

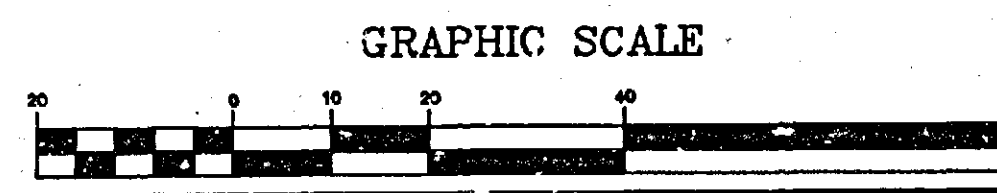
- NOTES 1) OWNER: DASH-IN FOOD STORES INC. 6355 CRAIN HIGHWAY LAPLATA, MARYLAND
- 2) LAND TITLE REFERENCE: LIBER 7347 FOLIO 846
- 3) CONTRACT PURCHASER: EDMONDSON ZIMMER ENTERPRISES, L.L.C. 111 PRINCESS STREET WILMINGTON, N.C. 28401 C/O JEFFREY E. FRANK PATTON HARRIS RUST & ASSOCIATES, P.C. 3998 FAIR RIDGE DRIVE FAIRFAX, VIRGINIA 22033
- 4) SITE ADDRESS: 900 EDMONDSON AVENUE BALTIMORE, MARYLAND
- 5) ZONING: D.R. 5.5 ZONE FOR 20' WIDE STRIP ALONG NORTHERN AND WESTERN BOUNDARY. REMAINDER ZONED BL. SEE ZONING HISTORY.

SETBACKS: FRONT, 10 FEET FROM PROPERTY LINE OR 40 FEET FROM STREET CENTERLINE
 SIDE, 10 FEET FROM RESIDENTIAL ZONE
 REAR, 20 FEET FROM RESIDENTIAL ZONE

- 6) SITE AREA: 38,605 SQ. FT. OR 0.8863 ACRES
- 7) EXISTING USE: CONVENIENCE STORE - CLOSED
- 8) PROPOSED USE: DRUG STORE AS ALLOWABLE USE IN BL ZONE
- 9) PROPOSED BUILDING: 10,650 SQ. FT.
- 10) PROPOSED PARKING: TABULATION
 GROSS AREA = 10,650 SQ. FT.
 PARKING REQUIRED 5 SPACE FOR EACH 1000 SQ. FT. OR 5 SPACES X 10,650 = 53 SPACES
 PARKING PROVIDED 31 REGULAR
 2 HANDICAPPED
 33 TOTAL

- 11) ZONING MAP NUMBER: SW2F
- 12) FLOOR AREA RATIO:
 SITE AREA = 38,605
 1/2 STREET AREA 20 X 203 = 4,060
 30 X 197 = 5,910
 TOTAL AREA 48,575
 FAR = BUILDING AREA - TOTAL AREA = 10,650 - 48,575 = 0.22

ZONING HISTORY:
 ORDERED BY THE BOARD OF APPEALS OF BALTIMORE COUNTY, MARYLAND ON OCTOBER 24, 1979 CASE NUMBER R-80-57, (ITEM #1), THAT THE PROPERTY BE REZONED FROM D.R. 5.5 TO BL, EXCEPT FOR A STRIP 20 FEET BY 207.2 FEET LONG ON THE NORTH BOUNDARY AND A STRIP 20 FEET BY 155.2 FEET LONG ON THE WEST BOUNDARY THAT ARE TO RETAIN THE D.R. 5.5 DESIGNATION AND BE USED FOR LANDSCAPING PURPOSES TO PROVIDE A BUFFER ZONE BETWEEN THE B.L. ZONING AFFORDED THE REMAINDER OF THIS PARCEL AND THE SURROUNDING D.R. 5.5 AREAS.



LEGEND:

- sd mh STORM DRAIN MANHOLE
- ss mh SANITARY SEWER MANHOLE
- tele mh TELEPHONE MANHOLE
- U UTILITY POLE
- * LIGHT POLE
- W WATER VALVE
- G GAS VALVE
- C.C. CLEANOUT

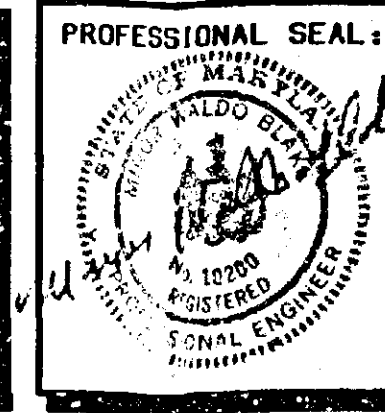
NOTES:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERRED TO THE SYSTEM ESTABLISHED IN THE BALTIMORE METROPOLITAN GRID SYSTEM AND ARE BASED ON THE FOLLOWING STATIONS:
 HUB NO. 17281 S. 7167.25 W. 35437.53
 HUB NO. 17282 S. 7730.12 W. 35042.75

BENCHMARK:

THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE ELEVATION ESTABLISHED FOR HUB NO. 17282, WHICH IS A RAIL-ROAD SPIKE LOCATED IN THE MACADAM ON THE SOUTHWEST SIDE OF EDMONDSON AVENUE AND THE WEST SIDE OF WINTERS LANE, ELEVATION 508.868'

NO.	DESCRIPTION	DATE	APPROVED BY	DATE



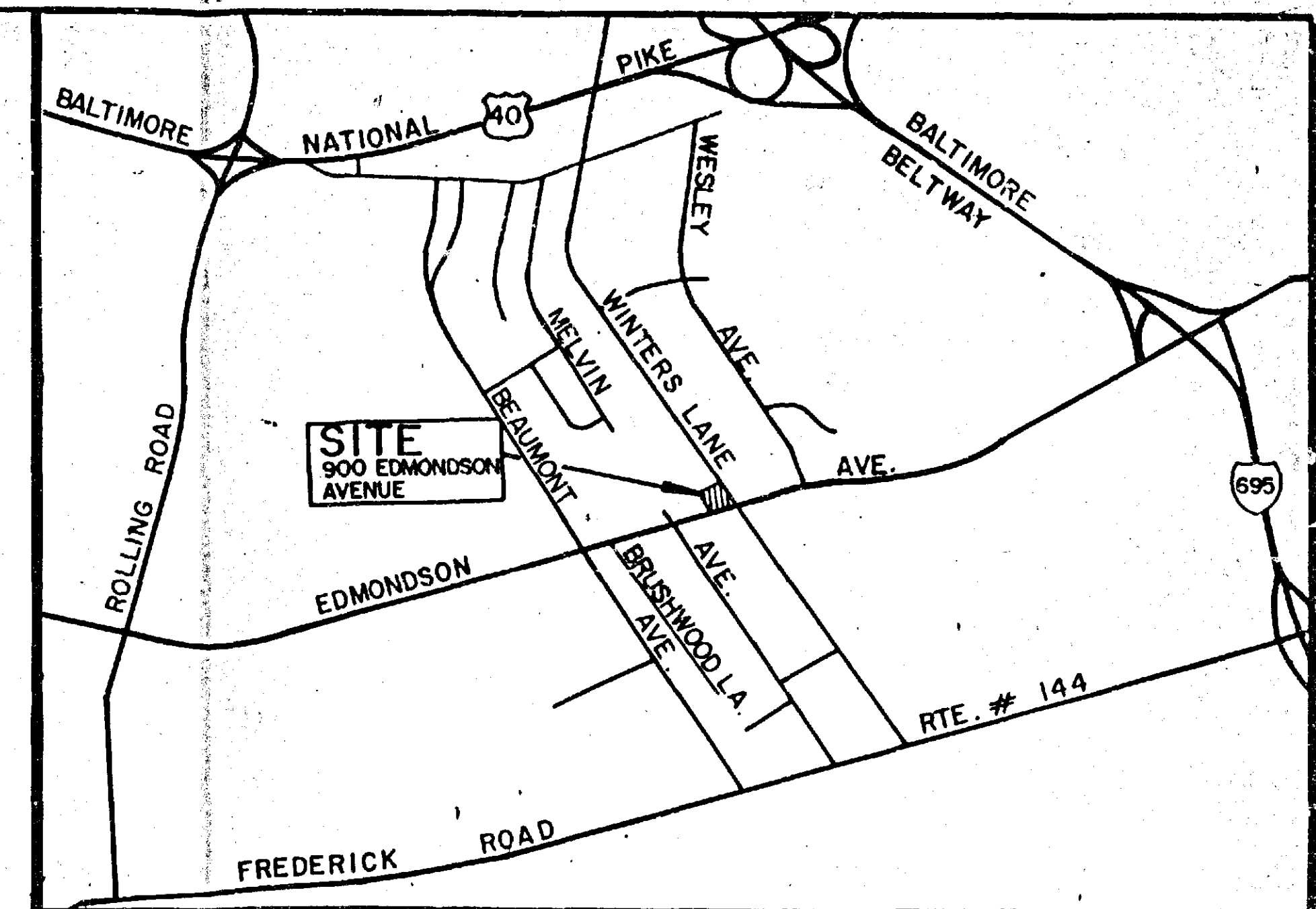
PROJECT: **REVCO**
900 EDMONDSON AVENUE
BALTIMORE, MARYLAND
 ELECTION DISTRICT 1, COUNTY COUNTY DISTRICT 1

TITLE: **PLAN TO ACCOMPANY**
VARIANCE HEARING

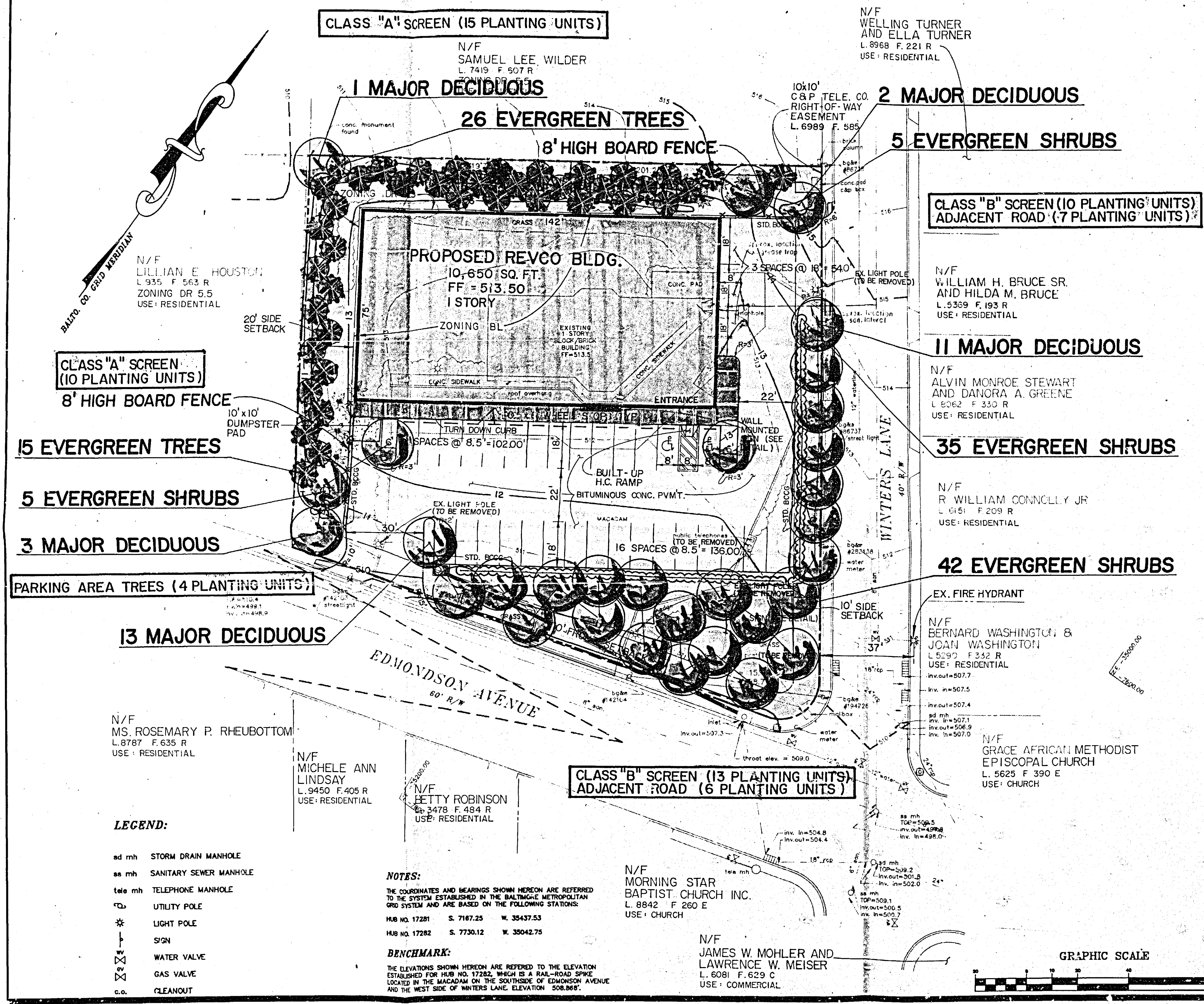
PHR&A
 Patton Harris Rust & Associates, P.C.
 Engineers-Surveyors-Planners-Landscape Architects
 3998 Fair Ridge Drive, Suite 201
 Fairfax, Virginia 22033
 (703) 261-9900

Offices:
 Fairfax, Va.
 Bridgewater, Va.
 Leesburg, Va.
 Rockville, Md.
 Virginia Beach, Va.
 Chantilly, Va.
 Winchester, Va.

SURVEY		DATE
OTHERS		MARCH, 1994
DESIGN	MJ	DRAWN
		CJM
CHD.	JEF	SCALE
		1" = 20'
SHEET 1 OF 1	FILE NO.	8789-1-0



VICINITY MAP SCALE: 1"=1,000'



ZONING HISTORY:
 ORDERED BY THE BOARD OF APPEALS OF BALTIMORE COUNTY, MARYLAND ON OCTOBER 24, 1979 CASE NUMBER R-80-67, (ITEM #1), THAT THE PROPERTY BE REZONED FROM D.R. 5.5 TO BL, EXCEPT FOR A STRIP 20 FEET BY 207.2 FEET LONG ON THE NORTH BOUNDARY AND A STRIP 20 FEET BY 152 FEET LONG ON THE WEST BOUNDARY THAT ARE TO RETAIN THE D.R. 5.5 DESIGNATION AND BE USED FOR LANDSCAPING PURPOSES TO PROVIDE A BUFFER ZONE BETWEEN THE BL ZONING AFFORDED THE REMAINDER OF THIS PARCEL AND THE SURROUNDING D.R. 5.5 AREAS.

- LEGEND:**
- sd mh STORM DRAIN MANHOLE
 - ss mh SANITARY SEWER MANHOLE
 - tele mh TELEPHONE MANHOLE
 - U UTILITY POLE
 - L LIGHT POLE
 - S SIGN
 - W WATER VALVE
 - G GAS VALVE
 - C.C. CLEANOUT

NOTES:
 THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERRED TO THE SYSTEM ESTABLISHED IN THE BALTIMORE METROPOLITAN GRID SYSTEM AND ARE BASED ON THE FOLLOWING STATIONS:
 HUB NO. 17281 S. 7167.25 W. 35437.53
 HUB NO. 17282 S. 7730.12 W. 35042.75

BENCHMARK:
 THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE ELEVATION ESTABLISHED FOR HUB NO. 17282, WHICH IS A RAIL-ROAD SPIKE LOCATED IN THE MACADAM ON THE SOUTH SIDE OF EDMONDSON AVENUE AND THE WEST SIDE OF WINTERS LANE. ELEVATION 508.868'.

N/F MORNING STAR BAPTIST CHURCH INC.
 L. 8842 F. 260 E
 USE: CHURCH

N/F JAMES W. MOHLER AND LAWRENCE W. MEISER
 L. 6081 F. 629 C
 USE: COMMERCIAL



NO.	DESCRIPTION	DATE	BY	APPROVED	DATE

PROJECT:
REVCO
900 EDMONDSON AVENUE
BALTIMORE, MARYLAND
 ELECTION DISTRICT 1, COUNTY COUNTY DISTRICT 1

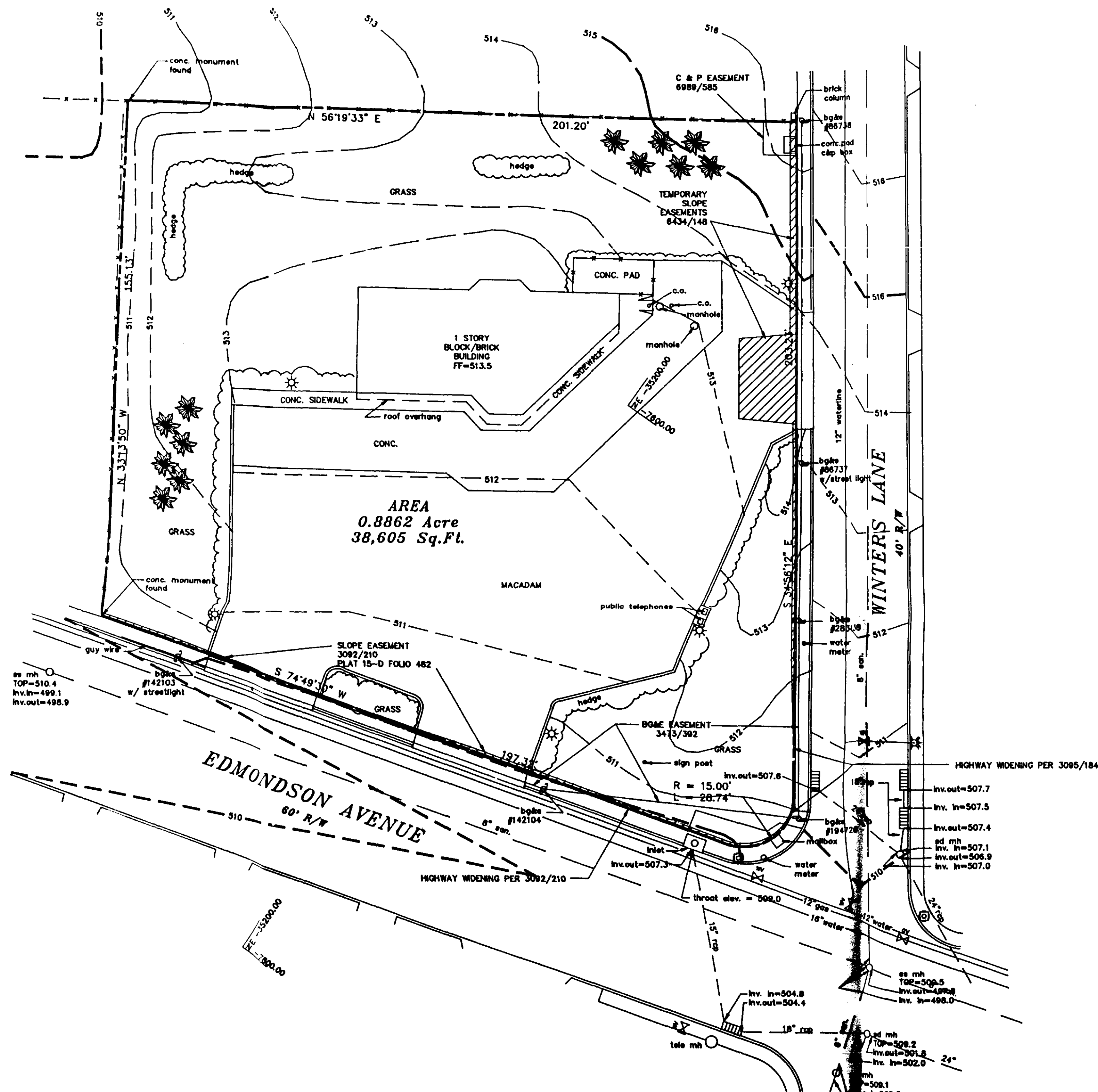
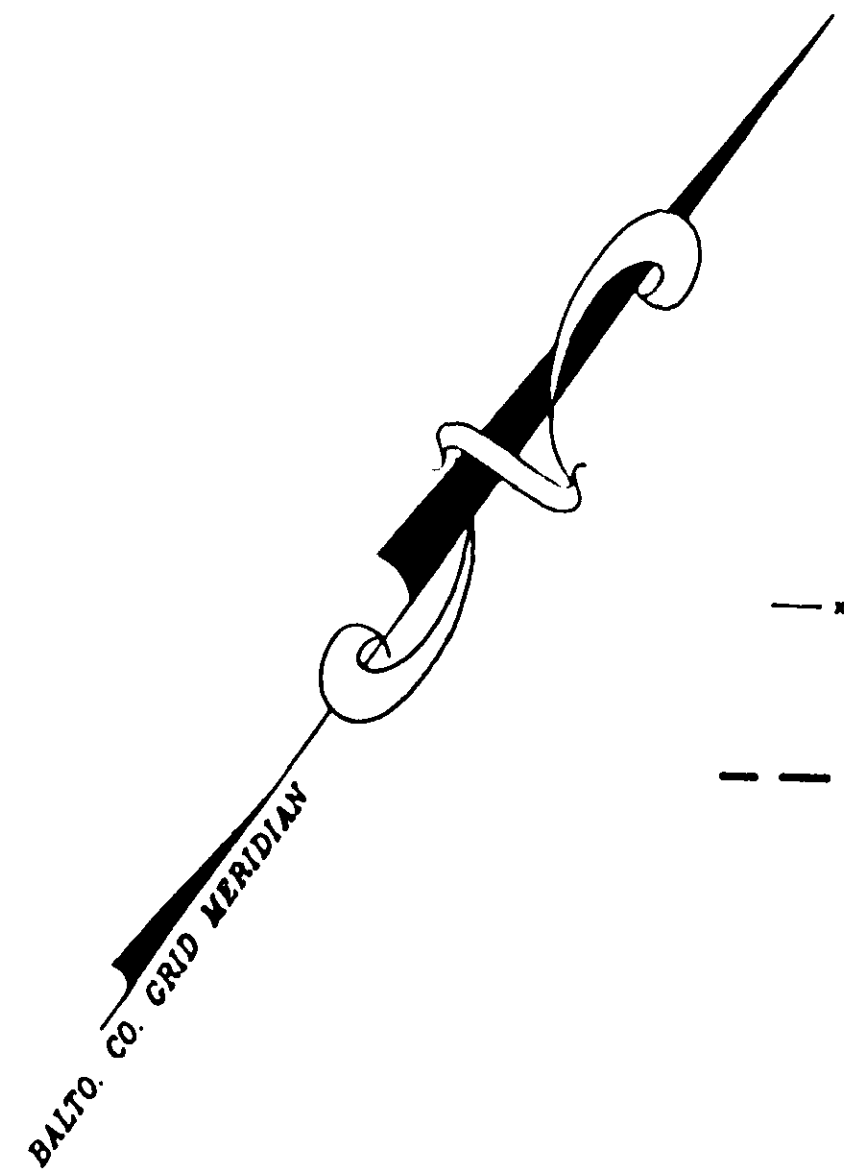
TITLE:
CONCEPT
LANDSCAPE PLAN

PHR&A

Polton Harris Rust & Associates, p.c.
 Engineers, Surveyors, Planners, Landscape Architects
 2906 Fair River Drive, Suite 200
 Fairfax, Virginia 22030

Office:
 Fairfax, Va.
 Bridgeport, Va.
 Leesburg, Va.
 Rockville, Md.
 Virginia Beach, Va.
 Chantilly, Va.
 Winchester, Va.

SURVEY	OTHERS	DATE
DESIGN	MJ	MAY, 1994
CHKD.	JEF	DRAWN CJM
SHEET 1 OF 1		SCALE 1" = 20'
FILE NO.		8789-1-0

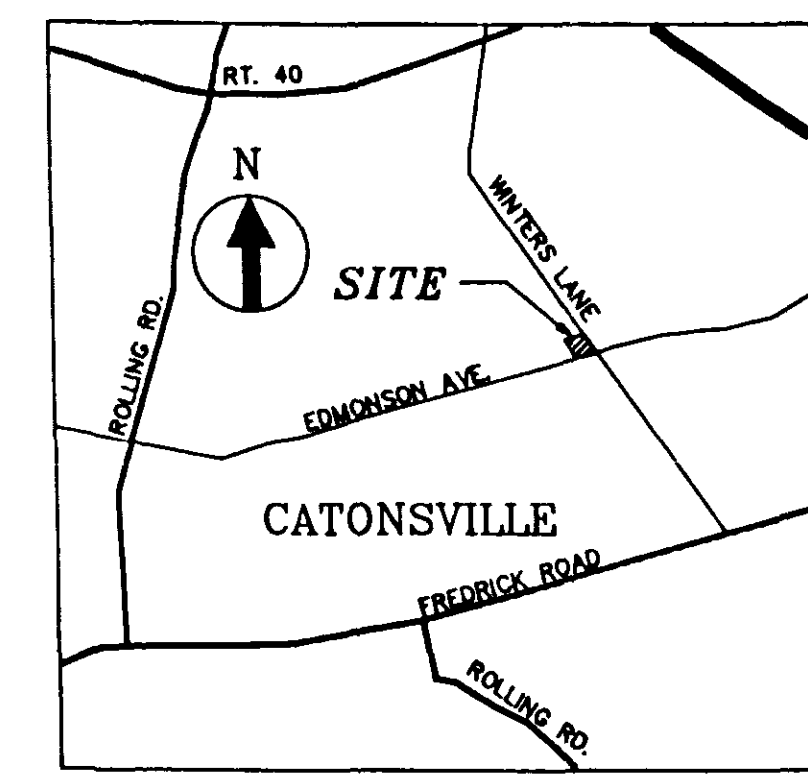


- LEGEND:**
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 - ss mh SANITARY SEWER MANHOLE
 - tele mh TELEPHONE MANHOLE
 - U UTILITY POLE
 - L LIGHT POLE
 - S SIGN
 - W WATER VALVE
 - G GAS VALVE
 - c.o. CLEANOUT

COORDINATES:
 THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERRED TO THE SYSTEM ESTABLISHED IN THE BALTIMORE METRIC GRID SYSTEM AND ARE BASED ON THE FOLLOWING STATION:
 HUB NO. 17281 S. 7167.25 W. 35437.53
 HUB NO. 17282 S. 7730.12 W. 35042.75

BENCHMARK:
 THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE ELEVATION ESTABLISHED FOR HUB NO. 17282, WHICH IS A RAIL-SPOKE MARKER LOCATED IN THE MACADAM ON THE SOUTHWEST SIDE OF EDMONDSON AVENUE AND THE WEST SIDE OF WINTERS LANE. ELEVATION 504.87.

NOTES:
 1) THE LOCATION, SIZE & TYPE OF UTILITIES SHOWN HEREON ARE COMPILED FROM THE RECORDS OF BALTIMORE DEPARTMENT OF PUBLIC WORKS. THE ACCURACY AND COMPLETENESS OF THIS INFORMATION CANNOT BE GUARANTEED, THEREFORE IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THESE MATTERS TO THEIR SATISFACTION BEFORE PROCEEDING.

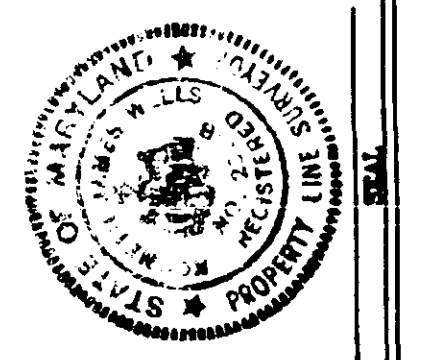


SURVEYOR'S CERTIFICATION:
 I, KENNETH J. WELLS OF KENNETH J. WELLS, INC. A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF HEREBY CERTIFY TO THE ACCURACY AND COMPLETENESS OF THE SURVEY TITLE IN THIS CORPORATION TRACT.
 (A) THE SURVEY PREPARED BY ME OR UNDER MY DIRECTION ENTITLED, "BOUNDARY SURVEY PLAT, 900 EDMONDSON AVENUE" DATED DECEMBER 8, 1993 WAS ESTABLISHED BY TRUSTEES FIELD SURVEY ACTUALLY MADE UPON THE GROUND PURSUANT TO THE INTENT OF THE RECORD DESCRIPTIONS AND IS CORRECT.
 (B) THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS ARE AS SHOWN AND ARE WITHIN THE BOUNDARY LINES OF THE PROPERTY, EXCEPT AS SHOWN HEREON.
 (C) EXCEPT AS SHOWN HEREON, THERE ARE NO OBSERVABLE EVIDENCES OF BUILDINGS, STRUCTURES, WALKWAYS, DRIVEWAYS, PARKING AREAS, PARKING SPACES, PARTY WALLS, WALLS, FENCES, WATER RETENTION PONDS, LAKES, PONDS, CREEKS, STREAMS, RIVERS, DRAINAGE CHANNELS OR OTHER WATER COURSES, PIPELINES, PUBLIC OR PRIVATE ROADS, STREETS, ALLEYS, RAILROADS OR RIGHTS-OF-WAY VISIBLE ON THE GROUND OR WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT ON RECORD, AFFECTING THE PROPERTY.
 (D) THERE ARE NO ENCROACHMENTS AFFECTING THE PROPERTY, OTHER THAN THOSE SHOWN AND DEPICTED HEREON.
 (E) ALL UTILITY SERVICE LINES EITHER ENTER THE PREMISES THROUGH ADJOINING PUBLIC STREET, OR THE SURVEY SHOWS THE POINT OF ENTRY AND LOCATION OF ANY UTILITIES WHICH PASS THROUGH OR ARE LOCATED ON ADJOINING PRIVATE LAND, BASED ON OBSERVABLE EVIDENCE AND AVAILABLE CITY RECORDS.
 (F) THE SURVEY SHOWS ALL OBSERVABLE EVIDENCES OF THE LOCATION AND DIRECTION OF EXISTING STORM DRAINAGE SYSTEMS FOR THE COLLECTION AND DISPOSAL OF SURFACE DRAINAGE.
 (G) THERE ARE NO GAPS OR GORES BETWEEN THE PROPERTY BOUNDARIES AND ADJOINING PUBLIC ROADS SHOWN ON THE SURVEY.
 (H) THE SURVEY SHOWN ON THE SURVEY IS CORRECT AND IS ACCURATE TO THE NEAREST ONE THOUSANDTH OF AN ACRE.
 (I) THE PROPERTY LIES WITHIN AN AREA IDENTIFIED AS ZONE "C", AN AREA OF SPECIAL FLOODING, AS SHOWN ON FLOOD INSURANCE RATE MAP, CORRECTION NUMBER 2400003000, DATED MARCH 2, 1991, BY FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION.
 (J) THE SURVEY IS MADE IN ACCORDANCE WITH THE "MINIMUM STANDARDS AND REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEY JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1992 AND MEET THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY."
 (K) I HAVE RECEIVED A COPY OF TITLE INSURANCE COMMITMENT NO. 43-1871, DATED 10-21-93 AS ISSUED BY LAWYERS TITLE INSURANCE CORPORATION AND HAVE LISTED ON THIS SURVEY ALL SPECIAL EXCEPTIONS LISTED IN THAT POLICY IN SCHEDULE B - SECTION II.

KENNETH J. WELLS REG. NO. 236 DATE

KENNETH J. WELLS, INC.
 7062 BEL AIR ROAD
 BALTIMORE, MARYLAND 21296
 (410) 665-3242

KJW



LAND PLANNERS AND SURVEYORS

PROPOSED REVCO SITE
 900 EDMONDSON AVENUE
 BALTIMORE COUNTY, MARYLAND

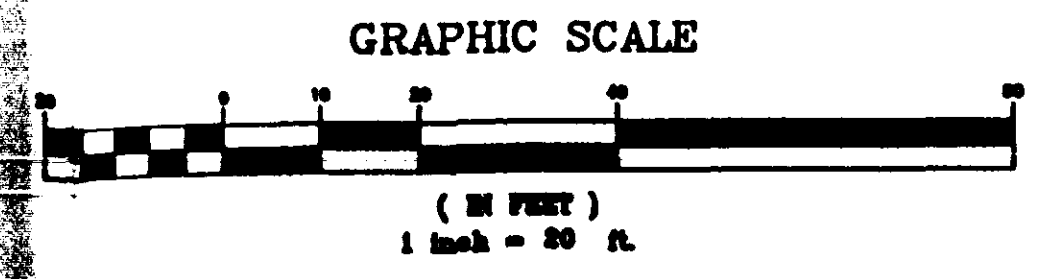
REVISIONS:	NO.	DATE

DRAWN BY: JCH
CHECKED BY:
DATE: 12/08/93

TITLE:
 BOUNDARY SURVEY PLAT
 OF
 900 EDMONDSON AVENUE

S-1
 SHEET 1 OF 1
 PROJECT NO.:

93049



Ret Ex #2

Lot Ex #1

JEFFREY E. FRANK, AICP, P.L.S.
Senior Land Planner

Mr. Frank is a Vice President and a member of the Board of Directors of PHR&A. He is an experienced urban planner, land development consultant, researcher, and author of technical studies related to regional and community planning, developmental feasibility, public finances, master planning and zoning. He has directed numerous site investigations and design studies including industrial or business parks in Warsaw, Virginia, Cambridge, Maryland and currently in Martinsburg, West Virginia.

Professional Responsibilities and Accomplishments

- Community and site planning, public facility and institutional design, residential and commercial/industrial development engineering, and review and approval of development plans.
- Market studies, economic and population projection and investment feasibility analyses for real estate development project.
- Zoning administration and enforcement and revisions to subdivision and zoning regulations.
- Principal-In-Charge for site feasibility, master planning and final design of over 7 million square feet of office space for national corporations and regional developers in the Washington-Baltimore Metropolitan area.
- Principal-In-Charge, Project Director and Design Coordinator for the planning, site design, engineering and construction of residential projects ranging in size from 1200 units (townhouses and multi-family) to large single family subdivisions, in fill sites in urban areas, estate homes valued at over a million dollars, and publicly-assisted units construction by public housing agencies.
- Principal-In-Charge and Project Director of the North Laurel-Savage Master Planning Study for the Office of Planning and Zoning in Howard County, Maryland. Project involved technical evaluations of a seventeen square-mile area, preparation of development alternatives, fiscal analysis, community facility plans and land use plans including site improvement criteria for the U.S. Route 1 corridor.
- Principal-In-Charge and Project Manager of a site analysis and design study for a rural housing project in Mountain Lake Park, Garrett County, Maryland.
- Principal-In-Charge and expert witness on urban planning and master planning for residential, commercial office and industrial rezonings and special exceptions. Responsibilities include preparation of professional testimony and exhibits and presentations before zoning boards and hearing examiners.



Lot Ex 5

REVCO
HARFORD ROAD - PARKVILLE
PARKING LOT OCCUPANCY COUNTS
10 AM TO 6 PM
Friday, May 6, 1994

10:00 AM	7
10:30	10
11:00	11
11:30	14
12:00 PM	9
12:30	10
1:00	8
1:30	9
2:00	11
2:30	7
3:00	11
3:30	8
4:00	3
4:30	5
5:00	7
5:30	8
6:00 PM	8
Average	8.6
Maximum	14

(04/03/94) (continued)

The Traffic Group, Inc.
Suite 600
40 W. Chesapeake Avenue
Towson, Maryland 21204
410-583-8403
Fax 410-321-8458

MELVIN AVENUE

1-29-94
Date

BALTIMORE COUNTY OFFICE OF ZONING AND PLANNING
County Courts Building, Suite 406, Towson, Maryland 21204

"Petition for approval of Revco Drug Store on the commercial site at 900 Edmondson Avenue, Catonsville, Maryland 21228"

We, the undersigned residence of Catonsville, Maryland support and approve the proposed building of a Revco Drug Store at 900 Edmondson Avenue, Catonsville, Maryland:

Signature	Print Name	Address
<i>Earl Lazur</i>	EARL LAZUR	116 MELVIN AV.
<i>Carol Lazur</i>	CAROL LAZUR	116 MELVIN AVE 21228
<i>Nancy Messer</i>	NANCY MESSER	111 MELVIN AV.
<i>M. Campbell Messer</i>	M. Campbell Messer	111 Melvin Ave.
<i>Mary Messer</i>	MARY MESSER	117 MELVIN AV.
<i>Robert Adams</i>	ROBERT D. ADAMS	109 MELVIN AV.
<i>Velma Adams</i>	Velma Adams	109 Melvin Ave.
<i>Elaine Conley</i>	ELAINE CONLEY	101 Melvin Avenue
<i>Gerald R. Conley</i>	GERALD R. CONLEY	101 MELVIN AVENUE
<i>Bruce Hamilton</i>	Bruce Hamilton	35 Melvin Ave.
<i>Kevin O'Connell</i>	Kevin O'Connell	11 Melvin Ave.

EXHIBIT-2

Lot Ex 6

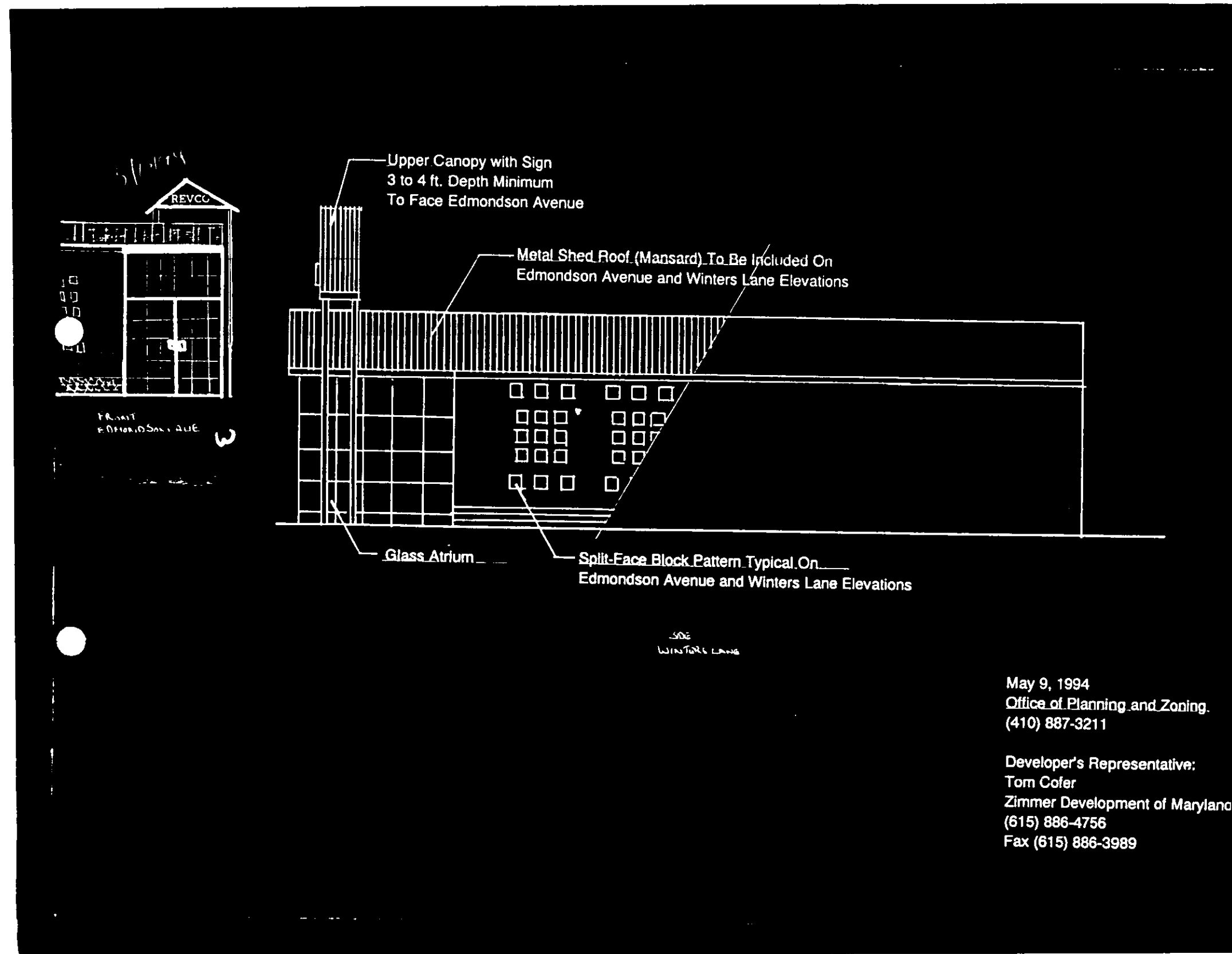
February 10, 1994

TO: Kurt Kugleburg, ZADM
FROM: Bill Hughey and Lenwood Johnson
Office of Planning
Subject: Revco's 2nd Informal Meeting with the Concerned Citizens of Catonsville Umbrella Community Group

- ATTENDING:
Mr. Upshur Webb - President of Concerned Citizens of Catonsville (CCC)
Ms. Jessie Johnson - Resident/Petitioner
Approximately 35 other Residents - See Attached Sign-in sheet (Exhibit 1)
Edward Beasley - District Supervisor - Revco
Jeffrey Frank - AICP of Patton Harris Rust and Associate - Engineer
Cpt. Tom Levinger - Wilkens Precinct Commander
Lt. Michael DePaula - Woodlawn Police Precinct
Officer Kevin Scott - Community Relations Officer - Woodlawn
Cynthia Pollack - AICP - Congressman Kweisi Mfume
Lenwood Johnson - Planning Office

Having attended two informal meetings between the Concerned Citizens of Catonsville Community Organization and the Revco Drug Store representatives, we can comfortably recommend that the DRC grant the petitioner the requested limited exemption.

- Rationale:
1. The proposed Revco site has been used for retail activity for most of this century according to local historians and older residents. The commercial use predated zoning.
2. The President of CCC and a majority of the residents in the community have expressed their support for the proposed Revco Drug Store by signing and submitting petitions. The President stated that the store will be beneficial for the overall community. The petitions were completed by volunteers who went door-to-door to acquire signatures over the last two weeks of January 1994. The coldest two weeks on record. Petitions are attached (Exhibit 2).
3. Informational flyers and as well as announcements in the community churches were used to inform residents of the second meeting with Revco representatives.
4. The Revco corporate and technical representatives answered sufficiently most of the questions raised by residents:



February 8, 1994

RECEIVED

FEB 14 1994

OFFICE OF PLANNING & ZONING

Mr. Arnold Keller, III
Deputy Director
Office of Planning & Zoning
County Courts Building, Suite 406
Towson, Maryland 21204

Dear Mr. Keller:

RE: Proposed Revco Store
900 Edmondson Avenue
Catonsville, Maryland

We understand from Mr. Lenwood Johnson of your staff that you would like an explanation of Revco's requirements for our store proposed on the referenced site. Revco D.S., Inc. has done a market survey and desires to build a 10,722 square foot store at this location. Revco finds it necessary to build this store rather than a smaller store based upon numerous reasons. I will try to enumerate those for you below:

- 1. The land cost on this particular site is very expensive. The rent per square foot on a smaller store would be greater than we can accept. If we are able to spread the cost of land over a larger store, the price per square foot falls to an acceptable level.
2. In a larger store, we are able to offer a larger selection of merchandise to present to our customers, thereby maintaining a competitive position in this market.
3. We anticipate a higher sales volume in a larger store than in a smaller store, which would flow to the bottom line to make the larger store more profitable and therefore able to support the higher land cost.
4. Finally, profitability of the 10,722 square foot store would give us the return we need on this investment. A smaller store would not achieve the return necessary and therefore may not pass our committee for approval.

Jessie Johnson
108 Winters Lane
Catonsville
Md
21228
Wants a copy of
94-386-A

Petitioner's Exhibits 3A-3E
94-386-A



NEWS
Foes seek rezoning
Neighbors split over plan for new Revco

By BARBARA GUARDINO
A proposed Revco drug store that would create a crime problem that had not existed since Dash's closing.
Jessie Johnson remembers when the Dash convenience store that once sat near her home in the Winters Lane community was a hangout for the wrong kind of people. Since it closed in 1988, she says, crime has dropped considerably in the 900 block of Edmondson Avenue.
That's why she and a group of neighbors are opposed to a Revco Discount Drug Center that may open at the site of the now-empty Dash in, but Johnson and other opponents appear to be greatly outnumbered. The Concerned Citizens of Catonsville, an umbrella group of community associations, welcomes the proposed pharmacy.

Upshur Webb, chairman of the Concerned Citizens of Catonsville, contends that the majority of residents wants the store to be built. There is no strength in opponents' concerns, he said.

According to county crime analysis and records, 84 residential and non-residential break-ins and entering cases were reported in the immediate area surrounding 900 Edmondson Avenue since 1985. Forty-nine of those occurred between 1985-88 while the 24-hour convenience store was open, the remaining 35 occurred after it closed. Only two break-ins were recorded in 1993. Between 1985-88 there were four robberies; none occurred after the Dash is closed.

Wilkens precinct Captain Thomas Levinger attended the monthly meeting of the Concerned Citizens of Catonsville on Feb. 4. While acknowledging that the police don't make recommendations about business operations, Levinger said he looked at Revco's blueprints and concluded that the company has "already done its homework" and is taking steps toward crime prevention.

Precautions include adequate lighting, landscaping that doesn't produce places for criminals to hide and no outside pay telephones on or near the premises.
Jessie Johnson will walk a circuit because, she said, "there were no safety programs set up with the police department.
The one-story drug store would cover 10,000 square feet, said Jeffrey Frank, vice president of the Virginia-based engineering firm of Patton, Harris, Rust and Associates. Frank said he anticipates construction will begin in June, and the drug store will open around Christmas. The convenience store will be demolished, and the old parking lot replaced with a 41-space lot.

Most of the eight or nine employees will be hired from the Catonsville area, with the possible exception of the manager and pharmacist, Frank said.
Ed Beasley, who represents Revco's Baltimore district office, was unable to obtain authorization to comment from Revco's corporate office in Ohio. Corporate officials said they will offer comments until plans are finalized.

Concerns about the development "will certainly enhance that corner," Maskey requested that Revco representatives meet with the community and hear out concerns after Revco applied for a limited exemption to spend up the county development process.

CATONSVILLE TIMES 2-23-94

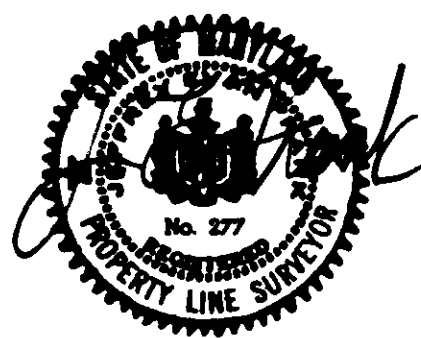
94-386-A

March 2, 1994
Revised March 31, 1994

ZONING DESCRIPTION FOR VARIANCE APPLICATION
ON THE PROPERTY OF
DASH IN FOOD STORE, INC.

Beginning at a point on the northerly right-of-way line of Edmondson Avenue (60 feet wide) at a distance of approximately 240 feet, along said right-of-way, west of the centerline of Winters Lane (40 feet wide), thence the following courses and distances as now surveyed:

- 1) N 33 degrees 13' 50" W, 155.13 feet;
- 2) N 56 degrees 19' 33" E, 201.20 feet;
- 3) S 34 degrees 56' 12" E, 203.23 feet;
- 4) an arc distance of 28.74 feet along a curve to the right having a radius of 15.00 feet and a chord bearing and distance of S 19 degrees 56' 39" W, 24.54 feet; and
- 5) S 74 degrees 49' 30" W, 197.32 feet to the place of beginning, containing 0.8863 acres of land, more or less, as recorded in Liber 7347, Folio 846. The property is known as 900 Edmondson Avenue and is located in the First Election District.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 94-386-A
Towson, Maryland

District: 1st Date of Posting: 4/11/94
 Posted for: Variance
 Petitioner: Dash In Food Store, Inc. - Edmondson & Winters Lane
 Location of property: 900 Edmondson Ave. at Winters Lane
 Location of Sign: Facing road on property being surveyed
 Remarks:
 Posted by: [Signature] Date of return: 4/22/94
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 15, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 14, 1994.

THE JEFFERSONIAN,

[Signature]
LEGAL AD. - TOWSON

NOTICE OF PUBLICATION
 The Baltimore County Zoning Department, by authority of the Board of Zoning Appeals, has received a petition for a variance from the Zoning Ordinance of Baltimore County, Maryland, for the property identified herein in the attached advertisement. The variance is being considered by the Board of Zoning Appeals, which will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21284, on Monday, May 11, 1994 at 9:00 a.m. in Room 106, Office Building.
 Variance to allow 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area.
 LAWRENCE E. SCHWYZ
 ZONING COMMISSIONER FOR BALTIMORE COUNTY
 NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3351.
 DATE: April 14, 1994

receipt
 94-386-A
 Account: R001-8150
 Date: 3-30-94
 Item Number: 373
 Taken by: [Signature]
 Owner: Dash In Foods Inc.
 Site: 900 Edmondson Ave.
 #020 Commercial Variance Filing Fee - \$250.00
 #080 Sign and Posting - 35.00
 Total - \$285.00
 Please Make Checks Payable To: Baltimore County
 Counter Validation

Item Number: 373
Planner: JJS
Date Filed: 3-30-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

- Need an attorney
- The following information is missing:
- Descriptions, including accurate beginning point
 - Actual address of property
 - Zoning
 - Acreage
 - Plats (need 12, only submitted)
 - 200 scale zoning map with property outlined
 - Election district
 - Councilmanic district
 - BCZR section information and/or wording
 - Hardship/practical difficulty information
 - Owner's signature (need minimum 1 original signature) and/or printed name and/or address (need minimum 1 telephone number)
 - Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address (need minimum 1 telephone number)
 - Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
 - Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 - Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - Notary Public's section is incomplete and/or incorrect and/or commission has expired
 - OWNER'S ZP CODE

PET-FLAG (TXTSOPH)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
 Item No.: 373
 Petitioner: _____
 Location: _____

PLEASE FORWARD ADVERTISING BILL TO:
 NAME: Thomas J. Gisriel
 ADDRESS: 901 Dulaney Valley Rd, Suite 400
Towson, MD, 21204
 PHONE NUMBER: 938-8800

AJ:pgs (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

APRIL 8, 1994

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, 111 West Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-386-A (Item 373)
 900 Edmondson Avenue
 1st Election District - 1st Councilmanic
 Legal Owner(s): Dash-In Food Stores, Inc.
 Contract Purchase(s): Edmondson Zimar Enterprises, LLC
 HEARING: WEDNESDAY, MAY 11, 1994 at 9:00 a.m., Rm. 106, Office Building.

Variance to allow 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area.

LAWRENCE E. SCHWYZ
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

APRIL 8, 1994

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, 111 West Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Variance to allow 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area.

[Signature]
Arnold Jablon
Director

cc: Dash-In Food Stores, Inc.
 Edmondson Zimar Enterprises, LLC
 Thomas J. Gisriel

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
 (2) HEARING ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

May 2, 1994

Thomas J. Gisriel, Esquire
901 Dulaney Valley Road, Suite 400
Towson, Maryland 21204

RE: Case No. 94-386-A, Item No. 373
 Petitioner: Dash-In Food Stores, Inc., et al.
 Petition for Variance

Dear Mr. Gisriel:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 March 30, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

IN RE: PETITION FOR VARIANCE
NW/Corner Edmondson Avenue
and Winters Lane
(900 Edmondson Avenue)
1st Election District
1st Councilmanic District
Dash-In Food Stores, Inc.
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 94-386-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 900 Edmondson Avenue located in the Catonsville area of western Baltimore County. The Petition was filed by the owner of the property, Dash-In Food Stores, Inc., by John D. Combs, President, and the Contract Purchaser/Lessee, Edmondson Zimmer Enterprises, LLC, by Jeffrey L. Zimmer, Member, through their attorney, Thomas J. Gisriel, Esquire. The Petitioners seek relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area. The subject property and relief sought are more particularly described on Petitioner's Exhibit 2.

Appearing on behalf of the Petition were Jeffrey Frank, Senior Land Planner with Patton Harris Rust & Associates, P.C., Wes Guckert, Traffic Engineering Expert with The Traffic Group, Inc., Tom Christian, a representative of the Concerned Citizens of Catonsville, and Bill Huey and Lenwood Johnson with the Baltimore County Office of Planning and Zoning. Appearing as a Protestant in the matter was Ms. Jessie Johnson, a resident of the area.

Testimony revealed that the subject property consists of 0.8863 acres, more or less, zoned B.L. and is improved with a one-story brick building previously used as a convenience store. The Petitioners are desirous of developing the site with a Revco Drug Store and propose removing the existing structure and replacing same with a one-story building of 10,650 sq.ft. On behalf of the Petitioners, Mr. Jeffrey Frank testified that the prior use of the site as a convenience store has been abandoned, to his knowledge, for the past two and one-half years. He testified that the Petitioners have had two meetings with the adjoining community in order to allow them an opportunity to provide input into the development of this project as well as address any concerns they may have as to the proposed use. Mr. Frank testified that the Petitioners propose substantial landscaping around this site to screen the use to the extent possible from the surrounding residences. He testified that the hours of operation for the drug store will be Monday through Saturday, 9AM to 9PM, and on Sundays from 9AM to 5PM.

As to the relief requested, Mr. Frank testified that due to the fact that the intersection of Edmondson Avenue and Winters Lane is not at an exact 90 degree angle, the Petitioners have lost parking area on the site. Therefore, the requested variance as to the number of parking spaces to be provided is being requested. He further testified that the requested variance to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area are not necessary. He testified that the subject site offers an entrance and exit from both Winters Lane and Edmondson Avenue. Therefore, Mr. Frank feels that this part of the variance request is unnecessary and inapplicable to the proposed arrangement.

ORDER RECEIVED FOR FILING
Date 6/27/94
By [Signature]

It should be noted that a further review of the site plan and parking regulations revealed that the requested variances are appropriate and applicable to the use proposed on this site. Therefore, consideration of all variance relief sought will be given and a determination made based upon the testimony and evidence received as to the need for the variances.

Mr. Wes Guckert, traffic expert, appeared and testified on behalf of the Petitioners. Mr. Guckert testified that he has studied similar Revco Drug Store sites and the parking requirements for same. He testified that the parking demands at similar Revco Drug Stores were far below the 33 parking spaces that will be provided at the subject site. He testified that in his expert opinion, the 33 parking spaces to be provided far exceed that which will actually be utilized and therefore, the variance should be granted.

Mr. Tom Christian, a representative of the Concerned Citizens of Catonsville, appeared and testified on behalf of the proposed use. He testified that his group had met with representatives of Revco and that they approve of the use of the subject property as a Revco Drug Store. He testified that in addition to the adjacent community, there are a number of senior citizen complexes in the area who would utilize the proposed store. Mr. Christian further testified that the subject site currently sits vacant and is a hang-out for undesirables. In his opinion, to allow the property to remain vacant would not be in the best interests of the community.

Mr. Bill Huey and Mr. Lenwood Johnson of the Baltimore County Office of Planning and Zoning also appeared and testified in support of the Petition. Mr. Johnson testified that the corner of Edmondson Avenue and Winters Lane has always been utilized for commercial purposes, even

ORDER RECEIVED FOR FILING
Date 6/27/94
By [Signature]

prior to 1945 when zoning became applicable in Baltimore County. Both gentlemen testified that the use proposed is an appropriate utilization of the subject property and has the complete support of the Planning Office.

Appearing and testifying in opposition to the relief requested was Ms. Jessie Johnson, who resides immediately across from the subject site on Winters Lane. Ms. Johnson is opposed to the subject property being used for commercial purposes in any fashion. She believes the community would be better-served if the property were to be down-zoned to residential use and a single family dwelling built thereon. She believes the commercial use of this corner will destroy the flavor of the community and impose upon the peace and quiet which the community currently enjoys. Ms. Johnson fears that the use proposed will cause undesirables to loiter at this corner just as they did previously when the convenience store operated from this site. She fears that this corner will be frequented by drug dealers and that the proposed store will be a crime-generator. Ms. Johnson is also concerned about increased traffic at this location in that a lot of children live in the area and play on this corner. Ms. Johnson provided as Protestant's Exhibit 1, a Petition signed by many of the surrounding residents who are opposed to the Revco drug store locating on this site.

In response to Ms. Johnson's testimony, I explained that the Deputy Zoning Commissioner does not possess the authority to change the zoning of this particular property from commercial to residential. Therefore, down-zoning this particular site to a residential use at this forum is not a possibility. I have merely been asked to determine whether or not the requested variances are appropriate for the use proposed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

ORDER RECEIVED FOR FILING
Date 6/27/94
By [Signature]

his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of June, 1994 that the Petition for Variance seeking relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 6/27/94
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

June 2, 1994

(410) 887-4386

Thomas J. Gisriel, Esquire
901 Dulany Valley Road, Suite 400
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/Corner Edmondson Avenue and Winters Lane
(900 Edmondson Avenue)
1st Election District - 1st Councilmanic District
Dash-In Food Stores, Inc. - Petitioner
Case No. 94-386-A

Dear Mr. Gisriel:

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

In the event any party finds the decision rendered is unfavorable, 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John D. Combs, President
Dash-In Food Stores, Inc., 6355 Crain Highway, La Plata, MD 20646

Mr. Jeffrey L. Zimmer
111 Princess Street, Wilmington, NC 28401

Ms. Jessie Johnson
108 Winters Lane, Catonsville, MD 21228

People's Counsel
File

ORDER RECEIVED FOR FILING
Date 6/27/94
By [Signature]

Petition for Variance

94-386-A
to the Zoning Commissioner of Baltimore County
for the property located at 900 Edmondson Avenue
which is presently zoned BL and DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s)

To allow 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead end aisle without sufficient back-up area.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Practical difficulty. Strict compliance with off-street parking requirements would be unnecessarily burdensome. Operating experience of Revco indicates that the off-street parking provided will be sufficient for this store.

Property is to be posted and advertised as prescribed by Zoning Regulations. I do not 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.

Contract Purchaser/Lessee: Edmondson Zimmer Enterprises, LLC
By Jeffrey L. Zimmer, Member
Type of Petitioner: Member

Address: 111 Princess Street
Wilmington, NC 28401

Signature for Petitioner: Thomas J. Gisriel
Type of Petitioner: Member

Address: 901 Dulany Valley Rd., Suite 400
(410) 938-8800
Towson, MD 21204

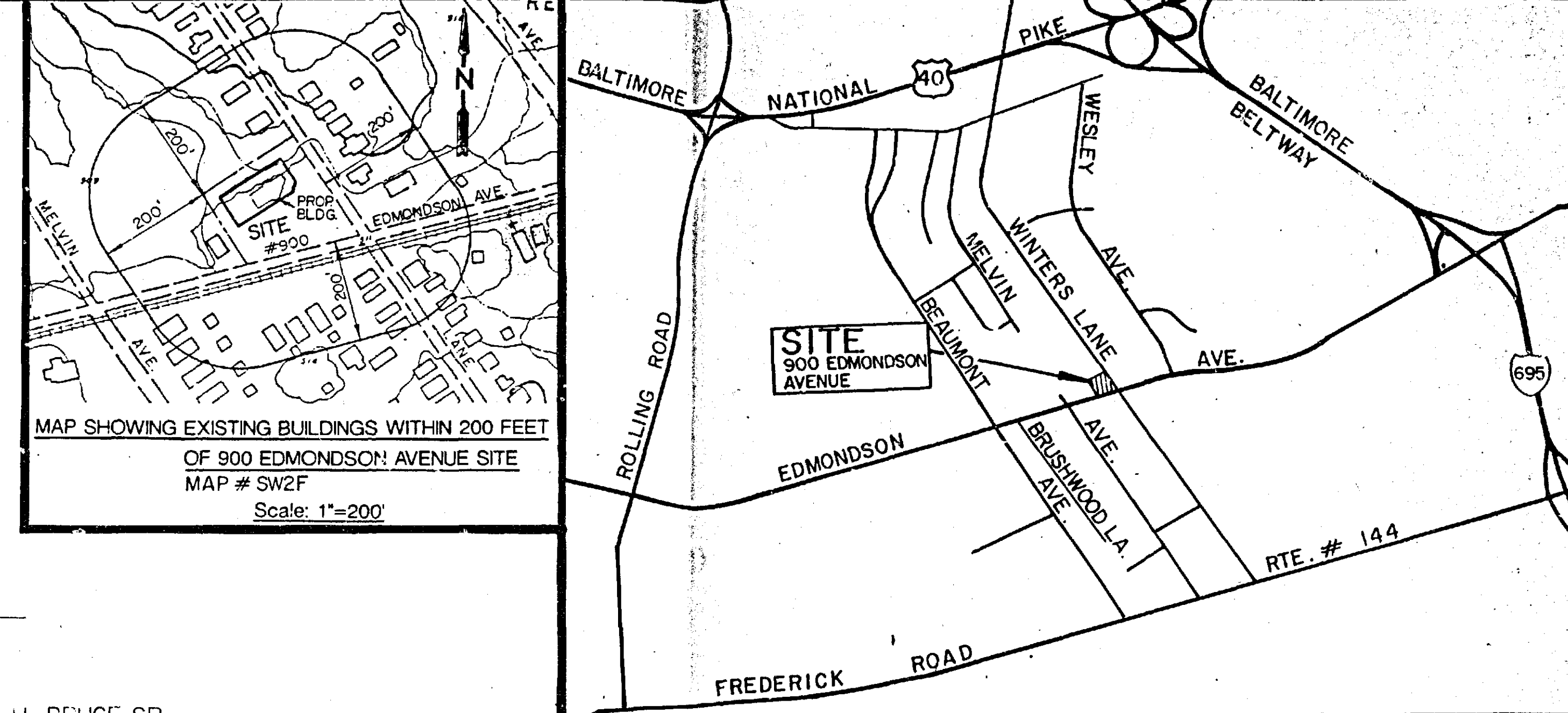
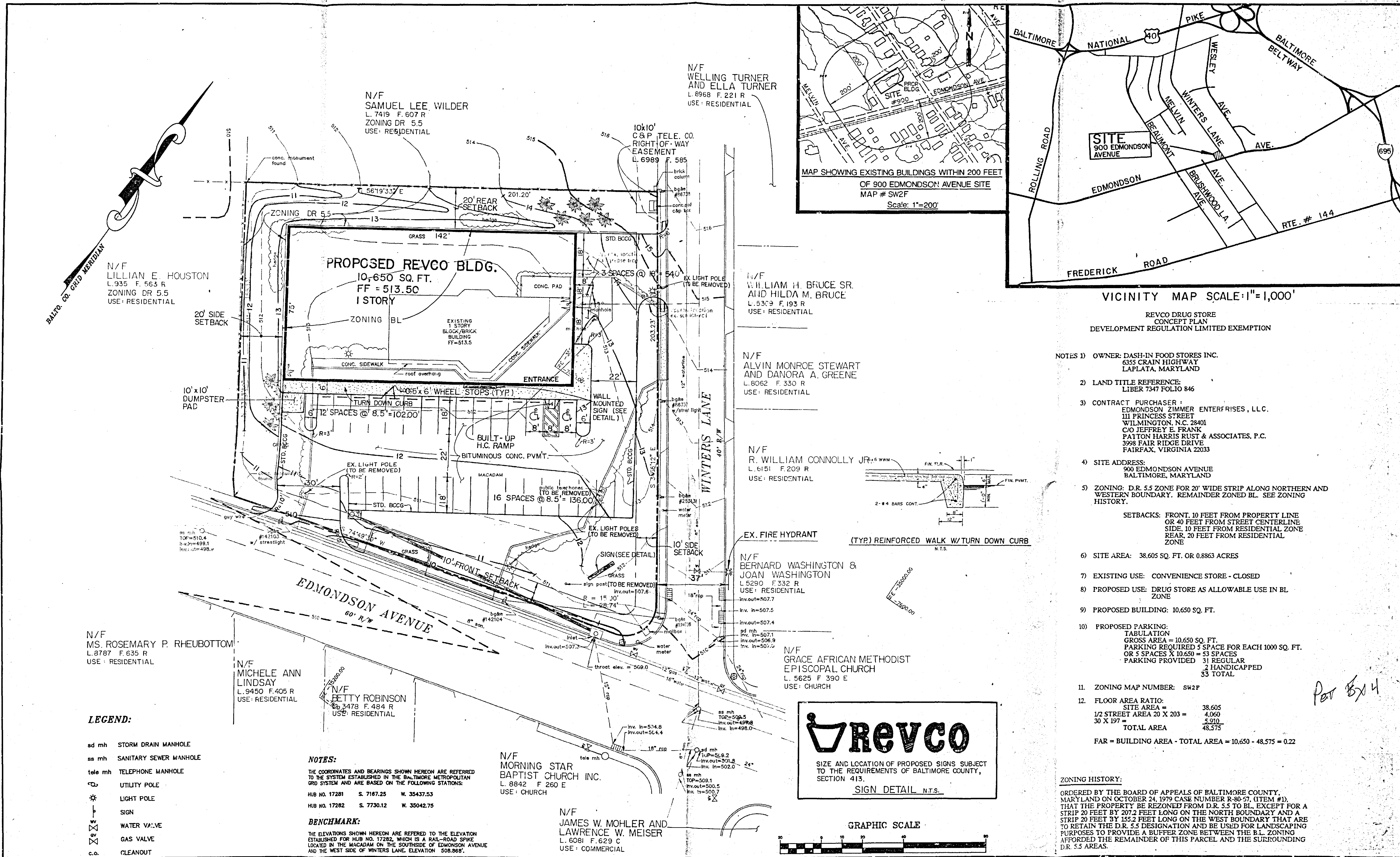
Signature: John D. Combs, President
Address: 6355 Crain Highway
LaPlata, MD

Signature: John D. Combs
Address: 901 Dulany Valley Rd., Suite 400
(410) 938-8800
Towson, MD 21204

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING: 1 Hour
HEARING DATE: 3-20-94

ORDER RECEIVED FOR FILING
Date 6/27/94
By [Signature]

373

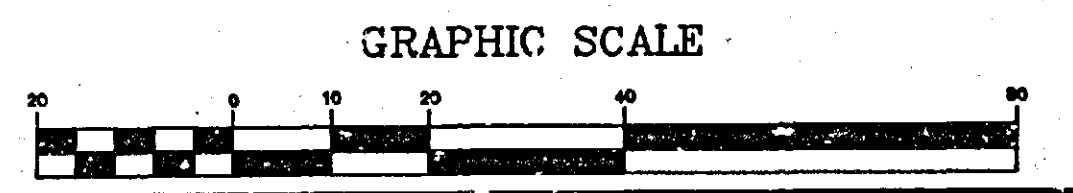


- VICINITY MAP SCALE: 1"=1,000'**
- REVCO DRUG STORE
CONCEPT PLAN
DEVELOPMENT REGULATION LIMITED EXEMPTION
- OWNER: DASH-IN FOOD STORES INC.
6355 CRAIN HIGHWAY
LAPLATA, MARYLAND
 - LAND TITLE REFERENCE:
LIBER 7347 FOLIO 846
 - CONTRACT PURCHASER:
EDMONDSON ZIMMER ENTERPRISES, L.L.C.
111 PRINCESS STREET
WILMINGTON, N.C. 28401
C/O JEFFREY E. FRANK
PATTON HARRIS RUST & ASSOCIATES, P.C.
3998 FAIR RIDGE DRIVE
FAIRFAX, VIRGINIA 22033
 - SITE ADDRESS:
900 EDMONDSON AVENUE
BALTIMORE, MARYLAND
 - ZONING: D.R. 5.5 ZONE FOR 20' WIDE STRIP ALONG NORTHERN AND WESTERN BOUNDARY. REMAINDER ZONED BL. SEE ZONING HISTORY.

SETBACKS: FRONT, 10 FEET FROM PROPERTY LINE OR 40 FEET FROM STREET CENTERLINE
SIDE, 10 FEET FROM RESIDENTIAL ZONE
REAR, 20 FEET FROM RESIDENTIAL ZONE

- SITE AREA: 38,605 SQ. FT. OR 0.8863 ACRES
- EXISTING USE: CONVENIENCE STORE - CLOSED
- PROPOSED USE: DRUG STORE AS ALLOWABLE USE IN BL ZONE
- PROPOSED BUILDING: 10,650 SQ. FT.
- PROPOSED PARKING: TABULATION
GROSS AREA = 10,650 SQ. FT.
PARKING REQUIRED 5 SPACE FOR EACH 1000 SQ. FT. OR 5 SPACES X 10,650 = 53 SPACES
PARKING PROVIDED: 31 REGULAR
2 HANDICAPPED
33 TOTAL
- ZONING MAP NUMBER: SW2F
- FLOOR AREA RATIO:
SITE AREA = 38,605
1/2 STREET AREA 20 X 203 = 4,060
30 X 197 = 5,910
TOTAL AREA 48,575
FAR = BUILDING AREA - TOTAL AREA = 10,650 - 48,575 = 0.22

ZONING HISTORY:
ORDERED BY THE BOARD OF APPEALS OF BALTIMORE COUNTY, MARYLAND ON OCTOBER 24, 1979 CASE NUMBER R-80-57, (ITEM #1), THAT THE PROPERTY BE REZONED FROM D.R. 5.5 TO BL, EXCEPT FOR A STRIP 20 FEET BY 207.2 FEET LONG ON THE NORTH BOUNDARY AND A STRIP 20 FEET BY 155.2 FEET LONG ON THE WEST BOUNDARY THAT ARE TO RETAIN THE D.R. 5.5 DESIGNATION AND BE USED FOR LANDSCAPING PURPOSES TO PROVIDE A BUFFER ZONE BETWEEN THE B.L. ZONING AFFORDED THE REMAINDER OF THIS PARCEL AND THE SURROUNDING D.R. 5.5 AREAS.



LEGEND:

- sd mh STORM DRAIN MANHOLE
- ss mh SANITARY SEWER MANHOLE
- tele mh TELEPHONE MANHOLE
- U UTILITY POLE
- * LIGHT POLE
- SIGN
- W WATER VALVE
- G GAS VALVE
- C.C. CLEANOUT

NOTES:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERRED TO THE SYSTEM ESTABLISHED IN THE BALTIMORE METROPOLITAN GRID SYSTEM AND ARE BASED ON THE FOLLOWING STATIONS:
HUB NO. 17281 S. 7167.25 W. 35437.53
HUB NO. 17282 S. 7730.12 W. 35042.75

BENCHMARK:

THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE ELEVATION ESTABLISHED FOR HUB NO. 17282, WHICH IS A RAIL-ROAD SPIKE LOCATED IN THE MACADAM ON THE SOUTHWEST SIDE OF EDMONDSON AVENUE AND THE WEST SIDE OF WINTERS LANE, ELEVATION 508.868'

NO.	DESCRIPTION	DATE	APPROVED BY	DATE



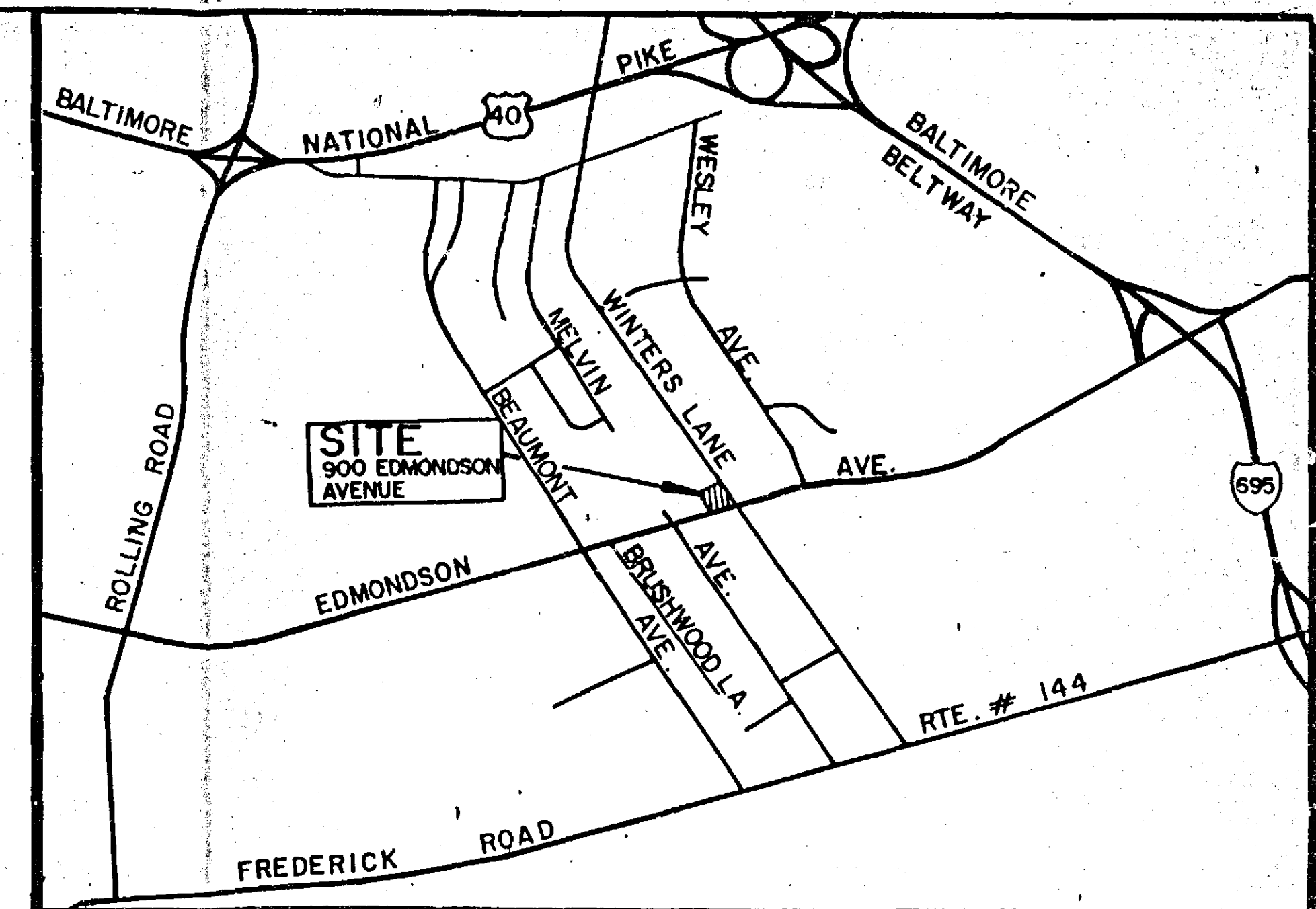
PROJECT:
REVCO
900 EDMONDSON AVENUE
BALTIMORE, MARYLAND
ELECTION DISTRICT 1, COUNTY COUNTY DISTRICT 1

TITLE:
PLAN TO ACCOMPANY
VARIANCE HEARING

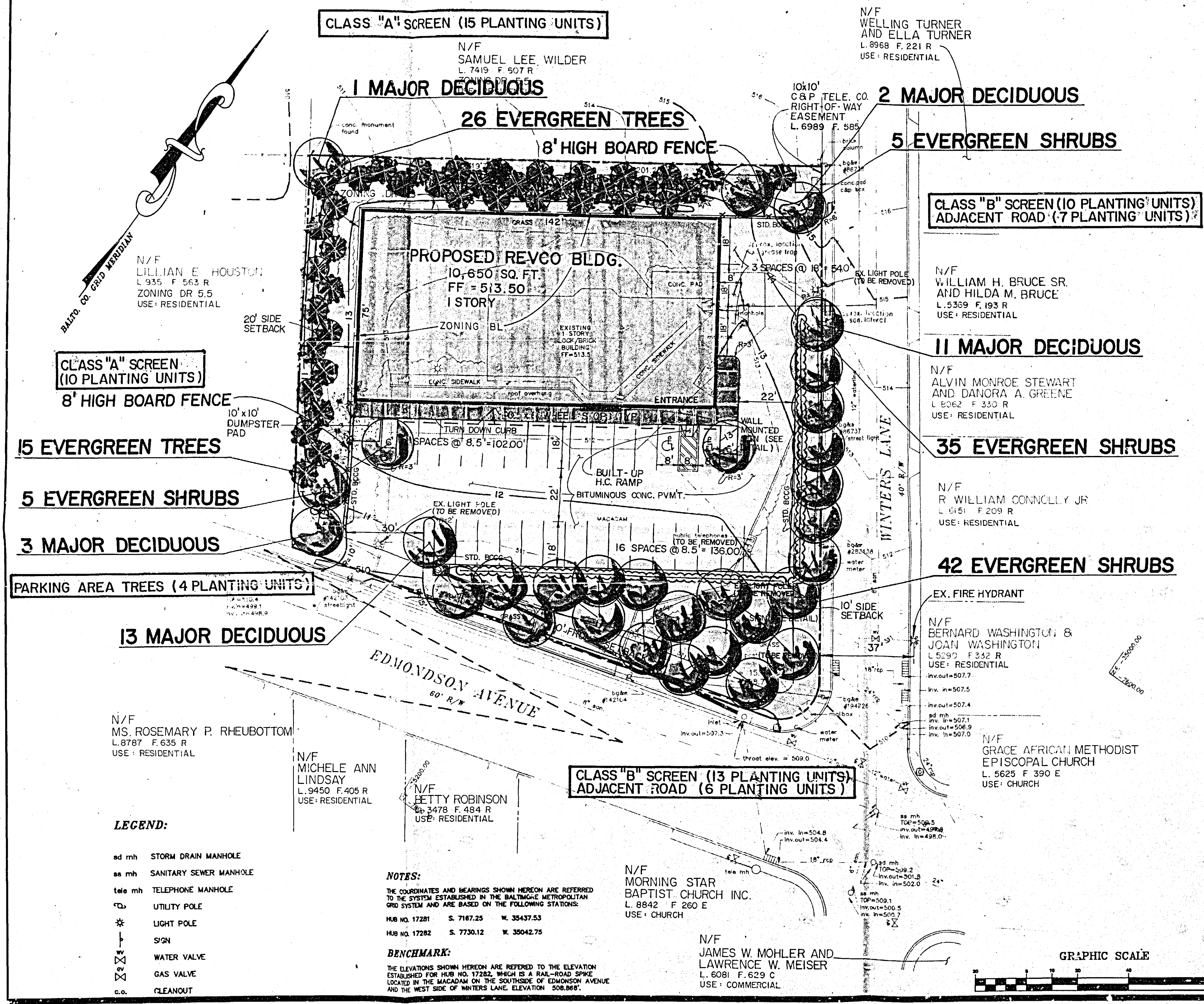
PHR&A
Patton Harris Rust & Associates, P.C.
Engineers-Surveyors-Planners-Landscape Architects
3998 Fair Ridge Drive, Suite 201
Fairfax, Virginia 22030
404-272-9900

Offices:
Fairfax, Va.
Bridgewater, Va.
Leesburg, Va.
Rockville, Md.
Virginia Beach, Va.
Chantilly, Va.
Winchester, Va.

SURVEY		DATE
OTHERS		MARCH, 1994
DESIGN	MJ	DRAWN
		CJM
CHD.	JEF	SCALE
		1" = 20'
SHEET 1 OF 1	FILE NO.	8789-1-0



VICINITY MAP SCALE: 1"=1,000'



CLASS "A" SCREEN (15 PLANTING UNITS)

N/F
SAMUEL LEE WILDER
L. 7419 F. 507 R

N/F
WELLING TURNER
AND ELLA TURNER
L. 8968 F. 221 R
USE: RESIDENTIAL

1 MAJOR DECIDUOUS

26 EVERGREEN TREES

8' HIGH BOARD FENCE

2 MAJOR DECIDUOUS

5 EVERGREEN SHRUBS

CLASS "B" SCREEN (10 PLANTING UNITS)
ADJACENT ROAD (7 PLANTING UNITS)

N/F
WILLIAM H. BRUCE SR.
AND HILDA M. BRUCE
L. 5359 F. 193 R
USE: RESIDENTIAL

11 MAJOR DECIDUOUS

N/F
ALVIN MONROE STEWART
AND DANORA A. GREENE
L. 5062 F. 350 R
USE: RESIDENTIAL

35 EVERGREEN SHRUBS

N/F
R. WILLIAM CONNELLY JR.
L. 5151 F. 209 R
USE: RESIDENTIAL

42 EVERGREEN SHRUBS

EX. FIRE HYDRANT

N/F
BERNARD WASHINGTON &
JOAN WASHINGTON
L. 5290 F. 332 R
USE: RESIDENTIAL

N/F
GRACE AFRICAN METHODIST
EPISCOPAL CHURCH
L. 5625 F. 390 E
USE: CHURCH

CLASS "B" SCREEN (13 PLANTING UNITS)
ADJACENT ROAD (6 PLANTING UNITS)

N/F
MORNING STAR
BAPTIST CHURCH INC.
L. 8842 F. 260 E
USE: CHURCH

N/F
JAMES W. MOHLER AND
LAWRENCE W. MEISER
L. 6081 F. 629 C
USE: COMMERCIAL

N/F
LILLIAN E. HOUSTON
L. 935 F. 563 R
ZONING DR 5.5
USE: RESIDENTIAL

CLASS "A" SCREEN
(10 PLANTING UNITS)

8' HIGH BOARD FENCE

15 EVERGREEN TREES

5 EVERGREEN SHRUBS

3 MAJOR DECIDUOUS

PARKING AREA TREES (4 PLANTING UNITS)

13 MAJOR DECIDUOUS

N/F
MS. ROSEMARY P. RHEUBOTTOM
L. 8787 F. 635 R
USE: RESIDENTIAL

N/F
MICHELE ANN
LINDSAY
L. 9450 F. 405 R
USE: RESIDENTIAL

N/F
BETTY ROBINSON
L. 3478 F. 484 R
USE: RESIDENTIAL

LEGEND:

- sd mh STORM DRAIN MANHOLE
- ss mh SANITARY SEWER MANHOLE
- tele mh TELEPHONE MANHOLE
- u/p UTILITY POLE
- * LIGHT POLE
- SIGN
- W WATER VALVE
- G GAS VALVE
- c.o. CLEANOUT

NOTES:

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GRAPHIC SCALE

ZONING HISTORY:

ORDERED BY THE BOARD OF APPEALS OF BALTIMORE COUNTY, MARYLAND ON OCTOBER 24, 1979 CASE NUMBER R-80-67, (ITEM #1), THAT THE PROPERTY BE REZONED FROM D.R. 5.5 TO BL, EXCEPT FOR A STRIP 20 FEET BY 20 FEET LONG ON THE NORTH BOUNDARY AND A STRIP 20 FEET BY 15.2 FEET LONG ON THE WEST BOUNDARY THAT ARE TO RETAIN THE D.R. 5.5 DESIGNATION AND BE USED FOR LANDSCAPING PURPOSES TO PROVIDE A BUFFER ZONE BETWEEN THE BL ZONING AFFORDED THE REMAINDER OF THIS PARCEL AND THE SURROUNDING D.R. 5.5 AREAS.

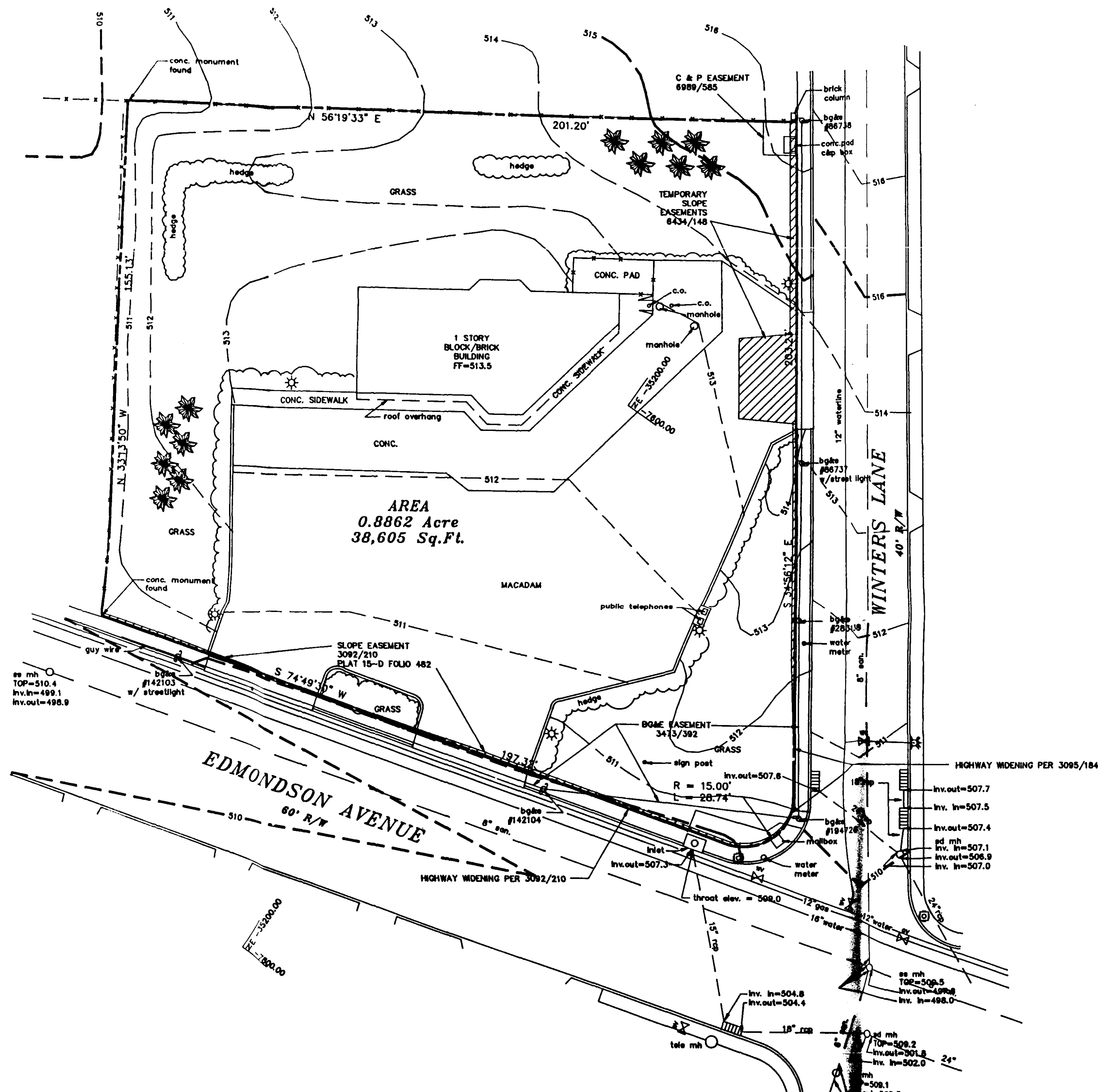
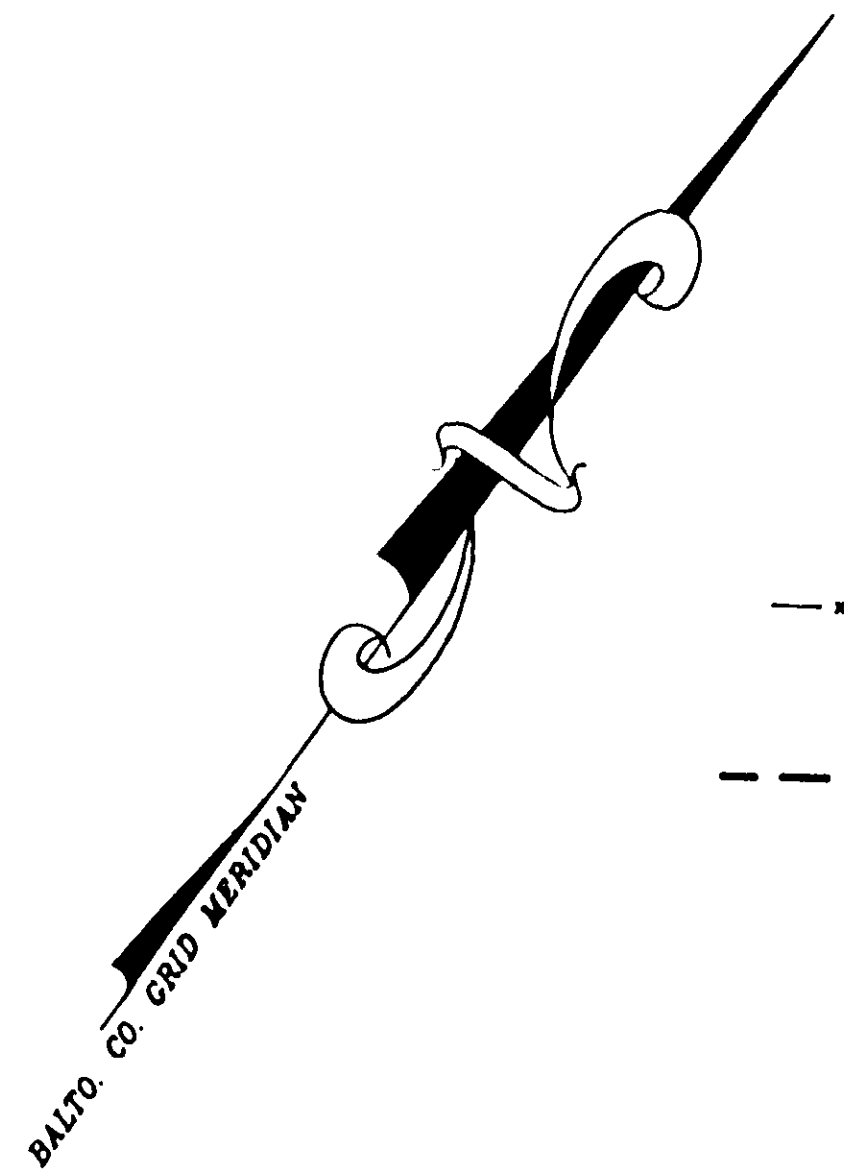
NO.	DESCRIPTION	DATE	BY	APPROVED	DATE

PROJECT:
REVCO
900 EDMONDSON AVENUE
BALTIMORE, MARYLAND
ELECTION DISTRICT 1, COUNTY COUNTY DISTRICT 1

TITLE:
CONCEPT
LANDSCAPE PLAN

PHR&A
Polton Harris Rust & Associates, p.c.
Engineers, Surveyors, Planners, Landscape Architects
2000 Fair River Drive, Suite 200
Fairfax, Virginia 22030
Office: Fairfax, Va.
Bridgewater, Va.
Leesburg, Va.
Roanoke, Va.
Virginia Beach, Va.
Chantilly, Va.
Winchester, Va.

SURVEY	OTHERS	DATE
DESIGN	MJ	MAY, 1994
CHKD.	JEF	DRAWN CJM
SHEET 1 OF 1		SCALE 1" = 20'
FILE NO.		8789-1-0

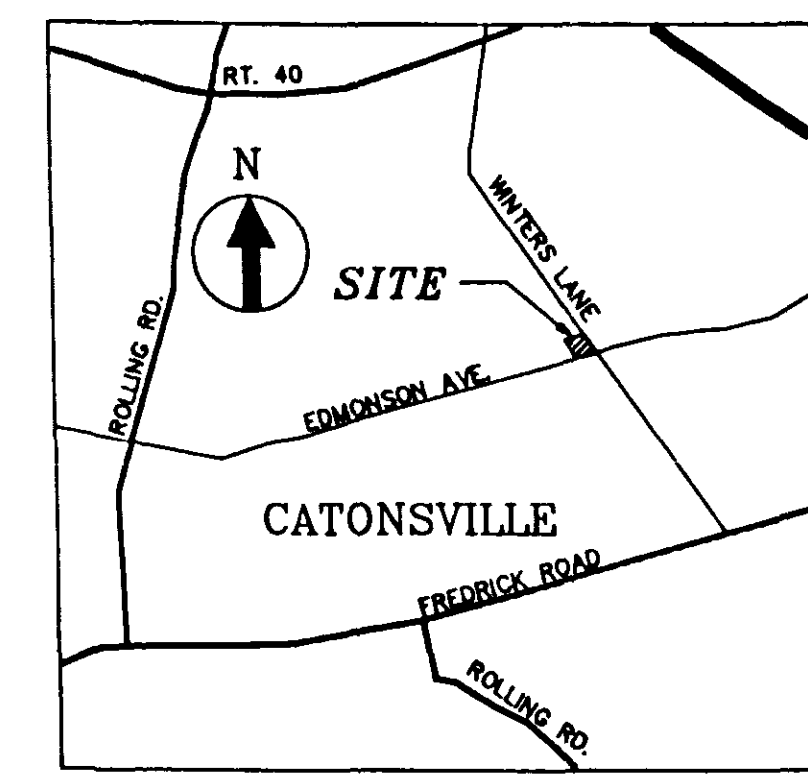


- LEGEND:**
- sd mh STORM DRAIN MANHOLE
 - ss mh SANITARY SEWER MANHOLE
 - tele mh TELEPHONE MANHOLE
 - U UTILITY POLE
 - L LIGHT POLE
 - S SIGN
 - W WATER VALVE
 - G GAS VALVE
 - c.o. CLEANOUT

COORDINATES:
 THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERRED TO THE SYSTEM ESTABLISHED IN THE BALTIMORE METRIC GRID SYSTEM AND ARE BASED ON THE FOLLOWING STATION:
 HUB NO. 17281 S. 7167.25 W. 35437.53
 HUB NO. 17282 S. 7730.12 W. 35042.75

BENCHMARK:
 THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE ELEVATION ESTABLISHED FOR HUB NO. 17282, WHICH IS A RAIL-SPOKE MARKER LOCATED IN THE MACADAM ON THE SOUTHWEST SIDE OF EDMONDSON AVENUE AND THE WEST SIDE OF WINTERS LANE. ELEVATION 504.87.

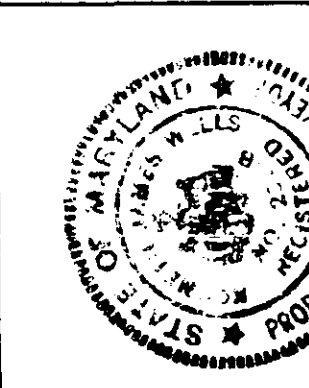
NOTES:
 1) THE LOCATION, SIZE & TYPE OF UTILITIES SHOWN HEREON ARE COMPILED FROM THE RECORDS OF BALTIMORE DEPARTMENT OF PUBLIC WORKS. THE ACCURACY AND COMPLETENESS OF THIS INFORMATION CANNOT BE GUARANTEED. BEFORE IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THESE MATTERS TO THEIR SATISFACTION BEFORE PROCEEDING.



SURVEYOR'S CERTIFICATION:
 I, KENNETH J. WELLS OF KENNETH J. WELLS, INC. A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF HEREBY CERTIFY TO THE ACCURACY AND COMPLETENESS OF THE SURVEY TITLE IN THIS CORPORATION TRACT.
 (A) THE SURVEY PREPARED BY ME OR UNDER MY DIRECTION ENTITLED, "BOUNDARY SURVEY PLAT, 900 EDMONDSON AVENUE, DATED DECEMBER 8, 1993 WAS ESTABLISHED BY TRUSTEE FIELD SURVEY ACTUALLY MADE UPON THE GROUND PURSUANT TO THE INTENT OF THE RECORD DESCRIPTIONS AND IS CORRECT.
 (B) THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS ARE AS SHOWN AND ARE WITHIN THE BOUNDARY LINES OF THE PROPERTY, EXCEPT AS SHOWN HEREON.
 (C) EXCEPT AS SHOWN HEREON, THERE ARE NO OBSERVABLE EVIDENCES OF BUILDINGS, STRUCTURES, WALKWAYS, DRIVEWAYS, PARKING AREAS, PARKING SPACES, PARTY WALLS, WALLS, FENCES, WATER RETENTION PONDS, LAKES, PONDS, CREEKS, STREAMS, RIVERS, DRAINAGE CHANNELS OR OTHER WATER COURSES, PIPELINES, PUBLIC OR PRIVATE ROADS, STREETS, ALLEYS, RAILROADS OR RIGHTS-OF-WAY VISIBLE ON THE GROUND OR WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT ON RECORD, AFFECTING THE PROPERTY.
 (D) THERE ARE NO ENCROACHMENTS AFFECTING THE PROPERTY, OTHER THAN THOSE SHOWN AND DEPICTED HEREON.
 (E) ALL UTILITY SERVICE LINES EITHER ENTER THE PREMISES THROUGH ADJOINING PUBLIC STREET, OR THE SURVEY SHOWS THE POINT OF ENTRY AND LOCATION OF ANY UTILITIES WHICH PASS THROUGH OR ARE LOCATED ON ADJOINING PRIVATE LAND, BASED ON OBSERVABLE EVIDENCE AND AVAILABLE CITY RECORDS.
 (F) THE SURVEY SHOWS ALL OBSERVABLE EVIDENCES OF THE LOCATION AND DIRECTION OF EXISTING STORM DRAINAGE SYSTEMS FOR THE COLLECTION AND DISPOSAL OF SURFACE DRAINAGE.
 (G) THERE ARE NO GAPS OR GORES BETWEEN THE PROPERTY BOUNDARIES AND ADJOINING PUBLIC ROADS SHOWN ON THE SURVEY.
 (H) THE AREA SHOWN ON THE SURVEY IS CORRECT AND IS ACCURATE TO THE NEAREST ONE THOUSANDTH OF AN ACRE.
 (I) THE PROPERTY LIES WITHIN AN AREA IDENTIFIED AS ZONE "C", AN AREA OF SPECIAL FLOODING, AS SHOWN ON FLOOD INSURANCE RATE MAP, CORRECTION NUMBER 2400003000, DATED MARCH 2, 1991, BY FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION.
 (J) THIS SURVEY IS MADE IN ACCORDANCE WITH THE "MINIMUM STANDARDS AND REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEY JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1992 AND MEET THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY.
 (K) I HAVE RECEIVED A COPY OF TITLE INSURANCE COMMITMENT NO. 43-1871, DATED 10-21-93 AS ISSUED BY LAWYERS TITLE INSURANCE CORPORATION AND HAVE LISTED ON THIS SURVEY ALL SPECIAL EXCEPTIONS LISTED IN THAT POLICY IN SCHEDULE B - SECTION II.

KENNETH J. WELLS, INC.
 7065 BEL AIR ROAD
 BALTIMORE, MARYLAND 21296
 (410) 665-3242

KJW



LAND PLANNERS AND SURVEYORS

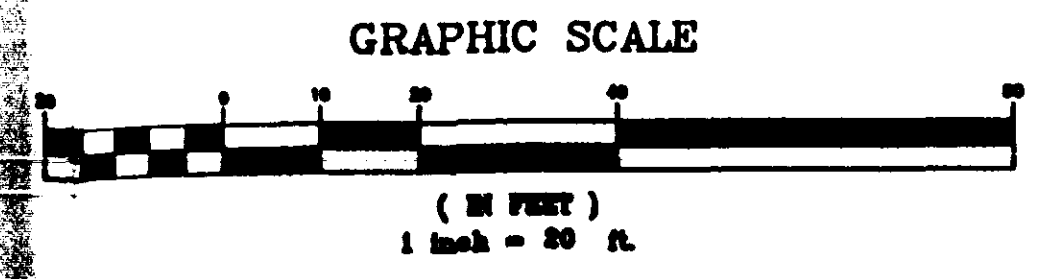
PROPOSED REVCO SITE
 900 EDMONDSON AVENUE
 BALTIMORE COUNTY, MARYLAND

REVISIONS:	NO.	DATE

DRAWN BY: JCH
CHECKED BY:
DATE: 12/08/93

TITLE:
 BOUNDARY SURVEY PLAT
 OF
 900 EDMONDSON AVENUE

S-1
 SHEET 1 OF 1
 PROJECT NO.:
 93049



KENNETH & WELLS REG. NO. 236 DATE

Ret Ex #2

Lot Ex #1

JEFFREY E. FRANK, AICP, P.L.S.
Senior Land Planner

Mr. Frank is a Vice President and a member of the Board of Directors of PHR&A. He is an experienced urban planner, land development consultant, researcher, and author of technical studies related to regional and community planning, developmental feasibility, public finances, master planning and zoning. He has directed numerous site investigations and design studies including industrial or business parks in Warsaw, Virginia, Cambridge, Maryland and currently in Martinsburg, West Virginia.

Professional Responsibilities and Accomplishments

- Community and site planning, public facility and institutional design, residential and commercial/industrial development engineering, and review and approval of development plans.
- Market studies, economic and population projection and investment feasibility analyses for real estate development project.
- Zoning administration and enforcement and revisions to subdivision and zoning regulations.
- Principal-In-Charge for site feasibility, master planning and final design of over 7 million square feet of office space for national corporations and regional developers in the Washington-Baltimore Metropolitan area.
- Principal-In-Charge, Project Director and Design Coordinator for the planning, site design, engineering and construction of residential projects ranging in size from 1200 units (townhouses and multi-family) to large single family subdivisions, in fill sites in urban areas, estate homes valued at over a million dollars, and publicly-assisted units construction by public housing agencies.
- Principal-In-Charge and Project Director of the North Laurel-Savage Master Planning Study for the Office of Planning and Zoning in Howard County, Maryland. Project involved technical evaluations of a seventeen square-mile area, preparation of development alternatives, fiscal analysis, community facility plans and land use plans including site improvement criteria for the U.S. Route 1 corridor.
- Principal-In-Charge and Project Manager of a site analysis and design study for a rural housing project in Mountain Lake Park, Garrett County, Maryland.
- Principal-In-Charge and expert witness on urban planning and master planning for residential, commercial office and industrial rezonings and special exceptions. Responsibilities include preparation of professional testimony and exhibits and presentations before zoning boards and hearing examiners.



Lot Ex 5

REVCO
HARFORD ROAD - PARKVILLE
PARKING LOT OCCUPANCY COUNTS
10 AM TO 6 PM
Friday, May 6, 1994

10:00 AM	7
10:30	10
11:00	11
11:30	14
12:00 PM	9
12:30	10
1:00	8
1:30	9
2:00	11
2:30	7
3:00	11
3:30	8
4:00	3
4:30	5
5:00	7
5:30	8
6:00 PM	8
Average	8.6
Maximum	14

(04/03/94) (continued)

The Traffic Group, Inc.
Suite 600
40 W. Chesapeake Avenue
Towson, Maryland 21204
410-583-8403
Fax 410-321-8458

MELVIN AVENUE

1-29-94
Date

BALTIMORE COUNTY OFFICE OF ZONING AND PLANNING
County Courts Building, Suite 406, Towson, Maryland 21204

"Petition for approval of Revco Drug Store on the commercial site at 900 Edmondson Avenue, Catonsville, Maryland 21228"

We, the undersigned residence of Catonsville, Maryland support and approve the proposed building of a Revco Drug Store at 900 Edmondson Avenue, Catonsville, Maryland:

Signature	Print Name	Address
<i>Earl Lazur</i>	EARL LAZUR	116 MELVIN AV.
<i>Carol Lazur</i>	CAROL LAZUR	116 MELVIN AVE 21228
<i>Nancy Messer</i>	NANCY MESSER	111 MELVIN AV.
<i>M. Campbell Messer</i>	M. Campbell Messer	111 Melvin Ave.
<i>Mary Carroll</i>	MARY CARROLL	117 MELVIN AV.
<i>Robert Adams</i>	ROBERT D. ADAMS	109 MELVIN AV.
<i>Velma Adams</i>	Velma Adams	109 Melvin Ave.
<i>Elaine Conley</i>	ELAINE CONLEY	101 Melvin Avenue
<i>Gerald R. Conley</i>	GERALD R. CONLEY	101 MELVIN AVENUE
<i>Bruce Hamilton</i>	Bruce Hamilton	35 Melvin Ave.
<i>Kevin O'Connell</i>	Kevin O'Connell	11 Melvin Ave.

EXHIBIT-2

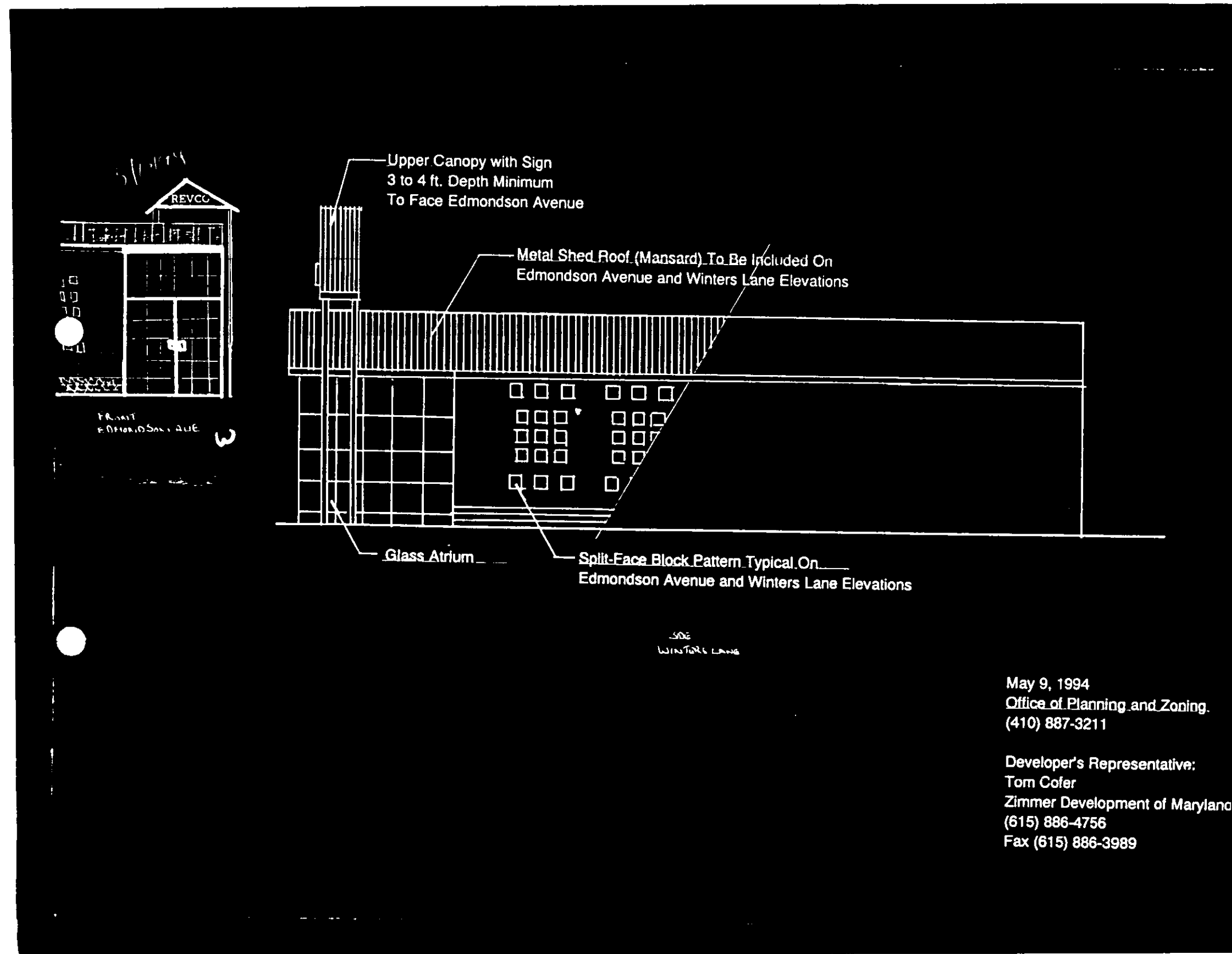
February 10, 1994

TO: Kurt Kugleburg, ZADM
FROM: Bill Hughey and Lenwood Johnson
Office of Planning
Subject: Revco's 2nd Informal Meeting with the Concerned Citizens of Catonsville Umbrella Community Group

- ATTENDING:
Mr. Upshur Webb - President of Concerned Citizens of Catonsville (CCC)
Ms. Jessie Johnson - Resident/Petitioner
Approximately 35 other Residents - See Attached Sign-in sheet (Exhibit 1)
Edward Beasley - District Supervisor - Revco
Jeffrey Frank - AICP of Patton Harris Rust and Associate - Engineer
Cpt. Tom Levinger - Wilkens Precinct Commander
Lt. Michael DePaula - Woodlawn Police Precinct
Officer Kevin Scott - Community Relations Officer - Woodlawn
Cynthia Pollack - AICP - Congressman Kweisi Mfume
Lenwood Johnson - Planning Office

Having attended two informal meetings between the Concerned Citizens of Catonsville Community Organization and the Revco Drug Store representatives, we can comfortably recommend that the DRC grant the petitioner the requested limited exemption.

- Rationale:
1. The proposed Revco site has been used for retail activity for most of this century according to local historians and older residents. The commercial use predated zoning.
2. The President of CCC and a majority of the residents in the community have expressed their support for the proposed Revco Drug Store by signing and submitting petitions. The President stated that the store will be beneficial for the overall community. The petitions were completed by volunteers who went door-to-door to acquire signatures over the last two weeks of January 1994. The coldest two weeks on record. Petitions are attached (Exhibit 2).
3. Informational flyers and as well as announcements in the community churches were used to inform residents of the second meeting with Revco representatives.
4. The Revco corporate and technical representatives answered sufficiently most of the questions raised by residents:



May 9, 1994
Office of Planning and Zoning
(410) 887-3211
Developer's Representative:
Tom Cofer
Zimmer Development of Maryland
(615) 886-4759
Fax (615) 886-3989



February 8, 1994

RECEIVED

FEB 14 1994

OFFICE OF PLANNING & ZONING

Mr. Arnold Keller, III
Deputy Director
Office of Planning & Zoning
County Courts Building, Suite 406
Towson, Maryland 21204

Dear Mr. Keller:

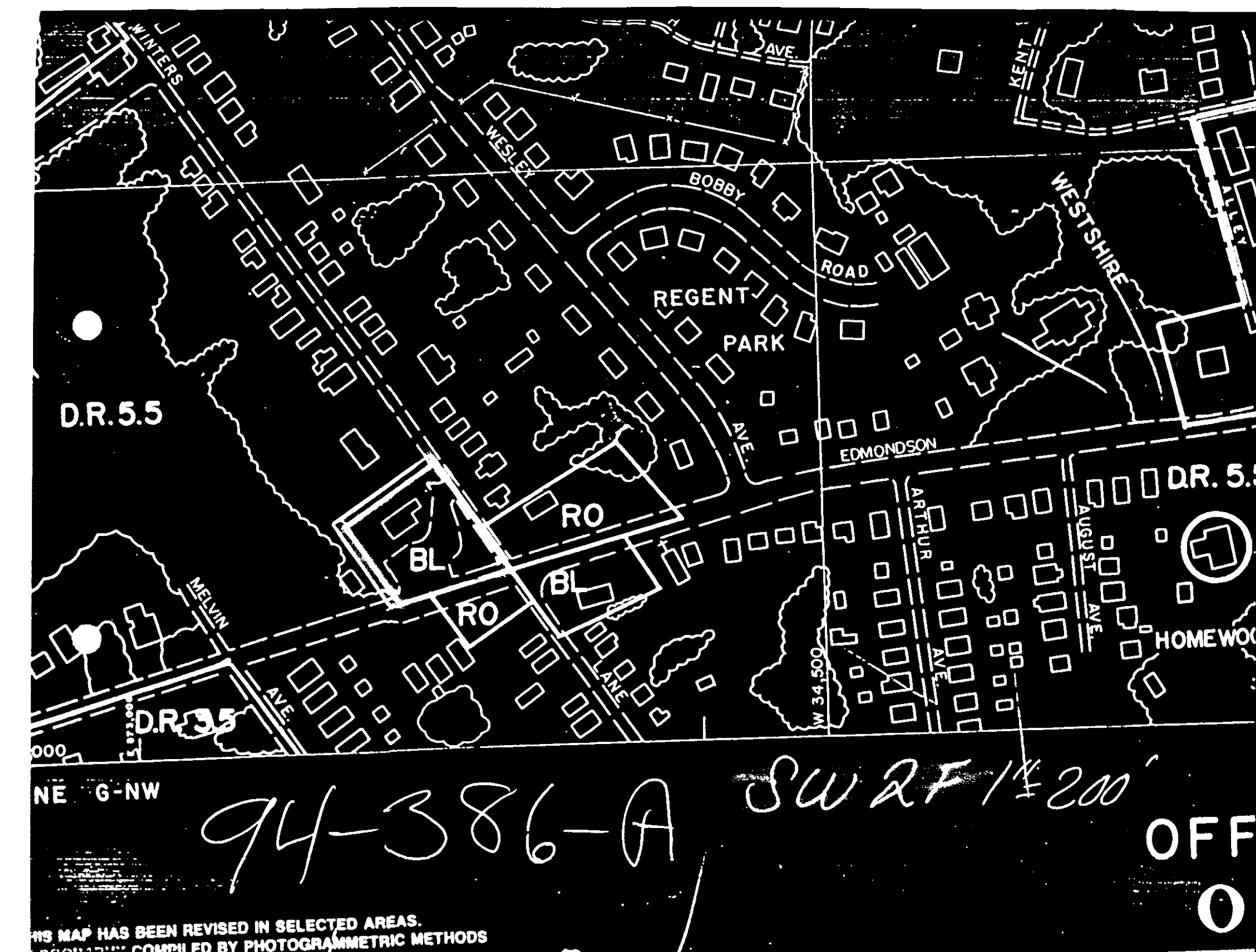
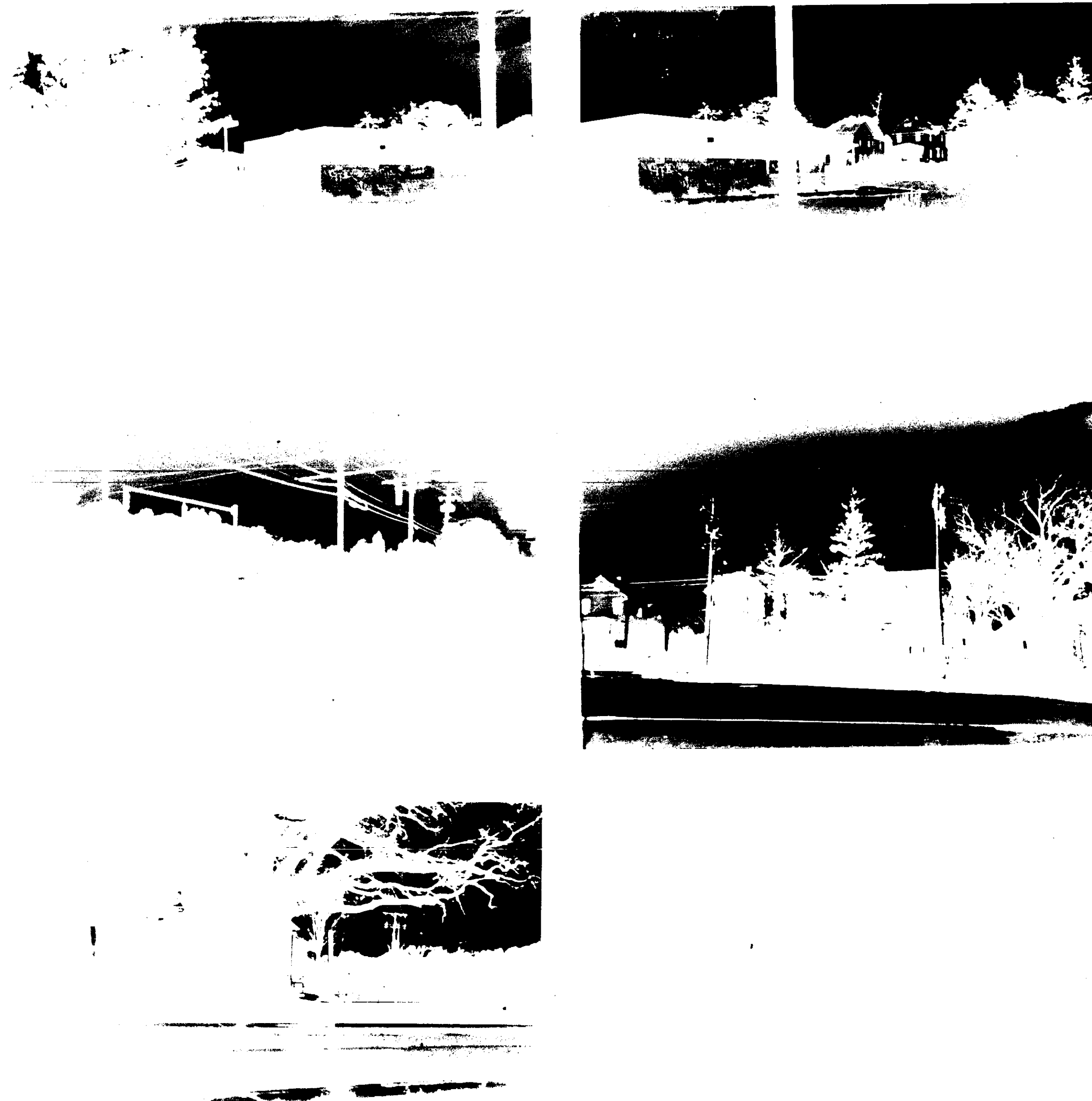
RE: Proposed Revco Store
900 Edmondson Avenue
Catonsville, Maryland

We understand from Mr. Lenwood Johnson of your staff that you would like an explanation of Revco's requirements for our store proposed on the referenced site. Revco D.S., Inc. has done a market survey and desires to build a 10,722 square foot store at this location. Revco finds it necessary to build this store rather than a smaller store based upon numerous reasons. I will try to enumerate those for you below:

- 1. The land cost on this particular site is very expensive. The rent per square foot on a smaller store would be greater than we can accept. If we are able to spread the cost of land over a larger store, the price per square foot falls to an acceptable level.
2. In a larger store, we are able to offer a larger selection of merchandise to present to our customers, thereby maintaining a competitive position in this market.
3. We anticipate a higher sales volume in a larger store than in a smaller store, which would flow to the bottom line to make the larger store more profitable and therefore able to support the higher land cost.
4. Finally, profitability of the 10,722 square foot store would give us the return we need on this investment. A smaller store would not achieve the return necessary and therefore may not pass our committee for approval.

Jessie Johnson
108 Winters Lane
Catonsville
Md
21228
Wants a copy of
94-386-A

Petitioner's
Exhibits 3A-3E
94-386-A



NEWS
Foes seek rezoning
Neighbors split over plan for new Revco

By BARBARA GUARDINO
A proposed Revco drug store that would create a crime problem that had not existed since Dash's closing.
Jessie Johnson remembers when the Dash in convenience store that once sat near her home in the Winters Lane community was a hangout for the wrong kind of people. Since it closed in 1988, she says, crime has dropped considerably in the 900 block of Edmondson Avenue.
That's why she and a group of neighbors are opposed to a Revco Discount Drug Center that may open at the site of the now-empty Dash in, but Johnson and other opponents appear to be greatly outnumbered. The Concerned Citizens of Catonsville, an umbrella group of community associations, welcomes the proposed pharmacy.

Upshur Webb, chairman of the Concerned Citizens of Catonsville, contends that the majority of residents wants the store to be built. 'There is no strength in opponents' concerns,' he said.

According to county crime analysis and records, 84 residential and non-residential break-ins and entering cases were reported in the immediate area surrounding 900 Edmondson Avenue since 1985. Forty-nine of these occurred between 1985-88 while the 24-hour convenience store was open, the remaining 35 occurred after it closed. Only two break-ins were recorded in 1993. Between 1985-88 there were four robberies; none occurred after the Dash in closed.

Wilkens precinct Captain Thomas Levinger attended the monthly meeting of the Concerned Citizens of Catonsville on Feb. 4. While acknowledging that the police don't make recommendations about business operations, Levinger said he looked at Revco's blueprints and concluded that the company has "already done its homework" and is taking steps toward crime prevention.

Precautions include adequate lighting, landscaping that doesn't produce places for criminals to hide and no outside pay telephones on or near the premises.
Jessie Johnson will walk a route fact because, she said, "there were no safety programs set up with the police department."
The one-story drug store would cover 10,000 square feet, said Jeffrey Frank, vice president of the Virginia-based engineering firm of Patton, Harris, Rust and Associates. Frank said he anticipates construction will begin in June, and the drug store will open around Christmas. The convenience store will be demolished, and the old parking lot replaced with a 41-space lot.

Most of the eight or nine employees will be hired from the Catonsville area, with the possible exception of the manager and pharmacist, Frank said.
Ed Beasley, who represents Revco's Baltimore district office, was unable to obtain authorization to comment from Revco's corporate office in Ohio. Corporate officials said they will offer comments until plans are finalized.

Councilwoman Bertha Maskey of Catonsville said the development "will certainly enhance the corner." Maskey requested that Revco representatives meet with the community and take out concerns after Revco applied for a limited exemption to spend up the county development process.

CATONSVILLE
Times
2-23-94

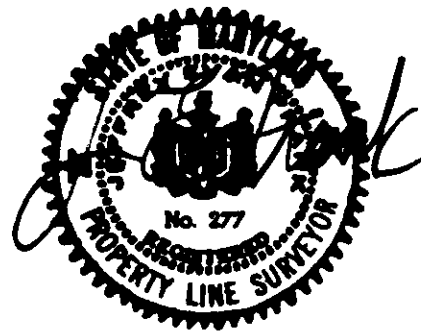
94-386-A

March 2, 1994
Revised March 31, 1994

ZONING DESCRIPTION FOR VARIANCE APPLICATION
ON THE PROPERTY OF
DASH IN FOOD STORE, INC.

Beginning at a point on the northerly right-of-way line of Edmondson Avenue (60 feet wide) at a distance of approximately 240 feet, along said right-of-way, west of the centerline of Winters Lane (40 feet wide), thence the following courses and distances as now surveyed:

- 1) N 33 degrees 13' 50" W, 155.13 feet;
- 2) N 56 degrees 19' 33" E, 201.20 feet;
- 3) S 34 degrees 56' 12" E, 203.23 feet;
- 4) an arc distance of 28.74 feet along a curve to the right having a radius of 15.00 feet and a chord bearing and distance of S 19 degrees 56' 39" W, 24.54 feet; and
- 5) S 74 degrees 49' 30" W, 197.32 feet to the place of beginning, containing 0.8863 acres of land, more or less, as recorded in Liber 7347, Folio 846. The property is known as 900 Edmondson Avenue and is located in the First Election District.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 94-386-A
Towson, Maryland

District: 1st Date of Posting: 4/11/94
 Posted for: Variance
 Petitioner: Dash-In Food Stores, Inc. - Edmondson & Winters Lane
 Location of property: 900 Edmondson Ave. at Winters Lane
 Location of Sign: Facing road on property being zoned
 Remarks:
 Posted by: [Signature] Date of return: 4/22/94
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 15, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 14, 1994.

THE JEFFERSONIAN,

[Signature]
LEGAL AD. - TOWSON

NOTICE OF PUBLICATION
 The Baltimore County Zoning Department, by authority of the Board of Zoning Appeals, has received an application for a variance from the Zoning Ordinance of Baltimore County, Maryland, for the property identified herein as follows:
 CASE NUMBER: 94-386-A (Item 373)
 900 Edmondson Avenue
 1st Election District - 1st Councilmanic District
 Legal Owner(s): Dash-In Food Stores, Inc.
 Contract Purchaser(s): Edmondson Zimar Enterprises, LLC
 HEARING: WEDNESDAY, MAY 11, 1994 at 9:00 a.m., Rm. 106, Office Building.
 Variance to allow 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area.
 LAWRENCE E. SCHWYZ
 ZONING COMMISSIONER FOR BALTIMORE COUNTY
 NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3351.
 DATE: April 14, 1994

receipt
 94-386-A
 Account: R001-8150
 Date: 3-30-94
 Item Number: 373
 Taken by: [Signature]
 Owner: Dash-In Foods Inc.
 Site: 900 Edmondson Ave.
 #020 Commercial Variance Filing Fee - \$250.00
 #080 Sign and Posting - 35.00
 Total - \$285.00
 Please Make Checks Payable To: Baltimore County
 Counter Validation

Item Number: 373
 Planner: JJS
 Date Filed: 3-30-94
 PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

- Need an attorney
- The following information is missing:
- Descriptions, including accurate beginning point
 - Actual address of property
 - Zoning
 - Acreage
 - Plats (need 12, only ___ submitted)
 - 200 scale zoning map with property outlined
 - Election district
 - Councilmanic district
 - BCZR section information and/or wording
 - Hardship/practical difficulty information
 - Owner's signature (need minimum 1 original signature) and/or printed name and/or address (need minimum 1 telephone number)
 - Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address (need minimum 1 telephone number)
 - Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
 - Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 - Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - Notary Public's section is incomplete and/or incorrect and/or commission has expired
 - OWNER'S ZP CODE

PET-FLAG (TXTSOPH)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
 Item No.: 373
 Petitioner: _____
 Location: _____

PLEASE FORWARD ADVERTISING BILL TO:
 NAME: Thomas J. Gisriel
 ADDRESS: 901 Dulaney Valley Rd, Suite 400
Towson, MD, 21204
 PHONE NUMBER: 938-8800

AJ:pgs (Revised 04/09/93)

TO: PUBLISHER PUBLISHING COMPANY
 April 14, 1994 Issue - Jeffersonian

Please forward billing to:
 Thomas J. Gisriel
 901 Dulaney Valley Road, Suite 400
 Towson, Maryland 21204
 938-8800

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-386-A (Item 373)
 900 Edmondson Avenue
 1st Election District - 1st Councilmanic District
 Legal Owner(s): Dash-In Food Stores, Inc.
 Contract Purchaser(s): Edmondson Zimar Enterprises, LLC
 HEARING: WEDNESDAY, MAY 11, 1994 at 9:00 a.m., Rm. 106, Office Building.

Variance to allow 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area.

LAWRENCE E. SCHWYZ
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

APRIL 8, 1994

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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[Signature]
Arnold Jablon
Director

cc: Dash-In Food Stores, Inc.
 Edmondson Zimar Enterprises, LLC
 Thomas J. Gisriel

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
 (2) HEARING ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

May 2, 1994

Thomas J. Gisriel, Esquire
901 Dulaney Valley Road, Suite 400
Towson, Maryland 21204

RE: Case No. 94-386-A, Item No. 373
 Petitioner: Dash-In Food Stores, Inc., et al.
 Petition for Variance

Dear Mr. Gisriel:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 March 30, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

IN RE: PETITION FOR VARIANCE
NW/Corner Edmondson Avenue
and Winters Lane
(900 Edmondson Avenue)
1st Election District
1st Councilmanic District
Dash-In Food Stores, Inc.
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 94-386-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 900 Edmondson Avenue located in the Catonsville area of western Baltimore County. The Petition was filed by the owner of the property, Dash-In Food Stores, Inc., by John D. Combs, President, and the Contract Purchaser/Lessee, Edmondson Zimmer Enterprises, LLC, by Jeffrey L. Zimmer, Member, through their attorney, Thomas J. Gisriel, Esquire. The Petitioners seek relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area. The subject property and relief sought are more particularly described on Petitioner's Exhibit 2.

Appearing on behalf of the Petition were Jeffrey Frank, Senior Land Planner with Patton Harris Rust & Associates, P.C., Wes Guckert, Traffic Engineering Expert with The Traffic Group, Inc., Tom Christian, a representative of the Concerned Citizens of Catonsville, and Bill Huey and Lenwood Johnson with the Baltimore County Office of Planning and Zoning. Appearing as a Protestant in the matter was Ms. Jessie Johnson, a resident of the area.

Testimony revealed that the subject property consists of 0.8863 acres, more or less, zoned B.L. and is improved with a one-story brick building previously used as a convenience store. The Petitioners are desirous of developing the site with a Revco Drug Store and propose removing the existing structure and replacing same with a one-story building of 10,650 sq.ft. On behalf of the Petitioners, Mr. Jeffrey Frank testified that the prior use of the site as a convenience store has been abandoned, to his knowledge, for the past two and one-half years. He testified that the Petitioners have had two meetings with the adjoining community in order to allow them an opportunity to provide input into the development of this project as well as address any concerns they may have as to the proposed use. Mr. Frank testified that the Petitioners propose substantial landscaping around this site to screen the use to the extent possible from the surrounding residences. He testified that the hours of operation for the drug store will be Monday through Saturday, 9AM to 9PM, and on Sundays from 9AM to 5PM.

As to the relief requested, Mr. Frank testified that due to the fact that the intersection of Edmondson Avenue and Winters Lane is not at an exact 90 degree angle, the Petitioners have lost parking area on the site. Therefore, the requested variance as to the number of parking spaces to be provided is being requested. He further testified that the requested variance to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area are not necessary. He testified that the subject site offers an entrance and exit from both Winters Lane and Edmondson Avenue. Therefore, Mr. Frank feels that this part of the variance request is unnecessary and inapplicable to the proposed arrangement.

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It should be noted that a further review of the site plan and parking regulations revealed that the requested variances are appropriate and applicable to the use proposed on this site. Therefore, consideration of all variance relief sought will be given and a determination made based upon the testimony and evidence received as to the need for the variances.

Mr. Wes Guckert, traffic expert, appeared and testified on behalf of the Petitioners. Mr. Guckert testified that he has studied similar Revco Drug Store sites and the parking requirements for same. He testified that the parking demands at similar Revco Drug Stores were far below the 33 parking spaces that will be provided at the subject site. He testified that in his expert opinion, the 33 parking spaces to be provided far exceed that which will actually be utilized and therefore, the variance should be granted.

Mr. Tom Christian, a representative of the Concerned Citizens of Catonsville, appeared and testified on behalf of the proposed use. He testified that his group had met with representatives of Revco and that they approve of the use of the subject property as a Revco Drug Store. He testified that in addition to the adjacent community, there are a number of senior citizen complexes in the area who would utilize the proposed store. Mr. Christian further testified that the subject site currently sits vacant and is a hang-out for undesirables. In his opinion, to allow the property to remain vacant would not be in the best interests of the community.

Mr. Bill Huey and Mr. Lenwood Johnson of the Baltimore County Office of Planning and Zoning also appeared and testified in support of the Petition. Mr. Johnson testified that the corner of Edmondson Avenue and Winters Lane has always been utilized for commercial purposes, even

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prior to 1945 when zoning became applicable in Baltimore County. Both gentlemen testified that the use proposed is an appropriate utilization of the subject property and has the complete support of the Planning Office.

Appearing and testifying in opposition to the relief requested was Ms. Jessie Johnson, who resides immediately across from the subject site on Winters Lane. Ms. Johnson is opposed to the subject property being used for commercial purposes in any fashion. She believes the community would be better-served if the property were to be down-zoned to residential use and a single family dwelling built thereon. She believes the commercial use of this corner will destroy the flavor of the community and impose upon the peace and quiet which the community currently enjoys. Ms. Johnson fears that the use proposed will cause undesirables to loiter at this corner just as they did previously when the convenience store operated from this site. She fears that this corner will be frequented by drug dealers and that the proposed store will be a crime-generator. Ms. Johnson is also concerned about increased traffic at this location in that a lot of children live in the area and play on this corner. Ms. Johnson provided as Protestant's Exhibit 1, a Petition signed by many of the surrounding residents who are opposed to the Revco drug store locating on this site.

In response to Ms. Johnson's testimony, I explained that the Deputy Zoning Commissioner does not possess the authority to change the zoning of this particular property from commercial to residential. Therefore, down-zoning this particular site to a residential use at this forum is not a possibility. I have merely been asked to determine whether or not the requested variances are appropriate for the use proposed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

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his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of June, 1994 that the Petition for Variance seeking relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead-end aisle without sufficient back-up area, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

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By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

June 2, 1994

(410) 887-4386

Thomas J. Gisriel, Esquire
901 Dulany Valley Road, Suite 400
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/Corner Edmondson Avenue and Winters Lane
(900 Edmondson Avenue)
1st Election District - 1st Councilmanic District
Dash-In Food Stores, Inc. - Petitioner
Case No. 94-386-A

Dear Mr. Gisriel:

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

In the event any party finds the decision rendered is unfavorable, 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John D. Combs, President
Dash-In Food Stores, Inc., 6355 Crain Highway, La Plata, MD 20646

Mr. Jeffrey L. Zimmer
111 Princess Street, Wilmington, NC 28401

Ms. Jessie Johnson
108 Winters Lane, Catonsville, MD 21228

People's Counsel
File

Petition for Variance

94-386-A
to the Zoning Commissioner of Baltimore County
for the property located at 900 Edmondson Avenue
which is presently zoned BL and DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s)

To allow 33 parking spaces in lieu of the required 53 and to allow vehicular travelways with direct access to parking spaces and a dead end aisle without sufficient back-up area.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Practical difficulty. Strict compliance with off-street parking requirements would be unnecessarily burdensome. Operating experience of Revco indicates that the off-street parking provided will be sufficient for this store.

Property is to be posted and advertised as prescribed by Zoning Regulations. I do not 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.

With an attorney declared and sworn, under the penalties of perjury, that this is the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: Edmondson Zimmer Enterprises, LLC By Jeffrey L. Zimmer, Member Type of Petitioner	Legal Owner(s): Dash-In Food Stores, Inc. Type of Petitioner
Signature: Jeffrey L. Zimmer, Member Address: 111 Princess Street Wilmington, NC 28401	Signature: John D. Combs, President Address: 6355 Crain Highway LaPlata, MD
Signature for Petitioner: Thomas J. Gisriel Type of Petitioner Address: 901 Dulany Valley Rd., Suite 400 (410) 938-8800 Towson, MD 21204	Signature: John D. Combs Address: 6355 Crain Highway LaPlata, MD Phone No: 373 Address and phone number of representative to be contacted
Signature: Thomas J. Gisriel Address: 901 Dulany Valley Rd., Suite 400 (410) 938-8800 Towson, MD 21204	Signature: Thomas J. Gisriel Address: 901 Dulany Valley Rd., Suite 400 (410) 938-8800 Towson, MD 21204

ESTIMATED LENGTH OF HEARING: 1/2 hour
DATE: 6/24/94

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