IN RE: PETITION FOR SPECIAL HEARING

NE corner of Johnnycake Road and

Wilson Avenue

1<sup>st</sup> Election District 1<sup>st</sup> Councilmanic District

(5814 Johnnycake Road)

Petitioner

Ingleside Realty Corp.

Johnnycake Investments, LLC

Lessee

BEFORE THE

\* **DEPUTY ZONING** 

COMMISSIONER

\* FOR BALTIMORE COUNTY

Case No. 08-179-SPH

\*

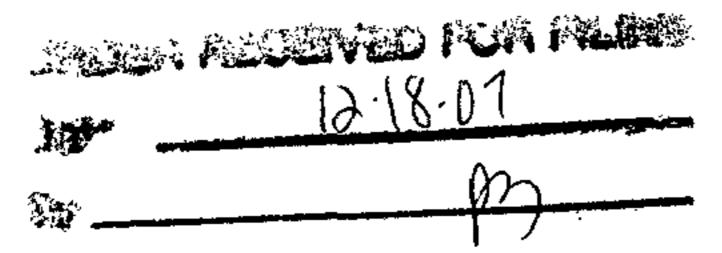
\*

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Ingleside Realty Corp., the legal property owner, and Johnnycake Investments, LLC, the lessee. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of two additional amusement devices for entertainment, leisure, and recreation oriented business under Section 422.A of the B.C.Z.R. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing relief was Jerry Schwing, a member of Johnnycake Investments LLC, trading as Gem's Liquors. F. Vernon Boozer, Esquire represented Petitioner, Johnnycake Investments, LLC. Also appearing in support of the requested relief as interested citizens were Ms. Terrie Winfield of 420 Greenlow Road, Ms. Linda Chambers of 1445 Forest Park Avenue, and Ms. Florence King of 14 Janper Court. There were no Protestants or other interested citizens in attendance at the hearing.

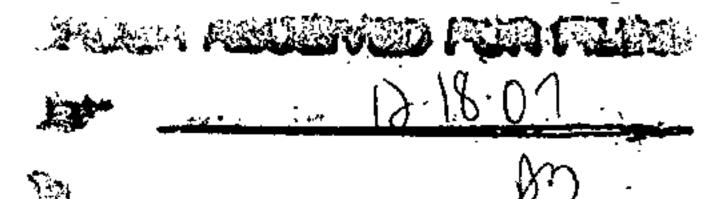
Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel containing approximately 33,404 square feet or 0.767 acre, more or less, and zoned B.M.-



A.S. There is also a very small sliver on the south side of the property fronting Wilson Avenue that is zoned B.L. The subject property is a portion of a small commercial neighborhood shopping center located in the Catonsville area of Baltimore County. Businesses in the shopping center include a barbershop, a beauty salon, several carryout restaurants, an upholstery/interiors shop, and a furniture store. The section of the shopping center that is the subject of this particular special hearing request is a one-story brick and frame building located at the corner of Johnnycake Road and Wilson Avenue, and contains Gem Discount Liquors. The property is owned by Ingleside Realty Corporation and the lessee is Petitioner, Johnnycake Investments LLC, trading as Gem Discount Liquors.

Mr. Schwing testified that Petitioner purchased the business about two years ago, and that the liquor store has been at the present location for about 30 years. He indicated that the business is a package liquor store which also sells Maryland Lottery chances and has monitors for Keno games and horseracing. The gross floor area of Petitioner's store is approximately 2,010 square feet. Two video draw poker machines are currently available and are played while patrons are waiting for the next Keno and horseracing games. There is a sitting area in the store set aside for the gaming and machines that is approximately 14 feet by 16 feet in size. Mr. Schwing also indicated that the machines are used for entertainment, leisure and recreation purposes only. The Maryland Lottery, Keno, and horseracing games are licensed by the State and owned by the State. The existing machines are provided by a vending company. Mr. Schwing proposes two additional video draw poker-type machines for the sitting area, for a total of four machines. He explained that he is often told by his patrons that they would prefer additional machines due to the waiting time involved in playing the two existing machines.

The individuals who appeared in support of the requested special hearing relief for two additional machines are retired ladies who live in the vicinity of the subject property and

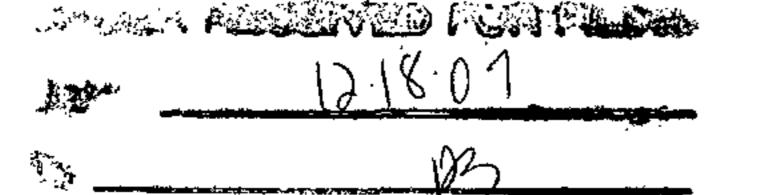


patronize the store for the entertainment of gaming. Ms. Winfield testified that she likes to go to Gem Discount Liquors approximately four times a week to play the lottery, Keno and horseracing games. She advised that it is often difficult to get an opportunity to play one of the two draw poker machines and indicated she would like to see a few more machines so she is not sitting and waiting for a machine to become available. Ms. Chambers and Ms. King expressed similar sentiments.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Section 101 of the B.C.Z.R. generally defines "amusement devices" as "[p]inball machines (with or without flippers), video games, electronic games and other similar player-operated amusement games, machines and devices." It is apparent that aforementioned video draw poker machines constitute "amusement devices" within the meaning of that definition. Section 422.A(18) of the B.C.Z.R. permits amusement devices "as of right in the B.L., B.M., and B.R. zones when used in combination with ... other uses which the Zoning Commissioner finds, after public hearing, to be entertainment, leisure or recreation oriented; and provided, however, that no more than four amusement devices shall be permitted unless a special exception for an arcade is obtained."

Based on the testimony and evidence presented, I am persuaded to grant the special hearing relief and approve the two additional amusement devices as proposed. The additional devices will be located on the same lot as the principal use. The machines will be located within a building that houses the principal use of discount liquor sales and already offers Maryland Lottery and Keno games and horseracing monitors. The business also currently has two video draw poker machines and proposes to add two additional machines of the same type. The total



amusement devices will be four machines and will be used in combination with the principal use.

The use of the machines is entertainment, leisure and recreation oriented.

In my judgment, Petitioner's plans are appropriate and will not be detrimental to the health, safety, or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's request for special hearing should be granted with conditions.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this \_\_\_\_\_\_ day of December, 2007, that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of two additional amusement devices for entertainment, leisure and recreation-oriented business under Section 422.A of the B.C.Z.R. is herby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

12-18-01 12-18-01



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

December 18, 2007

F. VERNON BOOZER, ESQUIRE COVAHEY BOOZER DEVAN & DORE PA 614 BOSLEY AVENUE TOWSON MD 21204

Re: Petition for Special Hearing
Case No. 08-179-SPH

Property: 5814 Johnnycake Road

Dear Mr. Boozer:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Jerry Schwing, Johnnycake Investments LLC, 5621 Old Frederick Road, Baltimore MD 21228 Terrie Winfield, 420 Greenlow Road, Baltimore MD 21228 Linda Chambers, 1445 Forest Park Avenue, Baltimore MD 21207 Florence King, 14 Janper Court, Baltimore MD 21207



## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 581% Johnnycake Rd., Gwynn Oak, MD 21207
which is presently zoned Business Local (BL) 4 8 M- AS
(This petition must be filed in person, in the zoning office, in triplicate, with original signatures.)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve (This box to be completed by planner)

Approval of two additional amusement devices for entertainment, leisure and recreation oriented business under Baltimore County Zoning Regulation §422A.

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

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

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

		this	Petiti	on.			
Contract Purchaser/Lessee:				Legal Owner(s):			
Johnnycake Investme	ents, LL	С		Ingleside Re	alty Cor	PC \	
Name - Type or Print Signature	una	· · · · · · · · · · · · · · · · · · ·		Name - Type or Prin			
5621 Old Frederick Rd.				Signature			
Address	<del></del>	Telephone No.		Name - Type or Prin	nt		
Baltimore, MD 21228		•		• •			
City	State	Zip Code		Signature			
Attorney For Retitioner:				5621 Old Fre	derick R	d.	
	•			Address			Telephone No.
Frank V. Boozer, Jr.				Catonsville, MD	21228		
Name - ype or rint				City		State	Zip Code
				Representative to	o be Conta	cted:	
Signature Covahey, Boozer, Devan	& Dore, P	.A.		FRANK V.	BOOZ	ER, JR	•
Company	201001			Name			_
614 Bosley Ave, Towson, MI	J 21204			614 Bosley Ave	e, Iowson		
Address Towson, MD 21204		Telephone No.		Address Towcon MD 21	204	ı elep	hone No.
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Engineering • Surveying • Environmental Planning
Real Estate Development

### ZONING DESCRIPTION

5814 JOHNNYCAKE ROAD

1<sup>st</sup> Election District

Baltimore County, Maryland

COMMENCING from the intersection of Johnnycake Road, 60' Right-of-Way, and Ingleside Avenue, variable width Right-of-Way, and running Southeasterly along the centerline of Johnnycake Road 164 feet; thence perpendicular from the centerline of said Ingleside Avenue, Northeasterly 56 feet to the **Zoning Point of Beginning**; thence running

- 1. Northeasterly 67.4 feet to a point; thence
- 2. Southeasterly 56.5 feet to a point; thence
- 3. Southwesterly 68.0 feet to a point; thence
- 4. Northwesterly 66.6 feet to the point of beginning.

**CONTAINING** 2,010 square feet or 0.046 acres of land more or less.

Being a part of Lots 7 through 10, Block 1, as shown on the Plat entitled, "Catonsville Manor", which plat is recorded among the Land Records of Baltimore County Plat Book No. W.P.C. 6, folio 160.



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JAMES T. SMITH, JR. County Executive

October 24, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
NG
Development Management

## **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: 08-179-SPH

5814 Johnnycake Road

N/east corner of Johnnycake Road and Wilson Avenue

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owners: Ingleside Realty Corp.

Contract Purchaser: Johnnycake Investments, LLC

Special Hearing for approval of two additional amusement devices for entertainment, leisure and recreation oriented business under Baltimore County Zoning Regulation Section 422A.

Hearing: Tuesday, December 18, 2007 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Frank Boozer, Jr., 614 Bosley Avenue, Towson 21204 Johnnycake Investments, LLC, 5621 Old Frederick Road, Baltimore 21228 Ingleside Realty Corp., 5621 Old Frederick Road, Baltimore 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 1,2007.

- (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, November 29, 2007 Issue - Jeffersonian

Please forward billing to:

Ingleside Realty Corp. C/o Frank Boozer, Jr. 614 Bosley Avenue Towson, MD 21204 410-828-9441

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LUAM I WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING; CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: <u>88-179-594</u>
Petitioner: INGLESIDE REACTY CORP.
Address or Location: 320 5814 304WY CAKE RD
PLEASE FORWARD ADVERTISING BILL TO:  Name: 10605108 Ready Care
Address: 52021 OLD FREDERICL 27
CADONSMUE MAS 21228
Telephone Number:

## 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: # 08-179-SPH
5814 Johnnycake Road

N/east corner of Johnnycake Road and Wilson Avenue 1st Election District — 1st Councilmanic District Legal Owner(s): Ingleside Realty Corp.
Contract Purchaser: Johnnycake Investments, LLC.
Special Hearing: for approval of two additional amusement devices for entertainment, leisure and recreation oriented business under Baltimore County Zoning Regulation Section 422A.

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Hearing: Tuesday, December 18, 2007 at 9:00 a.m. Room 407, County Courts Building, 401 Bosley Avnue, Towson 21204.

-9AV

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for
special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.
11/503 November 29

2

## TIPICATE OF PITRICATION

11/29/2007
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing

Mullman

LEGAL ADVERTISING

## CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

**DATE:** 12/04/07

Case Number: 08-179-SPH

Petitioner / Developer: FRANK BOOZER JR. ESQ.~JOHNNYCAKE

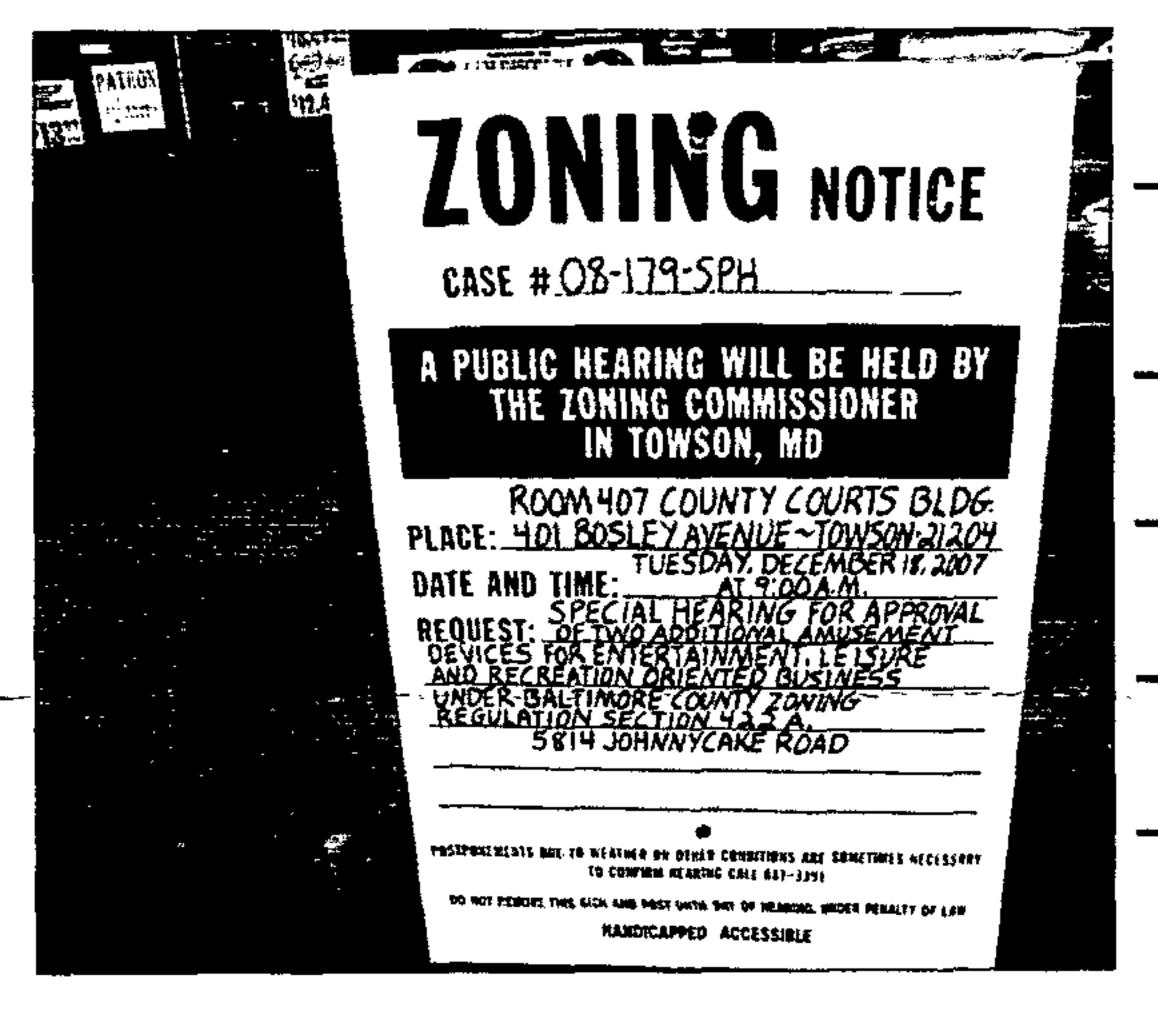
INVESTMENTS, LLC~INGLESIDE REALTY CORP.

Date of Hearing (Closing): DECEMBER 18, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

5814 JOHHNYCAKE ROAD

The sign(s) were posted on: 12/01/07



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

December 12, 2007

Frank V. Boozer, Jr. Covahey, Boozer, Devan & Dore, P.A. 614 Bosley Avenue Towson, Maryland 21204

Dear Mr. Boozer:

RE: Case Number: 08-179-SPH, 5814 Johnnycake Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 16, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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,

U. Call Richall

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W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf Enclosures

c: People's Counsel

Johnnycake Investments, LLC 5621 Old Frederick Road Baltimore 21228 Ingleside Realty Corp. 5621 Old Frederick Road Baltimore 21228

## BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** October 23, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For October 29, 2007

Item Nos. 08-171,172, 173, 174, 175, 176,

177, 178, 179, 180, 181, and 182

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-10232007.doc



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: OCTOBER 25, 2007

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltin

**Baltimore County** 

Item No. 8-179-5PH

SBI4 JOHNNYCAKE RD INCLESIDE REALTY CORP.

SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-179-6PH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

**Engineering Access Permits** 

Division

SDF/MB



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief
Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 11, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 22, 2007

Item Number: Item Number 171 through 177 and 179 through 183

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: November 5, 2007

NOV 1 5 2007

BY:----

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-179- Special Hearing

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz in the Office of Planning at 410-887-3480.

Prenared By

**Division Chief:** 

CM/LL

PETITION FOR SPECIAL HEARING RE: 5814 Johnnycake Road; NE corner of Johnnycake Road and Wilson Avenue

1<sup>st</sup> Election & 1<sup>st</sup> Councilmanic Districts

Legal Owner(s): Ingleside Realty Corp. Contract Purchaser(s): Johnnycake Investments

Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

08-179-SPH

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 and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of October, 2007, a copy of the foregoing Entry of Appearance was mailed to, Frank Boozer, Jr., Esquire, Covahey, Boozer, Devan & Dore, P.A., 614 Bosley Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

OCT 3 1 2007

People's Counsel for Baltimore County

## PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER OF 178-1841 DATE

# PETITIONER'S SIGN-IN SHEET

E- MAIL								
CITY, STATE, ZIP Water SD - We 21157 BALTO. MO. 21207	BALTO, MD 21207							
420 Cheen lun My 1445 FOREST PARK HVE.	14 JANPER C.T							
Chambell Salaman Linda CHAMBERS	FLORENCE KING							


Case No.:	08-	179	- 51H	•	
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## **Exhibit Sheet**

## Petitioner/Developer

## Protestant

No. 1	Site Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6	,	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



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## GENERAL NOTES

- . 200-SCALE ZONING MAP NO. 095A3.
- 2. THIS PROPERTY OPERATES ON A PUBLIC WATER AND SANITARY SEWER
- 3. THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON F.I.RM. Map No. 240010 0430 B, Dated March 2, 1981.
- 4. THIS SITE DOES NOT LIE WITHIN THE C.B.C.A.
- 5. THE PROPOSED BUILDING AND PARKING SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY. NO BUILDING IS PROPOSED AT THIS TIME. FUTURE DEVELOPMENT OF THIS SITE WILL REQUIRE ADDITIONAL REVIEW AND/OR HEARINGS BY BALTIMORE COUNTY, MD.
- 6. TOPOGRAPHY SHOWN HEREON IS TAKEN FROM BALTIMORE COUNTY GIS TOPO TILE 095A3.

## SURVEYOR'S NOTES

- . SOME FEATURES SHOWN HEREON MAY BE DRAWN OUT OF SCALE FOR CLARITY.
- 2. DIMENSIONS SHOWN ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
- BEARINGS ARE REFERENCED TO PLAT W.P.C. NO. 6, FOLIO 160
- 4. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES AND OR FROM RECORD DRAWING OF PUBLIC UTILTY AVAILABLE FROM BALTIMORE COUNTY.
- . THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.
- , THERE IS NO SURFACE EVIDENCE OF CEMETERIES OR BURIEL GROUNDS ON THE PROPERTY SHOWN HEREON.

## PARKING CALCULATION GEM DISCOUNT LIQUORS ONLY

TYPE OF USE: RETAIL - GENERAL

PARKING REQUIRED = 5 SPACES PER 1000 SQ. FT. OF GROSS FLOOR AREA

GROSS FLOOR AREA = 2010 SQ. FT.

REQUIRED PARKING = 11 SPACES PROVIDED PARKING = 18

## PRIOR ZONING HEARING CASE NO. 72-115-A

IT IS ORDERED by the Zoning Commissioner of Esltimore County this \_\_\_\_\_\_\_\_\_

eame is granted, from and after the date of this Order to permit Zero fact setback for pakking from the right-of-way line instead of the required cight (8) feet, subject to the approval of the site plan by the

Buy Su of Public Services and the Office of Planning and Zoning.

## ZONING DESCRIPTION FOR GEM DISCOUNT LIQUORS

COMMENCING FROM THE INTERSECTION OF JOHNNYCAKE ROAD (60' R/W) AND INGLESIDE AVENUE (VARIABLE WIDTH R/W) AND RUNNING SOUTHEASTERLY ALONG THE CENTERLINE OF JOHNNYCAKE ROAD 164 FEET TO A POINT, THENCE RUNNING PERPENDICULAR FROM SAID CENTERLINE NORTHEASTERLY 56 FEET TO THE ZONING POINT OF BEGINNING, THENCE RUNNING NORTHEASTERLY 67.4 FEET TO A POINT, THENCE RUNNING SOUTHEASTERLY 56.5 FEET TO A POINT, THENCE RUNNING SOUTHWESTERLY 68.0 FEET TO A POINT, THENCE RUNNING NORTHWESTERLY 66.6 FEET TO THE POINT OF BEGINNING.

BEING PART OF LOTS 7 THROUGH 10, BLOCK 1, IN THE SUBDIVISION OF CATONSVILLE MANOR AS RECORDED IN THE BALTIMORE COUNTY PLAT BOOK NO. W.P.C. 6, FOLIO 160, CONTAINING 2,010 SQUARE FEET OR 0.046 ACRES OF LAND MORE OR LESS.

ALSO KNOWN AS 5814 JOHNNYCAKE ROAD AND LOCATED IN THE IST ELECTION DISTRICT AND IST COUNCILMANIC DISTRICT OF BALTIMORE COUNTY, MARYLAND.

## McKEE & ASSOCIATES, INC.

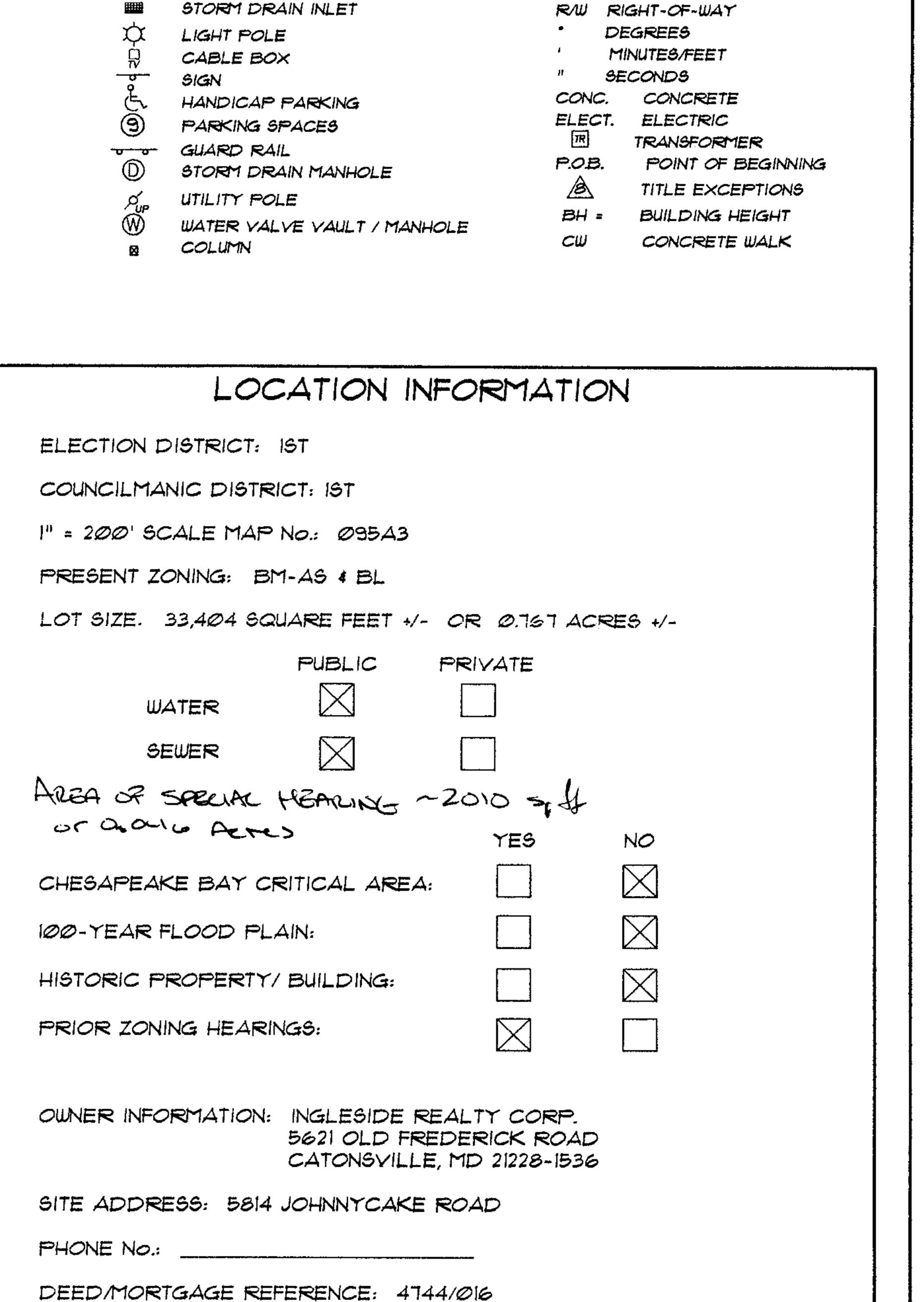
Engineering - Land Planning - Land Surveying

Natural Resource Planning — Real Estate Development 5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030 TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563





Registered Property Line Surveyor Maryland Registration No. 354 Date of Survey: 13 July 2007



WESTVIEW SHOP CTR

SYMBOLS & ABBREVIATIONS

FIRE HYDRANT

WATER VALVE

STORM DRAIN MANHOLE

SANITARY SEWER CLEAN OUT

VICINITY MAP

SCALE: 1"=1000"

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

PETITIONER'S

EXHIBIT NO.

## #5814 JOHNNYCAKE ROAD

(LOTS 1-12, PLAT 4, "CATONSVILLE MANOR" A. W.P.C. 6/160)

IST ELECTION DISTRICT

PLAT REFERENCE: P.B. 6 P. 160

TAX MAP 95, GRID 14, PARCEL 224

PROPERTY TAX ACCT. No.: 01-09-350031

IST COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30" DATE: SEPTEMBER 21, 2007 DRAWN BY: RLJ CHECKED BY: RPG JOB No.: Ø7-143