

IN RE: PETITION FOR SPECIAL HEARING AND ZONING VARIANCE  
 828 Goucher Blvd. & Joppa Rd. (900 Block Goucher Blvd.)  
 9th Election District  
 4th Councilmanic District  
 Legal Owner: Vornado, Inc.  
 Tenant: F & M Distributors  
 Petitioner

BEFORE THE  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 CASE # 89-339-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, F & M Distributors, Inc. ("F&M") seeks a variance from the requirements of Section 409.6 to permit 750 parking spaces instead of the required 767 spaces, and a Special Hearing to amend the site plan in previous zoning case #86-106-A, as more particularly described on Petitioners' Exhibit 1.

Mr. Neil F. Murray appeared on behalf of the Petitioner, F & M Distributors, and he was represented by Nancy E. Paige, attorney. The Petitioner was supported in its testimony by Mr. Dennis P. Cornwall. There was one Protestant, Ms. Martha Clarke, representing the Towson Estates Homeowners Association.

The Petitioner had received a prior variance to reduce the required parking from 828 spaces to 767 spaces for this shopping center. The reduction in parking at that time amounted to 61 spaces. The additional reduction being requested is 17 spaces. The development will be operating at a gross deficit of 78 spaces (828 required, 750 provided). This reduction amounts to an approximate 10% overall deficit. The Shopping Center is heavily utilized at the present time. Parking at peak times is generally at capacity and any expansion that would exacerbate this situation should be avoided. The Center is presently operating at capacity.

The Petitioner, F & M Distributors, Inc., operates a discount health and beauty aids outlet in a shopping center at the intersection of Goucher Boulevard and Joppa Road. A variance had previously been granted on the shopping center property to permit the construction of a free-standing building in the corner of the center bounded by Goucher Boulevard and Prince Street. The building is used to house an Eye Lab. It is physically removed from the F&M premises. The prior variance reduced the required number of parking spaces from 828 to 767.

The subject premises were previously occupied by a Pathmark Drugstore. The actual retail selling area has been reduced by F&M and the storage area correspondingly expanded.

The requirement for additional parking spaces has been generated by the installation of a steel rack system in the storage area, which creates a two-level storage capacity. This storage area is being computed at the same parking ratio (one space per 200 sq. ft.) as retail use. The variance for the mezzanine area that has been created, effectively, reduces the parking requirement for the shopping center to include the storage area as future retail space. The system consists of steel supports and decking with a stairway access to the second level and a conveyor for moving merchandise to and from the second level. This system eliminates the need for high stacking of goods and the use of ladders, both of which could create potential safety problems. It also greatly enhances the available storage area. However, it does not directly impact the customer traffic (and, therefore, the parking demands) to the store. F&M's deep discount, high volume marketing strategy results in larger per customer sales volume than is usually associated with health and beauty aid purchases. This strategy requires substantial on-site stock storage

capacity. There is no means by which F&M can increase the parking spaces available to its customers. If it is precluded from use of the rack storage system, its marketing efficiency will be reduced, handicapping its ability to implement its distinctive deep discount marketing methods.

It is also worthy of note that increasing on-site stock storage capacity allows for considerably fewer and less frequent deliveries, thereby greatly reducing truck traffic to the site. This is a significant advantage to the immediate neighborhood.

The Protestant, Ms. Martha Clarke of the Towson Estates Home Owners Association, indicated that she and her association opposed any reduction in available parking at this shopping center because of shortages experienced in the past. In view of the fact that the additional parking requirement was generated by expanded storage capacity only, she asked that any variance be limited to the continuance of the current operations.

The parking requirements generated by a rack system are computed at the same ratio as retail space generally, i.e., one space per 200 ft. To the extent that the variance is permitted solely for the storage use, the result will not be an increased customer demand for a reduced number of parking spaces, but will merely facilitate an innovative marketing approach in this shopping center; the rack storage system increases storage space, not customer retail space.

Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) empowers the Zoning Commissioner to grant variances from the off-street parking regulations in cases where strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship. The testimony establishes that strict compliance with the off-street parking regulations will create a practical difficulty and unreasonable hardship

in that it will preclude the use of a safe, convenient and efficient storage method which allows the Petitioner to offer deep discounted merchandise to the public. The variance requested is in strict harmony with the spirit and intent of the off-street parking regulations since the request is not based on an increase in selling area, but merely in storage area and, in fact, the current use results in a reduced retail selling area as compared to the prior use.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons give above, the relief prayed should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of June, 1989, that the Petition for Variance to permit 750 parking spaces instead of the required 767 parking spaces in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The relief granted, pursuant to this Order, be restricted to the current use of the premises, including the rack storage system.
2. At such time as F&M Distributors ceases operations on the subject premises, the rack storage system which is the basis of this variance, shall be removed by F & M Distributors within sixty (60) days of the cessation of said operation, and F & M Distributors shall formally notify the Zoning Commissioner for Baltimore County in writing that said storage racks have, in fact, been removed from the premises.
3. The rack storage system may be used only for storage and for no other retail or commercial use.
4. The Petitioner shall supplement existing available landscaping at the shopping center in area equal to the percent of area that F&M Distributors occupies at the shopping center. The

ORDER RECEIVED FOR FILING  
 Date 6/14/89  
 By M. J. [Signature]

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 By M. J. [Signature]

Petitioner shall deliver a landscape plan to the Office of Planning and Zoning for approval by the Baltimore County Landscape Planner. Upon being approved, the Petitioner shall submit an approved copy of said plan to the Baltimore County Zoning Commissioner to be made a part of the permanent record in this case.

5. The Petitioner shall begin landscaping immediately upon approval of the aforementioned landscape plan, said landscaping to be completed on or before July 1, 1990.

J. Robert Haines  
 Zoning Commissioner for Baltimore County

Baltimore County  
 Zoning Commissioner  
 Office of Planning & Zoning  
 Towson, Maryland 21204  
 (301) 887-3333  
 J. Robert Haines  
 Zoning Commissioner

June 13, 1989



Nancy E. Paige, Esquire  
 233 E. Redwood Street  
 Baltimore, Maryland 21202

RE: Petitions for Special Hearing & Zoning Variance  
 Case No. 89-339-SPHA

Dear Ms. Paige:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
 J. Robert Haines  
 Zoning Commissioner

JRH:mmm  
 cc: Peoples Counsel

- cc: Nancy E. Paige, Esquire, 233 E. Redwood Street, Balto. Md. 21202
- cc: Neil F. Murray, 25800 Sherwood, Warren Michigan 48091
- cc: Dennis P. Cornwall, 3432 Roland Avenue, Baltimore, Md. 21211
- cc: Martha H. Clarke, Towson Estate Homeowners Assoc. 828 E. Joppa Road, Towson, Maryland 21204

ORDER RECEIVED FOR FILING  
 Date 6/14/89  
 By M. J. [Signature]

PETITION FOR ZONING VARIANCE AND SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:  
 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 Variance from Section 409.6 to permit 750 parking spaces instead of the required 767 spaces, and to amend site plan in previous zoning case no. 86-106-A.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty.)  
 Additional space will be storage only and will not directly impact the volume of customers visiting this store. Petitioner's deep discount sales operation requires additional on-site storage capacity. A variance has previously been granted, reducing the required spaces from 828 to 767 for this shopping center.

Property is to be posted and advertised as prescribed by Zoning Regulations.  
 I, or we, agree to pay expenses of above Variance 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.

Tenant: F & M Distributors, Inc.  
 By: (Type or Print Name) Arthur Kalesy  
 Signature  
 25800 Sherwood  
 Address  
 Warren, Michigan 48091  
 City and State

Legal Owner(s): Vornado, Inc.  
 By: (Type or Print Name) [Signature]  
 Signature  
 (Type or Print Name)  
 Signature

MAP NO. 10 E  
 3C  
 E.D. 2B  
 DATE 6-22-89  
 200-BF  
 1000-BF  
 DP

Attorney for Petitioner:  
 Nancy E. Paige  
 (Type or Print Name)  
 Signature  
 233 E. Redwood Street  
 Address  
 Baltimore, Maryland 21202  
 City and State  
 Attorney's Telephone No.: 301-576-4224

174 Passaic Street 201-773-4000  
 Address Phone No.  
 Garfield, New Jersey 07026  
 City and State  
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
 Name  
 Address  
 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of June, 1989, 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 hearing be held before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 22nd day of July, 1989, at 2 o'clock P.M.

ORDER RECEIVED FOR FILING  
 Date 6/14/89  
 By M. J. [Signature]

ESTIMATED LENGTH OF HEARING 1 1/2 HRS.  
 APPROXIMATE FILING FEE \$100.00  
 REVIEWED BY [Signature] DATE 6/14/89

PROTESTANT(S) SIGN-IN SHEET

NAME: Martha H. Clarke  
 ADDRESS: 828 E. Joppa Rd. 21204  
 Towson Estate Homeowners Assoc.

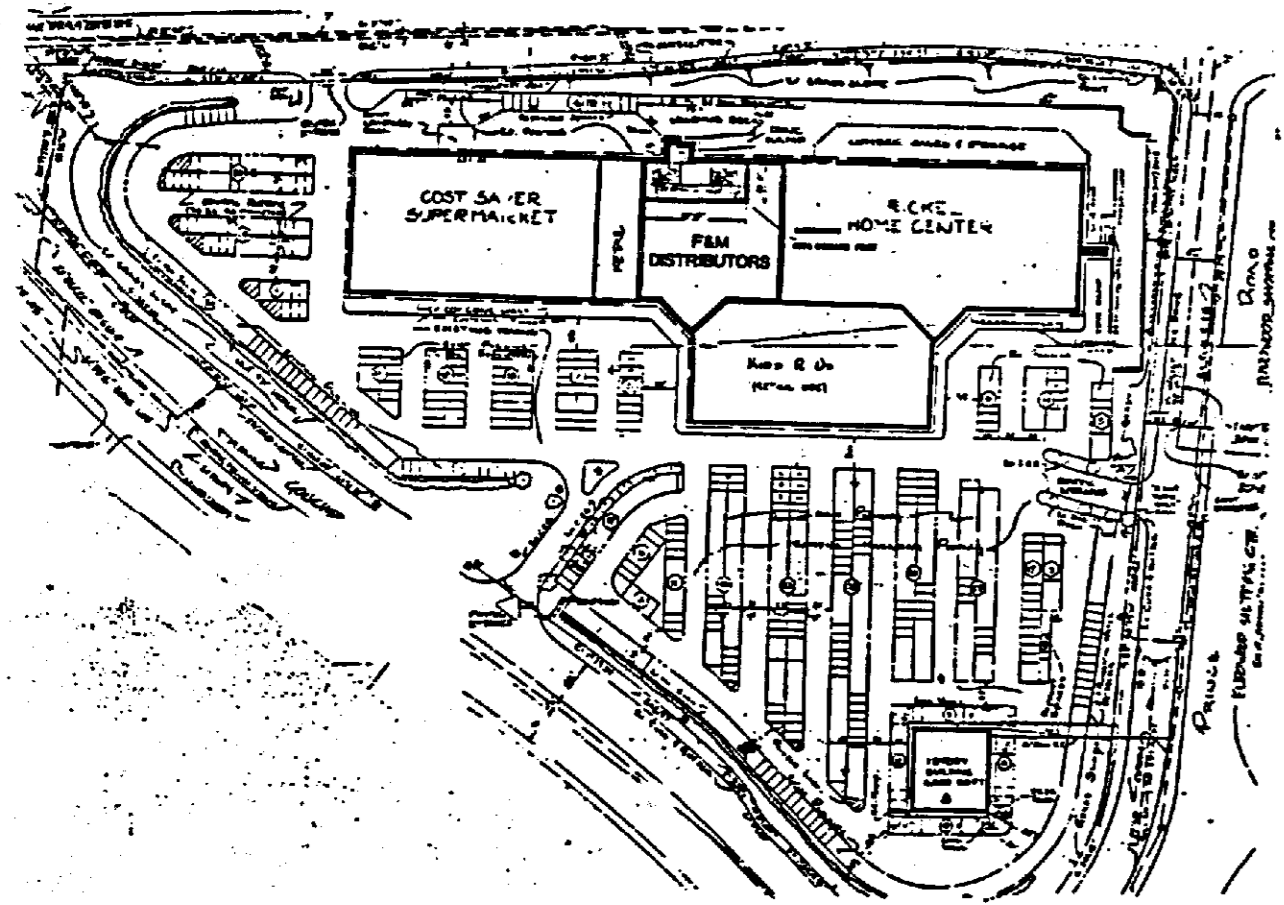
PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME: Nancy E. Paige, Atty  
 ADDRESS: 233 E. Redwood St.  
 Neil F. Murray  
 ADDRESS: 25800 Sherwood Warren MI 48091  
 Dennis P. Cornwall  
 ADDRESS: 3432 Roland Ave Balto MD 21211

89-339  
 SPHA

89-339  
 SPHA

PETITIONER(S) EXHIBIT 2



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21284  
494-3353

J. Robert Haines  
Zoning Commissioner

January 20, 1989



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 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing and Zoning Variance  
CASE NUMBER: 89-339-SPHA  
SEC Goucher Blvd. & Joppa Road  
(900 Block Goucher Blvd.)  
5th Election District - 4th Councilmanic  
Legal Owner(s): Vornado, Inc.  
Tenant: F & M Distributors  
11:00 A.M.  
HEARING SCHEDULED: WEDNESDAY, FEBRUARY 22, 1989 at 2:00 P.M.

Special Hearing/Variance to permit 750 parking spaces instead of the required 787 spaces, and to amend site plan in previous zoning case No. 86-106-A.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County  
cc: F & M Distributors  
Nancy E. Paige, Esq.  
File

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Townson, Maryland

District: 9th Date of Posting: 1/13/89  
Posted for: *Suzell Horney & Virginia*  
Petitioner: *F & M Distributors & Vornado, Inc.*  
Location of property: *SEC Goucher Blvd. & Joppa Rd.*  
*900 Block Goucher Blvd.*  
Location of Sign: *Facing 19000 W. J. Joppa Rd. approx. 187*  
*for Mr. Vornado, Property of F&M Distrib.*  
Remarks:  
Posted by: *[Signature]* Date of return: 2/13/89  
Number of Signs: 2

89-339-SPHA  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Townson, Maryland 21204

Your petition has been received and accepted for filing this  
20th day of January, 1989.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Vornado, Inc. Received by: James E. Dyer  
Petitioner's Attorney: Nancy E. Paige, Esquire Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: J. Robert Haines, Zoning Commissioner Date: February 10, 1989  
FROM: Pat Keller, Deputy Director, Office of Planning and Zoning  
SUBJECT: Vornado, Inc. (F&M Distributors) Zoning Petition No. 89-339-SPHA

The petitioner is requesting a variance to permit 750 parking spaces in lieu of the 787 spaces required. In reference to this request, staff provides the following information:

- The petitioner has received a prior variance to reduce the required parking from 828 spaces to 767 spaces for this shopping center. The reduction in parking at that time amounted to 61 spaces. The additional reduction being requested is 17 spaces. The development will be operating at a gross deficit of 78 spaces (828 required, 750 provided). This reduction amounts to an approximate 10% overall deficit. The shopping center is heavily utilized at the present time. Parking at peak times is generally at capacity and any expansion that would exacerbate this situation should be avoided. The center is presently operating at capacity.
- The primary issue in this particular case is not the demand for parking that the storage space will generate, but the proclivity for conversion at some future point and the present parking deficit that exists at the site. The storage area is being computed at the same parking ratio (one space per 200 square feet) as retail use. The variance for the mezzanine effectively reduces the parking requirement for the shopping center to include the storage area as future retail space.

Based upon the analysis conducted, staff recommends that if this request is granted, the following condition be applied:

- The petitioner shall supplement existing landscaping at the shopping center in an area equal to the percent of area that F&M Distributors occupies at the shopping center, as approved by the County Landscape Planner. For example, if F&M Distributors occupies 20% of the gross floor area of the center, 20% of the area available for landscaping shall be supplemented with landscaping.

PK/ef

cc Nancy E. Paige, Esq.

RECEIVED  
FEB 13 1989

ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 8, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Townson, Maryland 21204

Nancy E. Paige, Esquire  
233 E. Redwood Street  
Baltimore, MD 21202

RE: Item No. 299, Case No. 89-339-SPHA  
Petitioner: Vornado, Inc.  
Petition for Zoning Variance

Dear Ms. Paige:

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. 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:jw

Enclosures

cc: Vornado, Inc.  
174 Passaic Street  
Gerfield, NJ 07026

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21284  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: 2/1/89



Dennis F. Rasmussen  
County Executive

F & M Distributors, Inc.  
25800 Sherwood  
Warren, Michigan 48091

ATTN: ARTHUR KAINZ, V.P.

Re: Petition for Special Hearing and Zoning Variance  
CASE NUMBER: 89-339-SPHA  
SEC Goucher Blvd. & Joppa Road  
(900 Block Goucher Blvd.)  
5th Election District - 4th Councilmanic  
Legal Owner(s): Vornado, Inc.  
Tenant: F & M Distributors  
11:00 A.M.  
HEARING SCHEDULED: WEDNESDAY, FEBRUARY 22, 1989 at 2:00 P.M.

Gentlemen:

Please be advised that \$34.50 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 106, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 065791  
DATE: 2/22/89 ACCOUNT: P-01-615-000  
AMOUNT: \$ 134.81  
RECEIVED: F&M  
FOR: PVA  
VALIDATION OR SIGNATURE OF CASHIER: *[Signature]*

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 3, 1989

THIS IS TO CERTIFY that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb 2, 1989.

THE JEFFERSONIAN  
TOWSON TIMES.

*S. Zabe Orban*  
Publisher

PO 09611  
reg M25233  
ca 89-339-SPHA  
price \$104.81

Baltimore County  
Fire Department  
Townson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

February 14, 1989

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Townson, Maryland 21204



Dennis F. Rasmussen  
County Executive

Re: Property Owner: Vornado, Inc.

Location: 900 block Goucher Boulevard

Item No.: 299 Zoning Agenda: Meeting of January 31, 1989

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 of 60 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.
- ( ) 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.
- (X) 7. The Fire Prevention Bureau has no comments at this time. No comments at this time.

REVIEWER: *[Signature]* NOTED & APPROVED: *[Signature]*  
PLANNING GROUP Fire Prevention Bureau  
Special Inspection Division

/s/

J. Robert Haines  
May 12, 1989  
Page 2

for those buildings, and if he wishes to proceed with them, will take the necessary steps to secure the appropriate approvals. At the present time, absent those buildings, it would appear that no zoning variance will be required for the construction which was the subject of the F&M variance request at the Dundalk location, since adequate parking can be provided on the existing lot. We are in the process of having an appropriate site plan prepared and assuming it is approved, and will withdraw the variance request for the Dundalk store as soon as our engineers confirm that there will be adequate parking.

Thank you for your assistance and cooperation in these matters.

Very truly yours,  
*Nancy E. Paige*  
Nancy E. Paige

NEP/ms  
cc: Neil Murray, F&M Distributors  
ZoneFM.ltr

LAW OFFICES  
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER  
GARRETT BUILDING  
233 E. REDWOOD STREET  
BALTIMORE, MD. 21202

DAVID F. GORDON  
EUGENE M. FEINBLATT  
DONALD M. ROTHMAN  
EVAN ALVAREZ  
LEWIS A. KAHN  
EDWARD E. OSTLER  
LORING E. HAYES  
BANDER L. WISE  
ZELIG ROBINSON  
DAVID H. FISHMAN  
ALLAN J. MALESTER  
LAWRENCE S. GREENWALD  
LESTER D. BAILEY  
HERBERT GOLDMAN  
ROBERT E. SHARKEY  
ALAN RICHARD BACHS  
THOMAS J. DOUGLASS, JR.  
GEOFFREY F. OTHER  
(D. C. ONLY)

LAWRENCE D. COPPEL  
CHARLES E. REINEMANN, JR.  
NANCY E. PAIGE  
MARC BLUM  
PERRY M. COULD  
BARRY F. ROSEN  
SHEILA E. SACHS  
THOMAS C. DARBUTH  
FRANCIS MACDOUGALL  
TIMOTHY D. A. CHEERS  
ROBERT C. KELLNER  
GLOP A. M. BELORAD  
RON W. KATZ  
ABRAHAM AVED POLJAKOFF  
ALAN R. KOLMAN  
ALBION L. ARTI  
JACK C. TRANTER  
JEROME D. A. THORP  
JAMES A. VERMAER, JR.

301-576-4000  
1800 K STREET, N. W. SUITE 600  
WASHINGTON, D. C. 20006  
202-659-0555

TELEX 908041 BAL  
D. C. FAX: 202-659-2799  
BALTO FAX: 301-576-4246  
BALTO FAX: 301-576-4167

CHARLES R. TAYLOR, JR.  
RICHARD E. WITTLER  
ANTHONY E. GALLAGHER  
MICHAEL J. JACK  
SUSAN ROUDER  
ROBERT F. LEGG  
NEE J. SCHWARTZ  
J. RONALD SHIFF  
MARY COLLEEN DALTON  
ELLIOTT COWAN  
HELLE TENDLER  
THOMAS D. RENDA  
MARK S. DACHILLE  
BRADFORD W. WARBASSE  
THOMAS E. DESMOGGA  
TRACY E. REIDINGER  
JAN PAUL MILLER  
DANIEL HIGHAM  
SHARON L. ALDOUBY  
CHARLES E. BROOKBY

DOUGLAS M. IRVIN  
DANA A. REED  
ANASTASIA WATSON SMITH  
JOY V. HATCHETTE  
SHARON D. CREDIT  
CHARLES S. HIRSCH  
JEFFREY I. ELBERMAN  
JOHN M. GREER  
KATHY L. McCALIP  
CHARLES S. BACHARACH  
CAROLYN J. MOSES  
ELI WATSON  
JEFFREY M. SCHWABER  
GARY L. ATTMAN  
SEYMUR E. KALLINS  
LLOYD E. HOFFBERGER  
MORTON J. HOLLANDER  
COUNSEL

DIRECT DIAL 301 576- 4294

RECEIVED  
MAY 13 1989  
ZONING OFFICE

May 12, 1989

J. Robert Haines  
Zoning Commissioner  
Room 109, County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: F&M Distributors - Parking Variance  
900 Block Goucher Boulevard  
Case No.: 89-339-SPHA

Dear Commissioner Haines:

I enclose proposed findings of fact and conclusions of law in the referenced case. I apologize for the delay in submitting this draft. It was necessary for the landlord to consent to the installation of landscaping as proposed by Avery Hardin and indicated on the attached copy of the site plan for the shopping center (which we propose be incorporated by reference in your order in this matter).

If I can be of further assistance in this regard, please let me know.

You may recall that at the time of the hearing in the referenced matter we withdrew a companion request respecting an F&M store in Dundalk (Case No. 89-337-A). The reason was that the site plan which had been supplied to us by the landlord reflected proposed buildings which were not in existence and which were not part of our parking variance request. We have since learned that the landlord has not secured building permits

LAW OFFICES  
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER  
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TELEX 908041 BAL  
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SHARON D. CREDIT  
CHARLES S. HIRSCH  
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LLOYD E. HOFFBERGER  
MORTON J. HOLLANDER  
COUNSEL

DIRECT DIAL 301 576- 4294

RECEIVED  
JAN 27 1989  
ZONING OFFICE

January 26, 1989

J. Robert Haines  
Zoning Commissioner of  
Baltimore County  
Office of Planning & Zoning  
Towson, Maryland 21204

Re: Case Numbers 89-337-A  
and 89-339-SPHA

Dear Mr. Haines:

I represent F & M Distributors, Inc., the petitioner in the referenced matters, which are scheduled for hearing on February 22, 1989 at 11:00 a.m. and 2:00 p.m., respectively.

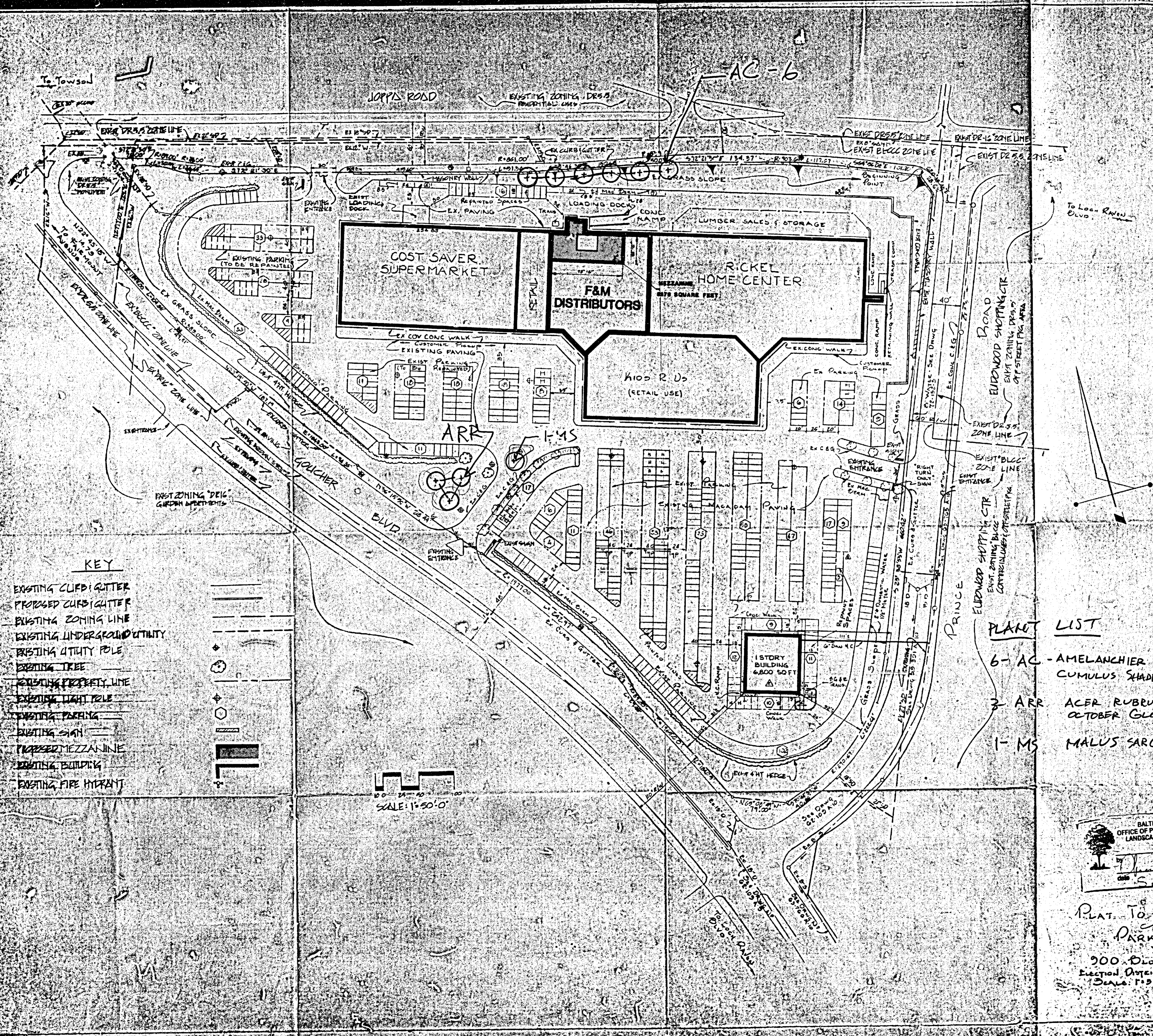
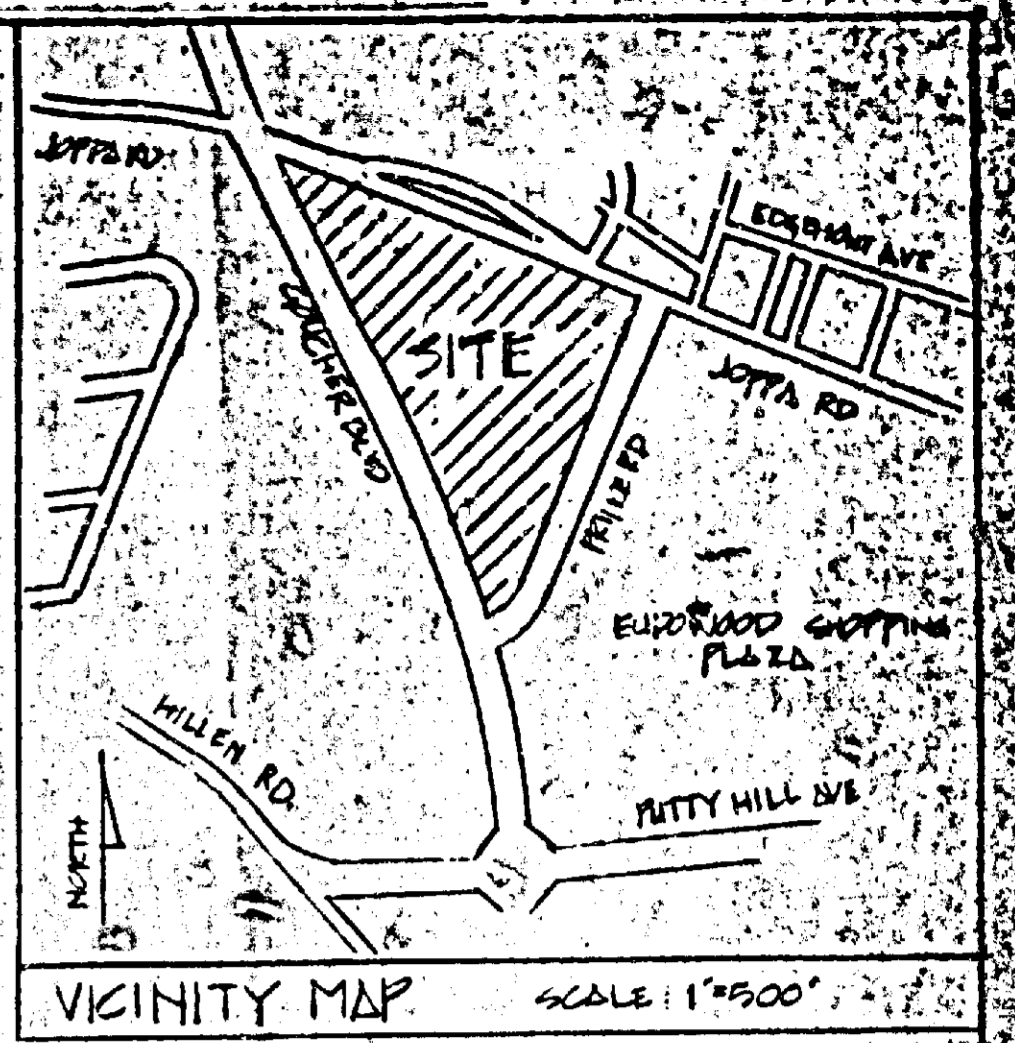
These matters have much in common factually and legally and it would be efficient if they were heard together, especially since the principal witness will be coming from out of town. I therefore request that both hearings be scheduled for 11:00 a.m., rather than at 11:00 a.m. and 2:00 p.m., on February 22.

Thank you for your consideration.

Very truly yours,  
*Nancy E. Paige*  
Nancy E. Paige

NEP/ms

cc: F & M Distributors  
Gwen Stephens  
Vornado, Inc.  
L12415.124



**SITE DATA**

- SITE AREA: 14.635 ACRES = 638,371.8 SF
- GROSS SITE AREA: 17.42 AC = 761,911.7 SF
- EXIST. - PORTION OF SITE: "RE-CO"
- EXIST. - USE OF SITE: "RECREATIONAL SHOPPING CENTER"
- PROPOSED INCREASE IN SQUARE FEET: 1,778 SF
- EXISTING TREES TO BE MAINTAINED: 1,378 SF
- EXISTING TREES TO BE REMOVED: 1,378 SF
- WOOD SHEDS: 19,695 SF @ 1 SF/200 SF = 98.5
- RICKEL HOME CENTER: 54,457 SF @ 1 SF/200 SF = 272.3
- NEW L&B BLDG.: 6,800 SF @ 1 SF/200 SF = 34.0
- EXISTING WALKWAYS: 1,178 SF @ 1 SF/200 SF = 5.9
- TOTAL SQUARE FEET: 750.7
- ADDITIONAL SQUARE FEET: 750.7
- PROPOSED SQUARE FEET: 1,778 SF
- EXISTING SQUARE FEET: 1,378 SF

- KEY**
- EXISTING CURB/GUTTER
  - PROPOSED CURB/GUTTER
  - EXISTING ZONING LINE
  - EXISTING UNDERGROUND UTILITY
  - EXISTING UTILITY POLE
  - EXISTING TREE
  - EXISTING PROPERTY LINE
  - EXISTING LIGHT POLE
  - EXISTING PARKING
  - EXISTING SIGN
  - PROPOSED MEZZANINE
  - EXISTING BUILDING
  - EXISTING FIRE HYDRANT



- PLANT LIST**
- | PLANT               | QUANTITY  | SIZE |
|---------------------|-----------|------|
| 6- AC - AMELANCHIER |           |      |
| CUMULUS SHADBLW.    | 2-2 1/2"  |      |
| 3- ARR              |           |      |
| ACER RUBRUM         | 2 1/2"-3" |      |
| OCTOBER GLORY       |           |      |
| 1- MS               |           |      |
| MALUS SARGENTII     | 2-2 1/2"  |      |

ARCHITECTURAL REGISTRATION BOARD  
7535-R  
STATE OF MARYLAND  
Landscape Architecture  
Landscape Architecture  
Landscape Architecture

**LAH**  
Landscape Architecture  
Landscape Architecture  
Landscape Architecture

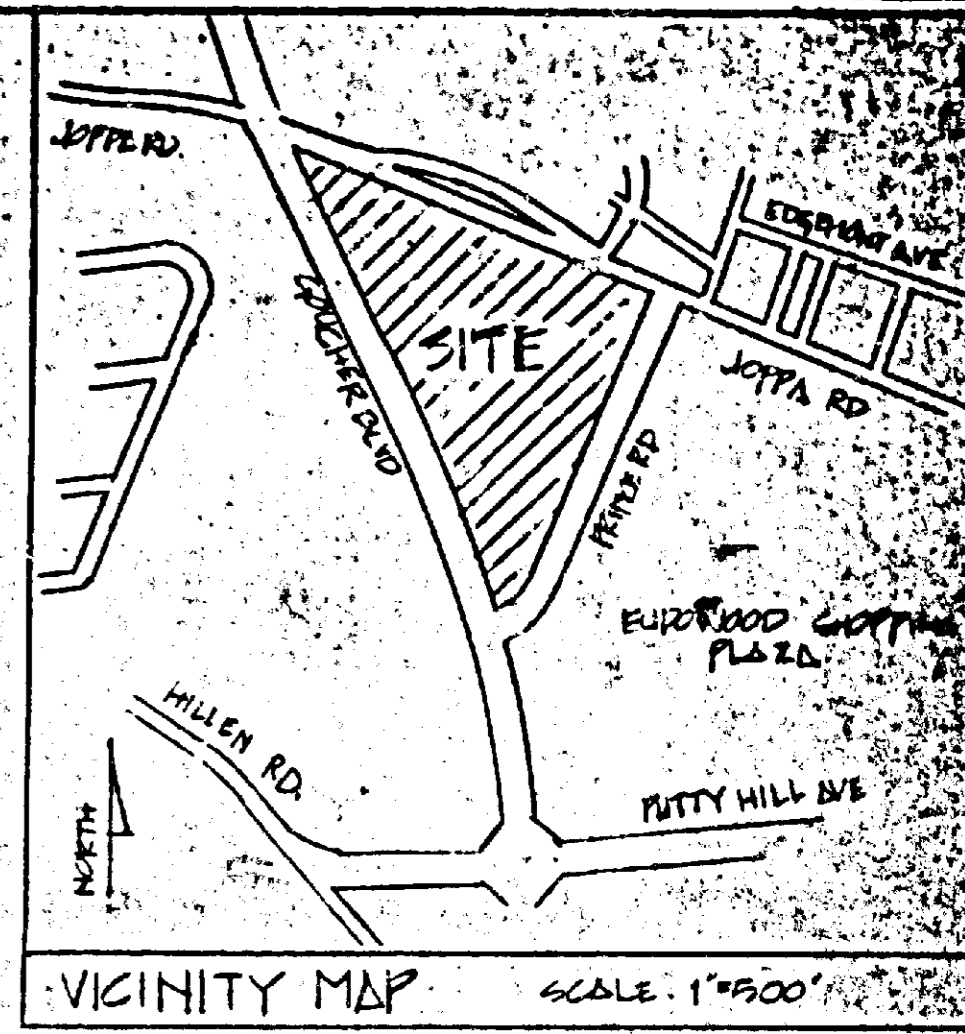
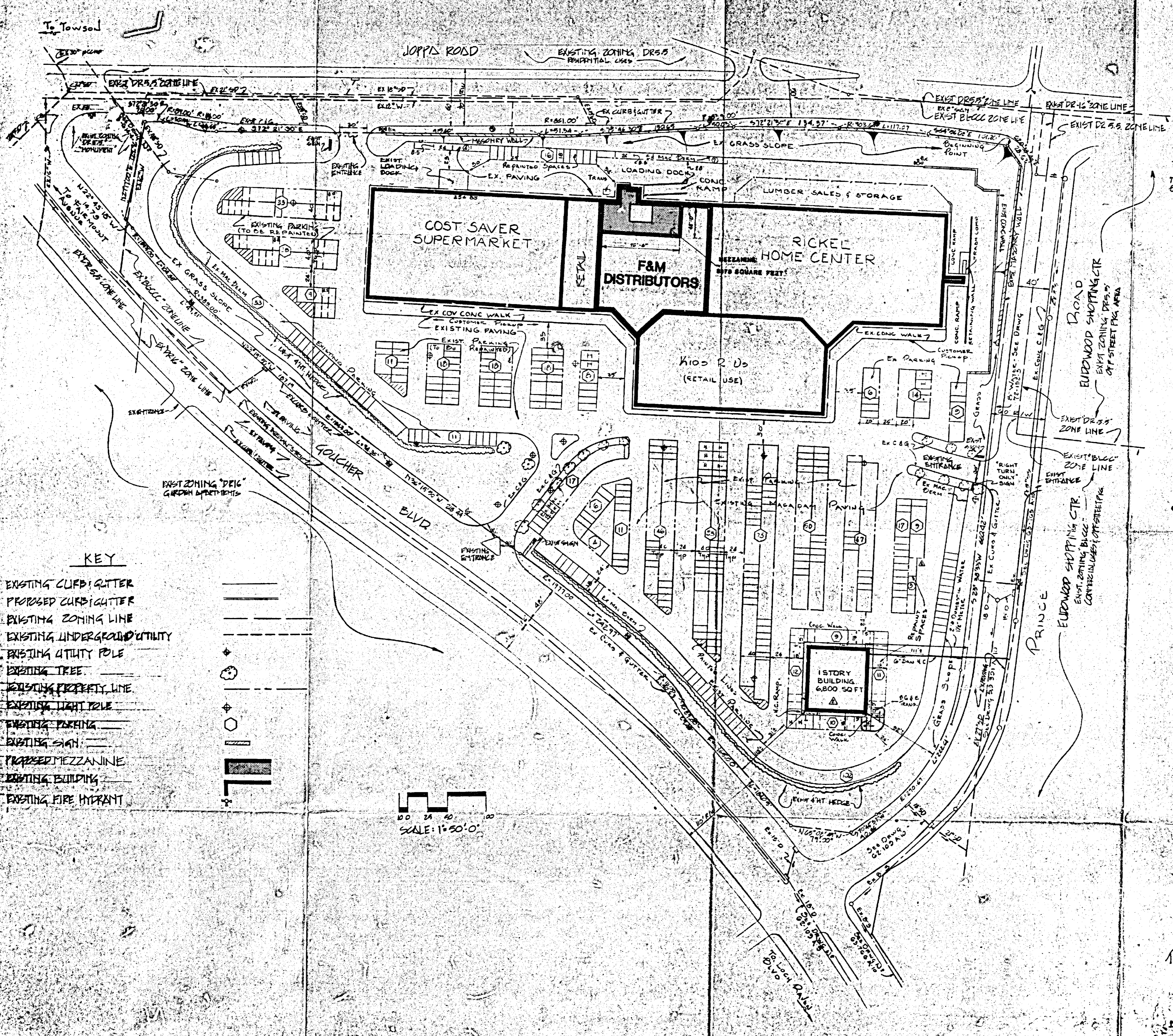
PROJECT NO. 1000189  
DATE: 06/21/89  
DRAWN BY: [Signature]

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
LANDSCAPE PLAN APPROVAL

[Signature]  
6-21-89  
SITE PLAN

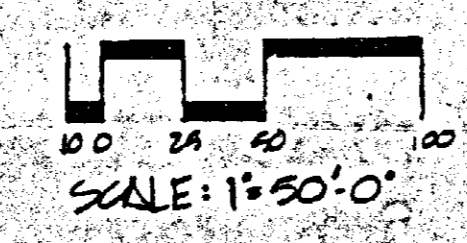
AND  
PLAT TO ACCOMPANY PETITION  
FOR  
PARKING VARIANCE  
VICINITY  
900 DLOCK GOUCHER BOULEVARD  
ELECTION DISTRICT 90  
BALTIMORE COUNTY, MD.  
SCALE: 1"=50'  
DATE: 6/21/89

EXHIBIT 1 of 2  
CALL 410-389-5344



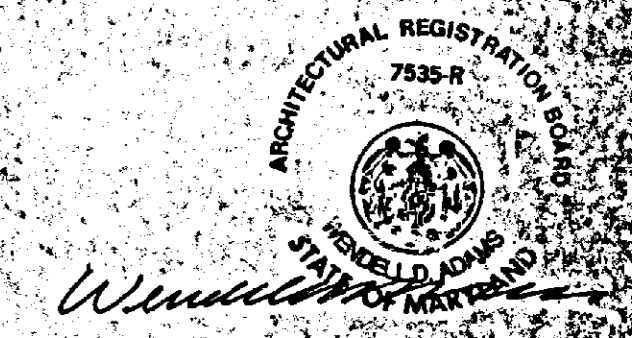
**KEY**

- EXISTING CURB/CUTTER
- PROPOSED CURB/CUTTER
- EXISTING ZONING LINE
- EXISTING UNDERGROUND UTILITY
- EXISTING UTILITY POLE
- EXISTING TREE
- EXISTING PROPERTY LINE
- EXISTING LIGHT POLE
- EXISTING PARKING
- EXISTING SIGN
- PROPOSED MEZZANINE
- EXISTING BUILDING
- EXISTING FIRE HYDRANT



**SITE DATA**

1. SITE AREA:	24.655 ACRES = 639,371.9 SF
2. GROSS SITE AREA:	17.82 AC = 741,383.7 SF
3. EXIST. USE OF SITE:	RESIDENTIAL SHOPPING CENTER
4. PROPOSED ZONING:	COMMERCIAL SHOPPING CENTER
5. EXIST. ZONING:	DR-5.5
6. FUTURE ZONING:	DR-5.5
7. EXIST. BUILDING VOLUME:	1,377,000 SF
8. PROPOSED BUILDING VOLUME:	1,377,000 SF
9. EXIST. PARKING:	61,187 SP @ 1 SP/200 SF = 305,935 SF
10. PROPOSED PARKING:	39,695 SP @ 1 SP/200 SF = 7,939,000 SF
11. EXIST. DRIVEWAY:	54,451 SF @ 1 SP/200 SF = 272,255 SF
12. PROPOSED DRIVEWAY:	5,000 SF @ 1 SP/200 SF = 2,500 SF
13. EXIST. DRIVEWAY VOLUME:	1,378 SF @ 1 SP/200 SF = 6,890 SF
14. PROPOSED DRIVEWAY VOLUME:	750 SF @ 1 SP/200 SF = 3,750 SF
15. ADDITIONAL SPACES REQUIRED:	750 SF
16. TOTAL SPACES PROVIDED:	101,882 SF
17. ADDITIONAL SPACES REQUIRED:	750 SF
18. TOTAL SPACES PROVIDED:	101,882 SF
19. EXIST. DRIVEWAY VOLUME:	1,378 SF @ 1 SP/200 SF = 6,890 SF
20. PROPOSED DRIVEWAY VOLUME:	750 SF @ 1 SP/200 SF = 3,750 SF



**ILAI**  
ARCHITECTS

PROJECT NO. 2002-002  
DATE: 01/18/00

**PETITIONER'S EXHIBIT 1**

SITE PLAN  
AND  
PLAT TO ACCOMPANY PETITION  
FOR  
PARKING VARIANCE  
VICINITY  
900 BLOCK GOUCHER BOULEVARD  
ELECTION DISTRICT 2  
SCALE: 1"=50'  
BALTIMORE COUNTY, MD  
DATE: 01/18/00