

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
NW/Corner Joppa Road and \* ZONING COMMISSIONER  
Dixon Avenue \* OF BALTIMORE COUNTY  
(2710 East Joppa Road)  
9th Election District \* Case No. 88-64-SPX  
6th Councilmanic District \*  
Mario Buscemi, et al  
Petitioners

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioners herein request a special exception to permit a Class B office building on the property described herein as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by John Buscemi, appeared, testified, and were represented by Douglas L. Burgess, Esquire. Also appearing on behalf of the Petition were Donald Hicks, Professional Engineer, and Hugh Gelston, Realtor-Appraiser. Richard W. Daw, Sr., aide to Delegate Donna Felling and member of the neighborhood, appeared, not as a Protestant but as an observer. Mr. Daw did not testify. There were no Protestants.

Testimony indicated that the subject property, known as 2710 East Joppa Road, is zoned R.O. and is the site proposed for a Class B office building. Mr. Hicks testified that the proposed building, as depicted in Petitioner's Exhibit 1, will be a modest 4,308 sq.ft. structure on a 15,300 sq.ft. site. The floor area ratio will not be exceeded by the proposed plan, and the site provides more than the required amenity open space. The subject site will provide the required 11 parking spaces, including 1 handicapped parking space. Mr. Hicks further testified that, in his professional opinion, the proposed project will meet all the requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.).

Mr. Buscemi testified that he is a stone mason by trade. He further testified as to the architectural details of the proposed building and introduced renderings of same. Mr. Buscemi testified that he would manage the office building, renting only to professionals, and that there would be no medical offices in the building.

Mr. Gelston testified that the proposed project was highly compatible with the neighborhood and that it would have no adverse effects on the general welfare of the public. He further testified that, in his opinion, the requirements of Section 502.1 of the B.C.Z.R. had been met.

It is clear that the B.C.Z.R. permits the use proposed in a R.O. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Fritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of August, 1988 that the Petition for Special Exception to permit a Class B office building on the property described herein in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the application (or "30-day") appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner will have five (5) years from the date of this Order in which to utilize the special exception granted herein.
- 3) Plans for the proposed project must be submitted for CRG approval prior to the issuance of any building permits.
- 4) The Petitioners, future property owners and/or Tenants shall insure that there will be no medical offices in the building and all lease agreements shall reflect this restriction.
- 5) All parking lot lighting shall be no more than 10 feet above-grade. All exterior lighting shall be directed downward and shall not defuse onto any residential property.

6) Petitioners shall submit for approval to the appropriate Baltimore County agencies an appropriate storm water management plan. A certified copy of the approved plan shall be submitted to this Office for inclusion in the case file.

7) The Petitioners, the Tenants and/or their Employees are prohibited from parking on Dixon Avenue.

8) The proposed office building operation is limited to no more than 10 employees/tenants.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

CYBER RECEIVED FOR FILING  
Date 8/15/88  
By Archie Johnson

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21284  
494-3333

J. Robert Haines  
Zoning Commissioner

August 24, 1988



Dennis F. Eastman  
County Executive

Douglas L. Burgess, Esquire  
Nolan, Plumhoff & Williams  
300 E. Joppa Road  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION  
NW/Corner Joppa Road and Dixon Avenue  
(2710 E. Joppa Road)  
9th Election District - 6th Councilmanic District  
Mario Buscemi, et al - Petitioners  
Case No. 88-64-SPX

Dear Mr. Burgess:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: Mr. Richard W. Daw, Sr.  
Aide, The Honorable Delegate Donna Felling  
House Office Building, Annapolis, Md. 21401

People's Counsel

File

LAW OFFICES  
NOLAN, PLUMHOFF  
& WILLIAMS,  
CHARTERED

IN RE: PETITION FOR SPECIAL \* BEFORE THE  
EXCEPTION \* ZONING COMMISSIONER  
NW/C JOPPA and DIXON AVENUES \* OF BALTIMORE COUNTY  
(2710 EAST JOPPA ROAD) \* CASE NO.: 88-64-X  
9th ELECTION DISTRICT-- \*  
6th COUNCILMANIC DISTRICT \*  
MARIO BUSCEMI, et al., \*  
PETITIONER \*  
\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter came before the Zoning Commissioner for hearing on Thursday, July 14, 1988, based on a Petition for a Special Exception for a Class B office building in an RO zone. Present at the hearing was Petitioner, Petitioner's counsel, engineer and realtor-appraiser. No protestants appeared. Richard W. Daw, Sr., aide to Delegate Donna Felling and member of the neighborhood, appeared as an observer, but did not testify.

The case proceeded with testimony first from Petitioner's engineer, Donald Hicks. Mr. Hicks went over his credentials and was duly qualified and accepted as a registered professional engineer. Accepted as Exhibit 1 through his testimony were the site plan for the proposed office building. Mr. Hicks testified that the building would be a modest 4,308 square feet structure on a 15,300 square foot site. The floor

area ratio would not be exceeded by the plan, and the site provides more than the required amenity open space. Parking on the site provides for all of the required 11 spaces, including one handicapped space. Mr. Hicks then went through the requirements of 502.1 of the BCR and testified that in his professional opinion, this project would meet those requirements.

Next to testify was the Petitioner himself, John Buscemi. He stated that he is a stone mason by trade. Mr. Buscemi testified about the architectural details of the building and introduced renderings of the same. Mr. Buscemi testified that he would manage the building and would rent to professionals, with no medical offices.

Hugh Gelston was the next to testify. He was duly qualified and accepted as a realtor and appraiser and testified that the project was highly compatible with the neighborhood and have no adverse effects on the general welfare of the public in the area. He further testified that the requirements of 502.1 had been met.

Based upon the foregoing uncontested testimony and this Zoning Commissioner's acceptance of the same, Petitioner's request for a special exception to allow a class B office building in an RO zone should be granted. In my opinion, the requirements of 502.1 have been met.

LAW OFFICES  
NOLAN, PLUMHOFF  
& WILLIAMS,  
CHARTERED

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_ day of August, 1988 that a special exception to permit a Class B office building in an RO zone be granted. Pursuant to request, the special exception will expire in five (5) years unless utilized therein.

ZONING COMMISSIONER

*Handwritten notes:*  
1) 30 day appeal  
2) 30 day appeal  
3) 30 day appeal  
4) 30 day appeal  
5) 30 day appeal  
6) 30 day appeal  
7) 30 day appeal  
8) 30 day appeal  
9) 30 day appeal  
10) 30 day appeal

LAW OFFICES  
NOLAN, PLUMHOFF  
& WILLIAMS,  
CHARTERED

6192A  
DLB:kap

LAW OFFICES  
**NOLAN, PLIMHOFF & WILLIAMS**  
 CHARTERS  
 SUITE 108, HAMPTON PLAZA  
 300 EAST JOPPA ROAD  
 TOWSON, MARYLAND 21204-3012  
 1301 823-7800  
 TELEFAX 1301 289-2768

OF COUNSEL  
 RALPH E. DEITZ  
 9026 LIBERTY ROAD  
 RANDALLSTOWN, MARYLAND 21133  
 1301 822-2121

July 29, 1988

RECEIVED  
 JUL 29 1988  
 ZONING OFFICE

Mr. Robert Haines  
 Zoning Commissioner of Baltimore County  
 Office of Planning and Zoning  
 County Office Building  
 Towson, Maryland 21204

Re: Special Exception  
 John Buscemi  
 88-64-X

Dear Commissioner Haines:

Enclosed kindly find a draft of proposed Findings of Fact and Conclusion of Law. Please note that I added a five year expiration date to the Order, pursuant to my client's recent request.

If there are any changes, additions or deletions, I will be happy to incorporate them on our word processor upon receipt of a redlined copy of the Order from you.

Thank you for your kind consideration. Best regards.

Very truly yours,  
 Douglas L. Burgess

DLB:kap  
 Enclosure

cc: Mr. John Buscemi  
 Mr. David Drought, Hicks Engineering

P.S. Under separate cover, Hicks Engineering will send you a revised site plan with:

- 10' height lighting standards instead of 14'.
- Revised hours of operation.

The shared parking agreement with the Firehouse Tavern has not been resolved, but we will send you a copy of an agreement if one can be worked out shortly.

REAL PROPERTY DESCRIPTION  
 TO ACCOMPANY  
 ZONING SPECIAL EXCEPTION PETITION  
 FOR THE FOLLOWING PROPERTY  
 2710 E. JOPPA ROAD  
 9TH ELECTION DISTRICT  
 BALTIMORE COUNTY, MARYLAND 21214

BEING KNOWN AND DESIGNATED as the southernmost 110 feet of lots No. 27, 28, 29, and 30 as shown on the plat entitled "PLAT OF CARNEY VIEW". (W.P.C. No. 7, Folio 90); Being and unimproved parcel of land fronting 105 feet on Joppa Road with a depth of 110 feet along Dixon Avenue, said tract of land beginning at the Northwest corner of said tract and proceeding in the direction of North 10°, 32' East a distance of 110 feet; then proceeding in the direction of South 79°, 28' East, a distance of 105 feet; then proceeding in the direction of 10° South, 32' West, for a distance of 110 feet; then proceeding in the direction of North 79°, 28' West for a distance of 105 feet to the place of beginning. The improvements thereon now being known as No. 2710 E. Joppa Road.

SAVING AND EXCEPTING THEREFROM, so much of said property previously taken for the widening of Joppa Road by the following:

- (As to Lots 27 and 28) - A Right of Way plat recorded among the Land Records of Baltimore County in plat Book L. MCLM No. 10 folio 36.
- (As to Lots 29 and 30) - A Deed from Joseph F. Moreland, Inc., et al, to State Road Commission, dated November 12, 1932, and recorded in Liber L. MCLM No. 901, Folio 498 to a Plat recorded in Plat Book L. MCLM No. 10, folio 30.

WILLARD R. SINGLETON  
 REGISTERED PROPERTY LINE SURVEYOR, No. 291

OFFICE COPY  
 DATE 09/19/88

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
 PETITION FOR VARIANCE  
 9th Corner Joppa Rd. & Dixon Ave. : OF BALTIMORE COUNTY  
 (2710 East Joppa Rd.), 9th Dist.  
 MARIO BUSCEMI, et al., Case No. 88-64-X  
 Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
 Phyllis Cole Friedman  
 People's Counsel for Baltimore County

Peter Max Zimmerman  
 Peter Max Zimmerman  
 Deputy People's Counsel  
 Room 223, Court House  
 Towson, Maryland 21204  
 494-2188

I HEREBY CERTIFY that on this 8th day of July, 1988, a copy of the foregoing Entry of Appearance was mailed to Mr. John Buscemi, 3006 White Ave., Baltimore, MD 21214, representative of Petitioners.

Peter Max Zimmerman  
 Peter Max Zimmerman

REAL PROPERTY DESCRIPTION  
 TO ACCOMPANY  
 ZONING SPECIAL EXCEPTION PETITION  
 FOR THE FOLLOWING PROPERTY  
 2710 EAST JOPPA ROAD  
 9TH ELECTION DISTRICT  
 BALTIMORE, MARYLAND 21214

BEING KNOWN AND DESIGNATED as the southernmost 110 feet of lots No. 27, 28, 29, and 30 as shown on the plat entitled "PLAT OF CARNEY VIEW". (W.P.C. No. 7, Folio 90); Being an unimproved parcel of land fronting 105 feet on Joppa Road with a depth of 110 feet along Dixon Avenue, said tract of land beginning at the Northwest corner of said tract and proceeding in the direction of North 10° 32' East a distance of 110 feet; then proceeding in the direction of South 79° 28' East, a distance of 105 feet; then proceeding in the direction of South 10° 32' West, for a distance of 110 feet; then proceeding in the direction of North 79° 28' West for a distance of 105 feet to the place of beginning. The improvements thereon now being known as No. 2710 E. Joppa Road.

SAVING AND EXCEPTING THEREFROM, so much of said property previously taken for the widening of Joppa Road by the following:

- (As to Lots 27 and 28) - A Right of Way plat recorded among the Land Records of Baltimore County in Plat Book L. MCLM No. 10 Folio 36.

REVISED PLANS  
 5/3/88  
 88-64-X

AMENDED PETITION FOR SPECIAL EXCEPTION  
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-64-X  
 The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for SPECIAL EXCEPTION FOR CLASS B OFFICE BUILDING.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State	Legal Owner(s): (Type or Print Name) Signature (Type or Print Name) Signature Address City and State
Attorney for Petitioner: Douglas L. Burgess Molan, Plimhoff & Williams, Chd. (Type or Print Name) Signature Address City and State	13616 Jarrattsville Pike 592- Address Phone No. Phoenix, MD. 21131 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Douglas L. Burgess Name 300 E. Joppa Road 823-7800 Address Phone No.
Attorney's Telephone No.: 823-7800	300 E. Joppa Road 823-7800 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of May, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of July, 1988, at 9 o'clock A.M.

J. Robert Haise  
 Zoning Commissioner of Baltimore County.

ECO-No. 1 (over)

ZONING SPECIAL EXCEPTION PETITION  
 2710 EAST JOPPA ROAD  
 9TH ELECTION DISTRICT  
 BALTIMORE, MARYLAND 21214

- (As to Lots 29 and 30) - A Deed from Joseph F. Moreland, Inc., et al, to State Road Commission, dated November 12, 1932, and recorded in Liber L. MCLM No. 901, Folio 498 and shown on a plat recorded in Plat Book L. MCLM No. 10, Folio 30.
- (As to Lots 27, 28, 29 and 30) - A County Highway deed to Baltimore County in fee simple, dated March 4, 1988 and recorded among the Land Records of Baltimore County in Book 7823 Folio 680, with attached plat RW 86-274-17.

EDWARD FRANK DELAÇO-LORA  
 DATE 7-18-88



-1-

PETITION FOR SPECIAL EXCEPTION + VARIANCE  
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-64-X  
 The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for A Class "B" Office Building and a variance to Section 203.4 to permit 22.4 percent of Amenity Open Space in lieu of the required 25 percent.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State	Legal Owner(s): (Type or Print Name) Signature (Type or Print Name) Signature Address City and State
Attorney for Petitioner: (Type or Print Name) Signature	306 WHITE AVE. 628-6849 Address Phone No. BALTO., MD. 21201 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted JOHN BUSCEMI Name 306 WHITE AVE. 628-6849 Address Phone No.
Attorney's Telephone No.:	306 WHITE AVE. 628-6849 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of June, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of July, 1988, at 11:15 o'clock A.M.

Cell Jahan  
 Zoning Commissioner of Baltimore County.

ECO-No. 1 (over)

ESTIMATED LENGTH OF HEARING 1/2HR. + 1HR.  
 AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS  
 ALL OTHER DATE 4/15/88

PETITION FOR SPECIAL EXCEPTION AND VARIANCE  
 9th Election District - 6th Councilmanic District  
 Case No. 88-64-XA

LOCATION: Northwest Corner Joppa Road and Dixon Avenue (2710 East Joppa Road)

DATE AND TIME: Wednesday, July 29, 1987, at 11:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a Class B Office building

Petition for Zoning Variance to permit 22.4% of Amenity Open Space in lieu of the required 25%

Being the property of Mario Buscemi, et al, as shown on plat filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
 ARNOLD JABLON  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: 6/21/88

Posted for: Special Exception

Petitioner: Mario Buscemi, et al

Location of property: 2710 E. Joppa Rd. & Dixon Ave.

Location of Sign: Towson, Maryland & Baltimore, Md. Joppa Rd.

Remarks: 1st publication - County of Baltimore

Posted by: M.H. Jung Date of return: 6/21/88

Number of Signs: 1

**"DUPLICATE"**  
**CERTIFICATE OF PUBLICATION**

TOWSON, MD. June 23, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 23, 1988

THE JEFFERSONIAN,  
S. Zake Orban  
Publisher

33.75

Office of **PATUXENT**  
10750 Life Patuxent Pkwy  
Columbia, MD 21044

July 11 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL EXCEPTION

was inserted in the following:  
 Catonsville Times TOWSON FLIER #27.90  
 Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 11 day of July 19 87, that is to say, the same was inserted in the issues of

July 9, 1987

PATUXENT PUBLISHING CORP.  
By: [Signature]

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

vs

Defendant

CERTIFICATE OF PUBLICATION OF

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: 7/6/87

Posted for: Special Exception & Variance

Petitioner: Mario Buscemi, et al

Location of property: 2710 E. Joppa Rd. & Dixon Ave.

Location of Sign: Towson, Maryland & Baltimore, Md. Joppa Rd.

Remarks: 1st publication - County of Baltimore

Posted by: M.H. Jung Date of return: 7/6/87

Number of Signs: 1

**"DUPLICATE"**  
**CERTIFICATE OF PUBLICATION**

TOWSON, MD. June 22, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES a weekly newspaper printed and published in Towson Baltimore County, Md. once in each of 1 successive weeks, the first publication appearing on June 22, 1988

TOWSON TIMES,  
S. Zake Orban  
Publisher

Case No. 88-64-1A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21284

Your petition has been received and accepted for filing this 22 day of June, 1987.

Received by: [Signature]  
Chairman, Zoning Plans Advisory Committee

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. July 9, 1987

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing July 9, 1987

THE JEFFERSONIAN,  
[Signature]  
Publisher

**"DUPLICATE"**  
**CERTIFICATE OF PUBLICATION**

TOWSON, MD. June 22, 1987

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN a weekly newspaper printed and published in Towson Baltimore County, Md., appearing June 22, 1987

THE JEFFERSONIAN,  
[Signature]  
Publisher

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ANGEL ARON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

July 22, 1987

Mr. Mario Buscemi  
Mrs. Agatha Buscemi  
Mr. Anthony Buscemi  
Mr. John Buscemi  
3006 White Avenue  
Baltimore, Maryland 21214

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE  
NW/cor. Joppa Rd. and Dixon Ave.  
(2710 East Joppa Rd.)  
9th Election District - 6th Councilmanic District  
Mario Buscemi, et al - Petitioners  
Case No. 88-64-1A

Lady and Gentlemen:

This is to advise you that \$78.65 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,  
[Signature]  
ANGEL ARON  
Zoning Commissioner  
AJ:med

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Mr. John Buscemi  
13418 Jorrettaville Pike  
Pikesville, Maryland 21131

Re: Petition for Special Exception  
CASE NUMBER: 88-64-1  
NW/cor. Joppa Road and Dixon Avenue  
(2710 E. Joppa Road)  
9th Election District - 6th Councilmanic  
Petitioner(s): Mario Buscemi, et al  
HEARING SCHEDULED: THURSDAY, JULY 14, 1988 at 9:00 a.m.

Date: June 23, 1987

Dear Mr. Buscemi:

Please be advised that \$100.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

**THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.**

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 52938

DATE: 7/14/88 ACCOUNT: 64-615-000

AMOUNT: \$ 100.95

RECEIVED FROM: Buscemi

FOR: Patricia Haines 7/14/88 Haines

VALIDATION OR SIGNATURE OF CASHIER

Mr. Mario Buscemi  
Mrs. Agatha Buscemi  
Mr. Anthony Buscemi  
Mr. John Buscemi  
3006 White Avenue  
Baltimore, Md. 21214

June 22, 1987

NOTICE OF HEARING  
RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE  
NW/cor. Joppa Rd. and Dixon Ave.  
(2710 East Joppa Rd.)  
9th Election District - 6th Councilmanic District  
Mario Buscemi, et al - Petitioners  
Case No. 88-64-1A

TIME: 11:15 a.m.

DATE: Wednesday, July 29, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

AJ:med

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 32556

DATE: 7/14/88 ACCOUNT: 61-615-000

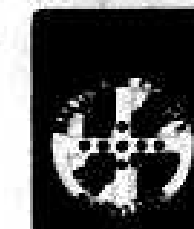
AMOUNT: \$ 200.00

RECEIVED FROM: Haines

FOR: SE - Vol. # 922

VALIDATION OR SIGNATURE OF CASHIER

May 21, 1987



Dennis F. Rasmussen  
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 Chesapeake Avenue in Townson, Maryland as follows:

Petition for Special Exception  
Case No. 423 - Case No. 88-64-XA  
Petitioner: Mario Buscemi, et al  
Petition for Special Exception and Zoning Variance

Special Exception For a Class "B" Office Building.

In the event that a petition is granted, a building permit may be issued upon the condition that the applicant, petitioner, the Zoning Commissioner will, however, be responsible for the cost of the issuance of said permit during this period of the hearing. Such request must be in writing and received in the office of the Zoning Commissioner on or before the date of the hearing set above or presented at the hearing.

cc: John Buscemi  
Douglas Burgen, Inc.  
Dave Drought/MS&S Inc.  
File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 20, 1987

COUNTY OFFICE BLDG.  
111 N. Chesapeake Ave.  
Townson, Maryland 21284

Chairman

Members

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Mr. John Buscemi  
3006 White Avenue  
Baltimore, Maryland 21214

RE: Item No. 423 - Case No. 88-64-XA  
Petitioner: Mario Buscemi, et al  
Petition for Special Exception and Zoning Variance

Dear Mr. Buscemi:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

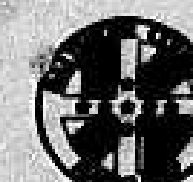
*James E. Dyer*

JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:bj

Enclosures

cc: File



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3350

C. Richard Moore  
Acting Director

May 11, 1987

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Townson, Maryland 21204

Item No. 423  
Property Owner: -ZAC-  
Location:  
Existing Zoning:  
Proposed Zoning:

Meeting of April 28, 1987  
John Buscemi, et al  
NW corner Joppa Road and Dixon Avenue  
R.O.  
Special Exception for a Class "B" Office Building and a Variance to permit 22.4% of Amenity Open Space in lieu of the required 25%  
13,618 square feet  
9th Election District

Area:  
District:

Dear Mr. Jablon:

Please see the C.R.G. comments for this site.

Very truly yours,

*Michael S. Flanigan*

Michael S. Flanigan  
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Townson, Maryland 21204

Zoning Item # 423, Zoning Advisory Committee Meeting of 4-28-87

Property Owner: John Buscemi et al

Location: NW corner Joppa Road and Dixon Ave. District 9

Water Supply: Miller Sewage Disposal: Miller

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (x) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

MSQ 1 4/86

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner, Date: September 2, 1988  
FROM: Gary L. Kerns, Chief, Current Planning and Development, Date: 9/2/88  
SUBJECT: Carney View

RECEIVED ZONING OFFICE  
DATE: 9/2/88

This memo is in response to your suggestion for the representatives of Mr. John Buscemi (developer) to request a revised comment from this office indicating that the conditions of the CRG approval have been satisfied. These conditions of the CRG approval, namely the soil boring data for storm drain design and the determination of adequacy for the storm water management outfall have been adequately addressed.

The following is a partial summary of official comments generated through the CRG process and the Zoning Special Exception Hearing. This summary and the resulting actions addressing these comments were recently submitted to this office by Mr. David J. Broughton of Hicks Engineering Co., Inc. To the best of my knowledge, this summary is an accurate compilation of information and comments regarding the storm drain issues.

- ITEM 1 From the conclusions of the CRG meeting minutes of March 5, 1987, granting conditional approval to the plan based on two conditions:
  - Condition No. 1. "The outcome of the soil borings for storm drain design approval."
  - Condition No. 2. "The outcome of the zoning special exception hearing and the variance (if needed)."
- ITEM 2 From the Baltimore County Zoning Plans Advisory Committee - comment letters, transmitted on July 20, 1987 to Mr. Buscemi:
  - 1. Inter-office Correspondence - July 8, 1987 from Mr. Norman E. Gerber, AICP, Director - Office of Planning and Zoning, to Mr. Arnold Jablon - Zoning Commissioner"This proposal received CRG approval on March 5, 1987, conditioned on the granting of the subject variance and resolution of the matter of storm drain outfall."
- ITEM 3 From the SMW Waiver Request approval letter of February 29, 1988. - Mr. Robert Sheesley, Director - Department of Environmental Protection and Resources Management, to Mr. David J. Broughton - Project Manager - Hicks Engineering Company, Inc.

Carl - 9-2-88  
This memo is to resolve restriction #6 of the Order. Please file and file correctly. Microfilm All WOR

Zoning Item # 423, Zoning Advisory Committee Meeting of 4-28-87

- ( ) Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- ( ) Soil percolation tests (have been/must be) conducted.
  - { } The results are valid until
  - { } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test:
  - { } shall be valid until
  - { } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- ( ) Others

*John J. Furness*  
John J. Furness, Director  
BUREAU OF ENVIRONMENTAL SERVICES

Baltimore County  
Fire Department  
Townson, Maryland 21284-2586  
894-6500

Paul H. Bencick  
Chief

April 28, 1987

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Townson, MD 21204

Re: Property Owner: John Buscemi, et al

Location: NW corner Joppa Road and Dixon Avenue

Item No.: 423 Zoning Agenda: Meeting of 4/28/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Jones* Noted and Approved: *John E. O'Neill*  
Standing Group: Fire Prevention Bureau  
Special Inspection Division

/s/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner, Date: July 8, 1987  
Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petition No. 88-64-XA

This proposal received CRG approval on March 5, 1987, conditioned upon the granting of the subject variance and resolution of the matter of storm drain outfall.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:sib

RECEIVED  
JUL 10 1987  
ZONING OFFICE

1. SWM quantity management waived.
2. Water quality measures required.
3. "A suitable outfall for the site runoff is required."

(See attached letters for Items 1, 2, and 3.)

In accordance with ITEM 1, the geotechnical engineering firm of Earth Engineering and Sciences, Inc. (E251) was retained by Mr. Buscemi. Four individual test borings were taken in late May 1987 and a subsurface investigation report was delivered to Hicks Engineering Company, Inc. on June 11, 1987.

These borings revealed primarily Type B soils which are suitable for storm water management by infiltration. As a result of this grant of the SWM waiver for quantity control, the SWM facility design has been reduced in size and scope to only accommodate that necessary for water quality control. Additionally, a marginally infiltratable strata of sandy clay loam (Type C soil) between approximately 5-8 feet below the existing ground and within the SWM facility limits, will be completely removed, and replaced with sandy soils of high infiltration characteristics. That will provide a homogeneous strata of good infiltratable soil from the bottom of the infiltration storm storage down to at least 15 feet below the existing grade.

The proposed storm water management outfall will consist of several PVC pipes through the proposed curb on the west side of Dixon Avenue. That runoff will traverse northward along the proposed gutter of the Carney View site, then continue along the existing edge of road (swale section) till its banks into the existing stream crossing under Dixon Avenue. The stream is approximately 100 feet from the intersection of Joppa Road. This is an existing roadside drainage swale (or outfall) that is functioning well with no evidence of erosion or pavement damage problems.

If there is any further specific information required, I suggest contacting the engineer, Mr. David Drought at Hicks Engineering.

*David Drought*  
Director, Planning and Zoning

Hicks Engineering, 200 East Joppa Road, Suite 402  
Towson, Maryland 21284

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Gary Kerns, Office of Current Planning, August 29, 1988

FROM: Robert W. Bowling, P.E.

SUBJECT: Carney View  
"CLASS B" OFFICE BUILDING  
Storm Drain Outfall

Hicks Engineering Company has submitted a plot of Carney View showing their method of taking care of the drainage from their site onto Dixon Avenue. Their method is satisfactory to this office.

*Robert W. Bowling*  
Robert W. Bowling, P.E., Chief  
Developers Engineering Division

REB:RCP:pab  
cc: Hicks Engineering  
CARNEYVI/XTERRM04



BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: 3/5/87  
(continued from 11/19/86)

FROM: ZONING OFFICE

PROJECT NAME: Carney View PLAN: 1/21/87

LOCATION: SW/cor. Joppa Road and Dixon Avenue REV: REV:

DISTRICT: 9th Election District REVISED PLAN KEY:  
COMPLIANCE WITH COMMENT CHECKED  
NON-COMPLIANCE IS CIRCLED  
ADDITIONAL COMMENTS ADDED LAST

1. A special exception zoning hearing would be required for a "Class B" office building, and a variance to permit 20% Amenity Open Space in lieu of the required 25%. (Section 203.4, BCZR). Partitions have not been filed in the Zoning Office as of this writing.
2. Correct the A.O.S. calculations to include approximately 15,000 sq.ft. Gross R.O. Area (.344 Acres) x 25% = 3,750 sq.ft. (.086 Acres) required A.O.S. Provided -- 3105 sq.ft. (.07 Acres) 20%. Also correct the F.A.R. calculations. If the building was moved 2' East, the area behind the building could be included in A.O.S.
3. Include Note #16 on the 11/19/86 plan: "The sign (8 sq.ft.) on the building wall is non-illuminated, per Section 203.3.C (BCZR)."
4. Correct the zoning lines and designations on the adjoining properties to match the 1"=200' zoning map #NE9E.
5. Include the use of #9604 Dixon Avenue.

*W. Carl Richards*  
W. CARL RICHARDS  
Zoning Coordinator

MCR:bjjs  
Additional calculations have determined the gross site area to be 16,200 sq. ft. (120' x 135'). The required A.O.S. would be 4,050 sq. ft. Only 3,670 sq. ft. is provided.

*David Drought - 499-0001*

Baltimore County  
Department of Environmental Protection  
& Resource Management  
County Courts Building  
601 E. Joppa Avenue  
Towson, Maryland 21284  
496-6723

Robert W. Sheehey

February 29, 1988

Hicks Engineering Company, Inc.  
200 East Joppa Road, Suite 402  
Towson, Maryland 21284

Attn: David J. Drought

Re: Storm Water Management Waiver Request  
Carney View  
Dixon Avenue at Joppa Road

Gentlemen:

This office has reviewed the subject waiver request and hereby grants approval under Section 2-130.3(a) 1 and 2. Water Quality measures are required. Contact Department of Environmental Protection and Resource Management Water Quality section for recommendations.

A suitable outfall for the site runoff is required.

Very truly yours,

*Robert W. Sheehey*  
Robert W. Sheehey  
Director

RMS:RAM:sp

cc: Rick Dille, ECD  
Alonzo Childress, Bureau of Engineering  
James Matile, Bureau of Public Services  
File

COUNTY REVIEW GROUP MEETING MINUTES

Thursday, March 5, 1987

CARNEY VIEW - DIST: 9C4

COUNTY REVIEW GROUP - THOSE PRESENT

Peter Paff, Chairman - Dept. of Public Works  
Gary Kerns, Co-Chairman - Office of Current Planning

AGENCY REPRESENTATIVES

Bob Bowling - Developers Engineering Division  
Capt. Jos. Kelly - Fire Department  
Rahim Famili - Traffic Engineering Department  
Carol McEvoy - Aide, Councilman Evans

DEVELOPER AND/OR REPRESENTATIVES

Donald E. Hicks - Hicks Engineering Co., Inc.  
David J. Drought - Hicks Engineering Co., Inc.  
John Buscemi - Owner

\*Interested Citizens - See Attached Sheet

Mr. Paff opened the meeting at 11:20 a.m., introduced the staff, and explained the purpose of the meeting. Mr. Hicks presented the Plan.

Mr. Kerns summarized the staff comments submitted from Fire Department, Bureau of Engineering, Bureau of Sanitation, Traffic Engineering Department, Health Department and Office of Planning and Zoning. These comments have been made a part of these minutes, and a copy was also given to the developer and developer's engineer.

The citizens were invited to comment. Mr. Dow asked if there will be an office in the basement. The developer will put a note on the Plan that storage in basement only. Mr. Rowe was concerned about the size of the lot. The developer showed Mr. Rowe the Plan as it was dimensioned.

The staff comments were addressed as follows: Bureau of Engineering, Storm Drain Design indicated that since infiltration will be used to provide full storm water management soil borings are required for C.R.G. approval. The developer responded that soil borings have not yet been done. Sanitation responded that the dumpster should be relocated for straight access. The developer will contact Sanitation for more information. Traffic Engineering indicated that all landscaping and sight obstructions need to be 10 ft. off the ultimate curb line of Dixon Avenue. Health Department required that the existing building be inspected for asbestos prior to razing. Planning indicated that the building is compatible with the area. Zoning indicated that the special exception hearing would be required for a Class B office building.

The Amenity Open Space Calculations need to be adjusted. A variance will be needed for the 20% AOS in lieu of the required 25%. The zoning lines must be corrected to match zoning map #NE9E.

COUNTY REVIEW GROUP MEETING MINUTES

March 5, 1987

CARNEY VIEW

CONCLUSION: Discussion ended and the Plan was given a "conditional approval" based on the two following conditions: 1. The outcome of the soil borings for storm drain design approval, 2. The outcome of the zoning special exception hearing and the variance (if needed). The appeal process was explained and the meeting was adjourned at 12:30 p.m.

P.P.

C. R. G. MEETING AGENDA

Carney View  
March 5, 1987  
11:00 a.m.

1. Convene Meeting
2. Introductory statement concerning aims and goals of development regulations
3. Introduction of County representatives
4. Presentation of Plan by developer's representative
5. Comments of County agencies
6. Citizens' comments or questions
7. Developer's response
8. County Review Group Decision
9. Adjourn meeting

SIGN IN

*Wm. H. Rowe  
E. J. Papp  
P. Jensen  
Richard W. Dow*

*2813 E. Joppa Rd  
21234  
631 CHULL LN. 21282  
2416 E. Joppa Rd. 21283*

88-64X

*Mr. Hicks - Register P.E.  
No Medical Offices  
Hours of Operations  
Landscaping taken care of.*

*? Lighting - 10 ft.*

*? Hours*

*? Storm Water - Planning*

*Parking vs. Employees*

*No Parking on Joppa Rd.*

*No Parking on Dixon Ave. by any employees, tenants, business*

*If parking is required above the 10 employees then Petitioner shall rent parking or*

*No more than ten 10 employees*

Mr. Buccini Carney 88-64X

Have brought  
Hicks Eng.  
200 E Joppa Road  
Towson, MD 21284  
494-0001

+ per hearing notice  
therefore

Carl: Re: 88-64X  
Doug Burgess sent this white  
envelope to my attention. It  
contains revisions regarding the  
above file. You took in the  
original. Therefore, would you  
please take care of this and  
return the file to me when it  
is ready to be scheduled for  
hearing.

Thanks,  
John

Re: 88-64-XA  
Monday, April 11, 1988 -  
Spoke w/ Doug -  
He promised to enter appearance  
by end of week and advise  
as to rescheduling.

[Signature]

88-64X  
[Handwritten notes and signatures]

can be - can re-schedule you  
of late & lot to do - see what  
to reschedule or report must  
notify late about of any new @ date

4/15/87 #423

Was informed that an  
AHJ is required for  
this hearing

Carl



3401 CARLINS PARK DRIVE BALTIMORE, MARYLAND 21215 TEL: 484-1400  
June 11, 1987

Hicks Engineering  
200 East Joppa Road  
Suite B 402  
Towson, MD 21284

Attn: Mr. Donald Hicks

Re: Subsurface Investigation  
Storm Water Management Facilities  
Carney View  
Our Contract No. 87-157

Dear Mr. Hicks:

Pursuant to your verbal authorization, we have completed the  
subsurface investigation at the above referenced site. This  
letter report presents the results of our findings.

The project site is located in the northwest corner of the  
intersection of Dixon Ave. and Joppa Road in Baltimore County,  
Maryland. The project consists of constructing a 2-story office  
building at the southwest corner of the property, parking  
facilities and storm water management facilities (SWMF). The  
basic purpose of the investigation was to evaluate the subsurface  
conditions in the area of the proposed SWMF for design of the  
SWMF.

The scope of our service was to drill four (4) borings about 15  
feet deep or refusal at locations selected and field staked by  
others. The information specifically required included soil  
classification, USDA and Unified, depth to rock, groundwater, if  
encountered, and prepare a report of our findings.

The existing topography of the site slopes down gently from,  
about El. 380 at the southwest corner of the site to about El.  
375 at the northeast corner. Cuts and fills on the site will be  
minimal. One infiltration bed is planned in the area of Boring  
SB-1 and SB-2 and a second facility is planned in the area of  
boring SB-3 and SB-4.



Re: Subsurface Investigation  
Storm Water Management Facilities  
Carney View  
Our Contract No. 87-157

June 11, 1987  
Page 2

The field investigation was conducted in May 1987. A total of  
four (4) borings were drilled at the approximate locations shown  
on Figure 1 "Test Boring Location Plan". The borings were  
drilled using a truck mounted drill rig. Holes were advanced  
using hollow stem augers. Standard penetration tests (SPT) were  
conducted and split spoon samples were obtained at 2.5 foot  
intervals in the upper ten feet and at 5 feet thereafter.  
Representative portions of each split spoon sample were placed  
in glass jars and shipped to our laboratory for testing.  
Groundwater was monitored during drilling and at 24 hours.

All samples were visually classified in the laboratory by a  
geotechnical engineer to modify and/or corroborate the field  
classification. In addition to this, gradation and Atterberg  
limit tests were conducted on seven (7) split spoon samples.  
Edited boring logs and soil test results are included herein.

The subsurface stratigraphy at the site consists of about 3 to 4  
inches of topsoil in the area of boring SB-3 and SB-4. No  
topsoil was encountered in borings SB-1 or SB-2. Beneath the  
topsoil in SB-3 and SB-4 and from the surface in the area of SB-1  
and SB-2, the soil is a brown sandy silt which extends to a depth  
of about 2 feet. This layer is underlain by a layer of silty  
sand in boring SB-2, about 3 feet thick. Beneath the sandy silt  
in SB-1, SB-3 and SB-4 and the silty sand in SB-2, the soil is a  
mixture of silty clay, clayey silt and clayey sand which extends  
to a depth of 5 to 8 feet. This is underlain by silty sand/sandy  
silt which extends to the bottom of the boring, 15 feet. Standard  
penetration varies from 4 to 39 blows per foot and averages about  
17 blows per foot.

The clayey silty soils encountered between a depth of 2 and 8  
feet would be classified as loam or sandy clay loam by the USDA  
Textural Classification and CL, ML, MH or SC by the Unified  
System. The loam soils belong to the Hydrologic Soil Group B.  
The sandy clay loam falls into Group C and is considered marginal  
for storm water management by infiltration.



Re: Subsurface Investigation  
Storm Water Management Facilities  
Carney View  
Our Contract No. 87-157

June 11, 1987  
Page 3

the silty sand/sandy silt soils encountered from 5 to 8 feet  
below the surface and extending to the bottom of the boring are  
classified as loam or sandy loam by the USDA Textural Classifica-  
tion and SW or ML by the Unified System. These soils are included  
in the Hydrologic Soil Group B and are considered suitable for  
storm water management through infiltration. The USDA Textural  
Classification for each sample tested is shown on the grain-size  
distribution sheet and the Unified Classification for each soil  
type is shown on the boring log.

The type of SWMF and infiltration rate to be used for design will  
depend on the type of soil existing at the bottom and in the  
subgrade below the SWMF. The following infiltration rates are  
recommended based on the USDA Soil Textural Classification.

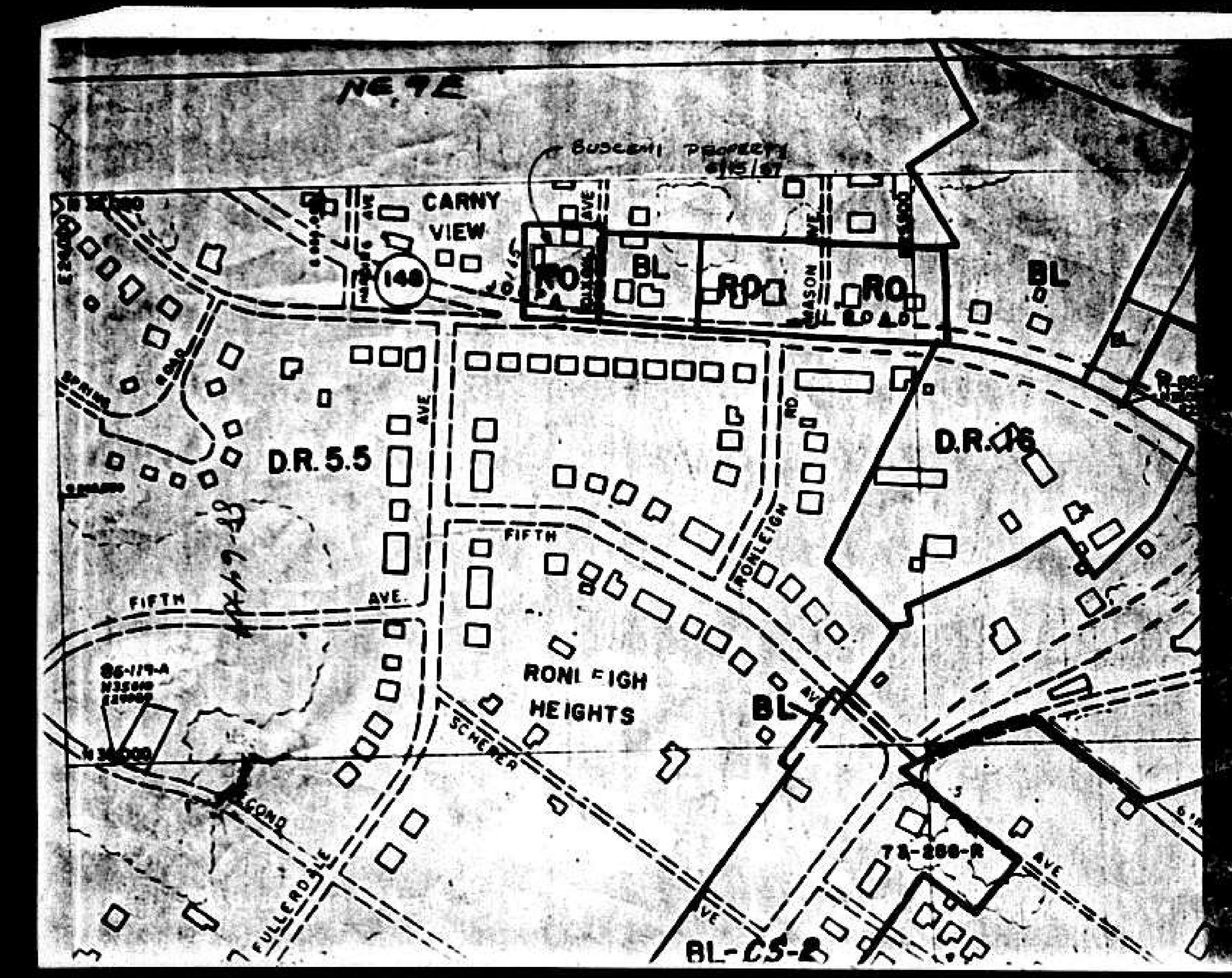
USDA Soil Textural Classification	Minimum Infiltration* Rate (Inches per hour)
Sandy Loam	1.02
Loam	0.52
Sandy Clay Loam	0.17

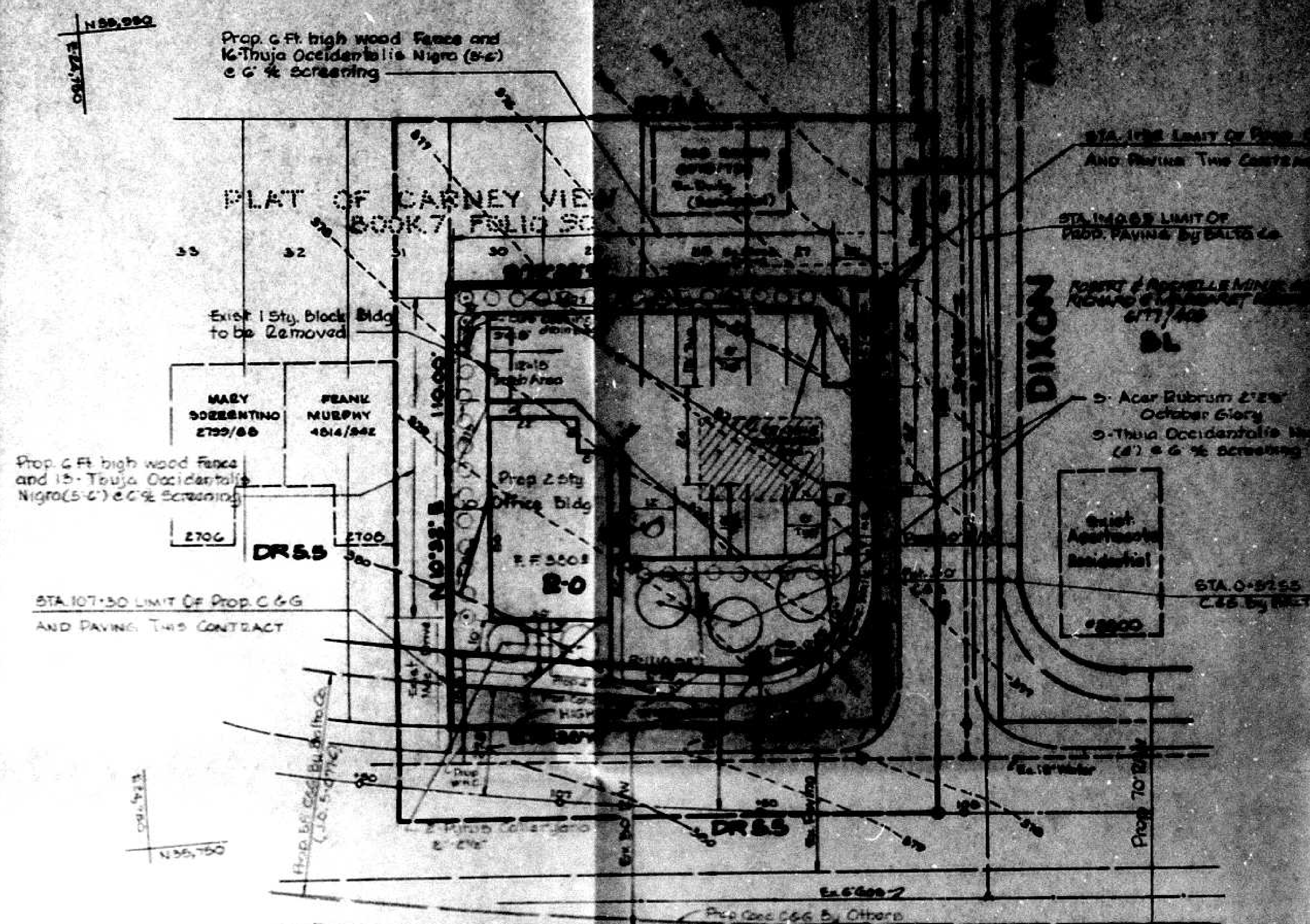
\* Source: Rauls, Brakensick & Saxton, 1982  
We appreciate the opportunity to work with you on this project.  
If you have any questions, please contact us.

Very truly yours,  
EARTH ENGINEERING & SCIENCES, INC.

Edward H. Dalton, P.E.  
Vice President

EHD:ehc  
Encl.





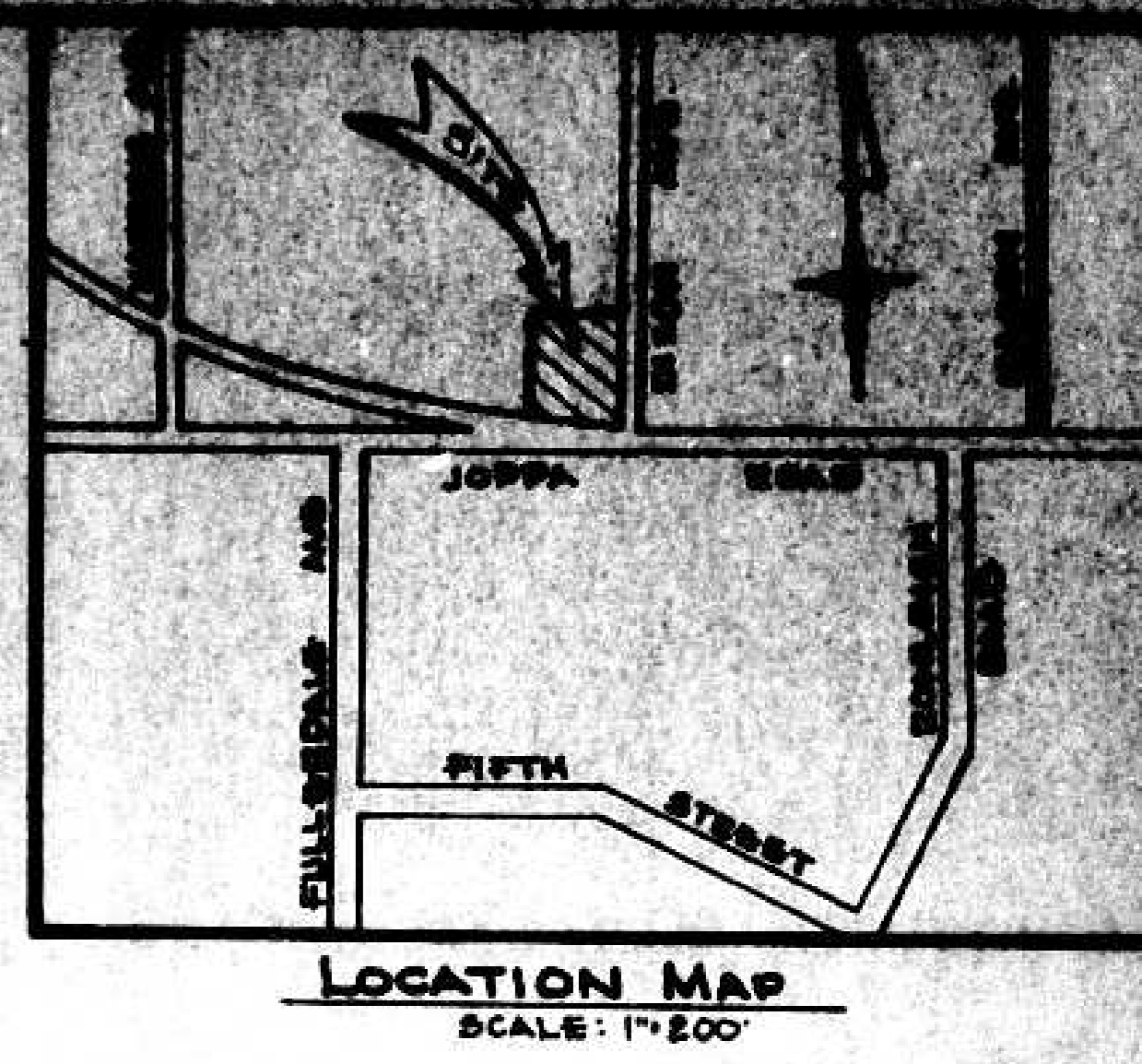
Planting	100' x 100'	100
Screening	100' x 100'	100
Total		200

### SITE ANALYSIS

Gross Area of Site	152' x 120'	18,240 S.F.
Future Roadway Widening		2,222 S.F.
Net Area of Site		16,018 S.F.
Existing Zoning		R.O.
Proposed Zoning		Class 'B' General Office Bldg.
Existing Use		Vacant
Proposed Use		Parking & Office Bldg.
Amenity Open Space (A.O.S.)		
Gross Area		15,040 S.F.
Required A.O.S.	.25 x 18,040	4,510 S.F.
Provided A.O.S.	2,566 + 2,540 (24%)	5,106 S.F.
Floor Area Ratio		
Gross B.O. Area		15,040 S.F.
Maximum Allowed	5 x 18,040	90,200 S.F.
Proposed Area	14,366 + 5	14,371 S.F.

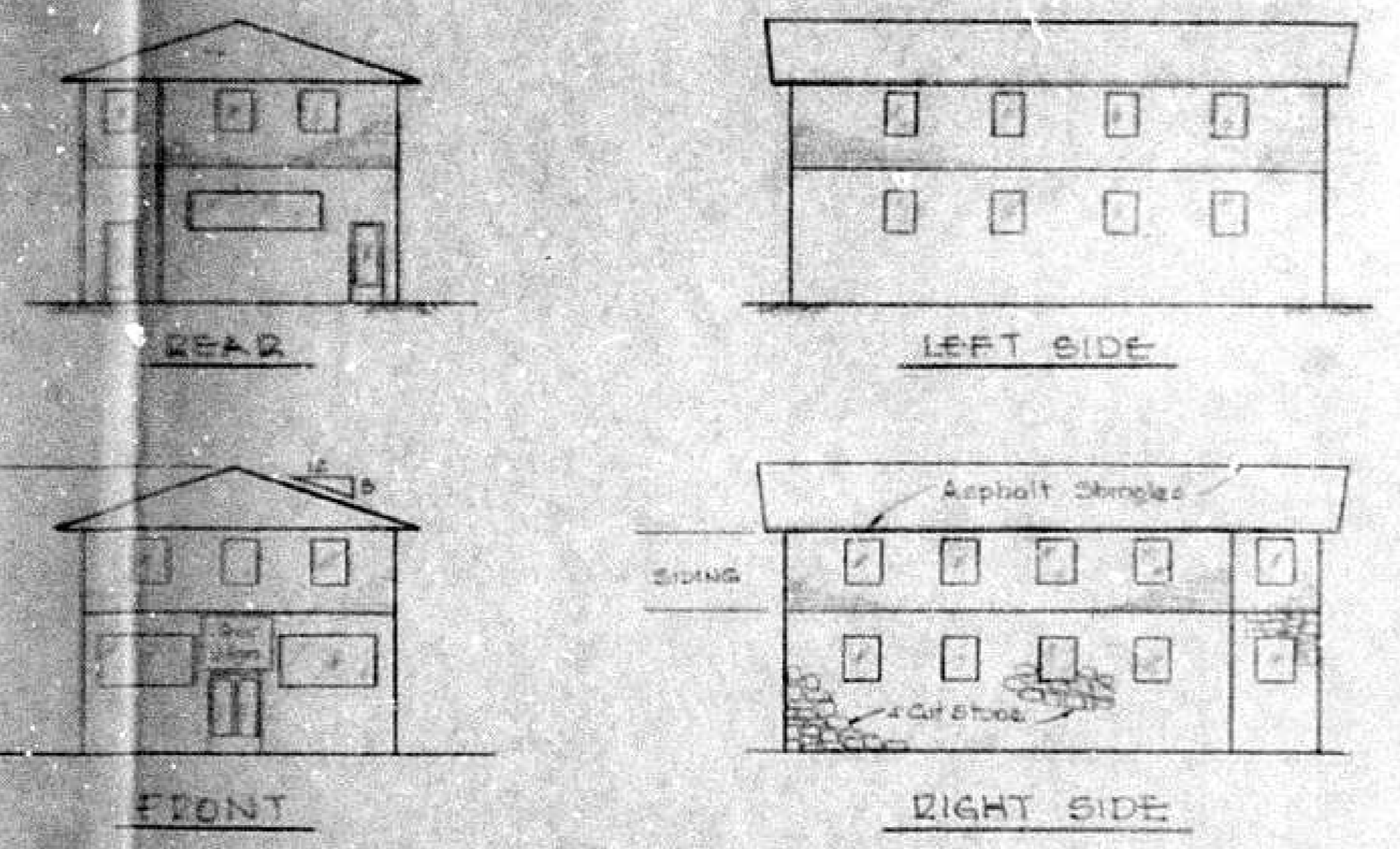
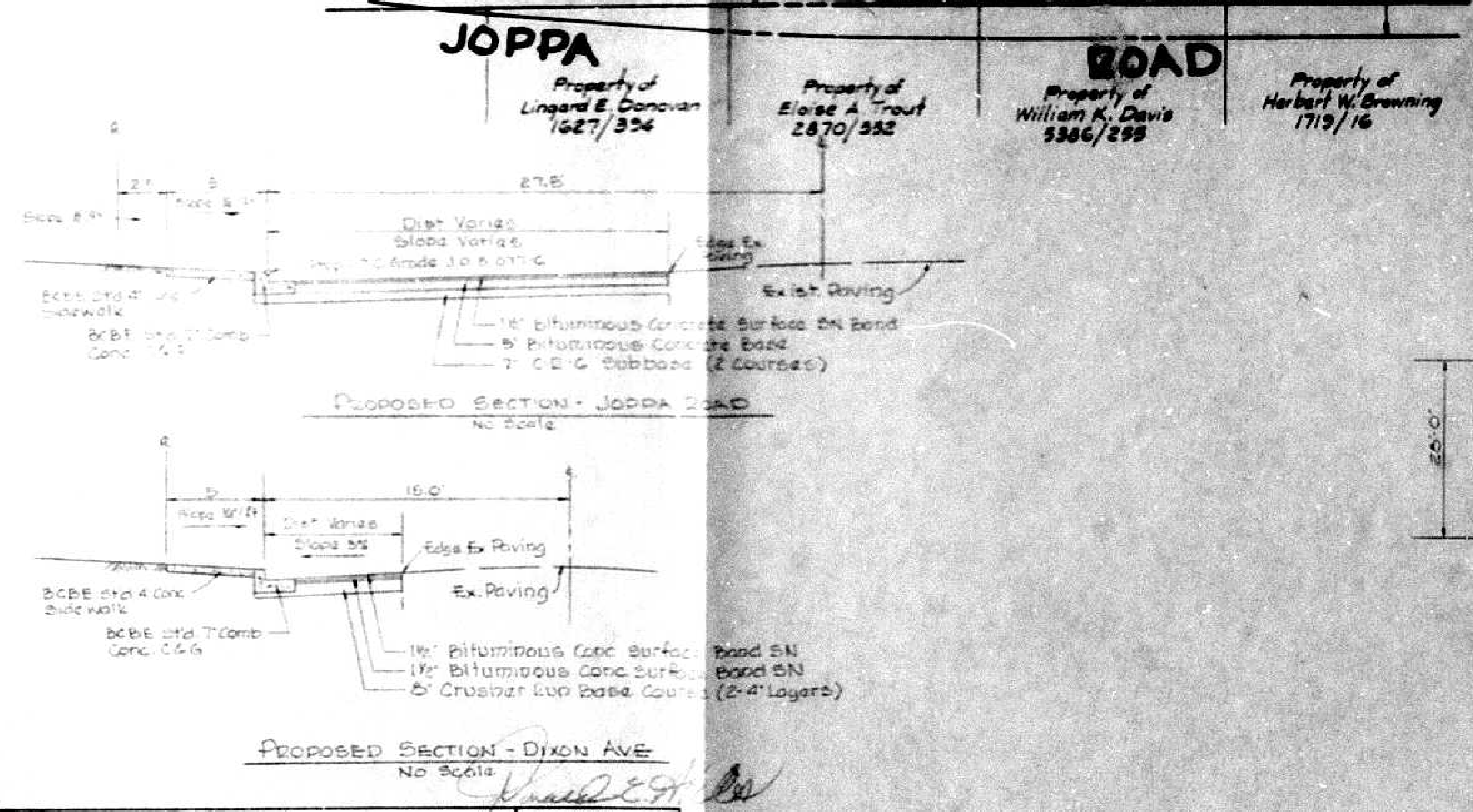
### PARKING DATA

Basement	1436 S.F. + 500	3 Spaces
1st Floor	1436 S.F. + 500	3 Spaces
2nd Floor	1436 S.F. + 500	3 Spaces
Total required		11 spaces
Total provided		11 spaces (incl 1 handicapped)



### GENERAL NOTES

- Election District D-C-4 Census Tract 4010
- Watershed G Subwatershed 1B
- There are no existing or proposed wells & septic areas on this site.
- Entire site is Soil Type C1-B  
Limitations for Buildings - Slight  
Limitations for Streets & Parking Lot - Moderate Slope
- Existing grades are suitable for Office Use. Grading will be done as necessary to accommodate development. There is no significant vegetation on the site which would require special consideration during construction.
- The existing one story block building will be completely removed.
- This development is a part of "Carney View" recorded in Plat Book 7, Folio 30 which was never developed.
- There are no parhandle driveways on this site.
- There are no historic buildings within the development area.
- Estimated Average Daily Trips - 62
- Topography shown hereon is based on Balto. County Position Sht 56 NE 17.
- Existing utilities shown hereon are from Balto. County Bureau of Engineering Drawings No: 31-014 (W), 31-013 (W), and 45-522 (S).
- Lighting fixtures to be located and directed away from adjacent residential areas and streets. Standards to be a maximum of 14 ft. high. Shown thusly.
- All parking and driveway areas will be bituminous paved with concrete curb and gutter.
- Highway improvements to be in accordance with S.H.A. and Balto. County Specifications.
- The sign (B or F) attached to Bldg. wall is non-illuminated (Section 2033C & 2R)
- Estimated hours of operation - 9
- Estimated number of Employees - 10
- Facilities - None
- There are no wetlands, significant geological formations, Archeological sites, Endangered species habitat, hazardous materials, streams, floodplains or critical on this site.
- Encroachment shall be minimized back 10' min. from face of curb to provide adequate sight distance.



**BUILDING ELEVATIONS**  
NOT TO SCALE

OWNER/APPLICANT  
JOHN BUSCENI  
2006 WHITE AVENUE  
BALTO., MARYLAND 21214  
PH. (301) 422-1152  
ACCOUNT NO. 05-0420112157  
DEED REF. 6526/103

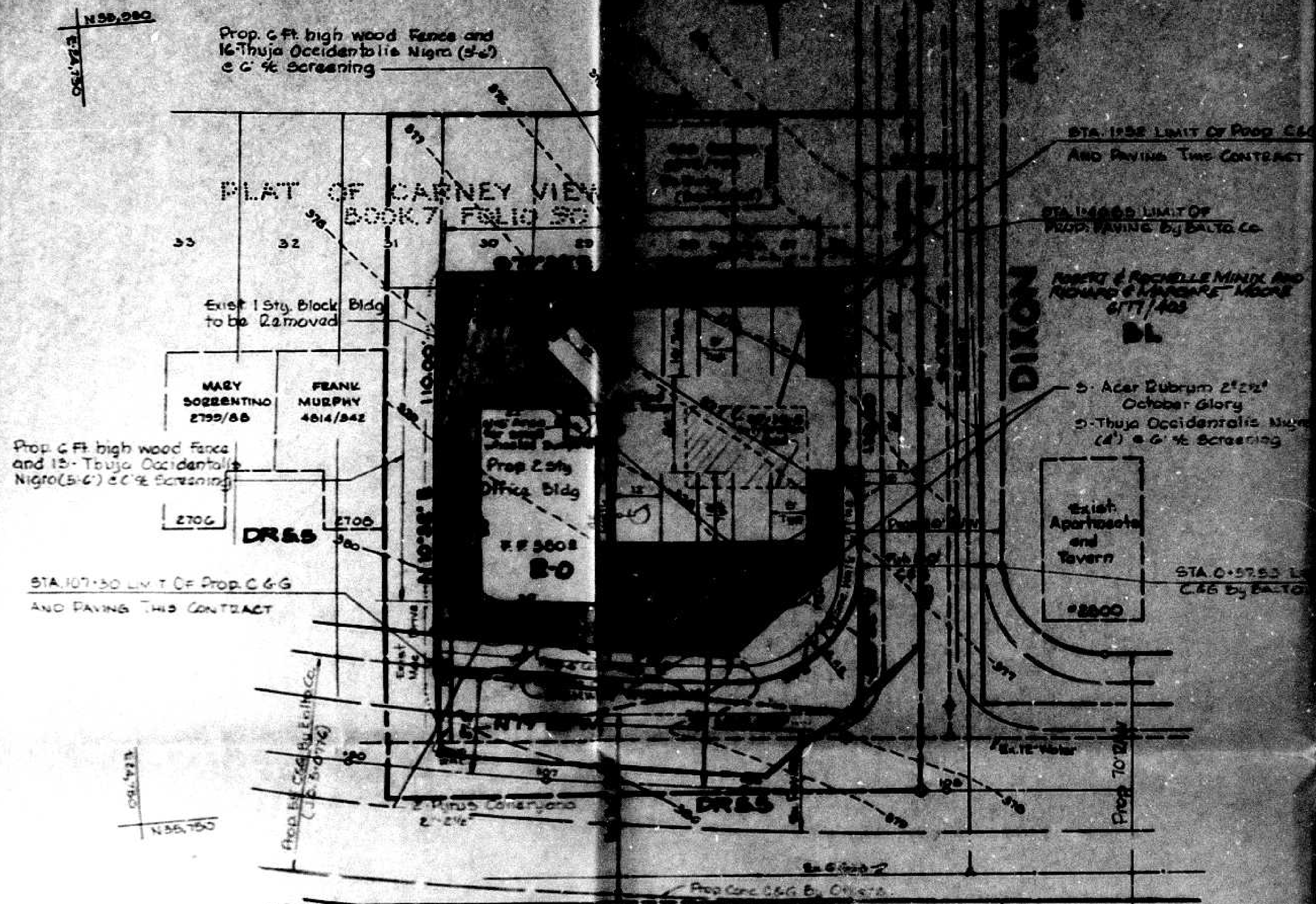
### ZONING SPECIAL EXCEPTION

PUBLIC SERVICES CUG NO. 86048  
PLANNING No.

**CARNEY VIEW**  
ELECTION DISTRICT D-C-4 BALTO. COUNTY, MD  
SCALE: 1"=20'  
JAN. 21, 1987  
REV. 2/25/87  
REV. 4/15/87

**HICKS ENGINEERING COMPANY, INC.**  
200 EAST JOPPA RD.  
SUITE 402  
TOWSON, MD 21284  
PH. 454-0001

*John Busceni*  
John Busceni



Required:

Plantings	218 + 40	6 Trees
Plantings	11 Spaces + 18	1 Tree
Total		7 Trees

Provided:

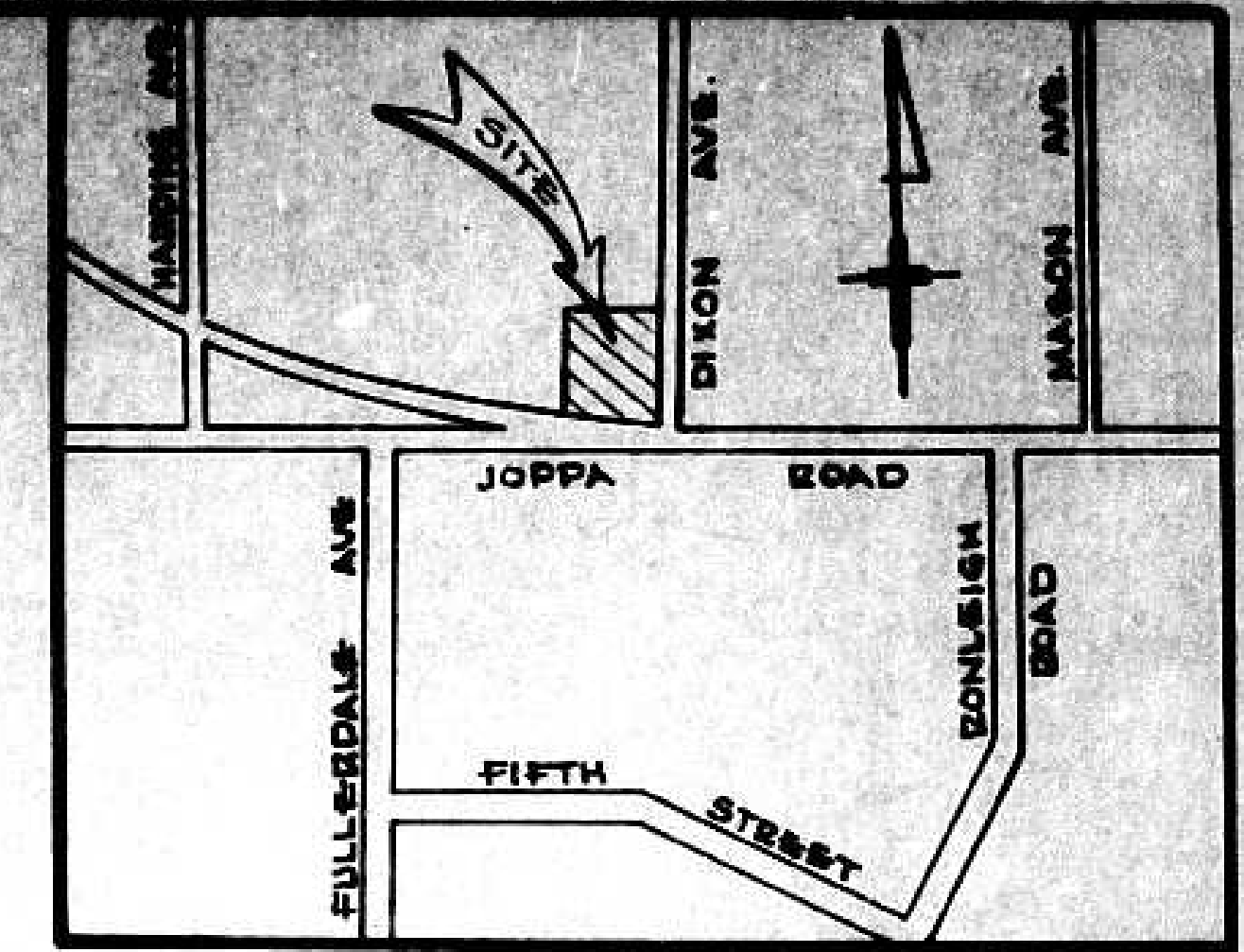
Plantings	Acer Rubrum	5
	Furus	2
Screening	Thuja Nigra	20
Total		27

**SITE ANALYSIS**

Gross Area of Site	15,300 S.F.
Roadway Widening	1,750 S.F.
Net Area of Site	9,300 S.F.
Existing Zoning	R.O.
Proposed Zoning	Class B General Office Bldg.
Existing Use	Vacant
Proposed Use	Parking & Office Bldg.
Amenity Open Space (A.O.S.)	
Gross Area	15,300 S.F.
Required A.O.S. (25%)	3,825 S.F.
Provided A.O.S. (20%)	2,940 S.F.
Floor Area Ratio	
Gross B.O. Area	15,300 S.F.
Maximum Allowed (5%)	7,650 S.F.
Proposed Area	4,300 S.F.

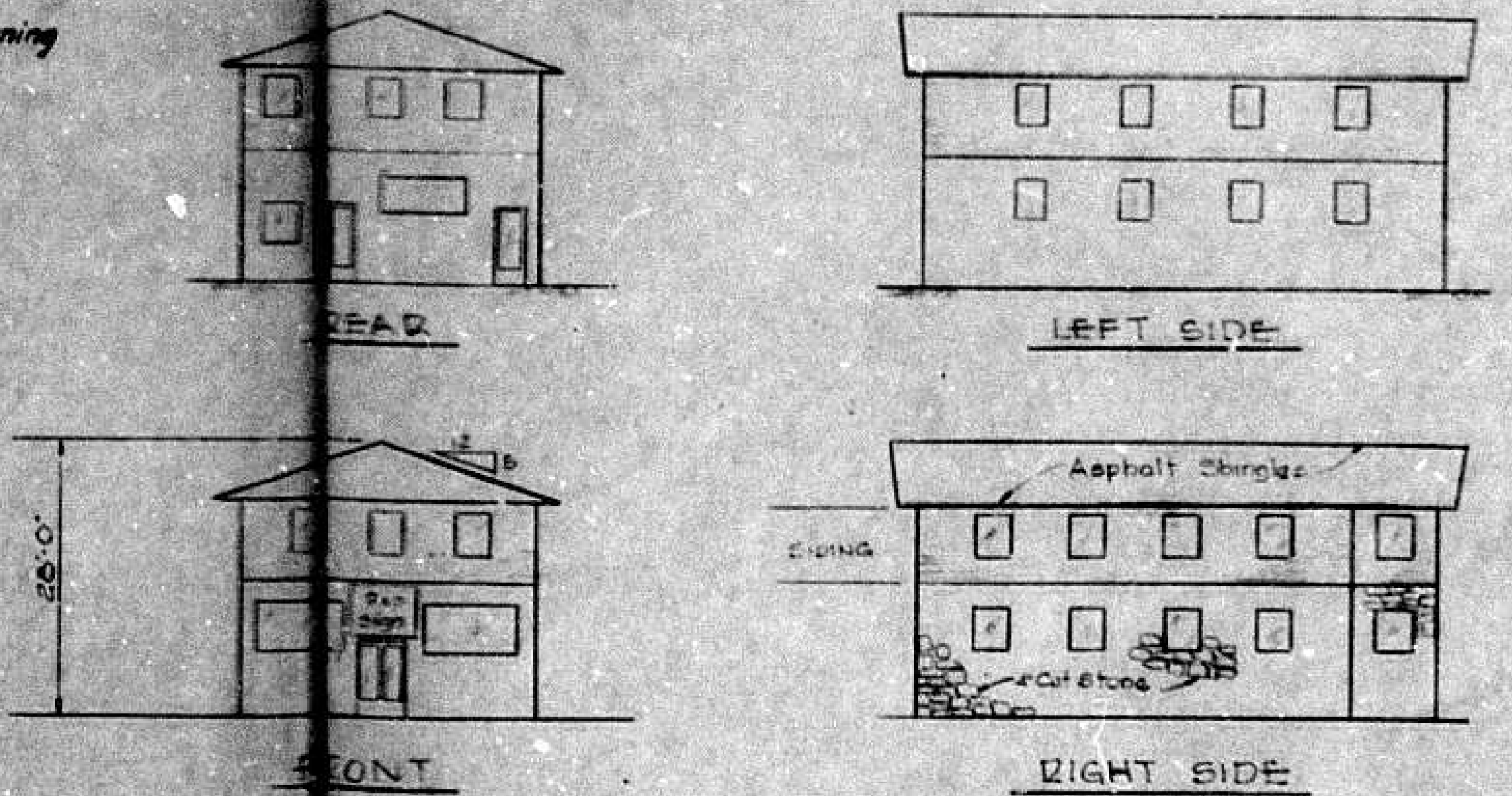
**PARKING DATA**

Basement	1436 S.F. + 500	5 Spaces
1st Floor	1436 S.F. + 500	5 Spaces
2nd Floor	1436 S.F. + 500	5 Spaces
Total required		11 Spaces
Total provided		11 Spaces (incl. 1 handicapped)



**GENERAL NOTES**

- Election District 9 C-4 Census Tract 4010
- Watershed G Sewershed 12
- There are no existing or proposed wells & septic areas on this site.
- Entire site is Soil Type C1-B
- Limitations for buildings - Slight
- Limitations for street & Parking Lot - Moderate Slope
- Existing grades are suitable for Office Use. Grading will be done as necessary to accommodate development. There is no significant wetland on the site which would require special consideration during construction.
- The existing one story block building will be completely removed.
- This development is a part of "Carney View" recorded in Plat Book 7, Folio 32 which was never developed.
- There are no parcel or driveway on this site.
- There are no water or buildings within the development area.
- Estimated Average Daily Traffic - Local + Service - D 4/8/88
- Topography shown herein is based on Balto County Position Sbt 36 NE 17.
- Existing utility lines shown herein are from Balto. County Bureau of Engineering Drawing No. 31-014 (W), 31-013 (W), and 40-052 (S).
- Lighting fixtures to be located and directed away from adjacent residential areas and streets. Standards to be a maximum of 14 ft. high. Shown thusly.
- All parking and driveway areas will be bituminous paved with concrete curb and gutter.
- Highway improvements to be in accordance with S.H.A. and Balto. County Specifications.
- The sign (650 sq ft attached to Bldg. w/ non-illuminated) (Section 202ACR2R)
- Estimated hours of operation - D (8AM-6PM)
- Estimated number of employees - 10
- Special facilities - None
- There are no water table, significant geological formations, Archaeological sites, endangered species habitat, hazardous materials, streams, floodplains or critical areas on this site.
- Setbacks shall be minimum back 10 min. from face of curb to provide adequate sight distance.
- Current Easement Easement Case No. 88-64-XA
- Use zoning will be for general office use - no medical offices.



**BUILDING ELEVATIONS**  
NOT TO SCALE

**OWNER/APPLICANT**  
JOHN BUSCEMI  
5006 WHITE AVENUE  
BALTO., MARYLAND 21214  
Ph (301) 426-1150  
ACCOUNT NO. 09-0420112187  
DEED REF. 6520/193

Area = 4500.00 sq ft  
0.0936 Ac.  
Rad = 14,566.35 ft<sup>2</sup>  
0.334 Ac.

REVISED PLANS  
5/3/88  
Office Copy  
88-64-XA

**ZONING SPECIAL EXCEPTION**  
PUBLIC SERVICES CRG No. 84048  
PLANNING No.  
**CARNEY VIEW**

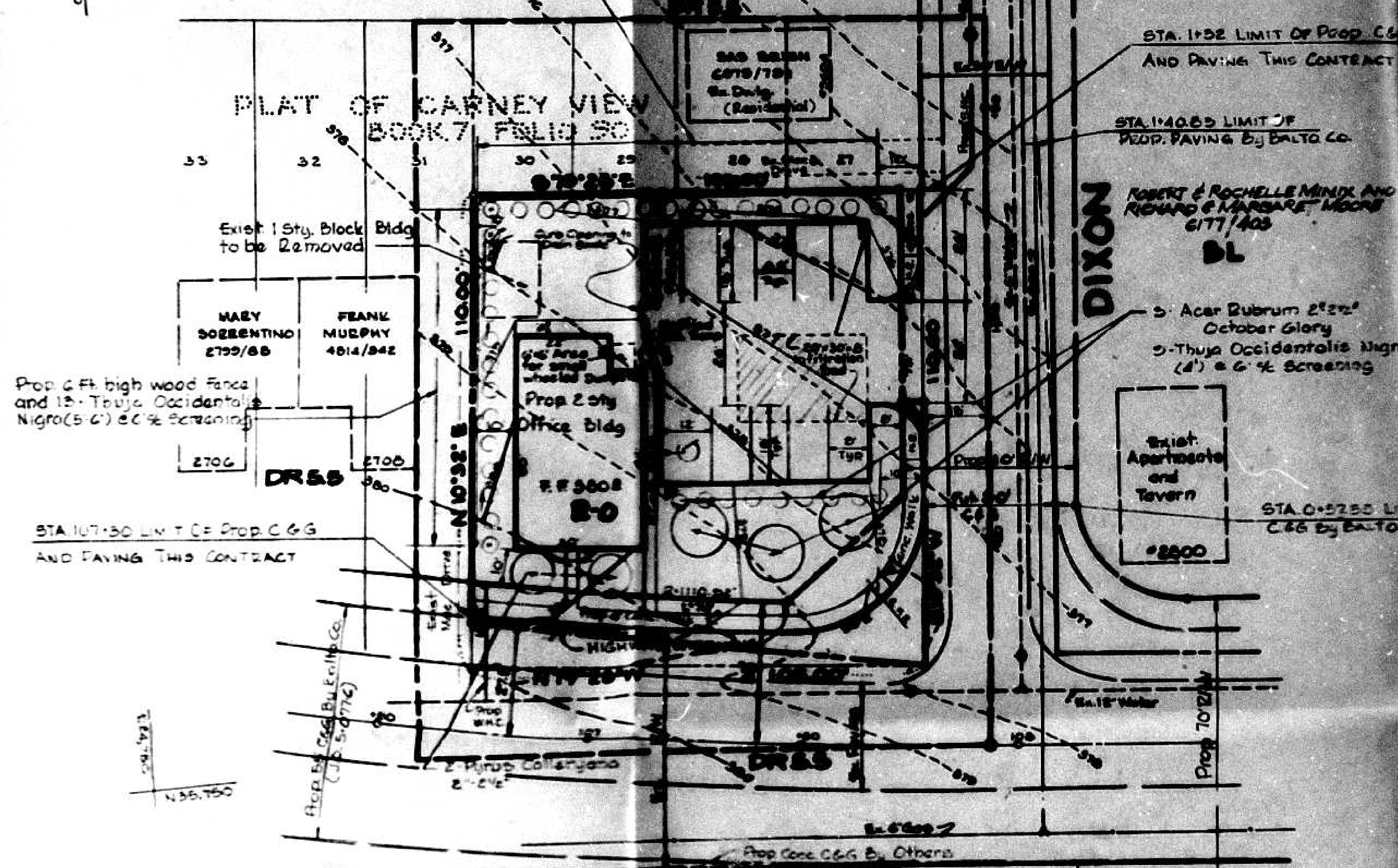
ELECTION DISTRICT 9 C-4 BALTO. COUNTY, MD  
SCALE: 1"=20'  
JAN. 21, 1987  
REV. 2/25/87  
REV. 4/15/87  
REV. 5/11/87  
REV. 4/15/88

**HICKS ENGINEERING COMPANY, INC.**  
200 EAST JOPPA RD.  
SUITE 402  
TOWSON, MD. 21204  
PH. 424-0001

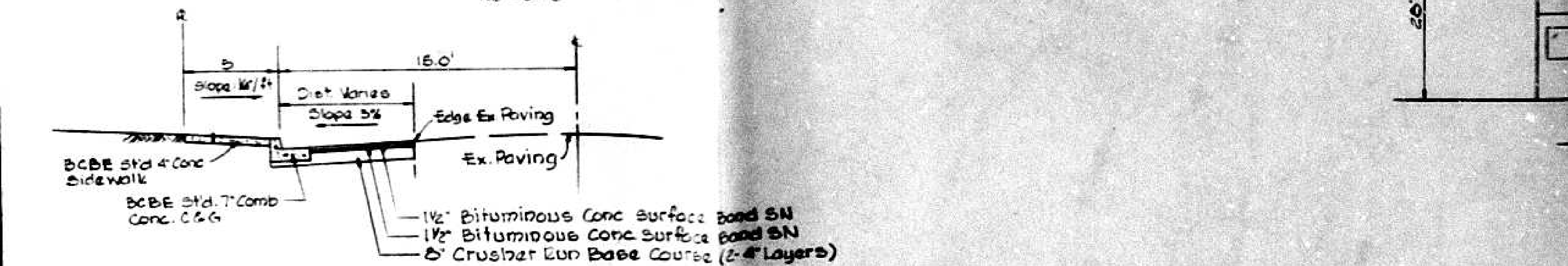
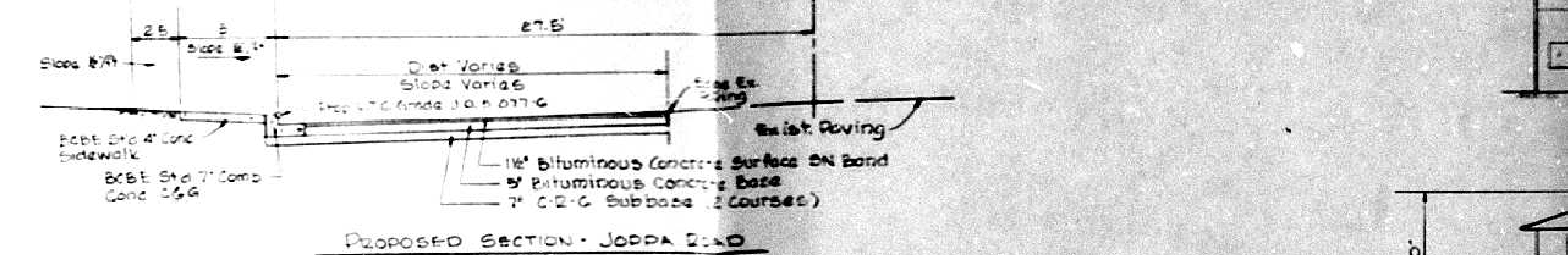




Prop 6 Ft. high wood Fence and 16 Thuja Occidentalis Nigra (5'-2) & 6% Screening



**JOPPA ROAD**  
 Property of Linard E. Donovan 1627/334  
 Property of Elsie A. Trout 2670/882  
 Property of William K. Davis 5366/288  
 Property of Herbert W. Browning 1719/16



**HICKS ENGINEERING COMPANY, INC.**  
 200 EAST JOPPA RD.  
 SUITE 402  
 TOWSON, MD. 21204  
 PH. 424-0001

**PLANTING TABULATION**

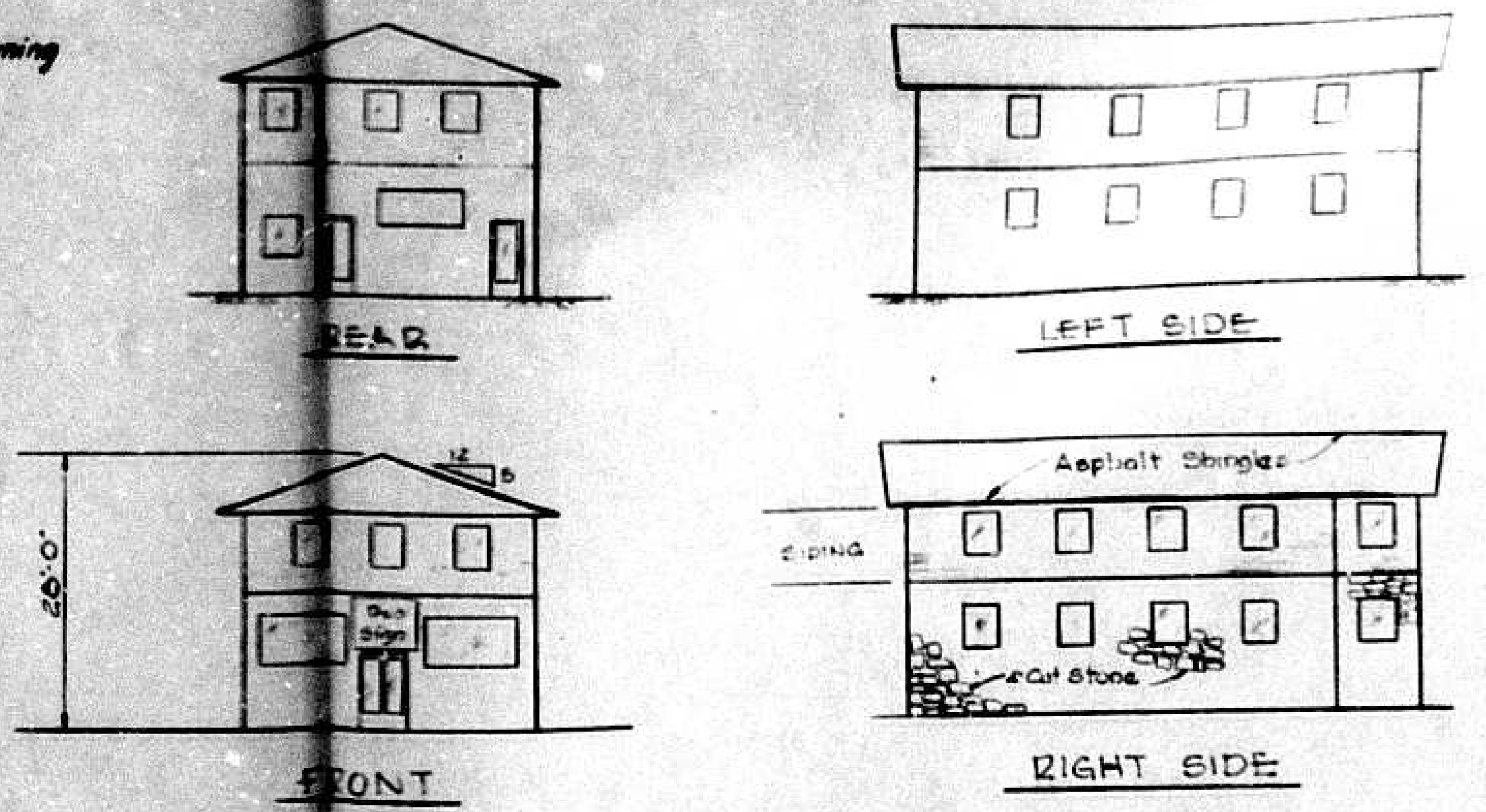
Required:	Frontage 215' x 40'	6 Trees
	Parking 11 Spaces x 18'	1 Tree
	<b>Total</b>	<b>7 Trees</b>
Provided:	Frontage Acer Rubrum	5
	Pyrus	2
	Screening Thuja Nigra	38
	<b>Total</b>	<b>45</b>

**SITE ANALYSIS**

Gross Area of Site	15,300 S.F.
Roadway Widening	1,735 S.F.
Net Area of Site	9,300 S.F.
Existing Zoning	R.O.
Proposed Zoning	Class "B" General Office Bldg.
Existing Use	Vacant
Proposed Use	Parking & Office Bldg.
Amenity Open Space (A.O.S.)	
Gross Area	15,300 S.F.
Required A.O.S. 25% (5,300)	3,825 S.F.
Provided A.O.S. 24.9%	3,948 S.F.
Floor Area Ratio	
Gross B.O. Area	15,300 S.F.
Maximum Allowed 5% (5,300)	7,650 S.F.
Proposed Area	4,308 S.F.

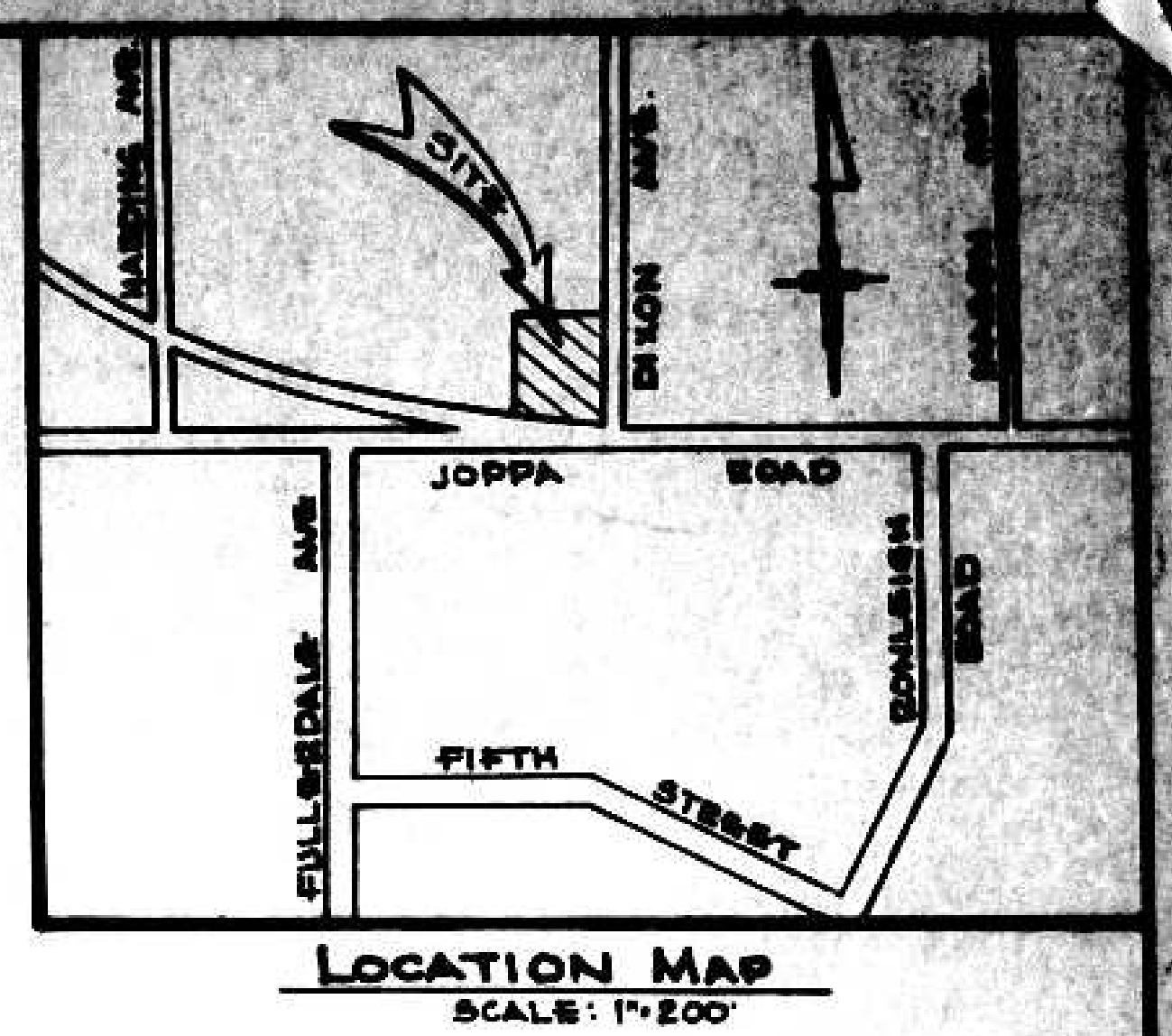
**PARKING DATA**

Basement	1436 S.F. + 500	5 Spaces
1st Floor	1436 S.F. + 500	5 Spaces
2nd Floor	1436 S.F. + 500	5 Spaces
<b>Total required</b>		<b>11 spaces</b>
<b>Total provided</b>		<b>11 spaces</b>
		(incl. 1 handicapped)



**BUILDING ELEVATIONS**  
 NOT TO SCALE

**OWNER/APPLICANT**  
 JOHN BUSCEMI  
 5006 WHITE AVENUE  
 BALTO., MARYLAND 21214  
 PH. (301) 426-1186  
 ACCOUNT No. 00-0420112187  
 DEED REF. 528/193



**GENERAL NOTES**

1. Election District D-C-4 Census Tract 4019
2. Metrehead G Submeterhead 18
3. There are no existing or proposed wells & septic areas on this site.
4. Entire site is Soil Type C1-B  
 Limitations for Buildings - Slight  
 Limitations for Street & Parking Lot - Moderate Slope
5. Existing grades are suitable for Office Use. Grading will be done as necessary to accommodate development. There is no significant water on the site which would require special consideration during construction.
6. Existing one story block building will be completely removed.
7. This development is a part of "Carney View" recorded in Plat Book 7, Folio 50 which was never developed.
8. There are no panoramic driveways on this site.
9. There are no historic buildings within the development area.
10. Estimated Average Daily Trips - 75 Level of Service - E 5/25/88
11. Topography shown herein is based on Balto. County Position Sht 56 NE 17.
12. Existing utility lines shown herein are from Balto. County Bureau of Engineering Drawings Nos. 31-014 (W), 31-013 (W), and 49-552 (S).
13. Existing utilities to be located and directed away from adjacent residential areas and streets. Standards to be a maximum of 14 ft. high shown thusly.
14. All parking and driveway areas will be bituminous paved with concrete curb and gutter.
15. Alleyway improvements to be in accordance with S.H.A. and Balto. County Open Ordinances.
16. The sign to be affixed to building is non-illuminated (Section 2093C RCZ).
17. Maximum hours of operation - 9 (8AM-6PM)
18. Estimated number of employees - 10
19. Street frontage - None
20. There are no wetlands, significant geological formations, Archaeological sites, Endangered species habitat, hazardous materials, streams, floodplains or critical areas on this site.
21. Shrubbery shall be trimmed back 10' min. from face of curb to provide adequate sight distance.
22. Current Special Exception Case No. 88-64-XA.
23. Office building will be for general office use - no medical offices.
24. Review of Storm Water Management quantity requirements granted 2/25/88 per Section 2-150.3(c) and 2. Water quality measures are required.
25. All approval granted March 5, 1987.

**ZONING SPECIAL EXCEPTION**

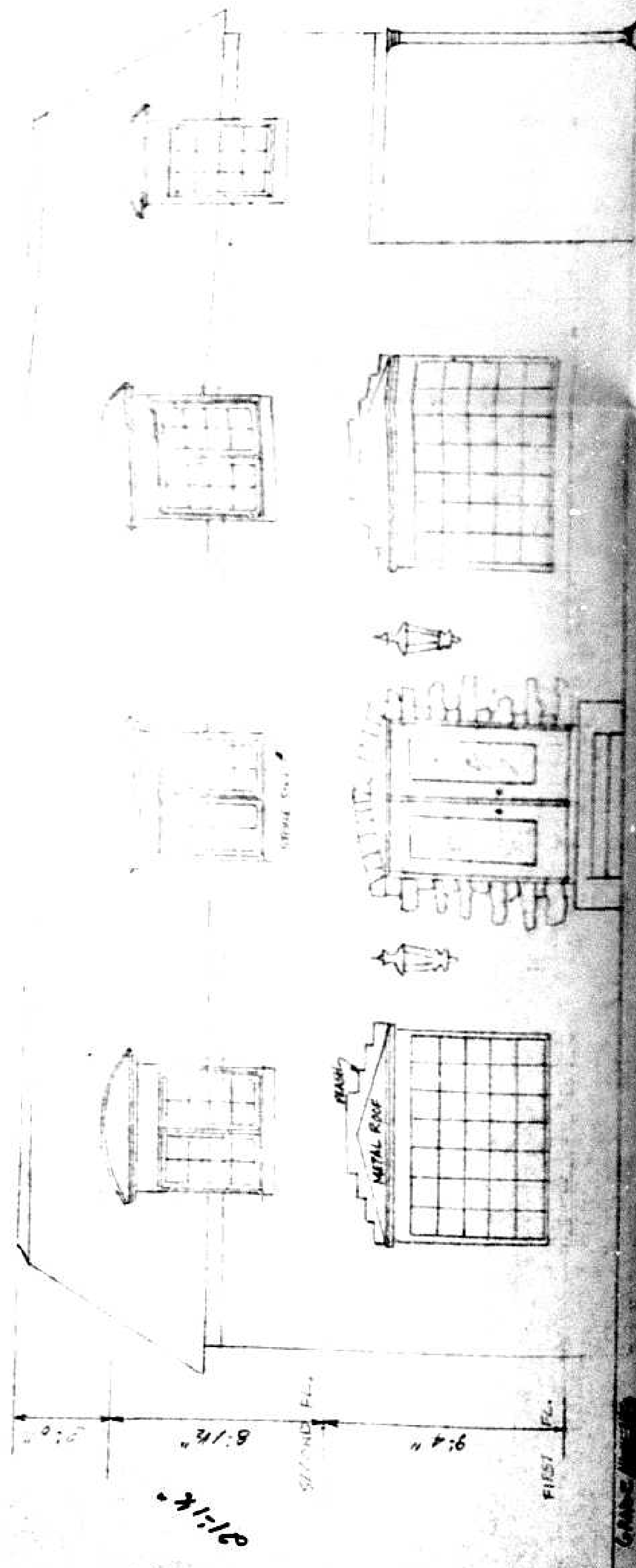
PUBLIC SERVICES CRG No. 86048  
 PLANNING No.

**CARNEY VIEW**

ELECTION DISTRICT D-C-4 BALTO. COUNTY, MD  
 SCALE: 1"=20'

**PETITIONER'S EXHIBIT 1**

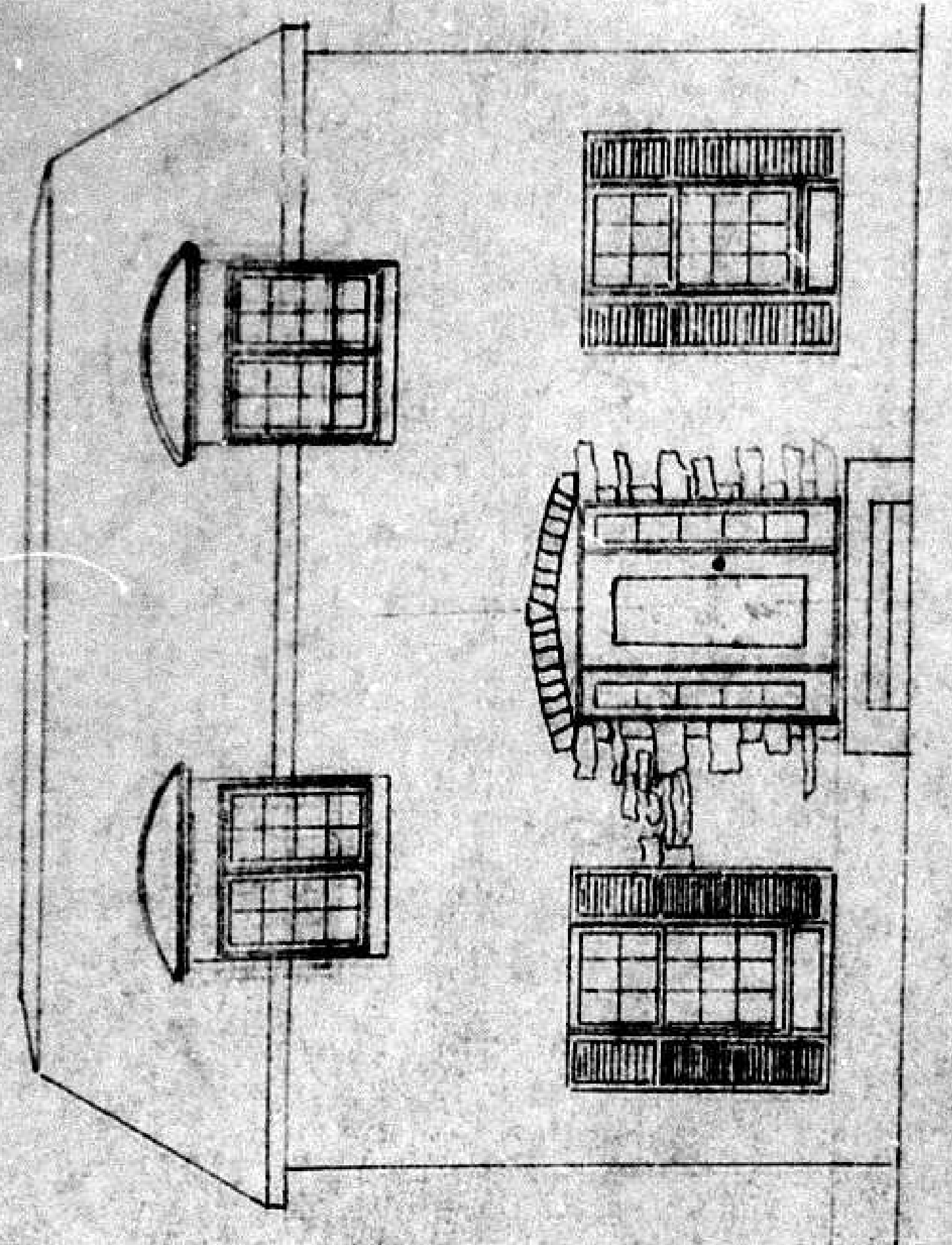
JAN. 21, 1987  
 REV. 2/25/87  
 REV. 4/15/87  
 REV. 5/11/87  
 REV. 4/15/88



*East View*

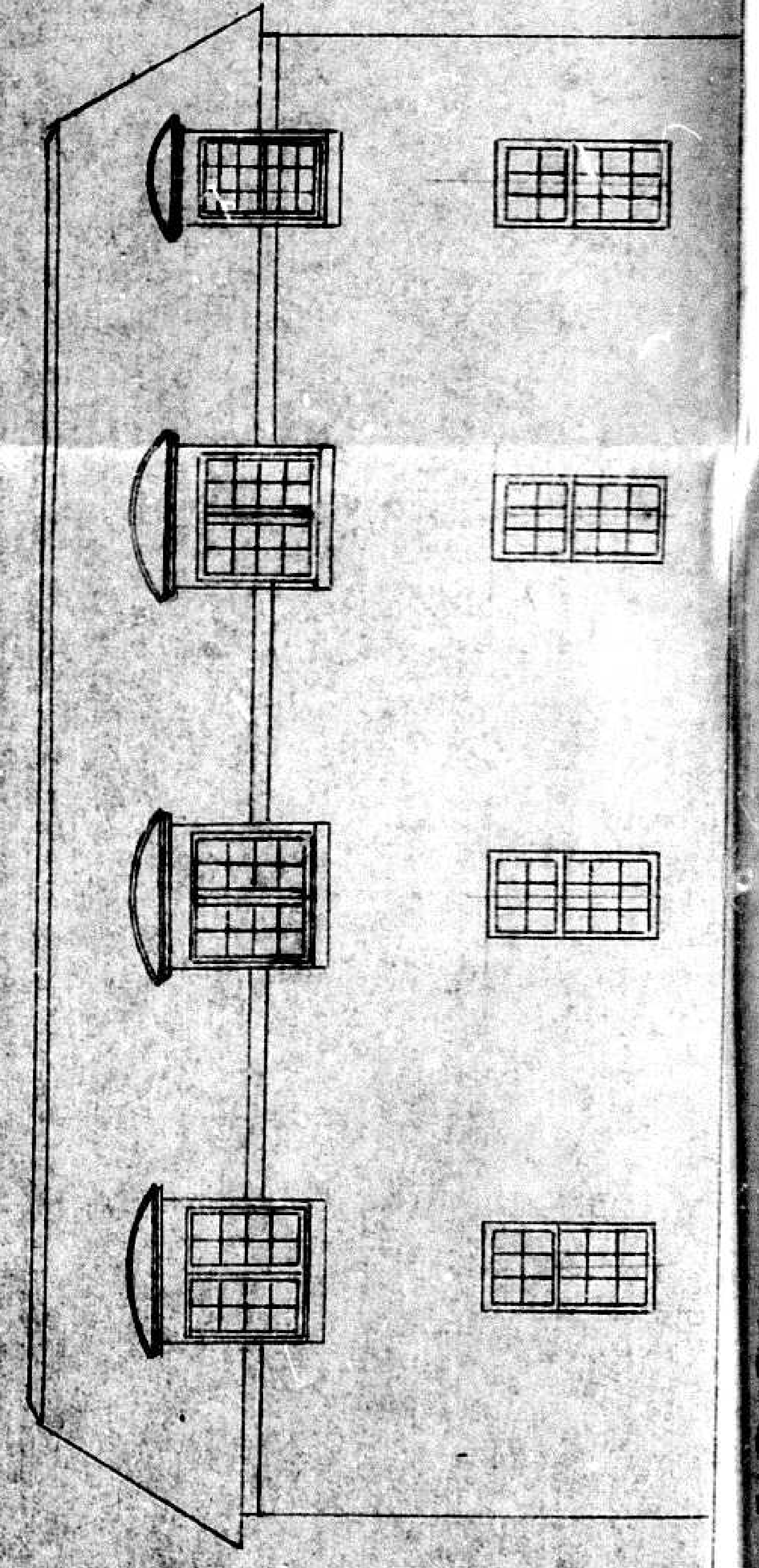
**PETITIONER'S EXHIBIT 2**

RIGHT ELEVATION SCALE 1/4"=1'-0"



*South View*

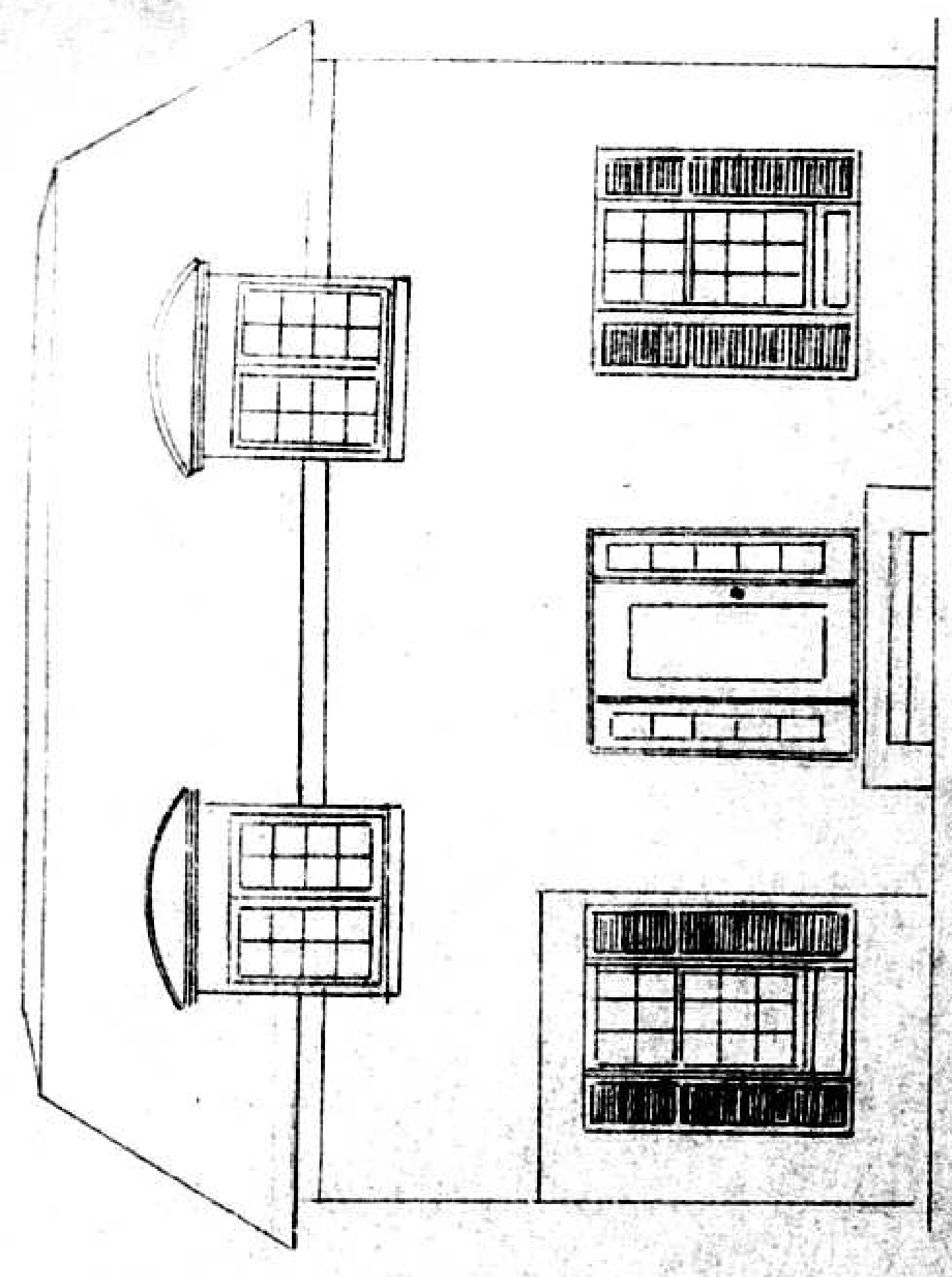
FRONT ELEVATION SCALE 1/4"=1'-0"



*West*

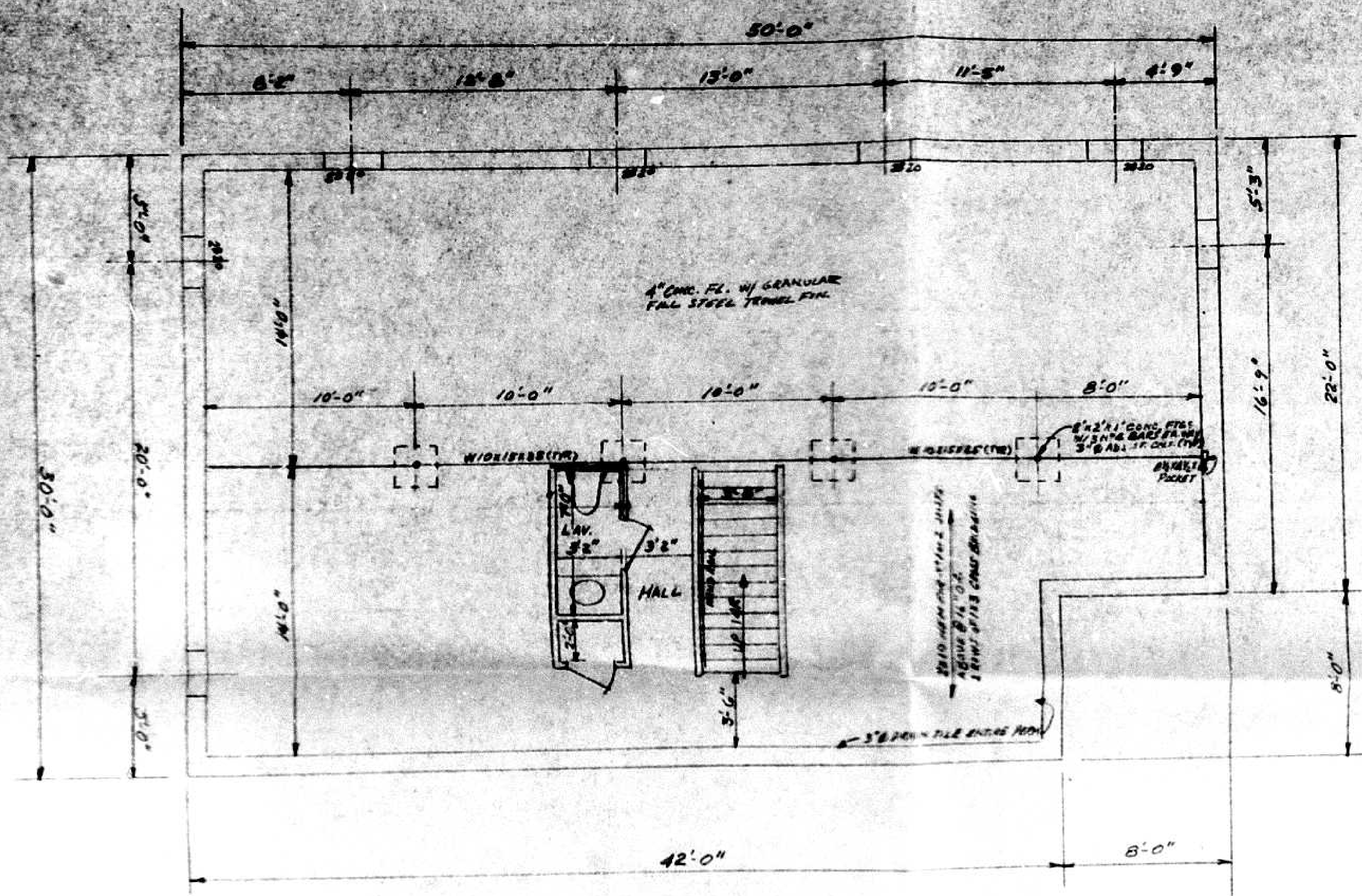
LEFT ELEVATION SCALE 1/4"=1'-0"

**PETITIONER'S EXHIBIT 3**



*North*

REAR ELEVATION SCALE 1/4"=1'-0"



FOUNDATION PLAN

**PETITIONER'S  
EXHIBIT 4**

BUSCEMI OFFICE BLDG. FOUNDATION PLAN	SHEET NO.
SCALE: 1/4" = 1'-0" DATE: 4-11-88	
DRAWN BY J.B.	