

IN RE: PETITION FOR VARIANCE

NE side of Reisterstown Road; 396 feet
NW of Seven Mile Lane
3rd Election District
2nd Councilmanic District
(201 Reisterstown Road)

Safeway, Inc.

Legal Owner

Seven Mile Food Market, LLC

Contract Purchaser

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* CASE NO. 2011-0078-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Safeway, Inc., and the proposed lessee, Seven Mile Food Market, LLC. Petitioner is requesting Variance relief as follows:

- From Section 238.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side building setback of 17 feet in a B.R. Zone in lieu of the required 30 feet; and
- From Section 409.6.A.2 of the B.C.Z.R. to permit 282 parking spaces in lieu of the required 300 parking spaces.¹

The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Howard M. Boehm, manager, on behalf of Petitioner Seven Mile Food Market, LLC and Benjamin Bronstein, Esquire, attorney for Petitioner. Also appearing in support of the relief was Judith

¹ The Petition as filed requested variance relief for a required 299 spaces. It was pointed out that this was due to a calculation error in rounding the number down instead of rounding up as required. Hence the actual number should have been 300 spaces and was amended accordingly.

ORDER RECEIVED FOR FILING

Date 11-1-10

Floam with Colbert Matz Rosenfelt, Inc., the engineering and surveying firm that prepared the site plan. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular shaped and contains approximately 5.05 acres, more or less. As delineated on the site plan, the property is comprised of several zoning classifications, including predominantly B.R.-A.S. in the front, B.R. in the middle, and B.M. to the rear. There are also very small slivers of D.R.5.5 and D.R.16 zoning near the northern corner of the property. The subject site is located on the northeast side of Reisterstown Road, just west of Seven Mile Lane near the Baltimore City/County line, in the Pikesville area of Baltimore County. The property is improved with an existing one-story brick and block building consisting of approximately 55,256 square feet located toward the rear of the site, as well as an established entrance from Reisterstown Road and drive aisles and a large parking lot located in the forward two-thirds of the site.

Further evidence and details of the case were presented by way of a proffer from Mr. Bronstein and supplemented by Petitioner's expert, Ms. Floam. Ms. Floam's resume was marked and accepted into evidence as Petitioner's Exhibit 2 and indicates that she is a professional planner with a Master's Degree in Urban Planning. She has been in the field of site planning and municipal planning since 1967, and has site planning experience in commercial, residential, and institutional development. She was offered and accepted as an expert in planning and zoning and interpretation of the Zoning Regulations.

Mr. Bronstein indicated that Petitioner owns the property directly south and adjacent to the subject property that is currently home to the Seven Mile Market located at 4000 Seven Mile Lane. The building on that property consists of approximately 28,600 square feet. The Market is a Kosher Market that caters primarily to the residents in the surrounding community, as well as other patrons from around the Baltimore Metro area. The current location is no longer

suitable for the Market's needs and Petitioner has arranged to move into the building on the subject property. This building was originally constructed for a new Safeway grocery store that opened in 2003, but closed earlier this year. Although the former Safeway building consists of about 55,000 square feet, Petitioner desires to construct an addition to the building of about 4,600 square feet for a total of almost 60,000 square feet. The addition would house additional receiving and storage areas for the Market. This is necessitated by the particular requirements for the storage and handling of food items in the Kosher Market, including special inspection requirements and refrigeration requirements, as well as the separation of dairy and meat products. Mr. Boehm, the Seven Mile Market manager, indicated that without the addition to the former Safeway building, it is not adaptable for their use because the current storage and receiving areas do not adequately address their unique needs.

In support of the requested variance relief, Ms. Floam indicated that the placement of the proposed addition is the most practical and useful location for the added receiving and storage space. The existing storage and loading areas for the building are already on the side of the proposed addition depicted on the site plan, hence, there would be far less alteration to the existing building. Ms. Floam also noted that the addition to the building would not increase the size of the retail area or increase capacity for customers, nor would it cut into the existing available parking areas.

As to the uniqueness of the property, Ms. Floam explained that the split zoning, which not only cuts in several areas across the property, but also cuts across the existing building, is the main factor that necessitates the variance relief. Most of the existing building is in the B.M. Zone, as would most of the addition, and this would require a 0 foot setback requirement; however, the presence of part of the building -- and part of the planned addition -- in a small area zoned B.R. requires the 30 foot setback for the entire addition. This is further illustrated in the

setback/zoning exhibit that was marked and accepted into evidence as Petitioner's Exhibit 5. The other problem is that if the addition were built entirely in the B.M. Zone so that variance relief was not required, it would not provide the needed receiving and storage space for the Market. Another unique feature is the use itself. This Kosher Market presents challenges regarding the handling and storage of food that most other grocery stores do not encounter, and requires Petitioner to utilize additional space that customers and the public never really see or are consciously aware.

As to the parking variance, Ms. Floam indicated that the building with its current square footage requires 277 parking spaces and there are presently 282 spaces. With the increased square footage of the addition, the number of required spaces also increases to 300 spaces. Although there will be no additional retail area and the number of customers and, therefore, the number of vehicles parked, will be relatively unchanged, the Zoning Regulations nonetheless require that parking be increased by 5 parking spaces per 1,000 square feet of additional space to the building. The Regulations look at the addition on the whole as additional retail space, resulting in the need for the additional parking; however, it appears that the shortage of 18 parking spaces under the 300 spaces required by the Regulations amounts to a deficiency of 6%, which appears under the circumstances to be a minimal insufficiency.

Ms. Floam also pointed out that there is a privacy fence abutting the D.R. zoned sides of the property that will be maintained. Moreover, as shown in the aerial photograph of the surrounding area that was marked and accepted into evidence as Petitioner's Exhibit 3, this area is part of the Pikesville commercial corridor in need of revitalization -- several businesses have closed over the years including the aforementioned Safeway -- and this new location for the only kosher supermarket in the Baltimore area will be a significant economic contributor to the community.

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Date 11-1-10

By B

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated September 16, 2010 which indicates the property is a former Safeway store that has been vacated. The proposal is to convert it to a kosher grocery store, the Seven Mile Market. The site is within the Pikesville Revitalization District in an area described as Urban Convenience in the Pikesville Revitalization Plan Update. The 4,598 square foot addition required to meet the new grocery store's needs for storage and delivery is subject to the Pikesville Design Guidelines and review by the Baltimore County Design Review Panel (DRP). Compliance with these guidelines is binding on both the Zoning Commissioner and the Director of Permits and Development Management. Due to the nature, location and minor size of the proposed addition (less than 8% of the existing building) the Planning Director has determined that the project is eligible for administrative DRP review. If the setback and parking variances are granted, the Petitioner should complete the DRP process to final zoning approval. Comments were received from the Department of Environmental Protection and Resource Management dated October 12, 2010 which states there is a State (MDE) groundwater contamination case for this site. Petitioner should contact MDE for details.

After considering all of the testimony and evidence presented at the hearing, I am persuaded to grant the variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The split zoning of the property, with over five different zoning classifications on this relatively small and otherwise unremarkable 5 acre property presents zoning and setback challenges that particularly affect the subject site disproportionately as compared with other properties in the zoning district; hence, I find the property to be unique in a zoning sense. I also find that the use itself is unique as a Kosher Market due to the specific protocols that are necessary for receiving, handling, and

storing kosher foods. This presents challenges that also cause the Regulations to disproportionately affect Petitioner because of the amount of space needed to properly address those kosher needs. As to the parking variance, I am easily convinced based on the evidence presented that the parking that was provided to the site for the past seven years will continue to adequately serve the site with the construction of the addition. There likely will be a paucity of new customers generated from the addition, and the existing parking appears to have served the site well over the years.

I also find that Petitioner would be subject to practical difficulty and undue hardship if the setback and parking variances were not granted. Petitioner essentially would be unable to use this readily available property for a Kosher Market, which is already outfitted exteriorly and interiorly as a supermarket from its prior use as a Safeway store. This surely would be a waste of existing resources, as well as an opportunity for an area in need of business revitalization. Finally, I find these variance requests can be granted in strict harmony with the spirit and intent of the Zoning Regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare. Color renderings of the proposed Seven Mile Market with the attached addition were marked and accepted into evidence as Petitioner's Exhibit 4, and illustrate that the addition will be constructed of similar brick and other materials as the existing store building. It appears the addition will blend well and not result in any visual clutter with the surroundings. In my judgment, there will no adverse impacts associated with the addition or the proposed parking layout.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioner's variance requests should be granted.

ORDER RECEIVED FOR FILING

Date 11-1-10

By PJ

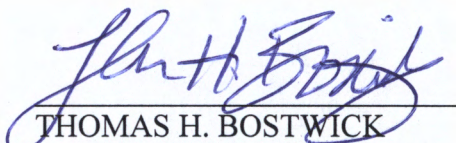
THEREFORE, IT IS ORDERED this 15th day of November, 2010 by this Deputy Zoning Commissioner that Petitioner's Variance requests as follows:

- From Section 238.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side building setback of 17 feet in a B.R. Zone in lieu of the required 30 feet; and
- From Section 409.6.A.2 of the B.C.Z.R. to permit 282 parking spaces in lieu of the required 300 parking spaces,

be and are hereby **GRANTED**, subject to the following:

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.
2. The site is within the Pikesville Revitalization District in an area described as Urban Convenience in the Pikesville Revitalization Plan Update. The 4,598 square foot addition required to meet the new grocery store's needs for storage and delivery is subject to the Pikesville Design Guidelines and review by the Baltimore County Design Review Panel (DRP). Compliance with these guidelines is binding on both the Zoning Commissioner and the Director of Permits and Development Management, and compliance with DRP recommendations shall be incorporated in this Order as if set forth herein.
3. Due to the nature, location and minor size of the proposed addition (less than 8% of the existing building) the Planning Director has determined that the project is eligible for administrative DRP review. If the setback and parking variances are granted, the Petitioner should complete the DRP process to final zoning approval.

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

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Date 11-1-10

By pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

November 1, 2010

BENJAMIN BRONSTEIN, ESQUIRE
29 WEST SUSQUEHANNA AVENUE
SUITE 205
TOWSON MD 21204

Re: Petition for Variance
Case No. 2011-0078-A
Property: 201 Reisterstown Road

Dear Mr. Bronstein:

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: Safeway, Inc., 1371 Oakland Blvd., Walnut Creek, CA 94596
Howard M. Boehm, Manager, Seven Mile Food Market LLC, 4000 Seven Mile Lane, Baltimore MD 21208
Judith Floam, Colbert Matz Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore MD 21209



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 201 Reisterstown Road
which is presently zoned BM, BR, ~~BR~~-AS, DR-16, DR-5.5
Deed Reference 15528 / 359 Tax Account # 1600000347

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 of thereof, 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)

Reasons to be presented at the hearing, including, but not limited to, configuration of the zoning lines and configuration of the property lines.

Property 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:

Seven Mile Food Market, LLC
Howard M. Boehm, Manager

Name - Type or Print

Signature

4000 Seven Mile Lane

410-653-2000

Address.

Telephone No.

Baltimore

MD 21208

City

State Zip Code

Attorney For Petitioner:

Benjamin Bronstein, Esq.

Name - Type or Print

Signature

Company

29 W. Susquehanna Ave. Suite 205

410-296-0200

Address

Telephone No.

Towson

MD 21204

City

State Zip Code

Legal Owner(s):

Safeway, Inc.

Name - Type or Print

Signature

Name - Type or Print

Signature

1371 Oakland Blvd.

Address.

Telephone No.

Walnut Creek

CA 94596

City

State Zip Code

Representative to be Contacted:

Kenneth J. Colbert, P.E.

COLBERT MATZ ROSENFELT, INC

2835 Smith Avenue, Suite G

410-653-3838

Address

Telephone No.

Baltimore

MD 21209

City

State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING 10/6-18

Reviewed By JNP for WCR Date 8/23/10

Case No. 2011-0078-A

(DROP OFF-NO REVIEW)

ORDER RECEIVED FOR FILING

Date 11-1-10

ATTACHMENT TO ZONING PETITION

201 REISTERSTOWN ROAD

From Section 238.2, BCZR, to permit a side building setback of 17 feet, in a BR zone, in lieu of the required 30 feet

From Section 409.6.A.2, BCZR, to permit 282 parking spaces in lieu of the required 299 parking spaces

2011-0078-A



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JUL 12 2010
PDA Eastern

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2011-0078-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **59329**

Date: **8/23/2010**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
8/24/2010 8/23/2010 14:44:20

REG WSD1 WALKIN JRIC JMR
>> RECEIPT # 469924 8/23/2010 OFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 059329

Recpt Tot \$325.00
\$325.00 CK \$1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				325.00

Total: **325.00**

Rec From: **Seven Mile Food Market, LLC**

For: **Variance - 201 Reisterstown Road**
2011-0078-A (Safeway, Inc.)

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

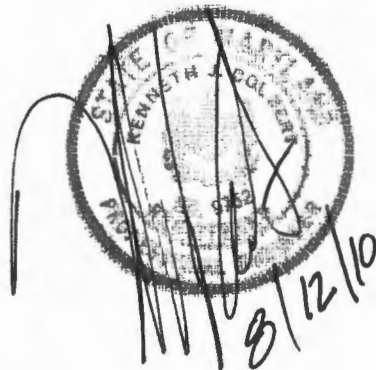


ZONING DESCRIPTION – 201 REISTERSTOWN ROAD

Beginning at a point on the east side of Reisterstown Road, which is of varying width, 396 feet, more or less, north of the centerline of Seven Mile Lane, which is of varying width, thence the following courses and distances:

N 37°19'10" W, 154.33 ft.;
N 52°43'22" E, 6.00 ft.;
N 37°16'37" W, 17.00 ft.;
S 52°43'19" W, 6.01 ft.;
N 37°19'10" W, 182.31 ft.;
N 70°41'02" E, 1.52 ft.;
N 42°42'20" E, 609.85 ft.;
S 37°19'10" E, 379.05 ft., thence
S 45°04'16" W, 605.97 ft., to the Point of Beginning.

As recorded in Deed Liber 15528, folio 359 and containing 219,878 square feet (5.05 acres), more or less. Also known as 201 Reisterstown Road and located in the 3rd Election District, 2nd Councilmanic District.



Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

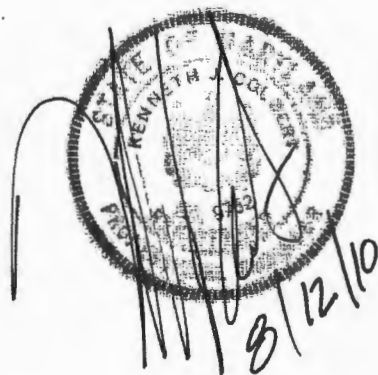


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CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

Case No.: 2011-0678-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	Ms. Floan's resume	
No. 3	aerial photo	
No. 4	photo Exhibit	
No. 5	Setback/Zoning Exhibit	
No. 6	proposed signage to replace existing Safeway sign.	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

RESUME

PROFESSIONAL BACKGROUND AND EXPERIENCE

JUDITH M. FLOAM
2835 SMITH AVENUE, SUITE G
BALTIMORE, MD 21209

PROFESSIONAL STATUS: Professional Planner

EDUCATION: Hunter College, City University of New York, Master of Urban Planning
Swarthmore College, Swarthmore, Pennsylvania, B.A.

PROFESSIONAL BACKGROUND AND EXPERIENCE:

Mrs. Floam has a Master's Degree in Urban Planning, from the City University of New York. She has been in the field of site planning and municipal planning since 1967. Site planning experience includes commercial, residential and institutional development. Municipal planning experience includes preparation of master plans and zoning ordinances and reviewing site plans and subdivisions for municipal approval. Accepted as an expert in those areas, and testified before the Baltimore County Zoning Commissioner, the Baltimore County Board of Appeals, the Baltimore City Board of Municipal Zoning Appeals and the Anne Arundel County Administrative Hearing Officer.

PROFESSIONAL EMPLOYMENT HISTORY:

September 1987 – Present Rosenfelt & Woolfolk/ Colbert Matz Rosenfelt, Inc.
Consulting Civil Engineers & Surveyors
Baltimore, Maryland

Duties include project planning for commercial, residential and institutional developments, including site plans and subdivisions. Prepare materials for zoning appeals and provide testimony at hearings. Coordinate environmental, zoning, design and legal aspects of site plan preparation.

June 1972 – September 1987 Associate planner for several planning consulting firms in New Jersey.

Duties included master planning, site plan and subdivision reviews and preparation of zoning ordinances. Worked with municipal planning boards and zoning boards to provide recommendations on plan approvals and zoning appeals.

August 1968 – June 1972 Middlesex County Planning Board, New Brunswick, New Jersey

Senior Planner. Worked on various aspects of long-range County master plan, including population projections, traffic planning, open space planning and facilities planning.

PETITIONER' S

EXHIBIT NO. 2

Signage: 4000 Seven Mile Lane, Baltimore, MD 21208

PETITIONER'S

EXHIBIT NO.

6



Existing

1/2" thick white PVC letters
tape mounted and siliconed
to acrylic face.

acrylic panel
overlaid with
dark brown vinyl

Double sided
tape & silicon

NTS



QUALITY KOSHER FOODS

10"

CAFÉ • PHARMACY

10"

84"

Two (2) sets of 1/2 thick white PVC letters. Tape mounted and
siliconed to acrylic faces overlaid with dark brown vinyl.

SCALE: 1"=1'

THIS DRAWING IS THE EXCLUSIVE PROPERTY OF 3D SIGNS AND IS TO BE REVIEWED ONLY BY A PROSPECTIVE CUSTOMER FOR THE PURPOSE OF PURCHASING PRODUCTS AND/OR SERVICES FROM 3D SIGNS. ANY USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED HEREIN IS STRICTLY PROHIBITED. IF THIS DRAWING AND/OR THE INFORMATION CONTAINED HEREIN IS USED, CONVEYED AND/OR DISTRIBUTED IN ANY WAY, THE RECIPIENT OF THIS DRAWING AGREES TO COMPENSATE 3D SIGNS FOR THE TIME AND EFFORT EXPENDED TO PRODUCE SAID DRAWING.



P.O. Box 15079
Pikesville, MD 21282
ph: 410.585.1270
fax: 410.585.1273
www.dddsigns.com

DRAWING INFO	CUSTOMER	ELECTRICAL NOTES	DESIGN CRITERIA	ALLOWABLES	CUSTOMER APPROVAL
DRAWING # : 1	7-MILE MARKET	ALL ELECTRICAL COMPONENTS WILL BE UL LISTED AND APPROVED AS PER 1999 NEC 600-4 & FBC 4504-4 & DESIGNATED TO UL 48 PER F.S. 553-19. ALL SIGNS ARE TO BE GROUNDED AND BONDED PER NEC 600-7 & 250-95. ALL WIRING INSIDE LETTERS ARE TO BE #12 THIN HIGH TENSION GTO. ALL PRIMARY WIRING PROVIDED BY CUSTOMER IS TO BE #12 THIN HIGH TENSION AS PER NEC 600-21. THERE PLANS COMPLY WITH FBC 455-21. PRIMARY ELECTRIC SOURCE TO BE PROVIDED BY CUSTOMER TO WITHIN 6 FEET OF SIGN LOCATION.	EXPOSURE "C" ASCE 7-98 2001 FBC BUILT TO WITHSTAND 150 MPH	PROPOSED SIGN	PLEASE VERIFY COLORS, SPELLING AND LAYOUT PRIOR TO SIGNING. ACTUAL VIEW AND COLORS OF FINISHED PRODUCT MAY VARY. Date : / /
DATE : 10-16-10					
SCALE : As noted					
SALES REP : DD					
DESIGNER : DD					

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>9-7-10</u>	DEVELOPMENT PLANS REVIEW	<u>nc</u>
<u>10-12-10</u>	DEPRM (if not received, date e-mail sent _____)	<u>comment</u>
_____	FIRE DEPARTMENT	_____
<u>9-16-10</u>	PLANNING (if not received, date e-mail sent _____)	<u>Comments</u>
<u>9-13-10</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 72-129-A, 87-33-A
5120-X, 03-427-A)NEWSPAPER ADVERTISEMENT Date: 10-5-10SIGN POSTING Date: 10-1-10 O'KeefePEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

October 14, 2010

Benjamin Bronstein
29 W. Susquehanna Ave, Ste. 205
Towson, MD 21204

Dear: Benjamin Bronstein

RE: Case Number 2011-0078-A, 201 Reisterstown Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 23, 2010. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Safeway, Inc.; 1371 Oakland Blvd.; Walnut Creek, CA 94596
Seven Miles Food Market, LLC; 4000 Seven Mile Ln.; Baltimore, MD 21208
Kenneth J. Colbert; 2835 Smith Ave. Ste. G; Baltimore, MD 21209



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

State Highway
Administration

Beverley K. Swain-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 20, 2011

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

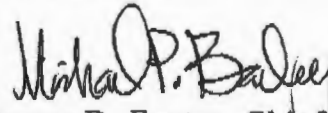
RE: Baltimore County
Item No. 2011-0078A
MD 140 (REISTERSTOWN RD)
201 REISTERSTOWN RD
SAFEWAY, INC.
VARIANCE -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 09/08/2011. A field inspection and internal review reveals that an entrance onto MD 140 is consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 201 REISTERSTOWN RD Case Number 2011-0078A.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0800 • www.sha.maryland.gov



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

September 1, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 30, 2010

Item No.:

Administrative Variance: 2011-0073A

Variance: 2011-0026SPHXA, 2011-0074A - 0078A, 2011-0079SPHA, 2011-0081SPHA,
2011-0082A

Special Exception: 2011-0026SPHXA

Special Hearing: 2011-0026SPHXA, 2011-0079SPHA, 2011-0080SPH,, 2011-0081SPHA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
Mail Stop 1102

cc: File

TB 10/28 9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 16, 2010

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

RECEIVED

SUBJECT: 201 Reisterstown Road

SEP 17 2010

INFORMATION:

Item Number: 11-078

ZONING COMMISSIONER

Petitioner: Seven-Mile Food Market

Zoning: BM, BR, BR-AS, DR 16 and DR 5.5

Requested Action: Variance

The property in question was a former Safeway store that has been vacated. The proposal is to convert it to a Kosher grocery store, the Seven Mile Market. The site is within the Pikesville Revitalization District in an area described as Urban Convenience in the Pikesville Revitalization Plan Update.

The 4,598 square foot addition required to meet the new grocery store's needs for storage and delivery is subject to the Pikesville Design Guidelines and review by the Baltimore County Design Review Panel (DRP). Compliance with these guidelines is binding on both the zoning commissioner and the Director of PDM.

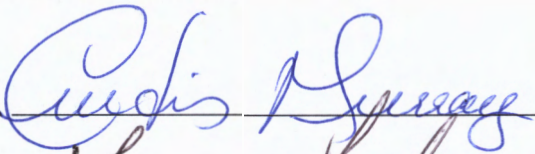
SUMMARY OF RECOMMENDATIONS:

Due to the nature, location and minor size of the proposed addition (less than 8% of the existing building), the Director of Planning has determined that the project is eligible for administrative DRP review. If the setback and parking variances are granted, the petitioner should complete the DRP process prior to final zoning approval.

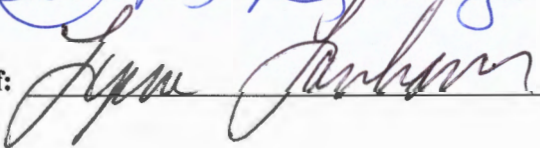
Landscaping has not been maintained since Safeway left the property and needs maintenance and restoration.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



TB
10-20-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

OCT 12 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 12, 2010
SUBJECT: Zoning Item # 11-078-A
Address 201 Reisterstown Road
(Safeway, Inc.)

Zoning Advisory Committee Meeting of August 30, 2010.

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

There is a State (MDE) groundwater contamination case for this site. Contact MDE for details. – *Dan Esser; Groundwater Management*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, ^{DM}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 13, 2010
Item Nos. 2011- 026, 073, 076, 077,
078, 079, 081 and 082

DATE: September 7, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09132010 -NO COMMENTS.doc



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

State Highway
Administration

Beverley K. Swain-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 13, 2010

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

RE: Baltimore County
Item No. 2011-0078-A
MD 140 (REISTERTOWN RD)
201 REISTERTOWN RD
SAFEWAY, INC.
VARIANCE -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 09/09/10. A field inspection and internal review reveals that an entrance onto MD 140 is consistent with current State Highway Administration guidelines is required. As a condition of approval for SAFEWAY, INC., Case Number 2011-0078A the applicant must contact the State Highway Administration to obtain an entrance permit.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

My telephone number/toll-free number is

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



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

DATE: September 16, 2010

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

SUBJECT: 201 Reisterstown Road

INFORMATION:

Item Number: 11-078

Petitioner: Seven-Mile Food Market

Zoning: BM, BR, BR-AS, DR 16 and DR 5.5

Requested Action: Variance

The property in question was a former Safeway store that has been vacated. The proposal is to convert it to a Kosher grocery store, the Seven Mile Market. The site is within the Pikesville Revitalization District in an area described as Urban Convenience in the Pikesville Revitalization Plan Update.

The 4,598 square foot addition required to meet the new grocery store's needs for storage and delivery is subject to the Pikesville Design Guidelines and review by the Baltimore County Design Review Panel (DRP). Compliance with these guidelines is binding on both the zoning commissioner and the Director of PDM.

SUMMARY OF RECOMMENDATIONS:

Due to the nature, location and minor size of the proposed addition (less than 8% of the existing building), the Director of Planning has determined that the project is eligible for administrative DRP review. If the setback and parking variances are granted, the petitioner should complete the DRP process prior to final zoning approval.

Landscaping has not been maintained since Safeway left the property and needs maintenance and restoration.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:

Division Chief:
AFK/LL: CM

RE: PETITION FOR VARIANCE * BEFORE THE
201 Reisterstown Road; NE/S Reisterstown *
Road, 396' NW of Seven Mile Lane * ZONING COMMISSIONER
3rd Election & 2nd Councilmanic Districts *
Legal Owner(s): Safeway, Inc * FOR
Contract Purchaser: Seven Mile Food Market *
Petitioner(s) * BALTIMORE COUNTY
* 2011-078-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

SEP 08 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of September, 2010, a copy of the foregoing Entry of Appearance was mailed to Kenneth Colbert, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Benjamin Bronstein, Esquire, 29 W. Susquehanna Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: #2011-0078-A

201 Reisterstown Road
N/east side of Reisterstown
Road, 396 feet n/west of
Seven Mile Lane
3rd Election District

2nd Councilmanic District
Legal Owner(s): Safeway, Inc.

Variance: To permit a side
building setback of 17 feet
in a BR zone, in lieu of the
required 30 feet; to permit
282 feet parking spaces in
lieu of the required 299
parking spaces.

**Hearing: Wednesday, Oc-
tober 20, 2010 at 10:00
a.m. In Room 104, Jeffer-
son Building, 105 West
Chesapeake Avenue,
Towson 21204**

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

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

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT 10/660 October 5 256875

CERTIFICATE OF PUBLICATION

10/7/, 2010

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 10/5/, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/03/10

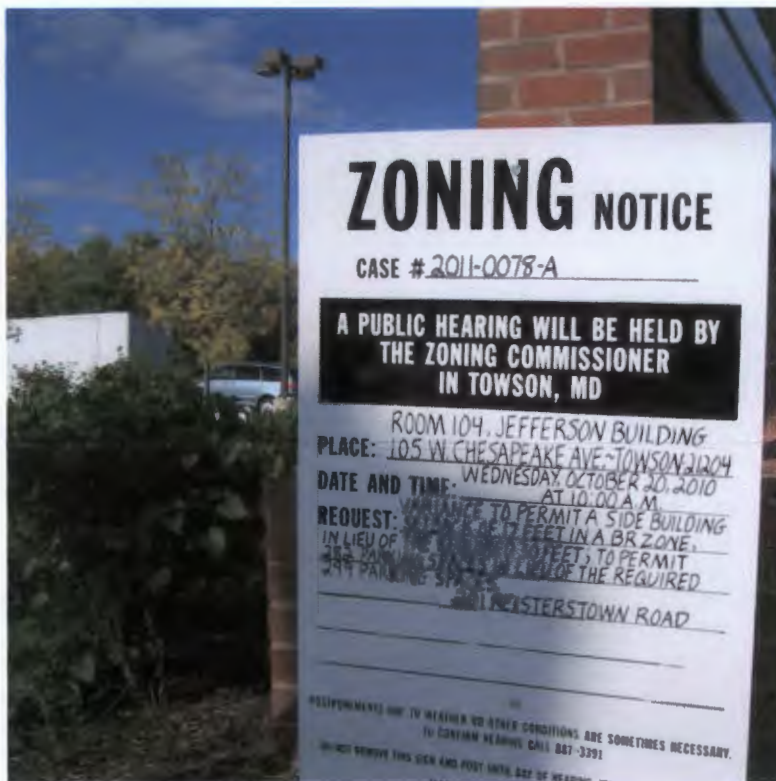
Case Number: 2011-0078-A

Petitioner / Developer: BENJAMIN BRONSTEIN, ESQ.~HOWARD BOEHM~KENNETH COLBERT~SAFEWAY, INC.

Date of Hearing (Closing): OCTOBER 20, 2010

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:
201 REISTERSTOWN ROAD

The sign(s) were posted on: OCTOBER 1, 2010



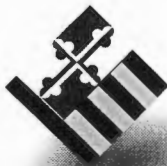
Linda O'Keefe
(Signature of Sign Poster)

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)



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

September 27, 2010

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: 2011-0078-A

201 Reisterstown Road

N/east side of Reisterstown Road, 396 feet n/west of Seven Mile Lane

3rd Election District – 2nd Councilmanic District

Legal Owners: Safeway, Inc.

Contract Purchaser: Seven Mile Food Market, LLC

Variance to permit a side building setback of 17 feet in a BR zone, in lieu of the required 30 feet; to permit 282 feet parking spaces in lieu of the required 299 parking spaces.

Hearing: Wednesday, October 20, 2010 at 10:00 a.m. in Rom 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Benjamin Bronstein, 29 W. Susquehanna Avenue, Ste. 205, Towson 21204

Howard Boehm, 4000 Seven Mile Lane, Baltimore 21208

Kenneth Colbert, 2835 Smith Ave., Ste. G, Baltimore 21209

Safeway, Inc., 1371 Oakland Blvd., Walnut Creek CA 94596

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 5, 2010.**

(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, October 5, 2010 Issue - Jeffersonian

Please forward billing to:
Benjamin Bronstein
Susquehanna Building
29 W. Susquehanna Avenue, Ste. 205
Towson, MD 21204

410-296-0200

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: 2011-0078-A

201 Reisterstown Road

N/east side of Reisterstown Road, 396 feet n/west of Seven Mile Lane

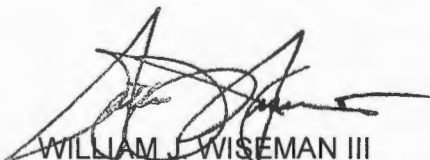
3rd Election District – 2nd Councilmanic District

Legal Owners: Safeway, Inc.

Contract Purchaser: Seven Mile Food Market, LLC

Variance to permit a side building setback of 17 feet in a BR zone, in lieu of the required 30 feet; to permit 282 feet parking spaces in lieu of the required 299 parking spaces.

Hearing: Wednesday, October 20, 2010 at 10:00 a.m. in Rom 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
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.

BENJAMIN BRONSTEIN

ATTORNEY AT LAW
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
Benbronstein@terralaw.net

August 19, 2010

Mr. Carl Richards
Dept of Permits & Development Mgt
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: 7-Mile Market (201 Reisterstown Road)

Dear Mr. Richards:

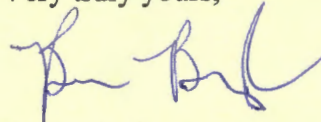
In reference to the above-entitled property I am hereby enclosing the following:

1. Petition for Variance (with attachment) in triplicate;
2. Twelve (12) copies of the Plat to Accompany Petition;
3. Three copies of the description under seal;
4. Copy of the 200 Scale Zoning Map; and
5. Check to cover costs.

There are no known violations.

Please enter my appearance on behalf of the Petitioner and advise me as to the hearing date.

Very truly yours,



Benjamin Bronstein

BB/mlh
Enclosures

1987-0333-A

2011-0078-A
(DROP OFF-NO REVIEW)

**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: 2011-0078-A (DROP OFF- NO REVIEW)
Petitioner: Safeway, Inc.
Address or Location: 201 Reisterstown Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Benjamin Bronstein, Esq.
Address: Susquehanna Building
29 W. Susquehanna Avenue, Suite 205
Towson, MD 21204
Telephone Number: 410-296-0200



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

September 1, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 30, 2010

Item No.:

Administrative Variance: 2011-0073A

Variance: 2011-0026SPHXA, 2011-0074A-0078A, 2011-0079SPHA, 2011-0081SPHA,
2011-0082A

Special Exception: 2011-0026SPHXA

Special Hearing: 2011-0026SPHXA, 2011-0079SPHA, 2011-0080SPH,, 2011-0081SPHA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
Mail Stop 1102

cc: File



PHOTO EXHIBIT

SEVEN MILE MARKET

201 REISTERSTOWN ROAD

DEEDS 15528/359

TAX MAP 78 - GRID 16 - PARCEL 287
3RD ELECTION DISTRICT - 2ND COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

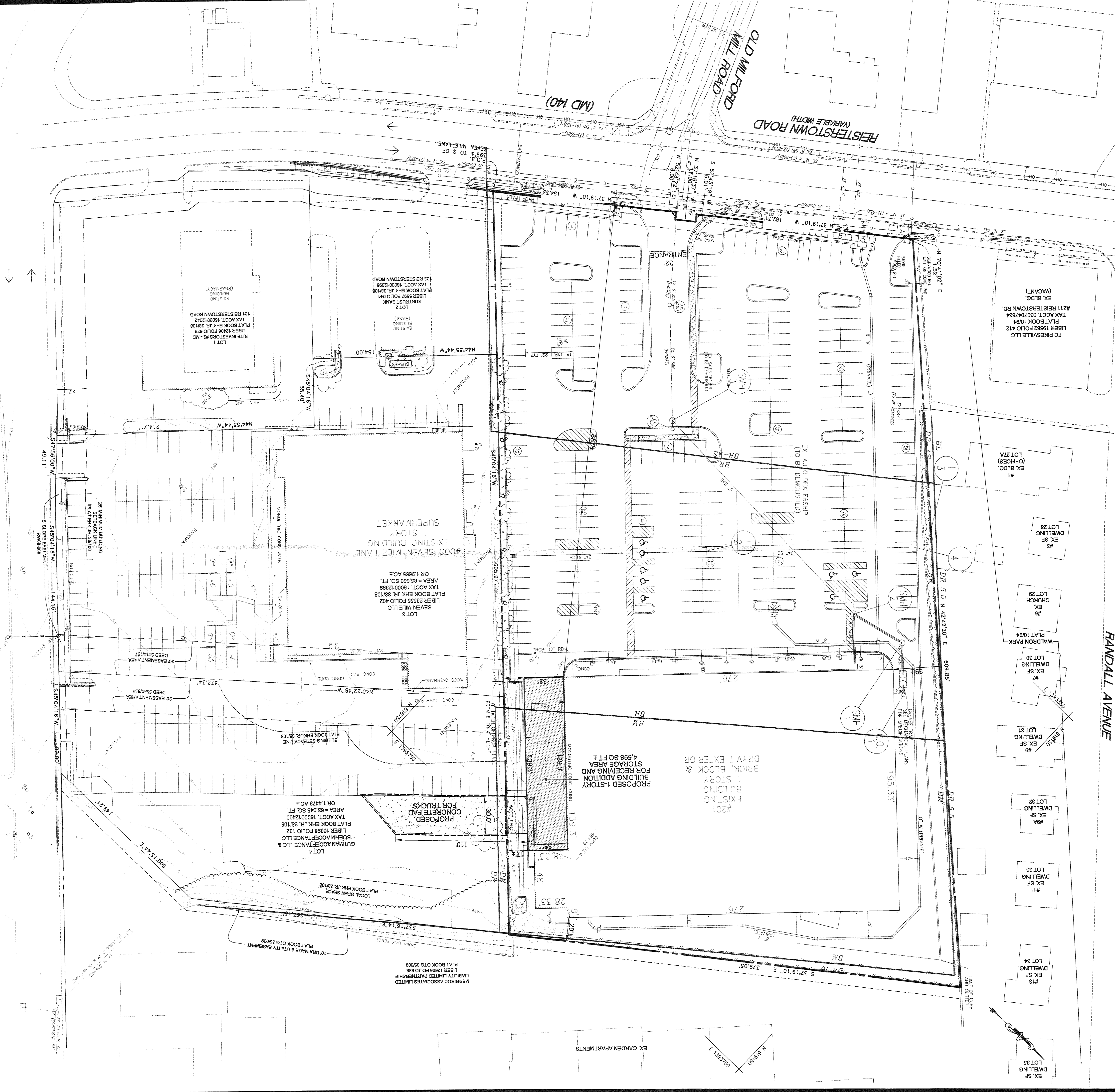


PETITIONER'S

EXHIBIT NO. 4

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1
-----	------	------------	----	--------------

SCALE: 1" = 200'
DATE: 09/15/10
JOB NO.: 2010-010
DESIGNED:
DRAWN: AKC
CHECKED: KJC
FILE: 2010010 AERIAL EXHIBIT.dwg
DRAWING NUMBER: PHOTO-1



BENCHMARK DATA

COORDINATE AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM NAD83/91 DATUM AND ARE BASED ON THE FOLLOWING			
STATION	NORTHING	EASTING	ELEVATION
BALT. CO. GIS - 1313	618270.15	139302.87	480.87
BALT. CO. GIS - 1314	618596.88	139312.55	484.89

NOTES

1. OWNER: FRANKEL PROPERTIES, LLC
C/O GARRETT, INC.
1371 OAKLAND BLVD.
WALNUT CREEK, CALIF. 94596
2. DEVELOPER: SEVEN MILE LLC
4000 SEVEN MILE LANE
BALTIMORE, MD. 21208
3. SITE DATA:
MAP 78, PARCEL 287
TX ACCOUNT NO. 1600000347
DEED REFERENCE: 15528 / 259
SITE AREA: 218,975 SQ. FT. (5.03 ACRES)
PROPOSED USE: SUPERMARKET
4. ZONING AND DEVELOPMENT HISTORY:
IN CASE NO. 5120-X, ON JULY 20, 1961, THE BOARD OF APPEALS APPROVED A SPECIAL EXCEPTION FOR AN ADVERTISING STRUCTURE.
IN CASE NO. 72-129-A, ON MAY 19, 1973, THE BOARD OF APPEALS APPROVED VARIANCES FOR A SIGN WITH AN AREA OF 224 SQ. FT. IN LIEU OF 150 SQ. FT. AND A HEIGHT OF 35 FT. IN LIEU OF 25 FT.
IN CASE NO. 87-033-A, ON FEBRUARY 26, 1987, THE DEPUTY ZONING COMMISSIONER APPROVED A REQUEST FOR 4 ROADSIDE SIGNS WITH 482 SQUARE FEET OF TOTAL AREA.
IN CASE NO. 03-427-A, ON MAY 14, 2003, THE ZONING COMMISSIONER APPROVED A REQUEST FOR FOUR SIGN VARIANCES, THREE FOR ADDITIONAL WALL-MOUNTED SIGNS AND ONE FOR AN ADDITIONAL CANOPY SIGN.
A LIMITED EXEMPTION UNDER SEC. 32-4-105(a)(iv) WAS GRANTED BY THE DRC FOR CONSTRUCTION OF THE EXISTING BUILDING (DRC NO. 061801D).
A LIMITED EXEMPTION UNDER SEC. 32-4-105(a)(iv) WAS APPROVED FOR THE BUILDING ADDITION (DRC NO. 060810A).
5. OFF STREET PARKING CALCULATIONS:
PAGE 287
EXISTING BUILDING - 65,296 SQ. FT.
PROPOSED ADDITION - 4,598 SQ. FT.
REQUIRED PARKING - 5 SPACES/1000 SQ. FT. = 299 SPACES
PROPOSED PARKING - 282 SPACES (VARIANCE REQUIRED)
ALL PARKING SPACES ARE DURABLE, DUST-FREE AND PERMANENTLY STRIPED.
6. ZONING: B1M, B1M, BR-AS, DR-16, AND DR-5
ZONING MAP NO. 78-52
7. P.A.R. CALCULATION: BUILDING: 59,854 SQ. FT.
SITE AREA: 218,975 SQ. FT.
8. MAX. PERMITTED FAR: 2.0 (B1M, 4.0 (BR))
8. SITE IS NOT IN THE CRITICAL AREA, HAS NO HISTORIC BUILDINGS AND IS NOT IN A 100-YEAR FLOOD PLAIN.
9. PREVIOUS COMMERCIAL PERMITS: B736966
10. ALL SIGNS WILL MEET THE REQUIREMENTS OF SEC. 450, BCCR

PLAN TO ACCOMPANY VARIANCE PETITION

SEVEN MILE MARKET

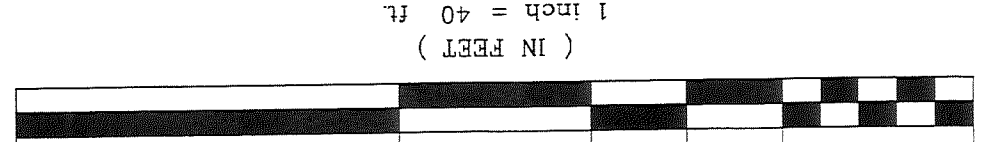
201 REISTERSTOWN ROAD

TAX MAP 78 - GRID 16 - PARCEL 287

3RD ELECTION DISTRICT - 2ND COUNCIL DISTRICT

BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



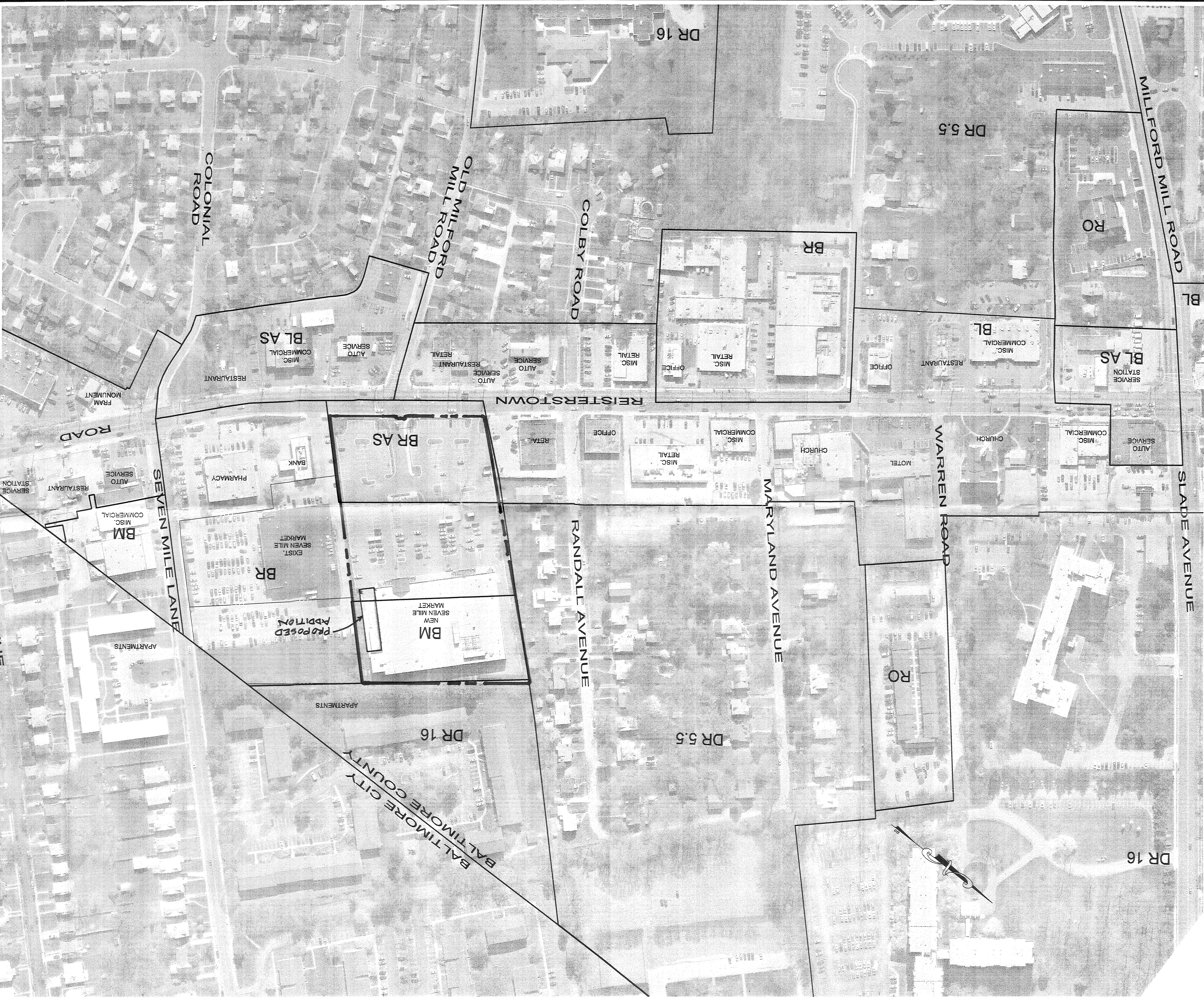
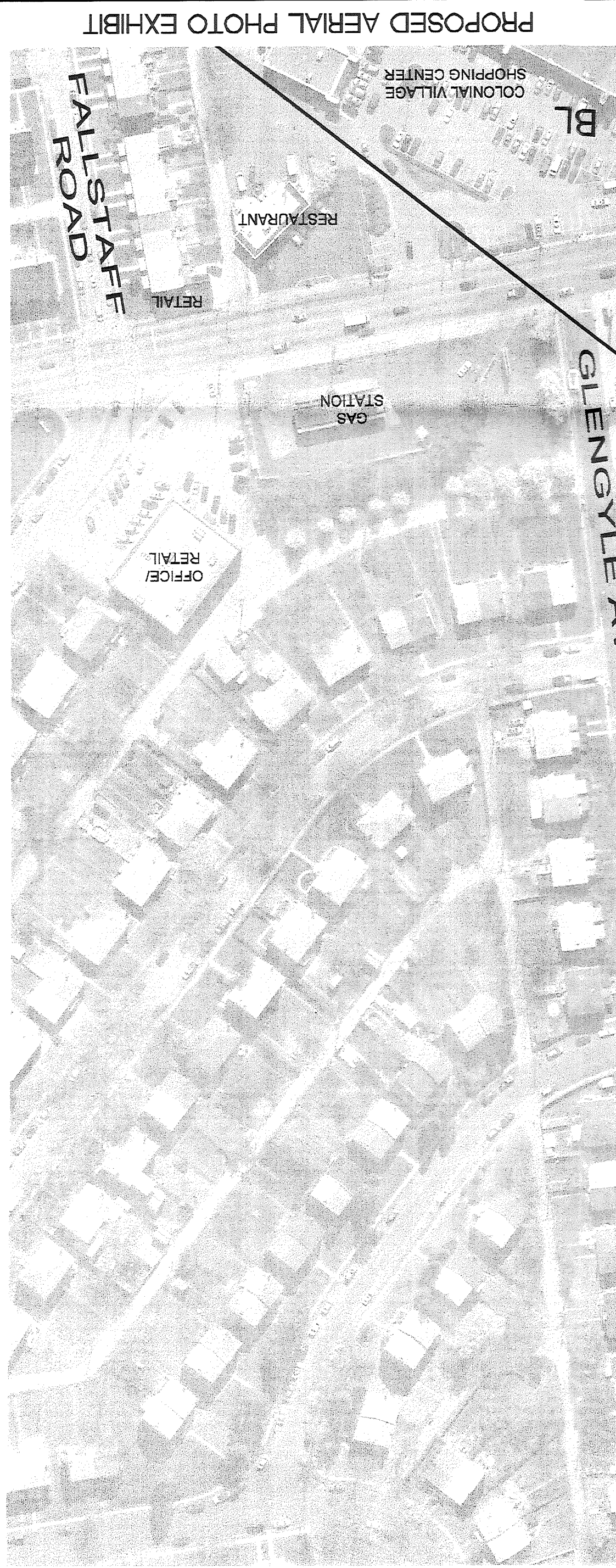
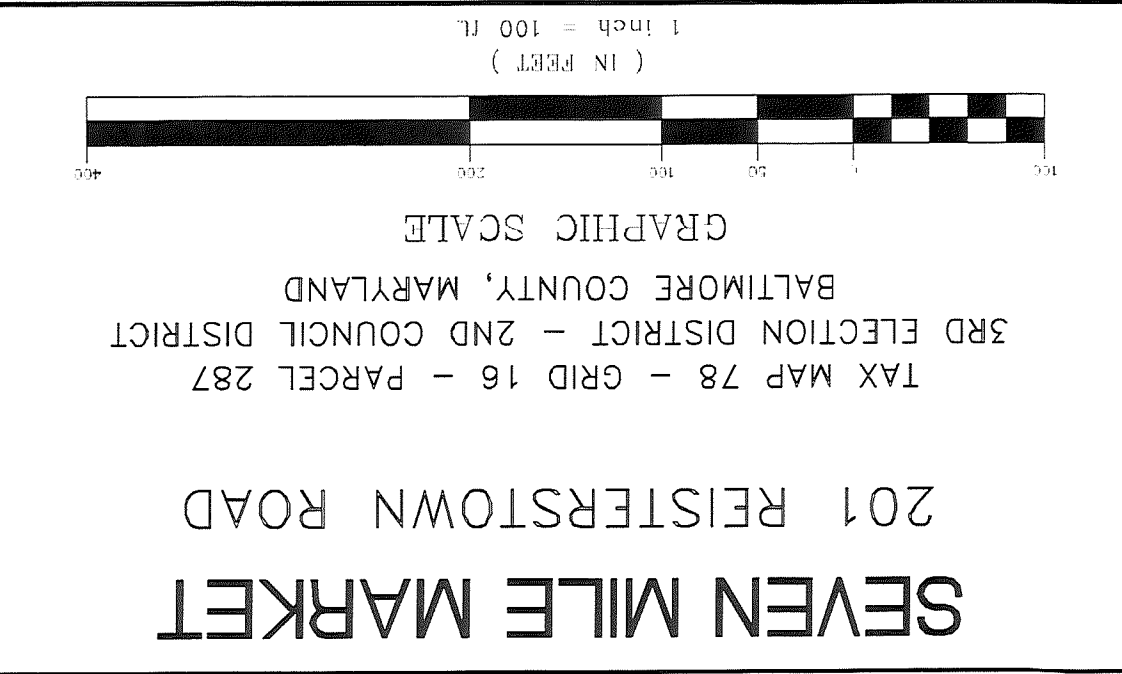
Engineers * Surveyors * Planners
Colbert Matz Rosentfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



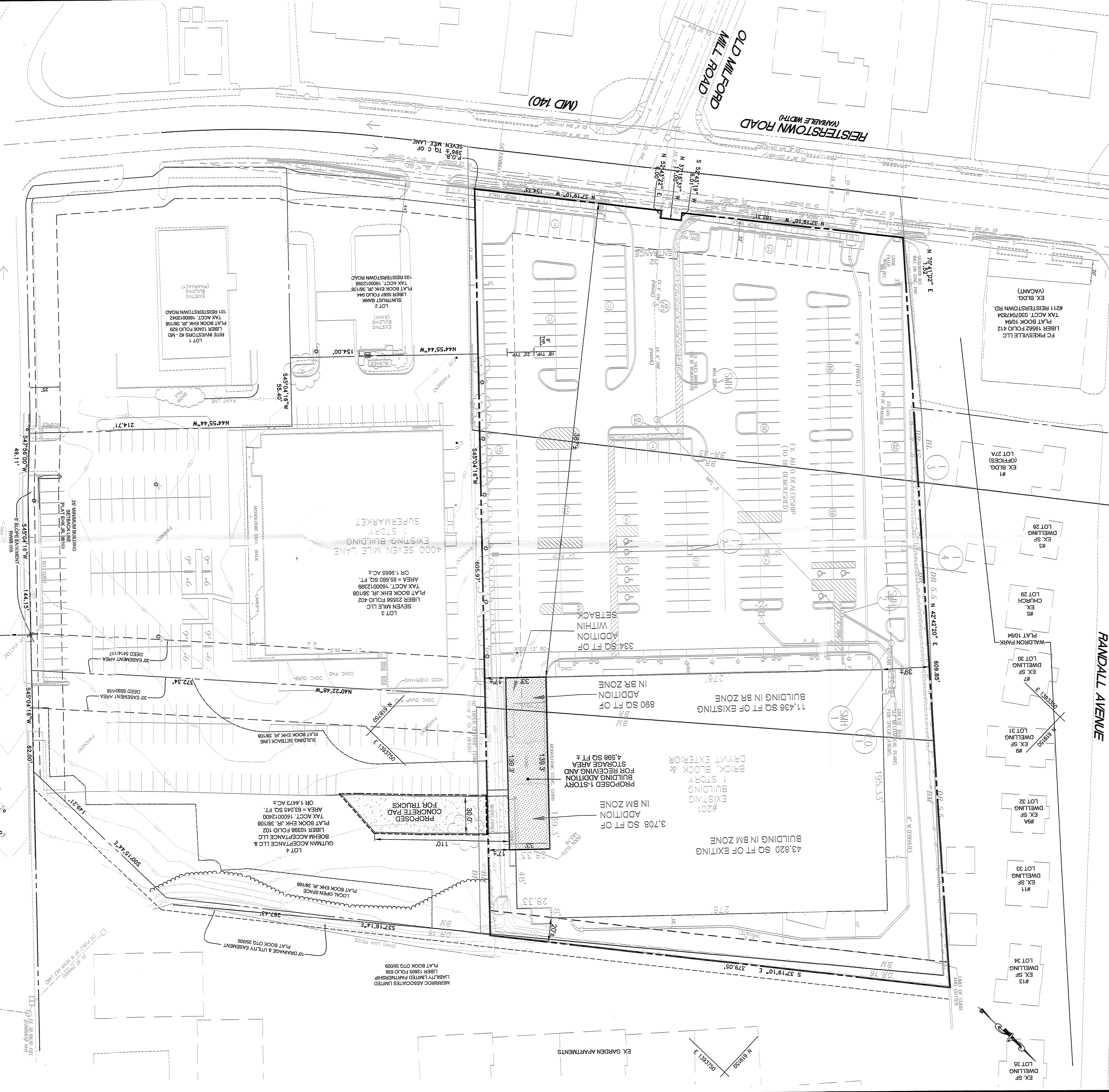
Professional Certification	Professional Engineer under the laws of the State of Maryland.
DATE: JUNE 18, 2010	JOB NO.: 2010-010
DESIGNED:	CHECKED: KJC
DRAWN: AKC	FILE: 201010 BASE (CURRENT).dwg
DRAWING NUMBER: VAR-1	BY: 1 OF 1
EXHIBIT NO. 1	DATE: 2/28/12
9752	Expiration Date: 2/28/12

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 2
		EXHIBIT NO. 3		
PETITIONER'S				
FILE: 2010010 AERIAL EXHIBIT.dwg				
DRAWING NUMBER: AER-1				
CHECKED: KJC				
DRAWN: AKC				
DESIGNED:				
JOB NO.: 2010-010				
DATE: 09/15/10				
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.				
License No. 4752 Expiration Date: 2/28/12				
Professional Certification				
SCALE: 1" = 100'				

Engineers • Surveyors • Planners
2835 Smith Avenue, Suite C
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953
Colbert Matz Rosenfelt, Inc.



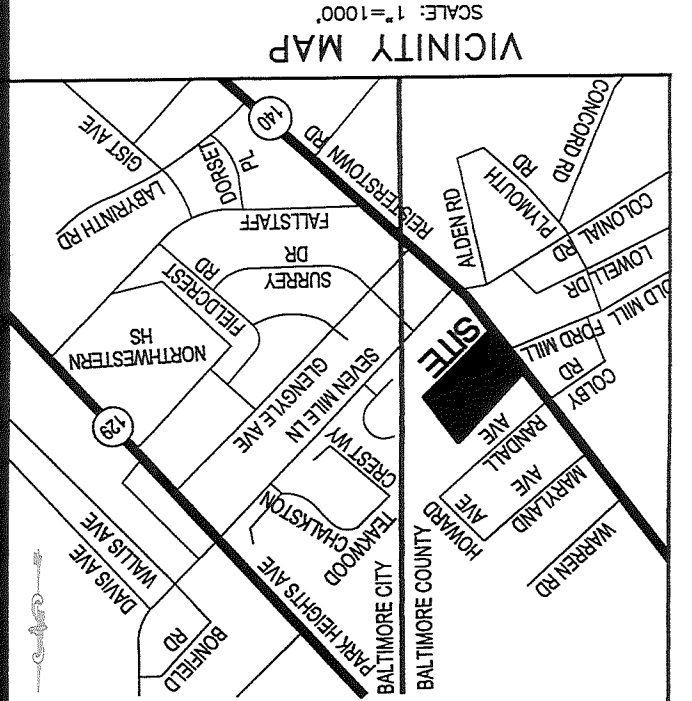
RANDALL AVENUE



BENCHMARK DATA

COORDINATE AND BEARING SHOWN ON THIS PLAT ARE REFERRED TO BASED ON THE FOLLOWING:

	ELEVATION	NORTHING	EASTING
STATION			
BALT. CO. GIS - 1314	618270.15	618270.15	484.67
BALT. CO. GIS - 1313	618270.15	618270.15	484.67
BALT. CO. GIS - 1314	618270.15	618270.15	484.67



- NOTES**
- OWNER: FRANKEL PROPERTIES, LLC
C/O SEVEN MILE LLC
WALNUT CREEK, CALIF. 94596
 - DEVELOPER: SEVEN MILE LLC
4000 SEVEN MILE LANE
BALTIMORE, MD. 21208
 - SITE DATA:
MAP 78, PARCEL 287
TAX ACCOUNT NO. 160000047
DEED REFERENCE 16528 / 359
SITE AREA: 219,978 SQ. FT. (5.05 ACRES)

- EXISTING AND DEVELOPMENT HISTORY:
IN CASE NO. 5120-X, ON JULY 20, 1991, THE BOARD OF APPEALS APPROVED A SPECIAL EXCEPTION FOR AN ADVERTISING STRUCTURE.
- IN CASE NO. 5120-X, ON JULY 20, 1991, THE BOARD OF APPEALS APPROVED A SPECIAL EXCEPTION FOR AN ADVERTISING STRUCTURE.
- IN CASE NO. 72-1294, ON MAY 19, 1973, THE BOARD OF APPEALS APPROVED VARIANCES FOR A SIGN WITH AN AREA OF 224 SQ. FT. IN LIEU OF 150 SQ. FT. AND A HEIGHT OF 35 FT. IN LIEU OF 25 FT.
- IN CASE NO. 87-033-A, ON FEBRUARY 28, 1987, THE DEPUTY ZONING COMMISSIONER APPROVED A REQUEST FOR 4 ROADSIDE SIGNS WITH 482 SQUARE FEET OF TOTAL AREA.
- IN CASE NO. 03-427-A, ON MAY 14, 2003, THE ZONING COMMISSIONER APPROVED A REQUEST FOR FOUR SIGN VARIANCES. THREE FOR ADDITIONAL WALL-MOUNTED SIGNS AND ONE FOR AN ADDITIONAL CANOPY SIGN.
- A LIMITED EXEMPTION UNDER SEC. 32-4-106(a)(iv) WAS GRANTED BY THE DRC FOR CONSTRUCTION OF THE EXISTING BUILDING (DRC NO. 061801D).
- A LIMITED EXEMPTION UNDER SEC. 32-4-106(a)(iv) WAS GRANTED BY THE DRC FOR ADDITION (DRC NO. 050510A).
- OFF STREET PARKING CALCULATIONS:
PARCEL 287
EXISTING BUILDING - 55,256 SQ. FT.
PROPOSED ADDITION - 4,598 SQ. FT.
PROPOSED PARKING - 252 SPACES (VARIANCE REQUIRED)
PROPOSED PARKING - 252 SPACES (VARIANCE REQUIRED)
ZONING MAP NO. 78-82
SITING AREA: 219,978 SQ. FT.
- PROPOSED FAR: 0.27
MAX. PERMITTED FAR: 2.0 (GR), 4.0 (BM)
- SITE IS NOT IN THE CRITICAL AREA, HAS NO HISTORIC BUILDINGS AND IS NOT IN A 100-YEAR FLOOD PLAIN.
- PREVIOUS COMMERCIAL PERMITS: 8736699
- ALL SIGNS WILL MEET THE REQUIREMENTS OF SEC. 450, BCZTR.

SETBACK/ZONING EXHIBIT

PLAN TO ACCOMPANY VARIANCE PETITION

SEVEN MILE MARKET

201 REISTERSTOWN ROAD

DEEDS 15528/359

TAX MAP 78 - GRID 16 - PARCEL 287

3RD ELECTION DISTRICT - 2ND COUNCIL DISTRICT

BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE

1 inch = 40 ft.

(IN FEET)

0 20 40

Engineers & Surveyors & Planners

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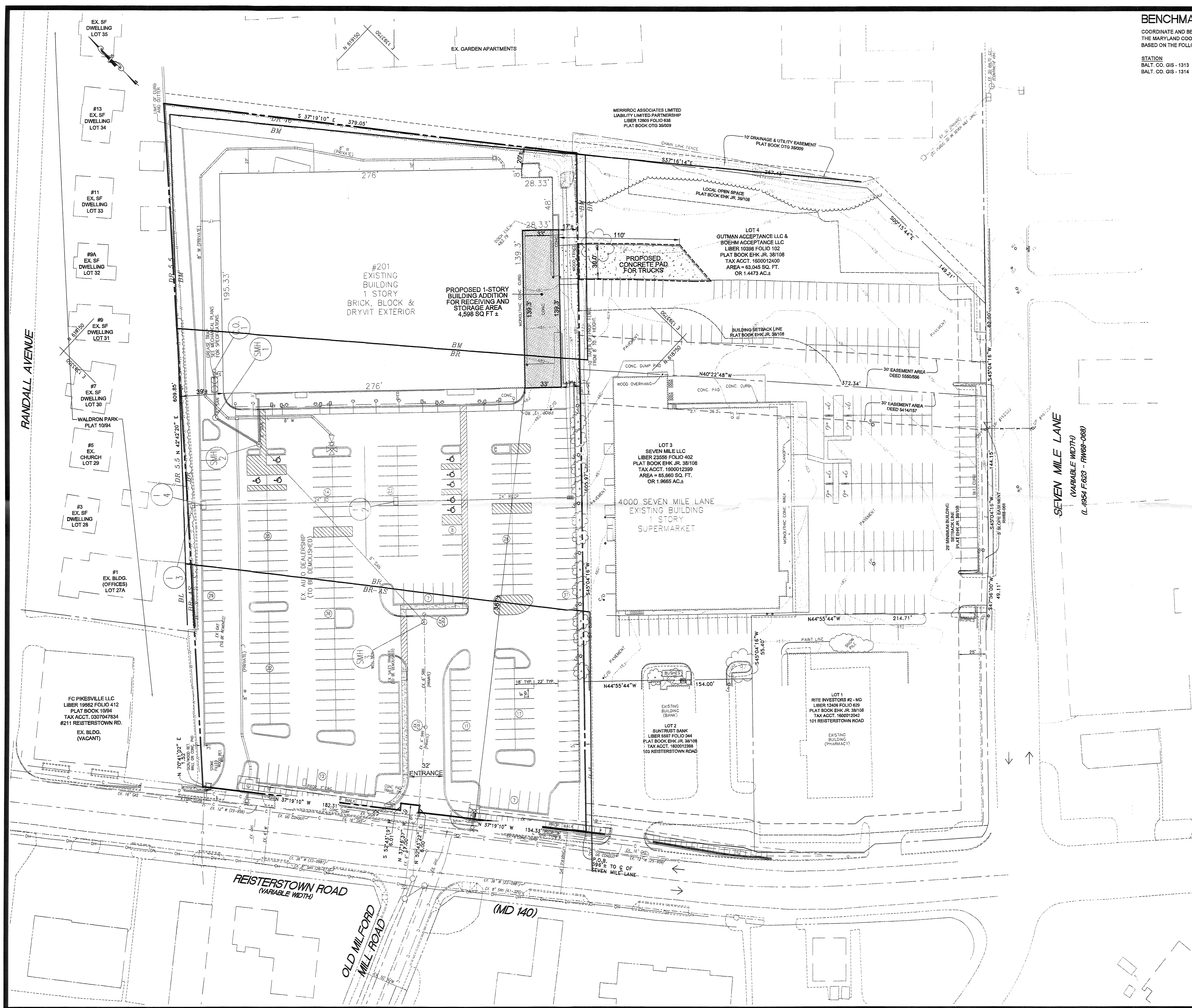
DATE: JUNE 18, 2010
JOB NO.: 2010-010
DESIGNED: AKC
DRAWN: AKC
CHECKED: KJC
FILE: 201010 BASE (CURRENT).dwg

DRAWING NUMBER: SB/Z-1

REVISIONS:

NO.	DATE	BY	REVISIONS
1	10-14-10	KJC	SETBACK/ZONING EXHIBIT

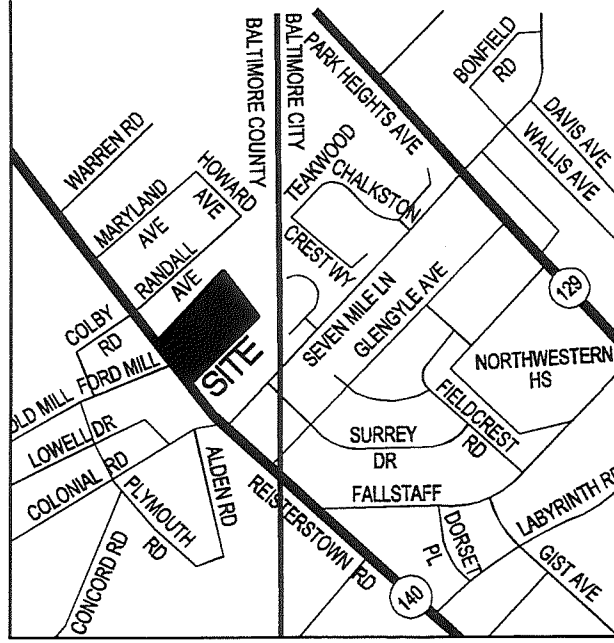
SHEET 1 OF 1



BENCHMARK DATA

COORDINATE AND BEARINGS SHOWN ON THIS PLAN ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM NAD83/91 DATUM AND ARE BASED ON THE FOLLOWING

STATION	NORTHING	EASTING	ELEVATION
BALT. CO. GIS - 1313	618270.15	1383802.87	450.87
BALT. CO. GIS - 1314	618596.88	1383312.55	484.69



VICINITY MAP
SCALE: 1"=1000'

NOTES

- OWNER: FRANKEL PROPERTIES, LLC
C/O SAFEWAY, INC.
1371 OAKLAND BLVD.
WALNUT CREEK, CALIF. 94596
- DEVELOPER: SEVEN MILE LLC
4000 SEVEN MILE LANE
BALTIMORE, MD. 21208
- SITE DATA:
MAP 78, PARCEL 287
TAX ACCOUNT NO. 1800000347
DEED REFERENCE 15528 / 359
SITE AREA: 219,978 SQ. FT. (5.05 ACRES)
EXISTING USE: VACANT
PROPOSED USE: SUPERMARKET
- ZONING AND DEVELOPMENT HISTORY
IN CASE NO. 5120-X, ON JULY 20, 1981, THE BOARD OF APPEALS APPROVED A SPECIAL EXCEPTION FOR AN ADVERTISING STRUCTURE.
IN CASE NO. 72-128-A, ON MAY 19, 1973, THE BOARD OF APPEALS APPROVED VARIANCES FOR A SIGN WITH AN AREA OF 224 SQ. FT. IN LIEU OF 150 SQ. FT. AND A HEIGHT OF 35 FT. IN LIEU OF 25 FT.
IN CASE NO. 87-033-A, ON FEBRUARY 26, 1987 THE DEPUTY ZONING COMMISSIONER APPROVED A REQUEST FOR 4 ROADSIDE SIGNS WITH 482 SQUARE FEET OF TOTAL AREA.
IN CASE NO. 03-427-A, ON MAY 14, 2003, THE ZONING COMMISSIONER APPROVED A REQUEST FOR FOUR SIGN VARIANCES: THREE FOR ADDITIONAL WALL-MOUNTED SIGNS AND ONE FOR AN ADDITIONAL CANOPY SIGN.
A LIMITED EXEMPTION UNDER SEC. 32-4-106(a)(iv) WAS GRANTED BY THE DRC FOR CONSTRUCTION OF THE EXISTING BUILDING (DRC NO. 061601D)
A LIMITED EXEMPTION UNDER SEC. 32-4-106(a)(iv) WAS APPROVED FOR THE BUILDING ADDITION (DRC NO. 060810A)
5. OFF STREET PARKING CALCULATIONS:
PARCEL 287
EXISTING BUILDING - 55,256 SQ. FT.
PROPOSED ADDITION - 4,598 SQ. FT.
REQUIRED PARKING - 5 SPACES/1000 SQ. FT. = 299 SPACES
PROPOSED PARKING - 282 SPACES (VARIANCE REQUIRED)
ALL PARKING SPACES ARE DURABLE, DUST-FREE AND PERMANENTLY STRIPED.
6. ZONING: BM, BR, BR-AS, DR-16, AND DR-55
ZONING MAP NO. 78-82
7. F.A.R. CALCULATION - BUILDING: 59,854 SQ. FT.
SITE AREA: 219,978 SQ. FT.
PROPOSED FAR: 0.27
MAX. PERMITTED FAR: 2.0 (BR), 4.0 (BM)
8. SITE IS NOT IN THE CRITICAL AREA, HAS NO HISTORIC BUILDINGS AND IS NOT IN A 100-YEAR FLOOD PLAIN.
9. PREVIOUS COMMERCIAL PERMITS: B736696
10. ALL SIGNS WILL MEET THE REQUIREMENTS OF SEC. 450, BC2R.

PLAN TO ACCOMPANY VARIANCE PETITION

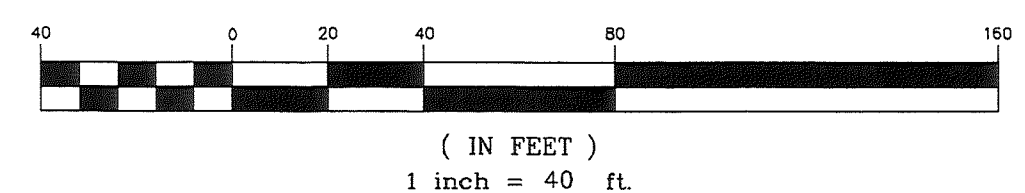
SEVEN MILE MARKET

201 REISTERSTOWN ROAD

DEEDS 15528/359

TAX MAP 78 - GRID 16 - PARCEL 287
3RD ELECTION DISTRICT - 2ND COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.		SCALE: 1"= 40' DATE: JUNE 18, 2010 JOB NO.: 2010-010 DESIGNED: DRAWN: AKC CHECKED: KJC FILE: 2010010 BASE (CURRENT).dwg DRAWING NUMBER: VAR-1	
License No. 9752	Expiration Date: 2/28/12		
NO.	DATE	REVISIONS:	BY
SHEET 1	OF 1		

2011-0078-A (DROP OFF NO REV



1"=200'
MAP 78B2
2011-0078-A