IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE – S/S Mt. Carmel Road, 795' W of York Road **(107 Mt. Carmel Road)** 7th Election District 3rd Council District Carl J. Yarema Petitioner	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 03-545-XA

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Carl J. Yarema. As originally filed, the Petitioner requested a special exception to allow office and retail uses in the R.C.5-C.R. zone, pursuant to Section 259.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from Section 259.3.C.3(a) of the B.C.Z.R. to permit a side yard landscape buffer of 5 feet and a rear yard landscape buffer width of 9 feet, both in lieu of the required 15 feet each, and from Section 259.3.C.2(a) to permit a front yard setback of 36 feet in lieu of the required average of 16 feet. At the hearing, however, the variance requests were withdrawn, leaving only the Petition for Special Exception. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the request were Carl J. Yarema, property owner, and his wife, Eleanor Yarema; Joseph Larson, a land use consultant who prepared the site plan for this property, and G. Scott Barhight, Esquire and Jennifer Busse, Esquire, attorneys for the Petitioner. Also appearing in support of the request were Austin Childs, Architect; Bill Whitty, a commercial real estate expert; and Elizabeth Yarema, Rodney Mohney, George A. and Ellen V. Lock, Brett McGinnis, and Edward and Carmella Veit, all nearby residents of the area. Dennis Eaton and Jacqueline Logan appeared as Protestants/interested persons in the matter.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the south side of Mt. Carmel Road, just west of York Road in Hereford. The property contains a gross area of 1.26 acres, more or less, zoned R.C.5, with a C.R. (commercial-rural) district overlaid, and is presently unimproved. The Petitioner is desirous of developing the site with a two-story office/retail building in accordance with Petitioner's Exhibit 2. The first floor will contain 6,594 sq.ft. available for lease, and the second floor, 2200 sq.ft. of area. Additionally, there will be a basement level wherein mechanical equipment to support the building will be located. There will be no leased space in the basement. Due to the design of the building, an attic area will be provided which will also be used to store mechanical equipment. It should be noted that elevation drawings and floor plans of the proposed building were submitted and marked into evidence as Petitioner's Exhibits 3A, 3B, 3C and 4A and 4B.

Mr. Larson described the proposed building, the subject property and vicinity. He noted that adjacent to the property on the west side is an existing two-story retail office building and accessory parking lot, and to the east is a cemetery and Church. To the rear (south) of the property is a residential community. He opined that the proposed use would not be detrimental to the health, safety and general welfare of the locale and meets the requirements of Section 502.1 of the B.C.Z.R.

Section 259 of the B.C.Z.R. sets out the use and bulk requirements in the C.R. district. The special exception relief is required under Section 259.3.B(2) of the B.C.Z.R. because the office/commercial use is not permitted by right in the R.C.5 zone. As to the other requirements for the C.R. district, Mr. Larson testified that the proposal meets the bulk regulations found in Section 259.3.C(1) of the B.C.Z.R. Specifically, the gross floor area of the building does not exceed 8800 sq.ft., and no more than 6600 sq.ft. can be on the first floor. Additionally, the floor area ratio does not exceed 0.20; and the building does not exceed 30 feet in height. These requirements generated significant discussion during the hearing. Specifically, two issues were raised regarding the maximum floor area ratio and gross floor area of the proposed building.

Section 101 of the B.C.Z.R. defines the phrase "floor area ratio" as "The total adjusted gross floor area of buildings on a site divided by the gross area of the site." Additionally, the term "adjusted gross floor area" is defined in the B.C.Z.R. That definition excludes below grade floor space upon which accessory heating or air conditioning plants or other accessory mechanical equipment is situated. The adjusted gross floor area does not include attic space where headroom is less than 7 feet. In addition, the site plan shows that the floor area ratio for the proposed building is 0.1998, which is less than the maximum 0.20 allowed. The adjusted gross floor area is shown on the site plan as 10,768 sq.ft., which is comprised of the 6,594 sq.ft. leasable area on the first floor, the 2,200 sq.ft. leasable area on the second floor, and a portion of the attic. When the total adjusted gross floor area of 10,768 sq.ft. is divided by the total area of the site of 54,886 sq.ft., the floor area ratio for this site is calculated to be 0.1998. I find that the Petitioners' calculations are correct and that the floor area ratio in this case does meet the requirements of Section 259.3.C.1 of the B.C.Z.R.

The second issue relates to the gross floor area of the building. As noted above, Section 259.3.B.1 limits gross floor area in the R.C.5-C.R. zone to a maximum of 8800 sq.ft. The gross floor area is also defined in Section 101 of the B.C.Z.R. The Petitioner argues that the gross floor area of the proposed building is 8,794 sq.ft., which encompasses the 6,594 sq.ft. on the first floor and the 2,200 sq.ft. on the second floor. Mr. Eaton raised questions about whether the basement level or attic space should be included in calculating the gross floor area of the building, and if so included, whether the total gross floor area of the building would exceed the maximum allowed 8800 sq.ft. Testimony indicated that the basement should not be included because only mechanical equipment would be stored therein and the attic will have a ceiling height no higher than 6 feet. Thus, I also find that the gross floor area of the building meets the requirements of Section 259.3.C.1 of the B.C.Z.R. In sum, the proposal meets all bulk and area standards for the C.R. district set out in Section 259 of the B.C.Z.R.

Testimony was next offered by Mr. Whitty. In addition to the special exception requirements contained in Section 502.1, the C.R. District has additional requirements for special

exception relief, pursuant to Section 259.3.E. One of those requirements is that the Petitioner document the need for the development at the proposed location. Mr. Whitty testified about the commercial opportunities and available space in Hereford and opined that there was a need for the additional commercial space proposed under this proposal. Moreover, several letters were received from area business owners indicating their support of the proposal and the need for such office space/retail use in the area.

Mr. Childs also testified on behalf of the Petitioner. He introduced the architectural drawings, elevation drawings, and floor plan for the proposed building and indicated that the plan satisfied the compatibility requirements of Section 26-282 of the Baltimore County Code. Indeed, the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning indicates they had received a compatibility report prepared by Mr. Childs and Mr. Larson and found it to be compatible, subject to certain conditions.

Finally, in addition to the need requirements, there are other standards in Section 259 particular to the special exception requirements for the C.R. zone and these, too, have been met.

The Protestants who appeared raised concerns about the technical issues discussed above regarding adjusted gross floor area, gross floor area, and floor area ratio. They also expressed concern about the impacts of lighting and traffic on the area at large and landscaping for the subject property to buffer its use from the adjacent residential community.

After due consideration of all of the testimony and evidence presented, I am persuaded that the bulk area regulations set forth in Section 259.3.C.1 of the B.C.Z.R. have been met and that the proposed use meets the special exception requirements of Section 502.1 of the B.C.Z.R. Thus, I shall approve same with certain conditions. First, the attic in the proposed building will have a ceiling height of no greater than 6 feet. Second, there will be no space leased within the attic or basement level. Third, a landscape plan shall be submitted to Mr. Avery Harden, the County's Landscape Architect, for review and approval. The emphasis within this plan should be along the rear property line to buffer the rear of the proposed building and retaining wall from the adjacent residential community. Fourth, all exterior lighting shall be directed downward and away from

adjacent residential properties. Fifth, the building will not be open to the public from 11:00 PM to 6:00 AM, although employees can work in their offices during these hours, if necessary. Lastly, the building will be constructed substantially in accordance with the architectural and elevation drawings that were submitted with the compatibility study that was reviewed and approved by the Office of Planning.

Pursuant to the advertisement, posting of the property and public hearing on this Petition 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 28th day of August, 2003 that the Petition for Special Exception to allow office and retail uses on the subject property, zoned R.C.5-C.R., pursuant to Section 259.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his 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) The proposed building shall be constructed substantially in accordance with the elevation and architectural drawings and the compatibility study reviewed and approved by the Office of Planning. Moreover, the ceiling in the attic shall be no greater than 6 feet in height.

3) There will be no space leased within the attic or basement level.

4) A landscape plan shall be submitted to Mr. Avery Harden, the County's Landscape Architect, for review and approval. The emphasis on landscaping should be along the rear of the property to buffer the rear of the building and proposed retaining wall from the adjacent residential community.

5) All exterior lighting shall be directed downward and away from adjacent residential properties.

6) The building will not be open to the public from 11:00 PM to 6:00 AM, although employees can work in their offices during these hours, if necessary.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 259.3.C.3(a) of the B.C.Z.R. to permit a side yard landscape buffer of 5 feet and a rear yard landscape buffer width of 9 feet, both in lieu of the required 15 feet each, and from Section 259.3.C.2(a) to permit a front yard setback of 36 feet in lieu of the required 16 feet, be and is hereby DISMISSED.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 8/22/13
By Bjs

Baltimore County
Zoning Commissioner

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

August 27, 2003

G. Scott Barhight, Esquire
Jennifer Busse, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
S/S Mt. Carmel Road, 795' W of York Road
(107 Mt. Carmel Road)
7th Election District – 3rd Council District
Carl J. Yarema - Petitioner
Case No. 03-545-XA

Dear Mr. Barhight & Ms. Busse:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted and the Petition for Variance dismissed, 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Carl J. Yarema
705 Indian Spring Court, Sparks, Md. 21152
Mr. Joseph Larson, Spellman, Larson & Assoc., Inc.
105 W. Chesapeake Avenue, Towson, Md. 21204
Mr. Austin Childs, 16260 Falls Road, Monkton, Md. 21111
Mr. Bill Whitty, 4 Seaberry Court, Timonium, Md. 21093
Mr. Dennis Eaton, 111 Mt. Carmel Road, Hereford, Md. 21111
Ms. Jacqueline Logan, 16905 Daisy Dell Court, Monkton, Md. 21111
Office of Planning; People's Counsel; Case File

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 107 Mount Carmel Road

which is presently zoned R.C.5-CR

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto a made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use t herein described property for

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 Exception, advertising, posting, etc. and further agree to and are to be bounded by t 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

Legal Owner(s):

Carl J. Yarema

Name - Type or Print

Carl J. Yarema

Signature

Name - Type or Print

Signature

705 Indian Spring Court (410) 472-2467

Address Telephone No.

Sparks, Maryland 21152

City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Robert A. Hoffman III

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

ORDER RECEIVED FOR FILING
Date 5/29/03
By
REV 09/15/98

Case No. 03-545-XA

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.THOMPSON Date 5/14/03

YAREMA
PETITION FOR SPECIAL EXCEPTION
107 Mount Carmel Road

Special exception to permit office and retail uses in the R.C.5-CR zone pursuant to Section 259.3.B.2 of the Baltimore County Zoning Regulations.

ORDER RECEIVED FOR FILING
Date 8/29/03
By

TO1DOCS1/DHK01/#160661 v1

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 107 Mount Carmel Road

which is presently zoned R.C.5-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)

To be determined at hearing.

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:

Robert A. Hoffman

Name - Type or Print

Robert A. Hoffman

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

Legal Owner(s):

Carl J. Yarema

Name - Type or Print

Carl J. Yarema

Signature

Name - Type or Print

Signature

705 Indian Spring Court (410) 472-2467

Address Telephone No.

Sparks, Maryland 21152

City State Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By D. THOMPSON Date 5/14/03

Case No. 03-545-XA

REV 9/15/98

YAREMA
PETITION FOR VARIANCE
107 Mount Carmel Road

1. Variance from Section 259.3.C.3.a of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard landscape buffer width of 5 feet and a rear yard landscape buffer width of 9 feet in lieu of the required 15 feet.

2. Variance from BCZR Section 259.3.C.2.a to permit a front yard setback of 36 feet in lieu of the required 16 feet, if necessary.

August 5, 2003

03-545-XA

REVISED PLAN AND PETITION FOR

107 MOUNT CARMEL ROAD

The building footprint has changed –
a zoning variance will no longer be necessary.

SPELLMAN, LARSON
& ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

Description To Accompany A Zoning Petition,
Mount Carmel Road
Seventh District, Baltimore County, Maryland

BEGINNING for the same on the south side of Mount Carmel Road (Maryland Route No. 137), 40 feet wide, at the distance of 795 feet, more or less, measured along the south side of Mount Carmel Road from the center line of York Road (Maryland Route No. 45) said point being also on the zoning line dividing that land zoned RO-CR and RC5-CR and running thence and binding on the south side of Mount Carmel Road north 88 degrees 04 minutes 19 seconds west 272.57 feet thence leaving the south side of Mount Carmel Road and running south 00 degrees 53 minutes 55 seconds east 199.08 feet to the zoning line dividing that land zoned RC5-CR and RC5 running thence and binding on said zoning line south 87 degrees 08 minutes 04 seconds east 271.89 feet to the zoning line first herein referred to and running thence and binding on said zoning line north 00 degrees 38 minutes 03 seconds west 203.49 feet to the place of beginning.

CONTAINING 1.26 acres of land, more or less.

May 13, 2003

STATE OF MARYLAND
ROBERT EDWARD SPELLMAN
No. 4503
PROFESSIONAL LAND SURVEYOR

REVISED

03-545-X DT

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: #03-545-XA
107 Mount Carmel Road
S/side Mount Carmel Road, 795 feet to centerline York Road
7th Election District
3rd Councilmanic District
Legal Owner(s): Carl J. Yarema

Special Exception to permit office and retail uses in RC 5 zone-CR zone.

Hearing(s): Tuesday, August 19, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley 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.

7/374 July 31 C617494

CERTIFICATE OF PUBLICATION

7/31, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/31, 2003.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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Case: #03-545-XA
107 Mount Carmel Road
S/side Mount Carmel Road, 795 feet to centerline York Road
7th Election District – 3rd Councilmanic District
Legal Owner(s): Carl J. Yarema

Special Exception: to permit office and retail uses in RC 5 zone-CR zone. **Variance:** to permit a side yard and landscape buffer width of 5 feet and a rear yard landscape buffer width of 9 feet in lieu of the required 15 feet. To permit a front yard setback of 36 feet in lieu of the required 16 feet, if necessary

Hearing: Wednesday, July 2, 2003 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley 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.
JT 6/724 June 17 C610103

CERTIFICATE OF PUBLICATION

6/19/, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/17/,2003.

☒ The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-545-XA

Petitioner/Developer: CARL J. YAREMA

Date of Hearing/Closing: 8/19/03

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 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 107 MOUNT CARMEL RD

The sign(s) were posted on 8/4/03
(Month, Day, Year)

Sincerely,

8/4/03
(Signature of Sign Poster and Date)

SSG ROBERT BLACK
(Printed Name)

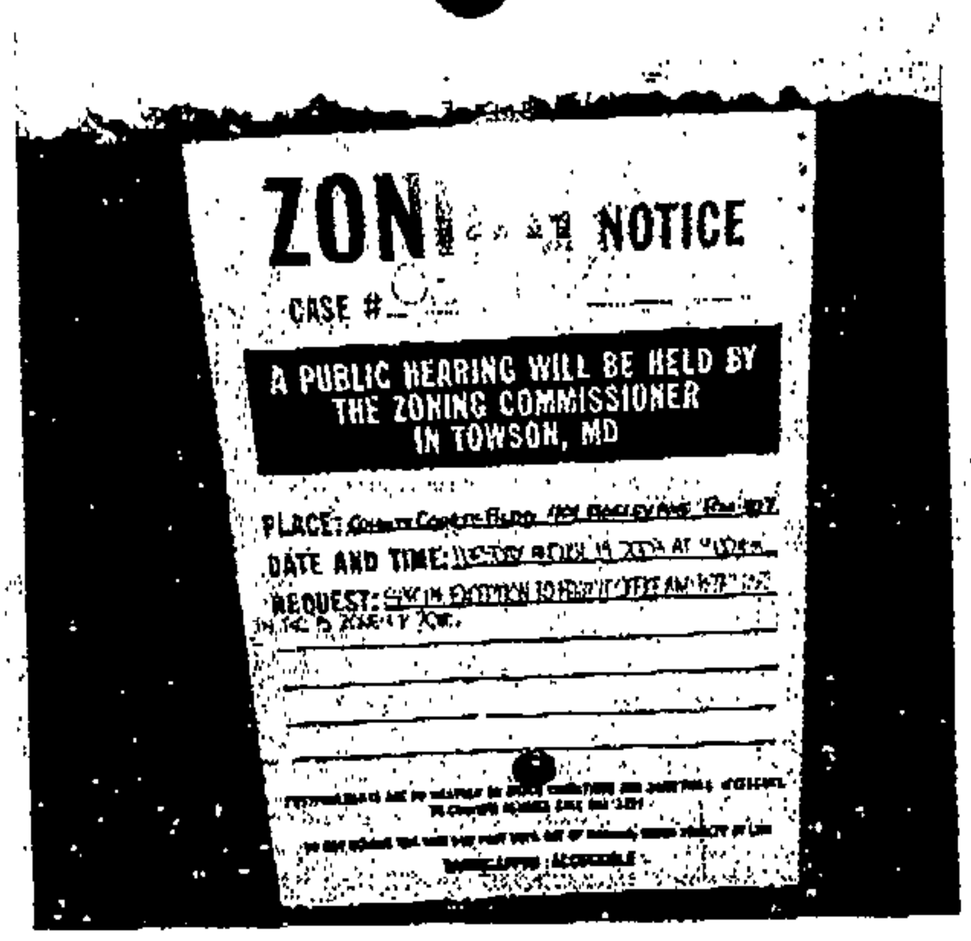
1508 Leslie Rd
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

9/96
cert.doc

PAGE (2)


ZONING NOTICE
CASE #
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD
PLACE:
DATE AND TIME:
REQUEST:

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23537

DATE 5/14/03 ACCOUNT 001006 6150

AMOUNT $ 705.00

RECEIVED FROM: CARL YARENA

FOR: ITEM # 545 03-545-XA

107 MT. CARMEL RD., BY D. THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

DATA RECEIPT
PAID RECEIPT
BUSINESS ACTUAL TIME USER
5/15/2003 5/15/2003 10:36:21 SAM
REG: 0006 WALKIN DEGL DWD
RECEIPT # 228895 5/15/2003 WALK
DEPT 5 328 ZONING VERIFICATION
CK NO. 023537
Recpt Tot $705.00
705.00 CK .00 CA
Baltimore County, Maryland

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: 03-575-XA

Petitioner: Mr. Carl YaremA

Address or Location: 107 Mt. Carmel Road

PLEASE FORWARD ADVERTISING BILL TO.

Name: Amy Dunfell

Address: 210 Allegheny Avenue

Towson, Maryland 21204

Telephone Number: (410) 494-6244

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

May 23, 2003

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: 03-545-XA
107 Mount Carmel Road
S/side Mount Carmel Road, 795 feet to centerline York Road
7th Election District – 3rd Councilmanic District
Legal Owner: Carl J. Yarema

Special Exception to permit office and retail uses in RC 5 zone-CR zone. Variance to permit a side yard and landscape buffer width of 5 feet and a rear yard landscape buffer width of 9 feet in lieu of the required 15 feet. To permit a front yard setback of 36 feet in lieu of the required 16 feet, if necessary.

Hearings: Wednesday, July 2, 2003 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rl

C: Robert Hoffman, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Carl J. Young, 705 Indian Spring Court, Sparks 21152

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 17, 2003.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 17, 2003 Issue - Jeffersonian

Please forward billing to:
Amy Dontel 410-494-6244
210 Allegheny Avenue
Towson, MD 21204

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:

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107 Mount Carmel Road
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Hearings: Wednesday, July 2, 2003 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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

June 19, 2003

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: 03-545-XA
107 Mount Carmel Road
S/side Mount Carmel Road, 795 feet to centerline York Road
7th Election District – 3rd Councilmanic District
Legal Owner: Carl J. Yarema

Special Exception to permit office and retail uses in RC 5 zone-CR zone. (Variance to permit a side yard and landscape buffer width of 5 feet and a rear yard landscape buffer width of 9 feet in lieu of the required 15 feet. To permit a front yard setback of 36 feet in lieu of the required 16 feet, if necessary)

Hearings: Tuesday, August 19, 2003 at 9:00 a. m in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

KT:rlh

C: David Karceski, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Carl J. Yarema, 705 Indian Spring Court, Sparks 21152

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 4, 2003.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 31, 2003 Issue - Jeffersonian

Please forward billing to:
Amy Dontel
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

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: 03-545-XA
107 Mount Carmel Road
S/side Mount Carmel Road, 795 feet to centerline York Road
7th Election District – 3rd Councilmanic District
Legal Owner: Carl J. Yarema

Special Exception to permit office and retail uses in RC 5 zone-CR zone. Variance to permit a side yard and landscape buffer width of 5 feet and a rear yard landscape buffer width of 9 feet in lieu of the required 15 feet. To permit a front yard setback of 36 feet in lieu of the required 16 feet, if necessary.

Hearings: Tuesday, August 19, 2003 at 9:00 a. m in Room 407, County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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

July 24, 2003

CORRECTED 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: 03-545-XA
107 Mount Carmel Road
S/side Mount Carmel Road, 795 feet to centerline York Road
7th Election District – 3rd Councilmanic District
Legal Owner: Carl J. Yarema

Special Exception to permit office and retail uses in RC 5 zone-CR zone.

Hearings: Tuesday, August 19, 2003 at 9:00 a. m in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

T.K:klm

C: David Karceski, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Carl J. Yarema, 705 Indian Spring Court, Sparks 21152

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 4, 2003.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 31, 2003 Issue - Jeffersonian

Please forward billing to:
Amy Dontel
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

CORRECTED 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: 03-545-XA
107 Mount Carmel Road
S/side Mount Carmel Road, 795 feet to centerline York Road
7th Election District – 3rd Councilmanic District
Legal Owner: Carl J. Yarema

Special Exception to permit office and retail uses in RC 5 zone-CR zone.

Hearings: Tuesday, August 19, 2003 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 ACCOMODATIONS, 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

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

August 15, 2003

Robert Hoffman
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 03-545-XA, 107 Mount Carmel Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 14, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Carl Yarema, 705 Indian Spring Court, Sparks 21152

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 30, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For June 2, 2003
Item Nos. 544, 545, 546, 547, 548,
549, and 551

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

ZAC-6-2-2003-NO COMMENT ITEMS-05302003

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: May 27, 2003

Item No.: 545

Dear Ms. Hart:

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 Baltimore County Fire Prevention Code.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

June 2, 2003

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

RE: Baltimore County
Item No. 545 (DT)
MD 137
Mile Post 8.35

Dear Ms. Hart:

We have reviewed the referenced item and have no objection to approval of the Special Exception.

However, we will require the owner/developer to obtain an access permit from our office and as a minimum the following will be required:

- Auxiliary lane widening, including curb, gutter and sidewalk.
- A hydraulic analysis will be required.

Should you require any additional information regarding this subject, please contact Larry Gredlein at 410-545-5606 or by E-mail (lgredlein@sha.state.md.us).

Very truly yours,

for K. J. McDonald

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

RE:	PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
	107 Mount Carmel Road; S/side Mt Carmel Road, 795' to c/line York Road	*	ZONING COMMISSIONER
	7th Election & 3rd Councilmanic Districts	*	FOR
	Legal Owner(s): Carl J. Yarema		
	Petitioner(s)	*	BALTIMORE COUNTY
		*	03-545-XA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

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

Carole S. Demilio
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 29th day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to Robert A Hoffman, Esquire, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

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

PETITION FOR SPECIAL EXCEPTION 107 Mount Carmel Road 7th Election District 3rd Councilmanic District v.	*	BEFORE THE ZONING COMMISSIONER OF
CARL J. YAREMA	*	BALTIMORE COUNTY
Petitioner	*	Case No: 03-545-XA

* * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of G. Scott Barhight, Jennifer R. Busse and Whiteford, Taylor & Preston L.L.P. as counsel for the Petitioner in the above-referenced matter.

G. Scott Barhight
Jennifer R. Busse
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
(410) 832-2000

Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 2003, a copy of the foregoing Entry of Appearance was delivered by hand to:

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
401 Bosley Avenue, 4th Floor
Towson, Maryland 21204

Peter M. Zimmerman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, Maryland 21204

Jennifer R. Busse

287281

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

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

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6285

dhkarceski@venable.com

August 5, 2003

HAND-DELIVERED

Timothy M. Kotroco, Director
Department of Permits and
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 03-545-XA
107 Mount Carmel Road

Dear Mr. Kotroco:

I am enclosing, with this letter, Robert A. Hoffman's notice of withdrawal of counsel in the above-referenced matter.

Very truly yours,

David H. Karceski

DHK/bl
Enclosure
cc: Mr. Carl J. Yarema
Peter M. Zimmerman, Esquire
TO1DOCS1/DHK01/166153v1

PETITION FOR SPECIAL EXCEPTION 107 Mount Carmel Road 7th Election District 3rd Councilmanic District	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
CARL J. YAREMA	*	Case No.: 03-545-XA
Petitioner	*	

* * * * * * * * *

WITHDRAWAL OF APPEARANCE

Please withdraw my appearance as counsel for the Petitioner in the above-captioned case.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21285-5517
(410) 494-6200

Attorney for Petitioner

TO1DOCS1/DHK01/#166156 v1

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

June 18, 2003

Mr. David H. Karceski
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21285-5517

Dear Mr. Karceski:

RE: Case Number: 03-545-XA

The above matter, previously scheduled for July 2, 2003, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

Timothy Kotroco
Director

KT:rlh

C: Carl J. Yarema, 705 Indian Spring Court, Sparks 21152

BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: August 5, 2003

TO: Zoning Commissioner & File

FROM: Donna Thompson, Planner II, Zoning Review

SUBJECT: Item #052, 03-545-X
107 Mt. Carmel Rd

I have been informed that the attorney for the above referenced case has changed. Awaiting letter from former attorney and newly appointed attorney.

DT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 19, 2003

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

SUBJECT: 107 Mount Carmel Road

INFORMATION:

Item Number: 03-545 – **REVISED COMMENTS**

Petitioner: Carl J. Yarema

Zoning: RC 5 CR

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has determined that the proposed development is consistent with the Hereford Community Plan and recommends that the petitioner's request be approved contingent upon the following:

1. The Office of Planning has received a compatibility report, floor plans and architectural elevations of the proposed building. The proposed architectural elevations and floor plans should be entered as official exhibits and referenced in the Zoning Commissioners final order.
2. Submit a landscape plan, and the site and building lighting plan to the Office of Planning and Avery Harden, Baltimore County Landscape Architect for review and approval prior to the issuance of any building permits. If considered necessary by the Zoning Commissioner or reviewing County agencies, the landscape plan should include supplemental landscape buffering in the County's off-site drainage easement located along the south property line
3. Submit a grading plan that includes any proposed walls with materials and design to the Office of Planning for review and approval.
4. Section 26-282 (2) of The Baltimore County Development Regulations requires the Director of Planning to make compatibility recommendations to the Hearing Officer for development in the CR District. The Office of Planning has reviewed the site plan, and architectural

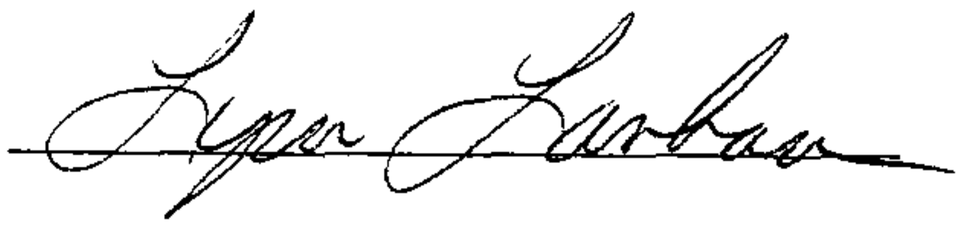
elevations. The Office of Planning recommends to the Hearing Officer that this Development meets the Compatibility Objectives of the CMDP and Baltimore County Development Regulations subject to the recommendations above.

Section Chief: Lynn Lanham

AFK/LL

W:\DEVREV\ZAC\03-545.doc

elevations. The Office of Planning recommends to the Hearing Officer that this Development meets the Compatibility Objectives of the CMDP and Baltimore County Development Regulations subject to the recommendations above.

Section Chief: 

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 19, 2003

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

SUBJECT: 107 Mount Carmel Road

INFORMATION:

Item Number: 03-545 – **REVISED COMMENTS**

Petitioner: Carl J. Yarema

Zoning: RC 5 CR

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

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2. Submit a landscape plan, and the site and building lighting plan to the Office of Planning and Avery Harden, Baltimore County Landscape Architect for review and approval prior to the issuance of any building permits. If considered necessary by the Zoning Commissioner or reviewing County agencies, the landscape plan should include supplemental landscape buffering in the County's off-site drainage easement located along the south property line

3. Submit a grading plan that includes any proposed walls with materials and design to the Office of Planning for review and approval.

4. Section 26-282 (2) of The Baltimore County Development Regulations requires the Director of Planning to make compatibility recommendations to the Hearing Officer for development in the CR District. The Office of Planning has reviewed the site plan, and architectural

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

August 13, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: August 11, 2003

Item No.: 4-48-SPHA 4-49-SPH 4-50-A 4-51-A 4-52-SPHA 4-53-SPHA
4-54-A 4-55-A 4-56-A 4-57-A 4-58-A 4-59-A 4-60-A 4-61-A 4-62-a
04-43-SPH 03-0545-X

Dear Ms. Hart:

Pursuant to your request, the referenced properties 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.

6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

BH

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

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

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
410-494-6285

dhkarceski@venable.com

VENABLE
ATTORNEYS AT LAW

6/12/03
To Becky
Postponement is granted.
DMK

June 11, 2003

HAND-DELIVERED

Timothy M. Kotroco, Director
Department of Permits
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Petitioner: Carl J. Yarema
Location: 107 Mount Carmel Road
Case No. 03-545-XA

Dear Mr. Kotroco:

On behalf of my client, Carl J. Yarema, I am requesting that the hearing for the above-referenced matter be postponed to allow Mr. Yarema to revise the site plan filed in the case. The case is scheduled to be heard on Wednesday, July 2, 2003, at 2:00 p.m. Rebecca Hart of the Zoning Review Office indicated to me that August 19, 2003, at 9:00 a.m. is an available hearing date. I am, therefore, respectfully requesting that the Department of Permits and Development Management reschedule the hearing for this date and time.

Thank you for your consideration of this request.

Very truly yours,

David H. Karceski

DHK/ald
cc: Mr. Carl J. Yarema
TO1DOCS1/DHK01/#162306v1

RECEIVED
JUN 12 2003
03-2004

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

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

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WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6285

dhkarceski@venable.com

July 24, 2003

W. Carl Richards, Jr., Supervisor
Zoning Review Office
Department of Permits and
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 107 Mt. Carmel Road
Case No. 03-545-XA

Dear Mr. Richards:

As you requested, this letter serves as notification that a revised site plan for the above-referenced property will be filed with the Zoning Review Office on Tuesday, July 29, 2003. The Petition for Variance filed previously in Case No. 03-545-XA is no longer necessary and will, therefore, not be refiled with the site plan.

If you have any questions concerning the upcoming filing appointment or materials to be filed, please do not hesitate to contact me.

Very truly yours,

David H. Karceski

DHK/ald
cc: Mr. Carl J. Yarema
Mr. Joseph L. Larson

#165577v1

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

JENNIFER R. BUSSE
DIRECT NUMBER
410 832-2077
jbusse@wtplaw com

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FAX 410 832-2015
www.wtplaw.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D C 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

August 20, 2003

Via Hand-Delivery
The Honorable Lawrence E. Schmidt
Baltimore County Zoning Commission
4th Floor, Room 405
401 Bosley Avenue
Towson, MD 21204

Re: Yarema Property
Zoning Case No. 03-545-XA

Dear Mr. Schmidt:

Pursuant to our conversation after the hearing in the above-referenced matter yesterday, I am sending the following two items to your attention:

1. A copy of the photograph taken by the sign poster, Sergeant Black, relating to the posting of the hearing in this matter (I apologize that the quality is very poor. Please let me know if this faxed copy is not sufficient); and

2. Folded copies of Petitioner's Exhibits 3A-C and Petitioner's Exhibits 4A-B.

Thank you for your cooperation in this matter. Please feel free to contact me with any questions or concerns.

Sincerely,

Jennifer R. Busse

JRB:nd
Enclosures

Robert Appelbaum, D.D.S.
General Dentistry

108 Mt. Carmel Rd. • P.O. Box 366 • Monkton, MD • 21111 • (410) 329-2118

RECEIVED

JUL 18 2003

ZONING COMMISSIONER

Office of Zoning Commisioner
400 Washington Avenue
Towson, MD 21204

RE: Case #03-545-XA

Dear Sir:

My name is Robert Appelbaum and I am a business owner located directly across from the Yarema property located at 107 Mt. Carmel Road in Hereford. (Case #03-545-XA)

I fully support Mr. Yarems's plans to develop this property and urge you to do the same. This property will provide valuable services to a growing community which lacks many basic services, and business locations. Mr. Yarema has made great efforts to comply with the county code and his development plan should be approved as soon as possible.

If I can be of any assistance to you, as a local professional, in expediting the development of this site, please contact me at my office.

Yours Truly,

Robert Appelbaum, D.D.S.

cc: Mr. Carl Yarema

Shaw
Chiropractic & Nutrition Center

Chalyse H. Shaw, M.S., D.C.

Baltimore County Zoning Commissioner
401 Bosley Ave, Room 405
Towson, MD 21204

Re: Mount Carmel Rd. Village Plaza

Dear Commissioner,

I have been a resident of Northern Baltimore County for seven years as well as a part of the local business community for three years. In this time I have seen our community grow by leaps and bounds and have come into contact with hundreds of people looking for local and convenient places to their business. It is greatly inconvenient for may people in this region to drive to Pennsylvania or Hunt Valley for products and services. It is for this reason that I support the construction of a new commercial town center in the Hereford region.

Sincerely,

Dr. Chalyse H. Shaw

The Hereford Center • 16940 York Road • Suite 203 • P. O. Box 560 • Hereford, MD 21111 • 410.357.4889 • 410.343.0925

Brett McGinnis: 19524 Graystone Road, White Hall Maryland 21161

August 18, 2003

Baltimore County Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Dear Commissioner,

I support Carl Yarema's plans for developing his lot at 107 Mount Carmel Road and am excited that someone with an understanding of the needs of a retail business person is proposing such a project. I have been exploring the possibility of opening a business in the Hereford area and have identified several types, which the town is either lacking completely or could use more of. One of the primary restraints has been that there is very little commercial space available in town, and there is even less available retail space. In my opinion, there is a very clear need for more retail space in Hereford to both house necessary services and to meet the needs of those of us living, working and/or hoping to open a business in this area.

Though I have spoken to the Yaremas about renting space in the proposed building, such plans and hopes will remain tentative until the project is approved and they are closer to construction. Please approve their request and allow them to move forward with as much ease as possible.

Thank you for your time,

Brett McGinnis

ELIZABETH C. YAREMA
ATTORNEY AT LAW
DOMESTIC AND CIVIL DISPUTE MEDIATOR

THE HEREFORD CENTER, 201
16940 YORK ROAD
HEREFORD, MARYLAND 21111

PHONE: 410.343.0087
ATTYMED@AOL.COM

August 18, 2003

Baltimore County Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Re: *Approval for Village Plaza*

Dear Commissioner,

On both professional and personal grounds, I fully support the proposed Village Plaza project at 107 Mount Carmel Road and believe there is a significant need for such office and retail space.

My law and mediation office is around the corner from the proposed building and I live in nearby White Hall, Maryland. During the winter, I manage the office building, which houses my practice. This past winter, for a short period of time, there were two vacancies in the building: one for 300 square feet and the other for 600 square feet. Such vacancies are rare and given the volume of calls, such smaller spaces are also much sought after.

The tenant who was able to secure the smallest space is very typical of the need of many in the Hereford area: he lives locally and had been working out of his house, but very much wanted to move into a professional space near home. As with many of the other hopeful prospective tenants I later spoke with (who were disappointed upon learning the space had already been let), a smaller space in an actual commercial building in the town center of Hereford, was exactly what he was looking for. In fact, a significant number of the businesses which make up the local business association are home based (in many cases, I suspect, regardless of the applicable zoning and due to lack of attractive options). These businesses and others, who need smaller office spaces (as well as the public they serve), are the people who the office spaces incorporated in the Village Plazas' design will accommodate.

On a personal note, as someone who lives and works in the Hereford area, I very much would like to see more retail options opened. It is inconvenient and frustrating to have to go 15 minutes down the road and fight traffic in Cockeysville or 20 minutes up the road to Shrewsbury, PA. to meet virtually every retail need. Those services that are provided in town are often very limited or expensive, due to the lack of options.

Finally, having seen the proposed plans, I know the Village Plaza will be an attractive addition to my town and will be our first opportunity, even after all of these years, to realize the vision of the Hereford Plan. For all the reasons stated, I respectfully urge that you approve the plans as submitted.

Very Truly Yours,

Elizabeth C Yarema

Elizabeth C. Yarema

August 12, 2003

Baltimore County Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Dear Commissioner,

Though we're unable to attend the zoning hearing in Towson, we wanted to let you know that we support Carl Yarema's plans for developing his lot, which sits directly across the street from our home on Mount Carmel Road. We also appreciate that Carl made the effort to stop by our home, share his plans for his property and to answer any questions we had.

The county's designation of Hereford as a "commercial town center", with a particular emphasis on the Mount Carmel Road corridor between York Road and I-83, was done after we had been living in our home for many years and we have seen the property around our home change as a result. As long time residents of Hereford though, we know how badly the community here needs additional services and Carl's building is going help provide us with them. Plus, after seeing Carl's proposed building design and site plan, we feel that the building will be an attractive addition to our town.

Sincerely,

Maria and Wilbur Synder

File

Hereford Community Association

"The Voice of the Community"

June 12, 2003

RECEIVED
JUN 20 2003
ZONING COMMISSIONER

Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

Attention: Zoning Commissioner

VII-338

RE: Yarema Property
107 Mt. Carmel Road

On June 10, 2003 the Hereford Community Association reviewed the proposed development of the Yarema property located at 107 Mt. Carmel Road, midway between I-83 and York Road. After careful analysis of the Plat to Accompany the Zoning Petition (dated May 15, 2003), a motion was made and seconded to "recommend denial of the Yarema petition at the zoning hearing and to oppose any exemption to the full development process" because it clearly is inconsistent with the Hereford Plan adopted by the County Council on May 6, 1991 in the following ways:

- PARKING – The plan shows parking in front of the proposed building, contrary to the stated guidelines of the Hereford Plan. Page 40 of the Hereford Plan specifically states that "parking should be located at the rear and side of buildings". Figure 1 on page 37 graphically illustrates that parking in front of the building is incompatible with the Hereford Plan.

  Furthermore, Page 36 of the Hereford Plan states that "parking is to be located in a manner appropriate and consistent with adjoining development". The adjacent Mt. Carmel Pharmacy building, the nearby Sparks Bank, the McGinnis Building and the recent Funeral Home all were designed and built to be consistent with the parking guidelines of the Hereford Plan. The Yarema parking plan is inconsistent with the Hereford Plan.

- FRONT SETBACK - The Town of Hereford was constructed before the concept of setbacks. Structures existing before 1991 were small, constructed on small lots and "purposefully close to traffic". The site plan for the Yarema property submitted in 1999 showed the face of the proposed building to be set back 67 feet from the ultimate R/W for Mount Carmel Road versus the front yard average setback of 16 feet. The current plan has the building in exactly the same position. The only difference is that a small lobby has been added, attempting to give the illusion that the building is closer to the road. This illusion does not cure the inconsistency of the setback and the proposed front parking with the Hereford Plan.

- REAR SETBACK – A 9 foot high retaining wall is proposed at the rear of the property to support a row of parking. Even with the wall, the applicant is requesting a variance to narrow the setback from 15 feet to 9 feet, leaving insufficient room to establish landscaping that would hide the retaining wall. This proposed variance from the Hereford Plan will create a major deterioration in the viewscape of residential neighbors

behind the property. In addition, approval of this proposed variance will complicate the storm water management issues and create a safety hazard in the form of an attractive nuisance for young children in the neighborhood.

- BUILDING SIZE - As proposed, the size of the building is 11,000 square feet (8,800 square feet of commercial, office and retail space and 2,200 feet of storage). Page 36 of the Hereford Plan states that "the regulations limit development by right to a size of 8,800 square feet" and page 38 states that this bulk standard can be exceeded "only when the proposed development is in compliance with site design guidelines and performance standards which are part of a duly adopted Master Plan for the District". The proposed site plan requests an exception and several variances. It is not in compliance and therefore the building cannot exceed a total of 8,800 square feet without violating the letter and the spirit of the Hereford Plan. We understand that approval of the proposed size would require an interpretation of both the Hereford Plan and general zoning regulations that would subtract storage space from the size limit. This interpretation, which certainly violates the spirit of the Hereford Plan, opens up a loophole through which the developer could drive a sixteen wheeler. To allow a building of the size proposed could set a precedent whereby a landlord could convert storage space into future additional retail or office space without further County review. There is no definition of storage space that precludes such action. This departure from the spirit of the Hereford Plan subverts its central policy purpose of maintaining the rural character of the neighborhood by requiring small-scale office and retail that primarily serve local clientele.

- ARCHITECTURAL / AESTHETICS - Elevation drawings will be required to evaluate the architectural compatibility of the proposed building with its surroundings. No zoning approval should be given until community associations can review the details of the proposed project.

After extensive and thoughtful discussion, the Hereford Community Association unanimously voted to ask that the Zoning Commissioner deny the Yarema Petition because it threatens the integrity of the Hereford Plan, which is the front line in the protection of the rural center character of Hereford.

Respectively Submitted,

Patrick M. Sheridan
President
Hereford Community Association

Cc: Pat van dem Beemt – North County News
Nancy Jones – Country Chronicle

P.O. Box 180
Hereford, Maryland 21111

Case Number ____________________

PLEASE ***PRINT*** LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
~~THOMAS O. MOORE~~	~~c/o GAYLORD BROOKS ARCHITECTURAL COMM. P.O. BOX 400 3312 PAPER MILL ROAD~~	~~PHOENIX MD~~	~~21131~~
DENNIS EATON	111 MT. CARMEL RD HEREFORD MD 21111	HEREFORD	21111
Jacqueline Logan	16905 Daisy Dell Ct.	Monkton, MD	21111

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
BILL WHITTY	4 SEABERRY CT.	TIMONIUM, MD. 21093	bwhitty@MACKENZIECOMMERCIAL.COM
JOSEPH LAESON	105 W. Chesapeake Ave	Towson Md 21204	
AUSTIN CHILDS	16260 FAWS RD.	MARTON, MD 21111	ACHILDSAIA@MSN.COM
Rodney Mohney	17013 York Rd	Monkton MD 21111	None
CARL J. YAREMA	705 INDIAN SP. CT.	SPARKS, MD. 21152	
George A. Lock	1302 Monkton Rd	Monkton MD. 2111(	
Ellen V. Lock	1302 MONKTON RD	MONKTON MD 21111	
~~Jacqueline Frazer~~	~~16905 Daisy Dell Ct.~~	~~monkton, md 21111~~	~~loganjf2@comcast.net~~
Elizabeth Yocum	PO Box 85 Hereford, MD 21111		ATtymed@aol.com
Deana Mgrane	705 Indian Sp. Ct.	Sparks, Md. 21152	??
G. Scott Barkley	210 W Pen Rd	Towson 21204	
Jean Busse	" "	"	

Supplemental Petioner's Sign in

Name	Address	email
Brett McGinnis	19524 Graystone Rd Whitehall MD 21161	Plan-b@MAIL.com
Carmela Veit	16655 Mueller Lane, Parkton 21120	
Edeward W. Veit	16655 Miller Lane Hereford, 21120	EVEit@aol.com

R. C. 5

PART OF ZONING MAP NW 27-C

SCALE: 1" = 200'

BL-CR

RC5-CR

EREFORD
USC & GS)

RD.

RO-CR

SITE

HOPE
MEADOWS

BL-CR

R.C.5-CR

BL-CR

R.C.5-CR

FIRE

HOUSE

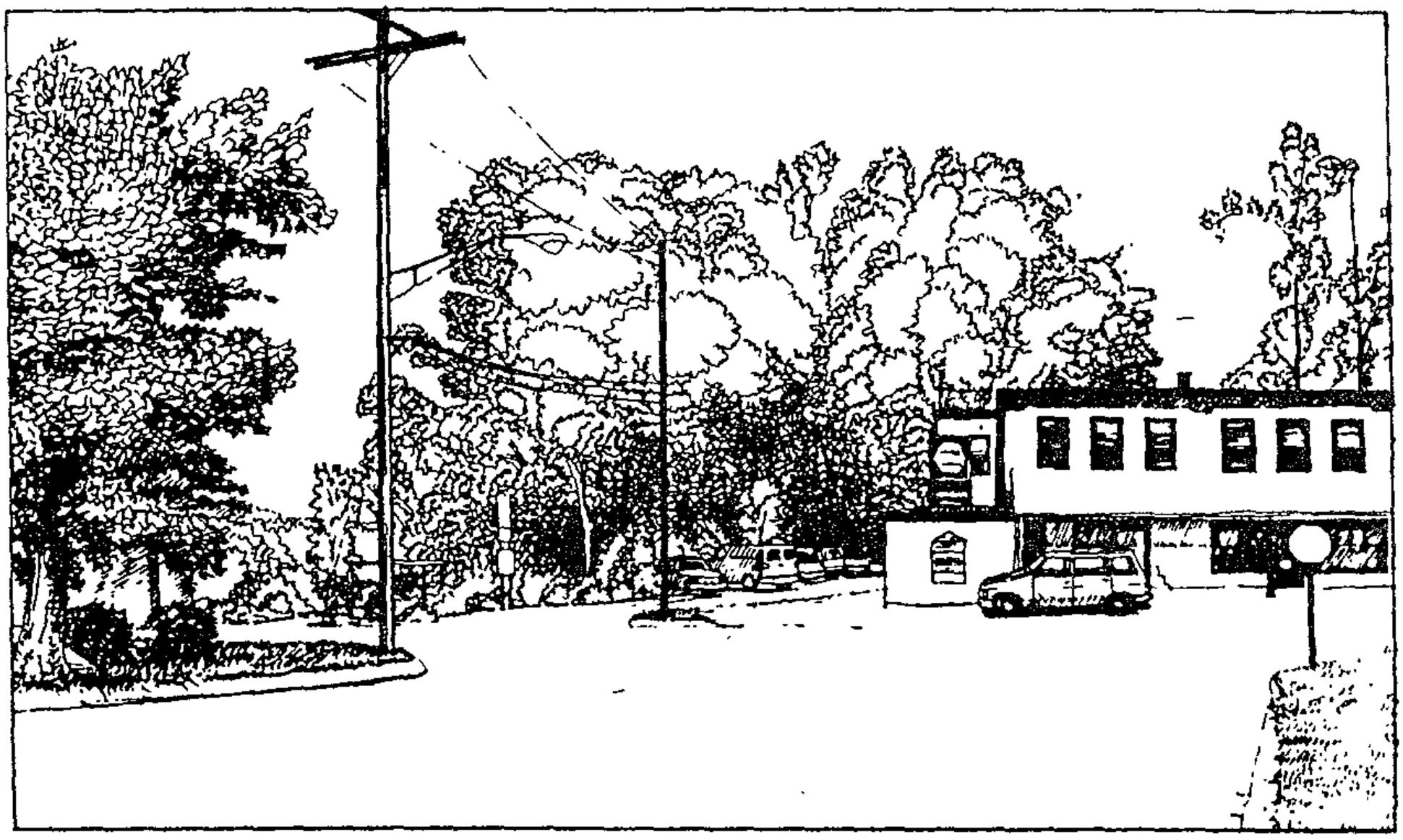
BL-C

HER

RD.

YORK

BM-CR



• Baltimore County • Focus on Community •

HEREFORD COMMUNITY PLAN

As Adopted By The Baltimore County Council on May 6, 1991

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

LEGISLATIVE SESSION 1991, LEGISLATIVE DAY NO. 9

RESOLUTION NO. 24-91

MR. C. A. DUTCH RUPPERSBERGER, III, COUNCILMAN

BY THE COUNTY COUNCIL, MAY 6, 1991

A Resolution to adopt the Hereford Community Plan as part of the Baltimore County Master Plan 1989-2000.

WHEREAS, the Baltimore County Council adopted the Baltimore County Master Plan 1989-2000 on February 5, 1990; and

WHEREAS, the Master Plan calls for the adoption of a community-based Plan for Hereford to provide for growth in a manner which protects and enhances the unique character of the town and is also environmentally responsible; and

WHEREAS, by Resolution adopted March 15, 1990, the Baltimore County Planning Board adopted the Hereford Community Plan dated November 16, 1989 and amended March 5, 1990, to constitute a part of and an amendment to the Master Plan; and

WHEREAS, the County Council held a public hearing on the recommended Hereford Community Plan on June 26, 1990.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Hereford Community Plan, a copy of which is attached hereto and made a part hereof, be and it is hereby adopted and incorporated into the Baltimore County Master Plan 1989-2000 to be a guide for the development of Hereford, subject to such further modifications as deemed advisable by the County Council.

Baltimore County
Office of Planning & Zoning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, Maryland 21204
(301) 887-3211

P. David Fields
Director

RESOLUTION
Adopting and Recommending
the
HEREFORD COMMUNITY PLAN

Dennis F. Rasmussen
County Executive

WHEREAS the Baltimore County 1989-2000 Master Plan calls for the adoption of a community-based Plan for Hereford to "provide for growth in a manner which protects and enhances the unique character of [the] town and is also environmentally responsible"; and

WHEREAS the Hereford Plan Committee, consisting of residents, business owners, and community groups, has been working with extraordinary diligence since 1987, with assistance from County staff, to prepare a Plan for the Hereford area, which is a logical unit for planning within Baltimore County; and

WHEREAS the draft Hereford Community Plan, as submitted on November 16, 1989, addresses the goals in the Master Plan and was the subject of a public hearing by the Planning Board on January 4, 1990; and

WHEREAS the draft Hereford Community Plan has been amended in response to the comments from the public hearing;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 22-12 of the Baltimore County Code, 1978, that the Baltimore County Planning Board hereby adopts the Hereford Community Plan, November 16, 1989, as amended March 15, 1990, to constitute a part of and an amendment to the Baltimore County 1989-2000 Master Plan; and

BE IT FURTHER RESOLVED that the Hereford Community Plan shall be transmitted to the Baltimore County Council for adoption in accordance with Section 523(a) of the Baltimore County Charter.

DULY ADOPTED by vote of the
Planning Board this 15th day
of March, 1990

P. David Fields
Secretary to the Planning Board

HEREFORD COMMUNITY PLAN
BALTIMORE COUNTY, MARYLAND
March 20, 1990

COUNTY EXECUTIVE

Dennis F. Rasmussen

PLANNING BOARD

Harold G. Reid, Chairman
H. John Barnhart, Vice President
I. William Chase
Charles H. Culbertson
Barbara Jean DeGuilmi
Dorothy Foos, Hereford Plan Subcommittee
R. Scott Graham
John M. Kerney
Stephen W. Lafferty
Joseph M. Leshko
Judson H. Lipowitz, Hereford Plan Subcommittee
Chester J. Madigan
Richard Proctor
Phillip W. Worrall, Hereford Plan Subcommittee

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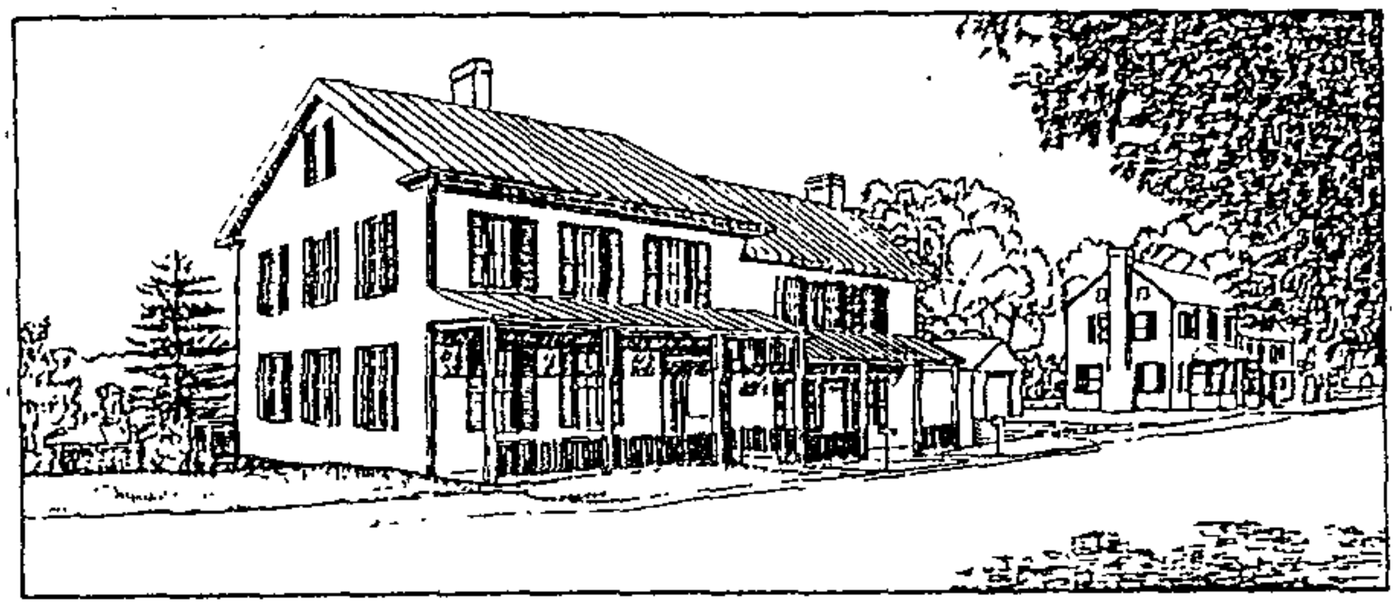
HEREFORD PLAN



I INTRODUCTION

INTRODUCTION

In 1987, as a result of concerns expressed by residents, business owners and community groups in the Northern Baltimore County area, Third Councilmanic District Councilman, C.A. "Dutch" Ruppersberger, III, requested an analysis of the commercial village of Hereford. The Office of Planning and Zoning produced a report in September of 1987, entitled, "Hereford a Preliminary Analysis."

The major conclusions of the report called for the following actions: 1) a need for a community plan which would identify the function, form, size and character of Hereford as a rural town center; 2) a set of design standards; 3) new or revised legal controls to guide future growth; and 4) no zoning changes until a community plan is developed.

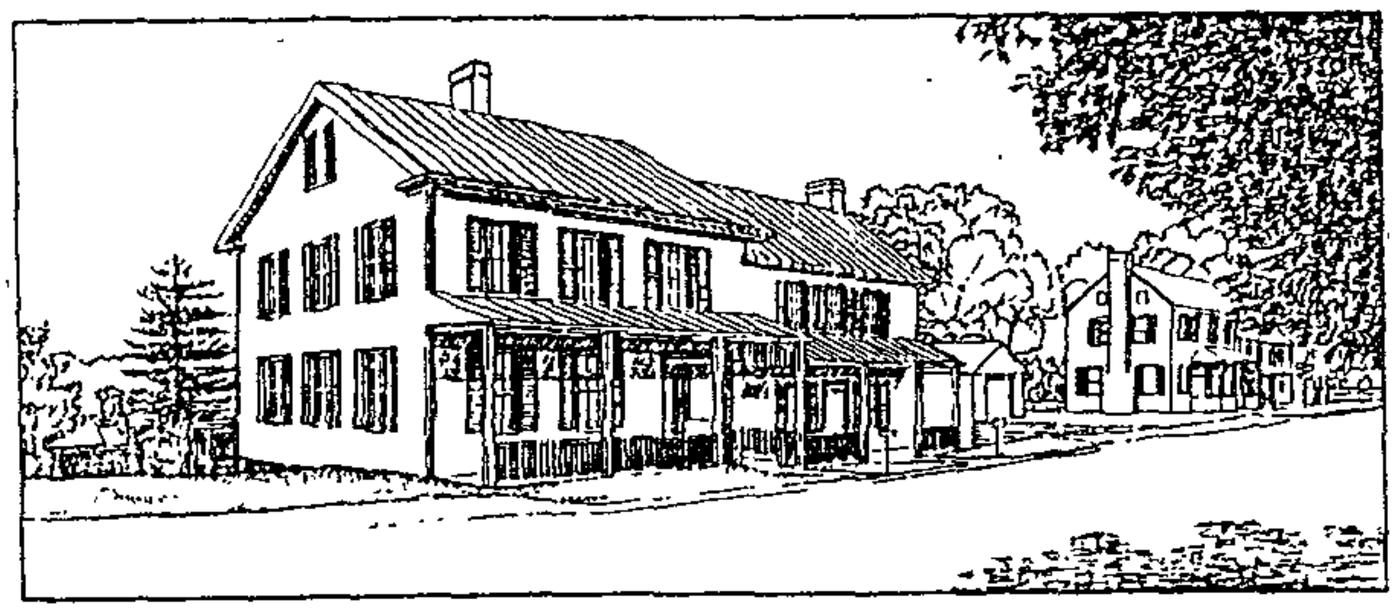
This Plan completes the actions called for in that report. In the zoning of 1988, the Councilman appointed a citizen group to develop a plan. The group included representatives of the farming community, volunteer fire company, local business association, and surrounding community associations. Later in the year additional representatives were added to represent Hereford-at-large and the Hereford Community Association.

Committee members have met two to three times a month from May 1988 to May 1989 to develop recommendations for a plan. The Committee created three sub-committees (Roads and Traffic, Long Range and Architectural/Design Landscape) to work on specific areas of concern. The Committee held two town meetings, one on August 23, 1988 and the second on May 23, 1989 to present their ideas to the public for review and comment. The Hereford Community Association also held several meetings to provide recommendations to the Hereford Plan Committee.

This plan represents the product of the Committee's dedication and persistent efforts. The Committee struggled over the often conflicting concerns of providing for reasonable growth and economic development and maintaining the rural qualities of the town and surrounding areas. Below is a list of the goals the Committee used to develop this plan.

HEREFORD PLAN GOALS

1. To develop a plan that delineates limits of growth and serves the basic needs of the community and tourists.
2. To maintain integrity of the rural area.
3. To create a business center for rural residential and agricultural communities.
4. To geographically concentrate the business community, thus minimizing spot zoning in other parts of the study area and in other areas of the northern County.
5. To address traffic problems which exist in Hereford.
6. To preserve the historical significance of Hereford.



II LAND USE ANALYSIS

LAND USE ANALYSIS

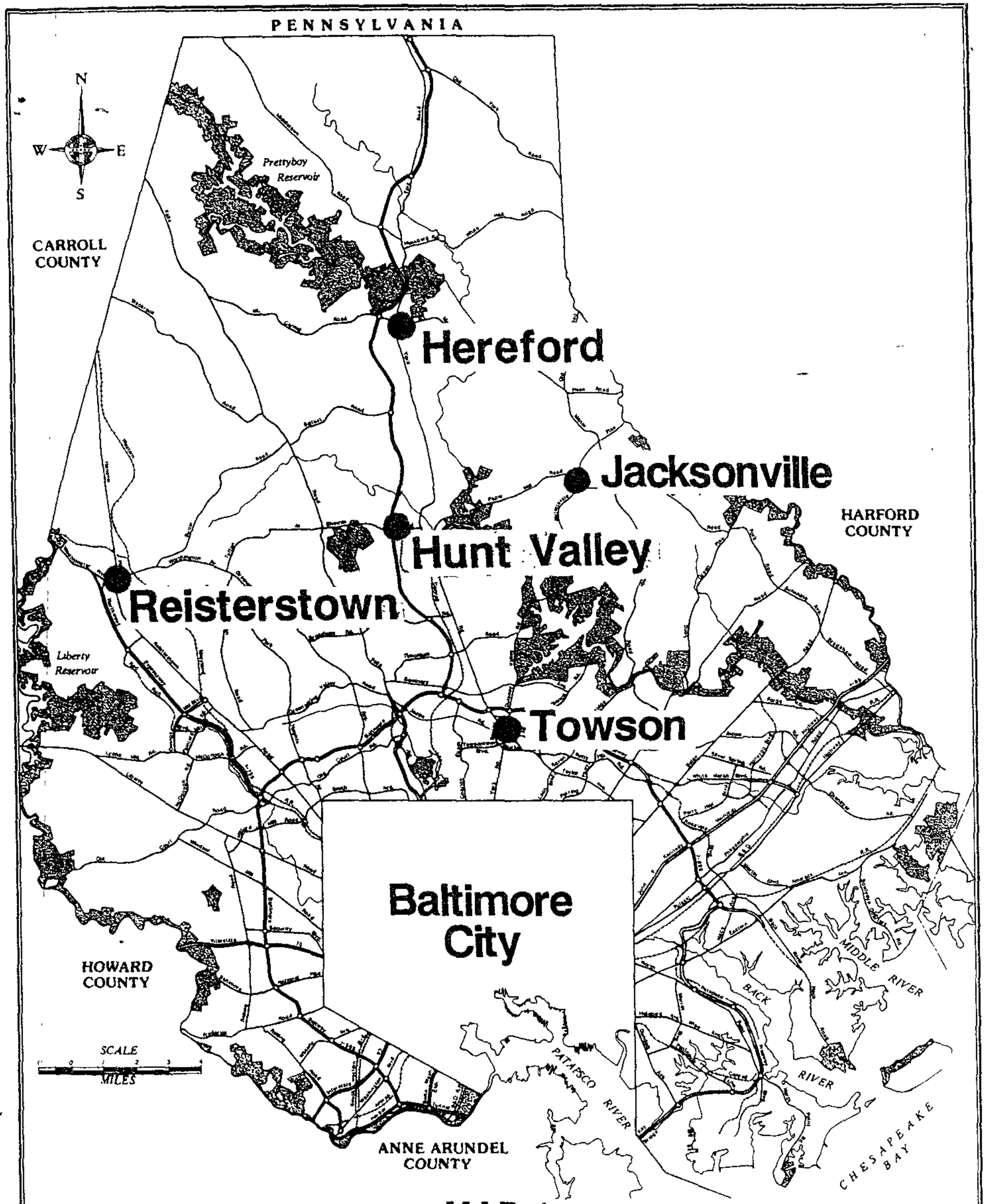
Hereford is the rural town center for the central part of Northern Baltimore County (Map 1). This distinction is due to both its historic role in the development of Baltimore County (see Section VI) and its strategic location at a major cross-roads with a full interchange to I-83.

The 1989-2000 County Master Plan reinforces the role of Hereford as a Rural Town Center and calls for "growth in a manner which protects and enhances the unique character of each town and is also environmentally responsible." This role was implicit in the Hereford Plan goals listed in the previous chapter.

The land use goal for Hereford is to provide for limited appropriate commercial growth in a centralized area that does not exceed environmental constraints. Commercial services are to be limited to serving the needs of Hereford residents, the agricultural community, as well as tourists.

The following land use analysis was conducted to ascertain the amount of commercial land currently available and to determine the need for, and if appropriate, location of, additional commercial zoning. The analysis was based on 1988 and early 1989 information. The method used was to determine the amount of existing commercial and office zoning in Hereford and the amount of commercial zoning not utilized. The next step was to determine projections for commercial demand and to compare this with what is available. The final step of the analysis was to make recommendations for future zoning changes.

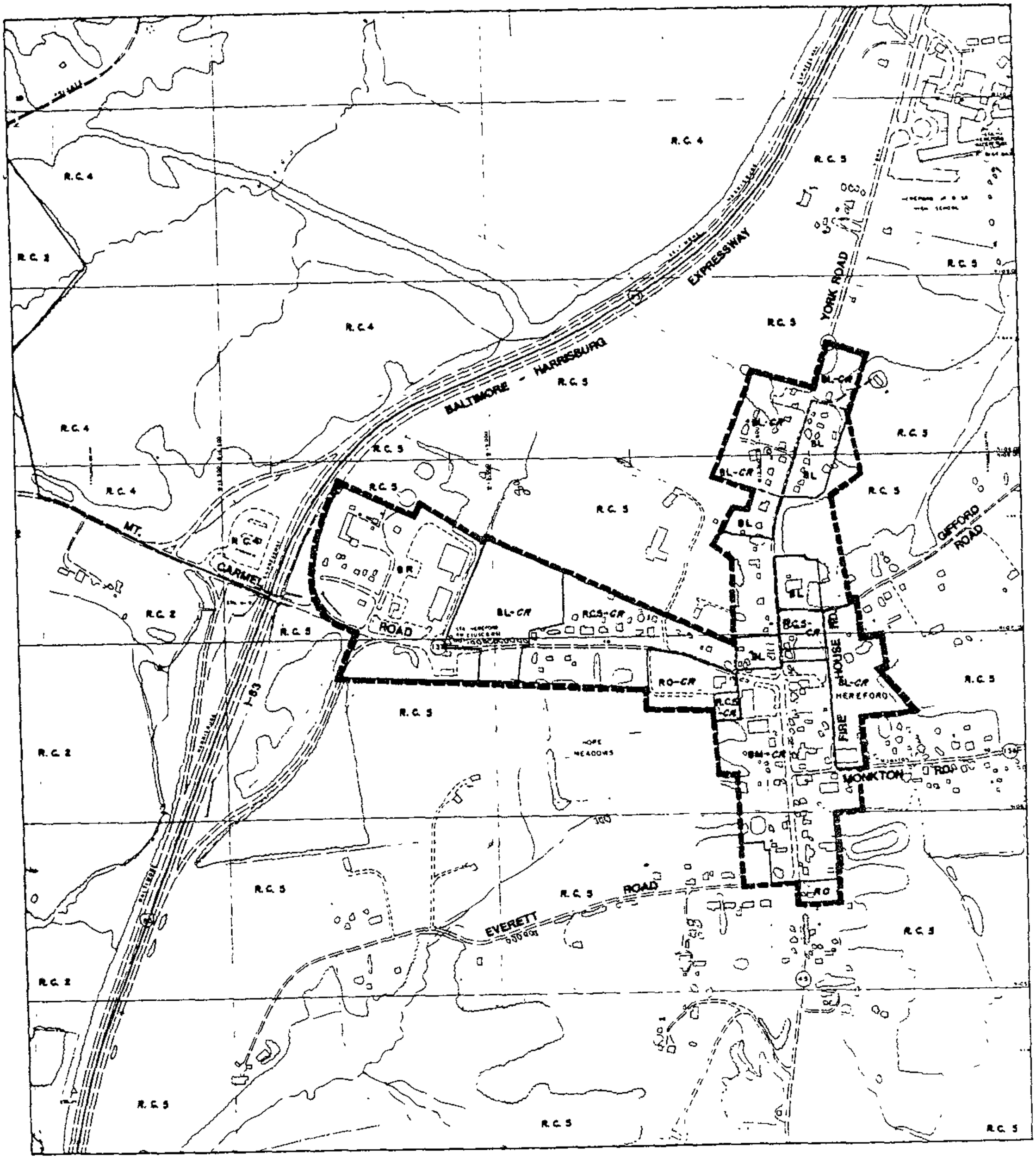
The Commercial Rural District (C.R. District) was adopted by County Council on July 5, 1988. The C.R. District provides regulations which serve to: provide for development that can be sustained by the environment; improve the aesthetics of rural commercial development and protect historic features.



MAP 1

HEREFORD LOCATION MAP

BALTIMORE COUNTY, MARYLAND



LEGEND

Hereford Committee C.R. District Boundary Recommendation (September 1988)

COMMERCIAL RURAL DISTRICT BOUNDARY

HEREFORD COMMUNITY PLAN

Prepared By:
Baltimore County Office of Planning and Zoning

MAP 2

For the purposes of this study a reasonable commercial district boundary was determined for Hereford. This boundary was based on existing land use, access of properties, land constraints and the existing zoning. This boundary is indicated on Map 2.

The zoning for that area as indicated on the 1988 Comprehensive Zoning Map is shown in Table 1. There is 48.5 acres of zoning within the commercial rural district overlay. This includes 10.7 acres of rural-residential, 2.8 acres of residential office, 19.6 acres of business local, 15.4 acres of business-major. Commercial areas which are not covered by the commercial district overlay include 4.4 acres of rural-residential, 0.6 acres of residential-office, 6.5 acres of business-local and 16.9 acres of business-roadside.

TABLE 1. HEREFORD RURAL TOWN CENTER
ZONING SUMMARY
(1988 Baltimore County Comprehensive Zoning Map, 1" = 200' scale)

ZONING	ACRES
C.R. District	
Rural-Residential (RC 5-CR)	10.7
Residential-Office (RO-CR)	2.8
Business Local (BL-CR)	19.6
Business Major (BM-CR)	15.4
Non District	
Rural-Residential RC 5	4.4
Residential-Office RO	0.6
Business Local BL	6.5
Business Roadside BR	16.9
TOTAL	76.9

A land use inventory was conducted in 1988. The results indicated that there was 41 acres of commercial use, 6 acres of institutional use, 22 acres of residential use and 8 acres of vacant land (Table 2).

This survey indicated that in addition to the four acres of rural residential there is 26 acres of commercially zoned land not in commercial use. This includes the properties which were zoned commercial and rural-residential commercial rural in 1988.

TABLE 2. HEREFORD RURAL TOWN CENTER
LAND USE

TYPE	ACRES
Commercial	41
Institutional	6
Residential	22
Vacant	8

An assessment of commercial square footage was determined using the 1988 survey information and 1989 building permit information (Table 3). The results indicated that there was approximately 120,875 gross square feet in the commercial core which can be broken down into three categories. The first category is local retail and is estimated to be 38,585 gross square feet. The second, category is local services and medical services which is estimated to be 23,360 gross square feet. The third category is mixed-multi-tenant retail which is estimated to be 58,930 gross square feet.

TABLE 3. ESTIMATED COMMERCIAL SQUARE FOOTAGE
IN HEREFORD, 1988

TYPE	ESTIMATED* GROSS SQUARE FOOTAGE
Local Retail (hardware, gasoline, auto supply, food, etc.)	38,585
Local Services & Medical Services	23,360
Mixed Retail & Office Use and Regional Services	58,930
TOTAL	120,875

* Based on 1987 Baltimore County Aerial Photographs (1" = 200')

It is difficult to determine the appropriate amount of commercial and commercially zoned land that will meet existing and future demand and allow for appropriate growth. For the purposes of this plan, it was decided to determine what the range of projected demand for commercially zoned land is for Hereford .

The two projections used to estimate potential demand were the Legg Mason Realty Group and the Regional Planning Council's (RPC) Round III-A projections. The Legg Mason Realty Group was commissioned by the County to prepare economic forecasts for Baltimore County's 1989 Master Plan. Their forecast represents an aggressive future growth based upon past growth patterns. The RPC's figures are based upon a conservative forecast that is tempered by regional patterns and jurisdictional allocations. This accounts for the large discrepancy between the two projections.

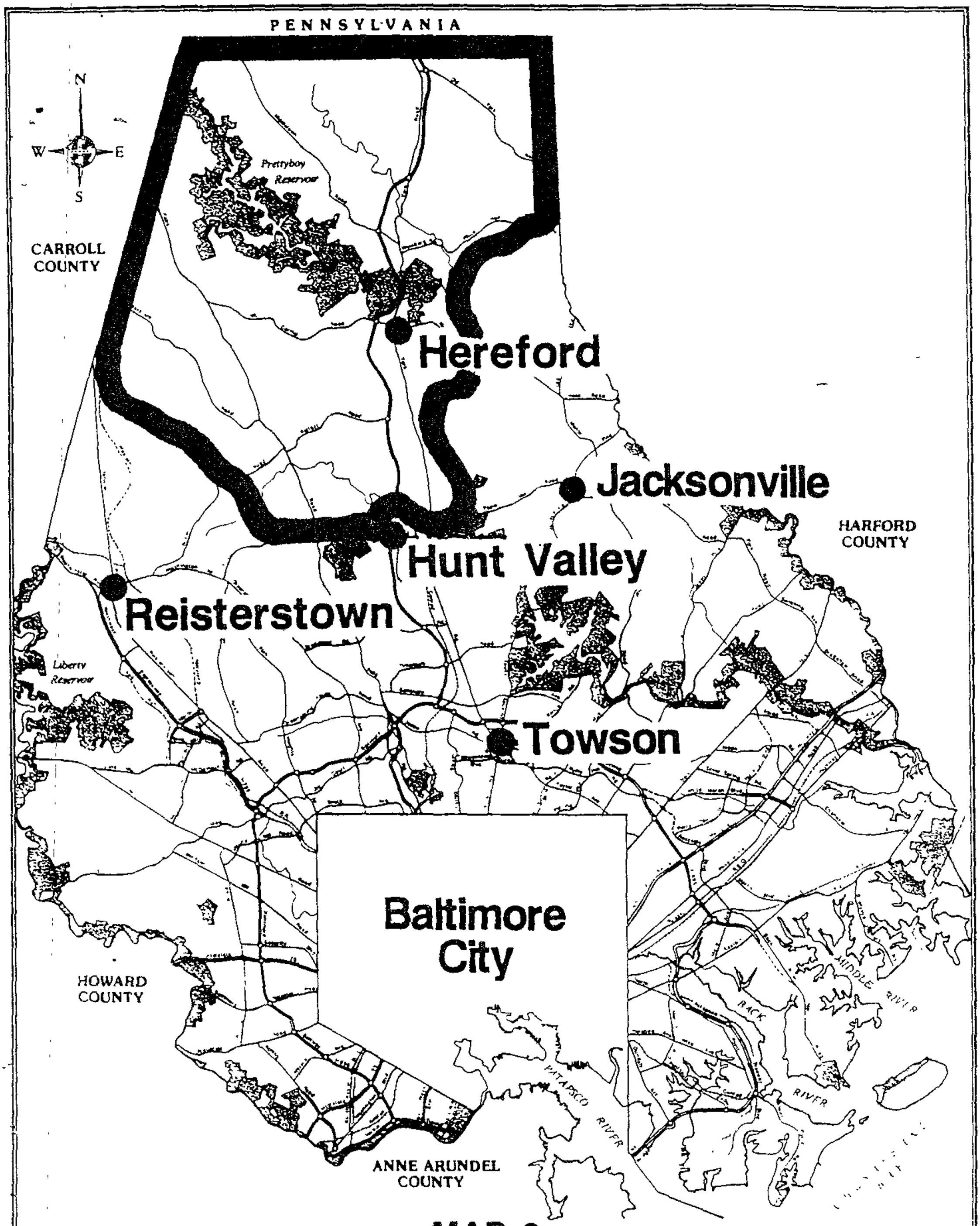
The market area for Hereford begins to the north of Hunt Valley, it is bordered on the west by Carroll County and on the north by Pennsylvania. The eastern boundary is the Northeast Market Area (Map 3). This is an area of approximately 150 square miles.

The Legg Mason Study projects an increase of 3407 new people and 1608 new units in this market area by 1995. The Regional Planning Council Round III-A projects 627 new people and 777 new units (Table 4).

TABLE 4. POPULATION AND HOUSEHOLD PROJECTIONS

		1995	
North Market Area	1989	III-A	LMRG*
Population	20,940	21,567	24,347
Households	7,613	8,390	9,221

* Legg Mason Realty Group



MAP 3

NORTHERN MARKET AREA

TABLE 5. RETAIL AND OFFICE PROJECTIONS

North Market Area	1995 III-A*	1995 LMRG**
	Square Feet	
Office	17,100	93,617
Retail	11,800	63,784
TOTAL	28,900	157,234

* These were extrapolated based on the Regional Planning Council Round III-A Projections.

** Legg Mason Realty Group

Using a projection that assumes the number of people employed in services is proportional to population increase, a projection was derived for additional commercial and office. Given the planning objectives (proposed 1989 Master Plan) of concentrating future commercial and office use for this market area in Hereford, we can adjust typical demand allocations for urban central business districts (50% in central business, 30% in satellite and 20% in other locations, Goodman, 1968) to 70% in rural town centers, 20% in rural villages and 10% in satellite locations.

The two projections indicate for the Northern Market Area a projected range of demand by 1995 for commercial and office between 28,900 gross square feet and 157,234 gross square feet (Table 5). With the assumption stated above that 70% will locate in Hereford, we can project a demand of between 20,230 gross square feet and 110,064 gross square feet depending on the extent of population growth in the area.

The amount of commercially zoned land presently available has the potential to yield 116,741 gross square feet (Table 6). Existing commercial buildings on small lots in Hereford have an average floor area ratio (F.A.R.) of 0.06. The C.R. District zoning regulations permit a 0.2 F.A.R. There are 18 acres of existing commercially zoned land that are in residential use on small lots. If this entire acreage were to be converted to commercial it would yield 47,045 gross square feet at a F.A.R. of 0.06 and 156,816 gross square feet at a F.A.R. of 0.20. Larger projections based on F.A.R. of 2.0, 3.0 or 4.0 are not realistic due to physical site constraints of the small lot size and requirements for onsite wells and sewage disposal.

It is easier to project the potential buildout of the 8 acres of vacant land. This acreage is in two larger parcels. Using the F.A.R. of 0.20 which is the C.R. District limitation, these locations could provide for an additional 69,696 gross square feet of commercial and office in Hereford.

TABLE 6. ESTIMATED POTENTIAL COMMERCIAL GROSS SQUARE FEET

TYPE	ACRES	FAR	GROSS SQUARE FOOTAGE
Small Residential Lots	18	0.06	47,045
Vacant Lots	8	0.2	69,696
TOTAL			116,740

Although the above projections indicate there is presently sufficient zoning to meet the projected demand, they do not give an indication as to the type of development that may be needed to satisfy the projected demands. As has been discussed, Hereford's commercial services can be classified into local retail, local service and medical, and mixed retail and regional services. The local retail and to certain extent local service building size is between 1,000 and 5,000 gross square feet. The mixed retail and office-regional buildings are between 10,000 and 20,000 square feet.

In summary, review of the commercial core indicates that there are numerous additional opportunities for conversion of small residential properties to small commercial uses. The opportunity for the larger multi-tenant development is restricted to two sites of which only the property located near I-83 has good access. Thus, there may be the long term need to provide for additional commercial zoning.

The area most suitable for future commercial development is north of Mt. Carmel Road and bounded by I-83 on the west, the existing commercial zoning on the east and the limits of the existing C.R. District to the north. The area is shown on Map 4. This area was selected in order to concentrate present and future growth of commercial.

The commercial zoning was increased in the 1988 Comprehensive Zoning Process and this Plan calls for some expansion in 1992 with the addition of remaining residential within the proposed C.R. District. What is listed as future commercial is intended to be that area where growth should ultimately be directed. In addition to not rezoning this area in the near future, the rezoning should be phased so as to provide for limited controlled growth.

The objective with respect to future commercial growth is to try to maintain the compact nature of Hereford. To achieve this it is recommended that there be no commercial expansion to the north or south along York Road. The western boundary of commercial should continue to be the I-83 interchange. Expansion of commercial to the east should be in concert with the potential Mt. Carmel Road expansion.

There is currently a wide range of private services available in Hereford (Table 7). The range of public and institutional services is less broad (Table 8) but an important addition was the Hereford Branch of the Baltimore County Public Library System in 1988.

TABLE 7.

HEREFORD RURAL CENTER

LIST OF PRIVATE SERVICES

MEDICAL
- Dental
- Optical
- Pharmacy
- Chiropractor
- Physical Therapist
- Pyschologist
- Internal Medicine
- Orthodontic

LAW OFFICE
VETERINARY
LIQUOR
AUTO REPAIR
FEED STORE
HARDWARE
INSURANCE
BARBER SHOP
REALTOR
COMPUTER-OFFICE SUPPLIES
BANKS
CONVENIENCE STORE
SUPERMARKET
DRY CLEANER
VIDEO RENTAL & SALES
RESTAURANT
- Breakfast & Lunch

CARRYOUT
CRAFT/CLOTHES
- Antiques
- Floral Design
- Stained Glass
- Consignment

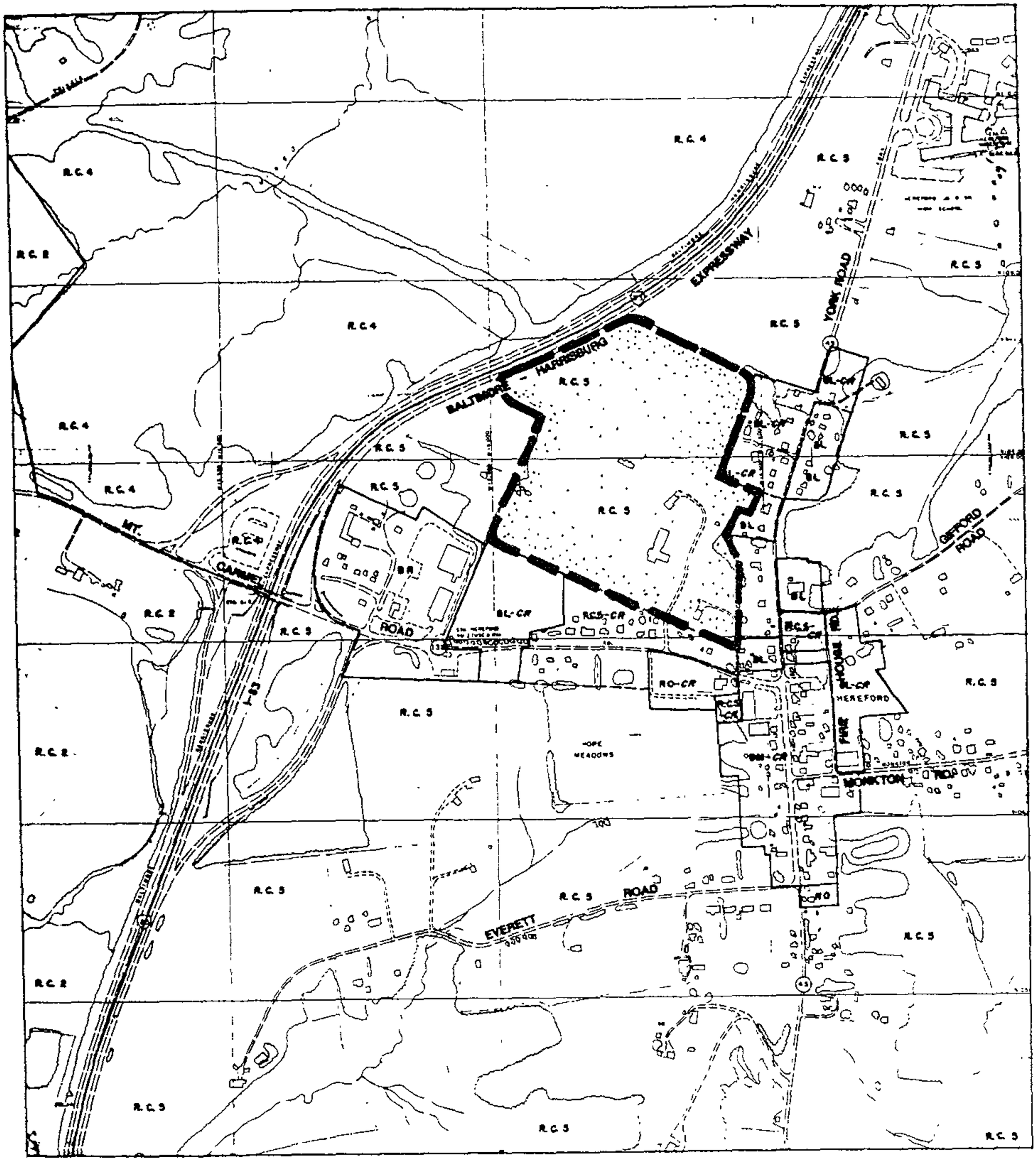
AUTO PARTS
SERVICE STATION
ACCOUNTANT
CONSTRUCTION OFFICE
MANUFACTORS REPRESENTATIVE

TABLE 8.

HEREFORD RURAL CENTER

LIST OF PUBLIC/INSTITUTIONAL SERVICES

LIBRARY
CHURCHES
POST OFFICE
FIRE STATION
AMBULANCE
STATE PARK LAND
HIGH SCHOOL



LONG RANGE POTENTIAL COMMERCIAL AREAS

HEREFORD COMMUNITY PLAN

Prepared By:
Baltimore County Office of Planning and Zoning

MAP 4

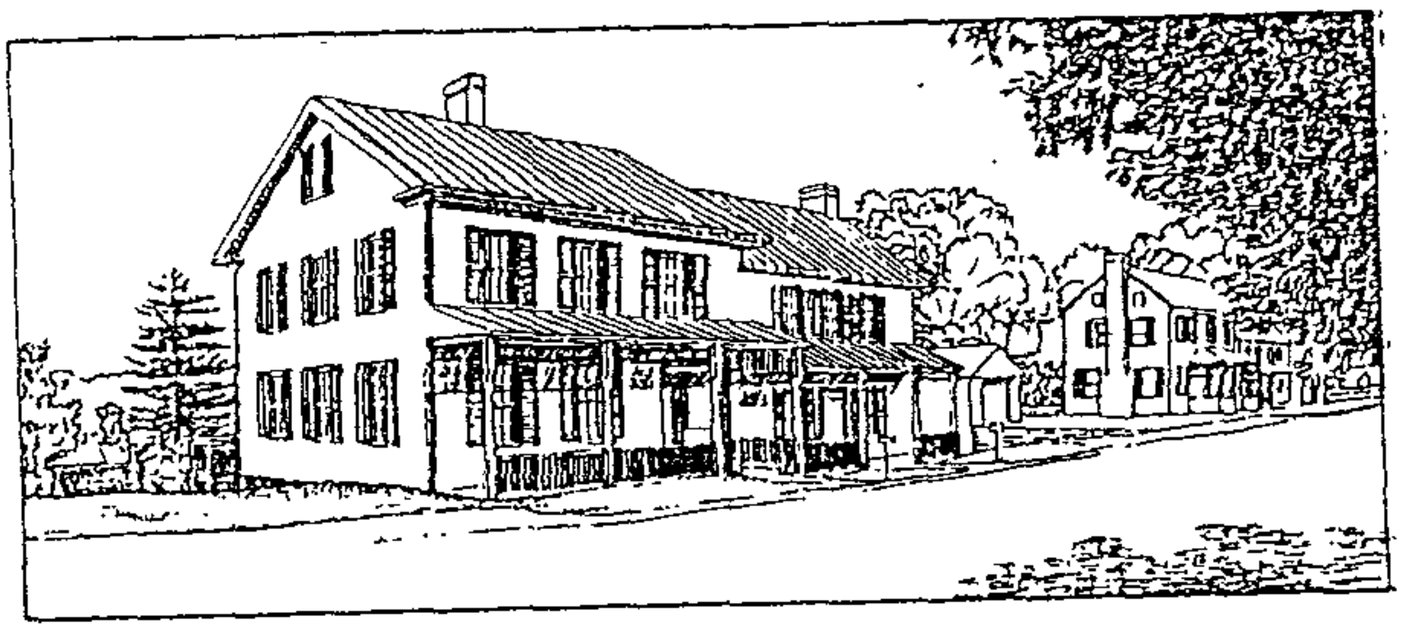
It is difficult to project the demands for new types of services. The alternative was to identify services which were not desired due to noise, odors, environmental constraints, and protection of residential properties. This list is indicated in Appendices D and E. A specific legal mechanism to prevent these uses is not recommended at this time. The list is advisory.

The C.R. District was designed to allow rural areas to develop services either unique to or in keeping with the rural character of Northern Baltimore County rural town centers, and are not intended to supply the complete range of services one would find in an urban area. The services here are the ones which provide safety, convenience and reduced trips, while servicing the rural residential and agricultural communities.

The Hereford Shopping Center and the BR areas located on the north and south sides of Mt. Carmel Road east of I-83 are currently zoned BR. They do not contain historic structures, and are composed of larger commercial uses including a grocery store, drug store, offices, bank, service station, fuel oil office and terminal, as well as a large, newly expanded SHA complex. They are proposed for inclusion in the CR District for environmental reasons, not for protection of historic buildings of the commercial core. It is expected that they need to be expanded, upgraded, renovated, sold and replaced as time passes. They should be viewed from primarily environmental standards, and less from the point of view of compatibility with the smaller scale buildings of the commercial core. These sites are currently in conformity with the existent BR Zone, and the intent of the CR District in not to convert them to the CR site standards.

ACTIONS

1) Map the C.R. District boundary (Map 2).
2) Consider rezoning the remaining residential properties within the C.R. District Boundary at the request of the property owner for the C.R. District overlay.
3) Map the long term consideration to amend the C.R. District boundary (Map 4).



III ENVIRONMENTAL CONSTRAINTS

4) Consider changes to the C.R. District when necessary if the proposed project is compatible with all components of this plan, in particular to the site design guidelines, and if the lots have frontage on York and Mt. Carmel Roads as documented on the April 1, 1987 State Department of Assessments and Taxation property map (Number 22).
5) Consider rezoning to C.R. District all commercially zoned parcels within the proposed C.R. District boundary at the earliest appropriate time.
6) Concentrate commercial zoning for the Northern area in Hereford or other rural villages. Discourage commercial zoning along roads outside of these areas.
7) The services listed in Appendix D should be discouraged from locating in Hereford.
8) Encourage the location of services listed in Appendix E.

ENVIRONMENTAL CONSTRAINTS

The Hereford study area is located outside the planned service area for water and sewer as documented in the Baltimore County Water Supply and Sewerage Plan 1980-1990. The no planned service area is designated to the areas defined as rural and agricultural areas in the Baltimore County Master Plan 1979.

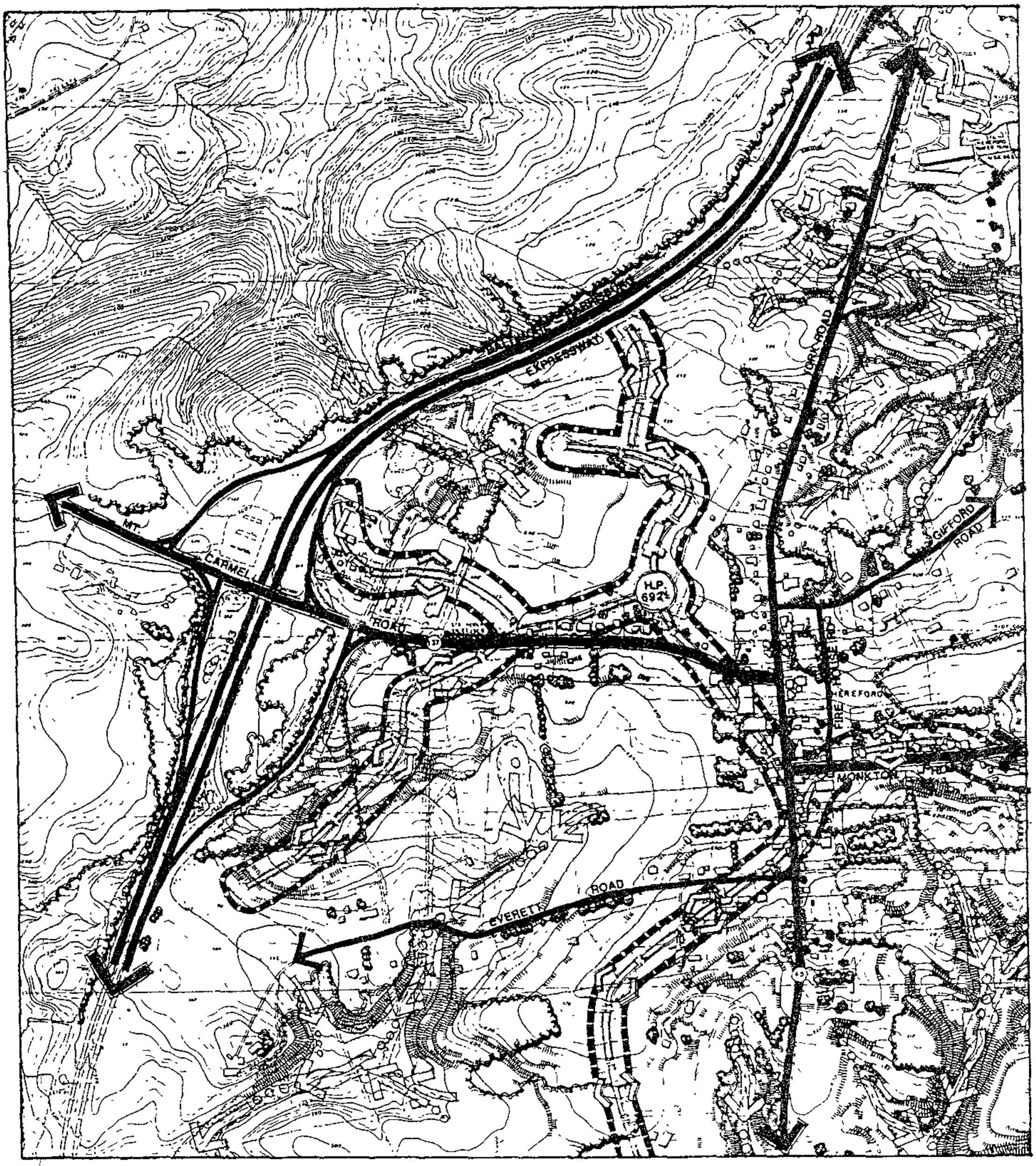
The environmental goals for the rural and agricultural areas include land use and resource protection components. The land uses were addressed in other sections of the Plan. The resource protection concerns focus on protection of groundwater and surface water. The emphasis for the protection of the water resources is to protect both existing and future public water sources.

The protection of surface water is provided through stormwater management and sediment control. These measures are required on proposed development plans with exemptions given to projects which disturb less than 5,000 square feet. The small parcel size, goal of adaptive reuse of existing buildings and the standard requirements for a certain number of parking spaces put severe constraints on being able to meet the requirements to provide stormwater management. This is generally not an issue on larger sites, greater than 2 acres, because there is enough space to locate an onsite stormwater management system.

The Department of Environmental Protection and Resource Management is the County agency with authority and responsibility for stormwater management. The Engineering Services Division reviews plans and makes site by site determinations.

The issue of stormwater management is further complicated by the three ridge lines in Hereford (Map 5). Although this is advantageous in that the runoff is dispersed, it precludes consideration of a single regional system. In addition, there is a lack of suitable outfalls for the commercially zoned areas.

The existing surface drainage systems in Hereford are old and should be investigated for adequacy.



LEGEND

- Woods
- Ridge Line
- High Point
- Steep Slopes (Over 20%)
- Major Drainage Course
- Secondary Drainage Course
- Hydric Soils
- Expressway
- Minor Arterial Road
- Major Collector Road
- Minor Local Road
- Potential Critical Recharge Area

ENVIRONMENTAL CONSTRAINTS

HEREFORD COMMUNITY PLAN

Prepared By:
Baltimore County Office of Planning and Zoning

MAP 5

The greatest immediate concern, from a resource protection standpoint, is groundwater. The small lot sizes with existing water supply and sewage systems that in a significant number of instances do not meet current standards makes the continued provision of potable groundwater an important issue. Furthermore, the small lot sizes in conjunction with placement of surrounding wells and septic systems, in many cases, leaves inadequate area for sewage disposal system repair. Potable water quantity has not been a major concern in the past, but with redevelopment, and greater parking requirements, provisions must be made to assure adequate well recharge. The location of three ridges in Hereford complicates this issue.

The three ridges in Hereford represent critical recharge areas where the groundwater system receives no significant increase in volume from upgradient locations (Map 5). Essentially it is that area associated with the top of the groundwater divide. Decreases in groundwater recharge due to increased impervious surface area should be avoided to ensure continued availability of groundwater to individual supply wells.

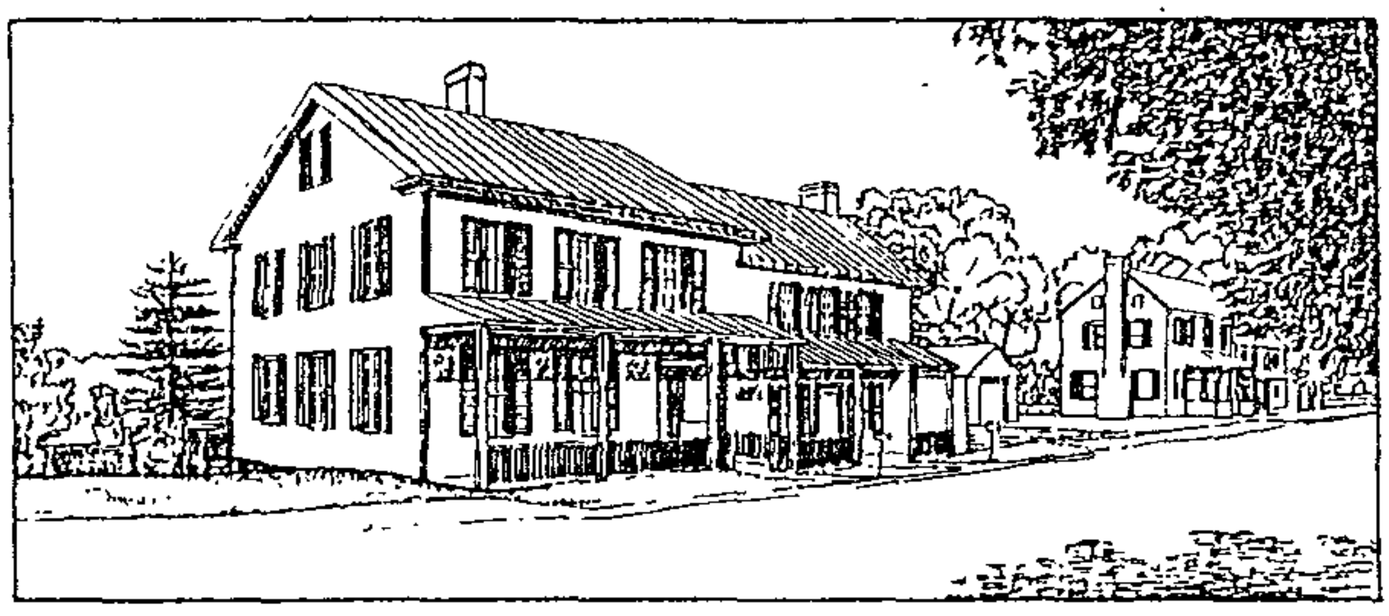
Groundwater quality was evaluated in the older commercial core along York Road. It was found that there are levels of concern for chlorides and nitrates. Although these levels do not pose an immediate health hazard, they raise the issue of long-term viability of existing wells, the concern for increasing impervious surfaces, and the concern for uses such as: dry cleaning facilities, furniture strippers and refinishers, car washes, restaurants, and beauty salons.

In summary, the environmental constraints in Hereford require greater consideration. The fostering of Hereford as a Rural Center with even limited growth presents conflict with meeting all environmental standards for well location, septic reserve, stormwater management, and limits on impervious surfaces. The consideration should include the following project studies:

(A) improvements to surface water drainage systems, (B) cost and operational feasibility of a community well system, (C) policies to link size of septic reserve area to permitted uses, (D) policies on impervious surface increases, (E) feasibility of community fire cisterns, and (F) feasibility of a community parking area. Much of this information is available but needs to be tailored to the specific scenario that exists in Hereford.

ACTIONS

1) The County Department of Public Works should prepare an engineering analysis of Hereford's surface drainage systems. In the event that a determination is made that improvements are necessary, these should be programmed into the Baltimore County Capital Improvement Program.
2) Survey existing groundwater sources for quality and quantity. Identify potential well protection areas in the event that remediation of individual sites is necessary.
3) Locate by field survey all water and sewer systems. Couple this information with hydrogeololgic conditions in the area to determine future requirements for assuring groundwater protection.
4) Investigate a comprehensive environmental strategy which should include consideration of programming projects into the Baltimore County Capital Improvement Program.
5) Require water balance assessment as part of the development information submitted by the developer in critical recharge zones (Map 5).
6) Provide for groundwater recharge zones in any critical yield area.
7) Require distributed infiltration for all storm water runoff.
8) Require the use of water conservation devices (i.e., low-flush toilets, low water use faucet adaptors, etc.).
9) Identify land uses not suitable from quality or quantity perspectives.



IV ROADS AND TRAFFIC

ROADS AND TRAFFIC

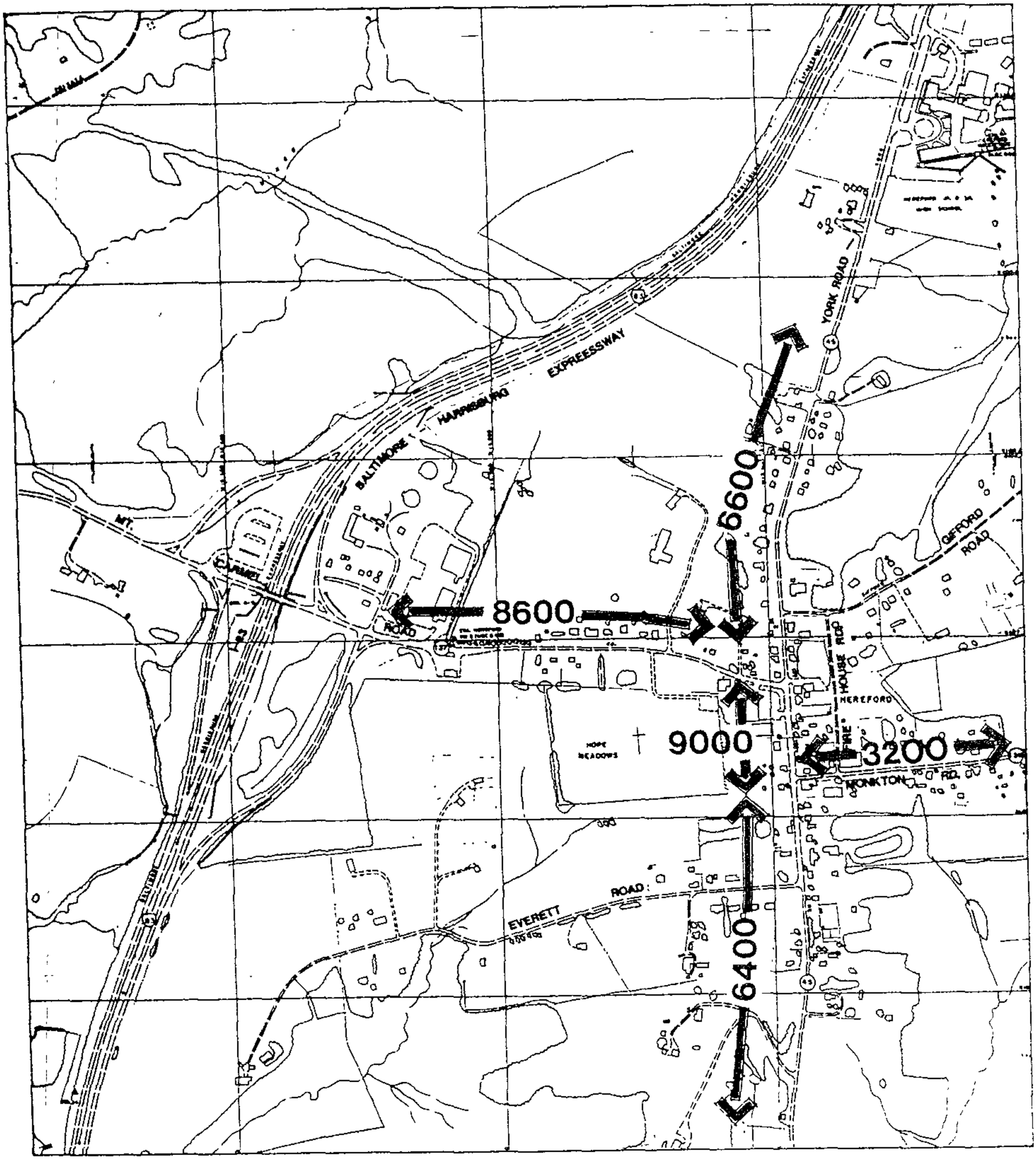
Hereford is located at the intersection of Maryland 45 (York Road), Maryland 137 (Mt. Carmel Road) and Maryland 138 (Monkton Road). It is within a mile of I-83 the (Baltimore-Harrisburg Expressway) with a full interchange.

Concerns regarding increased traffic and need for road improvements were expressed for locations in Hereford. Other concerns were raised for intersection improvement and pedestrian safety.

The first area of concern for road improvements was Mt. Carmel Road between I-83 and York Road (Map 6). The 1988 traffic counts show an increase in average daily trips (ADT) from 6370 in 1986 to 8600 in 1988 (Table 9). State Highway Administration projections for these roads are doubling in 20 years or five percent a year. The projection for 2006 is 12,000 ADTs.

The second major area of concern for road improvements was for York Road between Mt. Carmel and Monkton Roads. The ADTs for 1986 were 7500 and are projected to be 15,000 by 2006. In this area, the east-west traffic mixes with the north-south traffic. A solution to this problem is to connect Mt. Carmel and Monkton Roads to the east of York Road. This would eliminate the "dog leg" route and reduce congestion on York Road. Although this project is not currently recommended for inclusion in County-State road improvement plans, a conceptual alignment is shown on Map 7.

In both these areas it is evident that although traffic levels do not currently justify major projects, improvements will be necessary to maintain acceptable traffic flows. The State Highway Administration has plans for widening both Mt. Carmel and York Roads to an ultimate four lane section. Although this would reduce congestion, it would have other impacts. A planning study would provide for an opportunity to balance the needs of traffic flow with other concerns.

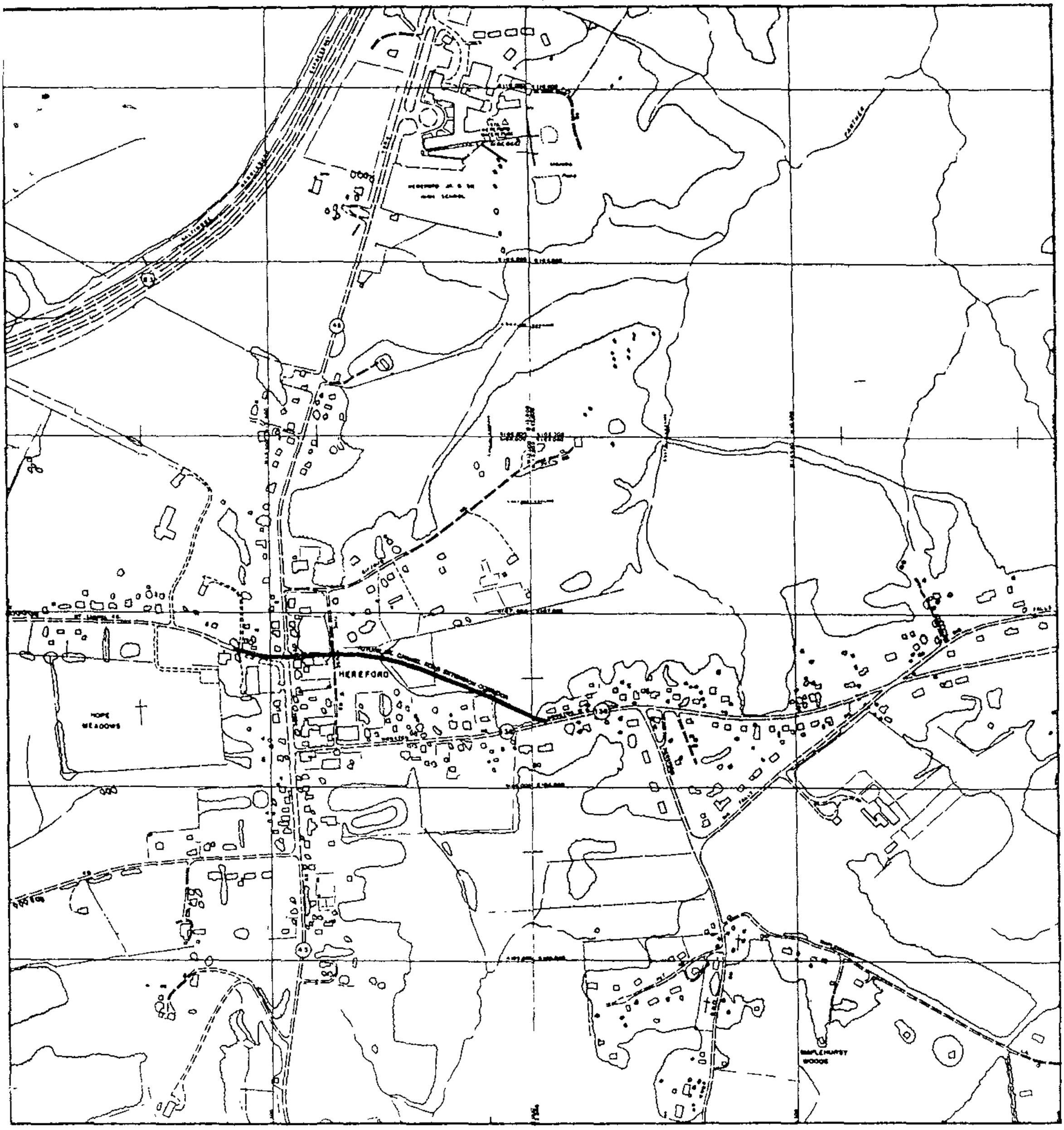


1988 TRAFFIC PATTERN - AVERAGE DAILY TRIPS

HEREFORD COMMUNITY PLAN

Prepared By:
Baltimore County Office of Planning and Zoning

MAP 6



FUTURE MT. CARMEL ROAD
EXTENSION CORRIDOR

PLAN FOR HEREFORD

Prepared By:
Baltimore County Office of Planning and Zoning

MAP 7

TABLE 9. TRAFFIC PATTERN IN HEREFORD
(May 7 & 9, 1986 Counts)

TRAFFIC COUNTS	Average Daily Trips		
	1986	1988	2006
East - West Mt. Carmel Road	6400	8600	13,000*
York Road North of Mt. Carmel Road	5500	6600*	11,000*
York Road South of Mt. Carmel Road	7500	9000*	15,000*
East - West Monkton Road	3000	3200	6,000*
York Road South of Everett	5300	6400*	10,600*

*Estimated

Sources: Maryland State Highways Administration 1988 Traffic Volume Map. Maryland State Highways Administration, personal communication, 1989.

To reduce the demand for road improvements, and to plan for more efficient road usage, the use of shared driveways for commercial properties is recommended.

The intersection of Mt. Carmel Road, the entrance to the shopping center, and the north bound exit ramp of I-83 was identified by residents as an area of concern for safety and potential accidents. This intersection should be studied for alternatives to correct the hazard.

The citizens have requested and been assured that a traffic signal will be installed at the intersection of Mt. Carmel and York Roads. This signal will be particularly important during the school year when school buses must use the intersection.

It is recommended that the speed limit be set a uniform rate throughout Hereford. This will eliminate the present inconsistency of limits.

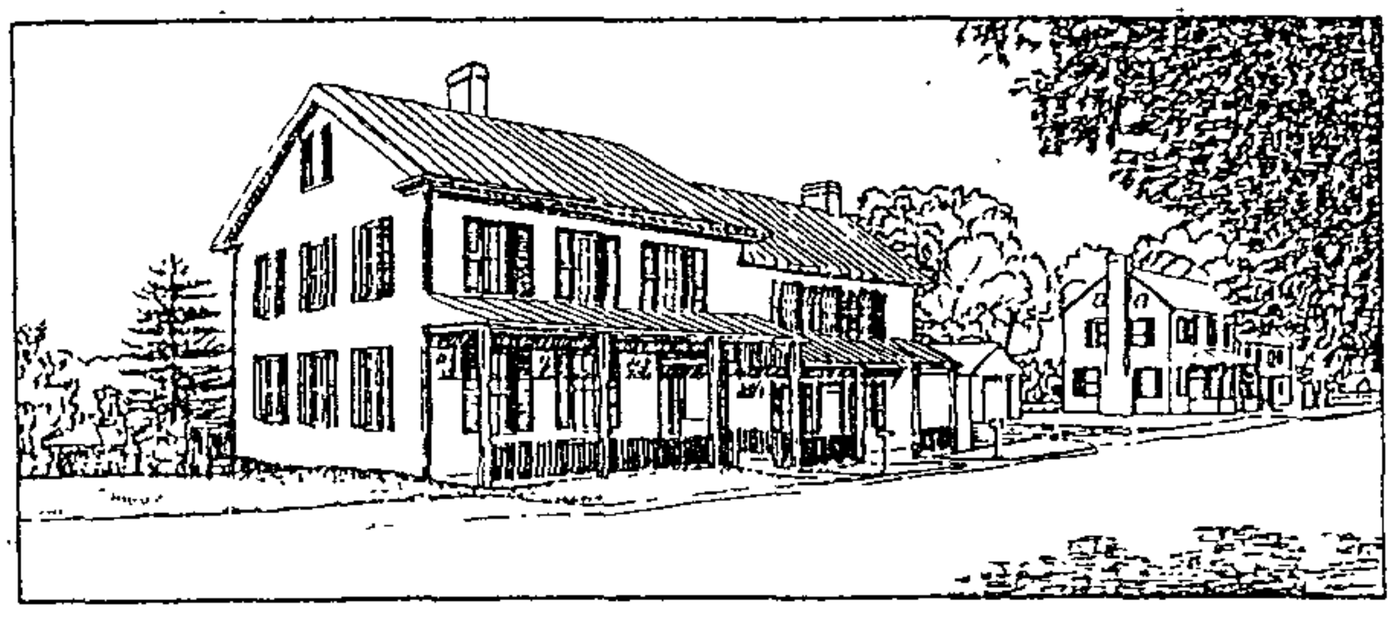
There is concern for pedestrian safety and convenience both in the center of Hereford and in the area of the high school. It is recommended that there be an investigation of the need, feasibility, and cost of sidewalk improvements.

For the area of the high school several improvements are recommended. These include additional off street parking, no parking signs, flashing caution lights and reduced speed limits.

ACTIONS:

- The following list of traffic and road projects should be addressed:

PROJECT	NEED	STATUS
Mt Carmel Rd improvements	Project Planning Study by the State Highways Admin. to consider future road improvements, access points, & streetscape improvements.	No Action
Monkton Rd realignment	Review development plans for conflict with proposed alignment.	On-Going
Mt Carmel Rd, I-83, shopping Center intersection	Project Planning Study by the State Highways Admin.	No Action
Mt Carmel & York Rds intersection	Installation of traffic light.	In Progress
Pedestrian Safety in Hereford	Construction of flashing warning lights	Complete
	Reduction of speed limit.	No Action
	Construction of additional offstreet parking.	Complete
	Uniform speed limit.	No Action
	Need, feasibility, cost of sidewalk improvement.	Begin studies in 1991 and incorporate in CIP as necessary



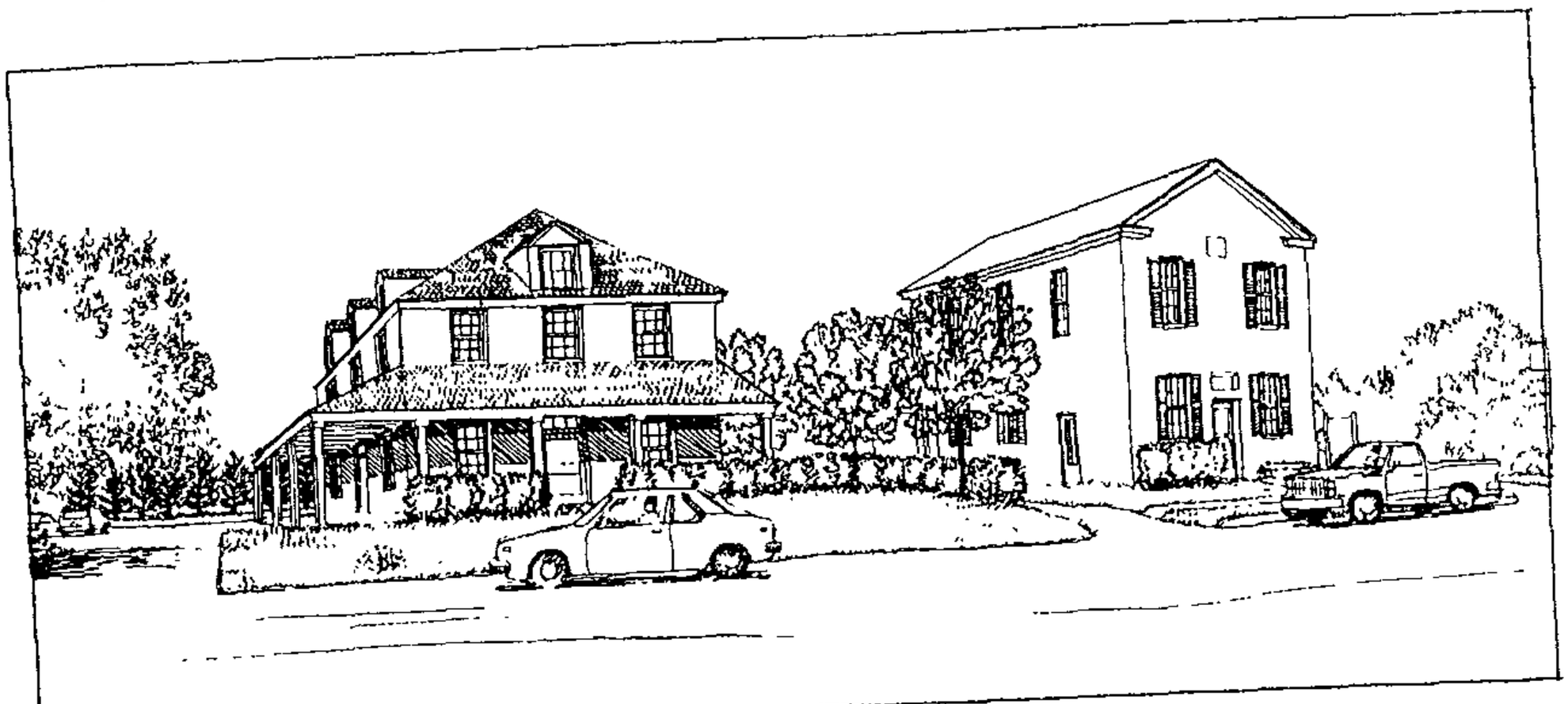
V SITE DESIGN AND ARCHITECTURE

SITE DESIGN & ARCHITECTURE

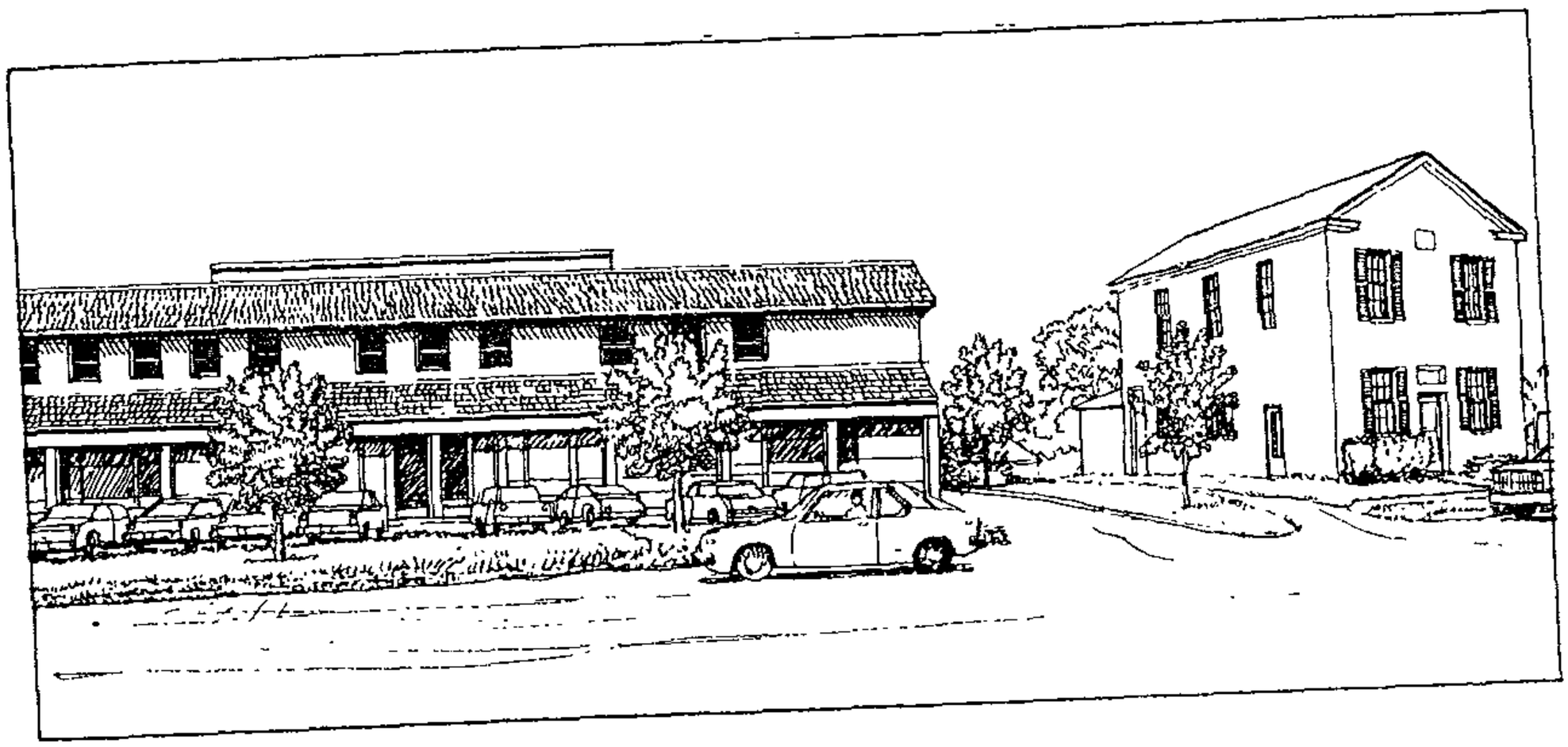
Hereford dates to the middle 1700's and was a thriving community by 1797. The entire town predates the concept of setbacks. The inns and houses were located along the "turnpike" purposefully close to traffic. The structures were located on small lots (one lot deep) with the fronts facing existing roads. The buildings were small, of a residential scale, and presented a rural main street appearance.

Recent construction of commercial buildings has begun a process of altering the historic coherence of the town's site design. The new construction has been of buildings that are of greater than 10,000 square feet and have involved the combination of two or more lots. The buildings have been located to the rear of the site or in the middle rather than close to the road. Although these changes have been at a key location, the corner of York Road and Mt. Carmel Road, the remainder of the older portions of Hereford have not yet been changed.

On July 5, 1989, the Baltimore County Council adopted amendments to the Baltimore County Zoning Regulations establishing new regulations for the Commercial Rural District (BCZR 259.3). These regulations include restrictions on bulk, setbacks, landscaping, parking, signage and architecture. The regulations limit development by right to a size of 8,800 square feet, a floor area ratio of 0.20 and a height of 30 feet. The front setback is to be not less than 15 feet from the street right-of-way and not more than the average of the setbacks of adjacent buildings. Parking is to be located in a manner appropriate and consistent with adjoining development and must be within the C.R. District. Other requirements will be discussed later in the plan.



COMPATIBLE



NON-COMPATIBLE

FIGURE 1
RURAL COMMERCIAL DEVELOPMENT OPTIONS

The C.R. District regulations are important in providing a scale of commercial buildings appropriate to rural areas (Figure 1). These take into consideration additional site design constraints such as those for on-site septic disposal and wells. They also provide for the protection of important aesthetic and historic features.

The C.R. District zoning regulations (BCZR 259.3) require that proposed buildings can exceed the bulk standards (8,800 square feet and 0.20 F.A.R.) "only when the proposed development is in compliance with site design guidelines and performance standards which are part of a duly adopted Master Plan for the district." These guidelines will be used in the review of proposed building projects that seek to exceed the bulk standards in order to assure that the proposed structure will be compatible with the desired architectural and site design character.

ACTIONS

Guidelines are provided that are unique to Hereford's site design. These should be used for the review of proposals which exceed the bulk standards of commercial projects in Hereford. They are advisory only for new structures which meet the bulk standards as provided for in BCZR 259.3.c.1.

A) Present a Residential Atmosphere. - To accomplish this new buildings should be compatible in size, scale and mass with existing buildings, excluding the two newer commercial buildings in the vicinity of York and Mt. Carmel Roads.

B) Rhythms of Building Spacing Should be Maintained. - There is an existing pattern of paired buildings followed by a space before the next set of paired buildings. This pattern should continue, taking into account the constraints of well, septic and stormwater management locations.

C) Structure of Two Stories or Less. - Building height is restricted by the C.R. District to 30 feet at the top of roof and this statement reinforces that protection.

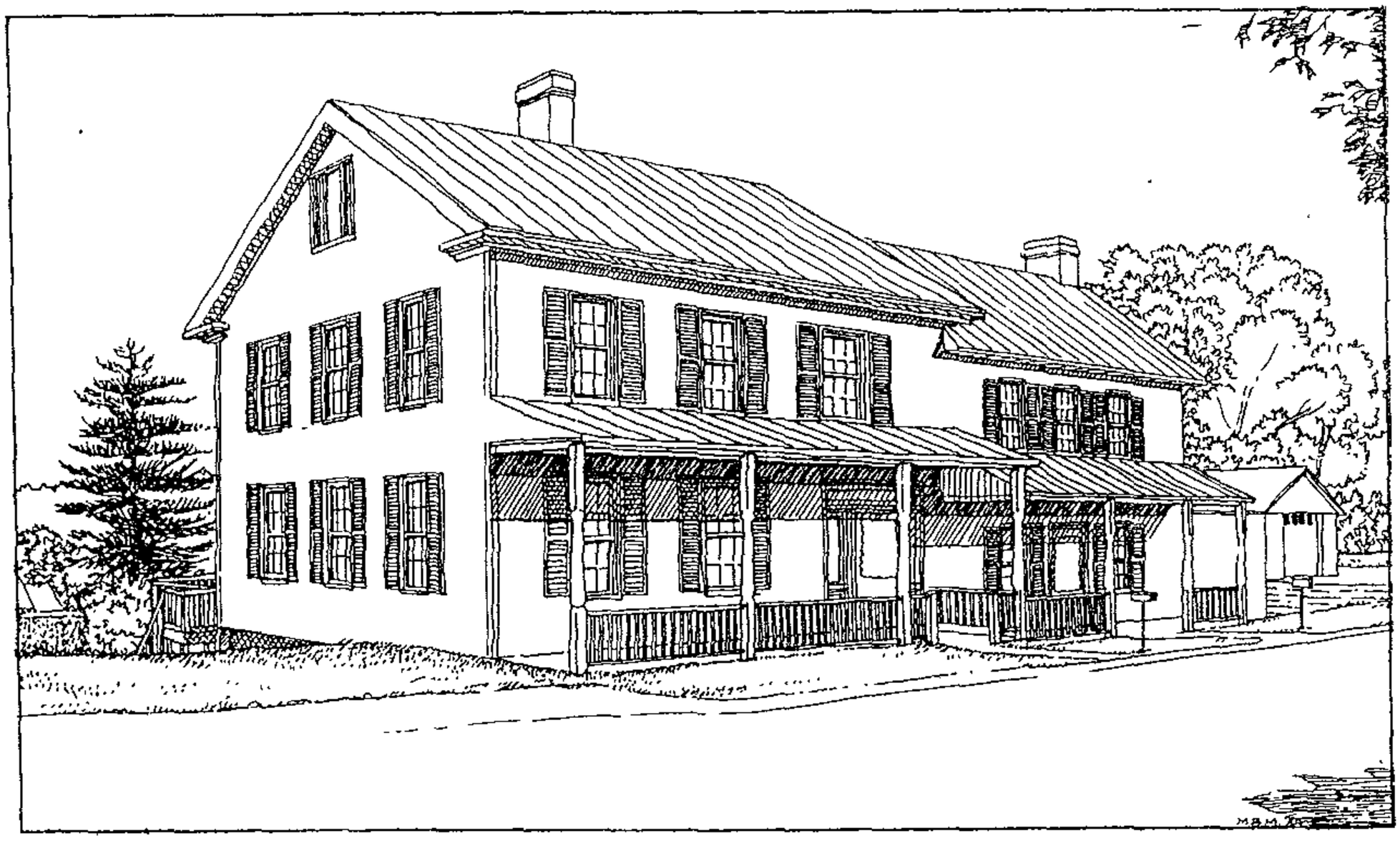


FIGURE 2
ARCHITECTURAL ILLUSTRATION

D) Front of Buildings Facing the Street. - The buildings in Hereford are characterized by their linear appearance. The front of nearly every building faces the street. Although this may not be achievable on every site due to other constraints, architectural treatments can achieve the same effect. Parking should be located at the rear and side of buildings.

E) Porches are to be Linear in Appearance - Porches are a consistent feature on the older buildings in Hereford. They should be considered for new construction. An example of this style is shown in Figure 2.

F) Roofs are to be Cross Gable with a Moderate Pitch Roof Compatible with Surrounding Structures. - See Figure 2.

G) Windows are to be Symmetrical and Proportional to Wall Space. - See Figure 2.

H) Window Type and Materials are to be Compatible with the Front Facade and the Historic and Architectural Character of the Buildings. - Exterior storm windows and doors should be visually unobtrusive. Aluminum should be painted in an appropriate manner.

I) Stylistic Trim Using Cornices, Scroll Work and the Like is Encouraged. - See Figure 3.

J) Exterior Materials are to be Natural in Appearance. - Preference is to be given to wood, wood siding, stone, brick and stucco. Second choice should include vinyl or aluminum siding that simulates wood siding.

K) Color should be compatible with the Atmosphere of the Village. - Colors should be compatible with the village atmosphere and/or typical of the period from which the architectural style was developed.

L) Mechanical Systems Should be Installed in Places Where They Will be Visually Unobtrusive. - Audio/video antenna and mechanical equipment are examples of these systems.

M) Dumpsters should be located at the rear or side of the site and must be screened.

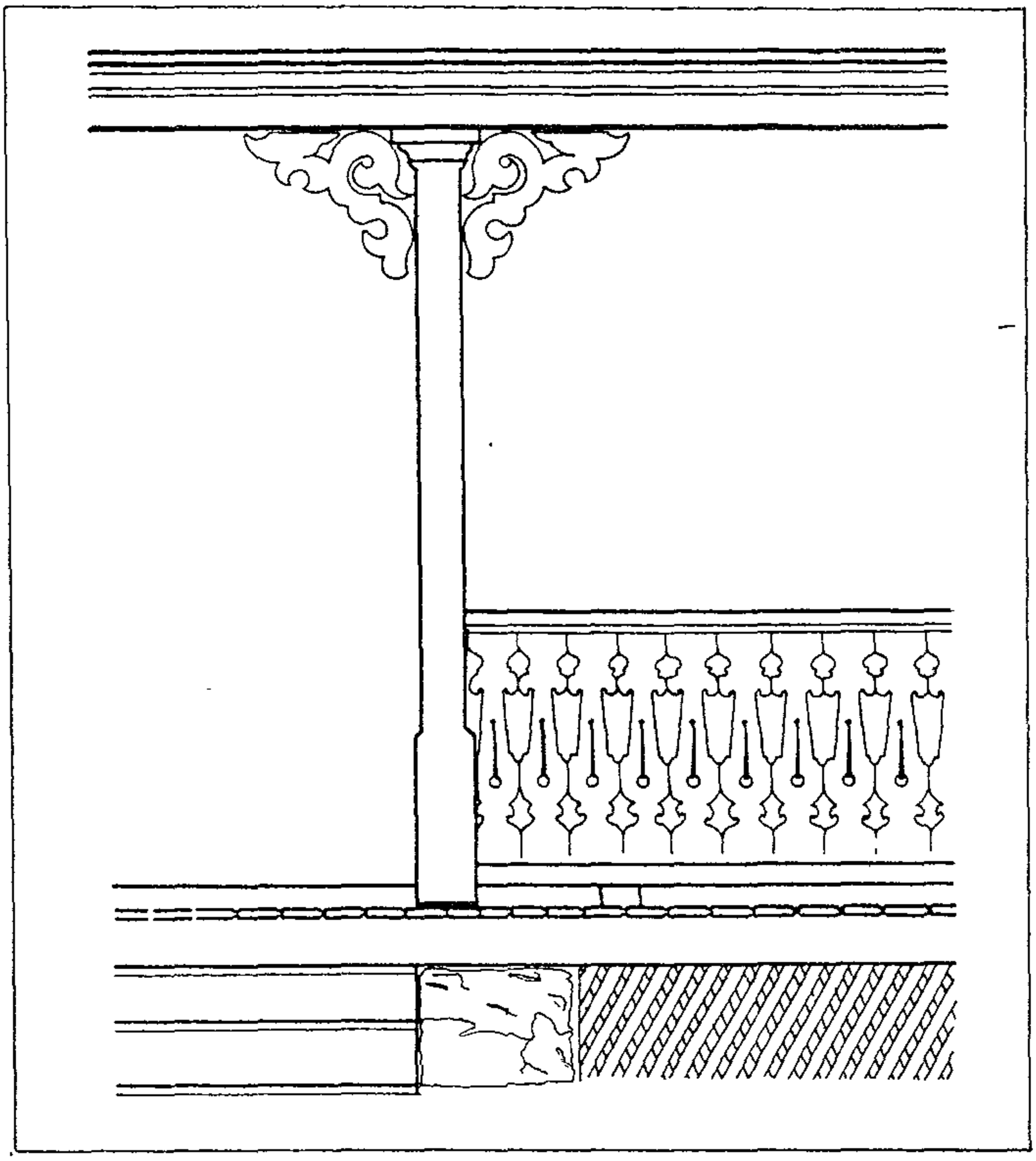
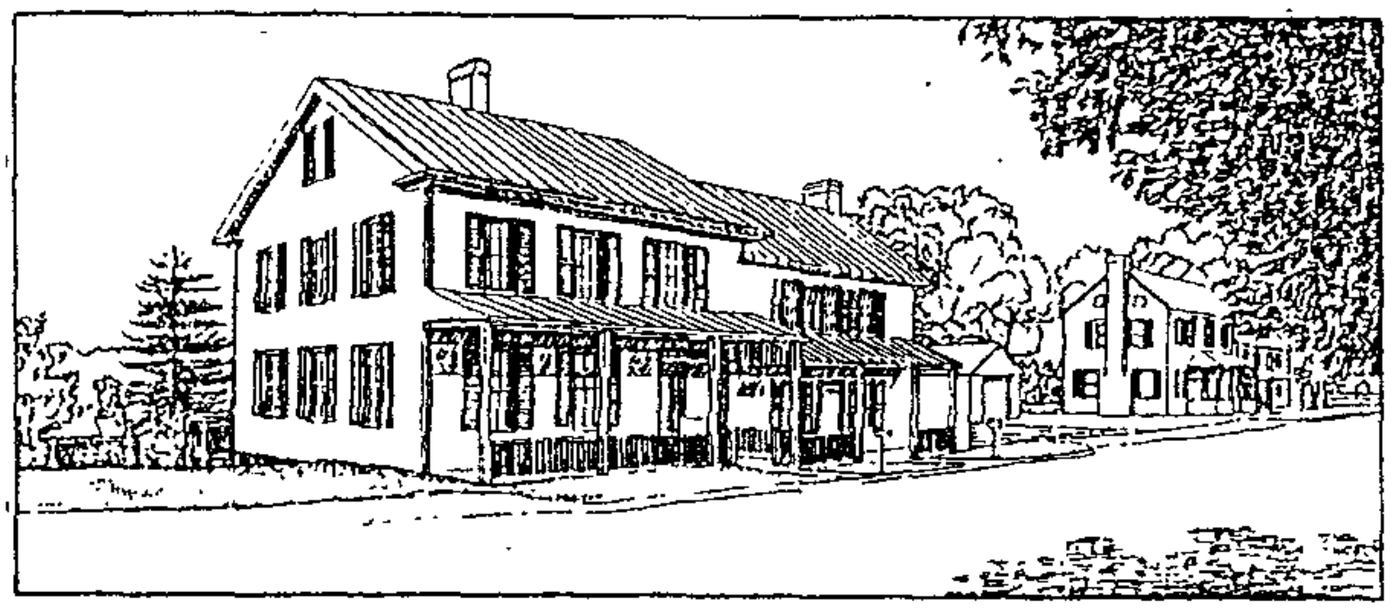


FIGURE 3
STYLISTIC TRIM

N) Small Litter Receptacles, Benches and Other Street Furniture should be of materials and design compatible with the architecture of rural center, i.e., wooden or wrought iron benches.



VI PROTECTION OF LOCALLY IMPORTANT BUILDINGS

PROTECTION OF LOCALLY IMPORTANT BUILDINGS

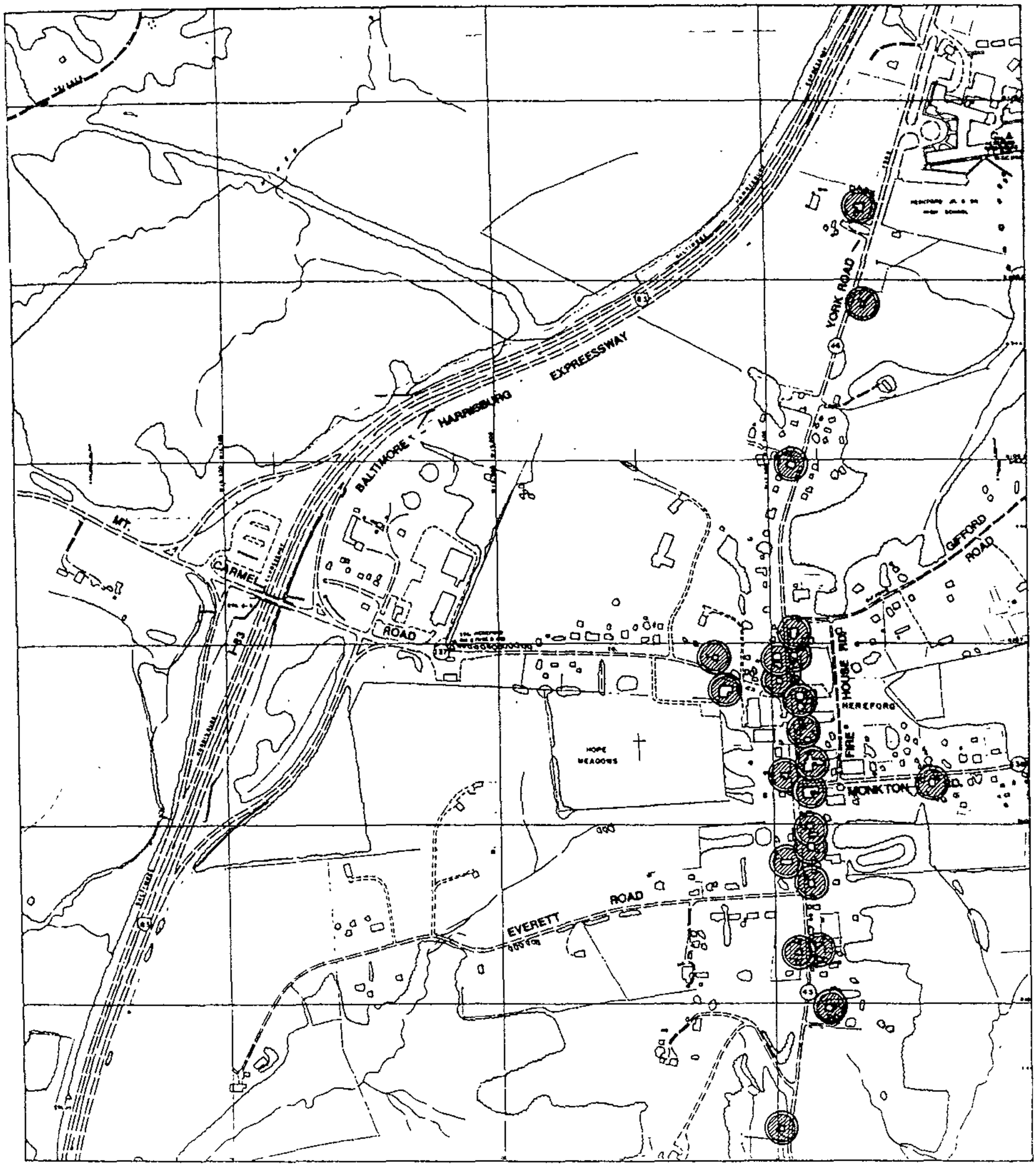
The earliest documented development in Hereford was associated with the lands of John Merryman. The early structures, such as Foster's Meeting House, built in 1797, are outside the existing Hereford commercial area in the vicinity of Marble Hill and Piney Hill Road. The old route of the "Middle Road" to York, Pennsylvania was along Piney Hill Road rather than the present route.

North of Hereford there was only a trail to Southern Pennsylvania as the heavy wagon trail turned west to Middletown Road to avoid the Gunpowder River valley and stream crossing (Clemens and Clemens, 1983).

The construction of the York Turnpike in 1810 created the town of Hereford as we now know it. An 1850 map documents the existence of the rural village of Hereford. The services available to the turnpike travelers and local residents alike included lodge halls, churches, post office, blacksmith, inns, butcher, undertaker, dentist, barber and for a brief time a newspaper (Clemens and Clemens, 1983).

Many of the buildings in Hereford were constructed between 1840 and 1930. A survey by the Baltimore County Office of Planning and Zoning in 1980 found much of the town was essentially intact in its old core. This is no longer the case. As indicated previously, construction of new commercial buildings and the demolition of several older buildings has changed the old core.

The issue of historic preservation is a very sensitive one. The local Community Association must be involved in making this determination. Therefore, any consideration of individual historic listing or district listing is at the discretion of the property owners in accordance with Baltimore County Code 22-150 and other applicable criteria.



LEGEND

Pre 1900 Structures

BUILDINGS OF LOCAL SIGNIFICANCE

HEREFORD COMMUNITY PLAN

Prepared by
Baltimore County Office of Planning and Zoning

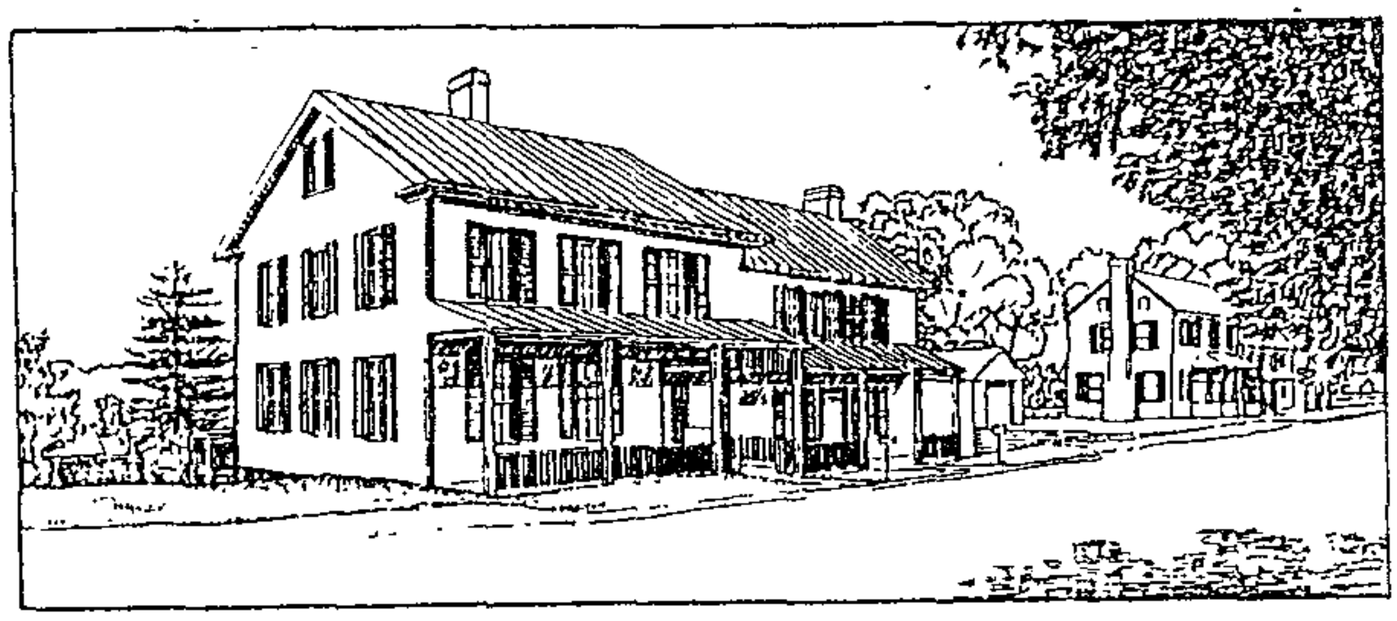
MAP 8

The guidelines for preservation of individual buildings were developed by the Committee. Buildings of local significance were determined to be those constructed prior to 1900. These are shown on Map 8.

ACTIONS

1) Proposed development that requires a special exception as indicated in BCZR 259.3.B. on sites containing a building of local significance must consider the reuse of that building or incorporation of the structure into the proposed project, except:
   A) when the building is not structurally sound,
   B) when it is not economically feasible to utilize the structure for the proposed commercial intent, or
   C) when the structure is not conducive for public service use.

   The decision to grant the special exception will be made by the Zoning Commissioner as part of the special hearing process.
2) Appendix B provides design guidelines for the appropriate restoration of buildings in the C.R. District.



VII PLANTING DESIGN & LANDSCAPE VIEWS

PLANTING DESIGN AND LANDSCAPE VIEWS

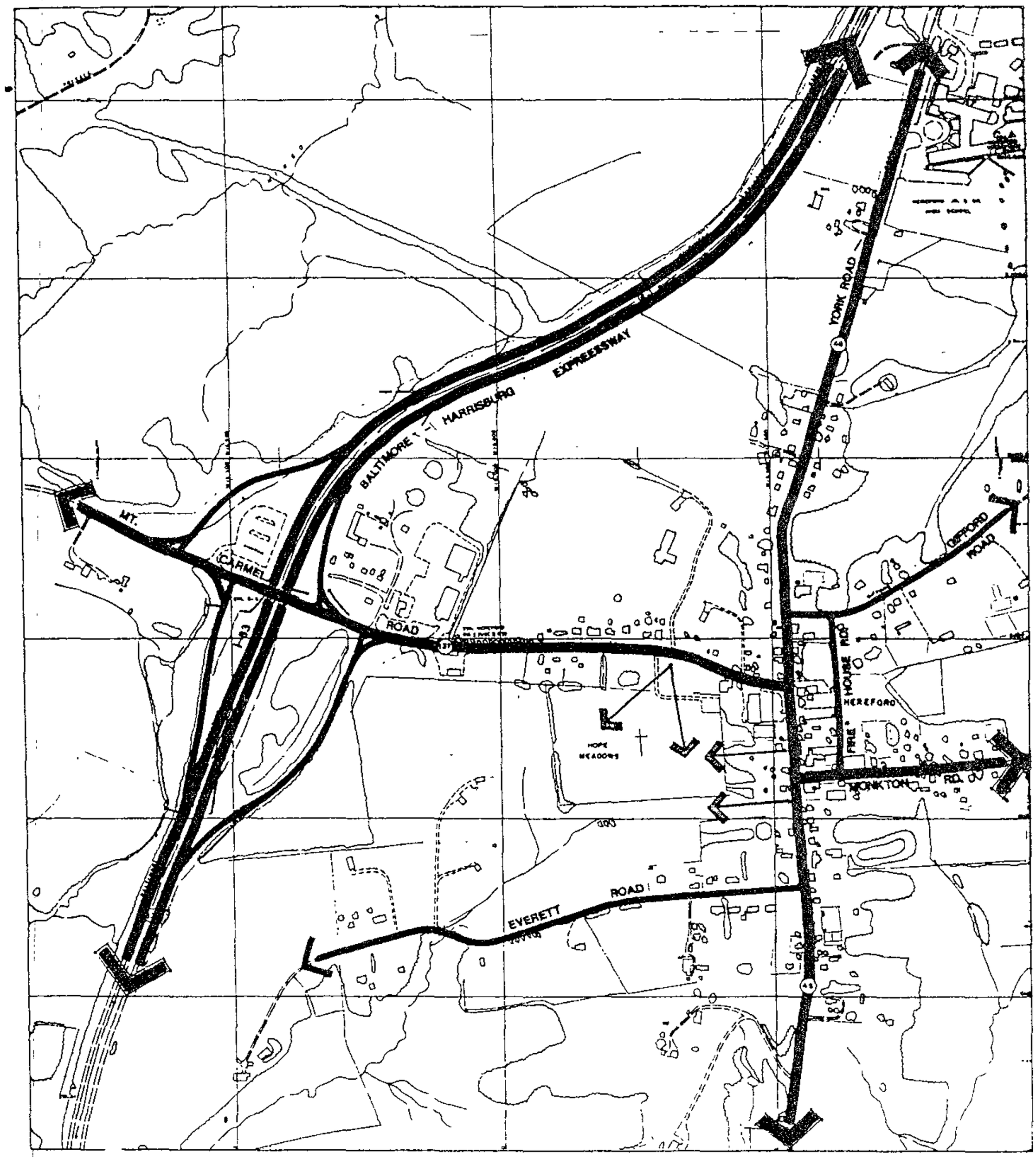
The natural and planted vegetation in Hereford is varied and without consistent design. Each building, old and new, has its own landscape design. The exception to this is the presence of large shade trees along the roads and on adjacent properties. These trees have been impaired through the maintenance of utility lines, age, and other factors.

The topography of Hereford is such that there are only a few places where significant views are possible from the road. These are along the south side of Mt. Carmel Road and to the west of the buildings on York Road south of Mt. Carmel Road, as shown on Map 9.

ACTIONS

1) The tree-lined corridor should be restored along York Road through the following:
   A) conduct an inventory of the existing street trees and determine the condition of these trees;
   B) prepare a design for the planting of replacement street trees; and
   C) seek CIP funding for the replacement of the street trees.
2) Prepare a landscape plan for Mt. Carmel Road in association with the Special Study Project Traffic Plan as referenced in the Roads & Traffic section of this report.
3) Review proposals for new buildings to encourage the protection and preservation of large healthy trees.
4) Review proposals for new buildings in the areas indicated on Map 9 to maximize the preservation or enhancement of views.
5) In addition to complying with the Baltimore County Landscape Manual, all projects should follow these guidelines:
   A) Consideration for utilities:

      In developing any landscape plan consideration must be



LEGEND

Significant Views

SIGNIFICANT VIEWS

HEREFORD COMMUNITY PLAN

Prepared By.
Baltimore County Office of Planning and Zoning

MAP 9

given to existing and planned utilities. This can be accomplished by care in species selection and planting location.

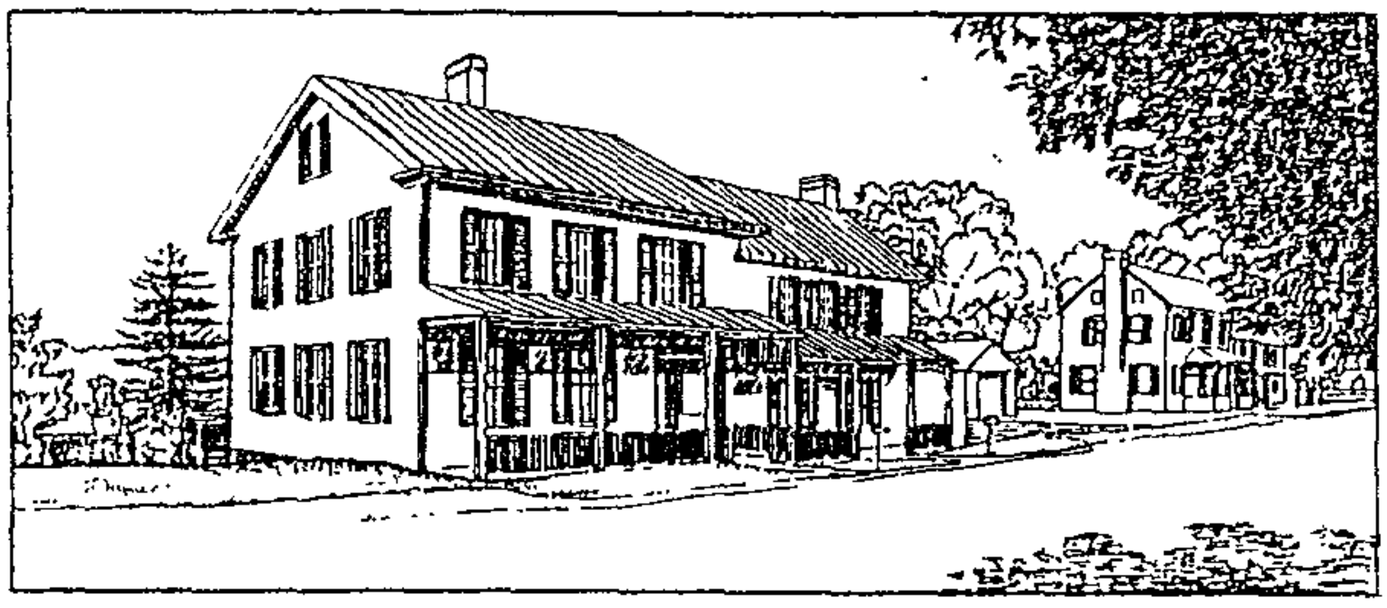
B) Safety and security:

In order to promote safety and security, low shrubbery should be used under windows, around doorways, and as borders between parking areas and roadways. All such plantings are to be maintained so that they do not become a safety hazard.

C) Maintenance:

All landscaping is to be maintained in accordance with good horticulture practices.

D) In general, all landscaping in Hereford is to he done and maintained in a fashion to preserve and promote the village atmosphere, while providing a safe and secure environment for residents and visitors.



VIII SIGNAGE & LIGHTING

SIGNAGE AND LIGHTING

There is no consistent or typical style of signage in Hereford. There are locations where signage is appropriately done (Figure 4). Lighting is minimal except in the areas adjacent to I-83 and in association with the library.

The C.R. District regulations provide for strict controls on signage and lighting (BCZR 259.3.C.7). These include a limit of one stationary attached sign that does not project more than 6 inches from the building and does not have a surface area exceeding 8 square feet. There can be one free-standing sign with a surface area of no more than 25 square feet per side. In addition the sign must be landscaped and the location approved by the Director of the Office of Planning and Zoning. No sign can be illuminated unless approved by the Zoning Commissioner after a Special Hearing.

Requests to exceed the standards imposed by the C.R. District for illumination or number of stationary signs should include a comprehensive sign plan. The plan should be in conformance with Appendix C. The plan would show a linkage between the sign design and the facade of the buildings. If additional stationary signs are permitted there should be a step down in size permitted. A bonus of up to a 25% increase in the free-standing sign could also be considered.

ACTION

1) The recommendations listed in Appendix C are guidelines for the review of proposed signage and lighting in Hereford.
2) In consideration of a variance to sign and lighting regulations, these guidelines should be used as standards.

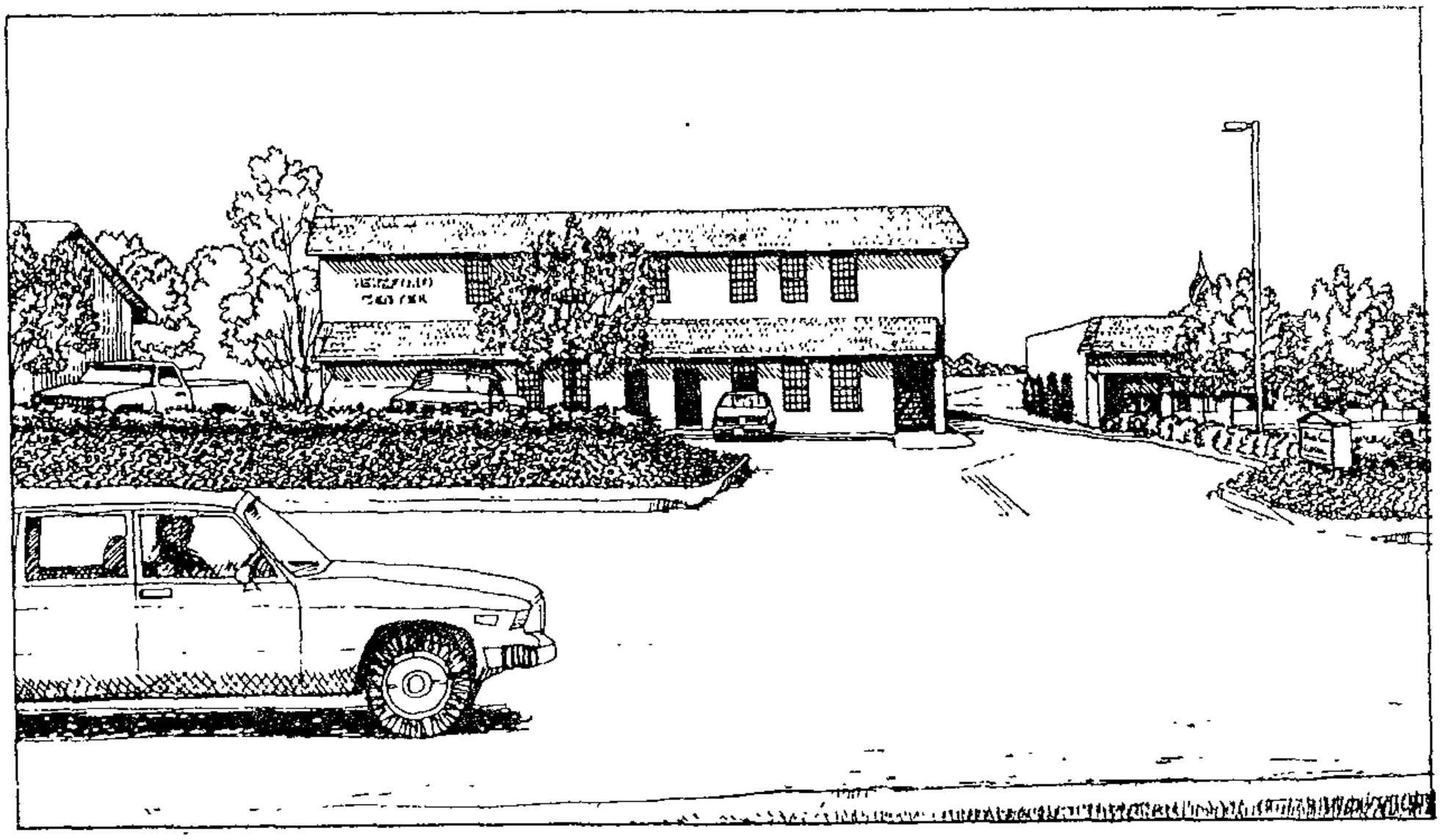
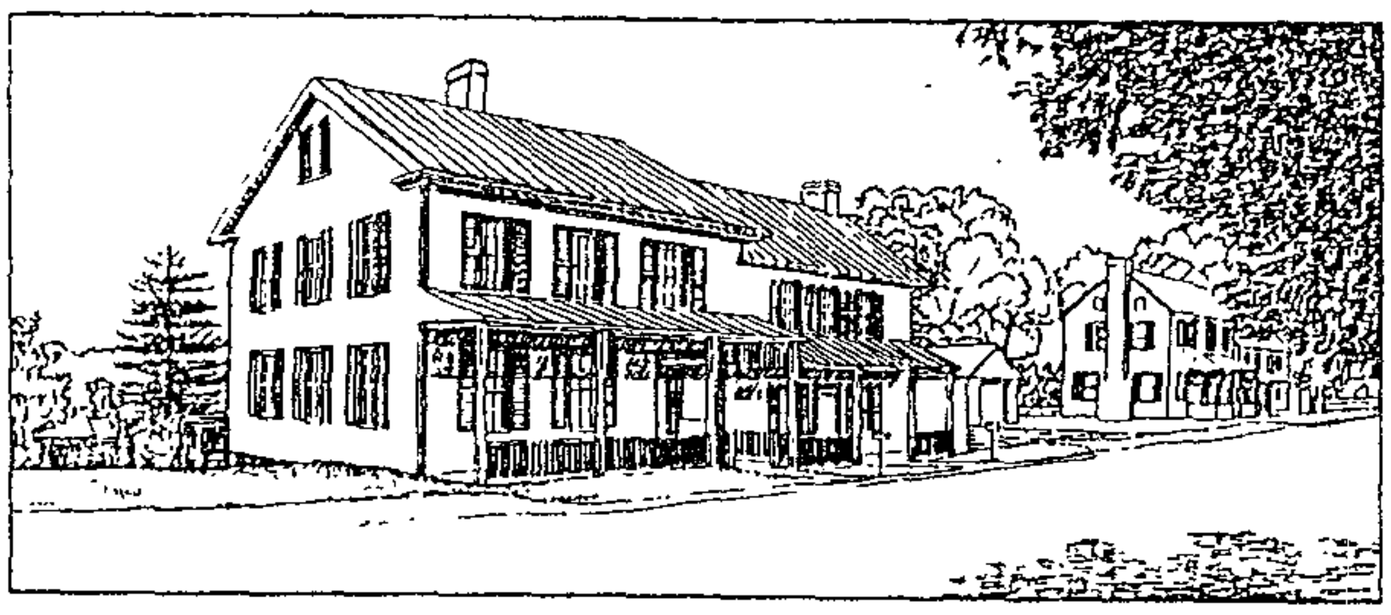


FIGURE 4
HEREFORD LIBRARY SIGNAGE



IX DEVELOPMENT POLICIES & IMPLEMENTATION

DEVELOPMENT POLICIES AND IMPLEMENTATION

The actions recommended in each section is summarized below. Also included is the agency or agencies responsible for implementing the action.

The development process, with its lengthy review requirements for items such as occupancy permits and setback variances, can act as a disincentive for the accomplishment of the plan goals. It is necessary, therefore, to consider some changes to the development review process for C.R. District projects. This should be studied and proposed changes implemented.

There is also a need to review and change other circumstances which act as disincentives for providing appropriate rural commercial development. One area, for example, is to investigate lowering the assessment for property taxes to insure that property with a commercial district overlay is valued appropriately.

The Economic Development Commission has identified Hereford as a Revitalization Area. The Commission has assisted landowners and developers in exploring various financial packages which might be available. This action is necessary in order to encourage developers to build commercial projects which are more appropriate to rural areas.

IMPLEMENTATION

ACTIONS

1) Economic Development will continue to assist in marketing the area and provide economic assistance to local businesses which wish to expand. Hereford has been recognized as a Revitalization Area so that businesses may take advantage of the available programs to improve and restore its economic vitality.

2) An implementation coordinator should be designated to assist businesses in the development process. The District imposes a set of standards that are complicated but flexible. It is necessary that an individual familiar with the Hereford Community Plan and the area meet with developers and assist them in getting through the process.

3) Set up an implementation group to assure implementation of the plan. The group should consist of County and State Agencies including, but not limited to, Office of Planning and Zoning, Department of Environmental Protection and Resource Management, Department of Public Works, Economic Development Commission, and State Highways Administration and which will include input from citizen advisory groups.

4) Hereford has a number of older buildings which do not meet current setback regulations and other zoning regulations. A standardized, streamlined process that permits improvements to these old buildings needs to be developed.

5) Review and propose changes to other circumstances which act as disincentives to achieving appropriate rural commercial development.

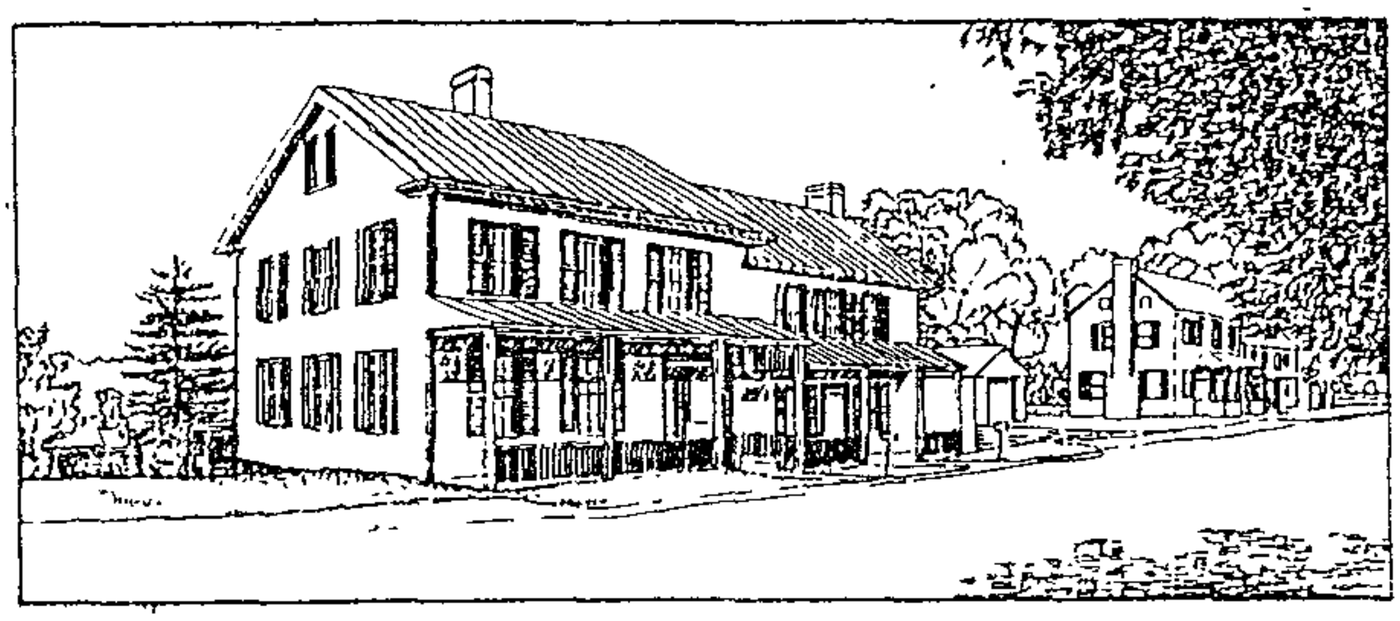
6) To provide for monitoring of the implementation of this plan an implementation schedule is provided in Table 10.

Table 10. HEREFORD PLAN IMPLEMENTATION SCHEDULE

ACTION	RESPONSIBILITY	STATUS
Land Use Analysis and Plan		
Prepare recommendations for Hereford C.R. District boundaries	Hereford Committee & Office of Planning and Zoning	Complete - see Land Use Analysis & Plan
Prepare recommendations for long term considerations for Hereford C.R. District boundaries	Hereford Committee & Office of Planning and Zoning	Complete - see Land Use Analysis & Plan
Prepare list of services that should be discouraged or encouraged in the Hereford C.R. District	Hereford Committee & Office of Planning and Zoning	Complete - see Land Use Analysis & Plan
Traffic & Roads		
Prepare a Project Planning Study for Mt. Carmel Rd between I-83 & York Rd to consider future road improvements, access points, & streetscape improvements	State Highway Administration, Dept. of Public Works & Office of Planning and Zoning	Initiate in 1990
Prepare a Project Planning Study to consider the designation of an alignment for an extension of Mt. Carmel Rd to connect with Monkton Rd & to consider designation of alignment as a Master Plan Road	State Highway Administration, Dept. of Public Works, Office of Planning and Zoning & Implementation Group	Initiate in 1990
Install a traffic light at Mt. Carmel & York Rds	State Highway Administration	In Progress
Take measures to provide for pedestrian safety and convenience	State Highway Administration, Balto. Co. School Board, Office of Planning and Zoning & Dept. of Public Works	Begin studies in 1991 and incorporate in CIP as necessary
Site Design & Architecture		
Prepare performance standards & design guidelines	Hereford Committee & Office of Planning and Zoning	Complete - see Site Design & Architecture
Protection of Buildings of Local Significance		
Designate buildings which should be considered of local significance for the application of BCZR 259.3.E.3	Hereford Committee & Office of Planning and Zoning	Complete - see Protection of bldgs. of local significance
Provide advisory guidelines for use in restoring or rehabilitating bldgs.	Hereford Committee & Office of Planning and Zoning	Complete - see Appendix B
Signage & Lighting		
Prepare guidelines to be used in considering a variance to C.R. District signage & lighting regulations	Hereford Committee & Office of Planning and Zoning	Complete - see Appendix C
Planting Design & Landscape Views		
Prepare a Plan to restore the tree-lined corridor along York Rd. Program funds for planting into the Capital Improvement Program.	MD Dept. of Natural Resources, Dept. of Environmental Protection & Resource Management, Office of Planning and Zoning & Dept. of Public Works	Initiate in 1990
Prepare a landscape plan for Mt. Carmel Rd between I-83 & York Rd	Office of Planning and Zoning	In association with Traffic & Roads Study
Designate significant view areas	Hereford Committee & Office of Planning and Zoning	Complete - see Planting Design & Landscape Views
Develop guidelines for landscape plantings	Hereford Committee & Office of Planning and Zoning	Complete - see Planting Design & Landscape Views

Table 10. HEREFORD PLAN IMPLEMENTATION SCHEDULE (Continued)

ACTION	RESPONSIBILITY	STATUS
Environmental Constraints & Limitations		
Prepare an engineering analysis of Hereford's drainage system	Dept. of Public Works	Initiate in 1991
Program improvements if necessary into Capital Improvement Program	Dept. of Public Works	Seek to incorporate in CIP following engineering studies
Survey existing groundwater sources for quality & quantity	Dept. of Environmental Protection & Resource Management	Complete - see Environmental Constraints & Limitations
Locate by field survey all water & water systems	Dept. of Environmental Protection & Resource Management	Complete - see Environmental Constraints & Limitations
Investigate need, cost & operational feasibility of community well system	Dept. of Public Works Office of Planning & Zoning Dept. of Environmental Protection & Resource Management	Begin studies in 1991 & incorporate in CIP as necessary
Investigate need, cost & operational feasibility of community fire cistern system	Fire Dept. & Office of Planning & Zoning	Begin studies in 1991 & incorporate in CIP as necessary
Investigate feasibility of setting specific standards for septic reserve based on usage	Dept. of Environmental Protection & Resource Management	Ongoing
Investigate need, cost & operational feasibility of community parking lot	Economic Development Commission Office of Planning & Zoning	Begin studies in 1991 & incorporate in CIP as necessary
Prepare future water & sewer requirements to assure groundwater protection	Dept. of Environmental Protection & Resource Management	Complete - see Environmental Constraints & Limitations
Identify land uses not suitable from quality or quantity perspectives	Dept. of Environmental Protection & Resource Management	Complete - see Environmental Constraints & Limitations
Development Policies & Implementation Developers of proposed projects should first meet with the Dept. of Environmental Protection & Resource Management to determine the site's environmental constraints. After this meeting but before preparing a site plan, the developers should meet with the Office of Planning & Zoning to assure compliance with the C.R. Site Design Standards.	Developers & Landowners	On Going
Provide for economic incentives by designation as revitalization area	Economic Development Commission	Complete - see Economic Development
Establish an implementation process	Office of Planning and Zoning	To be designated after adoption of Plan
Set up a committee to review the variance, special hearing, occupancy permit & the like to investigate streamlining the process for minor projects.	Office of Planning and Zoning & Dept. of Public Works	Initiate in 1990



X APPENDICES

Appendix A

HEREFORD PLANNING COMMITTEE

Mark Bilger, Hereford Volunteer Fire Company

Dr. Harold Burton, Hereford-at-large

Joe Driver, Freeland Community Association

Jim Edmunds, Greater Sparks - Glencoe Community Council

Vernon Foster, Agricultural Community

George Gemmill, Maryland Line Area Association

Lucy Ikeler, Citizens Alliance of Northern Baltimore County
Cochair Phase I

Ruth B. Mascari, Greater Sparks - Glencoe Community Council

Wayne McGinnis, Agricultural Community

Dr. Richard W. McQuaid, Maryland Line Area Association

Horace Palmer, Hereford-at-large

Glenn Peabody, Citizens Alliance of Northern Baltimore County
Cochair Phase I

Donald Pearce, Hereford Community Association

Frank Purdum, Freeland Community Association

Kelley Rice, Hereford Volunteer Fire Company

Marion V. Runkles, III, Wiseburg Community Association

Randy Shelley, Vice Chairperson, Phase II

Nancy M. Smith, Wiseburg Community Association, Secretary, Phase I

Thelma Thompson, Secretary, Phase II

Carl J. Yarema, Hereford Business Association

Eleanor Yarema, Chairperson, Phase II

Dr. Gordon Zorn, Hereford Business Association

Appendix B

SUGGESTED GUIDELINES FOR ARCHITECTURAL RESTORATION

A. Architectural Elements

1. Windows and Doors: Existing windows and doors including the window sash, glass, lintels, frames, molding, shutters, and steps, should be retained and repaired whenever possible. If a new window or door must be used, it should be of a compatible material to the front facade. Changing the size or arrangement of window panes, muntins and rails where they contribute to the historic and architectural character of the building is discouraged. Inappropriate window or door features on significant facades are discouraged.
2. Storm Windows: Exterior storm windows and doors may be installed if they are visually unobtrusive, do not cause damage to existing frames, and can be removed in the future. Storm windows should match the trim color. Mill-finished aluminum can be painted to match.
3. Porches and Steps: Porches and steps which are appropriate to the building and the site should be retained. The original material and architectural features of porches and steps should be retained whenever possible.
4. Roofs: The original roof shape should be preserved. All architectural features which give the roof its essential character should be preserved or replaced in a compatible manner.
5. Architectural Metals: Architectural metals should be cleaned when necessary with an appropriate method that does not abrade the surface.
6. Masonry Surface and Repointing: Original masonry should be retained whenever possible, without applying any surface treatment, including paint. When repointing of mortar joints is absolutely necessary, old mortar should be duplicated in composition, color, texture, method of application and joint profile. The surface cleaning of structures shall be undertaken with the gentlest means possible.

7. Walls, Fences and Railings: Removal or replacement with inappropriate material or design is discouraged, where these are historically or architecturally important elements of the design and character of the structure and district.

B. Wood Frame Buildings: Architectural features such as cornices, brackets, window and door molding and details, clapboard, weatherboard, shingles and other wood siding are essential and parts of the character and appearance of frame buildings, should be retained and preserved whenever possible. Frame buildings should not be resurfaced with new materials which are inappropriate for the building or which will cause deterioration of the original structure.

C. Structural Systems: Existing foundations should not be disturbed with new excavations that could undermine the structural integrity of the building.

D. Mechanical Systems: Exterior cables, i.e., electrical, telephone and cable TV, should be installed in places where they will be visually unobtrusive. Audio/video antenna and mechanical equipment, i.e., air conditioning and solar panels, should be placed in as inconspicuous a location as possible.

Appendix C

DESIGN GUIDELINES FOR LIGHTING AND SIGNAGE

LIGHTING

Purpose - To provide visual affordability, to insure proper protection and security, to promote and maintain public safety.

A. **Signage Restrictions**

1. May be lit only during hours open for business.
2. All flood and spot lights on ground level are to reflect only on signs or points of interest. Light beams may not cross or interfere with any line of vision or sight view of pedestrians and vehicular traffic.
3. Light source must be covered with reflecting shield and meet safety guidelines as stated under Illumination of Signage.
4. Wattage addressed under Illumination of Signage.

B. **Parking Lots Lighting Specifications**

1. Pole lights not to exceed 25 (twenty-five) feet.
2. Illumination not to exceed 1-2 (one to two) candle feet at most distance point on lot.
3. Illumination to be reduced after business hours or 11 p.m., but to maintain adequate security.

C. **General Lighting**

1. Particular care and planning are to be afforded the entire property area in order to eliminate crime spots and to maintain public safety.
2. Important areas for proper illumination are streets, sidewalks, stairwells, walkways, paths, and parking areas.
3. Security lighting to be maintained after business hours and 11 p.m.

SIGNAGE

Purpose - To reflect Hereford's unique character heritage, to provide for pedestrian and traffic safety, and to identify public buildings, emergency centers, consumer needs, tourist information, and other points of interest.

A. **Design and Placement of Signage**

1. Types
   a. Wall - that attached directly to wall
   b. Projecting - attached to wall and projecting out (usually at a 90^{o} angle)
   c. Free standing (own support, anchored to ground)
2. Simplicity
   a. Key factor to good design and legibility
   b. Bold, easy, recognized symbols and clear crisp lettering
   c. Enhances area of location
3 Color
   a. Background
   b. Contrasting letters
   c. Emphasis (borders, motifs, shading for dimensions)
4. Message
   a. Keep simple for rapid comprehension by public
   b. Pictures, symbols, logos add individuality and character
5. Size
   a. Keep in scale with viewer location and speed
   b. Scaled to building
   c. Blend with architectural design

B. **Material and Construction of Signage**

1. Durable and weatherproof
2. Natural and man-made materials that blend/complement and are attune to building design
3. Recognized business items and figures may be used as a sign, e.g., barber pole, a red cross, fire engine, food item, animals, etc., and Historical designated items.

C. **Illumination of Signage**

1. Projecting signs may be illuminated by concealed lighting at top of sign, reflecting down on sign, with a shield covering sources of light
2. Free standing and wall mounted signs may be illuminated by:
   a. Shielded, safety protected light at ground level - must be stationary, grilled covered and tamper proof. Source must be concealed. Not to exceed 300 watts on any one side.
   b. Enclosed soft glow internal illumination. Not to exceed 50 candle foot power illumination level - Max. of 5 amps per unit.
3. No flashing, rotating or moving parts except for example types stated in B-3.

D. **Simplicity of Design**

1. No more than 3 (three) different type styles of lettering shall be used on same sign (to avoid cluttered appearance).
2. No more than 2 (two) different signs per building (attached and projecting).
3. No more than 3 (three) styles allowed on a multiple use building.
4. One free standing sign - not to include safety, traffic or public signs.
5. Small enter and exit signs may be used on doors or placed near main roads if traffic patterns warrant.
6. Color must be compatible, in good taste and complement design of building.
7. Message
   a. Adequately identify service, usage or activities.
   b. Promote safety and comfort for well-being of users from street, road and highway.
   c. Maintain character of surroundings.

E. **Size to be kept in scale with building, viewer, location and speed**

1. Wall/individual letters - scaled to building placement space. Not to cover any architectural detail.
2. Multiple use building - 2'x3' wall mounts allowed for each user entrance.
3. All free standing signs and spotlights are to be integrated with plantings and must be set back from road as to not interfere with sight view and right of way of pedestrian or motorist.
4. Free standing signs not to exceed 25 (twenty-five) sq. feet per side.
5. Projecting signs - at least 10 (ten) feet above pedestrian walkway.
6. No sign together with supporting frame work shall exceed 10 (ten) feet in height above ground level.
7. Small exit and enter signs at road side not to exceed 1 (one) foot by 2 (two) feet.
8. No letters, symbols or advertising items allowed above building roof line (cornice).

F. **All Others**

1. Temporary signs may remain up to 30 days. Exception may be construction signs, County permits or any government related usage, to be removed when project is completed.
2. All abandoned or discontinued signs shall be removed from premise within 30 (thirty) days by owner.
3. Special events may be posted up to 30 days ahead of event and removed at closing of event.
4. Window to remain free of signs except for temporary signs - blocking no more than 1/3 (one-third) of surface. Temporary signs to remain posted no longer than 30 days. Excluding small open and closed signs.

5. Small, low profile signs with business hours and credit card acceptance may be inconspicuously posted on door or window.
6. Non-conforming signs (existing before regulation) shall conform with current standards when replacing, painting or major repairs are needed.

G. **Prohibited Signs**

1. Billboards or flashing light signs.
2. Portable or trailer type
3. Streamers, pennants, ribbons, spinners and etc., only on a limited basis for special announcements, advertising or events no longer than 30 (thirty) days.
4. String lights only as part of holiday celebration.
5. No sign except for traffic, regulatory or informational sign shall use the words "STOP", "CAUTION", or "DANGER", none shall incorporate red, amber or green lights resembling traffic signals or resemble stop or yield signs in shape or color.
6. No sign that constitutes a hazard to pedestrian or vehicular traffic because of intensity or direction of illumination.
7. All signs shall be kept in a state of good repair and maintenance.
8. Permits and fees are according to County requirements.

Appendix D
INAPPROPRIATE USES

NOTE: These businesses are inappropriate due to one or more of the following concerns - water, sewerage, traffic, pollution, appearance and safety.

Business Type	
Dry Cleaning Plant	Storage
Arcade	Boat Yard
Excavation	Sludge Disposal
Auto Parking Lot	Laundromat
Animal Boarding	Heliport
Picnic Grove	Kennel
Printing Plant	Auto Sales
Wholesale Commercial Killing	Race Track
Sanitary Landfill	Shooting Range
Wireless Transmitting/Receiving	Antennas
Amusement Devices	Trailer Park
Motel/Motor Court	Truck Stop
Used Auto Sales	Tavern
Storage Underground Gases	Warehouse
Drive-Thru Restaurant	Car Wash

Appendix E

ACCEPTABLE LAND USES

USE	MAP SECTION*	LIMITATIONS/COMMENTS
Police Station	2, 3, 5	
Sr. Citizens Center	2, 3, 5	
Recreation Center	1 - 5	
Emergency Health Center	1 - 5	
Fast Foods	1 - 2	May be restricted by environmental constraints
Contractors (Light)	1, 2, 3, 5	
Restaurant	1 - 6	May be restricted by environmental constraints
Lumber Supply	1, 3	Accessory Use Only
Lumber Supply-Primary	1	
Farmers Market	1 - 6	According To County Definition
Day Care	1 - 7	
Recycle Center	1 - 5	Collection Only
Trailers		Temporary Use Only
Resident Art Salon	1 - 7	
Coin Operated Rides	1, 2, 5	Accessory Use Only
Community Swimming Pool	1 - 5	Connection W/Recreation Area
Photomat	2	Accessory Use
Public Utilities		
Service Center	1 - 6	
Service Station	1, 2	
Community Building	2 - 5	
Laboratory	1 - 6	Special Exception Only
Bed and Breakfast	1 - 7	
Small Retail		
Commercial Killing	3	
Residential	1 - 7	
Open Space	1 - 7	

*See Map _

APPROPRIATE USE LOCATIONS

HEREFORD COMMUNITY PLAN

Prepared By.
Baltimore County Office of Planning and Zoning

MAP 10

Appendix F

LITERATURE CITED

Clemens, S.B. and C.E. Clemens. 1983. From Marble Hill to Maryland Line. An Informal History of Northern Baltimore County. C.E. & S.B. Clemens, Baltimore, MD 76 p.p.

Goodman, W.I., editor. 1968. Principles and Practice of Urban Planning. International City Manager's Association, Washington, D.C.

Legg Mason Realty Group. 1989. Economic Forecasts for Baltimore County's 1989 Master Plan. Baltimore, MD.

A C K N O W L E D G E M E N T S

Hereford Plan Committee

Baltimore County Office of
Planning and Zoning

Baltimore County Department of Public Works

Baltimore County Department of
Environmental Protection and Resource Management

Economic Development Commission

Baltimore County Government
Office of Planning and Zoning
Towson, MD 21204
887-3211

Re No 5

August 14, 2003

Lynn Lanham
Baltimore County Office of Planning
County Courts Building
401 Bosley Avenue, Suite 406
Towson, Maryland 21204

Re: Village Plaza (Yarema Property) – Compatibility Report

austin b childs
architecture

Dear Mrs. Lanham:

The proposed Village Plaza is located at 107 Mt. Carmel Road, in Hereford, Maryland. The project involves a single building and associated parking, to house office and retail space.
The project has been designed with a great deal of sensitivity to the neighborhood. The project is compatible with the surrounding community, and follows the guidelines established in the Baltimore County Development Regulations as well as the Hereford Community Plan. The following outline from the Baltimore County Code has been addressed specifically:

1. *"The arrangement and orientation of the proposed buildings and site improvements are patterned in a similar manner as those in the neighborhood."*

   The proposed building is oriented on an North-South axis, similar to the adjacent building to the West.

2. *"The building and parking lot layouts reinforce existing building and streetscape patterns and assure that the placement of buildings and parking lots have no adverse impact on the neighborhood"*

   The proposed building and parking lot layout is very similar to the adjacent property (to the west), establishing a cohesive pattern.

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3. *"The proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood."*

   The proposed sidewalks will be consistent with those recently implemented on the property next door to the west.

4. *"Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design."*

   In order to maintain privacy and visual buffer for the residential neighbors, we are providing evergreen screening along the South side of the site.
   The vista to the east, through the cemetery will be maintained.

5. *"The proposed landscape design complements the neighborhood's landscape patterns and reinforces its functional qualities."*

   Street trees will be planted along the North (Mt. Carmel Road) side of the site, which will soften the edge of the built environment. Trees planted along the South side of the site will serve to screen the new building and provide a natural buffer for the residential community beyond.

6. *"The exterior signs, site lighting, and accessory structures support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood."*

   Exterior signage and site lighting will be designed to integrate harmoniously with the building and the site, and to maintain the rural and historic character of the Hereford Community.

7. *"The scale, proportions, massing and detailing of the proposed buildings are in proportion to those existing in the neighborhood."*

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architecture

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This building has been designed with particular sensitivity to the rural and historical character of the Hereford community. We have used a great deal of discretion in the selection of materials and finishes to create a building with a rural character which complements the surrounding neighborhood, and is an asset to the community.

Please feel free to contact me if you have any questions regarding this report.

Sincerely,

Austin B. Childs Architecture, LLC

Austin B. Childs AIA

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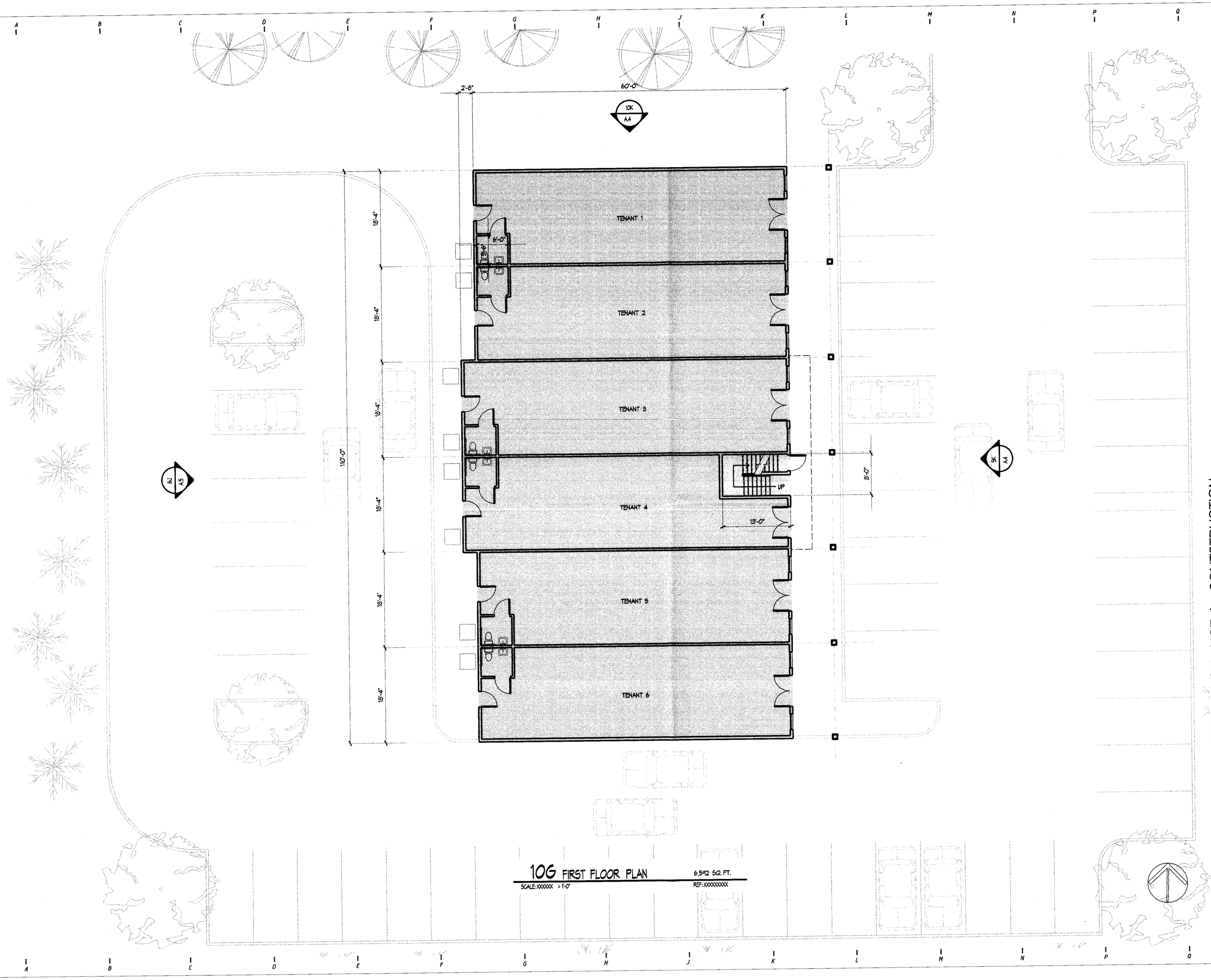


10G FIRST FLOOR PLAN

6,592 SQ. FT.

SCALE: XXXXXX = 1'-0"

REF: XXXXXXXXX

SCHEMATIC DESIGN: NOT for CONTSTRUCTION

VILLAGE PLAZA

107 MOUNT CARMEL ROAD
MONKTON, MARYLAND

No	Date	Item

REVISIONS

Drawn

Checked

Approved

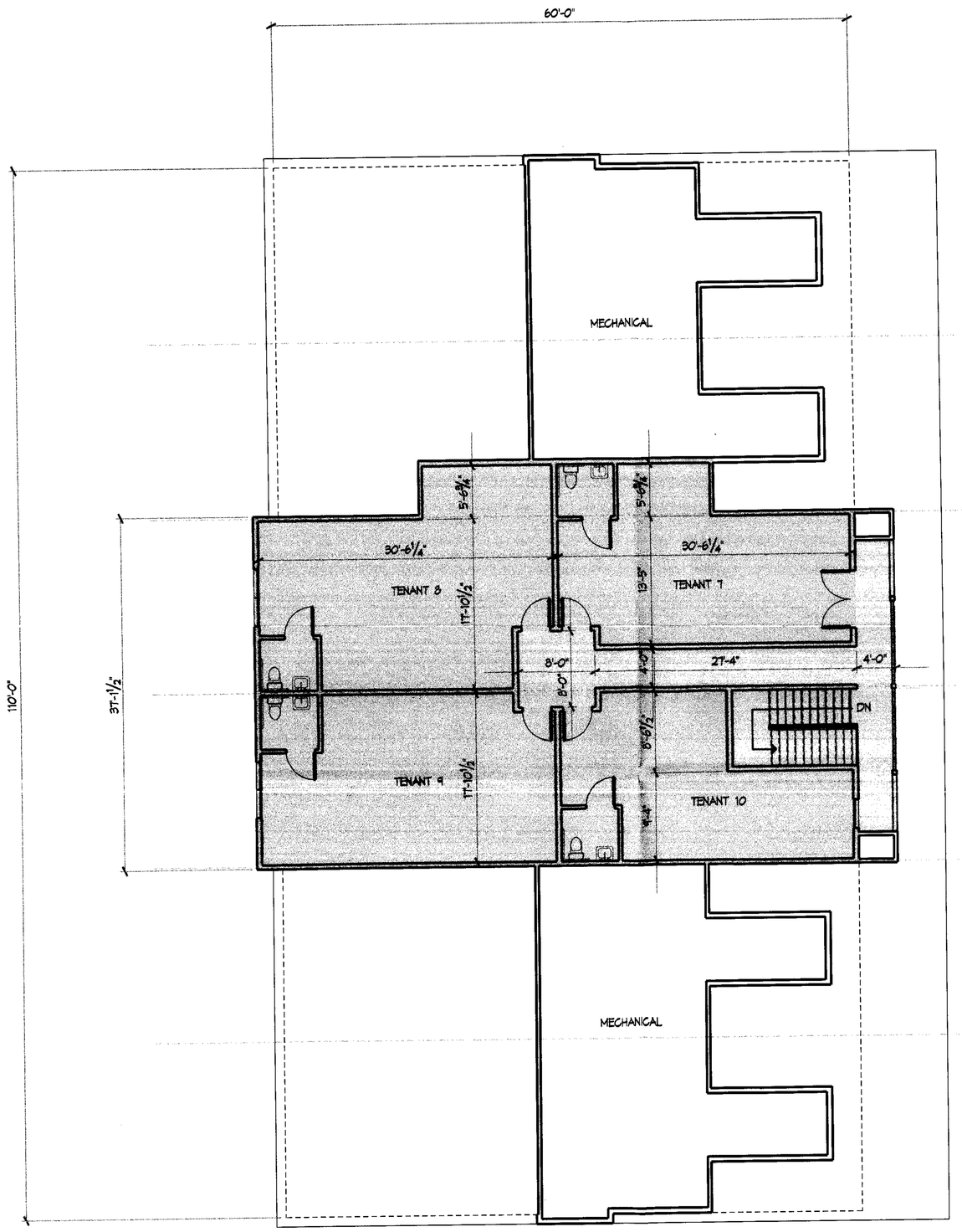
austin b childs architecture
16260 falls road
monkton, maryland 21111
410.340.0012
achildsaia@msn.com

Petitioner's Exhibit 3A

FIRST FLOOR PLAN

CONTRACT NO.	
SCALE	1/8" = 1'-0"
DATE	August 18, 2003

A.1



11H SECOND FLOOR PLAN 2,200 SQ. FT.

SCALE: 1/8" = 1'-0" REF: XXXXXXXXX

SCHEMATIC DESIGN: NOT for CONTSTRUCTION

VILLAGE PLAZA

107 MOUNT CARMEL ROAD
MONKTON, MARYLAND

No	Date	Item

REVISIONS

Drawn

Checked

Approved

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Petitioner's Exhibit 3B

SECOND FLOOR PLAN

CONTRACT NO.	
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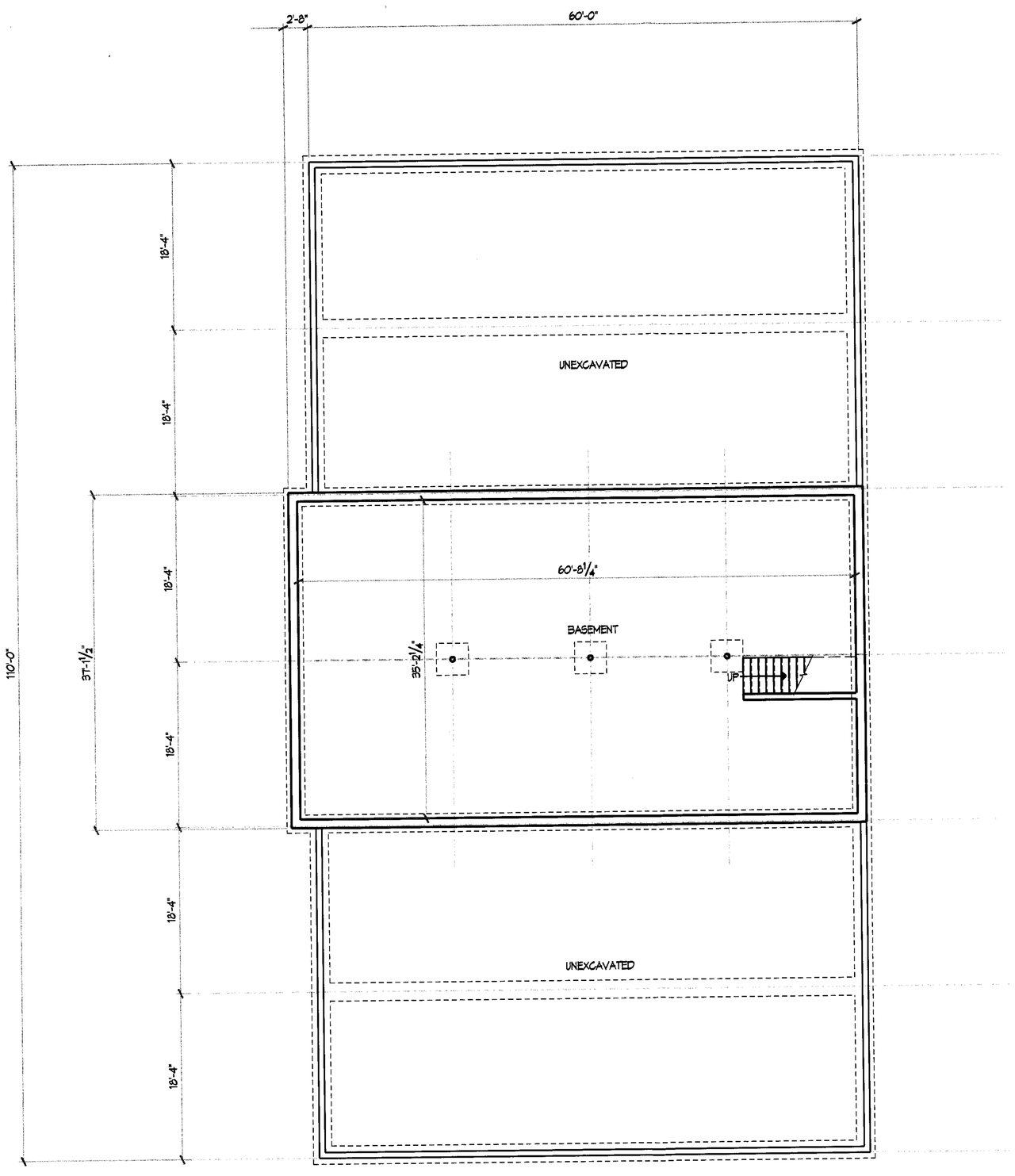
DATE	August 18, 2003

A.2



SCHEMATIC DESIGN: NOT for CONTSTRUCTION

VILLAGE PLAZA

107 MOUNT CARMEL ROAD
MONKTON, MARYLAND

No.	Date	Item

REVISIONS

Drawn

Checked

Approved

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Petitioner's Exhibit 3C

BASEMENT PLAN

CONTRACT NO.

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DATE August 18, 2003

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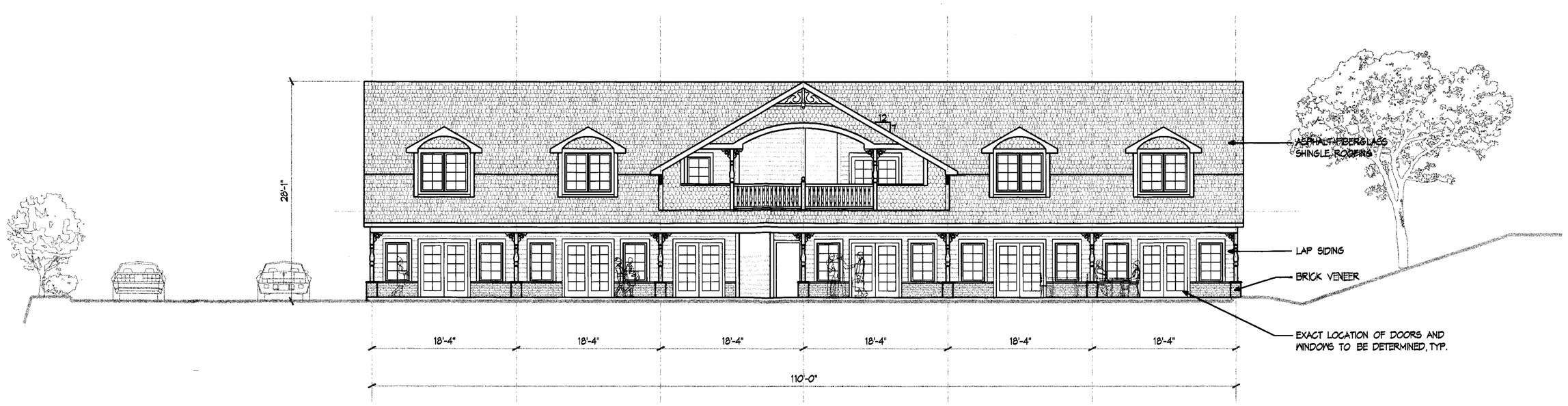

5K EAST ELEVATION

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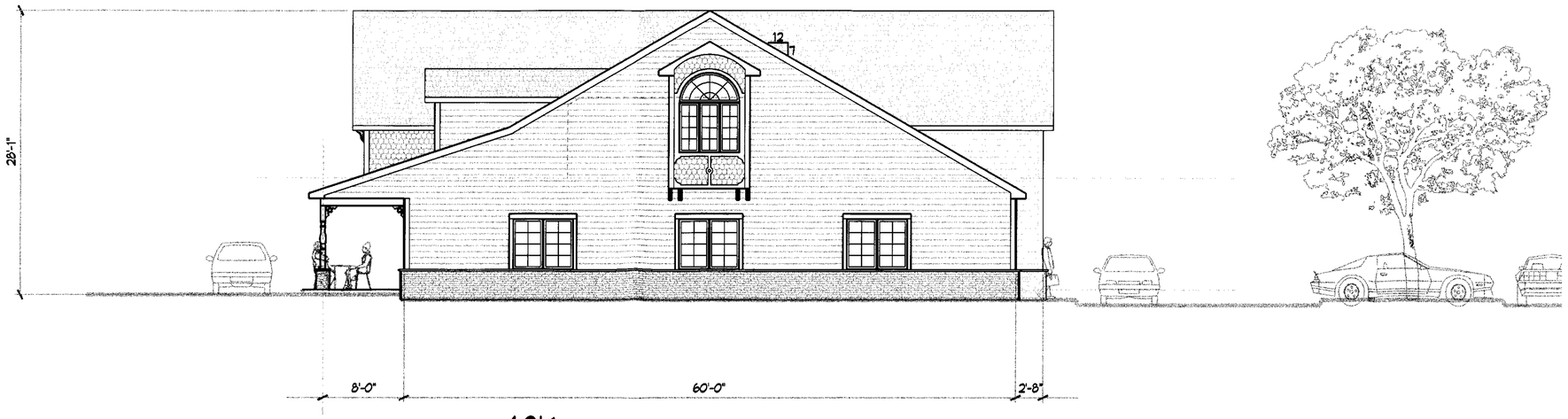

10K NORTH ELEVATION

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SCHEMATIC DESIGN: NOT for CONTSTRUCTION

VILLAGE PLAZA

107 MOUNT CARMEL ROAD
MONKTON, MARYLAND

No	Date	Item

REVISIONS

Drawn

Checked

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Petitioner's Exhibit 4A

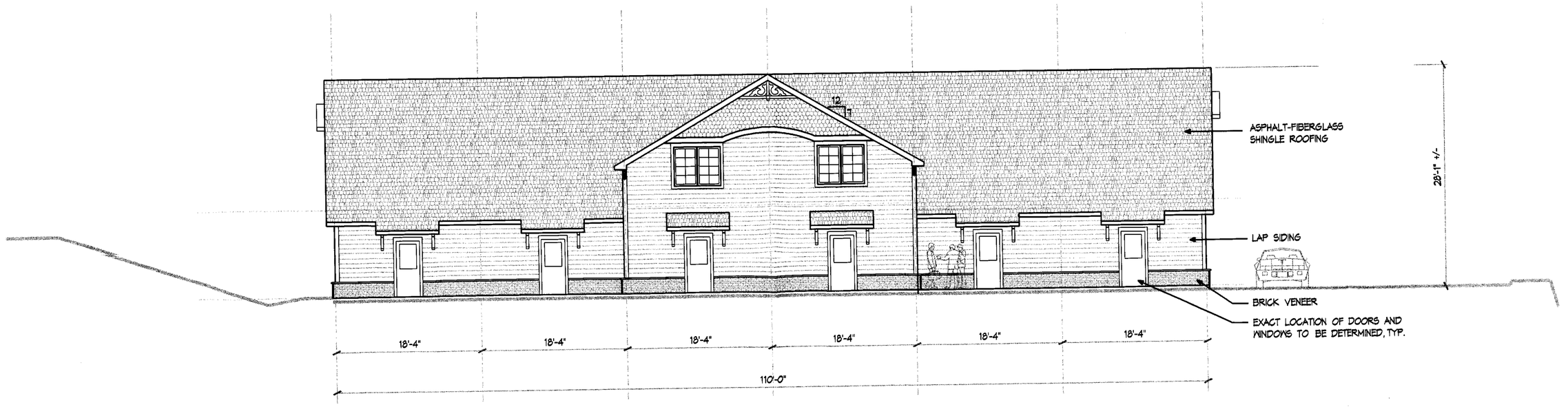
ELEVATIONS

CONTRACT NO.

SCALE 1/8" = 1'-0"

DATE August 18, 2003

A.4



6J WEST ELEVATION

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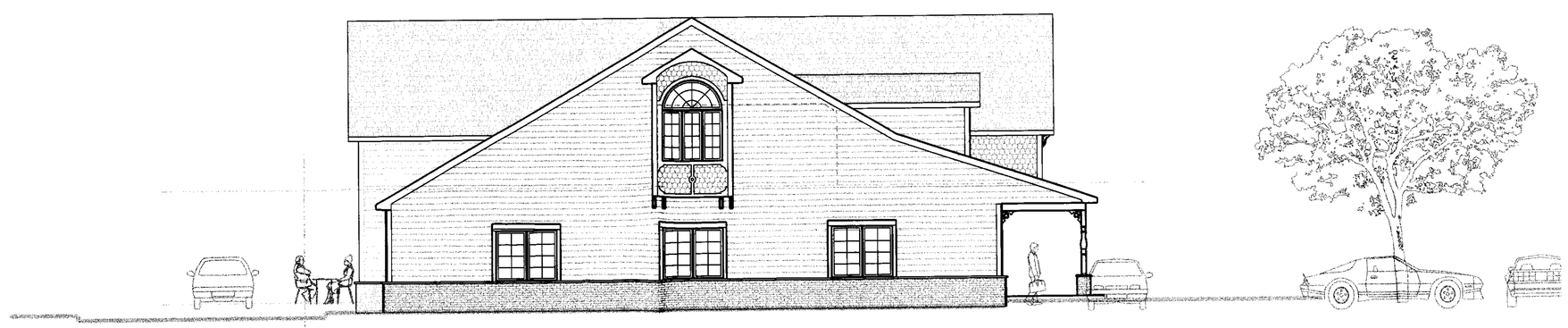

9H SOUTH ELEVATION

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SCHEMATIC DESIGN: NOT for CONTSTRUCTION

VILLAGE PLAZA

107 MOUNT CARMEL ROAD
MONKTON, MARYLAND

No	Date	Item

REVISIONS

Drawn

Checked

Approved

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Petitioner's Exhibit 4B

ELEVATIONS

CONTRACT NO

SCALE 1/8" = 1'-0"

DATE August 18, 2003

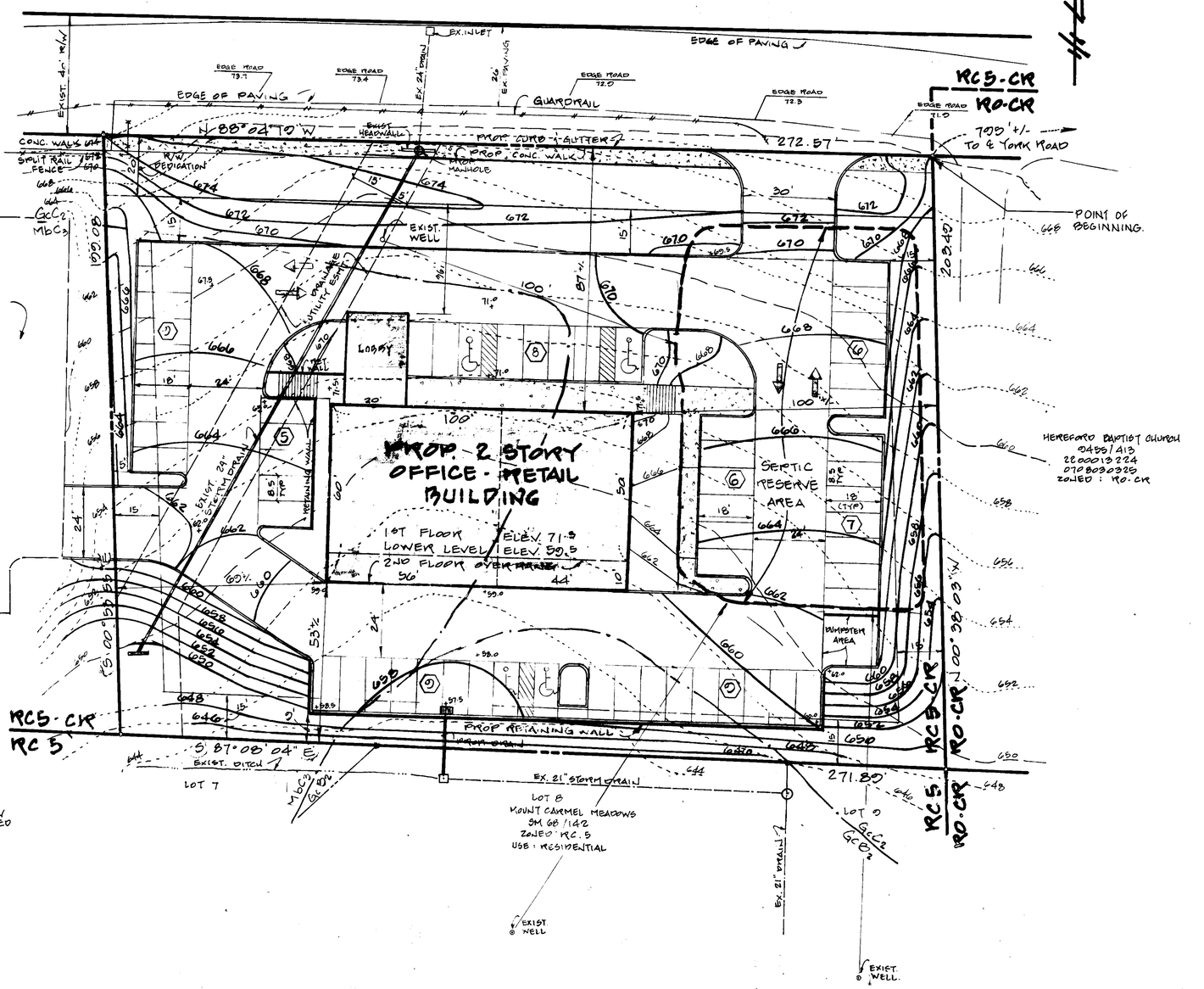
A.5

SOILS TABULATION CHART

SERIES	SYMBOL	W/BSMT	W/O BSMT	STREETS/PARKING
GLENELG	GcB2	SLIGHT	SLIGHT	MODERATE
GLENELG	GcC2	MODERATE	MODERATE	SEVERE
MANOR	MbC3	MODERATE	MODERATE	SEVERE

ZONED: RC5-CR

MOUNT CARMEL ROAD
MARYLAND ROUTE 137



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10055/50
TAX NO. 0701035025
ZONED: RC-5-CR
USE: COMMERCIAL

ZONING PETITIONS

1. SPECIAL EXCEPTION REQUEST TO PERMIT: OFFICE AND RETAIL USES WITHIN THE PROPOSED BUILDING IN ACCORDANCE WITH SECTION 250.3.B.2 OF THE BCZR.
2. VARIANCE FROM SECTION 259.9.C.2.a. TO ALLOW A FRONT YARD SETBACK OF 16' IN LIEU OF THE FRONT AVERAGE OF 16'
3. VARIANCE FROM SECTION 259.9.C.3.2 TO ALLOW A 5' LANDSCAPE SIDE YARD AND A 0' LANDSCAPED REAR YARD IN LIEU OF THE REQUIRED 15'

DELINQUENT ACCOUNTS CERTIFICATION:

I, CARL J. YAREMA, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING - THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

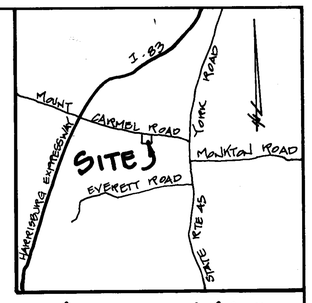
FRONT YARD AVERAGE SETBACK DATA

EX. BLDG WEST SIDE	SUBJECT SITE	EAST SIDE - NO BLDG WITHIN 200'
17' SETBACK	USE 16'	USE 15'

GENERAL NOTES

1. THERE ARE NO HAZARDOUS MATERIAL SITES ON THE SUBJECT PROPERTY.
2. THERE ARE NO HISTORICAL BUILDINGS OR LANDMARKS ON THE SUBJECT PROPERTY.
3. THERE ARE NO ARCHEOLOGICAL SITES ON THE SUBJECT PROPERTY.
4. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
6. THERE ARE NO PREVIOUS VARIANCES, SPECIAL EXCEPTIONS, SPECIAL HEARINGS OR REQUESTS FOR WAIVERS FROM COUNTY REGULATIONS. *
7. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY.
8. ANY FUTURE SIGNS WILL COMPLY WITH THE BALTIMORE COUNTY ZONING REGULATIONS.
9. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.
10. THE PROPOSED LIGHTING FOR THE SUBJECT PROPERTY WILL BE LOW PROFILE LIGHTING AND WILL BE DIRECTED AWAY FROM THE RESIDENTIAL AREAS.

* PRIOR CASE #00-112-XA



VICINITY MAP
SCALE: 1" = 2,000'

SITE DATA

SITE AREA	1.26 ACS. +/- 54,885 SF +/-
DEED REFERENCE	6220/503
TAX ACCOUNT No.	0729000035
TAX MAP / PARCEL	22/378
EXIST. ZONING	RC5-CR MAP NW 8 C
COUNCILMANIC DIST.	3 FR
CENSUS TRACT	4070
WATERSHED	13
SUBSEWERSHED	NO PLANNED SERVICE
EXISTING USE	VACANT
PROPOSED USE	2 STORY OFFICE/ RETAIL BUILDING
No. OF PARKING SPS.	61

PARKING TABULATION

UPPER LEVEL		
6000 SF RETAIL @ 5 SPS PER 1,000 SF	=	30 SPS.
LOWER LEVEL		
2800 SF RETAIL @ 5 SPS PER 1,000 SF	=	14 SPS
* 2200 SF STORAGE (NONE REQUIRED)	=	0 SPS
TOTAL REQUIRED		44 SPS
TOTAL PROVIDED (INCLUDES 3 HANDICAP SPACES)		59 SPS

FLOOR AREA RATIO

UPPER LEVEL FLOOR AREA	6000 SF
LOWER LEVEL FLOOR AREA	5000 SF
TOTAL SITE AREA = 1.26 ACS +/-	
F.A.R.: 11,000 / 1.26 ACS +/- :	0.20
MAX F.A.R. ALLOWED :	0.20

* THIS 2200 SQFT BASEMENT STORAGE AREA WILL BE UTILIZED BY EMPLOYEES ONLY AND HAVE NO RETAIL OR CUSTOMER TRAFFIC.

REVISIONS

NO.	DATE	DESCRIPTION

OWNER
CARL J. YAREMA
705 INDIAN SPRING COURT
SPARKS, MARYLAND
21152

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY ZONING PETITION

YAREMA PROPERTY

107 MT CARMEL RD

"HEREFORD"

ELECTION DIST. No. 7 BALTIMORE CO., MD

SCALE: 1" = 20'	DES. BY:	SHT. 1 OF 1
DATE: MAY 15, 2003	DRN. BY: M.M.N.	

03-545-XA

78000

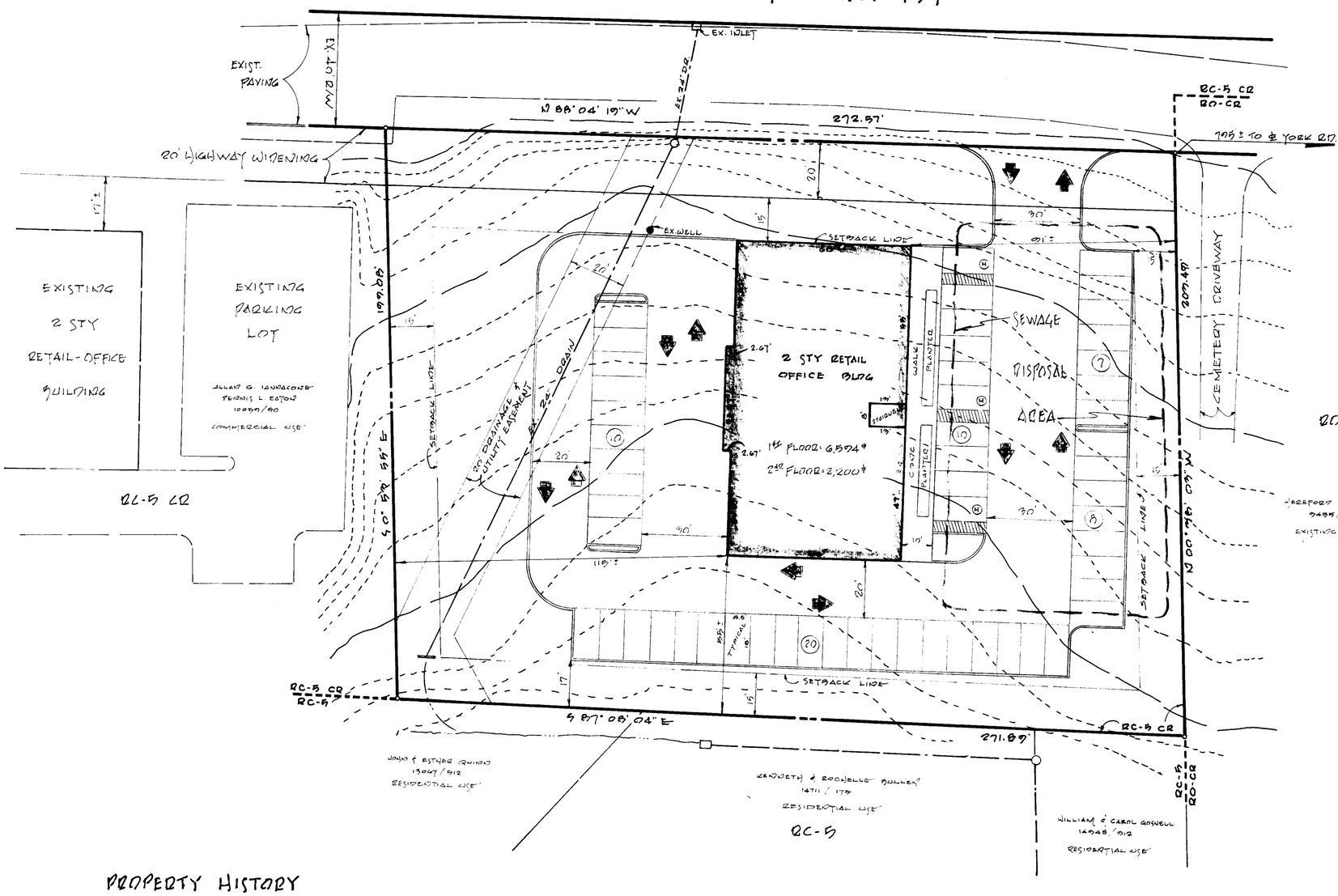
GRADING PERMIT NOTE

A GRADING PERMIT NO. P312960 WAS ISSUED FOR THIS PROPERTY ON AUGUST 14, 1997 FOR THE PERMISSION TO CONDUCT A FILL GRADING OPERATION.

BL-5 CR

MOUNT CARMEL ROAD

MD. ROUTE NO. 137



GENERAL NOTES

1. THERE ARE NO HAZARDOUS MATERIAL SITES ON THE SUBJECT PROPERTY.
2. THERE ARE NO HISTORICAL BUILDINGS OR LANDMARKS ON THE SUBJECT PROPERTY.
3. THERE ARE NO ARCHEOLOGICAL SITES ON THE SUBJECT PROPERTY.
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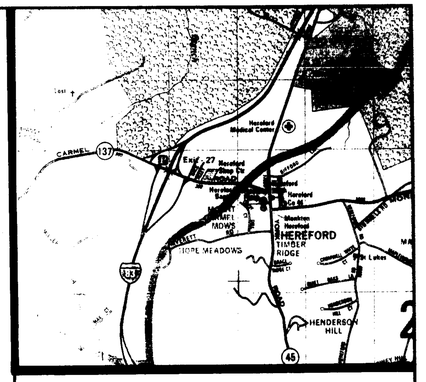
8. THE PROPOSED FREE STANDING SIGN, TYPE AND LOCATION, WILL BE DESCRIBED AT TIME OF BUILDING PERMIT TO BE COMPATIBLE WITH BUILDING ARCHITECTURE AND IN ACCORDANCE WITH SECTION 450 AND SECTION 259.3 C.7 OF THE BCZR.



VICINITY MAP

SCALE: 1" = 2000'

SITE DATA

SITE AREA	1.26 ACS +/- 54,886 SF +/-
DEED REFERENCE	6220/503
TAX ACCOUNT NO.	0725000035
TAX MAP/PARCEL	22/378
EXIST. ZONING	R.C.5-CR MAP NW 27-C
COUNCILMANIC DIST.	3
CENSUS TRACT	4070
WATERSHED	13
SUBSEWER SHED	NO PLANNED SERVICE
EXISTING USE	VACANT
PROPOSED USE	2 STORY OFFICE/ RETAIL BUILDING

PROPERTY HISTORY

AT THE AUGUST 10, 1998 DEVELOPMENT REVIEW COMMITTEE MEETING A B(7) LIMITED EXEMPTION WAS GRANTED SUBJECT TO A ZONING SPECIAL EXCEPTION APPROVAL FOR THE PROPERTY.

ZONING PETITIONS FOR SPECIAL EXCEPTION AND VARIANCES WERE FILED FOR THIS PROPERTY AND WERE IDENTIFIED AS CASE NO. 00-112 XA. THE ZONING ORDER DISMISSED THESE PETITIONS WITHOUT PREJUDICE.

ZONING PETITION REQUEST

PETITION FOR SPECIAL EXCEPTION TO PERMIT OFFICE AND RETAIL USES WITHIN THE PROPOSED BUILDING IN ACCORDANCE WITH SECTION 259.3.B.2 OF THE BCZR.

FLOOR AREA RATIO

(ADJUSTED GROSS)
TOTAL FLOOR AREA = 8,898 SQ.FT.
SITE AREA = 54,886 SQ. FT.
PROPOSED F.A.R. = 8898 / 54,886 = 0.16
ALLOWED F.A.R. = 0.20

UTILITIES

WATER SERVICE - EXIST. PRIVATE WELL
SEWER SERVICE - PRIVATE DISPOSAL SYSTEM

PARKING

(GROSS)
TOTAL FLOOR AREA = 8,794 SQ.FT.
PARKING REQ. = 5 SPACES/1000* = 44 SPACES
PARKING PROVIDED = 55 SPACES

OWNER INFORMATION

CARL J. YAREMA
709 INDIAN SPRING CT.
SPARKS, MD. 21152
410-472-2467

REVISIONS		
NO.	DATE	DESCRIPTION
1	7.28.09	REV. PER BLDG SIZE (ARCHITECT)

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY ZONING PETITION

YAREMA PROPERTY

107 Mt. Carmel Road

"HEREFORD"

7TH DISTRICT **BALTIMORE COUNTY, MD**

SCALE: 1"=20	DES. BY:	SHT. 1 OF 1
DATE: JULY 2, 09	DRN. BY:	

REVISED 08-545-X DT

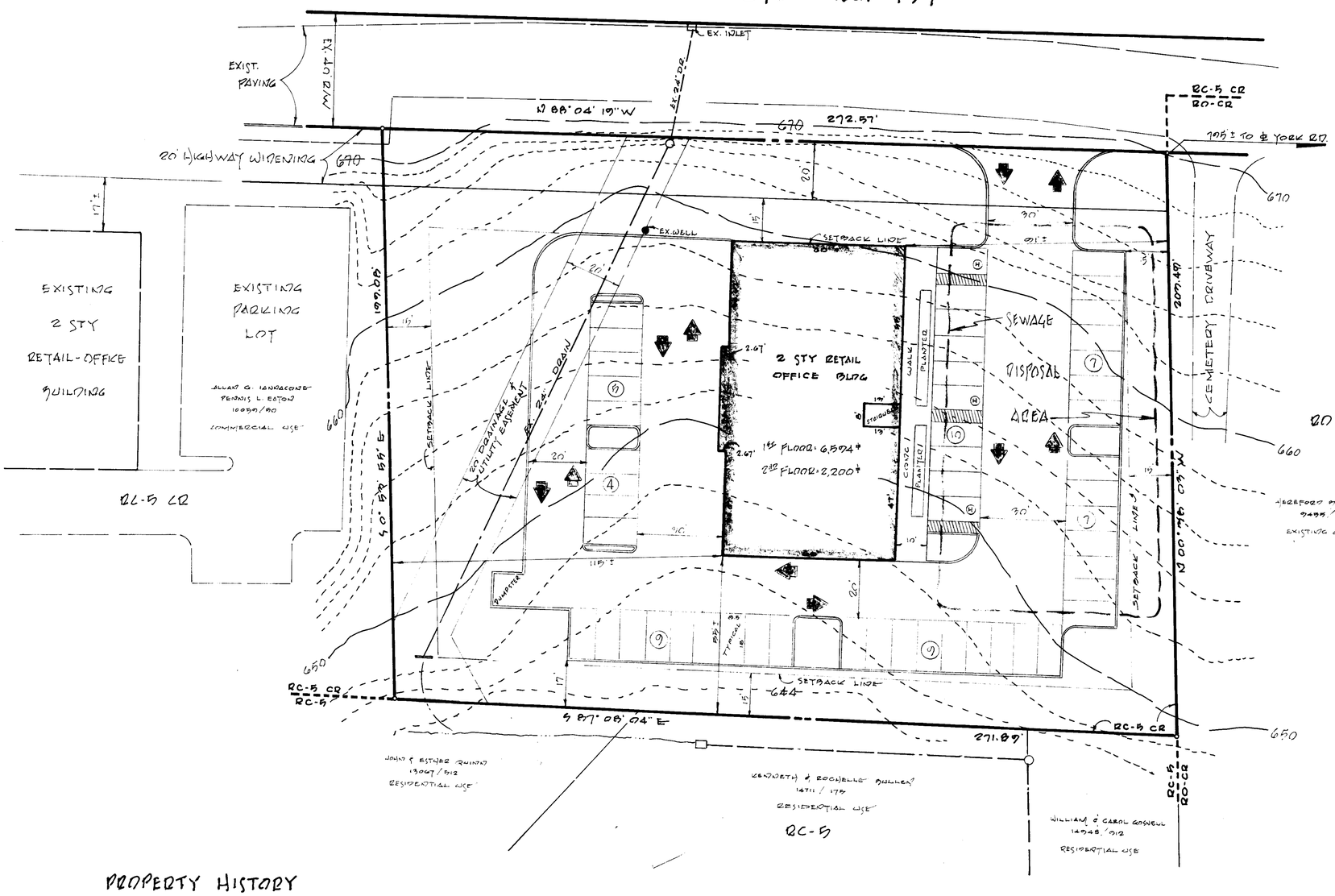
GRADING PERMIT NOTE

A GRADING PERMIT NO. M312960 WAS ISSUED FOR THIS PROPERTY ON AUGUST 14, 1997 FOR THE PERMISSION TO CONDUCT A FILL GRADING OPERATION.

RC-5 CR

MOUNT CARMEL ROAD

MD. ROUTE NO. 137



GENERAL NOTES

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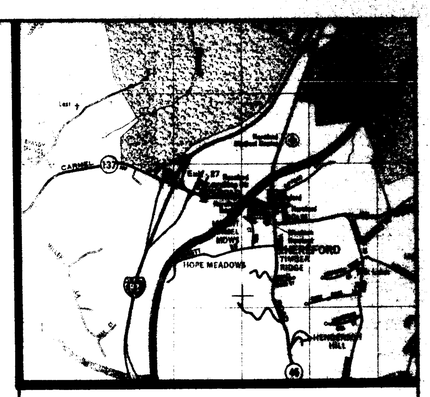

VICINITY MAP

SCALE: 1" = 2000'

SITE DATA

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DEED REFERENCE	6220/503
TAX ACCOUNT NO.	0725000035
TAX MAP/PARCEL	22/378
EXIST. ZONING	R.C.5-CR MAP NW 27-C
COUNCILMANIC DIST.	3
CENSUS TRACT	4070
WATERSHED	13
SUBSEWER SHED	NO PLANNED SERVICE
EXISTING USE	VACANT
PROPOSED USE	2 STORY OFFICE/ RETAIL BUILDING

PROPERTY HISTORY

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ZONING PETITION REQUEST

PETITION FOR SPECIAL EXCEPTION TO PERMIT OFFICE AND RETAIL USES WITHIN THE PROPOSED BUILDING IN ACCORDANCE WITH SECTION 259.3.B.2 OF THE BCZR.

STATE OF MARYLAND
EDWARD WILLIAM SPELLMAN
No. 4393
REGISTERED PROFESSIONAL LAND SURVEYOR

Plat No 2

PARKING LOT LANDSCAPING

PARKING LOT AREA: 24,000 ±
PERVIOUS AREA: 2000 ±
% PERVIOUS AREA: 8%

FLOOR AREA RATIO

(ADJUSTED GROSS)
TOTAL FLOOR AREA = 10,768 SQ. FT.
SITE AREA = 54,886 SQ. FT.
PROPOSED F.A.R. = $\frac{10,768}{54,886}$ = 0.1998
ALLOWED F.A.R. = 0.20

UTILITIES

WATER SERVICE - EXIST. PRIVATE WELL
SEWER SERVICE - PRIVATE DISPOSAL SYSTEM

PARKING

(GROSS)
TOTAL FLOOR AREA = 8,704 SQ. FT.
PARKING REQ. = 3 SPACES/1000 ± = 24 SPACES
PARKING PROVIDED = 51 SPACES

OWNER INFORMATION

CARL J. YAREMA
709 INDIAN SPRING CT.
SPARKS, MD. 21152
410-472-2467

REVISIONS		
NO.	DATE	DESCRIPTION
1	7.20.07	REV. PER BLDG SIZE (ARCHITECT)
2	8.15.07	REV. FOR HEARING

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY ZONING PETITION

YAREMA PROPERTY

107 Mt. Carmel Road

"HEREFORD"

7TH DISTRICT BALTIMORE COUNTY, MD

SCALE: 1"=20' | DES. BY: | SHT. 1 OF 1
DATE: JULY 9, 97 | DRN. BY:

1068372