



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

June 12, 2013

Bernt Peterson
G.W. Stephens, Jr. and Associates, Inc.
4692 Millennium Drive, Ste. 100
Belcamp, MD 21017

Dear Mr. Petersen:

Re: Spirit & Intent Letter, Royal Farms Store #74, 1525 Joppa Road, 5th Election District

Your letter to the Director of Permits, Approvals and Inspections has been referred to me for reply. After careful review of the materials included with the letter and my conversation with Mr. Carl Richards, Zoning Supervisor, the following has been determined.

The proposal to upgrade the site with building façade renovations and other improvements as shown on the attachments without any changes in setbacks, including a new entrance with a new wall mounted sign, new wall facing and soffit and a new entrance sidewalk and parking pad surface as shown on red line plan is considered to be within the spirit and intent of the BCZR (Baltimore County Zoning Regulations) as per zoning case #95-365-XA. Please prepare and submit to this office an amended version of the site plan submitted in zoning case #095-365-XA clearly showing the modification and other collateral changes, including a signature block titled:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND
ORDER IN ZONING CASE NO. 95-365-XA.

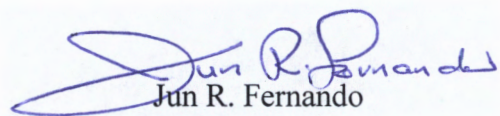
Signed By _____ Date _____

Page Two
Royal Farms Store

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,



Jun R. Fernando
Planner II
Zoning Review

Enclosure

JRF/kl

PART OF 1992 ZONING MAPS NE 9-C & NE 10-C

<u>SITE DATA</u>	
SITE AREA	0.386 Ac.±
EXISTING ZONING	BR-GNS
EXISTING USE	Abandoned Service Station Bldg. Housing Mobile Phone Sales
PROPOSED USE	Convenience Store with Fuel Pumps
DEED REFERENCE	8028 / 67
TAX ACCOUNT NUMBER	09 - 091939080
ANCILLARY USES	Minor ancillary uses as permitted in Section 405 of the B.C.Z.R. (No additional square footage required)
PROP. BUILDING FLOOR AREA:	
TOTAL	2512 S.F.
SALES FLOOR AREA	1728 S.F.
FLOOR AREA RATIO	2512 S.F. ÷ 16,814 S.F. = 0.15 (2.0 permitted)
EXIST. BUILDING HEIGHT	14'±
PROP. BUILDING HEIGHT	14'±

AREA REQUIRED FOR COMBINATION USE

4 Servicing Spaces x 1500 S.F.	= 6,000 S.F. (Use 15,000 S.F.)
Additional Site Area Factor:	4 x 1729 = 6,916 S.F.
Total Site Area Required:	21,916 S.F.
Total Site Area Provided:	16,814 S.F.
Area of Special Exception:	16,814 S.F. (0.386 Ac.)

PARKING SPACES
 Fuel Service w/Combination Use:
 2512 @ 5 / 1000 = 13 P.S.
 + 3 P.S. for max. shift
 + 1 P.S. for air
 = 17 P.S.
 Total Required 17 P.S.
 Total Provided 15 P.S. (Including 1 Handicap)

PARKING SPACE DIMENSIONS:

Typical Space	8.5' x 18'
Handicap Space	16' x 18'

(All spaces to be permanently striped)

ROYAL FARM STORE	
HOURS OF OPERATION	24 Hours / 7 Days per Week
MAXIMUM NUMBER OF EMPLOYEES	15 - 20
MAXIMUM NUMBER OF EMPLOYEES PER SHIFT	Morning / Afternoon = 3 Afternoon / Evening = 3 Night = 2

ZONING HISTORY:
CASE 41-172 Approved zoning change to allow a grocery store use

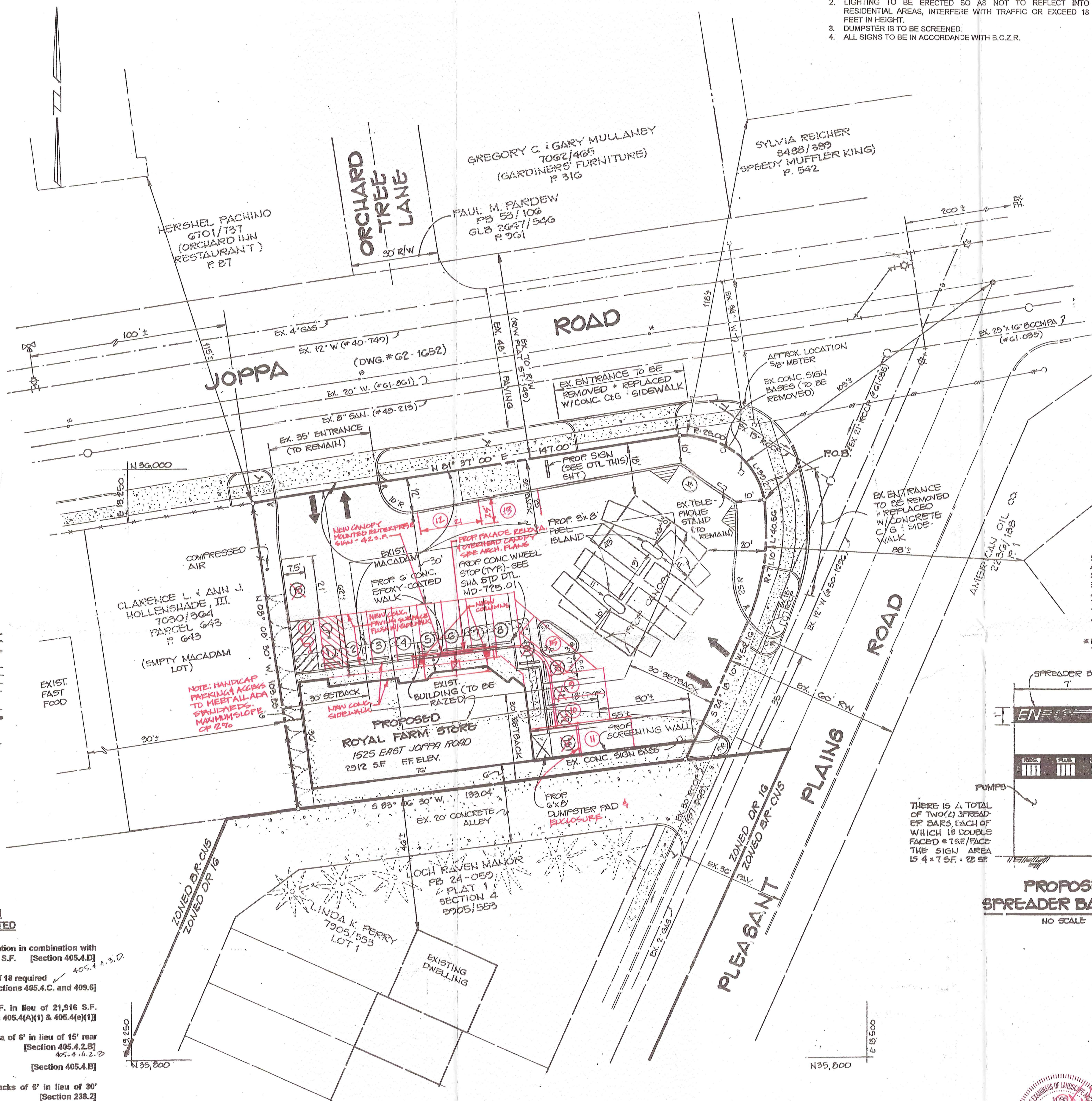
PREVIOUS COMMERCIAL BUILDING PERMIT:
#1446-72 [1972] S.W. corner Pleasant Plains. Installed mansard type
roof to existing two bay service station

PROPERTY LINE
EX. CURB & GUTTER
PROP. CURB & GUTTER
EX. FIRE HYDRANT
EX. WATER
EX. SEWER
EX. STORM DRAIN
EX. GAS
EX. BG & E POLE
EX. ROAD RIGHT-OF-WAY
ZONING LINE
EX. TRAFFIC LIGHT
PROP. PARKING LOT LIGHT
EX. CHAINLINK FENCE
EX. GRAVEL
EX. CONCRETE

SPECIAL EXCEPTION
& VARIANCES REQUESTED

- ◆ Special exception to permit an automotive station in combination with a food store with a sales area larger than 1500 S.F. [Section 405.4.D] *405.4.A.3.D*
- ◆ Variance to permit 15 parking spaces in lieu of 18 required [Sections 405.4.C. and 409.6] *405.4.A.3.D*
- ◆ Variance to permit a site area of 16,814 S.F. in lieu of 21,916 S.F. required [Section 405.4.(A)(1) & 405.4.(E)(1)]
- ◆ Variance to permit a landscape transition area of 6' in lieu of 15' rear transition area required [Section 405.4.2.B] *405.4.A.2.D*
- ◆ Variance to waive restrooms [Section 405.4.E]
- ◆ Variance to permit side and rear yard setbacks of 6' in lieu of 30' required [Section 238.2]

Existing building is 22'+ from adjacent alley



PLAN
SCALE: 1"=20'

DEVELOPER/LESSEE
Cloverland Farms Dairy, Inc.
2200 North Monroe Street
Baltimore, Maryland 21217
(410) 669-2222

OWNER/LESSOR
Clarence L. & Ann J. Hollensshade, III
912 Rappaix Court
Baltimore, Maryland 21286

REVISIONS: 6/7/13

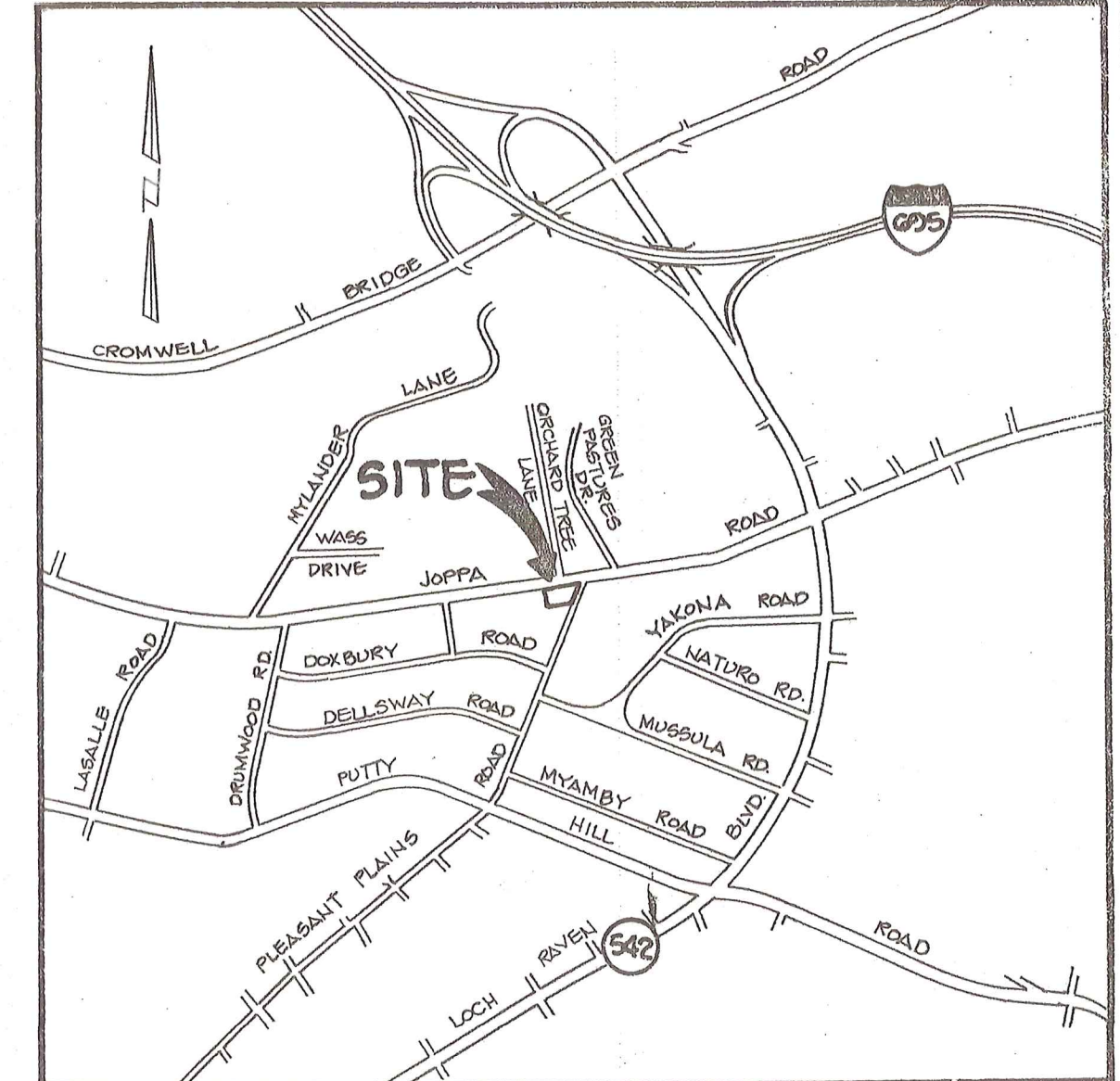
1. BUILDING FACADE
RENOVATIONS W/
NEW CANOPY &
SIGN. PEDESTRIAN
AND NEW CONC.
SURFACE PARKING
AREA, NEW CONC.
SIDEWALK

**PLAT TO ACCOMPANY PETITIONS
FOR ZONING VARIANCES &
A SPECIAL EXCEPTION
ROYAL FARM STORE**

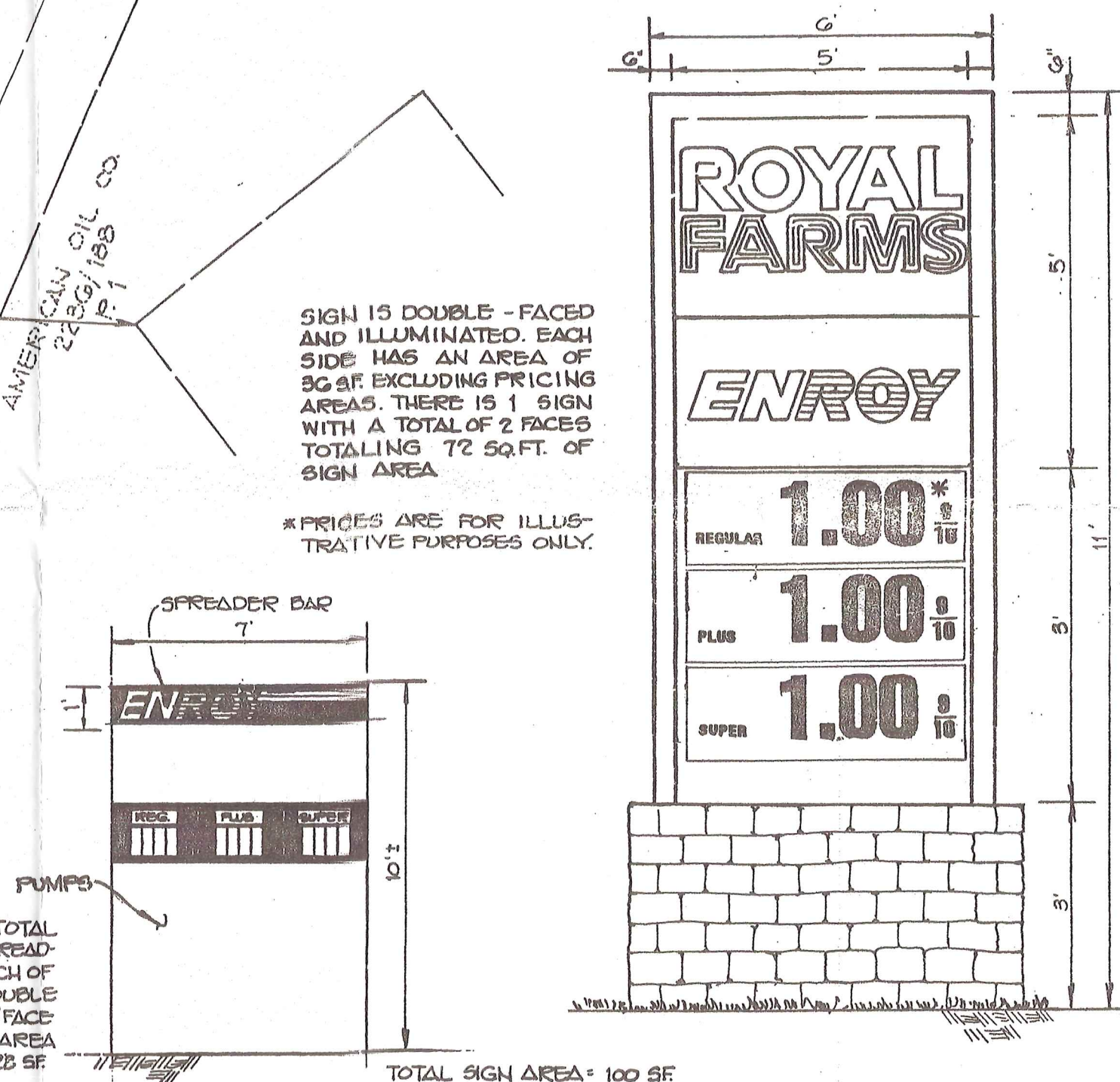
**1525 East Joppa Road
Baltimore, Maryland 21286**

Election District 9
Councilmanic District 4
Scale: 1" = 20'

Tax Map 70 - Parcel 1002
March 24, 1995
Sheet 1 of 1



VICINITY MAP
SCALE: 1"=1000'



PROPOSED
SPREADER BAR SIGN

SCALE

PROPOSED SIGN DETAIL

NO SCALE

APPROVED AS BEING WITHIN THE SPIRIT
AND INTENT OF THE PLAN AND ORDER IN
ZONING CASE NO. 75-365-XA.

Carl Johnson JRP 6/24/13
SIGNED BY DATE

REVISED

PLAT TO ACCOMPANY PETITIONS FOR ZONING VARIANCES & A SPECIAL EXCEPTION

**1525 East Joppa Road
Baltimore, Maryland 21286**

Election District 9
Councilmanic District 4
Scale: 1" = 20'

Tax Map 70 - Parcel 1002
March 24, 1995
Sheet 1 of 1

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - SE/Cor. Joppa Road *
and Pleasant Plains Road * ZONING COMMISSIONER
(1525 E. Joppa Road)
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District *
Case No. 95-365-XA
Clarence L. Hollensshade, III, et al
Petitioners *

* * * * *

AMENDED ORDER

WHEREAS, this matter came before the Zoning Commissioner as Petitions for Special Exception and Variance for the subject property to permit an automotive station use in combination with a food store, with a sales area larger than 1,500 sq.ft. on property zoned B.R.-C.N.S., pursuant to Section 405.4.D of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief as follows: From Sections 405.4.A.3.D and 409.6 to permit 15 parking spaces in lieu of the required 18; from Sections 405.4.A.1 and 405.4.E.1 to permit a site area of 16,814 sq.ft. in lieu of the required 21,916 sq.ft.; from Section 405.4.A.2.B to permit a rear landscape transition area of 6 feet in lieu of the minimum required 15 feet; from Section 405.4.B to waive the requirement to provide restrooms; and from Section 238.2 to permit side and rear yard setbacks of 6 feet each in lieu of the required 30 feet.

By Order issued June 15, 1995, the relief requested was granted in accordance with the site plan submitted and accepted into evidence as Petitioner's Exhibits 1 and 1A, subject to certain restrictions.

Thereafter, Counsel for the Petitioners requested a modification of Restriction No. 6 thereof, clarifying the type of cooking that would take place on the premises, and thus, an amendment to the Order is necessary.

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Date

By

2/17/95
[Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of July, 1995 that Restriction No. 6 of the Order issued June 15, 1995 be and the same is hereby AMENDED to read as follows:

"6) Cooking of food is permitted on the premises, so long as the cooking surfaces on the interior of the building do not require a hood or a vent to the exterior of the building."

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued June 15, 1995 shall remain in full force and effect.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, 210 Allegheny Ave., Towson, Md. 21204

Mr. & Mrs. Clarence L. Hollensshade, III
912 Rappaix Court, Baltimore, Md. 21286

Mr. John M. Kemp, Vice President, Cloverland Farms Dairy, Inc.
2200 N. Monroe Street, Baltimore, Md. 21217

Mr. Bill Hacker, 8621 Pleasant Plains Road, Towson, Md. 21286

Mr. Thomas W. Merrill, 1601 E. Joppa Road, Towson, Md. 21286

Mr. Wayne Skinner, TLRC, 1813 Edgewood Road, Baltimore, Md. 21234

People's Counsel; File

ORDER RECEIVED FOR FILING

Date 7/17/95

By [Signature]

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
 AND VARIANCE - SE/Cor. Joppa Road
 and Pleasant Plains Road * ZONING COMMISSIONER
 (1525 E. Joppa Road)
 9th Election District * OF BALTIMORE COUNTY
 4th Councilmanic District *
 * Case No. 95-365-XA
 Clarence L. Hollensshade, III, et al
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 1525 East Joppa Road, located in the vicinity of Towson, between Loch Raven and Goucher Boulevards. The Petitions were filed by the owners of the property, Clarence L. Hollensshade, III, and his wife, Ann J. Hollensshade, and the Contract Lessee, Cloverland Farms Dairy, Inc., by John M. Kemp, Vice President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek a special exception for an automotive station use in combination with a food store, with a sales area larger than 1,500 sq.ft. on property zoned B.R.-C.N.S., pursuant to Section 405.4.D of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioners seek variance relief from the B.C.Z.R. as follows: From Sections 405.4.A.3.D and 409.6 to permit 15 parking spaces in lieu of the required 18; from Sections 405.4.A.1 and 405.4.E.1 to permit a site area of 16,814 sq.ft. in lieu of the required 21,916 sq.ft.; from Section 405.4.A.2.B to permit a rear landscape transition area of 6 feet in lieu of the minimum required 15 feet; from Section 405.4.B to waive the requirement to provide restrooms; and from Section 238.2 to permit side and rear yard setbacks of 6 feet each in lieu of the required 30 feet. The subject property and relief

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Date 6/15/95
 By [Signature]

sought are more particularly described on the site plans submitted and marked into evidence as Petitioner's Exhibits 1 and 1A.

Appearing at the hearing on behalf of the Petitions were John M. Kemp, Vice President of Cloverland Farms Dairy, Inc., Nick Brader, Professional Engineer who prepared the site plans for this project, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Appearing as Protestants in the matter were adjoining businessmen Thomas W. Merrill and Bill Hacker, who was represented by Robert W. Stange, Esquire. Also appearing as interested parties in support of the Petitions, with restrictions, were Diana Itter with the Office of Planning and Zoning (OPZ), and Wayne Skinner, a representative of the Towson-Loch Raven Community Council (TLRC).

At the onset of the hearing, the Petitioners amended the variance requested from Sections 405.4.A.3.D and 409.6 to seek approval of 13 parking spaces in lieu of the required 18. The Petition was amended accordingly and the hearing proceeded on the merits of the requests.

Testimony and evidence offered revealed that the subject property consists of 0.386 acres, more or less, zoned B.R.-C.N.S., and is improved with an abandoned service station building which at one time housed a mobile phone sales operation. The property is located at the southwest corner of Joppa Road and Pleasant Plains Road, along a corridor wherein a number of commercial/retail uses exist. The rear of the site abuts the residential community of Loch Raven Village and is not far from the major intersection of Loch Raven Boulevard and Joppa Road, with access to the Baltimore Beltway. At the present time, there are four curb cuts which provide vehicular access to the lot, two of which are from Joppa Road, and two are from Pleasant Plains Road.

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Date 1/15/95
By [Signature]

The Petitioners have entered into a contract to lease the subject property to Cloverland Farms Dairy, Inc. which proposes to refurbish and improve the site for use as a convenience store with pump islands for the sale of fuel. The Royal Farm Stores are convenience stores located throughout Baltimore County which sell food and household items. On behalf of the Petitioners, Mr. Kemp testified that many of the new Royal Farms Stores are offering gasoline fuel sales as part of their services. There are approximately 65 Royal Farms Stores in the area and their operation is well-known to this Zoning Commissioner. According to Mr. Kemp's market studies, a Royal Farms Store is an appropriate use of the subject site and will economically thrive.

Also testifying in support of the Petitions was Wayne Skinner from the Towson-Loch Raven Community Council (TLRC). Mr. Skinner's Association is concerned over the Joppa Road corridor, specifically, its appearance and economic viability. He supports a new business utilizing this lot in view of the vacant building and run-down character of the site at the present time. Apparently, he has had discussions with the Contract Lessee and has reached agreement as to a number of proposed conditions and restrictions of approval. If these conditions are incorporated in any order approving the proposed use, Mr. Skinner endorses the proposal. It is also to be noted that many of these concerns are contained with a Zoning Plans Advisory Committee comment submitted by the Office of Planning and Zoning (OPZ) which have been incorporated onto the site plan.

In this respect, testimony was also received from Diana Itter of the Office of Planning and Zoning. Her Office supports this use and rehabilitation of this site. Ms. Itter opined that the proposed use will not create any adverse impact on the surrounding locale. She agreed with the

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Date

By

testimony from other Petitioners' witnesses that the proposed use is not a destination stop, and thus, it is not anticipated that increased traffic volumes on Joppa Road will result.

Messrs. Bill Hacker and Tom Merrill testified in opposition to the relief requested. Mr. Hacker operates the 7-Eleven business a short distance away, and Mr. Merrill is the owner of an Amoco service station on the east side of the subject intersection on Pleasant Plains Road. Both gentlemen indicated that they did not object to the proposed use or competition it will provide; however, they did voice significant concerns over traffic. They both observed that Joppa Road bears a large volume of traffic, particularly during the peak morning and evening rush hours. They are concerned that the proposed use would generate additional traffic, which will bring about more traffic congestion in this area.

A special exception use is a use which has been predetermined by the Baltimore County Council to be conditionally permissible in a given zone. (See Schultz v. Pritts, 291 Md. 1 (1981) and People's Counsel v. Mangione, 85 Md. App. 738 (1991)). As is well settled, the B.C.Z.R. permit certain uses as of right and prohibit other uses. Conditional uses, all known in Baltimore County as special exception uses, are permitted upon the showing by the Petitioner that same are not detrimental to the health, safety or general welfare of the surrounding locale. Under the B.C.Z.R., the Petitioner must show that the provisions of Section 502.1 thereof will be satisfied and its standards will be met. If testimony and evidence are convincing that these standards will be satisfied, the special exception will be granted.

In considering the testimony and evidence offered in this case, I am persuaded that the Petition for Special Exception should be granted. I

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Date 6/15/93
By [Signature]

6/15/93 1:15 PM

confer with the assessment offered by Ms. Iitter in this regard. Although, like any commercial establishment, traffic will come onto this site, I agree that the proposed convenience store will not generate such volumes of traffic so as to adversely impact the surrounding locale. Indeed, this is not a destination stop, per se, but often a stop made by motorists who would travel the roadways in this locale in any event. In considering all of the tests contained within Section 502.1 of the B.C.Z.R., I am persuaded that the Petitioners have satisfied the burden set forth therein and that the proposed use at this locale will not be detrimental to the health safety, or general welfare of the surrounding community. Thus, the Petition for Special Exception should be granted.

The Petition for Variance presents another issue. Variances may be granted, pursuant to the authority contained within Section 307 of the B.C.Z.R. In order for a variance to be granted, the Petitioners must demonstrate that the subject property possesses unique characteristics which would result in a practical difficulty or unreasonable hardship upon the property owner if the relief requested were denied. (See Cromwell v. Ward, 102 Md. App. 691 (1995)). The unique factor as it relates to this particular property arises from its unusual configuration and location. The property is but a small site, just over 1/3 of an acre. This limited area justifies the variances as they relate to setback distances, number of parking spaces, and site area. If strict adherence to the regulations were mandated, the building would be set in the middle of the site, which would disrupt internal traffic flow and eliminate required parking spaces. Surely, such a result would be impractical. The design and location of the proposed improvements and site layout, as shown on Petitioner's Exhibits 1 and 2, demonstrates the Petitioners' care and concern in the redevelopment

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By [Signature]

of this site. The plan appears entirely appropriate and well-thought out. In my view, the Petitioners have met their burden under the case law which justifies a grant of the variances in order to develop the site as proposed. Moreover, both the Baltimore County Code (Section 26-127) and the B.C.Z.R. (Section 502.2) empower the Zoning Commissioner to attach reasonable restrictions upon the grant of special exception or variance relief. Numerous restrictions will be imposed here, in view of the comments offered by Mr. Skinner and Ms. Itter. In my view, the imposition of such restrictions will ensure that surrounding properties and uses will not be adversely impacted by the proposed use. I particularly applaud the Petitioners' efforts to redevelop this site and eliminate a curb-cut on both Pleasant Plains Road and Joppa Road. This should promote better traffic flow, both internally on the site and on these public roads.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested in the Petitions for Special Exception and Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of June, 1995 that the Petition for Special Exception for an automotive station in combination with a food store, with a sales area larger than 1,500 sq.ft. on property zoned B.R.-C.N.S., pursuant to Section 405.4.D of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Sections 405.4.A.3.D and 409.6 to permit 13 parking spaces in lieu of the required 18 (as amended); from

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Date

By

Sections 405.4.A.1 and 405.4.E.1 to permit a site area of 16,814 sq.ft. in lieu of the required 21,916 sq.ft.; from Section 405.4.A.2.B to permit a rear landscape transition area of 6 feet in lieu of the minimum required 15 feet; from Section 405.4.B to waive the requirement to provide restrooms; and from Section 238.2 to permit side and rear yard setbacks of 6 feet each in lieu of the required 30 feet, in accordance with Petitioner's Exhibits 1 and 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.

2) Compliance with the amended Zoning Plans Advisory Committee comments submitted by the Office of Planning and Zoning, dated May 16, 1995, as follows:

- a) A gable roof with reverse gable facing Joppa Road will be provided on the building.
- b) The walls on the front, side and rear facades of the building will be of red brick; the brick wall on the rear of the property will be peaked and substantially similar to that shown on Petitioner's Exhibit 2.
- c) Telephones shall only be located on the walls of the building. That is, no freestanding public telephones will be permitted.
- d) There shall be no public restrooms.
- e) No fuel or store deliveries shall take place between the hours of 10:00 PM and 8:00 AM.
- f) There shall be no trash pick-up between 8:00 PM and 8:00 AM.
- g) Store windows shall not be obstructed with advertisements.

3) All lighting for the subject property will be shielded and directed to reflect only onto the subject site and away from any adjoining residential uses. Furthermore, with the approval of the Towson-Loch Raven Community Council, the Petitioners shall install a single light to illuminate the alley which abuts the rear of the subject property. However, as noted above,

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Date

By

MICROFILMED

the illumination of this light shall not reflect onto any adjoining residential property.

4) Prior to the issuance of any occupancy permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. Said plan shall be consistent with the comments made by OPZ regarding site design and landscaping.

5) The storage and sale of gasoline shall be in compliance with all Federal, State and Local environmental regulations.

6) Other than pre-packaged food items which may be prepared by use of microwave ovens or kept hot under heat lamps, there shall be no cooking of food on the premises.

7) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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Date 6/15/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 15, 1995

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/Corner Joppa Road and Pleasant Plains Road
(1525 E. Joppa Road)
9th Election District - 4th Councilmanic District
Clarence L. Hollensshade, III, et al - Petitioners
Case No. 95-365-XA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have 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 Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Clarence L. Hollensshade, III
912 Rappaix Court, Baltimore, Md. 21286

Mr. John M. Kemp, Vice President, Cloverland Farms Dairy, Inc.
2200 N. Monroe Street, Baltimore, Md. 21217

Mr. Bill Hacker, 8621 Pleasant Plains Road, Towson, Md. 21286
Mr. Thomas W. Merrill, 1601 E. Joppa Road, Towson, Md. 21286

Mr. Wayne Skinner, TLRZ, 1813 Edgewood Road, Baltimore, Md. 21234

People's Counsel; File



Petition for Special Exception

95-365-XA
to the Zoning Commissioner of Baltimore County

for the property located at 1525 E. Joppa Road, Baltimore County, MD 21286
which is presently zoned BR-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for an automotive station in combination with a food store with a sales area larger than 1,500 square feet pursuant to Section 405.4.D of the Baltimore County Zoning Regulations

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

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

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

Contract Purchaser/Lessee:

Cloverland Farms Dairy, Inc.
(Type or Print Name)

By: John M. Kemp
Signature John M. Kemp, Vice President

2200 N. Monroe Street
Address

Baltimore MD 21217
City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman
(Type or Print Name)

[Signature]
Signature

Venable, Baetjer and Howard, LLP
210 Allegheny Avenue 494-6200
Address Phone No

Towson, MD 21204
City State Zipcode

Legal Owner(s):

Clarence L. Hollenshade, III
(Type or Print Name)

Clarence L. Hollenshade, III
Signature

Ann J. Hollenshade
(Type or Print Name)

Ann J. Hollenshade
Signature

912 Rappaix Court

Address Phone No

Baltimore MD 21286
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Avenue

Towson, MD 21204 494-6200
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

DROP-OFF
No REVIEW
4/12/95 WCR



ORDER RECEIVED FOR FILING

Date

By



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

1525 E. Joppa Road
Baltimore, MD 21286

which is presently zoned

BR-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing.

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

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

Contract Purchaser/Lessee

Cloverland Farms Dairy, Inc.

(Type or Print Name)

By:

Signature John M. Kemp, Vice President

2200 N. Monroe Street

Address

Baltimore

MD

21217

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

(Type or Print Name)

Signature

Venable, Baetjer and Howard, LLP

210 Allegheny Avenue

494-6200

Towson

MD

21204

City

State

Zipcode

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

Legal Owner(s):

Clarence L. Hollenshade, III

(Type or Print Name)

Signature Clarence L. Hollenshade, III

Ann J. Hollenshade

(Type or Print Name)

Signature Ann J. Hollenshade

912 Rappaix Court

Address

Phone No.

Baltimore

MD

21286

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name 210 Allegheny Avenue

Towson, MD 21204

494-6200

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

BY

DROP - OFF

No REVIEW

4/12/95 WCR

MICROFILMED

Variance Request

95-365-XA

Royal Farm Store
1525 E. Joppa Road
Baltimore, Maryland 21286

The Petitioners request the following variances from the Baltimore County Zoning Regulations (B.C.Z.R.):

Variance of Sections 405.4.A.3.D. and 409.6 of the B.C.Z.R. to permit 15 parking spaces in lieu of the required 18 parking spaces.

Variance of Sections 405.4.A.1 and 405.4.E.1 of the B.C.Z. R. to permit a site area of 16,814 s.f. in lieu of the required 21,916 s.f. site area.

Variance of Section 405.4.A.2.B. of the B.C.Z.R. to permit a landscape transition area of 6' in lieu of the required 15' rear transition area.

Variance of Section 405.4.B of the B.C.Z. R. to waive restrooms.

Variance of Section 238.2 of the B.C.Z.R. to permit side and rear yard setbacks of 6' in lieu of the 30'.

TO1DOCS1/BAW01/0004334.01

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

~~361~~
361

95-365-XA

March 17, 1995

Description to Accompany Petition for
Special Exception and Variance

Beginning for the same at the corner formed by the intersection of the southwest right-of-way line of Joppa Road as widened 35 feet from center with the northwest right-of-way line of Pleasant Plains Road as widened 30 from center and shown on a Baltimore County Bureau of Land Acquisition Drawing RW 57 - 149 dated March 21, 1958 and recorded among the Plat Records of Baltimore County, Maryland in Liber 3324 Folio 065 thence binding on the northwest right-of-way line of Pleasant Plains Road as widened and shown on said plat,

1) southwesterly by a curve to the right having a radius of 71.10 feet for a distance of 40.56 feet, said curve being subtended by a chord bearing South 07° 58' 00" West 40.02 feet and

2) South 24° 18' 10" West 52.16 feet,

3) South 83° 06' 30" West 133.04 feet,

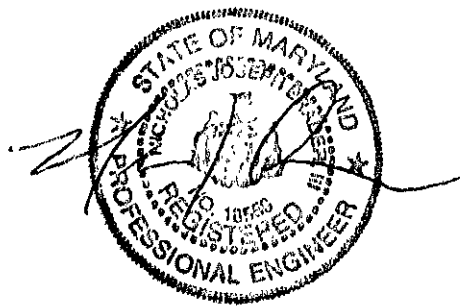
4) North 08° 08' 30" West 103.85 feet,

5) North 81° 37' 00" East 147.00 feet,

6) southeasterly by a curve to the right having a radius of 25.00 feet for a distance of 39.27 feet, said curve being subtended by a chord bearing South 53° 22' 20" East 35.36 feet to the point of beginning.

Containing 0.386 acres of land more or less.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

99-365-VI2

District 9th Date of Posting 3/6/95

Posted for: Special Exception & Variance

Petitioner: Clarence M. Hollenshead & Ann

Location of property: 1525 E. Toppa Rd., S/S

Location of Signs: Facing roadway, on property being zoned

Remarks: _____

Posted by M. H. H. H. Date of return: 3/12/95
Signature

Number of Signs: 1



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 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
85-385-XA (Item 381)
1525 E. Joppa Road
Royal Farm Store
S/S Joppa Road, corner
W/B Pleasant Plains Road
9th Election District
4th Councilmanic
Legal Owner:

Clarence L. Hollenshade
III and Ann J.
Hollenshade

HEARING: THURSDAY,
MAY 25, 1995 at 2:00 p.m.
In Room 118, Old
Courthouse.

Special Exception for an automotive station in combination with a retail store with a sales area larger than 1,500 square feet. Variance to permit 15 parking spaces in lieu of the required 18 parking spaces; to permit a site area of 15,614 square feet in lieu of the required 21,916 square feet site area; to permit a landscape transition area of 6 feet in lieu of the required 15-foot rear transition area; to waive restrooms; and to permit side and rear yard setbacks of 6 feet in lieu of the required 30 feet.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-capped accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

4/26/95 April 27

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

4/28

, 19 95

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 4/27, 19 95.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-365-XA

Account: R-001-6150

361

Number

(WCR)

Date 4/12/95

DROP-OFF — NO REVIEW

#020 - VARIANCE ————— \$250.00

#050 - SPECIAL EXCEPTION ——— \$300.00

#080 - SIGN POSTING (2 signs) — \$ 70.00

TOTAL ————— \$620.00

Legal Owner: Clarence L. Hollensshade, III & Ann J. Hollensshade

Contract Purchaser: Cloverland Farms Dairy, Inc.

1525 East Joppa Road

Zoning: B.R.-C.N.S.

Acreage: .326 +/- acre

District: 9c4

Zoning Case #41-172

Attorney: Robert A. Hoffman

Check from Venable, Baetjer & Howard

DIAG1#0346MICHR0

\$620.00

BA 0002:38PM04-14-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
April 27, 1995 Issue - Jeffersonian

Please forward billing to:

Robert Hoffman, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6200

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: 95-365-XA (Item 361)
1525 E. Joppa Road
Royal Farm Store
S/S Joppa Road, corner W/S Pleasant Plains Road
9th Election District - 4th Councilmanic
Legal Owner: Clarence L. Hollenshade, III and Annn J. Hollenshade
HEARING: THURSDAY, MAY 25, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Exception for an automotive station in in combination with a food store with a sales area larger than 1,500 square feet.

Variance to permit 15 parking spaces in lieu of the required 18 parking spaces; to permit a site area of 16,814 square feet in lieu of the required 21,916 square feet site area; to permit a landscape transition area of 6 feet in lieu of the required 15-foot rear transition area; to waiver restrooms; and to permit side and rear yard setbacks of 6 feet in lieu of the 30 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1995

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: 95-365-XA (Item 361)
1525 E. Joppa Road
Royal Farm Store
S/S Joppa Road, corner W/S Pleasant Plains Road
9th Election District - 4th Councilmanic
Legal Owner: Clarence L. Hollensshade, III and Ann J. Hollensshade
HEARING: THURSDAY, MAY 25, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Exception for an automotive station in combination with a food store with a sales area larger than 1,500 square feet.

Variance to permit 15 parking spaces in lieu of the required 18 parking spaces; to permit a site area of 16,814 square feet in lieu of the required 21,916 square feet site area; to permit a landscape transition area of 6 feet in lieu of the required 15-foot rear transition area; to waive restrooms; and to permit side and rear yard setbacks of 6 feet in lieu of the 30 feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Clarence and Ann Hollensshade
Cloverland Farms Dairy, Inc.
Robert A. Hoffman, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 18, 1995

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 361
Case No.: 95-365-XA
Petitioner: C. L. Hollensshade, III

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 12, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 16, 1995

SUBJECT: 1525 E. Joppa Road

INFORMATION:

Item Number: 361
Petitioner: Hollenshade Property
Property Size: _____
Zoning: BR-AS
Requested Action: Special Exception & Variance
Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

The applicants request a special exception for an automotive service station in combination with a food store and a sales area greater than 1,500 square feet and variances from several setback requirements.

This site is located within the Towson Community Plan area and is designated as a Community Conservation Area, Outer Neighborhood. Since the site is located at the gateway to the Loch Raven Village community, site and building design should compliment the residential community. This office supports the subject request provided the following matters are addressed by the applicant:

Architecture:

- 1) A gable roof with reverse gable facing Joppa Road should be provided.
- 2) ~~The building sign should incorporate a consistent horizontal sign band.~~
- 3) Improve walls on front side and rear facades with red brick.
- 4) Telephones should only be located within the building.

*amended -
can be
under
5' seteo*

*} OK on the
wall of bldg.*

MICROFILMED

Site Design:

- 1) Street trees should be provided along Joppa Road.
- 2) An evergreen hedge is needed along the Hollenshades' property line.
- 3) Evergreen plantings are needed along the screenwall to provide screening for the adjacent residents.
- 4) The landscaped area at the corner of Joppa and Pleasant Plains Road needs enhanced emphasis.
- 5) A detailed landscape plan at 1"=20' scale should be submitted to the Office of Planning for review purposes.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: May 4, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 1, 1995
Item No. 361

The Developers Engineering Section has reviewed the subject zoning item. It should be noted on the plan to remove all obsolete macadam from the proposed landscape areas.

Parking spaces #9 and #15 should be eliminated.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/27/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
NAIL STOP-1105

RE: Property Owner: CLARENCE HOLLENSHADE, III & ANN J. HOLLENSHADE

LOCATION: S/O JOPPA RD. W/S PLEASANT PLAINS RD. (1525 E. JOPPA RD.
ROYAL FARM STORE.)

Item No.: 361

Zoning Agenda: SPECIAL EXCEPTION
VARIANCE

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1971 edition prior to occupancy.

RECEIVED

APR 27 1995

ZADM

REVIEWER: LT. ROBERT E. SAUERWALD
Fire Marshal Office, PHONE 887-4831, MS-1102F

cc: file

microfilm



Joyce Watson
ZADM Comments

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/28/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4/24/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

352

-354

358

-359

360

361

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-21-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 361 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 27, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

95-361-871

RE: Preliminary Petition Review
Item #361
Legal Owner: Ann J. Hollenshade &
Clarence L. Hollenshade, III
Contract Purchaser: Cloverland Farms
Dairy, Inc.
1525 East Joppa Road
9th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Correct required spaces from 18 to 17.
2. Correct zoning history case number.
3. Add note that site will comply with Section 405.4.A.2.c (BCZR).



Robert A. Hoffman, Esquire
April 27, 1995
Page 2

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John J. Sullivan, Jr.", written in dark ink.

John J. Sullivan, Jr.
Planner II

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

RECEIVED

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
1525 E. Joppa Rd. (Royal Farm Store), S/S	*	ZONING COMMISSIONER
Joppa Road, cor W/S Pleasant Plains Road		
9th Election District, 4th Councilmanic	*	OF BALTIMORE COUNTY
Clarence L. Hollensshade, III, et ux. /	*	CASE NO. 95-365-XA
Cloverland Farms Dairy, Inc.		
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

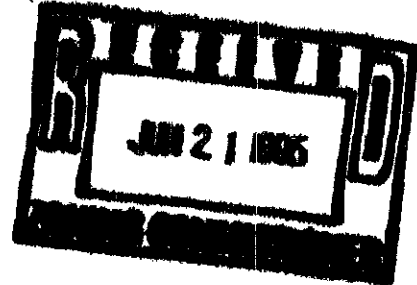
VENABLE
ATTORNEYS AT LAW

June 20, 1995

Via Hand Delivery

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case No.: 95-375-XA



Dear Mr. Schmidt:

Mr. Kemp and I were pleased to review your Order dated June 16, 1995 but need to ask that you clarify restriction number 6 on page 8. Mr. Kemp's testimony at the hearing regarding cooking on the premises was that cooking could occur so long as it would not require a hood for the cooking surfaces on the interior of the building or a vent to the exterior of the building. I confirmed our recollection with Wayne Skinner by telephone today.

It is therefore respectfully requested that you modify the restrictions in accordance with this testimony. Thank you for your consideration.

Yours truly,

Robert A. Hoffman

RAH:pmp

cc: Mr. & Mrs. Clarence L. Hollensshade, III
Mr. John M. Kemp
Mr. Bill Hacker
Mr. Thomas W. Merrill
Mr. Wayne Skinner
Robert W. Stange, Esquire

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

OFFICES IN

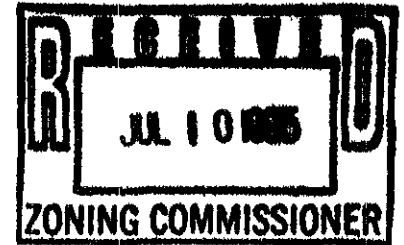
MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

VENABLE
ATTORNEYS AT LAW

July 10, 1995

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204



Re: Case No.: 95-375-XA ³⁶⁵

Dear Mr. Schmidt:

On June 20, 1995 I wrote you a letter asking you to clarify restriction number 6 on page 8 of the order in the referenced case. Please consider that letter a Motion to Amend your order to replace restriction number 6 with the following language:

“Cooking of food is permitted on the premises, so long as the cooking surfaces on the interior of the building do not require a hood or a vent to the exterior of the building.”

Thank you for your consideration of this request.

Yours truly,

Robert A. Hoffman

RAH:vl

cc: Mr. & Mrs. Clarence L. Hollenshade, III
Mr. John M. Kemp
Mr. Bill Hacker
Mr. Thomas W. Merrill
Mr. Wayne Skinner
Robert W. Stange, Esquire

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Bill ~~Hacker~~ HACKER

THOMAS W. MERRILL

Wayne Skinner

Robert W. Slange

8621 Pleasant Plains Rd

1601 E. SOPPA Rd

TOWSON, MD. 21286

THREE

1813 EDGEWOOD RD 21234

ALL

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman
Nick Brader
John M. Kemp

210 Allegheny Ave.
658 Kenilworth Dr.
2200 N. Monroe St.



IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - SE/Cor. Joppa Road * ZONING COMMISSIONER
and Pleasant Plains Road (1525 E. Joppa Road)
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District * Case No. 95-365-XA
Clarence L. Hollenshade, III, et al
Petitioners *

AMENDED ORDER

WHEREAS, this matter came before the Zoning Commissioner as Petitions for Special Exception and Variance for the subject property to permit an automotive station use in combination with a food store, with a sales area larger than 1,500 sq.ft. on property zoned B.R.-C.N.S., pursuant to Section 405.4.D of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief as follows: From Sections 405.4.A.3.D and 409.6 to permit 15 parking spaces in lieu of the required 18; from Sections 405.4.A.1 and 405.4.E.1 to permit a site area of 16,814 sq.ft. in lieu of the required 21,916 sq.ft.; from Section 405.4.A.2.B to permit a rear landscape transition area of 6 feet in lieu of the minimum required 15 feet; from Section 405.4.B to waive the requirement to provide restrooms; and from Section 238.2 to permit side and rear yard setbacks of 6 feet each in lieu of the required 30 feet.

By Order issued June 15, 1995, the relief requested was granted in accordance with the site plan submitted and accepted into evidence as Petitioner's Exhibits 1 and 1A, subject to certain restrictions.

Thereafter, Counsel for the Petitioners requested a modification of Restriction No. 6 thereof, clarifying the type of cooking that would take place on the premises, and thus, an amendment to the Order is necessary.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of July, 1995 that Restriction No. 6 of the Order issued June 15, 1995 be and the same is hereby AMENDED to read as follows:

"6) Cooking of food is permitted on the premises, so long as the cooking surfaces on the interior of the building do not require a hood or a vent to the exterior of the building."

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued June 15, 1995 shall remain in full force and effect.

LES:bjs

cc: Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, 210 Allegheny Ave., Towson, Md. 21204

Mr. & Mrs. Clarence L. Hollenshade, III
912 Rappaix Court, Baltimore, Md. 21286

Mr. John M. Kemp, Vice President, Cloverland Farms Dairy, Inc.
2200 N. Monroe Street, Baltimore, Md. 21217

Mr. Bill Hacker, 8621 Pleasant Plains Road, Towson, Md. 21286

Mr. Thomas W. Merrill, 1601 E. Joppa Road, Towson, Md. 21286

Mr. Wayne Skinner, TLRC, 1813 Edgewood Road, Baltimore, Md. 21234
People's Counsel; File

- 2 -

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - SE/Cor. Joppa Road * ZONING COMMISSIONER
and Pleasant Plains Road (1525 E. Joppa Road)
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District * Case No. 95-365-XA
Clarence L. Hollenshade, III, et al
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 1525 East Joppa Road, located in the vicinity of Towson, between Loch Raven and Goucher Boulevards. The Petitions were filed by the owners of the property, Clarence L. Hollenshade, III, and his wife, Ann J. Hollenshade, and the Contract Lessee, Cloverland Farms Dairy, Inc., by John M. Kemp, Vice President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek a special exception for an automotive station use in combination with a food store, with a sales area larger than 1,500 sq.ft. on property zoned B.R.-C.N.S., pursuant to Section 405.4.D of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioners seek variance relief from the B.C.Z.R. as follows: From Sections 405.4.A.3.D and 409.6 to permit 15 parking spaces in lieu of the required 18; from Sections 405.4.A.1 and 405.4.E.1 to permit a site area of 16,814 sq.ft. in lieu of the required 21,916 sq.ft.; from Section 405.4.A.2.B to permit a rear landscape transition area of 6 feet in lieu of the minimum required 15 feet; from Section 405.4.B to waive the requirement to provide restrooms; and from Section 238.2 to permit side and rear yard setbacks of 6 feet each in lieu of the required 30 feet. The subject property and relief

sought are more particularly described on the site plans submitted and marked into evidence as Petitioner's Exhibits 1 and 1A.

Appearing at the hearing on behalf of the Petitions were John M. Kemp, Vice President of Cloverland Farms Dairy, Inc., Nick Brader, Professional Engineer who prepared the site plans for this project, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Appearing as Protestants in the matter were adjoining businessmen Thomas W. Merrill and Bill Hacker, who was represented by Robert W. Stange, Esquire. Also appearing as interested parties in support of the Petitions, with restrictions, were Diane Itter with the Office of Planning and Zoning (OPZ), and Wayne Skinner, a representative of the Towson-Loch Raven Community Council (TLRC).

At the onset of the hearing, the Petitioners amended the variance requested from Sections 405.4.A.3.D and 409.6 to seek approval of 13 parking spaces in lieu of the required 18. The Petition was amended accordingly and the hearing proceeded on the merits of the requests.

Testimony and evidence offered revealed that the subject property consists of 0.386 acres, more or less, zoned B.R.-C.N.S., and is improved with an abandoned service station building which at one time housed a mobile phone sales operation. The property is located at the southwest corner of Joppa Road and Pleasant Plains Road, along a corridor wherein a number of commercial/retail uses exist. The rear of the site abuts the residential community of Loch Raven Village and is not far from the major intersection of Loch Raven Boulevard and Joppa Road, with access to the Baltimore Beltway. At the present time, there are four curb cuts which provide vehicular access to the lot, two of which are from Joppa Road, and two are from Pleasant Plains Road.

- 2 -

The Petitioners have entered into a contract to lease the subject property to Cloverland Farms Dairy, Inc. which proposes to refurbish and improve the site for use as a convenience store with pump islands for the sale of fuel. The Royal Farm Stores are convenience stores located throughout Baltimore County which sell food and household items. On behalf of the Petitioners, Mr. Kemp testified that many of the new Royal Farm Stores are offering gasoline fuel sales as part of their services. There are approximately 65 Royal Farm Stores in the area and their operation is well-known to this Zoning Commissioner. According to Mr. Kemp's market studies, a Royal Farm Store is an appropriate use of the subject site and will economically thrive.

Also testifying in support of the Petitions was Wayne Skinner from the Towson-Loch Raven Community Council (TLRC). Mr. Skinner's Association is concerned over the Joppa Road corridor, specifically, its appearance and economic viability. He supports a new business utilizing this lot in view of the vacant building and run-down character of the site at the present time. Apparently, he has had discussions with the Contract Lessee and has reached agreement as to a number of proposed conditions and restrictions of approval. If these conditions are incorporated in any order approving the proposed use, Mr. Skinner endorses the proposal. It is also to be noted that many of these concerns are contained with a Zoning Plans Advisory Committee comment submitted by the Office of Planning and Zoning (OPZ) which have been incorporated onto the site plan.

In this respect, testimony was also received from Diane Itter of the Office of Planning and Zoning. Her Office supports this use and rehabilitation of this site. Ms. Itter opined that the proposed use will not create any adverse impact on the surrounding locale. She agreed with the

testimony from other Petitioners' witnesses that the proposed use is not a destination stop, and thus, it is not anticipated that increased traffic volumes on Joppa Road will result.

Messrs. Bill Hacker and Tom Merrill testified in opposition to the relief requested. Mr. Hacker operates the 7-Eleven business a short distance away, and Mr. Merrill is the owner of an Amoco service station on the east side of the subject intersection on Pleasant Plains Road. Both gentlemen indicated that they did not object to the proposed use or competition it will provide; however, they did voice significant concerns over traffic. They both observed that Joppa Road bears a large volume of traffic, particularly during the peak morning and evening rush hours. They are concerned that the proposed use would generate additional traffic, which will bring about more traffic congestion in this area.

A special exception use is a use which has been predetermined by the Baltimore County Council to be conditionally permissible in a given zone. (See Schultz v. Pritts, 291 Md. 1 (1981) and People's Counsel v. Mangione, 85 Md. App. 738 (1991)). As is well settled, the B.C.Z.R. permit certain uses as of right and prohibit other uses. Conditional uses, all known in Baltimore County as special exception uses, are permitted upon the showing by the Petitioner that same are not detrimental to the health, safety or general welfare of the surrounding locale. Under the B.C.Z.R., the Petitioner must show that the provisions of Section 502.1 thereof will be satisfied and its standards will be met. If testimony and evidence are convincing that these standards will be satisfied, the special exception will be granted.

In considering the testimony and evidence offered in this case, I am persuaded that the Petition for Special Exception should be granted. I

confer with the assessment offered by Ms. Itter in this regard. Although, like any commercial establishment, traffic will come onto this site, I agree that the proposed convenience store will not generate such volumes of traffic so as to adversely impact the surrounding locale. Indeed, this is not a destination stop, per se, but often a stop made by motorists who would travel the roadways in this locale in any event. In considering all of the tests contained within Section 502.1 of the B.C.Z.R., I am persuaded that the Petitioners have satisfied the burden set forth therein and that the proposed use at this locale will not be detrimental to the health safety, or general welfare of the surrounding community. Thus, the Petition for Special Exception should be granted.

The Petition for Variance presents another issue. Variances may be granted, pursuant to the authority contained within Section 307 of the B.C.Z.R. In order for a variance to be granted, the Petitioners must demonstrate that the subject property possesses unique characteristics which would result in a practical difficulty or unreasonable hardship upon the property owner if the relief requested were denied. (See Cromwell v. Ward, 102 Md. App. 691 (1995)). The unique factor as it relates to this particular property arises from its unusual configuration and location. The property is but a small site, just over 1/3 of an acre. This limited area justifies the variances as they relate to setback distances, number of parking spaces, and site area. If strict adherence to the regulations were mandated, the building would be set in the middle of the site, which would disrupt internal traffic flow and eliminate required parking spaces. Surely, such a result would be impractical. The design and location of the proposed improvements and site layout, as shown on Petitioner's Exhibits 1 and 2, demonstrates the Petitioners' care and concern in the redevelopment

of this site. The plan appears entirely appropriate and well-thought out. In my view, the Petitioners have met their burden under the case law which justifies a grant of the variances in order to develop the site as proposed. Moreover, both the Baltimore County Code (Section 26-127) and the B.C.Z.R. (Section 502.2) empower the Zoning Commissioner to attach reasonable restrictions upon the grant of special exception or variance relief. Numerous restrictions will be imposed here, in view of the comments offered by Mr. Skinner and Ms. Itter. In my view, the imposition of such restrictions will ensure that surrounding properties and uses will not be adversely impacted by the proposed use. I particularly applaud the Petitioners' efforts to redevelop this site and eliminate a curb-cut on both Pleasant Plains Road and Joppa Road. This should promote better traffic flow, both internally on the site and on these public roads.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested in the Petitions for Special Exception and Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of June, 1995 that the Petition for Special Exception for an automotive station in combination with a food store, with a sales area larger than 1,500 sq.ft. on property zoned B.R.-C.N.S., pursuant to Section 405.4.D of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Sections 405.4.A.3.D and 409.6 to permit 13 parking spaces in lieu of the required 18 (as amended); from

ORDER RECEIVED FOR FILING
Date 6/15/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 6/15/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 6/15/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 6/15/95
By [Signature]

Sections 405.4.A.1 and 405.4.E.1 to permit a site area of 16,814 sq.ft. in lieu of the required 21,916 sq.ft.; from Section 405.4.A.2.B to permit a rear landscape transition area of 6 feet in lieu of the minimum required 15 feet; from Section 405.4.B to waive the requirement to provide restrooms; and from Section 238.2 to permit side and rear yard setbacks of 6 feet each in lieu of the required 30 feet, in accordance with Petitioner's Exhibits 1 and 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.

2) Compliance with the amended Zoning Plans Advisory Committee comments submitted by the Office of Planning and Zoning, dated May 16, 1995, as follows:

- A gable roof with reverse gable facing Joppa Road will be provided on the building.
- The walls on the front, side and rear facades of the building will be of red brick; the brick wall on the rear of the property will be peaked and substantially similar to that shown on Petitioner's Exhibit 2.
- Telephones shall only be located on the walls of the building. That is, no freestanding public telephones will be permitted.
- There shall be no public restrooms.
- No fuel or store deliveries shall take place between the hours of 10:00 PM and 8:00 AM.
- There shall be no trash pick-up between 8:00 PM and 8:00 AM.
- Store windows shall not be obstructed with advertisements.

3) All lighting for the subject property will be shielded and directed to reflect only onto the subject site and away from any adjoining residential uses. Furthermore, with the approval of the Towson-Loch Raven Community Council, the Petitioners shall install a single light to illuminate the alley which abuts the rear of the subject property. However, as noted above,

the illumination of this light shall not reflect onto any adjoining residential property.

4) Prior to the issuance of any occupancy permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. Said plan shall be consistent with the comments made by OPZ regarding site design and landscaping.

5) The storage and sale of gasoline shall be in compliance with all Federal, State and Local environmental regulations.

6) Other than pre-packaged food items which may be prepared by use of microwave ovens or kept hot under heat lamps, there shall be no cooking of food on the premises.

7) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 15, 1995

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/Corner Joppa Road and Pleasant Plains Road
(1525 E. Joppa Road)
9th Election District - 4th Councilmanic District
Clarence L. Hollenshade, III, et al - Petitioners
Case No. 95-365-XA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have 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 Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Clarence L. Hollenshade, III
912 Rappaix Court, Baltimore, Md. 21286

Mr. John M. Kemp, Vice President, Cloverland Farms Dairy, Inc.
2200 N. Monroe Street, Baltimore, Md. 21217

Mr. Bill Hacker, 8621 Pleasant Plains Road, Towson, Md. 21286
Mr. Thomas W. Merrill, 1601 E. Joppa Road, Towson, Md. 21286

Mr. Wayne Skinner, TLRC, 1813 Edgewood Road, Baltimore, Md. 21234

People's Counsel; File



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1525 E. Joppa Road, Baltimore County, MD 21286
which is presently zoned BR-ONS

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(s) a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for an automotive station in combination with a food store with a sales area larger than 1,500 square feet pursuant to Section 405.4.D of the Baltimore County Zoning Regulations.

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

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

Contact Purchaser/Lessor:

Cloverland Farms Dairy, Inc.

By: John M. Kemp
John M. Kemp, Vice President
2200 N. Monroe Street
Baltimore MD 21217

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Drop-Off
No Review
4/12/95 WCR

When the petitioner declares and affirms, under the penalties of perjury, that they are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Clarence L. Hollenshade, III

By: Clarence L. Hollenshade, III

Ann J. Hollenshade

912 Rappaix Court

Baltimore MD 21286

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

210 Allegheny Avenue

Towson, MD 21204

Office Use Only

ESTIMATED LENGTH OF HEARING

the following date

REVIEWED BY: DATE

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 3/4/95

Posted for: Special Exception & Variance

Petitioner: Clarence L. Hollenshade, III

Location of property: 1525 E. Joppa Rd.

Location of Sign: Along 1525 E. Joppa Rd. at 1525 E. Joppa Rd.

Remarks:

Posted by: [Signature] Date of return: 3/12/95

Number of Signs: 7

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/28, 1995

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 4/27, 1995.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD - TOWSON

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 1525 E. Joppa Road, Baltimore, MD 21286
which is presently zoned BR-ONS

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)

See Attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessor:

Cloverland Farms Dairy, Inc.

By: John M. Kemp, V.P.
John M. Kemp, Vice President
2200 N. Monroe Street
Baltimore MD 21217

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Drop-Off
No Review
4/12/95 WCR

When the petitioner declares and affirms, under the penalties of perjury, that they are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Clarence L. Hollenshade, III

By: Clarence L. Hollenshade, III

Ann J. Hollenshade

912 Rappaix Court

Baltimore MD 21286

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

210 Allegheny Avenue

Towson, MD 21204

Office Use Only

ESTIMATED LENGTH OF HEARING

the following date

REVIEWED BY: DATE

Variance Request 95-365-XA

Royal Farm Store
1525 E. Joppa Road
Baltimore, Maryland 21286

The Petitioners request the following variances from the Baltimore County Zoning Regulations (B.C.Z.R.):

Variance of Sections 405.4.A.3.D. and 409.6 of the B.C.Z.R. to permit 15 parking spaces in lieu of the required 18 parking spaces.

Variance of Sections 405.4.A.1 and 405.4.E.1 of the B.C.Z.R. to permit a site area of 16,814 s.f. in lieu of the required 21,916 s.f. site area.

Variance of Section 405.4.A.2.B. of the B.C.Z.R. to permit a landscape transition area of 6' in lieu of the required 15' rear transition area.

Variance of Section 405.4.B of the B.C.Z.R. to waive restrooms.

Variance of Section 238.2 of the B.C.Z.R. to permit side and rear yard setbacks of 6' in lieu of the 30'.

TO1DOCS1/BAW01/000434.01

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
640 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

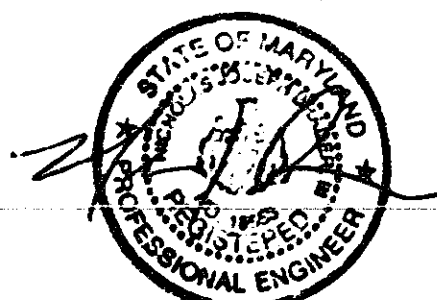
Description to Accompany Petition for
Special Exception and Variance

Beginning for the same at the corner formed by the intersection of the southwest right-of-way line of Joppa Road as widened 35 feet from center with the northwest right-of-way line of Pleasant Plains Road as widened 30 feet from center and shown on a Baltimore County Bureau of Land Acquisition Drawing RW 57-149 dated March 21, 1958 and recorded among the Plat Records of Baltimore County, Maryland in Liber 3324 Folio 065 thence binding on the northwest right-of-way line of Pleasant Plains Road as widened and shown on said plat.

- southwesterly by a curve to the right having a radius of 71.10 feet for a distance of 40.56 feet, said curve being subtended by a chord bearing South 07° 58' 00" West 40.02 feet and
- South 24° 18' 10" West 52.16 feet.
- South 83° 06' 30" West 133.04 feet.
- North 08° 08' 30" West 103.85 feet.
- North 81° 37' 00" East 147.00 feet.
- southeasterly by a curve to the right having a radius of 25.00 feet for a distance of 39.27 feet, said curve being subtended by a chord bearing South 53° 22' 20" East 35.36 feet to the point of beginning.

Containing 0.386 acres of land more or less.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY



receipt
95-365-XA
Account: R0116190
Number: 361 (9CR)
DROP-OFF — NO REVIEW

Date: 4/12/95

#020 - VARIANCE ————— \$250.00
#050 - SPECIAL EXCEPTION ——— \$200.00
#090 - SIGN POSTING (2 signs) — \$ 70.00
TOTAL ————— \$520.00

Legal Owners: Clarence L. Hollenshade, III & Ann J. Hollenshade
Contract Purchaser: Cloverland Farms Dairy, Inc.
1525 East Joppa Road
Zoning: BR-AS
Acreage: 13.0 +/- acre
District: 064
Zoning Case #41-172
Attorney: Robert A. Hoffman

Check from Venable, Baetjer & Howard

0141140340M1C4RC \$520.00
P6 020138F004 14-95
Please Make Checks Payable To Baltimore County

Cashier Validation

TO: PUPPENT PUBLISHING COMPANY
April 27, 1995 Issue - Jeffersonian

Please forward billing to:

Robert Hoffman, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6200

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: 95-365-XA (Item 361)

1525 E. Joppa Road
Royal Farm Store
S/S Joppa Road, corner W/S Pleasant Plains Road
9th Election District - 4th Councilmanic
Legal Owner: Clarence L. Hollenshade, III and Ann J. Hollenshade
HEARING: THURSDAY, MAY 25, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Exception for an automotive station in in combination with a food store with a sales area larger than 1,500 square feet.
Variance to permit 15 parking spaces in lieu of the required 18 parking spaces; to permit a site area of 16,814 square feet in lieu of the required 21,916 square feet site area; to permit a landscape transition area of 6 feet in lieu of the required 15-foot rear transition area; to waive rear setbacks; and to permit side and rear yard setbacks of 6 feet in lieu of the 30 feet.

LAMARCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1995

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: 95-365-XA (Item 361)

1525 E. Joppa Road
Royal Farm Store
S/S Joppa Road, corner W/S Pleasant Plains Road
9th Election District - 4th Councilmanic
Legal Owner: Clarence L. Hollenshade, III and Ann J. Hollenshade
HEARING: THURSDAY, MAY 25, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Exception for an automotive station in in combination with a food store with a sales area larger than 1,500 square feet.
Variance to permit 15 parking spaces in lieu of the required 18 parking spaces; to permit a site area of 16,814 square feet in lieu of the required 21,916 square feet site area; to permit a landscape transition area of 6 feet in lieu of the required 15-foot rear transition area; to waive rear setbacks; and to permit side and rear yard setbacks of 6 feet in lieu of the 30 feet.

Carl Jablon
Arnold Jablon
Director

cc: Clarence and Ann Hollenshade
Cloverland Farms Dairy, Inc.
Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 18, 1995

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 361
Case No.: 95-365-XA
Petitioner: C. L. Hollenshade, III

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 12, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

NCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 16, 1995

SUBJECT: 1525 E. Joppa Road

INFORMATION:

Item Number: 361
Petitioner: Hollenshade Property
Property Size: _____
Zoning: BR-AS
Requested Action: Special Exception & Variance
Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

The applicants request a special exception for an automotive service station in combination with a food store and a sales area greater than 1,500 square feet and variances from several setback requirements.

This site is located within the Towson Community Plan area and is designated as a Community Conservation Area, Outer Neighborhood. Since the site is located at the gateway to the Loch Raven Village community, site and building design should complement the residential community. This office supports the subject request provided the following matters are addressed by the applicant:

Architecture:

- 1) A gable roof with reverse gable facing Joppa Road should be provided.
- 2) The building sign should incorporate a consistent horizontal sign band. *on the wall of bldg.*
- 3) Improve walls on front side and rear facades with red brick.
- 4) Telephones should only be located within the building. *on the wall of bldg.*

Site Design:

- 1) Street trees should be provided along Joppa Road.
- 2) An evergreen hedge is needed along the Hollenshades' property line.
- 3) Evergreen plantings are needed along the screenwall to provide screening for the adjacent residents.
- 4) The landscaped area at the corner of Joppa and Pleasant Plains Road needs enhanced emphasis.
- 5) A detailed landscape plan at 1"=20' scale should be submitted to the Office of Planning for review purposes.

Prepared by: *Jeffrey M. Long*

Division Chief: *Cathy L. Kerns*

PK/JL

ITEM361/PZONE/ZAC1

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

TO: Arnold Jablon, Director DATE: May 4, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 1, 1995
Item No. 361

The Developers Engineering Section has reviewed the subject zoning item. It should be noted on the plan to remove all obsolete macadam from the proposed landscape areas.

Parking spaces #9 and #15 should be eliminated.

RWB:aw

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/29/95

TO: Robert W. Bowling, P.E., Chief
Developers Engineering Section
Baltimore County Office Building
Towson, MD 21204
FROM: ZADM

RE: PROPERTY OWNER: CLARENCE HOLLENSHADE, III & ANN J. HOLLENSHADE
LOCATION: 1525 E. JOPPA RD., W/S PLEASANT PLAINS RD., 1525 E. JOPPA RD.,
TOWSON, MD 21204

RE: ZONING CASE: 95-365-XA
Zoning Agency: SPECIAL EXCEPTION
VARIANCE

In response to your request, the referenced property has been surveyed to the 1/4"=100' scale and the comments below are applicable and required to be incorporated into the final plans for the property.
1. The site shall be surveyed to comply with all applicable portions of the Fire Department Code prior to occupancy or beginning of operation.
2. The building and structures existing on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 201 (Fire Safety Code), 1992 edition prior to occupancy.

RECEIVED
APR 27 1995

ZADM

REVIEWED: L. ROBERT A. J. BOWLING
Fire Marshal Office, PHONE 887-4500, 1511000

cc: File

Printed on Recycled Paper

Joyce Watson
24 Comments
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4/24/95
DATE: 4/28/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 352
-354
358
-359
360
361

LS:sp

LETTY2/DEPRM/TXTSBP

Maryland Department of Transportation
State Highway Administration
O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 361 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 27, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Preliminary Petition Review
Item #361
Legal Owner: Ann J. Hollenshade &
Clarence L. Hollenshade, III
Contract Purchaser: Cloverland Farms
Dairy, Inc.
1525 East Joppa Road
9th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Correct required spaces from 18 to 17.
2. Correct zoning history case number.
3. Add note that site will comply with Section 405.4.A.2.c (BCZR).

Printed with Soybean Ink
on Recycled Paper

Robert A. Hoffman, Esquire
April 27, 1995
Page 2

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John J. Sullivan, Jr.
Planner II

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
1525 E. Joppa Rd. (Royal Farm Store), S/S
Joppa Road, cor W/S Pleasant Plains Road
9th Election District, 4th Councilmanic
Clarence L. Hollenshade, III, et ux. /
Cloverland Farms Dairy, Inc.
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-365-XA

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 867-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

VENABLE
ATTORNEYS AT LAW
210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21205-5517
(410) 494-6200 Fax (410) 821-0147

OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

June 20, 1995

Via Hand Delivery

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 95-375-XA

Dear Mr. Schmidt:

Mr. Kemp and I were pleased to review your Order dated June 16, 1995 but need to ask that you clarify restriction number 6 on page 8. Mr. Kemp's testimony at the hearing regarding cooking on the premises was that cooking could occur so long as it would not require a hood for the cooking surfaces on the interior of the building or a vent to the exterior of the building. I confirmed our recollection with Wayne Skinner by telephone today.

It is therefore respectfully requested that you modify the restrictions in accordance with this testimony. Thank you for your consideration.

Yours truly,

Robert A. Hoffman

RAH:pmp

cc: Mr. & Mrs. Clarence L. Hollenshade, III
Mr. John M. Kemp
Mr. Bill Hacker
Mr. Thomas W. Merrill
Mr. Wayne Skinner
Robert W. Stange, Esquire

TO:DOCS1/RAH01/0008193.01

VENABLE
ATTORNEYS AT LAW
210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21205-5517
(410) 494-6200 Fax (410) 821-0147

OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

July 10, 1995

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 95-375-XA

Dear Mr. Schmidt:

On June 20, 1995 I wrote you a letter asking you to clarify restriction number 6 on page 8 of the order in the referenced case. Please consider that letter a Motion to Amend your order to replace restriction number 6 with the following language:

"Cooking of food is permitted on the premises, so long as the cooking surfaces on the interior of the building do not require a hood or a vent to the exterior of the building."

Thank you for your consideration of this request.

Yours truly,

Robert A. Hoffman

RAH:vic

cc: Mr. & Mrs. Clarence L. Hollenshade, III
Mr. John M. Kemp
Mr. Bill Hacker
Mr. Thomas W. Merrill
Mr. Wayne Skinner
Robert W. Stange, Esquire

TO:DOCS1/RAH01/0008193.01

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME
David H. Haskin

David W. DesRive

Wayne Skinner
Robert W. Stange

ADDRESS

8421 Raintree Lane W

1601 E. 24th Rd
Tulsa, Okla. 74126

TRCC
1813 Edgewood Rd 74124
Chatt

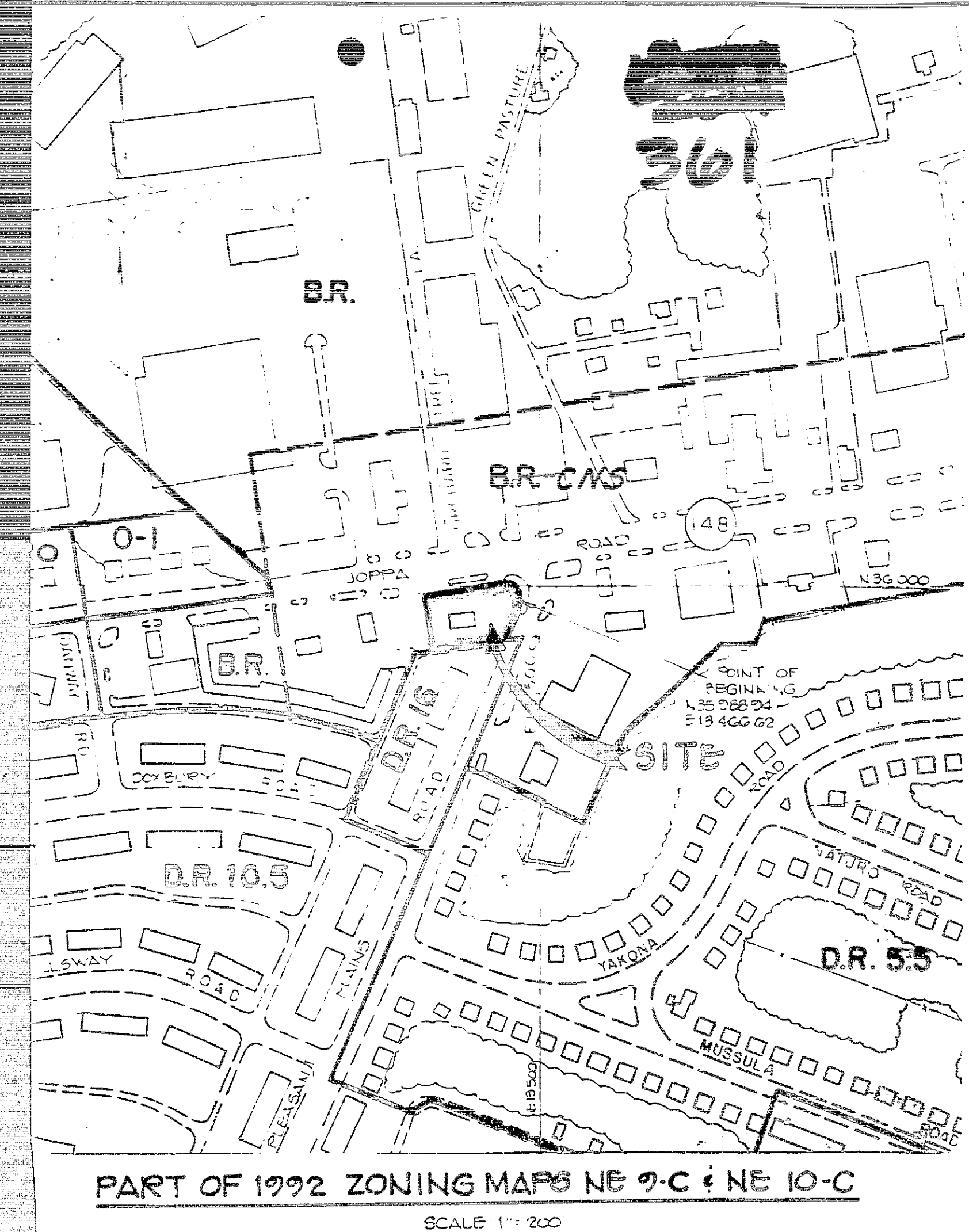
PETITIONER(S) SIGN-IN SHEET

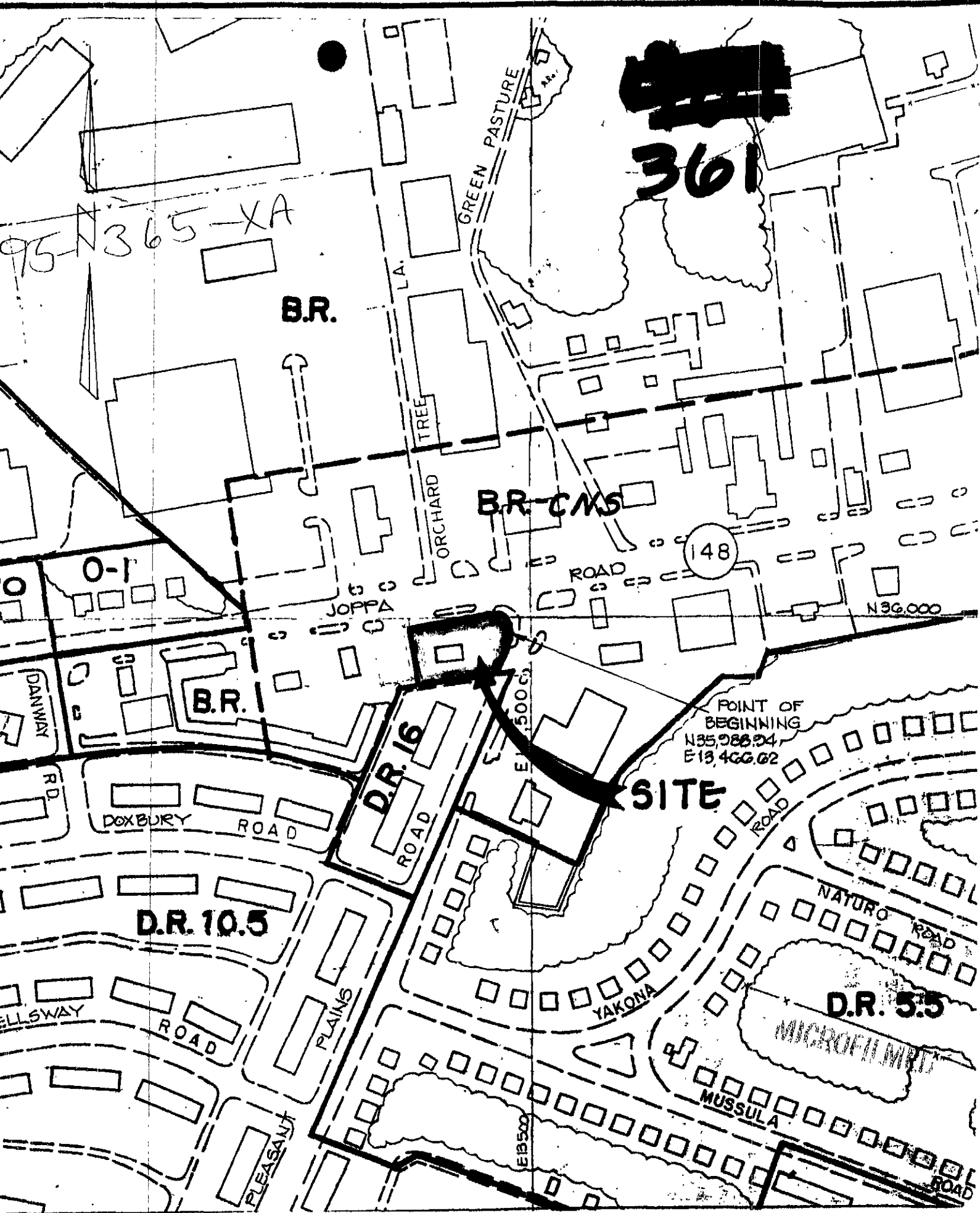
NAME

Nick Broder
John M. Kemp

ADDRESS

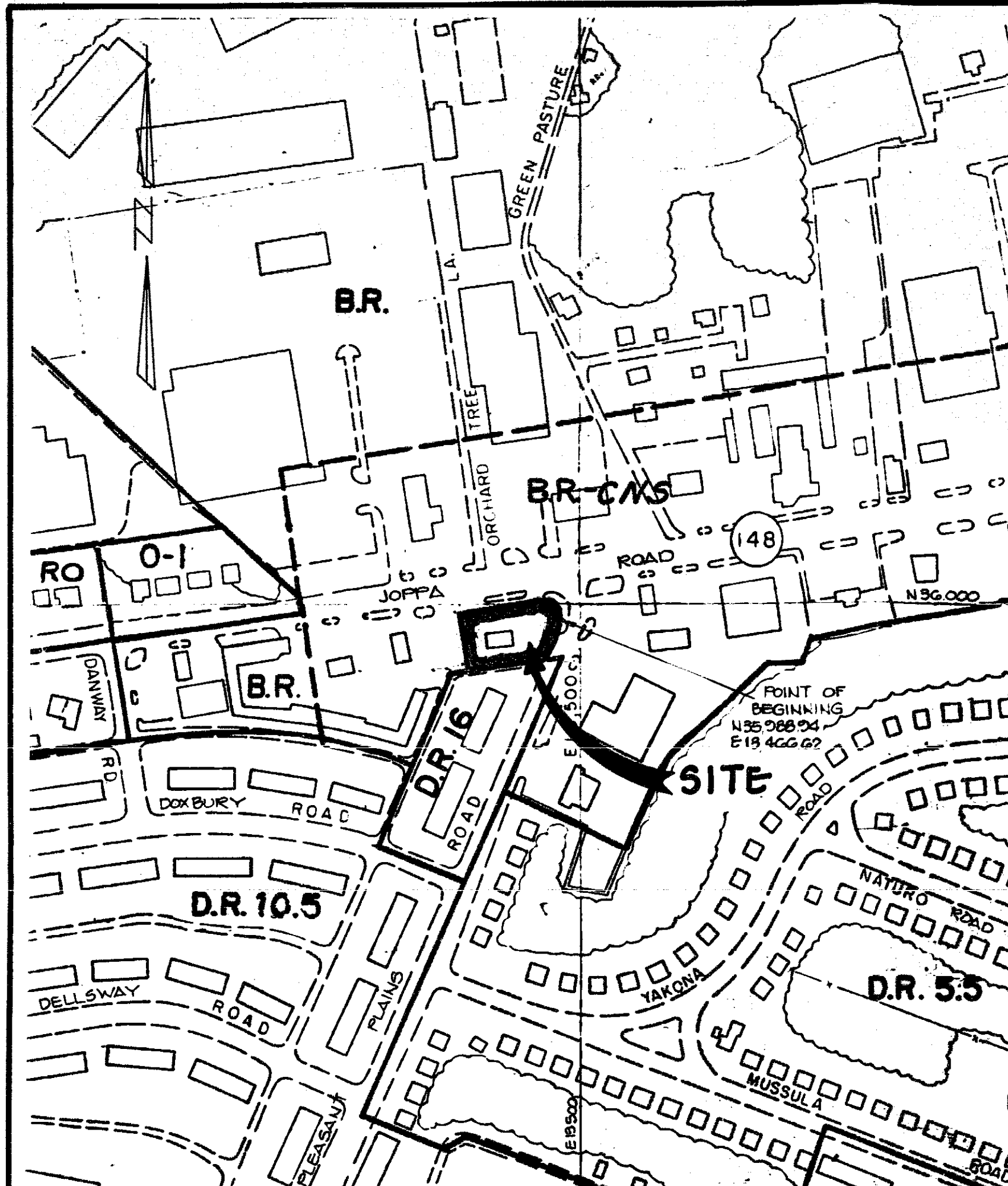
658 Kentwood Dr.
2200 N. Monroe St.





PART OF 1992 ZONING MAPS NE 9-C & NE 10-C

SCALE: 1" = 200'



PART OF 1992 ZONING MAPS NE 9-C & NE 10-C

SCALE: 1" = 200'

SITE DATA

SITE AREA	0.386 Ac ±
EXISTING ZONING	BR-CNS
EXISTING USE	Abandoned Service Station Bldg. Housing Mobile Phone Sales
PROPOSED USE	Convenience Store with Fuel Pumps
DEED REFERENCE	8028 / 67
TAX ACCOUNT NUMBER	09 - 0919390080
ANCILLARY USES	Minor ancillary uses as permitted in Section 405 of the B.C.Z.R. (No additional square footage required)
PROP. BUILDING FLOOR AREA	2512 S.F.
TOTAL	1729 S.F.
SALES FLOOR AREA	2512 S.F. + 16,814 S.F. = 19,326 S.F. (2.0 permitted)
FLOOR AREA RATIO	14.1
EXIST. BUILDING HEIGHT	14' ±
PROP. BUILDING HEIGHT	14' ±

AREA REQUIRED FOR COMBINATION USE	4 Servicing Spaces x 1500 S.F. = 6,000 S.F. (Use 15,000 S.F.)
Additional Site Area Factor	4 x 1729 = 6,916 S.F.
Total Site Area Required	21,916 S.F.
Total Site Area Provided	16,814 S.F.
Area of Special Exception	16,814 S.F. (0.386 Ac.)

PARKING SPACES	Fuel Service w/Combination Use: 2512 @ 5 / 1000 = 13 P.S.
	+ 3 P.S. for max. shift + 1 P.S. for air = 17 P.S.
Total Required	17 P.S.
Total Provided	15 P.S. (Including 1 Handicap)

PARKING SPACE DIMENSIONS:	8.5' x 18'
Typical Space	16' x 18'
Handicap Space	(All spaces to be permanently striped)

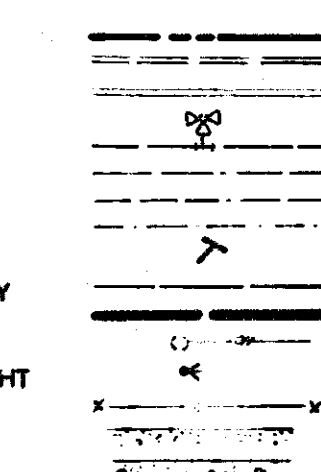
ROYAL FARM STORE	
HOURS OF OPERATION	24 Hours / 7 Days per Week
MAXIMUM NUMBER OF EMPLOYEES	15 - 20
MAXIMUM NUMBER OF EMPLOYEES PER SHIFT	Morning / Afternoon = 3 Afternoon / Evening = 3 Night = 2

ZONING HISTORY:
CASE 41-172 Approved zoning change to allow a grocery store use

PREVIOUS COMMERCIAL BUILDING PERMIT:
#1446-72 (1972) S.W. corner Pleasant Plains. Installed maroon type roof to existing two bay service station

PROPERTY LINE
EX. CURB & GUTTER
PROP. CURB & GUTTER
EX. FIRE HYDRANT
EX. WATER
EX. SEWER
EX. STORM DRAIN
EX. GAS
EX. BG & E POLE
EX. ROAD RIGHT-OF-WAY
ZONING LINE
EX. TRAFFIC LIGHT
PROP. PARKING LOT LIGHT
EX. CHAINLINK FENCE
EX. GRAVEL
EX. CONCRETE

LEGEND



SPECIAL EXCEPTION & VARIANCES REQUESTED

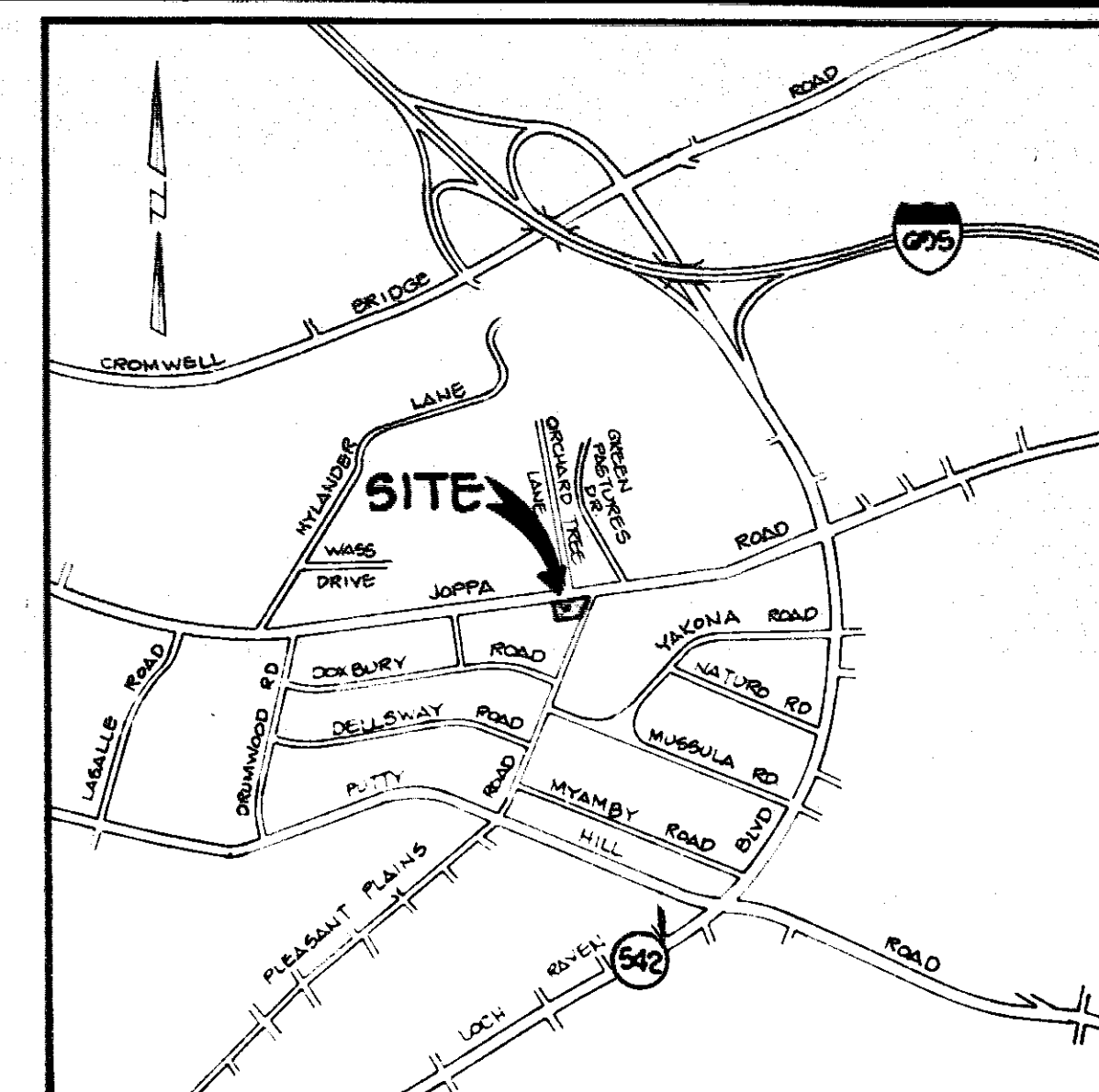
- Special exception to permit an automotive station in combination with a food store with a sales area larger than 1500 S.F. [Section 405.A.D]
- Variance to permit 15 parking spaces in lieu of 18 required [Sections 405.A.C. and 405.B]
- Variance to permit a site area of 16,814 S.F. in lieu of 21,916 S.F. required [Section 405.A(1) & 405.A(1)(1)]
- Variance to permit a landscape transition area of 6' in lieu of 15' rear transition area required [Section 405.A.2.B]
- Variance to waive restrooms [Section 405.A.E]
- Variance to permit side and rear yard setbacks of 6' in lieu of 30' required [Section 228.2]

Existing building to 22' ± from adjacent alley

PLAN
SCALE: 1" = 20'

GENERAL NOTES

1. STORMWATER MANAGEMENT WAIVER IS TO BE APPLIED FOR
2. LIGHTING TO BE ERECTED SO AS NOT TO REFLECT INTO RESIDENTIAL AREAS. INTERFERE WITH TRAFFIC OR EXCEED 18 FEET IN HEIGHT
3. DUMPSTER IS TO BE SCREENED
4. ALL SIGNS TO BE IN ACCORDANCE WITH B.C.Z.R.

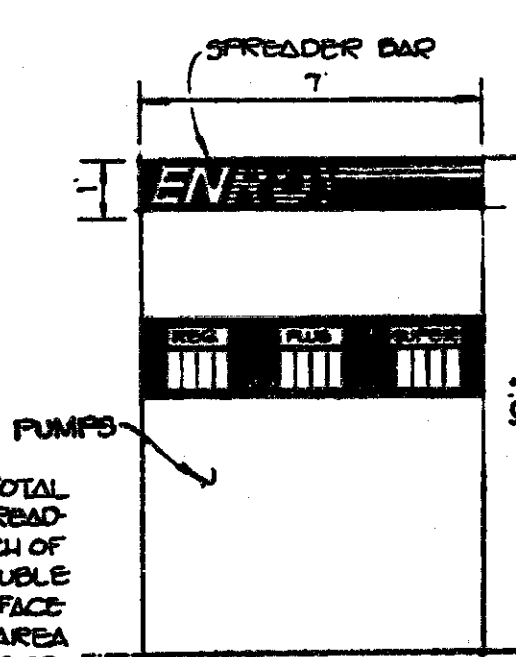


VICINITY MAP
SCALE: 1" = 1000'

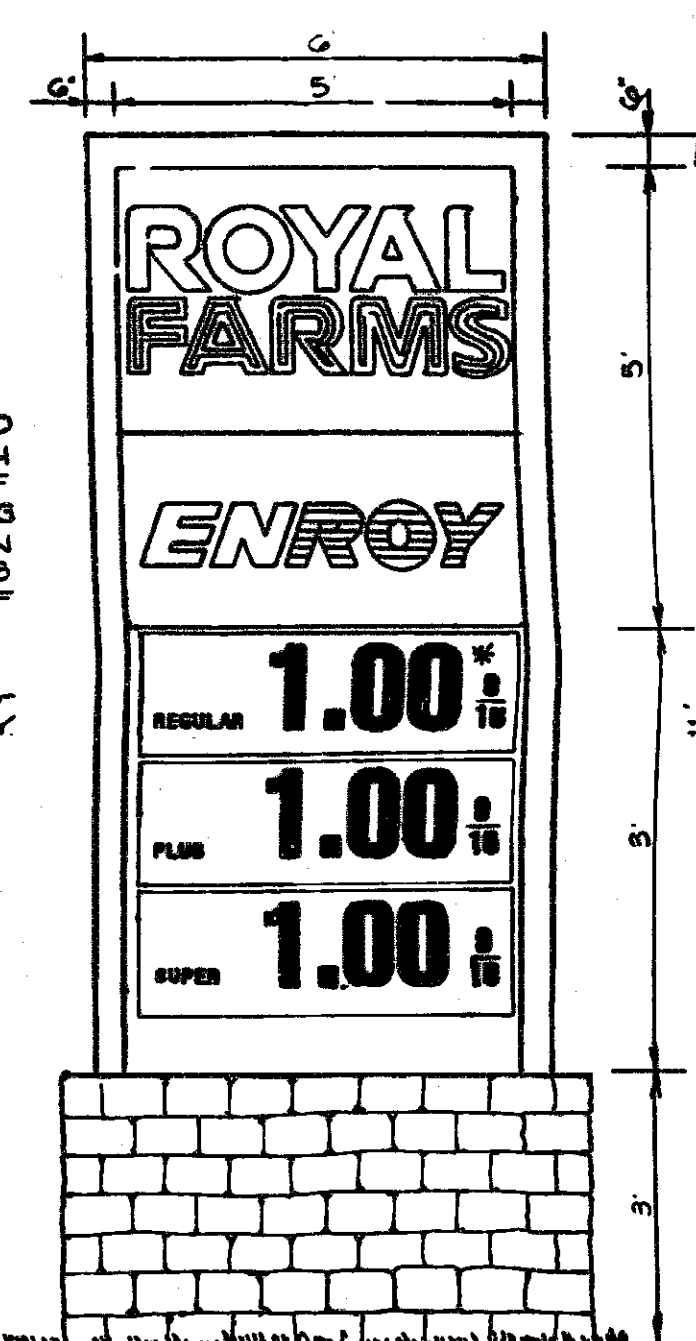
95-365-XA

SIGN IS DOUBLE-FACED AND ILLUMINATED EACH SIDE HAS AN AREA OF 90 SF EXCLUDING PRICING AREAS THERE IS 1 SIGN WITH A TOTAL OF 2 FACES TOTALING 72 SQ. FT. OF SIGN AREA

*PRICES ARE FOR ILLUSTRATIVE PURPOSES ONLY



PROPOSED SPREADER BAR SIGN
NO SCALE



PROPOSED SIGN DETAIL
NO SCALE

PRINT DATE

MAR 24 1995

G. W. STEPHENS, JR. & ASSOC., INC.

PLAT TO ACCOMPANY PETITIONS FOR ZONING VARIANCES & A SPECIAL EXCEPTION

ROYAL FARM STORE

1525 East Joppa Road
Baltimore, Maryland 21286

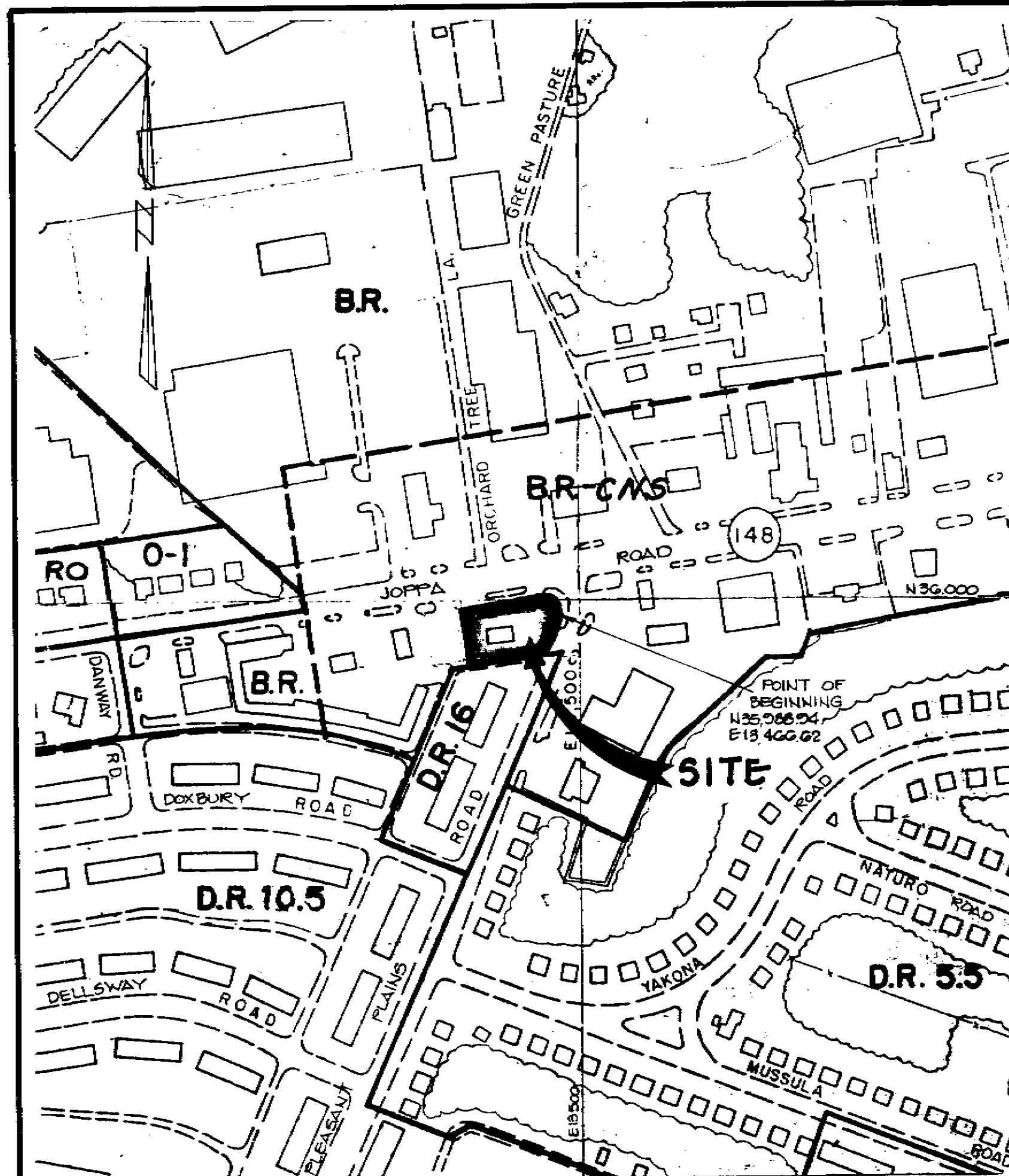
Election District 9
Councilmanic District 4
Scale: 1" = 20'

Tax Map 70 - Parcel 1002
March 24, 1995
Sheet 1 of 1

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120

DEVELOPER/LESSOR
Cloverland Farms Dairy, Inc.
2200 North Monroe Street
Baltimore, Maryland 21217
(410) 669-2222

OWNER/OWNER
Clarence L. & Ann J. Hollenshade, III
912 Rappaix Court
Baltimore, Maryland 21286



PART OF 1992 ZONING MAPS NE 9-C & NE 10-C
SCALE: 1" = 200'

SITE DATA	
SITE AREA	0.386 Ac. ±
EXISTING ZONING	BR-CNS
EXISTING USE	Abandoned Service Station Bldg. Housing
PROPOSED USE	Mobile Phone Sales
DEED REFERENCE	8028 / 67
TAX ACCOUNT NUMBER	09 - 0919390080
ANCILLARY USES	Minor ancillary uses as permitted in Section 405 of the B.C.Z.R. (No additional square footage required)
PROP. BUILDING FLOOR AREA:	2512 S.F.
TOTAL SALES FLOOR AREA	1728 S.F.
FLOOR AREA RATIO	2512 S.F. ÷ 16,814 S.F. = 0.15 (2.0 permitted)
EXIST. BUILDING HEIGHT	14' ±
PROP. BUILDING HEIGHT	14' ±
AREA REQUIRED FOR COMBINATION USE	
4 Servicing Spaces x 1500 S.F.	= 6,000 S.F. (Use 15,000 S.F.)
Additional Site Area Factor:	4 x 1728 = 6,916 S.F.
Total Site Area Required:	21,916 S.F.
Total Site Area Provided:	16,814 S.F.
Area of Special Exception:	16,814 S.F. (0.386 Ac.)
PARKING SPACES	
Fuel Service w/Combination Use	2512 @ 5 / 1000 = 13 P.S.
	+ 3 P.S. for max. shift
	+ 1 P.S. for air
	= 17 P.S.
Total Required	17 P.S.
Total Provided	15 P.S. (Including 1 Handicap)
PARKING SPACE DIMENSIONS:	
Typical Space	16' x 18'
Handicap Space	8'5" x 18'
(All spaces to be permanently striped)	

ROYAL FARM STORE	
HOURS OF OPERATION	24 Hours / 7 Days per Week
MAXIMUM NUMBER OF EMPLOYEES	15 - 20
MAXIMUM NUMBER OF EMPLOYEES PER SHIFT	Morning / Afternoon = 3 Afternoon / Evening = 3 Night = 2

ZONING HISTORY:
CASE 41-172 Approved zoning change to allow a grocery store use

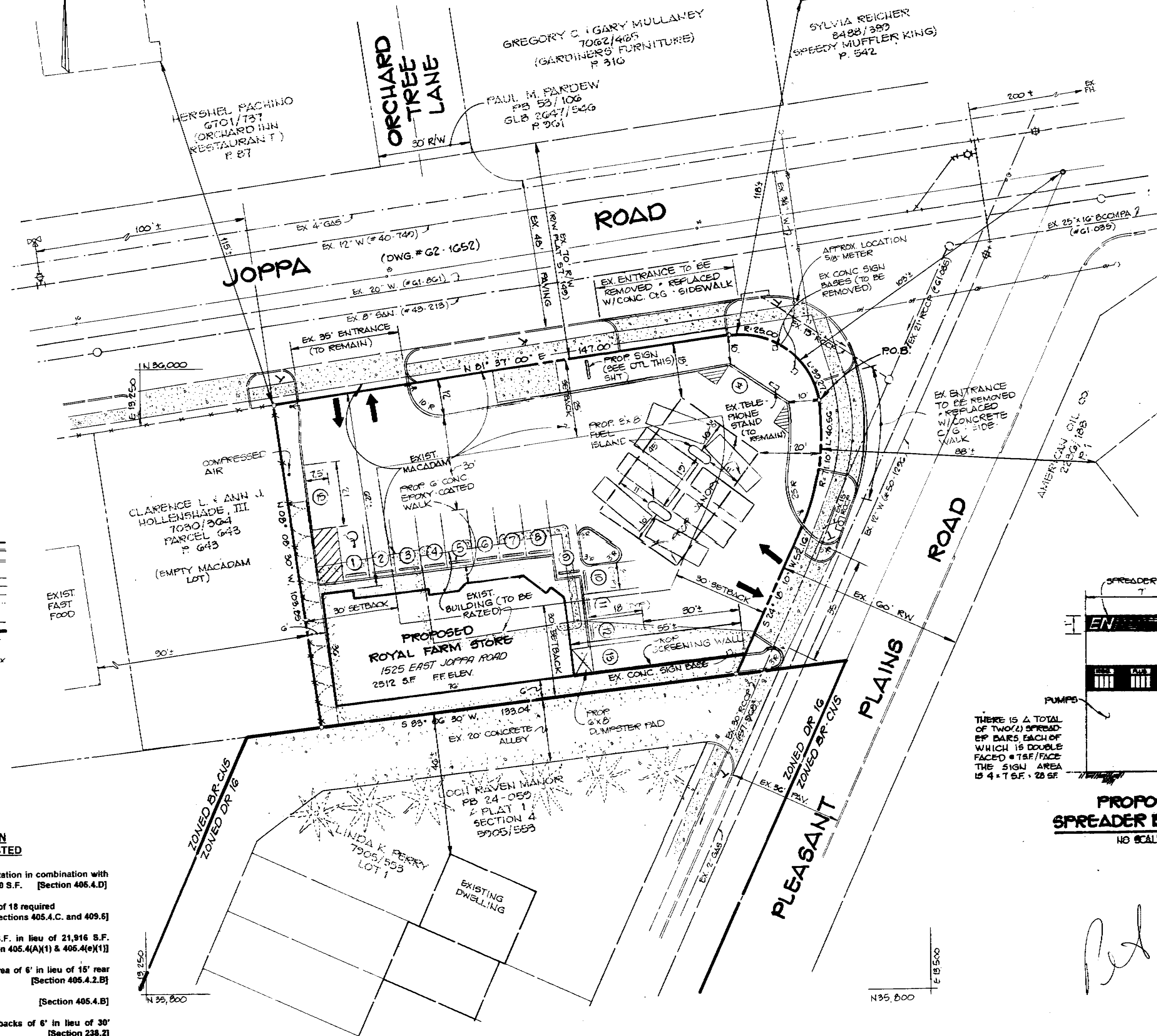
PREVIOUS COMMERCIAL BUILDING PERMIT:
#1446-72 (1972) S.W. corner Pleasant Plains. Installed mansard type roof to existing two bay service station

LEGEND	
PROPERTY LINE	---
EX. CURB & GUTTER	---
PROP. CURB & GUTTER	---
EX. FIRE HYDRANT	---
EX. WATER	---
EX. SEWER	---
EX. STORM DRAIN	---
EX. GAS	---
EX. 80 & E POLE	---
EX. ROAD RIGHT-OF-WAY	---
ZONING LINE	---
EX. TRAFFIC LIGHT	---
PROP. PARKING LOT LIGHT	---
EX. CHAINLINK FENCE	---
EX. GRAVEL	---
EX. CONCRETE	---

SPECIAL EXCEPTION & VARIANCES REQUESTED

- Special exception to permit an automotive station in combination with a food store with a sales area larger than 1500 S.F. [Section 405.4.D]
- Variance to permit 15 parking spaces in lieu of 18 required [Sections 405.4.C. and 409.6]
- Variance to permit a site area of 16,814 S.F. in lieu of 21,916 S.F. required [Section 405.4(A)(1) & 405.4(e)(1)]
- Variance to permit a landscape transition area of 6' in lieu of 15' rear transition area required [Section 405.4.2.B]
- Variance to waive restrooms [Section 405.4.B]
- Variance to permit side and rear yard setbacks of 6' in lieu of 30' required [Section 238.2]

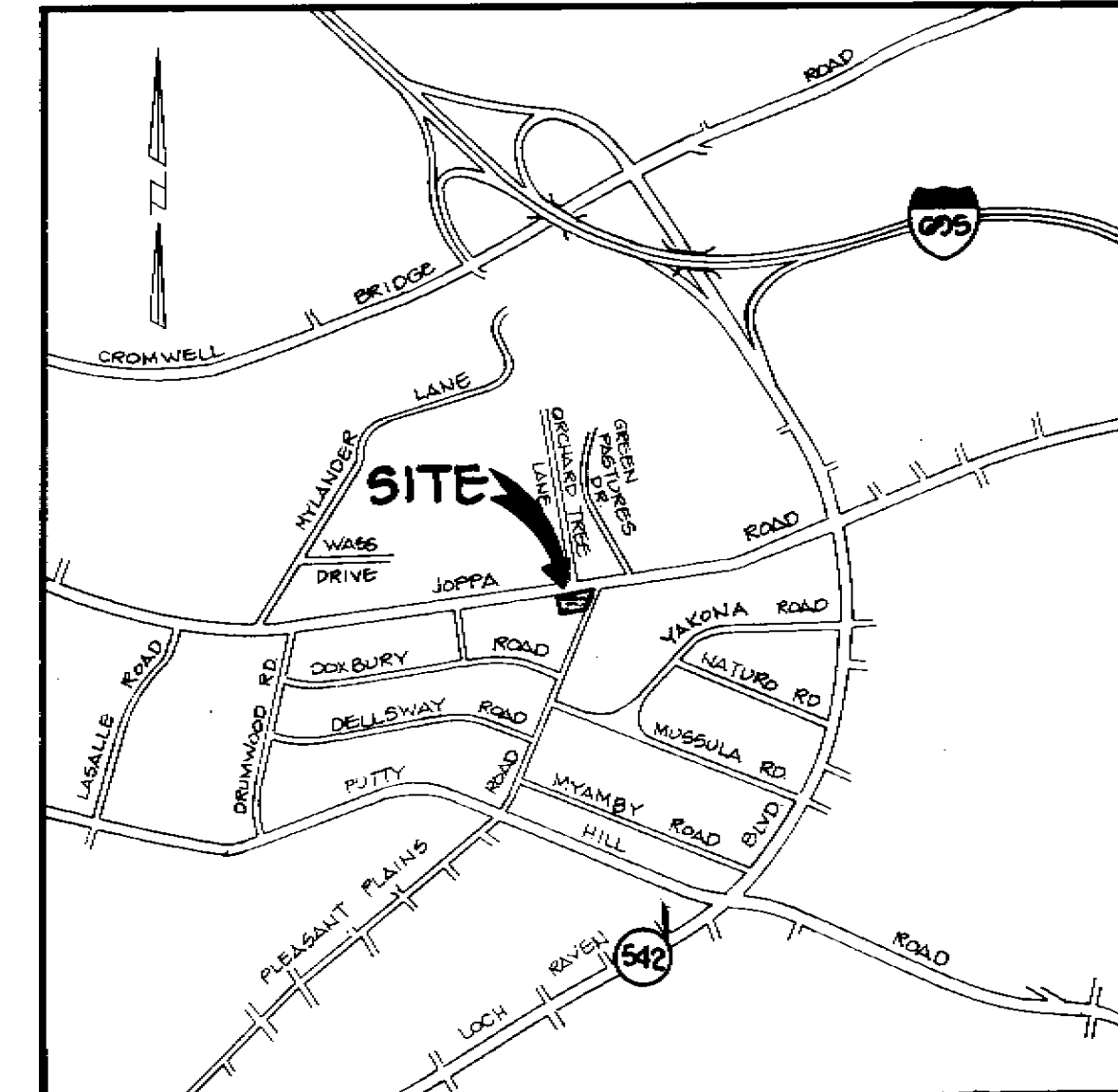
Existing building is 22' ± from adjacent alley



PLAN
SCALE: 1" = 120'

GENERAL NOTES

- STORMWATER MANAGEMENT WAIVER IS TO BE APPLIED FOR
- LIGHTING TO BE ERRECTED SO AS NOT TO REFLECT INTO RESIDENTIAL AREAS, INTERFERE WITH TRAFFIC OR EXCEED 18 FEET IN HEIGHT
- DUMPSTER IS TO BE SCREENED
- ALL SIGNS TO BE IN ACCORDANCE WITH B.C.Z.R.

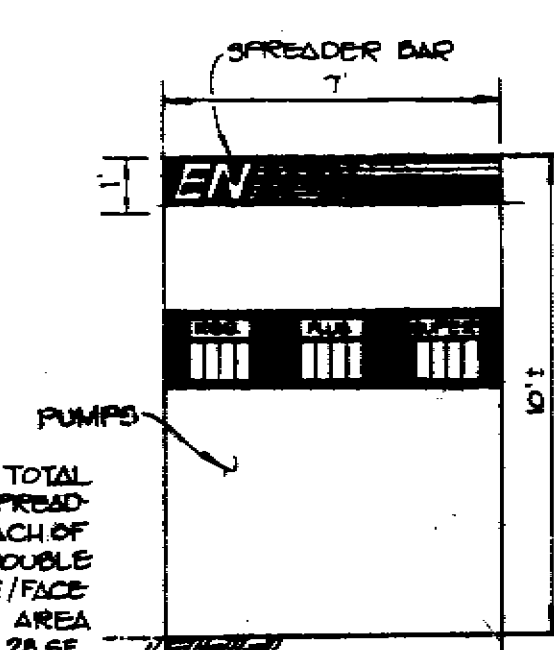


VICINITY MAP
SCALE: 1" = 1000'

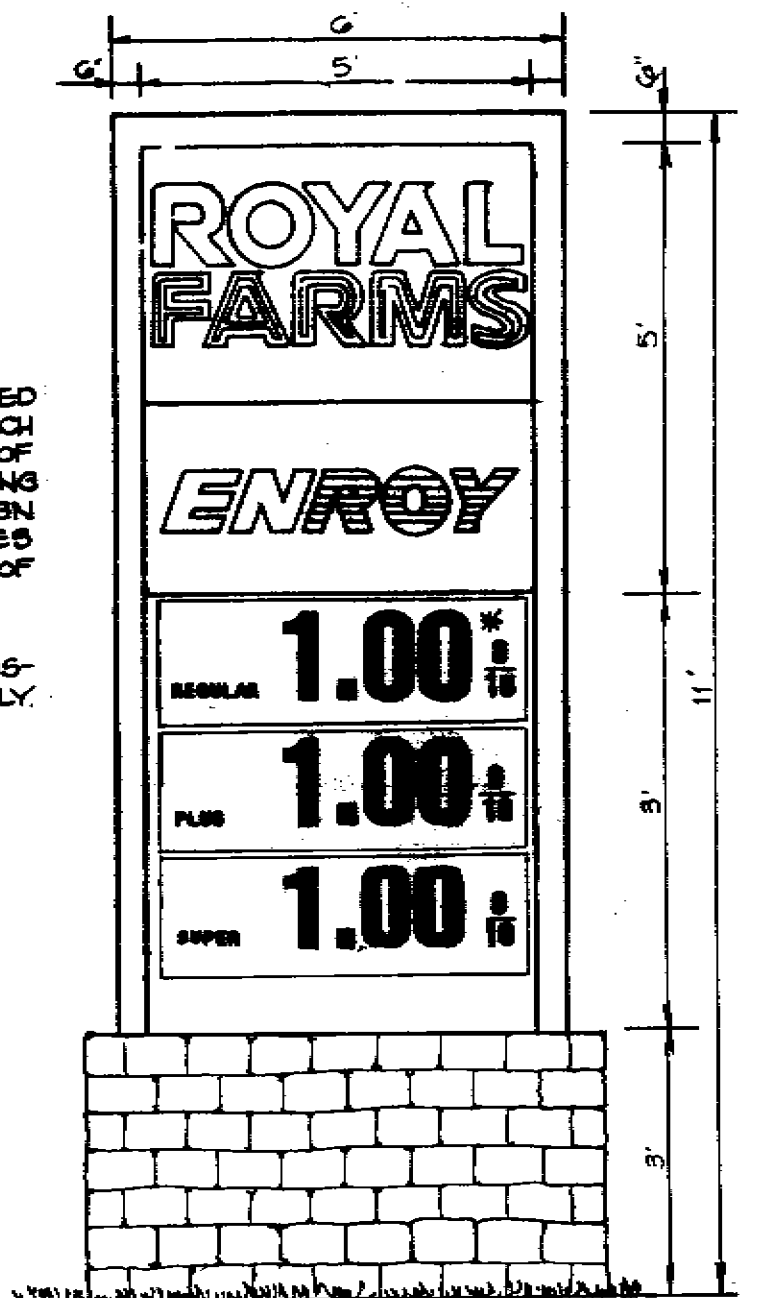
95-365-XA

SIGN IS DOUBLE-FACED AND ILLUMINATED EACH SIDE HAS AN AREA OF 50 SF EXCLUDING PRICING AREAS. THERE IS 1 SIGN WITH A TOTAL OF 2 FACES TOTALING 172 SQ. FT. OF SIGN AREA

*PRICES ARE FOR ILLUSTRATIVE PURPOSES ONLY.



PROPOSED SPREADER BAR SIGN
NO SCALE



PROPOSED SIGN DETAIL
NO SCALE

PRINT DATE

MAR 24 1995

G.W. STEPHENS, JR. & ASSOC., INC.

MICROFILMED

PLAT TO ACCOMPANY PETITIONS
FOR ZONING VARIANCES &
A SPECIAL EXCEPTION

ROYAL FARM STORE

1525 East Joppa Road
Baltimore, Maryland 21286

Election District 9
Councilmanic District 4
Scale: 1" = 20'

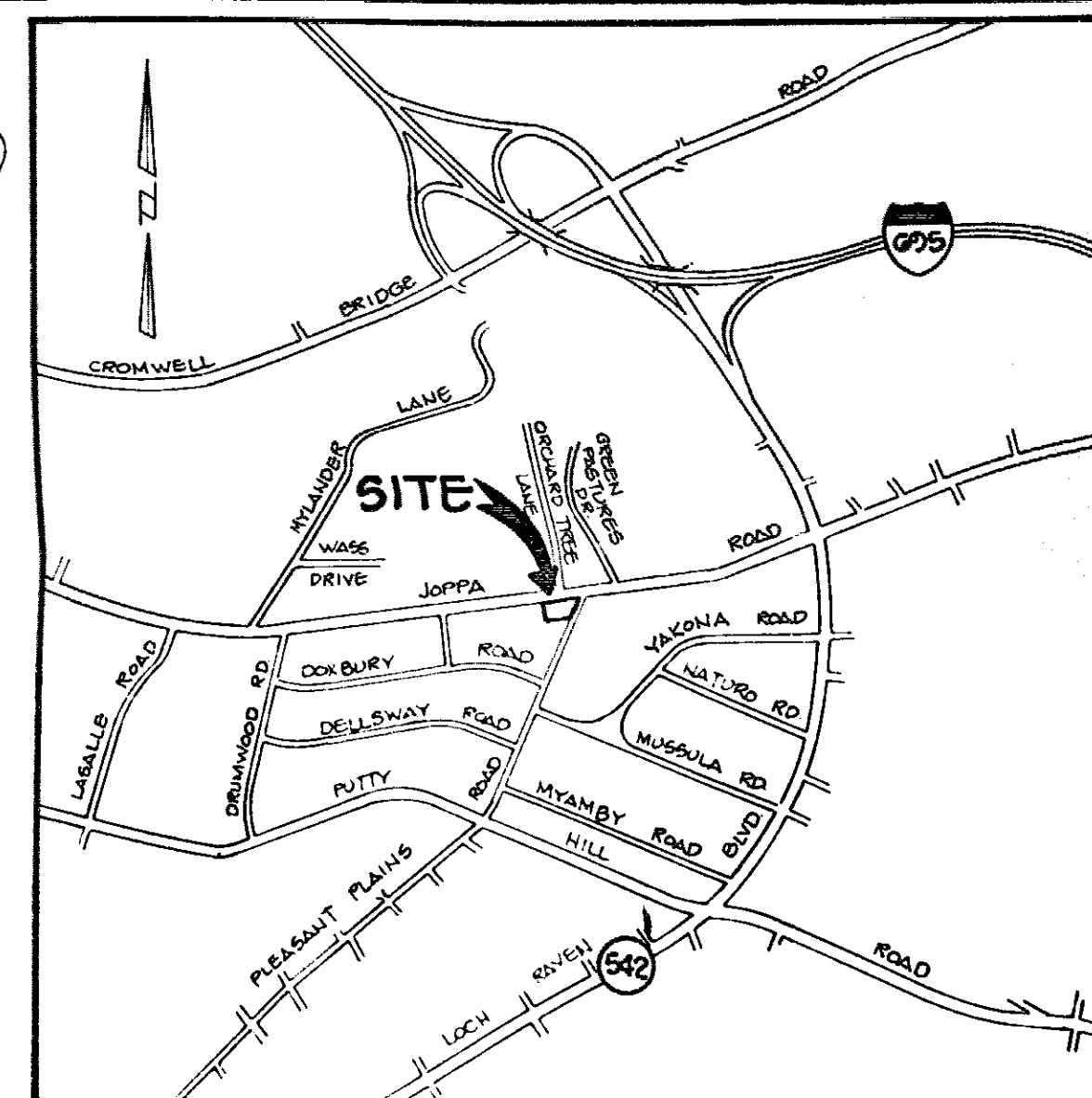
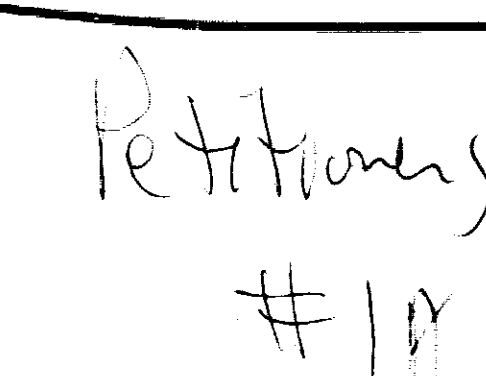
Tax Map 70 - Parcel 1002
March 24, 1995
Sheet 1 of 1

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120

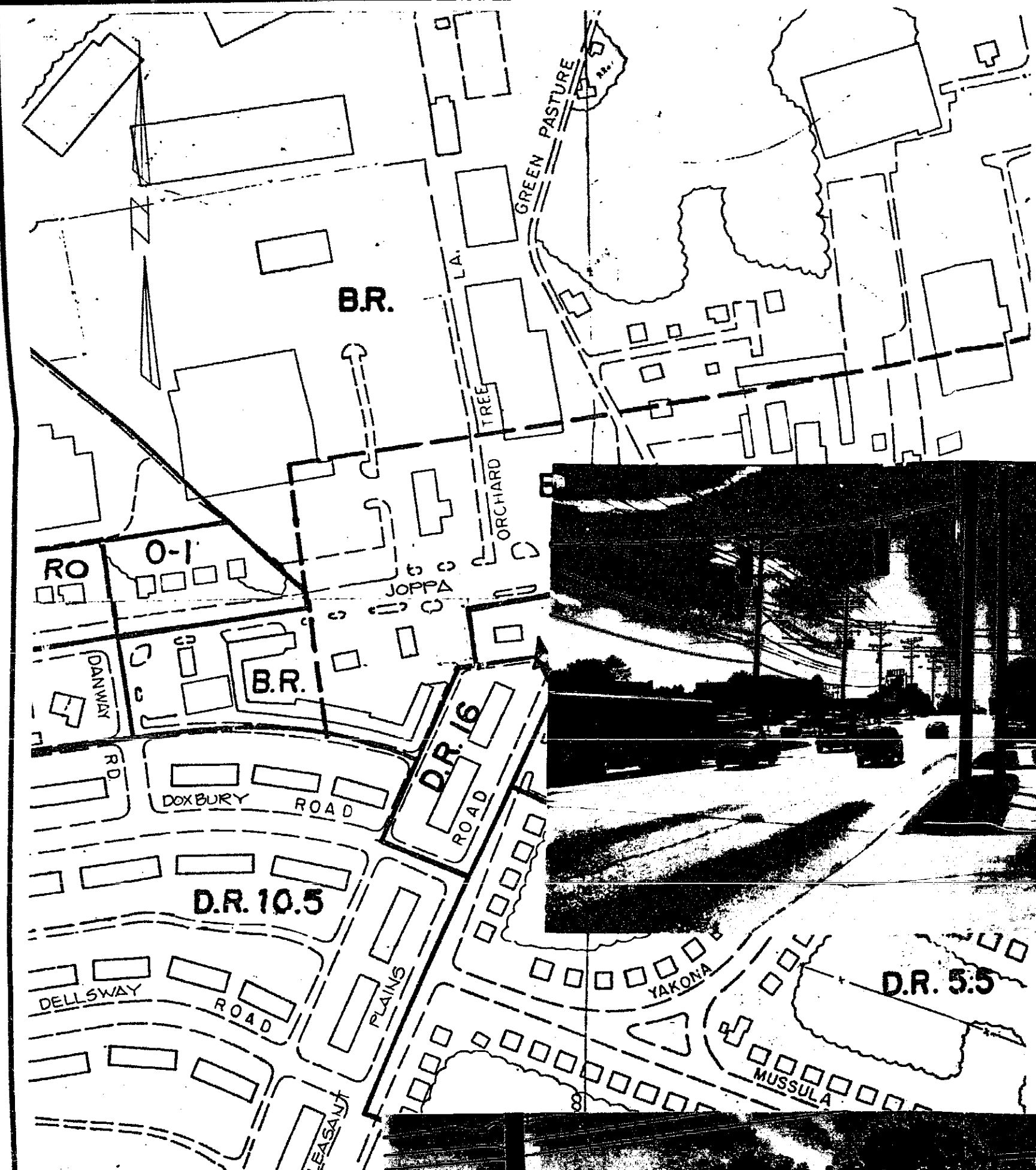
DEVELOPER/LESSEE
Cloverland Farms Dairy, Inc.
2200 North Monroe Street
Baltimore, Maryland 21217
(410) 669-2222

OWNER/LESSOR
Clarence L. & Ann J. Hollenshade, III
912 Rappaix Court
Baltimore, Maryland 21286

- 2 Storm-water management waiver is to be applied for.
- 2 Lighting is to be erected so as not to reflect into residential areas, interfere with traffic or exceed 18 feet in height.
- 3 Dumpster is to be screened.
- 4 All signs to be in accordance with B.C.Z.R.
- 5 Site will comply with section 405.4.2a (B.C.Z.R.)
- 6 Any underground fuel tanks to be installed with all local, state & federal regulations.
- 7 Final landscape plan to be approved by Baltimore County.
- 8 No trash pickup between 8 P.M. and 10 P.M.
- 9 No fuel deliveries between 10 P.M. and 6 A.M.
- 10 No store deliveries between 10 P.M. and 6 A.M.
- 11 No freestanding public telephones shall be placed onsite.
- 12 Store windows shall remain free of advertisements that would restrict view in or out.
- 13 The site shall be made to comply with all applicable sections of the Fire Prevention Code prior to occupancy or beginning of operation.
- 14 The buildings and structures existing or proposed shall comply with all applicable sections of the National Fire Protection Association International Standard No. 101 "Life Safety Code" 1991 Edition prior to occupancy.



VICINITY MAP
SCALE: 1"=1000'



PART OF 1992

SITE AREA	0.386 Acs
EXISTING ZONING	BR-CNS
EXISTING USE	Abandoned
PROPOSED USE	Convenience
DEED REFERENCE	80288 / 6
TAX ACCOUNT NUMBER	09 - 091
ANCILLARY USES	Minor ar

PROP. BUILDING FLOOR AREA:	
TOTAL	2512 S.F.
SALES FLOOR AREA	1728 S.F.
FLOOR AREA RATIO	2512 S.F. ÷ 16,814 S.F. = 0.15 (2.0 permitted)
EXIST. BUILDING HEIGHT	14'±
PROP. BUILDING HEIGHT	14'±

AREA REQUIRED FOR COMBINATION USE

4 Servicing Spaces x 1500 S.F.	= 6,000 S.F. (Use 15,000 S.F.)
Additional Site Area Factor:	4 x 1729 = 6,916 S.F.
Total Site Area Required:	21,916 S.F.
Total Site Area Provided:	16,814 S.F.
Area of Special Exception:	16,814 S.F. (0.386 Ac.)

PARKING SPACES	
Fuel Service w/Combination Use:	
2512 @ 5 / 1000 = 13 P.S.	
	+ 3 P.S. for max. shift
	+ 1 P.S. for air
	= 17 P.S.
Total Required	17 P.S.
Total Provided	15 P.S. (Including 1 Handicap)

PARKING SPACE DIMENSIONS:
 Typical Space 8.5' x 18'
 Handicap Space 16' x 18'
 (All spaces to be permanently striped)

- Special exception to permit an automotive station in combination with a food store with a sales area larger than 1500 S.F. [Section 405.4.D]
- Variance to permit 16 parking spaces in lieu of 17 required [Sections 405.4.A.3.D & 409.E]
- Variance to permit a site area of 16,814 S.F. in lieu of 21,916 S.F. required [Section 405.4.A(1) & 405.4(A)(1)(f)]
- Variance to permit a landscape transition area of 6' in lieu of 14' rear transition area required [Section 405.4.A.2.B]
- Variance to waive restrooms [Section 405.4.B]
- Variance to permit side and rear yard setbacks of 6' in lieu of 39' required [Section 233.21]

ZONING HISTORY: CASE 172 Approved zoning change to allow a grocery store use

PREVIOUS COMMERCIAL BUILDING PERMIT:
#1443-72 [1972] S.W. corner Pleasant Plains. Installed mansard type roof to existing two bay service station

PLAN
SCALE: 1"=20'

DEVELOPER/LESSEE
Cloverland Farms Dairy, Inc.
 2200 North Monroe Street
 Baltimore, Maryland 21217
 (410) 669 - 2222

OWNER/LESSOR
Clarence L. & Ann J. Hollensshade, III
912 Rappaix Court
Baltimore, Maryland 21286

**PLAT TO ACCOMPANY PETITIONS
FOR ZONING VARIANCES &
A SPECIAL EXCEPTION
ROYAL FARM STORE**

**1525 East Joppa Road
Baltimore, Maryland 21286**

Election District 9
Councilmanic District 4
Scale: 1" = 20'

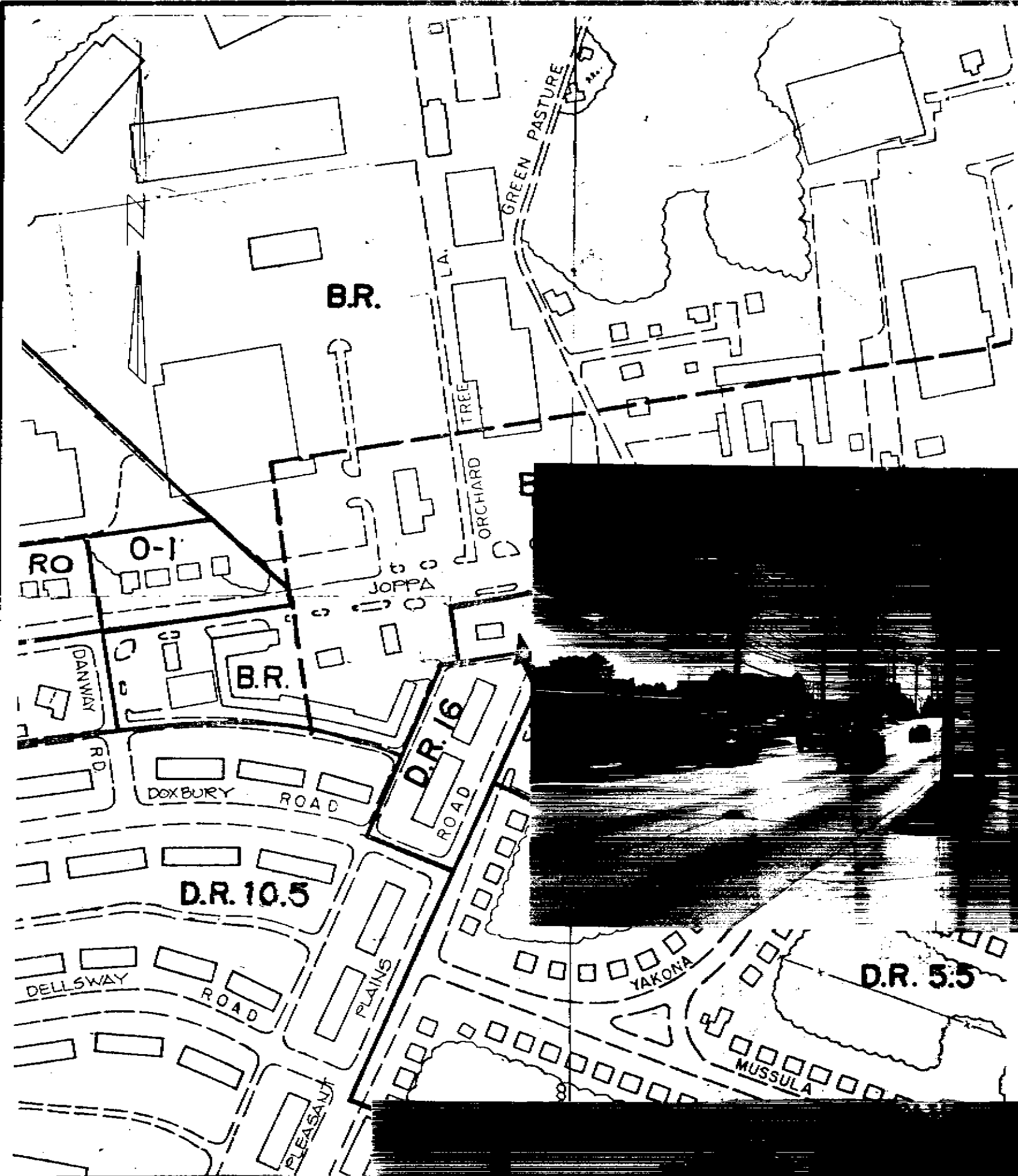
Tax Map 70 - Parcel 1002
May 24, 1995
Sheet 1 of 1

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.**

CIVIL ENGINEERS & LAND SURVEYORS

658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120





SITE DATA

SITE AREA: 0.386 Ac.
EXISTING ZONING: BR-CNS
ABANDONED
PROPOSED USE: Convenience Store
DEED REFERENCE: 8028 / 6
TAX ACCOUNT NUMBER: 09 - 0911
ANCILLARY USES: Minor and

PROPOSED BUILDING FLOOR AREA:
TOTAL: 2512 S.F.
SALES FLOOR AREA: 1729 S.F.
FLOOR AREA RATIO: 2512 S.F. / 0.386 Ac. = 6,508 S.F. (2.0 permitted)
EXIST. BUILDING HEIGHT: 14'-0"
PROPOSED BUILDING HEIGHT: 14'-0"

AREA REQUIRED FOR COMBINATION USE:
4 Servicing Spaces x 1500 S.F. = 6,000 S.F. (Use 15,000 S.F.)
Additional Site Area Factor: 4 x 1729 = 6,916 S.F.
Total Site Area Required: 21,916 S.F.
Total Site Area Provided: 16,814 S.F.
Area of Special Exception: 16,814 S.F. (0.386 Ac.)

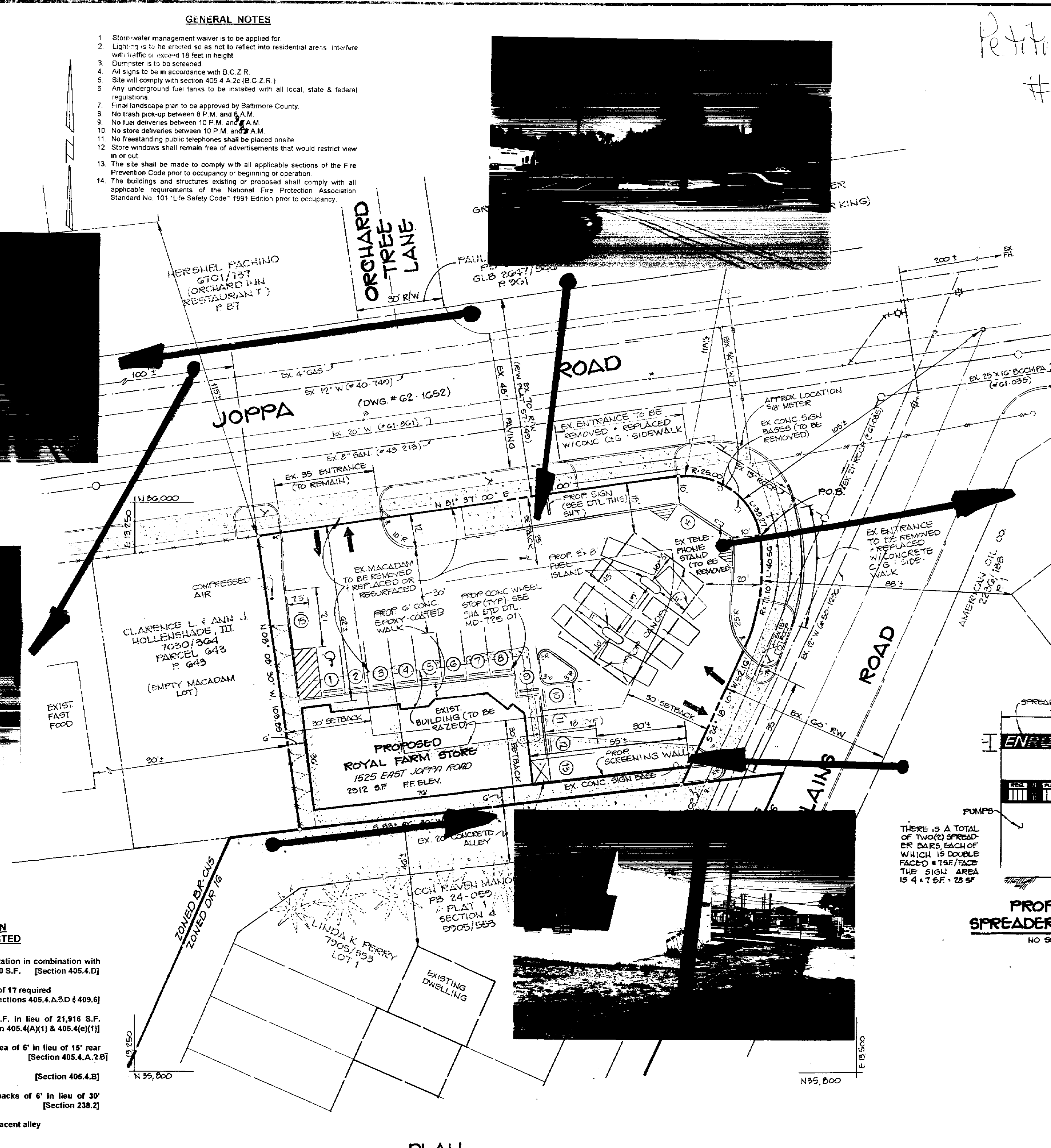
PARKING SPACES
Fuel Service w/Combination Use:
2512 @ 5 / 1000 = 15 P.S.
+ 3 P.S. for max. shift
+ 1 P.S. for air
= 17 P.S.
Total Required: 17 P.S.
Total Provided: 15 P.S. (Including 1 Handicap)

PARKING SPACE DIMENSIONS:
Typical Space: 8'5" x 18'
Handicap Space: 16' x 18'
(All spaces to be permanently striped)

ROYAL FARM STORE	
HOURS OF OPERATION	24 Hours / 7 Days per Week
MAXIMUM NUMBER OF EMPLOYEES	15 - 20
MAXIMUM NUMBER OF EMPLOYEES PER SHIFT	Morning / Afternoon = 3 Afternoon / Evening = 3 Night = 2

ZONING HISTORY:
CASE: 172 Approved zoning change to allow a grocery store use

PREVIOUS COMMERCIAL BUILDING PERMIT:
#1443-72 (1972) S.W. corner Pleasant Plains. Installed mansard type roof to existing two bay service station



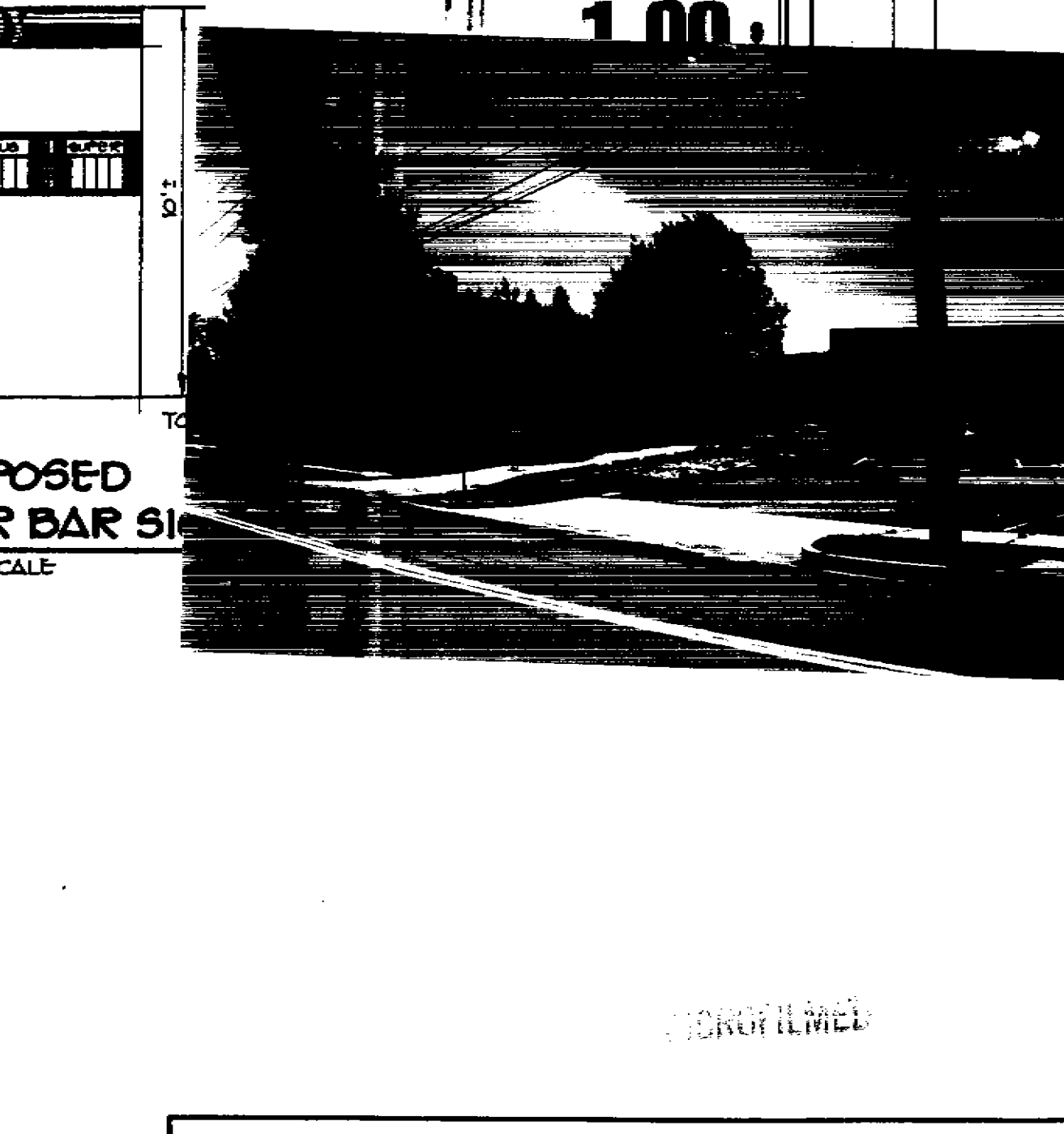
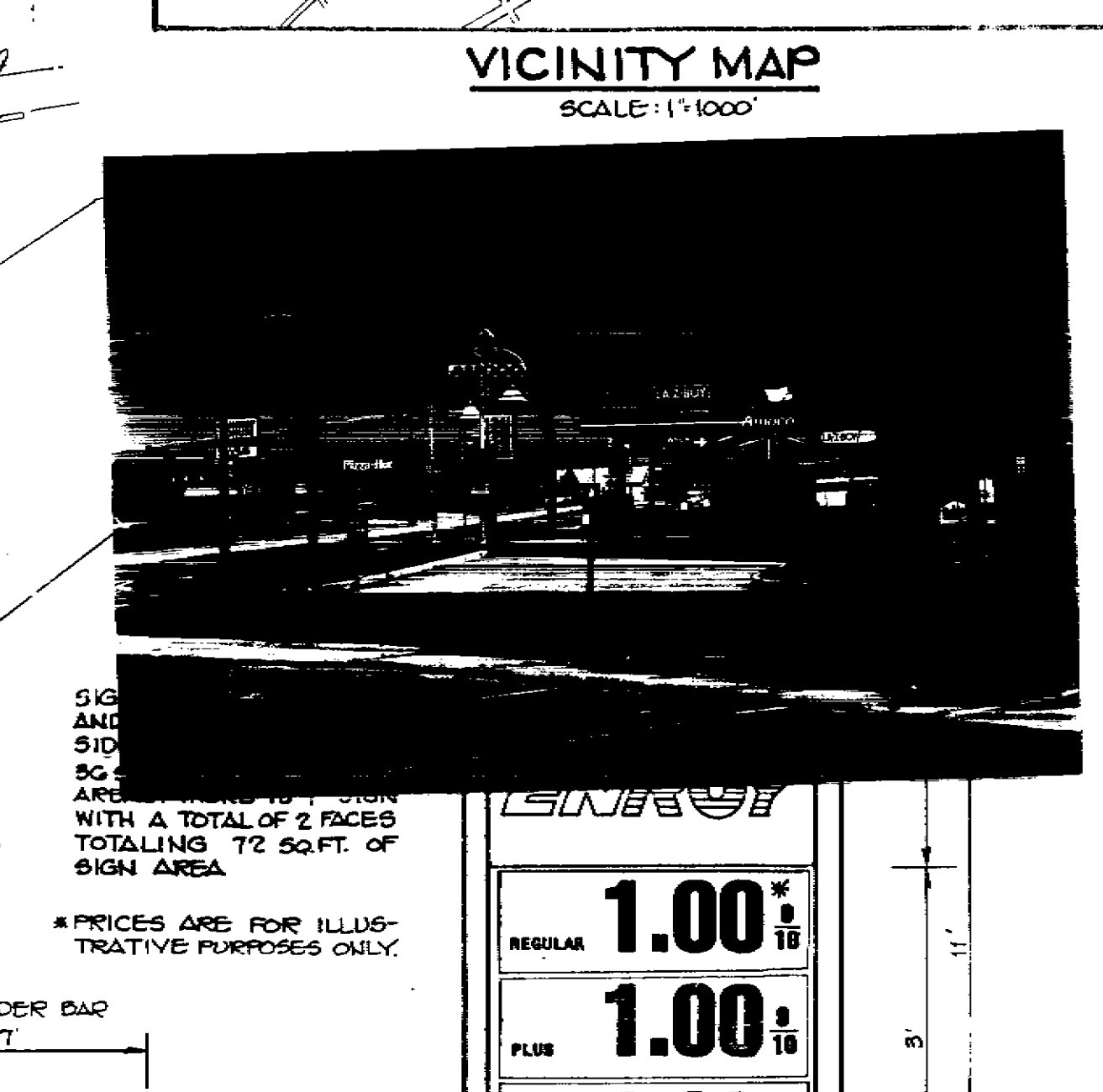
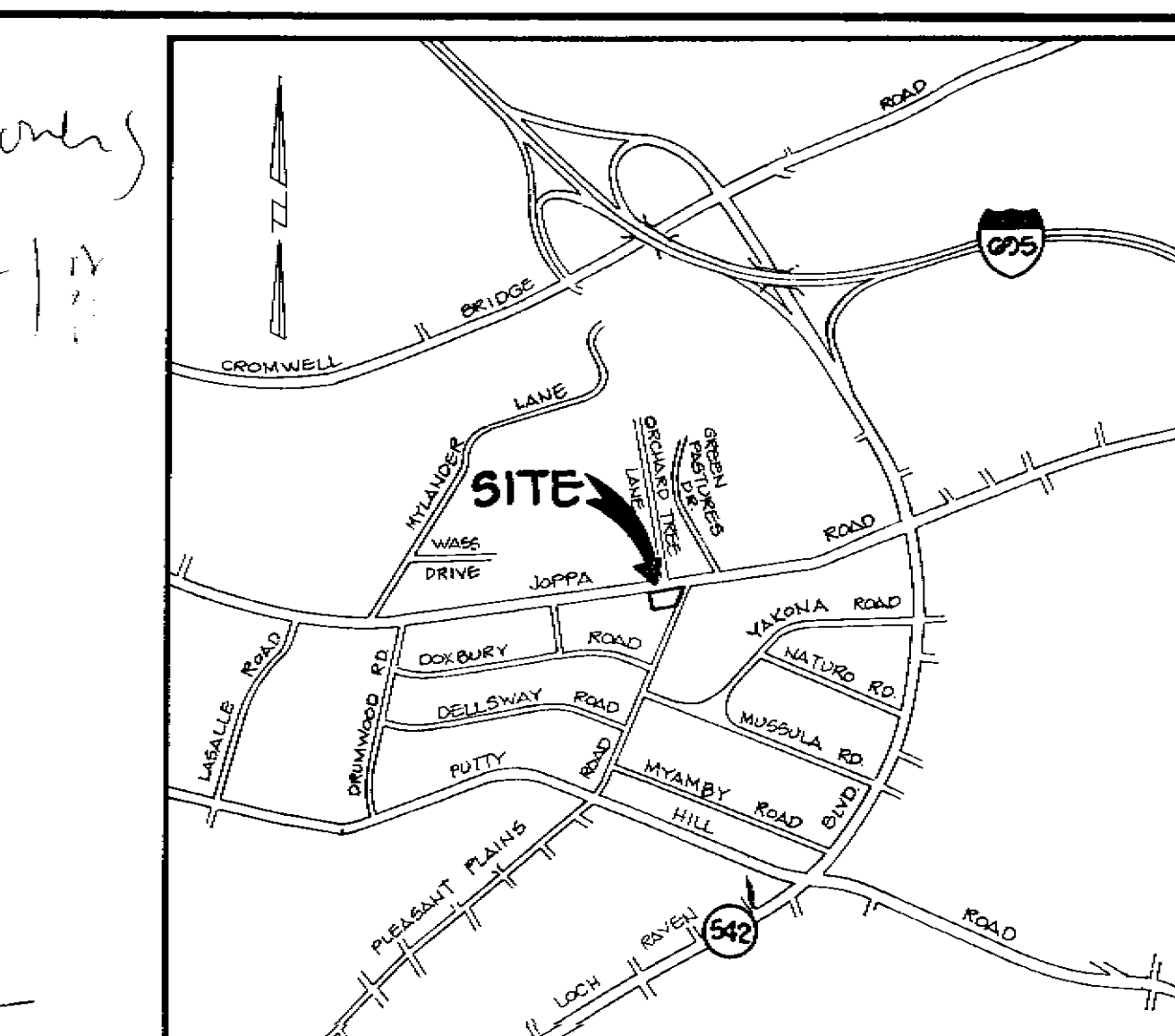
GENERAL NOTES

- Stormwater management waiver is to be applied for.
- Lighting is to be enclosed so as not to reflect into residential areas; interfere with traffic or exceed 18 feet in height.
- Dumpster is to be screened.
- All signs to be in accordance with B.C.Z.R.
- Site will comply with section 405.4 A.2(c) (B.C.Z.R.)
- Any underground fuel tanks to be installed with all local, state & federal regulations.
- Final landscape plan to be approved by Baltimore County.
- No trash pick-up between 8 P.M. and 8 A.M.
- No fuel deliveries between 10 P.M. and 8 A.M.
- No store deliveries between 10 P.M. and 8 A.M.
- No freestanding public telephones shall be placed onsite.
- Store windows shall remain free of advertisements that would restrict view in or out.
- The site shall be made to comply with all applicable sections of the Fire Prevention Code prior to occupancy or beginning of operation.
- The buildings and structures existing or proposed shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code" 1991 Edition prior to occupancy.

SPECIAL EXCEPTION & VARIANCES REQUESTED

- Special exception to permit an automotive station in combination with a food store with a sales area larger than 1500 S.F. [Section 405.4.D]
- Variance to permit 15 parking spaces in lieu of 17 required [Sections 405.4.A.3.D & 409.6]
- Variance to permit a site area of 16,814 S.F. in lieu of 21,916 S.F. required [Section 405.4(A)(1) & 405.4(e)(1)]
- Variance to permit a landscape transition area of 6' in lieu of 15' rear transition area required [Section 405.4.A.2.B]
- Variance to waive restrooms [Section 405.4.B]
- Variance to permit side and rear yard setbacks of 6' in lieu of 30' required [Section 238.2]

Existing building is 22'± from adjacent alley

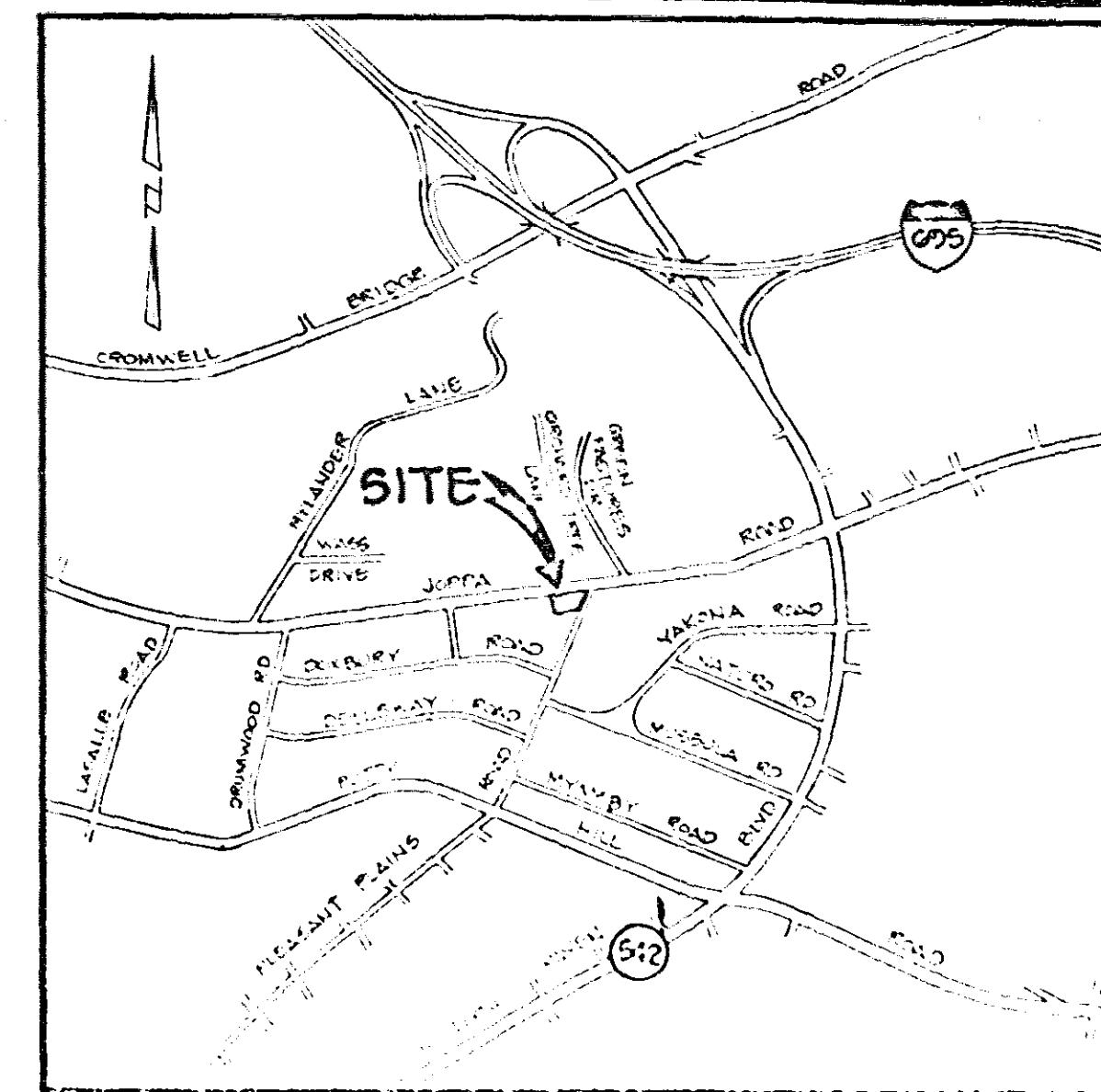


GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 658 KENILWORTH DRIVE, SUITE 100 TOWSON, MARYLAND 21204 (410) 825-8120	DEVELOPER/LESSEE Cloverland Farms Dairy, Inc. 2200 North Monroe Street Baltimore, Maryland 21217 (410) 669-2222	OWNER/LESSOR Clarence L. & Ann J. Hollenshade, III 912 Rappaix Court Baltimore, Maryland 21286	PLAT TO ACCOMPANY PETITIONS FOR ZONING VARIANCES & A SPECIAL EXCEPTION ROYAL FARM STORE 1525 East Joppa Road Baltimore, Maryland 21286 Election District 9 Councilmanic District 4 Scale: 1" = 20' Tax Map 70 - Parcel 1002 May 24, 1995 Sheet 1 of 1
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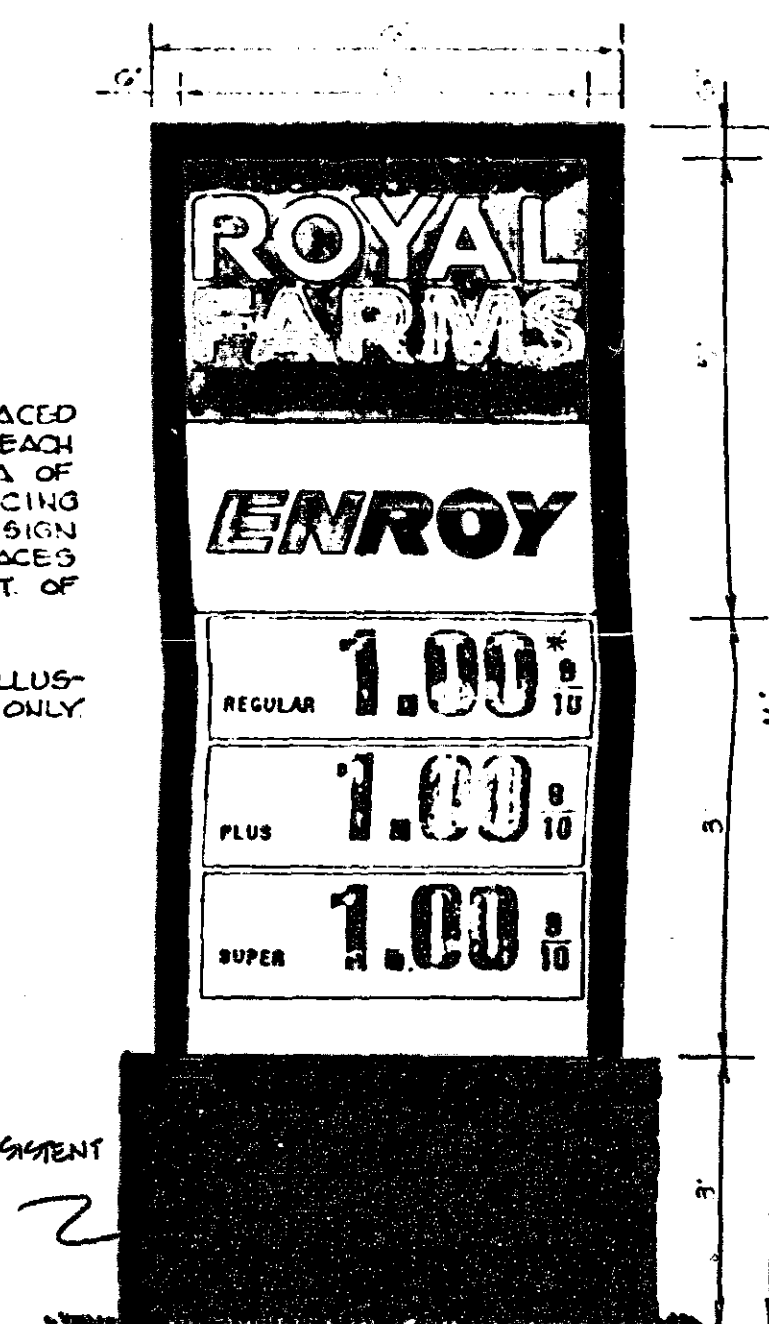
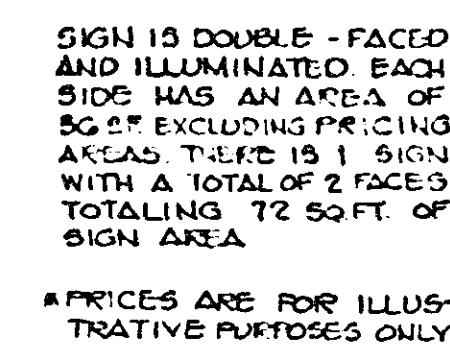
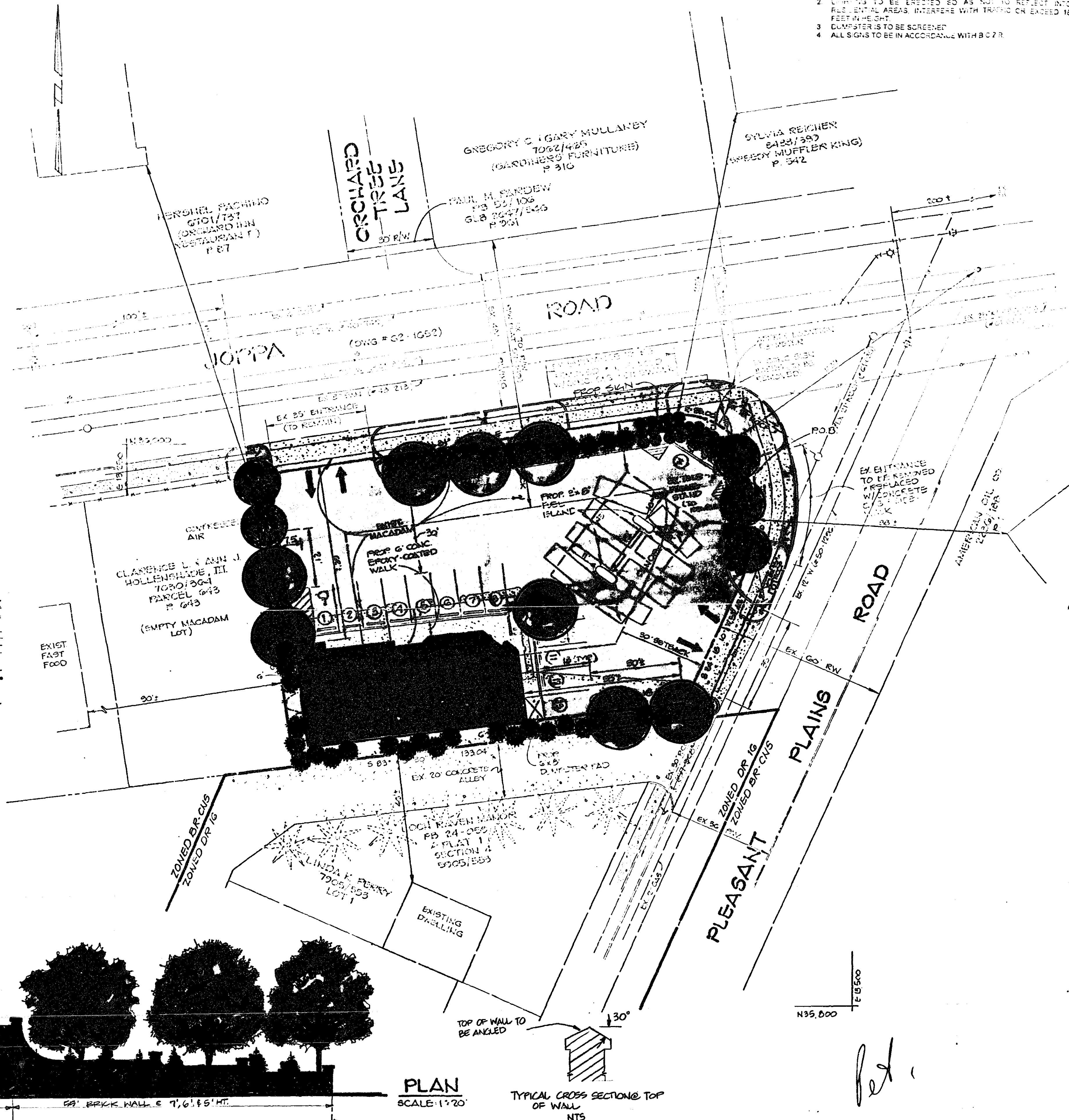
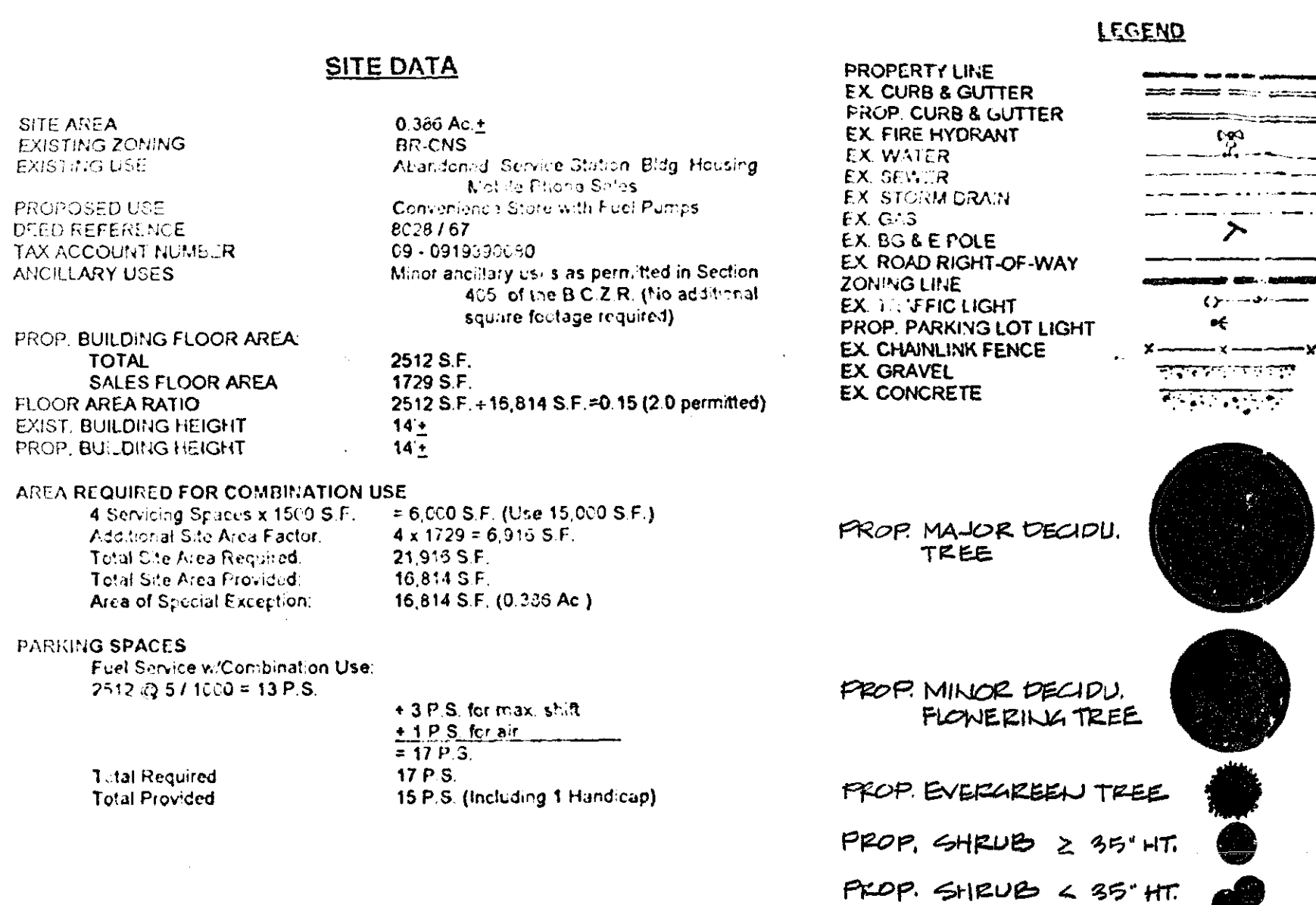
REQUIRED PLANTING UNITS			
- ADJACENT ROADS		@ 1 P.U. / 40 L.F. 278.99 L.F. / 40	= 6.99 = 7 P.U.
- SCREENING	- CLASS B -	@ 1 P.U. / 15 L.F. 184.83 L.F. / 15	= 12.32 = 13 P.U.
	- CLASS C -	@ 1 P.U. / 10 L.F. 236.99 L.F. / 10	= 23.69 = 24 P.U.
- PARKING LOTS		@ 1 P.U. / 12 P.S. 15 P.S. / 12	= 1.25 = 2 P.U.
TOTAL P.U. REQUIRED			= 46 P.U.
- 7% LANDSCAPED AREA IN PARKING LOT - NOT REQUIRED, PARKING LOT CONSISTS OF 15 SP. OR LESS			

PLANTING UNITS PROVIDED	EXISTING	NEW	
MAJOR DECIDUOUS @ 1 : 1		8	= 8 P.U.
MINOR DECIDUOUS @ 2 : 1		5	= 2.5 P.U.
EVERGREEN @ 2 : 1		34	= 17 P.U.
SHRUB @ 5 : 1		94	= 18.8 P.U.
	TOTAL P.U. PROVIDED		= 46.3 P.U.
7% LANDSCAPED AREA IN PARKING LOT			
	TOTAL S.F. PROVIDED		= 72 S.F.

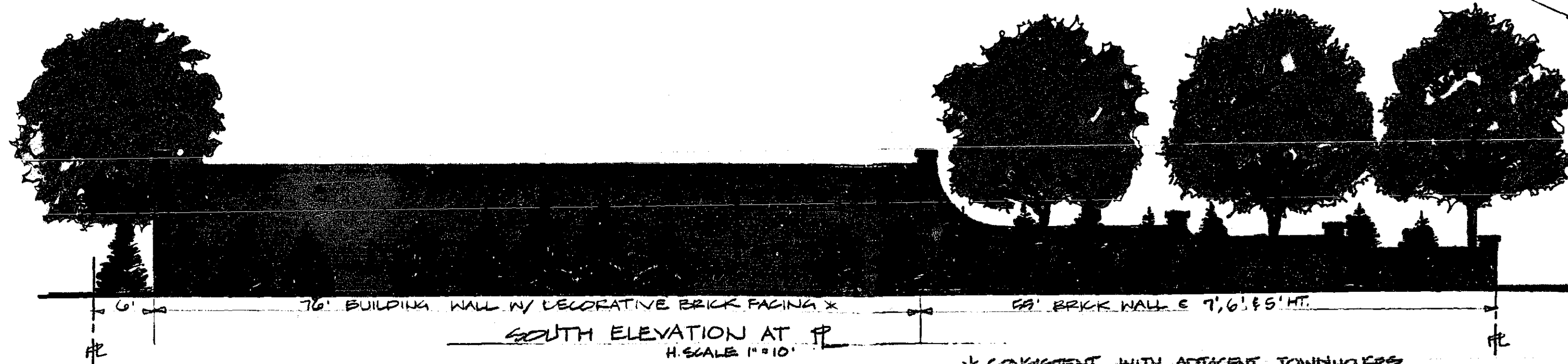
- 1 STORMWATER MANAGEMENT WANNER IS TO BE APPLIED FOR
- 2 LIGHTING TO BE ERRECTED SO AS NOT TO REFLECT INTO
- 3 RESIDENTIAL AREAS, INTERFERE WITH TRAFFIC OR EXCEED 18
- 4 FEET IN HEIGHT.
- 5 DUMPSTER IS TO BE SCREENED
- 6 ALL SIGNS TO BE IN ACCORDANCE WITH B O C 2 R



VICINITY MAP



**PROPOSED
SIGN DETAIL**
NO SCALE



PLAN
SCALE: 1:20

TYPICAL CROSS SECTION @ TOP
OF WALL
NTS

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.**

CIVIL ENGINEERS & LAND SURVEYORS

658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120

DEVELOPER/LESSEE
Cloverland Farms Dairy, Inc.
 2200 North Monroe Street
 Baltimore, Maryland 21217
 (410) 669-2222

OWNER/LESSOR
Clarence L. & Ann J. Hollenshade, III
912 Rappaix Court
Baltimore, Maryland 21286

PRINT DATE
MAY 22 1995
G. W. STEPHENS, JR.
& ASSOC., INC.

SCHEMATIC LANDSCAPING
ROYAL FARM STORE
1525 East Joppa Road
Baltimore, Maryland 21286

Election District 9
Councilmanic District 4
Scale: 1" = 20'

Tax Map 70 - Parcel 1062
March 24, 1995
Sheet 1 of 1

LANDSCAPE CALCULATIONS

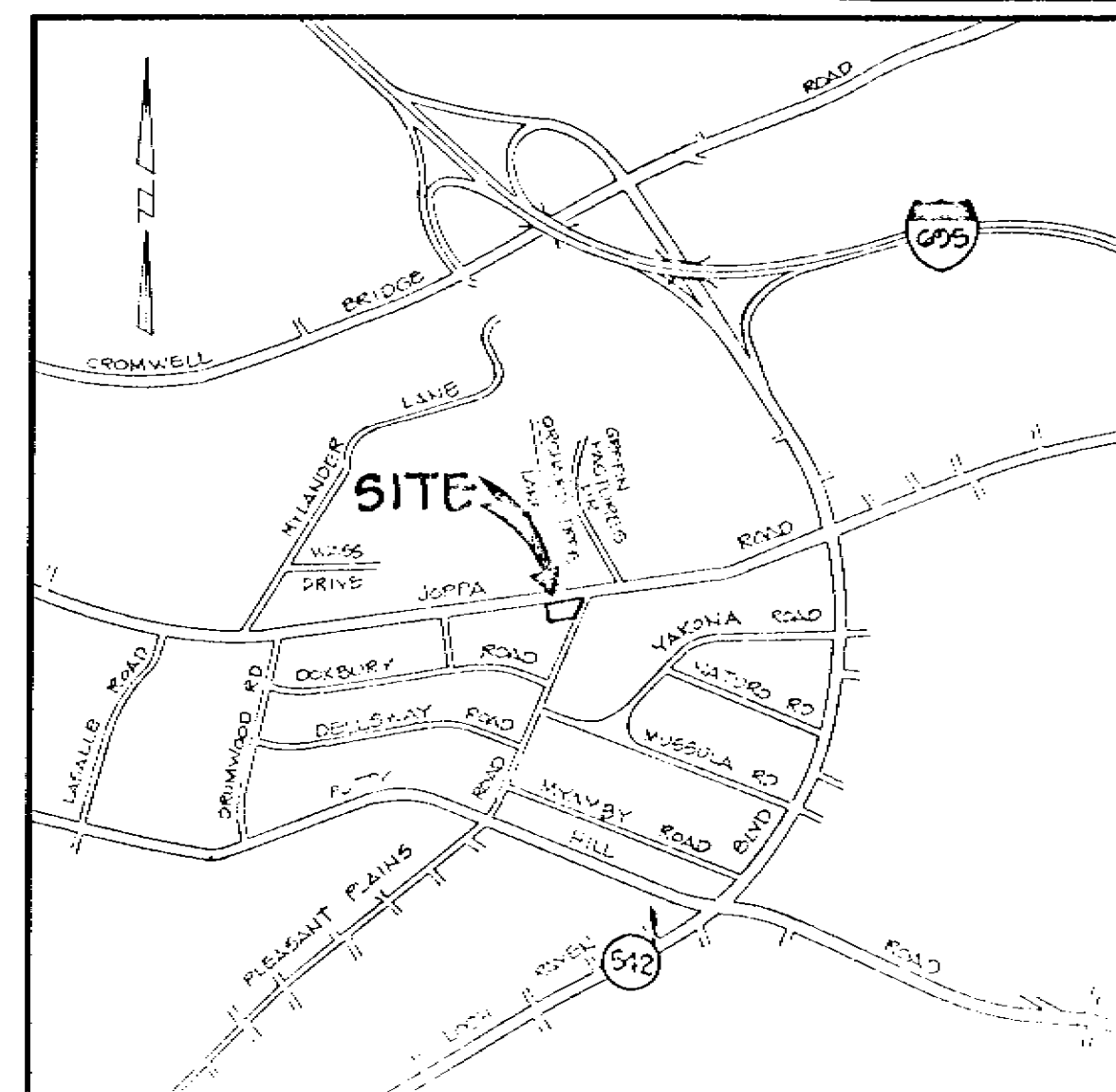
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	- CLASS C - @ 1 P.U. / 10 L.F. 236.99 L.F. / 10 = 23.69 = 24 P.U.
- PARKING LOTS	@ 1 P.U. / 12 P.S. 15 P.S. / 12 = 1.25 = 2 P.U.
	TOTAL P.U. REQUIRED = 46 P.U.
- 7% LANDSCAPED AREA IN PARKING LOT - NOT REQUIRED, PARKING LOT CONSISTS OF 15 SP. OR LESS	

PLANTING UNITS PROVIDED	
MAJOR DECIDUOUS	@ 1:1 = 8 P.U.
MINOR DECIDUOUS	@ 2:1 = 2.5 P.U.
EVERGREEN	@ 2:1 = 34 P.U.
SHRUB	@ 5:1 = 18.8 P.U.
	TOTAL P.U. PROVIDED = 46.3 P.U.

7% LANDSCAPED AREA IN PARKING LOT
TOTAL S.F. PROVIDED = 72 S.F.

GENERAL NOTES

1. STORMWATER MANAGEMENT WATER IS TO BE APPLIED FOR.
2. LIGHTING TO BE ERRECTED SO AS NOT TO REFLECT INTO ADJACENT AREAS INTERFERE WITH TRAFFIC OR EXCEED 18 FEET IN HEIGHT.
3. DUMPSTER IS TO BE SCREENED.
4. ALL SIGNS TO BE IN ACCORDANCE WITH B.C.2.R.



VICINITY MAP
SCALE: 1" = 100'

SITE DATA	
SITE AREA	0.366 Ac ±
EXISTING ZONING	DR-CNS
EXISTING USE	Abandoned Service Station Bldg. Housing Not to Floor Sales Conversion Store with Fuel Pumps
PROPOSED USE	6028 / 07
DEED REFERENCE	09-0919530040
TAX ACCOUNT NUMBER	Minor ancillary uses as permitted in Section 405 of the B.C.2.R. (No additional square footage required)
ANCILLARY USES	
PROP. BUILDING FLOOR AREA	2512 S.F.
TOTAL SALES FLOOR AREA	1729 S.F.
FLOOR AREA RATIO	2512 S.F. / 16,814 S.F. = 0.15 (2.0 permitted)
EXIST. BUILDING HEIGHT	14' ±
PROP. BUILDING HEIGHT	14' ±
AREA REQUIRED FOR COMBINATION USE	
4 Servicing Spaces x 1500 S.F.	= 6,000 S.F. (Use 15,000 S.F.)
Additional Site Area Factor	4 x 1729 = 6,916 S.F.
Total Site Area Required	21,916 S.F.
Total Site Area Provided	16,814 S.F.
Area of Special Exception	15,814 S.F. (0.355 Ac)
PARKING SPACES	
Fuel Service w/Combination Use	
25' x 12' @ 5' / 1000 = 13 P.S.	
	+ 3 P.S. for max. shtr
	+ 12 P.S. for max. shtr
	= 17 P.S.
Total Required	17 P.S.
Total Provided	15 P.S. (including 1 Handicap)

LEGEND	
PROPERTY LINE	---
EX. CURB & GUTTER	---
PROP. CURB & GUTTER	---
EX. FIRE HYDRANT	---
EX. WATER	---
EX. SEWER	---
EX. STORM DRAIN	---
EX. G.P.S.	---
EX. 8" & 6" POLE	---
EX. ROAD RIGHT-OF-WAY	---
ZONING LINE	---
EX. UTILITY LIGHT	---
PROP. PARKING LOT LIGHT	---
EX. CHAINLINK FENCE	---
EX. GRAVEL	---
EX. CONCRETE	---
PROP. MAJOR DECID. TREE	●
PROP. MINOR DECID. PLANTING TREE	●
PROP. EVERGREEN TREE	●
PROP. SHRUB ≥ 85' HT.	●
PROP. SHRUB < 85' HT.	●

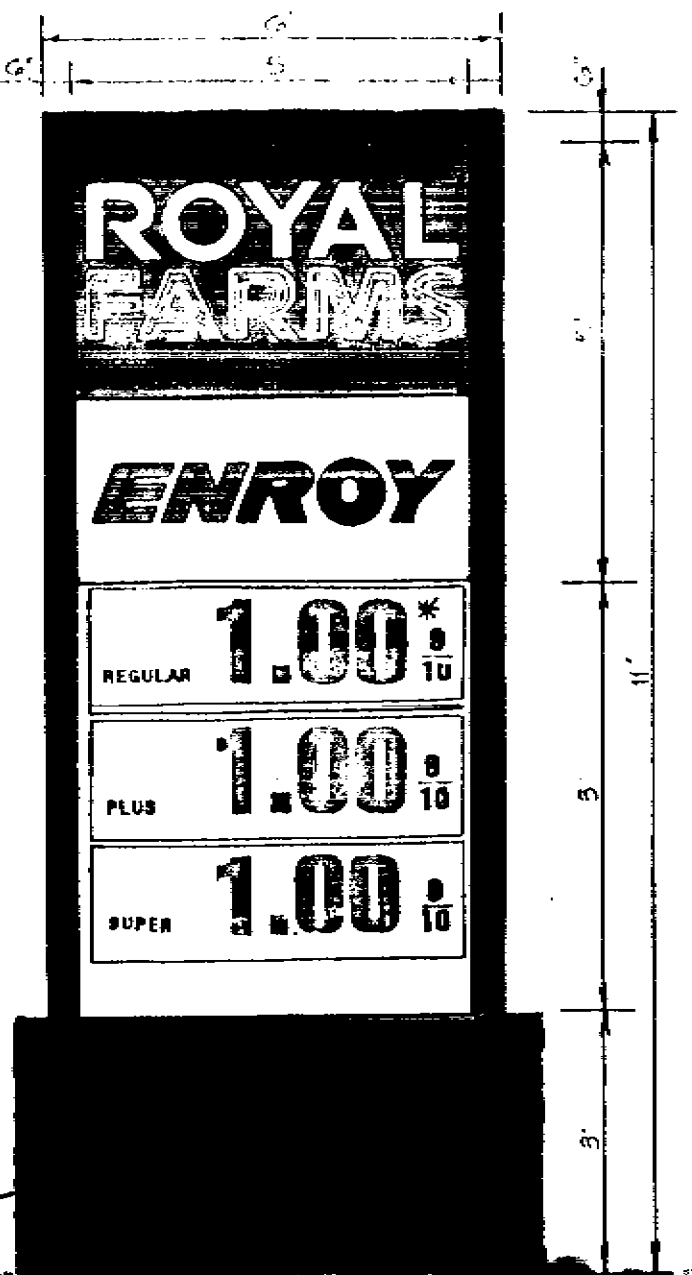


PLAN
SCALE: 1" = 20'

TYPICAL CROSS SECTION @ TOP OF WALL
NTS

SIGN IS DOUBLE-FACED AND ILLUMINATED. EACH SIDE HAS AN AREA OF 50 SQ. FT. EXCLUDING PRICING AREAS. THERE IS 1 SIGN WITH A TOTAL OF 2 FACES TOTALING 72 SQ. FT. OF SIGN AREA.

*PRICES ARE FOR ILLUSTRATIVE PURPOSES ONLY.



PROPOSED SIGN DETAIL
NO SCALE

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