

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCE – S/S Mt. Carmel Road,
 at its interchange w/the E/S of Interstate 83 * ZONING COMMISSIONER
 7th Election District
 3rd Councilmanic District * OF BALTIMORE COUNTY

 Y F Service Corporation * Case No. 00-173-SPHA
 Petitioners
 *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Y F Service Corporation, by Richard Arcuri, President, through their attorney, Howard L. Alderman, Jr., Esquire. The Petitioners request a special hearing to approve parking as shown on the site plan, based on existing topographic constraints, site configuration and configuration of pre-existing, off-site uses; the illumination of the proposed sign, pursuant to Section 259.3.C.7.c of the Baltimore County Zoning Regulations (B.C.Z.R.); and, if the variance requested for the proposed sign is denied, approval that said sign meets the limits established for freestanding signage in prior Case No. 72-265-A, notwithstanding the sign regulation changes in the B.C.Z.R. In addition to the special hearing relief, the Petitioners request a variance from Section 259.3.C.2.a of the B.C.Z.R. to permit a front building setback of 60 feet in lieu of the required 15 feet, based on the average setback of the single, adjacent building; and, a variance from Section 259.3.C.7.b of the B.C.Z.R. to permit a freestanding, enterprise sign with a surface area of 27 sq.ft. in lieu of the maximum allowed 25 feet, or 150 sq.ft. permitted in Case No. 72-265-A. It is to be noted that the second request for variance was amended in open hearing to adjust the area of the proposed sign from 27 sq.ft. as originally identified to 26 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

ORDER RECEIVED FOR FILING
 Date 12/18/09
 By [Signature]

Appearing at the requisite public hearing held in support of these requests were Richard C. Arcuri and Lynn Crenshaw, representatives of Y F Service Corporation, owners of the subject property; Timothy A. Bieber, Professional Engineer, who prepared the site plan for this property, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. Elizabeth Yarema, Esquire, an attorney representing a property owner in the vicinity, also appeared. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel, containing a gross area of 1.77 acres in area, zoned B.M.-C.R. The property is located immediately adjacent to the off-ramp from northbound Interstate 83 at the Mt. Carmel Road exit in Hereford. The property features an irregular configuration, brought about by that off-ramp. The property has significant frontage on Mt. Carmel Road, but is shallow with a depth of approximately 144 feet. Presently, the property is improved with an abandoned building which was previously used as a gasoline station/service garage. As noted above, relief was granted in prior Case No. 72-256-A to permit a sign area of 175 sq.ft. in lieu of the 150 feet permitted at that time, and a height of 35 feet in lieu of the allowed 25 feet for an Exxon service station which operated on the site for many years. That station has since closed and the property has been abandoned for the last 2 or 3 years.

The Petitioners now come before this Zoning Commissioner for approval of a plan proposing the construction of a 2,256 sq.ft. bank building. The existing service station building will be razed and a new building constructed as more particularly shown on the site plan. The building will be occupied by York Federal Savings Bank, which primarily operates in southern Pennsylvania, however, presently maintains two offices in Maryland. The proposed bank building will be the third branch in this state.

Although the project has received a "B-9 limited exemption" from the development process, as codified in the Baltimore County Code, the matter comes before this Zoning Commissioner for consideration of the above-described Petitions for Special Hearing and Variance. The first variance requested relates to the setback of the proposed building from Mt.

ORDER RECEIVED FOR FILING
Date 12/15/99
By [Signature]

Carmel Road. In this zone/district, the required front setback is determined by the average front setback of adjacent buildings. There is no adjacent building on the one side of this property, due to the location of the I-83 right-of-way. On the other (east) side, however, the Sparks State Bank building is located on the adjacent lot. The Sparks State Bank building is set back approximately 15 feet from the property line, thereby establishing the average setback distance. Thus, the Petitioners seek relief to set back the proposed building a distance of approximately 60 feet. An examination of the site plan shows that this variance should be granted. As noted above, this property is quite unique, owing to its size, configuration and location adjacent to the Interstate. The topography of the site is also somewhat unusual. The proposed setback is appropriate and in my judgment, relief should be granted. I am persuaded by the testimony offered by Mr. Bieber on this subject, as well as the plans and plats submitted.

The second setback relates to a proposed sign, which is more particularly described on Petitioner's Exhibit 5. As shown on that exhibit, the sign will be 26 sq.ft. in area, will advertise the location of the York Federal Bank, and will have a small (6" high) changeable copy board. The Petitioners seek approval of this sign through alternative approaches. Variance relief is requested from the 25-foot maximum allowed sign area for this zone/district, as set out in Section 259.3.C.7(b). As an alternative, however, the Petitioners note that variance relief was granted for the service station/garage in 1972. That variance allowed a sign 25 sq.ft. larger than that allowed under the then existing zoning regulations. The Petitioners, through their Petition for Special Hearing, argue that they can continue to use the previously granted variance for the proposed sign.

In my judgment, a variance from Section 259.3.C.7(b) as opposed to granting special hearing relief is appropriate. The proposed sign is appropriate for the subject property. Moreover, it is consistent with the Sparks State Bank sign on the adjacent property. In my judgment, the Petitioners have met the requirements of Section 307 for variance relief to be granted for this sign.

Having granted the Petition for Variance, consideration is next given to the relief requested in the Petition for Special Hearing. Special Hearing relief is not required for the size of the sign, given that a variance has been granted as set out above. Therefore, that portion of the

special hearing relief sought shall be dismissed as moot. However, the other requests set forth in the Petition for Special Hearing are at issue. Indeed, the existing site constraints, configuration and improvements on the adjacent property justify the proposed parking layout. Moreover, I find that illumination of the proposed sign is appropriate, pursuant to the standards set out in Section 259.3.C.7(b). In sum, I am persuaded that the Petitioners have satisfied the requirements of Section 502.1 of the B.C.Z.R. as they relate to special hearing relief as to the conditions of specific standards for the B.M./C.R. districts set out in Section 259. The testimony from Mr. Bieber was persuasive on this issue, as was the proffer of Ms. Crenshaw's testimony regarding the need and desirability of the Bank building at this location. In conclusion, the proposal represents an upgrade to this community. The derelict service garage building will be razed and the site will be used in an appropriate fashion. Moreover, the proposed layout is in keeping with the area and relief should be granted as set out above.

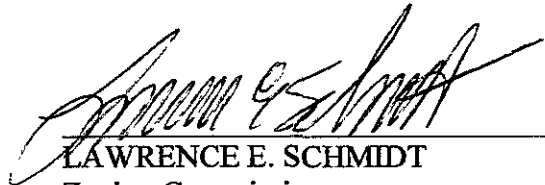
Pursuant to the advertisement, posting of the property and public hearing on these Petitions held and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of December, 1999 that the Petition for Special Hearing seeking approval of parking as shown on the site plan based on existing topographic constraints, site configuration and configuration of pre-existing, off-site uses; and, the illumination of the proposed sign, pursuant to Section 259.3.C.7.c of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 259.3.C.2.a of the B.C.Z.R. to permit a front building setback of 60 feet in lieu of the required 15 feet, based on the average setback of the single, adjacent building; and, a variance from Section 259.3.C.7.b of the B.C.Z.R. to permit a freestanding, enterprise sign with a surface area of 26 sq.ft. (as amended) in lieu of the maximum allowed 25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building/sign permits 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Pursuant to the Zoning Plans Advisory Committee (ZAC) comments submitted by the Office of Planning, dated December 2, 1999, a copy of which is attached hereto, the Petitioners shall comply with the four items delineated therein to insure compatibility of the proposed project.
- 3) Compliance with the ZAC comment submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated November 10, 1999, a copy of which is attached hereto and made a part hereof.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve that the proposed sign meets the limits established for freestanding signage in prior Case No. 72-265-A, be and is hereby DISMISSED AS MOOT.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/8/99




Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

December 8, 1999

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
S/S Mt. Carmel Road, at its interchange with/the E/S of Interstate 83
7th Election District – 3rd Councilmanic District
Y F Service Corporation - Petitioners
Case No. 00-173-SPHA

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Richard Arcuri, President, Y F Service Corporation
101 S. George Street, York, PA 17401
Mr. Timothy A. Bieber, Nutec Design Assoc., Inc.
3687 Concord Road, York, PA 17402
Elizabeth Yarema, Esquire
P.O. Box 85, Hereford, Md. 21111-0085
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at S/S Mt. Carmel Rd. West of York Rd.
which is presently zoned BM-CR

This Petition shall be filed with the Department of Permits and 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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attached

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print Howard L. Alderman, Jr. City _____
Signature Howard L. Alderman, Jr.
Howard L. Alderman, Jr., Esquire
Levin & Cann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, MD 21204 410-321-0600
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Y F Service Corp.
Name - Type or Print Richard Arcuri
Signature _____
Richard Arcuri, President
Name - Type or Print _____
Signature _____
101 S. George Street 717-846-8777
Address _____ Telephone No. _____
York PA 17401
State _____ Zip Code _____

Representative to be Contacted:

Richard Arcuri, President
Name 410-321-0600 night
101 S. George Street 717-846-8777 day
Address _____ Telephone No. _____
York PA 17401
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BK Date 10/26/99

Case No. 00-173-SHA

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

Attachment 1

PETITION FOR SPECIAL HEARING

CASE NO: _____

Address: South Side of Mount Carmel Road, West of York Road

Legal Owners: Y.F. Service Corp., a Maryland/Pennsylvania corporation

Present Zoning: BM-CR

REQUESTED RELIEF:

Special Hearing to approve: i) based on existing topographic constraints, site configuration and configuration of pre-existing, off-site uses, the parking as shown on the Plat to Accompany this Petition; ii) the illumination of the proposed sign pursuant to BCZR § 259.3.C.7.c; and iii) if the requested variance for size of sign is denied, that the proposed sign meets the limits established for freestanding signage in Case No. 72-265-A, notwithstanding the change in the Baltimore County Zoning Regulations.

FOR ADDITIONAL INFORMATION CONTACT:

Howard L. Alderman, Jr., Esquire

Levin & Gann, P.A.

305 W. Chesapeake Avenue

Suite 113

Towson, Maryland 21204

(410) 321-0600

Fax: (410) 296-2801

halderman@counsel.com



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at S/S Mt. Carmel Rd. West of York Pk
which is presently zoned BM-CR

This Petition shall be filed with the Department of Permits and 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)

See Attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Howard L. Alderman, Jr., Esquire

Company
Levin & Gann, P.A.

305 W. Chesapeake Avenue, Suite 113 410-321-0600

Address
Towson, MD 21204 Telephone No.

City

State

Zip Code

Legal Owner(s):

Y E Service Corp.

Name - Type or Print

Signature

Richard Arcuri, President

Name - Type or Print

Signature

101 S. George Street

717-846-8777

Address

Telephone No.

York

PA

17401

State

Zip Code

Representative to be Contacted:

Richard Arcuri, President

Name

410-321-0600 night day

101 S. George Street

717-846-8777

Address

Telephone No.

York

PA

17401

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

BR

Date

10/26/89

Case No. 00-173-SPHA

REV 9/15/98

CLERK RECEIVED FOR FILING
Date 12/13/89

PETITION FOR VARIANCE

CASE NO: _____

Address: South Side of Mount Carmel Road, West of York Road

Legal Owners: Y.F. Service Corp., a Maryland/Pennsylvania corporation

Present Zoning: BM-CR

REQUESTED RELIEF:

A variance from BCZR § 259.3.C.2.a to permit a front building setback of 60 feet in lieu of the setback of the single, adjacent building and/or the average with the 15 foot minimum setback; and

A variance from BCZR § 259.3.C.7.b to permit a freestanding, enterprise sign with a surface area of 27 square feet in lieu of either the 25 feet permitted by the BCZR or 150 square feet permitted by Case No. 72-265A.

JUSTIFICATION:

1. The location of the proposed improvements is consistent with the Hereford Plan;
2. The topography of the site and the long, narrow configuration of the existing property boundaries;
3. The required location of the new sign; and
4. For such further reasons as will be presented at the time of the hearing held on this petition.

FOR ADDITIONAL INFORMATION CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Suite 113
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderman@counsel.com

ZONING DESCRIPTION
PROPERTY OF
YF SERVICE CORP.
SEVENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a concrete monument found on the east side of Interstate 83, of variable width, as shown on State Highway Administration of Maryland Right-of-Way Plat No. 12066, at a point distant 99 feet measured at right angles to the Baseline of Right-of-Way S.E. Ramp Station 20+00 as shown thereon, and running thence binding on the Right-of-Way Line of Through Highway of Interstate 83 as shown on said Plat, with all courses of this description referred to the meridian established in the Baltimore County Metropolitan District,

(1) North $67^{\circ}30'03''$ East 260.26 feet to intersect the south side of Mt. Carmel Road, of variable width, as shown on said plat thence leaving the east side of Interstate 83 and running and binding on the south side of Mt. Carmel Road, the two following courses and distances, viz:

(2) South $87^{\circ}56'36''$ East 206.58 feet, and

(3) 223.55 feet along the arc of a non-tangent curve to the left having a radius of 1,949.86 feet and subtended by a long chord bearing South $87^{\circ}50'39''$ East 223.43 feet, thence leaving the south side of Mt. Carmel Road and running and binding on a part of said fourth line,

(4) $13^{\circ}02'48''$ West 144.30 feet,

(5) North $87^{\circ}12'06''$ West 648.53 feet,

(6) North $22^{\circ}00'55''$ East 27.12 feet to the point of beginning: containing 76,908 square feet or 1.7656 acres of land, more or less, as surveyed in July 1998 by S.J. Martenet & Co., Inc.

NOTE: This description is provided as a zoning description only. The information provided in this zoning description was obtained from the property description of First X Realty, L.P., dated July 9, 1998, and prepared by Joel M. Leininger, Property Line Surveyor with S. J. Martenet & Co., Inc.

10/26/99

#173

Summitt A. Bair

BALTIMORE COUNTY, MD 'LAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 07323,

DATE 10/20/89 ACCOUNT 200-150
AMOUNT \$ 500.00

RECEIVED FROM: YF Service Corp

FOR: zoning variance & special hearing

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Item # 173

CASHIER'S VALIDATION

PAID RECEIPT
THIRD RECEIPT
DATE 10/20/89
AMOUNT \$ 500.00
BY [Signature]
BALTIMORE COUNTY, MD

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/12, 1999

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 11/11, 1999.

S. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case No. 72-285-A
S/S Mt. Carmel Road, 1650' W of York Road
7th Election District - 3rd Councilmanic District
Legal Owner(s): V F Service Corp.

Variance: to permit a front building setback of 60 feet in lieu of the required 15 feet; and to permit a freestanding enterprise sign with a surface area of 27 square feet in lieu of either the 25 feet permitted by the BGR or 150 square feet permitted by Case No. 72-285-A.

Special Hearing: to approve the parking as shown on the plat; the illumination of the proposed sign; and if the requested variance for size of sign is denied, that the proposed sign meets the limits established for freestanding signage in Case No. 72-285-A.

Hearing: Tuesday, December 7, 1999 at 9:00 a.m. in Room 407, County Courts Bldg., 401 Boleley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations. Please Contact the Zoning Commissioner's Office at: (410) 887-4386.

(2) For information concerning the file and/or hearing, Contact the Zoning Review Office at (410) 887-3391.

11/13 Nov 11

C352561

CERTIFICATE OF POSTING

RE: CASE # QQ-173-SPHA
PETITIONER/DEVELOPER
(Y F Service Corp.)
DATE OF Hearing
(Dec. 7, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
S/S Mt. Carmel Road Baltimore, Maryland 21120__

The sign(s) were posted on _____ 11-22-99 _____
[Month, Day, Year]

Sincerely,

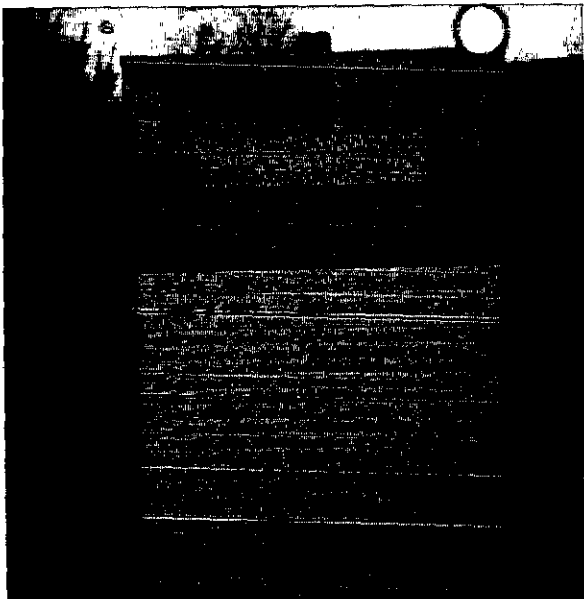

(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. ____

____ 325 Nicholson Road ____

____ Baltimore, Maryland 21221 ____

____ (410)-687-8405 ____
(Telephone Number)



RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE

Mt. Carmel Road, S/S Mt. Carmel Rd,
1650' W of York Rd
7th Election District, 3rd Councilmanic

Legal Owner: Y F Service Corp.
Petitioner(s)

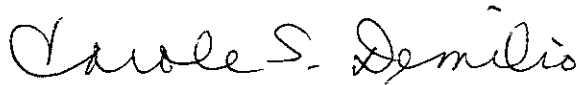
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-173-SPHA

* * * * *

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
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of November, 1999 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

TO: PATUXENT PUBLISHING COMPANY
November 11, 1999 Issue - Jeffersonian

Please forward billing to:

Richard Arcuri, President
Y F Service Corporation
101 South George Street
York, PA 17401
717-846-8777

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-173-SPHA
S/S Mt. Carmel Road, 1650' W of York Road
7th Election District - 3rd Councilmanic District
Legal Owner(s): Y F Service Corp.

VARIANCE: to permit a front building setback of 60 feet in lieu of the required 15 feet; and to permit a freestanding enterprise sign with a surface area of 27 square feet in lieu of either the 25 feet permitted by the BCZR or 150 square feet permitted by Case No. 72-265-A.

SPECIAL HEARING: to approve the parking as shown on the plat; the illumination of the proposed sign; and if the requested variance for size of sign is denied, that the proposed sign meets the limits established for freestanding signage in Case No. 72-265-A.

HEARING: TUESDAY, DECEMBER 7, 1999 at 9:00 A.M. IN ROOM 407 COUNTY COURTS BUILDING, 401 BOSLEY AVENUE.



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

November 5, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-173-SPHA
S/S Mt. Carmel Road, 1650' W of York Road
7th Election District - 3rd Councilmanic District
Legal Owner(s): Y F Service Corp.

VARIANCE: to permit a front building setback of 60 feet in lieu of the required 15 feet; and to permit a freestanding enterprise sign with a surface area of 27 square feet in lieu of either the 25 feet permitted by the BCZR or 150 square feet permitted by Case No. 72-265-A.

SPECIAL HEARING: to approve the parking as shown on the plat; the illumination of the proposed sign; and if the requested variance for size of sign is denied, that the proposed sign meets the limits established for freestanding signage in Case No. 72-265-A.

HEARING: TUESDAY, DECEMBER 7, 1999 at 9:00 A.M. IN ROOM 407 COUNTY COURTS BUILDING, 401 BOSLEY AVENUE.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Y F Service Corp
Howard L. Alderman, Esq.

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 22, 1999.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-173 - SPHA

Petitioner: Y F Service Corporation

Address or Location: S/S Mount Carmel Road West of York Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Richard Arcuri, President

Address: Y F Service Corp. 101 South George Street

York PA 17401

Telephone Number: 717-846-8777



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 3, 1999

Howard Alderman, Esq.
Levin & Gann, P.A.
305 W. Chesapeake Avenue, Ste 113
Towson, Maryland 21204

Dear Alderman:

RE: 00-173-SPHA , S/S Mt. Carmel Rd. West of York Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 10/26/99.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures

c: Richard Arcuri, President



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: November 10, 1999

SUBJECT: Zoning Item #173
S/S Mt. Carmel Road, west of York Road

Zoning Advisory Committee Meeting of November 8, 1999

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X An evaluation of the existing water supply and sewage disposal system must be conducted prior to issuance of a building permit.

X Any underground storage tanks must be properly removed by a licensed contractor prior to razing of the existing service station.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: November 16, 1999

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for November 15, 1999
Item Nos. 172, 173, 175, 177, 178,
179 & 182

The Bureau of Development Plans Review has reviewed the subject zoning item, and we have no comment.

RWB:HJO:cab

cc: File

ZAC11159.NOC

12/7

- 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 2, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: S/S of Mt. Carmel Road, West of York Road

INFORMATION:

Item Number: 173

Petitioner: YF Service Corporation

Zoning: BM-CR

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

Consistent with this office's position on previous sign variance requests in the Hereford Plan area, the Office of Planning recommends denial of the sign area variance as well as the request to internally illuminate the freestanding sign.

Section 26-282 (2) of the Baltimore County Development Regulations requires the Director of Planning to make compatibility recommendations to the Hearing Officer (Zoning Commissioner) for development in the CR district. Before a positive recommendation for compatibility can be made the following items must be submitted prior to development plan approval:

1) Architectural elevations of all building and canopy facades that shall include general massing of the building, major façade divisions, size and placement of openings, roof treatment, materials, colors and the design of any canopy. After this project received the B-9 limited exemption, the developer's representatives met with planning staff concerning site design and architectural treatment. Subsequent to preliminary review submittals, communication with the developer's representatives ceased. The Planning Office, at this point, is not certain of the status of the earlier submittals.

2) A schematic landscape plan

- 3) Submit a plan, with the locations and details of the proposed lighting and a computerized lighting design with point-by-point calculations that conforms with Illumination Engineering Society (IES) standards, for review and approval by Avery Harden in conjunction with the Final Landscape Plan.
- 4) Proposed dumpster location, with enclosure.

Section Chief: 

AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: November 11, 1999

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 173 (BR)
York Federal S&L
MD 137
Mile Post 8.12

Dear Ms. Stephens:

This office has reviewed the referenced Item and has no objection to approval.

However we will require the owner to obtain an access permit. Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

10/26/99 ELLIS LEVIN (1893-1960)
c8
WLR To: Guen
ok 10/27/99 u c

HOWARD L. ALDERMAN, JR.
halderma@bcpl.net

October 26, 1999

VIA HAND DELIVERY

Arnold Jablon, Director
Department of Permits & Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: Case No. 00-173-SPHA
S/S Mt. Carmel Road/West of York Road, Old Exxon Station
Request for Expedited Hearing

Dear Mr. Jablon:

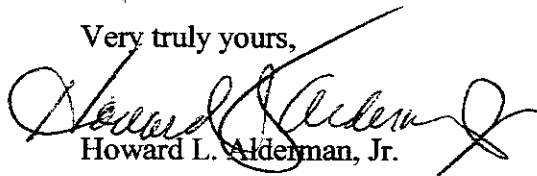
I represent Y F Service Corporation, the Petitioner in the above-referenced case and the development arm of the York Federal Bank. My clients have acquired the old Exxon service station on Mt. Carmel Road and intend to construct a modern, state-of-the-art York Federal facility.

My clients have met with the Sparks-Glencoe Community Association, **before** proceeding with any building plans to ensure that the concerns of the community in which they intend to locate would be addressed. This morning, I have filed with your department Petitions for Variance and Special Hearing which set forth the relief necessary to meet the desires of the community.

My clients must now move quickly with the redevelopment of this property. The boarded up former service station sits on the main corridor that is the gateway to Hereford and it is in the best interest of all to move promptly.

The delays experienced by redesigning the site layout to meet community requests and other complications make it imperative that we respectfully request that an expedited hearing be held on the Petitions filed. Should you or your staff need any additional information to enable your favorable decision on this request, please do not hesitate to call me.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

c: Y F Service Corporation
Ms. Gwendolyn Stephens

99.2775

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Timothy A. Bieber

3687 Concord Road York, PA

LYNN CRENSHAW

100 ~~11111111~~ S. George St York, Pa
17401

Richard C. Arcuri

101 S. GEORGE ST. York, PA. 17401

Howard L Alderman Jr Esq

Levin & Goun, PA

305 W Chesapeake #113 Towson MD 21204



97"

23"

39"

10"

**York
Federal**

HOME EQUITY LOANS HERE!

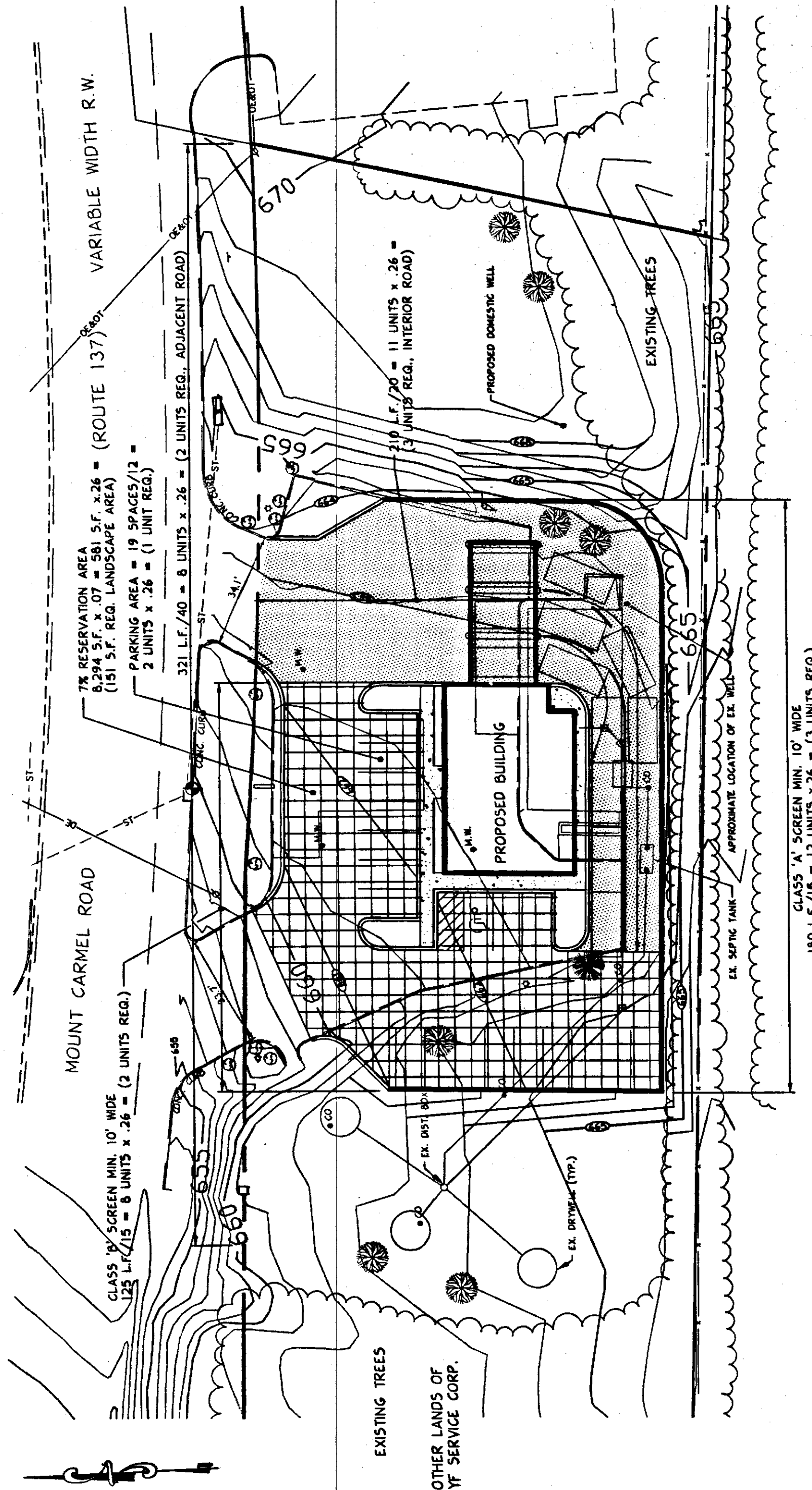
6" CHANGEABLE
COPY

30"

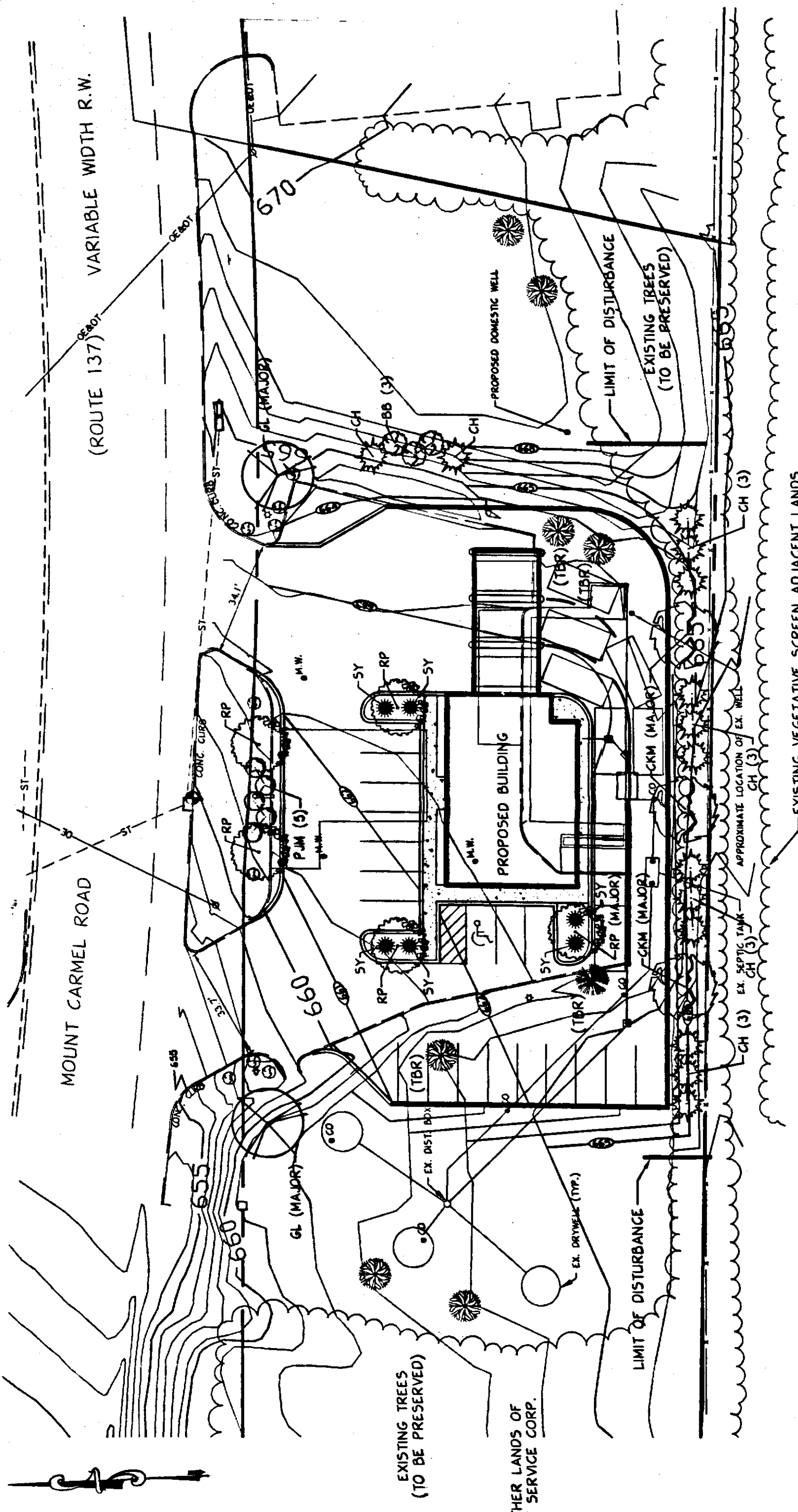
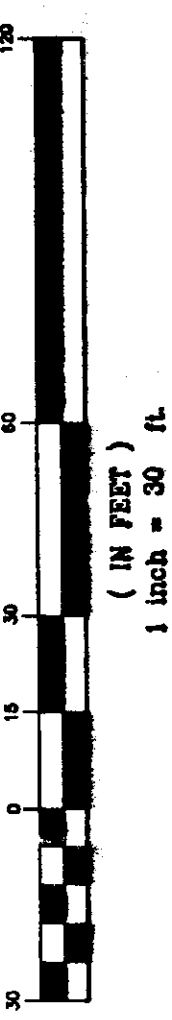
26 SQUARE FEET
TOTAL SIGN AREA

SCALE 1/2" = 1'

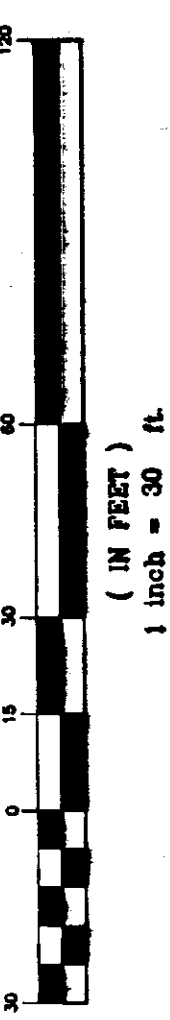
Set No 5



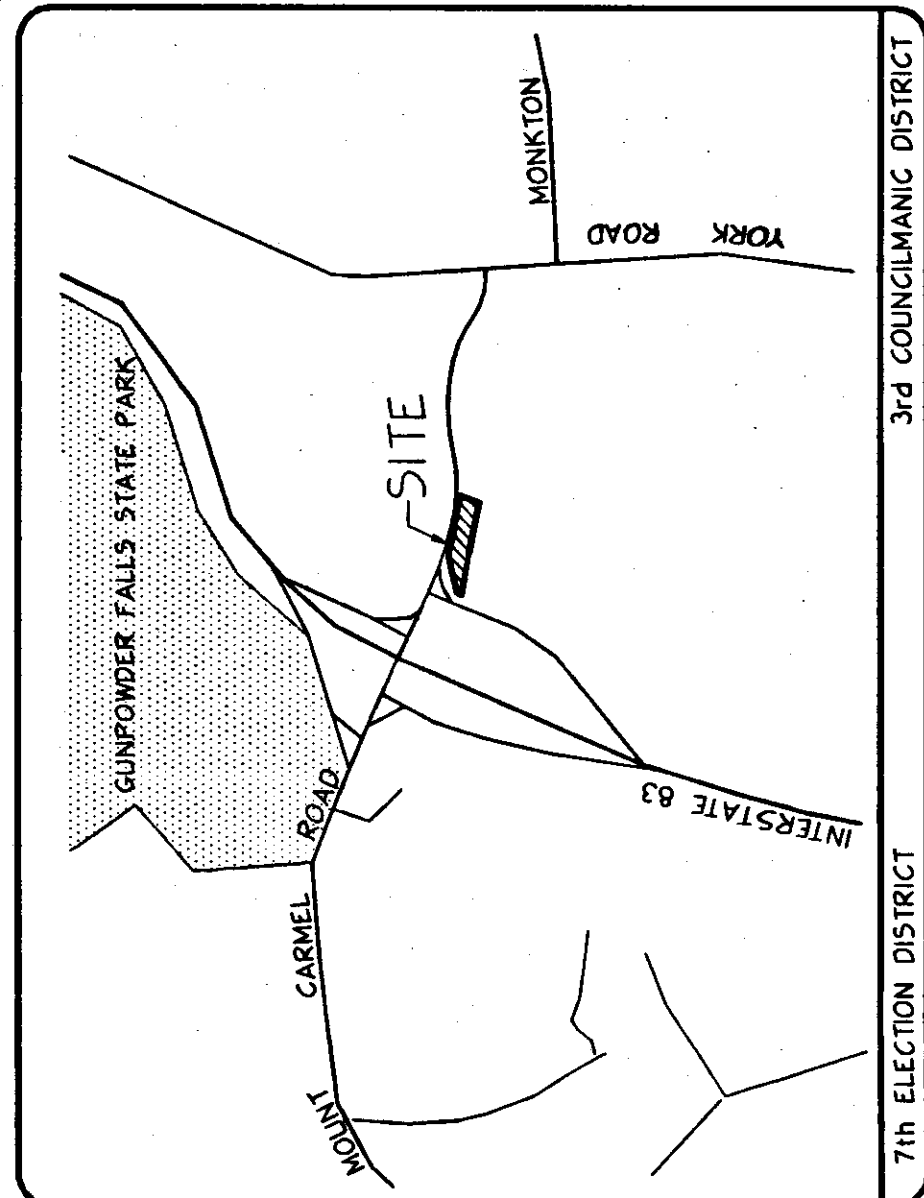
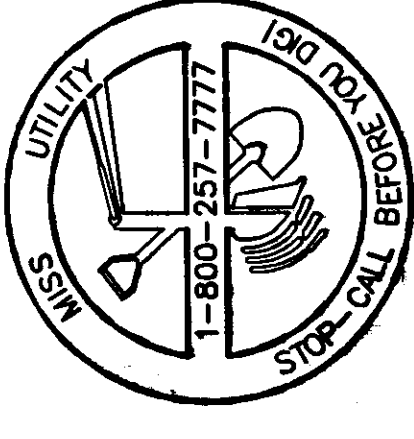
PLANTING UNITS PLAN



PLANTING PLAN

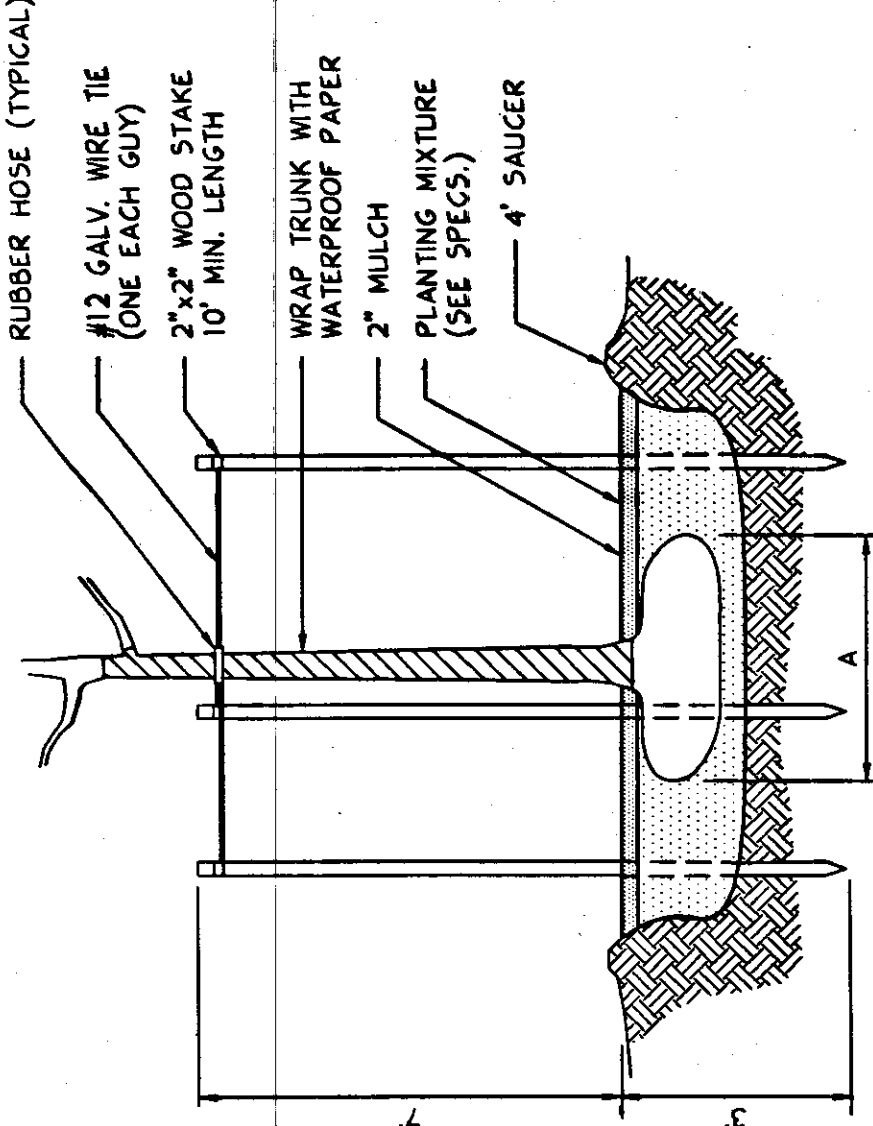


NOTE: ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE BASED ON THE FIELD SURVEY AND DATA FURNISHED BY THE OWNER. NUTEC DESIGN ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND UTILITY AS SHOWN ON THIS DRAWING. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. FOR INFORMATION CONCERNING UNDERGROUND UTILITIES CALL 1-800-257-7777.

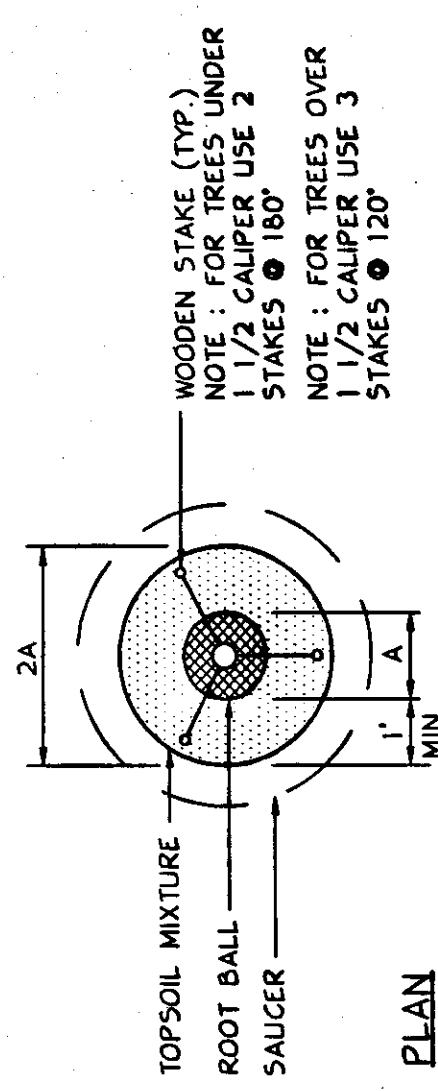


SITE LOCATION MAP

SCALE: 1" = 1000'



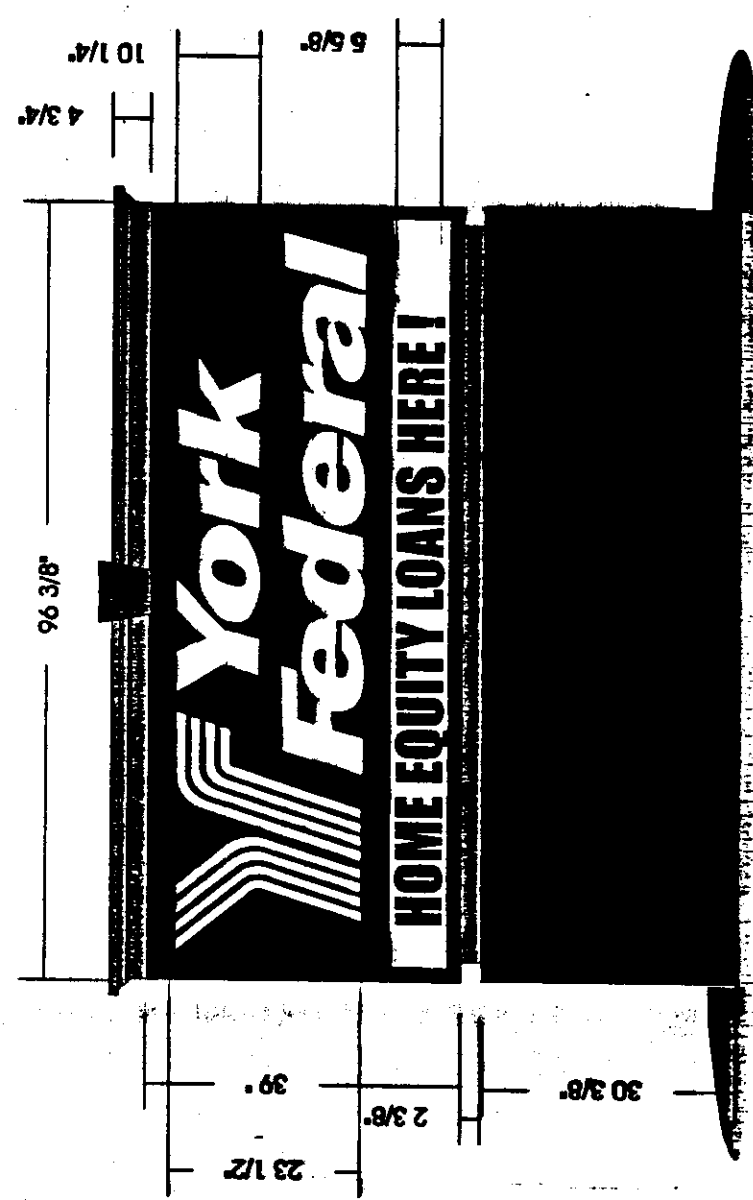
SECTION



PLAN

TREE GUYING DETAIL

NO SCALE



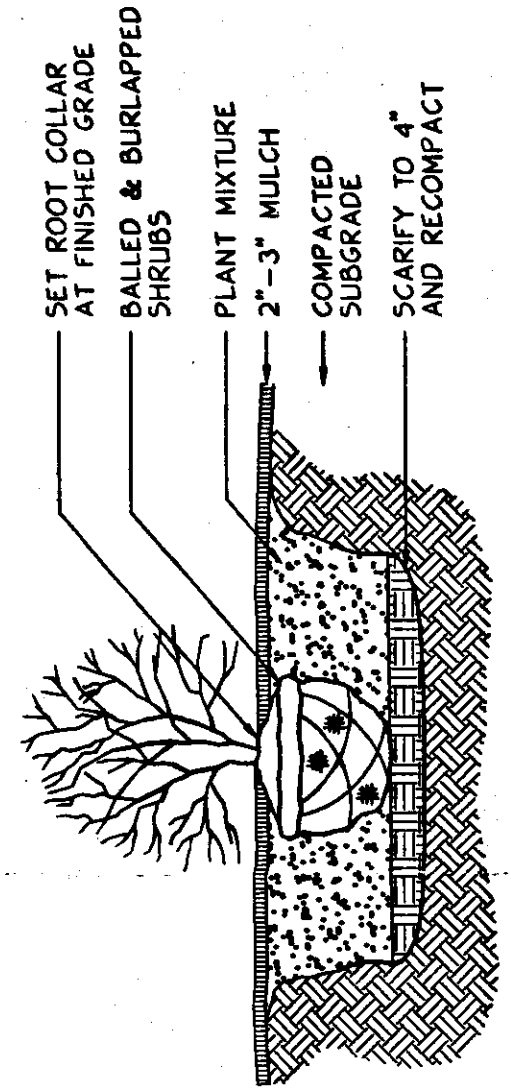
SITE SIGN DETAIL

NO SCALE

LEGEND

- EXISTING CONTOUR LINE
- EXISTING LIGHT STANDARD
- EXISTING OVERHEAD ELECTRIC
- EXISTING OVERHEAD TELEPHONE
- EXISTING NATURAL GAS
- EXISTING STORM SEWER PIPE
- EXISTING WOODED LINE
- EXISTING MONITORING WELL
- EXISTING CLEANOUT OR INSPECTION PORT
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- PROPOSED CONTOUR LINE
- PROPOSED CONCRETE CURB
- PROPOSED BITUMINOUS CURB
- PROPOSED SANITARY SEWER PIPE
- MONITORING WELL
- PROPOSED CLEANOUT
- EXISTING TREES (TO BE REMOVED)

NOTES:
DO NOT PRUNE EVERGREENS EXCEPT TO REMOVE DAMAGED BRANCHES
THIN BRANCHES AND FOLIAGE (NOT ALL BRANCH TIPS) 1/3, RETAINING NORMAL PLANT SHAPE (EXCEPT EVERGREEN)
REMOVE BURLAP FROM TOP 1/3 OF BALL



SHRUB PLANTING

NO SCALE

PLANTING UNITS SCHEDULE					
STREET TREE CALCULATION	PLANTING UNITS REQUIRED	PLANTING UNITS PROPOSED	MAJOR TREE(S) MAJOR TREE(S) MAJOR TREE(S)		
	ADJACENT ROAD	2 UNITS	2 UNITS	1 UNIT	2 UNITS
	INTERIOR ROAD	3 UNITS	5 UNITS	2 UNITS	3 UNITS
SCREENING CALC'S.					
CLASS 'A' SCREEN	3 UNITS	5 UNITS	N/A	N/A	N/A
CLASS 'B' SCREEN	2 UNITS	2 UNITS	N/A	N/A	N/A
PARKING AREA	1 UNIT	3 UNITS	1 UNIT	1 UNIT	1 UNIT
RESERVATION AREA	151 S.F.	398 S.F.	N/A	N/A	N/A
TOTAL	11 UNITS	17 UNITS	4 UNITS	6 UNITS	6 UNITS

AS PER SECTION (VIA)(2) INCREASES IN FLOOR AREA LESS THAN 50% SHALL REQUIRE THAT PORTION OF THE SITE IMPACTED BY THE FLOOR AREA CONFORM TO THE STANDARDS IN THE MANUAL. INCREASE TO FLOOR AREA FOR THIS SITE IS 26%. REQUIRED PLANTING UNITS HAVE BEEN ADJUSTED TO MEET THIS INCREASE.

LANDSCAPE SCHEDULE					
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT
B&B	3	ELONYMUS ALATA 'COMPACTA'	DWARF BURNINGBUSH	2 1/2"	B&B
CH	14	TSUGA CANADENSIS	CANADIAN HEMLOCK	5'-6'	B&B
CRM	3 (M)	ACER PLATANOIDES 'CRIMSON KING'	CRIMSON KING MAPLE	2"	B&B
GL	2 (M)	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2"	B&B
RP	4	PYRUS CALLERYANA 'REDSPIRE'	REDSPIRE PEAR	1"	B&B
RP	1 (M)	PYRUS CALLERYANA 'REDSPIRE'	REDSPIRE PEAR	2"	B&B
PJM	5	RHOODENDRON 'P.J.M.'	P.J.M. RHODODENDRON	2 1/2"	B&B
SY	6	TAXUS BACCATA REPANDENS	SPREADING ENGLISH YEW	18"	B&B

(M) INDICATES A MAJOR TREE TO BE PLANTED
BARE-ROOT SHALL NOT BE ALLOWED FOR ANY TREE OR SHRUB AS PART OF THIS PROJECT.

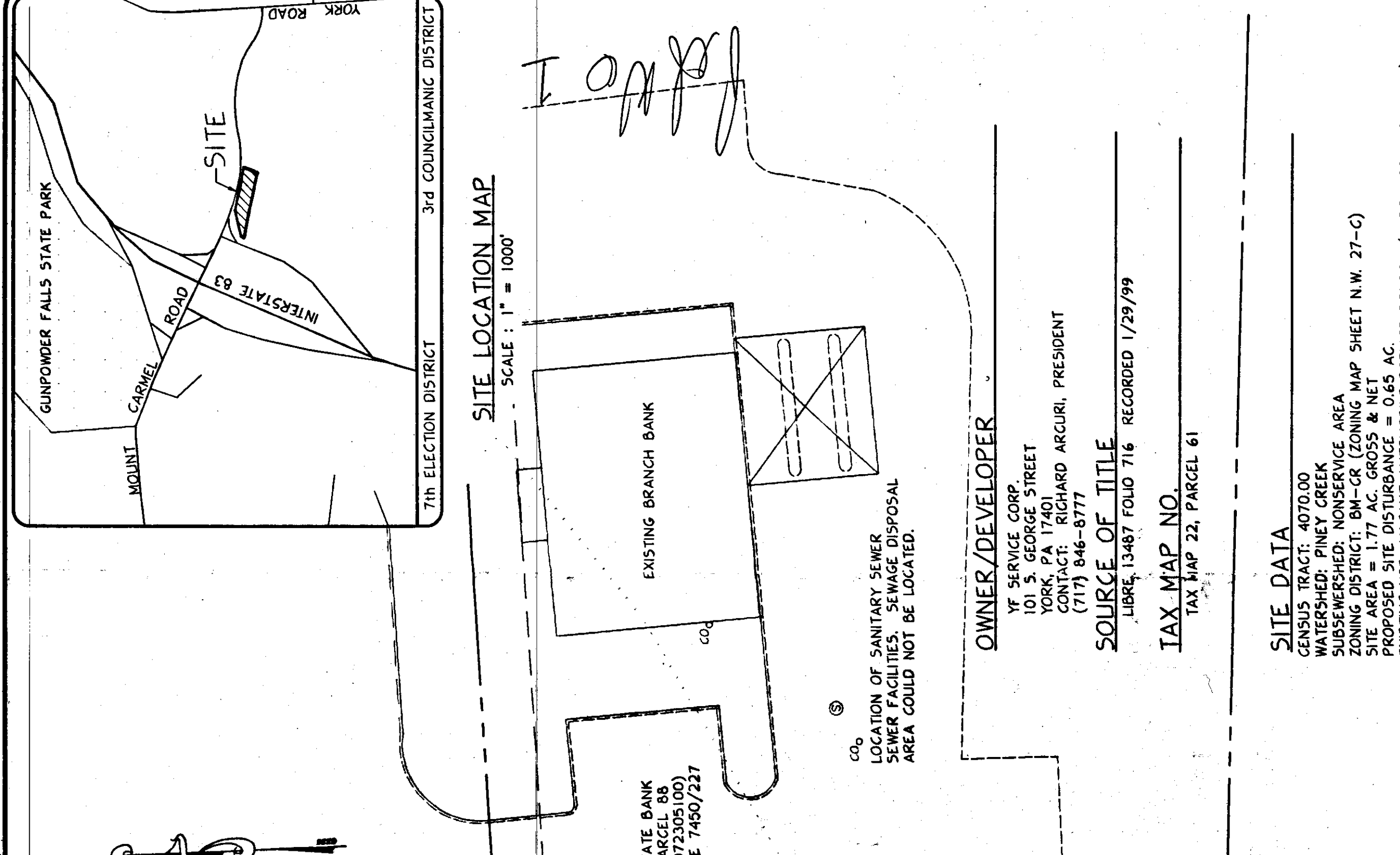
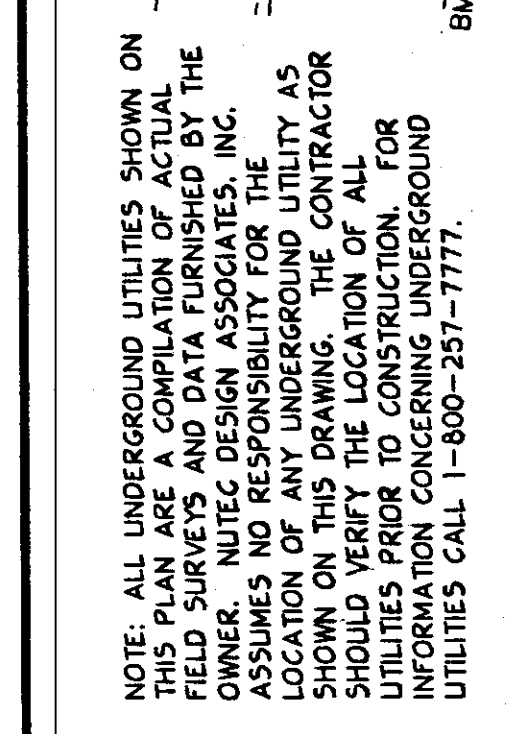
REVISIONS									

Nutec Design Associates, Inc.
architects • engineers • surveyors
3687 Concord Road
York, Pennsylvania 17402
717-751-0300
Copyright © 1999

YORK FEDERAL HERFORD BRANCH
LANDSCAPE PLAN
PROJECT
Baltimore County, Maryland
PLAN TO ACCOMPANY ZONING HEARING VARIANCE
HERFORD
FILE NO. 98072.00
1999-02-03 09:15:04
JOB NO.

SCALE AS SHOWN
DRAWN BY M.J.S.
CHECKED BY T.E.D.
CONTACT T.A.B.
DATE 8/13/99

SHEET NO. 98072.00
REV. Z-2 0



—

[illegible]

(TO BE REMOVED) — (TO BE CAPPED AND ABANDONED)

TAX MAP 22, PARCEL 202, LOT 3 (HOPE MEADOWS)
ACCOUNT # 7-120009121
DEED REFERENCE 7155/648

ZONED RC5
RESIDENTIAL USE

WATER
SUBS
ZONING
SITE
PROOF

51
51
PARK
PROF
EXIS

GRAPHIC SCALE

20 0 10 20 30 40

10

(IN FEET)
1 inch = 20 ft

LEG

— 450 —	EXISTING C
☆	EXISTING L
— 06 —	EXISTING O
— 01 —	EXISTING O

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1. *Introduction*

2. *Method*

3. *Results*

4. *Discussion*

5. *Conclusion*

6. *References*

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268. *Supplementary Materials*

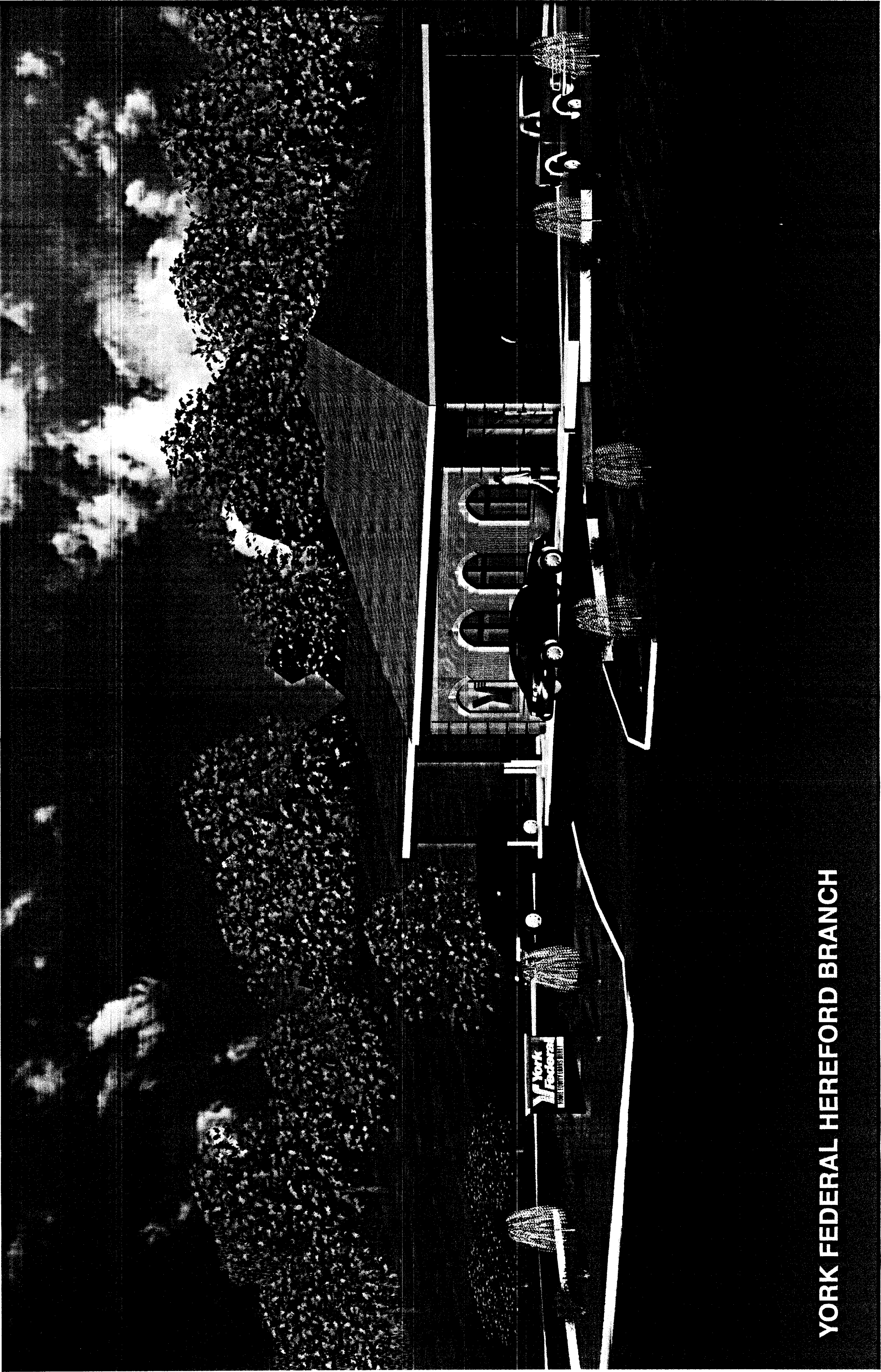
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Figure 1. Schematic representation of the experimental design. The figure is divided into two main sections: 'Pre-Test' and 'Main Experiment'. The 'Pre-Test' section includes 'Pre-Test 1' and 'Pre-Test 2'. The 'Main Experiment' section includes 'Main Experiment 1' and 'Main Experiment 2'. The 'Pre-Test' section is used to determine the optimal number of trials for each condition. The 'Main Experiment' section is used to test the effect of the number of trials on the performance of the subjects. The figure shows the sequence of events for each trial, including the presentation of the stimulus, the response, and the feedback. The figure also shows the number of trials for each condition and the number of subjects in each group.

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YORK FEDERAL HEREFORD BRANCH

