES: NONE ON FILE
- PARKING CALCULATIONS
REQUIRED:
COMMUNITY BUILDING: 2,620 SF @ 10/1000 SF = 27 SPACES
PROVIDED: 18 SPACES (1 HANDICAPPED, 17 REGULAR)
- ANY PARKING LOT LIGHTS SHALL BE 14' MAXIMUM HEIGHT AND SHIELDED FROM ADJACENT PROPERTIES.
- TRASH ENCLOSURE TO BE COMPATIBLE WITH BUILDING MATERIALS

2024-0266-A



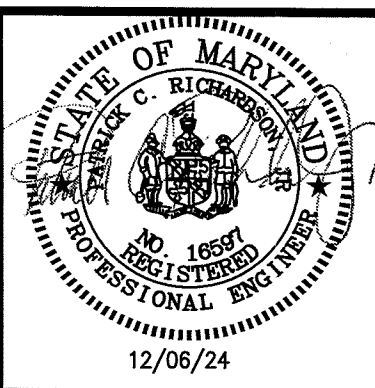
7 Deneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net

rick@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR
THE AMERICAN LEGION

8913 HARFORD ROAD
BALTIMORE COUNTY MARYLAND
14TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY: LNR	CHECKED BY: PCR	SCALE: 1" = 20'
	DATE: 12/06/24	JOB NO.: 24155	SHEET NO.: 1 OF 1



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 08-15-2025

