

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Rosedale Federal Savings and Loan Association

16-063-SPH &
16-219-X

DATE: November 3, 2016

BOARD/PANEL: Maureen E. Murphy, Panel Chairman
Meryl W. Rosen
Benfred B. Alston

RECORDED BY: Tammy A. McDiarmid, Legal Secretary

PURPOSE: To deliberate the following:

Petition for Special Hearing to approve accessory parking in a residential (RO) zone to support a commercial use in a commercial (BL) zone; and

Petition for Special Exception pursuant to Section 204.3.B of the BCZR to permit a Class B Office Building in the residential (RO) zone.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

- The Board held de novo hearings, which were part proffer and part testimony.
- The Board noted the Special Hearing case was originally heard in early 2016. The Petitioner then filed the Petition for Special Exception which changed its proposal by flipping the proposed location of the building and by revising the parking area.
- The Board noted that there was a Restrictive Covenant Agreement entered into between Rosedale Federal Savings and Loan Association, and the community in May 2008. The parties worked together and entered into an Amendment to the Agreement in September 2016 which addresses the community concerns. The parties agree that the Restrictive Covenant Agreement, and Amendment, will be incorporated into and made part of the Board's Order and also recorded among the Land Records of Baltimore County.
- The Board reviewed the evidence in accordance with *Schultz v. Pritts*, and the special exception requirements of 502.1. The Board determined that the special exception standards were satisfied and proffered without objection.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to GRANT the requested relief.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,

/S/
Tammy A. McDiarmid