



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

April 8, 2015

Patricia A. Malone, Esquire
Venable, LLP
210 W. Pennsylvania Ave.
Suite 500
Towson, MD 21204

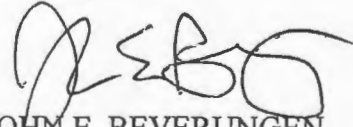
RE: **ORDER** - CRG / and Petition for Special Hearing
Hunt Valley Presbyterian Church, Inc. / 13015 Beaver Dam Road
CRG Case No. 08-0524 and Zoning Case No. 2015-0131-SPH

Dear Ms. Malone:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Michael R. McCann, Esquire, 118 W. Pennsylvania Avenue, Towson, MD 21204

In or about 1992, the Baltimore County Council enacted new development regulations, which required for the first time a Community Input Meeting (CIM) and Hearing Officer's Hearing (HOH) prior to development approval. Baltimore County Code (B.C.C.), § 26-201 et. seq. (1988 Edition). Under these regulations, the development proposal (known as a "Development Plan") is considered at a public hearing which is described as an adversarial or "quasi-judicial" proceeding. Leaving aside the various amendments and changes that have occurred in the ensuing 20+ years, this is the process in use today, and it is often referred to as the "Development Process." As noted by the Court of Special Appeals in Beth Tfiloh v. Glyndon, 152 Md. App. 97, 111 (2003), "it is generally accepted that the current Development Process is more onerous than the earlier CRG process or the JSPC process." So, the question became what to do with requests for amendments to a non-residential plan approved under one of the earlier processes.

Until 2006, the B.C.C. (§§ 26-169 and 26-211) provided an exemption for the Developer, whereby the current (i.e., post 1992) development regulations would not apply to "such development as has received a CRG approval." But in 2006 (Council Bill 24-06), the law was changed. In that legislation, the County Council noted in the preamble that the purpose of the bill was to require "previously approved developments to comply with the current law and the current development procedural review process."

The County Council expressly repealed the CRG "grandfather" provision (formerly codified at B.C.C. § 26-169, and recodified in the 2003 Edition of the Baltimore County Code at § 32-4-104). B.C.C. § 32-4-104 now provides that "this title shall apply to the process of review for approval of all development."

The Petitioner contends that pursuant to B.C.C. § 32-4-262(1), the plan in this case must be "reviewed and approved in the same manner as the original plan." The title of that section states

ORDER RECEIVED FOR FILING

Date 4-8-15

By WJ

family dwelling.” As such, it cannot be argued that the “dominant element of the Plan” is commercial, industrial, church, school or other institutional use. B.C.C. § 32-4-101(ddd). Thus, pursuant to Section 6(c) of Bill 58-09, the amendment in this case must be processed under Article 32, Title 4 of the County Code. The Order which follows concerns only the Petition for Special Hearing filed in Case No. 2015-0131-SPH; consistent with the preceding analysis, no action is taken with regard to the plan in PAI No. 08-0524.

THEREFORE, is this 8th day of **April, 2015** that the Petition for Special Hearing in the above case be and is hereby DISMISSED WITHOUT PREJUDICE.

Any appeal of this Order shall be taken in accordance with § 32-3-401.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 4-8-15

By dlw 4



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address 13015 Beaver Dam Road which is presently zoned RC3
Deed Reference 9749/712 10 Digit Tax Account # 2 1 0 0 0 0 5 8 7 4
Property Owner(s) Printed Name(s) Hunt Valley Presbyterian Church, Inc.

CASE NUMBER 2015-0131-SPH Filing Date 12/11/14 Estimated Posting Date / / Reviewer RJD

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See attached.

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a **Varlance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

To be presented at the hearing.

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Patricia A. Malone

Name- Type or Print

Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 410-494-6206 pamalone@venable.com
Zip Code Telephone # Email Address

Legal Owners:

See attached

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Patricia A. Malone

Name - Type or Print

Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 410-494-6206 pamalone@venable.com
Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING

Date 12/23/14

By [Signature]

**Attachment for
Petition for Special Hearing**

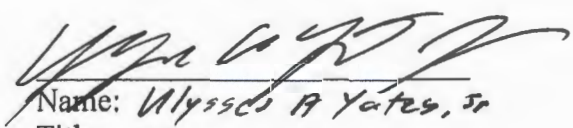
Hunt Valley Presbyterian Church, Inc.
13015 Beaver Dam Road

Petition for Special Hearing, pursuant to BCZR Section 500.7, to review an expansion of the existing church/building for religious worship, addition of associated parking, and other related site work as a "material amendment" to the 2nd Amended CRG Plan and to approve the 3rd Amended CRG Plan; (2) to approve the 3rd Amended Final Development Plan; and (3) if necessary, to extinguish the previously-granted special exception.

Petitioner:

Hunt Valley Presbyterian Church, Inc.

By:


Name: *Ulysses A. Yates, Jr.*
Title: *Treasurer*

ZAC AGENDA

Case Number: 2015-0131-SPH

Primary Use: Residential

Reviewer: RDD

Type: SPECIAL HEARING

Legal Owner: Hunt Valley Presbyterian Church Inc, Ulysses A Yates, Jr., Treasurer

Contract Purchaser:

Critical Area: NO **Flood Plain:** NO **Historic:** NO **Election Dist:** 8th **Councilmanic Dist:** 3rd

Property Address: 13015 Beaver Dam Rd

Location: S/S Beaver Dam Road, 582 ft. NW of centerline S/S of Baltimore Harris Expressway

Existing Zoning: RC 3

Area: 22.76 acres

Proposed Zoning: SPECIAL HEARING Development 1. To review an expansion of the existing church/building for religious worship, addition of associated parking, and other related site work as a "material amendment" to the 2nd Amended CRG Plan and to approve the 3rd Amended CRG Plan; and Zoning:

1. To approve the 3rd Amended Final Development Plan; and
2. If necessary, to extinguish the previously-granted special exception.

Attorney: Patricia A Malone, 210 W Pennsylvania Ave., Ste. 500, Towson MD 21204

Prior Zoning Cases: 91-269-A, 91-466-X

Concurrent Cases:

Violation Cases:

Closing Date:

Miscellaneous: Additional Priors: 92-442-SPH



NOTE TO THE ADMINISTRATIVE LAW JUDGE:

This is the recommended wording of the Zoning Office

**Attachment for
Petition for Special Hearing**

Revised Language

Hunt Valley Presbyterian Church, Inc.
13015 Beaver Dam Road

Petitioner proposes to expand the existing church/building for religious worship, add associated parking, and perform other related site work. Petitioner requests:

Petition for Special Hearing, pursuant to BCZR Section 500.7, to: (1) approve the 3rd Amended Final Development Plan; and (2) if necessary, to extinguish the previously-granted special exception;

and

Petition for Special Hearing, pursuant to BCZR Section 500.7 and Development Management Policy Manual Policy No. 1.e, to approve a "material amendment" to the most recently approved Amended CRG Plan.

2015-0131-SPH

Item #0131

**HUNT VALLEY
PRESBYTERIAN CHURCH
ZONING DESCRIPTION**

Beginning for the same at a point on the south side of Beaver Dam Road, variable width right-of-way. Said point being approximately 582.05 feet northwest from the intersection of the south side of Beaver Dam Road with the western right-of-way of the Baltimore Harrisburg Expressway (I-83) and also being point 565 as shown on the plat entitled "Hunt Valley Presbyterian Church, Inc." which is recorded among the Land Records of Baltimore County in Plat Book 66 Page 132. Thence running with and binding on the south side of Beaver Dam Road

- 1) 133.00 feet along the arc of a curve to the left having a radius of 635.00 feet and being subtended by a chord bearing South 63° 34' 56" East 132.75 feet to a point, thence by a line not tangent to the preceding arc
- 2) South 61° 27' 17" East 40.60 feet to a point, thence
- 3) South 75° 33' 50" East 53.59 feet to a point, thence
- 4) South 68° 18' 22" East 204.34 feet to a point, thence
- 5) South 74° 26' 39" East 50.16 feet to a point, thence
- 6) South 79° 01' 05" East 20.00 feet to a point, thence
- 7) South 80° 15' 52" East 83.99 feet to a point on the western right-of-way of the Baltimore-Harrisburg Expressway (I-83), thence running with and binding on said western right-of-way.
- 8) South 08° 45' 10" East 40.00 feet to a point, thence
- 9) South 11° 36' 55" East 100.13 feet to a point, thence
- 10) South 08° 45' 10" East 400.00 feet to a point, thence
- 11) South 07° 19' 15" East 200.06 feet to a point, thence leaving said western right-of-way and running through Lot 1 as shown on the aforementioned plat
- 12) North 89° 51' 38" West 1002.34 feet to a point, thence
- 13) North 20° 27' 40" East 912.05 feet to a point, thence
- 14) North 18° 02' 40" East 77.04 feet to the place of beginning.

Containing 646,727 square feet or 14.847 acres of land, more or less.

Item #0131

Being a portion of Lot 1 of Bishop's Pond as shown on the plat entitled "Hunt Valley Presbyterian Church, Inc." which is recorded among the Land Records of Baltimore County in Plat Book 66 Page 132.

Professional Certification

I hereby certify that this description was prepared by me or under my responsible charge, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 21139, Expiration Date June 20, 2016.



Item #0131

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

No.

119648

Date:

12/11/14

PAID RECEIPT

BUSINESS ACTUAL TIME DRW

12/11/2014 12/11/2014 11:18:17 .8

REC 4504 WALKIN SHOL SAN

RECEIPT # 450922 12/11/2014 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 119648

Receipt Tot 4500.00

4500.00 CK 1.00 CA

Baltimore County, Maryland

Rev Sub
Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				8500.00

Total:

8500.00

Rec

From:

Venable

For:

zoning hearing - case # 2015-0131-SPH

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

CASE NO: 2015-0131-SPH

PETITIONER/DEVELOPER

CENTURY ENGINEERING INC

DATE OF HEARING/CLOSING:

MARCH 19, 2015

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

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 AT _____

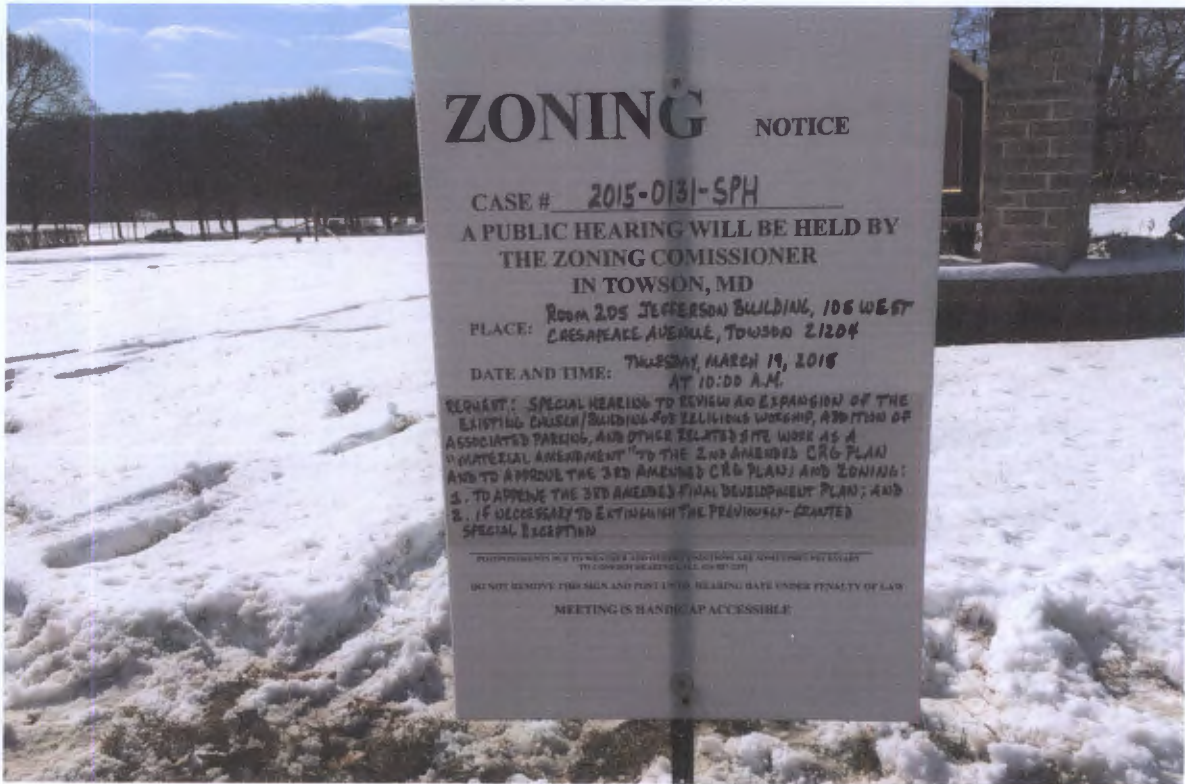
13015 BEAVER DAM ROAD

THIS SIGN(S) WERE POSTED ON FEBRUARY 18, 2015
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 2/18/15
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411



ZONING NOTICE

CASE # 2015-0131-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: ROOM 205 JEFFERSON BUILDING, 106 WEST
CRESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: THURSDAY, MARCH 19, 2016
AT 10:00 A.M.

REQUEST: SPECIAL HEARING TO REVIEW AN EXPANSION OF THE
EXISTING CHURCH/BUILDING FOR RELIGIOUS WORSHIP, ADDITION OF
ASSOCIATED PARKING, AND OTHER RELATED SITE WORK AS A
"COMMERCIAL AMENDMENT" TO THE 2ND AMENDED CR6 PLAN
AND TO APPROVE THE 3RD AMENDED CR6 PLAN; AND ZONING:
1. TO APPROVE THE 3RD AMENDED FINAL DEVELOPMENT PLAN; AND
2. IF NECESSARY TO EXTINGUISH THE PREVIOUSLY-GRANTED
SPECIAL EXCEPTION

PHOTOGRAPHS MAY BE TAKEN OF THIS SIGN AND THE SIGNAGE MAY BE REMOVED AT ANY TIME WITHOUT NOTICE

DO NOT REMOVE THIS SIGN AND POST UNTIL THE HEARING DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

2/18/15



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3066143

Sold To:

Patricia Malone - CU00424114
210 W Pennsylvania Ave Ste 500
Towson, MD 21204

Bill To:

Patricia Malone - CU00424114
210 W Pennsylvania Ave Ste 500
Towson, MD 21204

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Feb 26, 2015

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2015-0131-SPH
13015 Beaver Dam Road
S/s Beaver Dam Road, 582 ft. n/w centerline of S/s
Baltimore Harris Expressway
8th Election District - 3rd Councilmanic District
Legal Owner(s) Hunt Valley Presbyterian Church, Inc.

Special Hearing to review an expansion of the existing church/building for religious worship, addition of associated parking, and other related site work as a "material amendment" to the 2nd Amended CRG Plan and to approve the 3rd Amended CRG Plan; and Zoning: 1. To approve the 3rd Amended Final Development Plan; and 2. If necessary, to extinguish the previously-granted special exemption.

Hearing: Thursday, March 19, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

2/442 February 26 3066143



KEVIN KAMENETZ
County Executive
February 3, 2015

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

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2015-0131-SPH

13015 Beaver Dam Road

S/s Beaver Dam Road, 582 ft. n/w centerline of S/s Baltimore Harris Expressway

8th Election District – 3rd Councilmanic District

Legal Owners: Hunt Valley Presbyterian Church, Inc.

Special Hearing to review an expansion of the existing church/building for religious worship, addition of associated parking, and other related site work as a "material amendment" to the 2nd Amended CRG Plan and to approve the 3rd Amended CRG Plan; and Zoning: 1. To approve the 3rd Amended Final Development Plan; and 2. If necessary, to extinguish the previously-granted special exception.

Hearing: Thursday, March 19, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Avenue, 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 27, 2015.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 26, 2015 Issue - Jeffersonian

Please forward billing to:

Patricia Malone
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2015-0131-SPH

13015 Beaver Dam Road

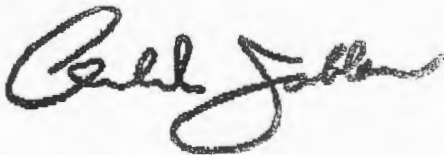
S/s Beaver Dam Road, 582 ft. n/w centerline of S/s Baltimore Harris Expressway

8th Election District – 3rd Councilmanic District

Legal Owners: Hunt Valley Presbyterian Church, Inc.

Special Hearing to review an expansion of the existing church/building for religious worship, addition of associated parking, and other related site work as a "material amendment" to the 2nd Amended CRG Plan and to approve the 3rd Amended CRG Plan; and Zoning: 1. To approve the 3rd Amended Final Development Plan; and 2. If necessary, to extinguish the previously-granted special exception.

Hearing: Thursday, March 19, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2015-0131-SPH
Petitioner: Hunt Valley Presbyterian Church, Inc.
Address or Location: 13015 Beaver Dam Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Patricia A. Malone
Address: 210 W. Pennsylvania Ave
Suite 500
Towson MD 21204
Telephone Number: 410.494.6200

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
13015 Beaver Dam Road; S/S Beaver Dam Rd, *
582' NW c/line of Baltimore Harris Expressway* OF ADMINISTRATIVE
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Hunt Valley Presbyterian * HEARINGS FOR
Church, Inc
Petitioner(s) * BALTIMORE COUNTY
* 2015-131-SPH

* * * * *

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.

RECEIVED

DEC 16 2014

.....

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of December, 2014, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Michael R. McCann, P.A.

118 W. Pennsylvania Avenue

Towson, Maryland 21204

Phone: (410) 825-2150

Facsimile: (410) 825-2149

michael@mmccannlaw.net

RECEIVED

APR 03 2015

OFFICE OF ADMINISTRATIVE HEARINGS

April 3, 2015

Via Hand Delivery

The Honorable John Beverungen
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Material Amendment to 2nd CRG Plan/Petition for Special Hearing
Hunt Valley Presbyterian Church
PAI Case No.: VIII-524
Case No.: 2015-0131SPH

Dear Judge Beverungen:

Per your request, I write to address the issues raised at the hearing on March 19, 2015 in connection with Protestants' motion to dismiss.

The Import of BCC, § 32-4-104 and Bill 24-06

I agree with your Honor's suggestion that section 32-4-104 is determinative. That section provides, in the simplest of terms, that "[t]his title [*i.e.*, Title 4] shall apply to the *process of review* for approval of *all development*."¹ The purpose clause of Bill 24-06 confirms that the bill was intended to "requir[e] *previously approved* developments to comply with the *current* law and the *current* development procedural review process...." (See Bill 24-06, p. 1) (emphasis added).

That this is the effect of section 32-4-104 is fully supported by the County Council's removal, in Bill 24-06, of certain grandfathering portions of the previous section 32-4-104 (formerly section 26-169). Specifically, Bill 24-06 removed subsection (b) which granted "exceptions" from the current review process for developments that had received some form of approval under prior review processes, most notably

¹ "Development" is defined in section 32-4-101(p) as "[t]he improvement of property for any purpose involving building" as well as "[t]he preparation of land for" for the purpose of building.

developments that had “received a CRG approval” or “[w]here a CRG plan was accepted for filing...before the adoption date of Bill 1-92.” By removing these grandfathering provisions, the County Council made clear that an approval under the prior CRG process no longer exempts the developer from complying with the current process. In its current form, there are no exceptions in section 32-4-104. Title 4 applies to the “process of review for approval of all development.”

As your Honor also pointed out, the appellate decisions that have addressed the plan amendment process in Baltimore County were issued *prior* to the passage of Bill 24-06, with the exception of *HNS Development, LLC v. People’s Counsel for Baltimore County*, 425 Md. 436 (2012). In *HNS Development*, the plan at issue was approved by the CRG in 1990. In 2005, the developer filed an amended plan, which the CRG rejected on the basis of the Planning Board’s determination that the plan conflicted with the Master Plan. On grounds unrelated to the issues in the present case, the Board of Appeals affirmed, as did the Circuit Court, the Court of Special Appeals and the Court of Appeals. Although it appears from the Court of Appeals’ opinion that the developer’s amended plan was processed under the CRG process, this occurred before the effective date of Bill 24-06, March 17, 2006. Thus, neither *HNS Development* nor any other appellate decision may be relied upon to support the argument that section 32-4-104 does not mean what it says.²

The Import of § 32-4-262

I, likewise, agree with your Honor’s reading of section 32-4-262. As its title denotes, section 32-4-262 applies only to material amendments to approved residential and non-residential “Development Plans.” A “Development Plan” is “a written and graphic representation of a proposed development *prepared in compliance with Subtitle 2 of this title [i.e., the current version of process set forth in Title 4].*” BCC, § 32-4-101(q). The plan that Petitioner seeks to amend in this case was prepared under the CRG process, not under the process set forth in current Subtitle 2 of Title 4. Section 32-4-262 is, therefore, not applicable.³

It could be argued that this reading gives no effect to section 32-4-262 because there will never be an amended non-residential “Development Plan” which could be reviewed and approved under a prior process (*i.e.*, “in the same manner as the original plan”) because all Development Plans are reviewed and approved under the current process in Subtitle 2 per the definition of “Development Plan.” The answer to this argument is that section 32-4-262 contemplates the possibility of *future* changes to the

² The PDM Policy that Petitioner’s counsel referenced at the hearing on March 19, 2015, likewise, was issued prior to the passage of Bill 24-06.

³ This is borne out by the explanatory language of Section 3 of Bill 24-06, which stated: “A development plan or plat that vested in accordance with the law in effect prior to the effective date of this Act is subject to the zoning regulations and development regulations in effect at the time the plan or plat was approved...; however, with respect to a material amendment to the plan or plat, the provisions of Section 32-4-262 shall apply.” (Emphasis added).

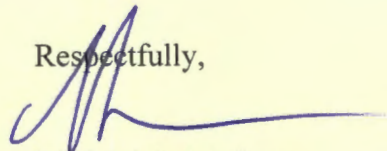
current development review process and thus makes clear that future amendments to non-residential Development Plans will not be subject to that future process but rather the current process in Subtitle 2.⁴

Moreover, it should be noted that the original CRG plan that Petitioner seeks to amend in this case was a plan for a three-lot residential subdivision. (See copy of CRG plan attached hereto). Thus, even assuming section 32-4-262 were applicable, which it is not, the plan filed by Petitioner is *not* an amendment to a non-residential plan.

In sum, Protestants concur with your Honor's suggestion at the March 19th hearing that Petitioner's amended plan must be reviewed and approved under the current process set forth in 32-4-201 *et seq.* The obvious purpose of Bill 24-06 was to remove the antiquated CRG process and allow a more thorough and meaningful review by the County agencies and a greater level of input by the public. Petitioners' proposal certainly warrants this type of review. The Church proposes a substantial expansion of an already intense use, including the enlargement of the existing building from 16,000 square feet to 67,000 square feet, over 600 additional seats, 300 additional parking spaces, and the construction of a nursery school, fellowship hall, and commercial kitchen.

Thank you for your consideration of this important issue.

Respectfully,

A handwritten signature in blue ink, appearing to be 'M. McCann', with a long horizontal flourish extending to the right.

Michael R. McCann

cc: Counsel for Petitioner

⁴ The original CRG plan that Petitioner seeks to amend in this case was a plan for a three-lot residential subdivision. (See copy of CRG plan attached hereto). Thus, even assuming § 32-4-262 were applicable, which it is not, the plan filed by Petitioner is *not* an amendment to a *non-residential* plan.

M E M O R A N D U M

DATE: May 12, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0131-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on May 11, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

5-0131-SPH

Sherry Nuffer

From: Richard Goldstein <rgoldstein@panfoundation.org>
Sent: Monday, May 11, 2015 1:52 PM
To: Administrative Hearings
Subject: Hunt Valley Church

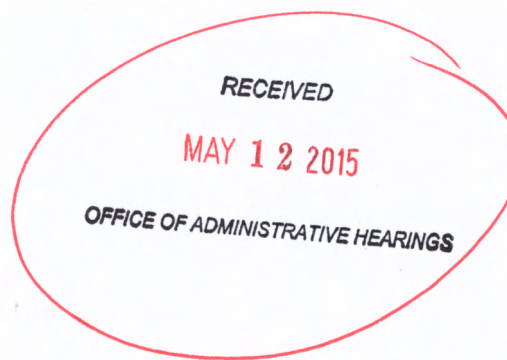
Dear Sir/Madam

I am writing to object to the proposed Church on Shawan Rd.

This proposal is an outrage to the neighbors in the Hunt Valley community. The traffic, overcrowding and over building is an invasion of privacy and a threat to our water supply. There are many other sites where this church can be built; better suited and not a threat to our natural resources, traffic and water table.

Please deny the request to build this church on Shawan Rd.

Very truly yours,
Richard L Goldstein
14223 Greencroft Lane
Cockeysville, Md 21030



Patricia A. Malone
Of Counsel

t 410.494.6206
f 410.821.0147
pamalone@venable.com

April 3, 2015

VIA EMAIL AND HAND-DELIVERY

Hon. John E. Beverungen
Office of Administrative Hearings
111 W. Chesapeake Avenue
Towson, MD 21204

RECEIVED

APR 03 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Hunt Valley Church
CRG 08-525 and 2015-131-SPH
Process for Amending CRG Plans

Judge Beverungen:

We are writing to address the procedural questions raised at the outset of the CRG/Zoning Hearing in the above-referenced matter. As you requested, this pleading is submitted as an informal letter that concisely explains the plan approval process to be utilized in this case. Specifically, it explains why the proposed expansion of the Hunt Valley Church, which has an approved CRG Plan, is governed by well-defined CRG Plan amendment procedures rather than the "Development Review and Approval Process" outlined in Article 32, Title 4, Subtitle 2 of the Baltimore County Code ("BCC").

I. The BCC Confirms That Material Amendments To Non-Residential CRG Plans Are Reviewed In The Same Manner As The Original Plans.

At the hearing, you pointed to the language of BCC § 32-4-104, which provides that "[t]his title shall apply to the process of review for approval of all development." Development is defined in relevant part as "[t]he improvement of property for any purpose involving building." BCC § 32-4-101(p)(1). It is undisputed that the expansion of the Church falls within this definition.

However, "this title" – Article 32, Title 4 – does not simply outline the procedure for approving new development plans, it also provides the procedure for reviewing and approving material amendments to previously approved plans. See BCC § 32-4-262. As explained in detail below, Your Honor would fully comply with "this title" by reviewing the material amendment to the CRG Plan in this case in the same manner as the original CRG Plan.

Hon. John E. Beverungen
April 2, 2015
Page 2 of 5

At the hearing, you correctly pointed out that in Bill 24-06, the County Council amended BCC § 32-4-104 to remove former subsection (b) and the exceptions to the applicability of the current development regulations, including the exception for an approved CRG plan. You questioned whether this change resulted in the elimination of CRG Plans and the CRG process, or whether the CRG process continued to govern material amendments to approved CRG Plans after 2006.

While the changes in Bill 24-06 may have left some doubt as to the intentions of then Councilman Kamenetz and his fellow Council members, Bill 58-09, adopted three years later, reaffirmed the validity and viability of non-residential plans approved through the CRG process and the Joint Subdivision Planning Commission ("JSPC"). Bill 58-09, also sponsored by Councilman Kamenetz, clarified the Council's intent to phase out application of the CRG process for residential plans, while retaining the process for non-residential plans. Indeed, the introductory statement of purpose in Bill 58-09 provides that the bill is:

FOR the purpose of requiring adherence to all current laws and zoning classifications for **certain residential development plans** (emphasis added).

Prior to Bill 58-09, BCC § 32-4-262(1) stated that:

[a]ny material amendment to an approved **non-residential Development Plan** shall be reviewed and approved in the same manner as the original plan (emphasis added).

Bill 58-09 changed the language to read that:

[a]ny material amendment to an approved **non-residential Plan** shall be reviewed and approved in the same manner as the original plan" (emphasis added).

Removal of the term "Development Plan" was not accidental or insignificant. Bill 58-09 also added a definition of "non-residential Plan" to BCC § 32-4-101(d)(d)(d), which is defined as a:

Plan of Development in which the dominant element of the Plan is (1) commercial development, (2) an industrial development, or (3) a senior housing, assisted living, life care, continuing care or elderly housing facility, **church**, school or other institutional use (emphasis added).

Notably, the definition of "non-residential Plan" does not refer to a *Development Plan* but instead uses the term *Plan of Development* so as to include all types of plans including CRG plans, JSPC plans and Development Plans. Indeed, the term "Development Plan" appears over 350 times in the BCC, including the second paragraph of BCC § 32-4-262 regarding material amendments to

Hon. John E. Beverungen
April 2, 2015
Page 3 of 5

residential projects. Its absence from the definition of non-residential Plan cannot be viewed as unintentional. *See Brooks v. Jenkins*, 220 Md. App. 444, 467 (2014) (holding that a statute must be read “as a whole to ensure that ‘no word, clause, sentence or phrase is rendered surplusage, superfluous, meaningless or nugatory”).

During our discussion at the hearing, you correctly noted that the title of BCC § 32-4-262 is “Amendment of Development Plans.” You questioned how this section could apply to the amendment of a CRG Plan when the heading contains the term Development Plan, a defined term. Including the term Development Plan in the title of this subsection, which has broader applicability than to just Development Plans, may be poor drafting, but it does not change the meaning of the code section as the BCC makes clear that headings are not part of the law:

§ 1-2-211. HEADINGS

A heading of an article, title, subtitle, part, section or subsection of the Code is intended only to indicate the contents of the article, title, subtitle, part, section or subsection **and is not part of the law** (emphasis added).

See also Williams v. Peninsula Reg'l Med. Ctr., 213 Md. App. 644, 655-656 (2013) (holding that captions do not control the meaning of the text of a statute); *State v. Holton*, 193 Md. App. 322, 365 (2011) (“In determining the meaning of a statute, we look to the words of the statute itself, not a caption”). The only “law” in BCC § 32-4-262 is that non-residential Plans, which are defined broadly to include CRG Plans for a church, are amended “in the same manner as the original plan.”

II. Baltimore County Agencies Have Routinely Processed Amendments To CRG Plans Under the CRG Process.

The principles of statutory construction, wherein the “primary goal is always to discern the legislative purpose, the ends to be accomplished, or the evils to be remedied by a particular provision”, *Miller v. Mathias*, 428 Md. 419, 450 (2012), likewise support the continuance of the CRG process for material amendments to non-residential CRG Plans. As a matter of practice, Baltimore County has consistently held that CRG Plans continue in force and effect and are amended in the same manner in which the original plan was approved. *See In Re: Consolidated CRG Plan – Charlestown Retirement Community*, PDM Case No. 01-225 (wherein Your Honor, acting as the CRG in August of 2014, issued an order approving a material amendment to a CRG Plan); *see also People's Counsel for Balt. County v. Surina*, 400 Md. 662, 682 (2007) (holding that “degree of deference should often be accorded the position of the administrative agency” whose task it is to interpret specialized ordinances). Without specifically identifying the projects, many commercial, industrial, senior housing, assisted living, life care, continuing care, elderly housing

Hon. John E. Beverungen
April 2, 2015
Page 4 of 5

facility, church, school, and other institutional uses in the County were approved by way of and still subject to JSPC or CRG Plans.

Additionally, as you confirmed at the hearing, in 2011, the Directors of the Department of Public Works and the Department of Planning officially delegated the authority to review material amendments to CRG Plans to the Office of Administrative Hearings. This designation occurred five years after the enactment of Bill 24-06. See County Exhibits 1-2. If CRG Plans were considered to be no longer in effect, there would be no purpose for this designation. To the contrary, as this analysis demonstrates, the approved non-residential CRG Plan for Hunt Valley Church is still valid and subject to amendment through the CRG process.

III. DRC Review Was Not Required For This Admitted Material Amendment

In the event it is argued that Hunt Valley Church should have filed an application with the Development Review Committee ("DRC") prior to submitting its "Material Amendment CRG Plan," Your Honor should hold that this step became unnecessary when the Church admitted that its expansion constituted a material amendment. The DRC's role, under the Development Management Policy Manual, is to assist the Director of the Department of Permits, Approvals and Inspections in evaluating whether certain process exemptions apply to a particular project. If an exemption is granted, a project may skip certain steps in the review process. The DRC does not approve or disapprove development proposals. In this instance, the Church decided not to pursue a process exemption. Instead, it voluntarily agreed to process the proposed improvement under the more onerous "material amendment" process, which involves a public meeting or hearing, rather than asking for the less onerous process for a "non-material amendment" or a "refinement."

During the hearing, you cited the *Beth Tfiloh* case for the proposition that the DRC may have a greater role in interpreting the legal process to be applied for a particular project. *Beth Tfiloh Congregation of Baltimore City, Inc. v. Glyndon Cmty. Ass'n*, 152 Md. App. 97, 100-101 (2003). *Beth Tfiloh* concerned whether a County letter informing the developer of the outcome of a DRC meeting is an appealable event, and whether the developer was entitled to a specific exemption in that case. *Id.* Any reference to the DRC's role in amending CRG plans is nonbinding dicta as the issue was not before the Court of Special Appeals. See *State v. Daughtry*, 419 Md. 35, 49 (2011), citing *Henderson v. Morgan*, 426 U.S. 637 (1976) (holding that when a presumption is not necessary to the Court's ruling the discussion is nonbinding dicta).

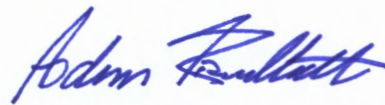
For the reasons stated in this letter, Baltimore County is complying with Article 32, Title 4 by processing material amendments to non-residential CRG Plans under the procedures in effect when the plans were originally approved. For Hunt Valley Church, the CRG amendment process properly involved submission of a plan, review by the Pre-CRG (which occurred on February 25,

Hon. John E. Beverungen
April 2, 2015
Page 5 of 5

2015), and a public meeting of the CRG (which was opened and continued on March 19, 2015).
We would ask that you reconvene the CRG Meeting at your earliest opportunity.

Thank you for your time and consideration.

Sincerely,



Patricia A. Malone
Adam M. Rosenblatt

cc: Michael McCann, Esq.



KEVIN KAMENETZ
County Executive

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

Telephone Number
(410) 887-3020

e-mail address:
ajablon@baltimorecountymd.gov

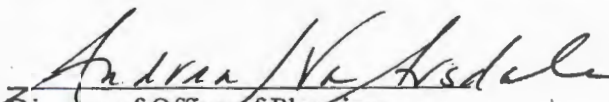
10 May, 2011

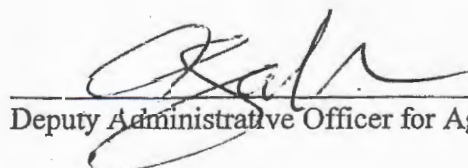
Honorable Lawrence Stahl
Honorable Timothy Kotroco
Honorable John Beverungen
Office of Administrative Law
105 West Chesapeake Ave
Baltimore, Maryland 21204

Re: CRG designation

Dear Judges Stahl, Kotroco, and Beverungen:

Pursuant to the authority vested by Section 22-57 (a), of the 1978 Baltimore County Code, as amended by Bill No. 56, 1882, the Directors of Public Works and Planning hereby designate each of you, sitting alone in your capacity as an Administrative Law Judge, to determine all material changes to previously approved CRG plans.


Director of Office of Planning


Deputy Administrative Officer for Agency Accountability



KEVIN KAMENETZ
County Executive

EDWARD C. ADAMS, JR, *Director*
Department of Public Works

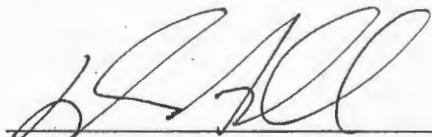
June 7, 2011

Honorable Lawrence Stahl
Honorable Timothy Kotroco
Honorable John Beverungen
Office of Administrative Law
105 West Chesapeake Avenue
Baltimore, Maryland 21204

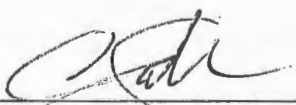
Re: CRG designation

Dear Judges Stahl, Kotroco, and Beverungen:

Pursuant to the authority vested by Section 22-57 (a), of the 1978 Baltimore County Code, as amended by Bill No. 56, 1882, the Directors of Public Works and Planning hereby designate each of you, sitting alone in your capacity as an Administrative Law Judge, to determine all material changes to previously approved CRG plans.



Director of Public Works



Deputy Administrative Officer for Agency Accountability

CASE NAME Hunt Valley, Lauren
CASE NUMBER 08-0524
DATE 3/19/2015

[illegible]

DATE 3/10/15

CITIZEN'S SIGN - IN SHEET

E - MAIL

Didra A. Bosley	13023 Braeside Dam Rd	Cockeysville MD 21030	didra@cockeysville.com
Masha Gaspari	13027 Beaverdam Rd	Cockeysville MD 21030	tmgaspari@verizon.net
Mikeltz-Patrick	13025 Beaverdam Rd	Cockeysville MD 21030	11k@earthlink.net

CASE NAME HUNT VALLEY CHURCH
CASE NUMBER DB-05241
DATE 3/19/15

[illegible]

John E. Beverungen

From: John E. Beverungen
Sent: Thursday, March 19, 2015 12:25 PM
To: Michael McCann; 'pamalone@venable.com'; 'amrosenblatt@venable.com'
Cc: Deborah Wiley (dwiley@baltimorecountymd.gov); Darryl DPutty
Subject: Hunt Valley Church

Counsel,

As you know, the public hearing in the above case was opened this morning, and continued at the request of Ms. Malone. At the outset of the hearing, Mr. McCann moved to dismiss the case, arguing that the OAH/ALJ was without "jurisdiction" or authority to hear the case. A lengthy discussion was then held concerning whether this proposal should be processed as a material amendment to the existing CRG plan, or whether it must be processed instead under the current development regulations.

Counsel suggested that written arguments be submitted on that point, and those should be filed with this office (e-mail is fine) by the close of business on April 3, 2015. After I receive and review your submissions, I will send out to counsel no later than April 10 a written decision which will constitute the ruling on Mr. McCann's motion to dismiss. Thereafter, I would ask that the parties keep this Office updated concerning whether the case will continue in some fashion/configuration in the OAH or whether some other avenue will be pursued.

While I do not want to restrict you, I would ask that you keep your submissions brief, perhaps no longer than 5 pages. It is an extremely narrow (albeit arcane) point of law at issue, so please focus just on the CRG versus current development regulations argument. Finally, I would appreciate if one of you would forward to me the unreported CSA opinion mentioned during today's hearing, concerning the procedure to be employed under current regulations for a material amendment to a Development Plan.

A copy of this correspondence will be included in both the development and zoning case files.

John Beverungen
ALJ

CASE NO. 2015-

0131-SPH

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

12/19/14

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

12/15/14

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

2/26/15

SIGN POSTING

Date:

2/18/15

by

agle

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

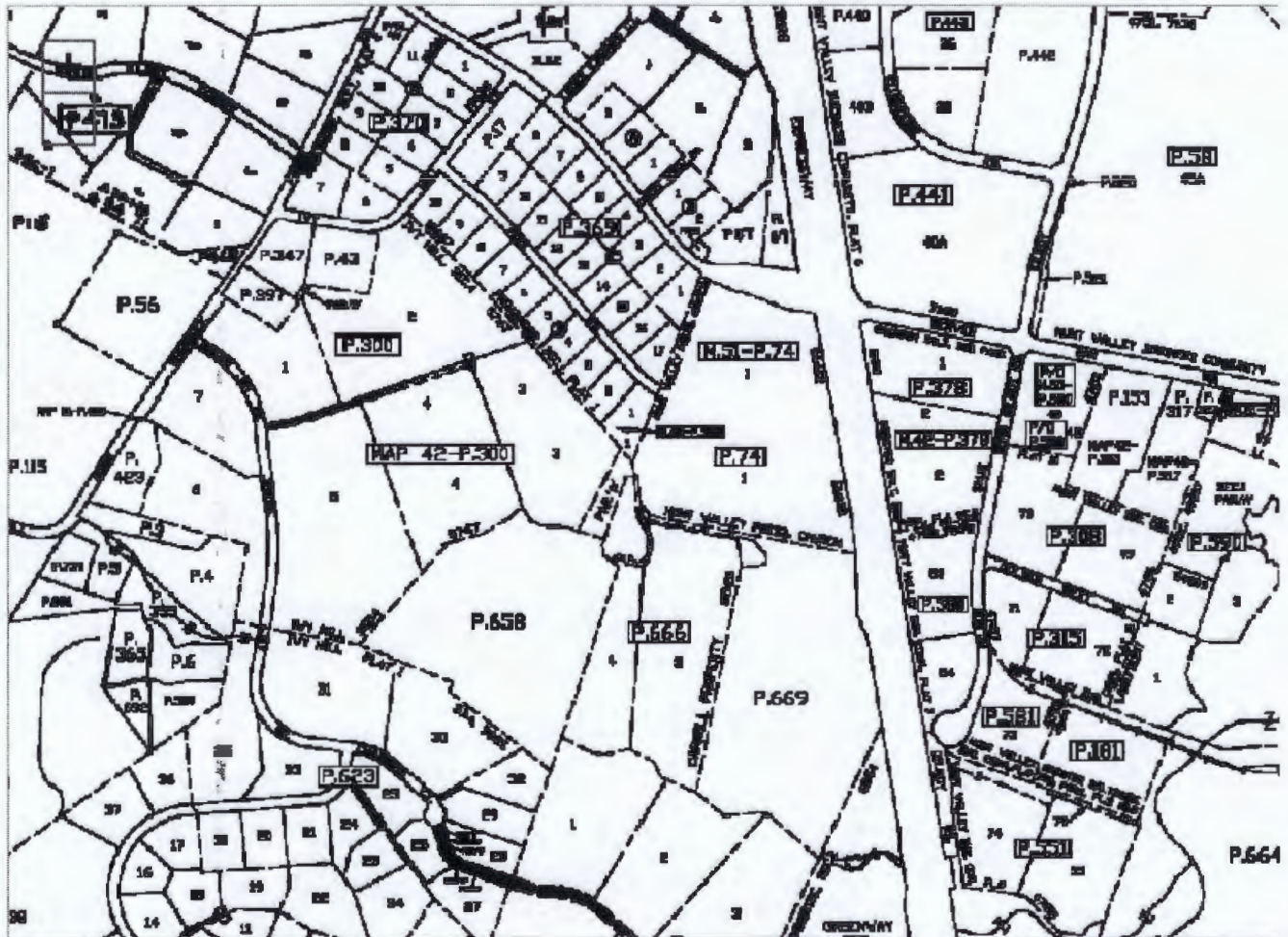
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 2100005874			
Owner Information					
Owner Name:	HUNT VALLEY PRESBYTERIAN CHURCH INC		Use:	COMMERCIAL NO	
Mailing Address:	10950 GILROY RD STE C HUNT VALLEY MD 21031-1327		Deed Reference:	/09749/ 00712	
Location & Structure Information					
Premises Address:		13016 BEAVER DAM RD COCKEYSVILLE MD 21030-1501		Legal Description:	22.761 AC PAR EX SS BEAVER DAM RD HUNT VALLEY PRES CHURCH
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0051	0002	0074		0000	2014 0066/0132
Special Tax Areas:			Town: NONE		
			Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1998	11488		22.7600 AC	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		CHURCH			
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2014 As of 07/01/2015		
Land:	1,361,000	1,361,000			
Improvements	2,622,700	2,813,200			
Total:	3,983,700	4,174,200	4,047,200	4,110,700	
Preferential Land:	0			0	
Transfer Information					
Seller: SIGNAL DEVELOPMENT CORP		Date: 05/07/1993		Price: \$485,000	
Type: ARMS LENGTH IMPROVED		Deed1: /09749/ 00712		Deed2:	
Seller: BISHOPS POND INC		Date: 02/13/1990		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07894/ 00064		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014	07/01/2015		
County:	700	3,926,200.00	3,926,200.00		
State:	700	3,926,200.00	3,926,200.00		
Municipal:	700	0.00/0.00	0.00/0.00		
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **08** Account Number: **2100005874**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☐ Loading... Please Wait. Loading... Please Wait.

→



KEVIN KAMENETZ
County Executive

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

March 10, 2015

Hunt Valley Presbyterian Church Inc.
Ulysses A. Yates Sr., Treasurer
13015 Beaver Dam Road
Hunt Valley MD 21030

RE: Case Number: 2015-0131 SPH, Address: 13015 Beaver Dam Road

Dear Mr. Yates:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 11, 2014. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Patricia A Malone, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

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



MARYLAND DEPARTMENT OF TRANSPORTATION

James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 12/15/14

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

RE: Baltimore County

Item No. 2015-0131-SPH

Special Hearing
Hunt Valley Presbyterian Church
Rev. Mysses A. Yates, Jr.
13015 Beaver Dam Road

Dear Ms. Lewis:

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. 2015-0131-SPH.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: December 19, 2014

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 19, 2014
Item No. 2015-0131

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comments.

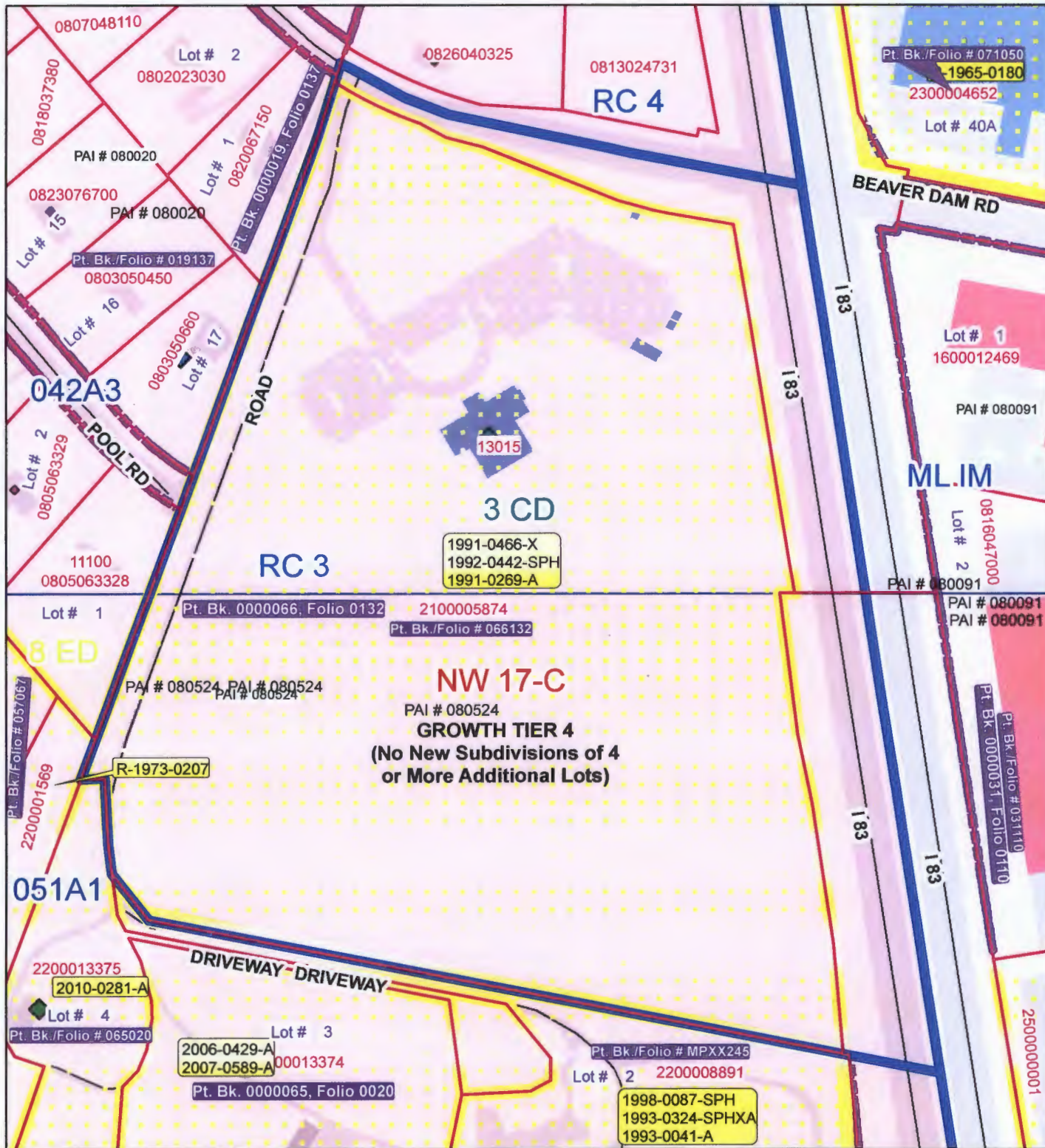
The requested material amendment must be processed through the development regulations and should most likely be separate from this process.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0131-12192014.doc

13015 Beaver Dam Road



Publication Date: 12/10/2014



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

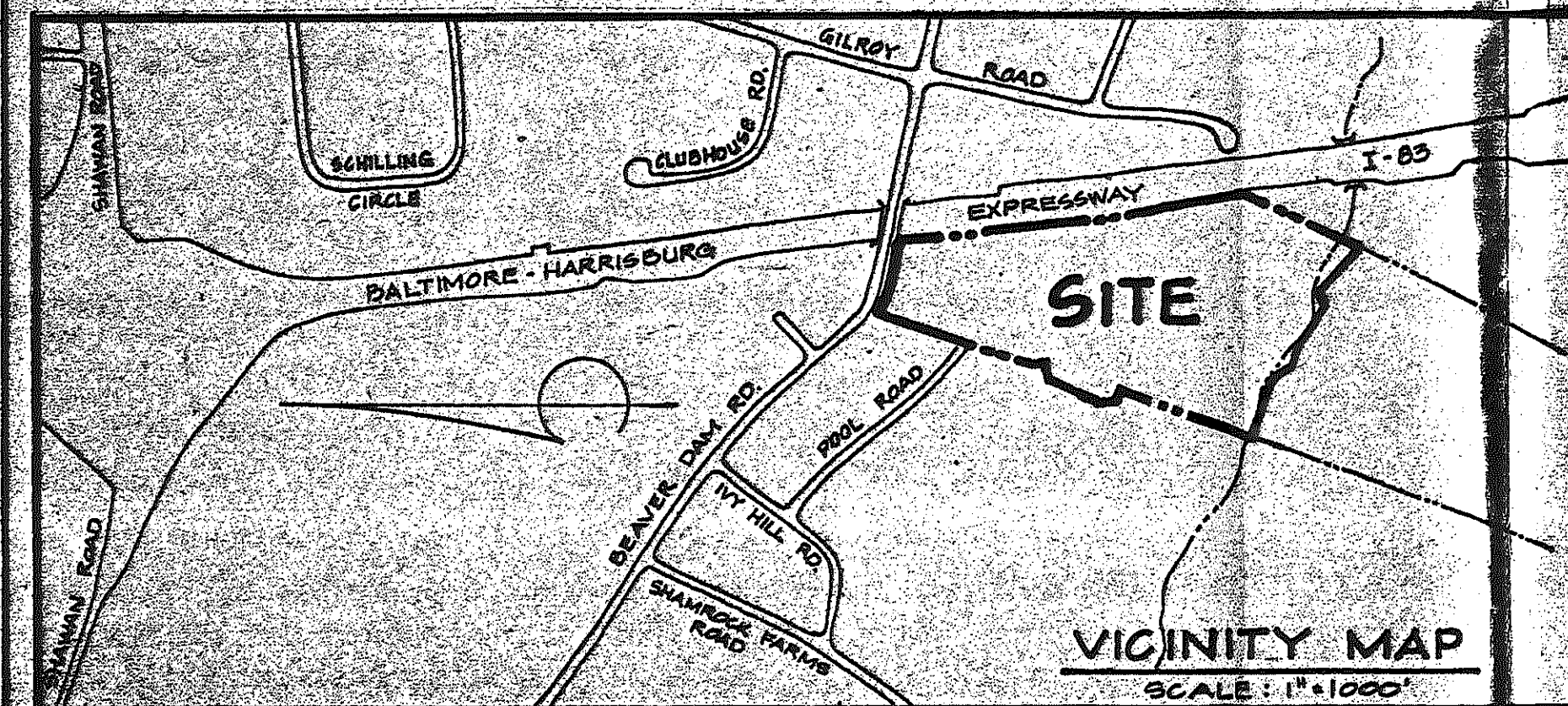
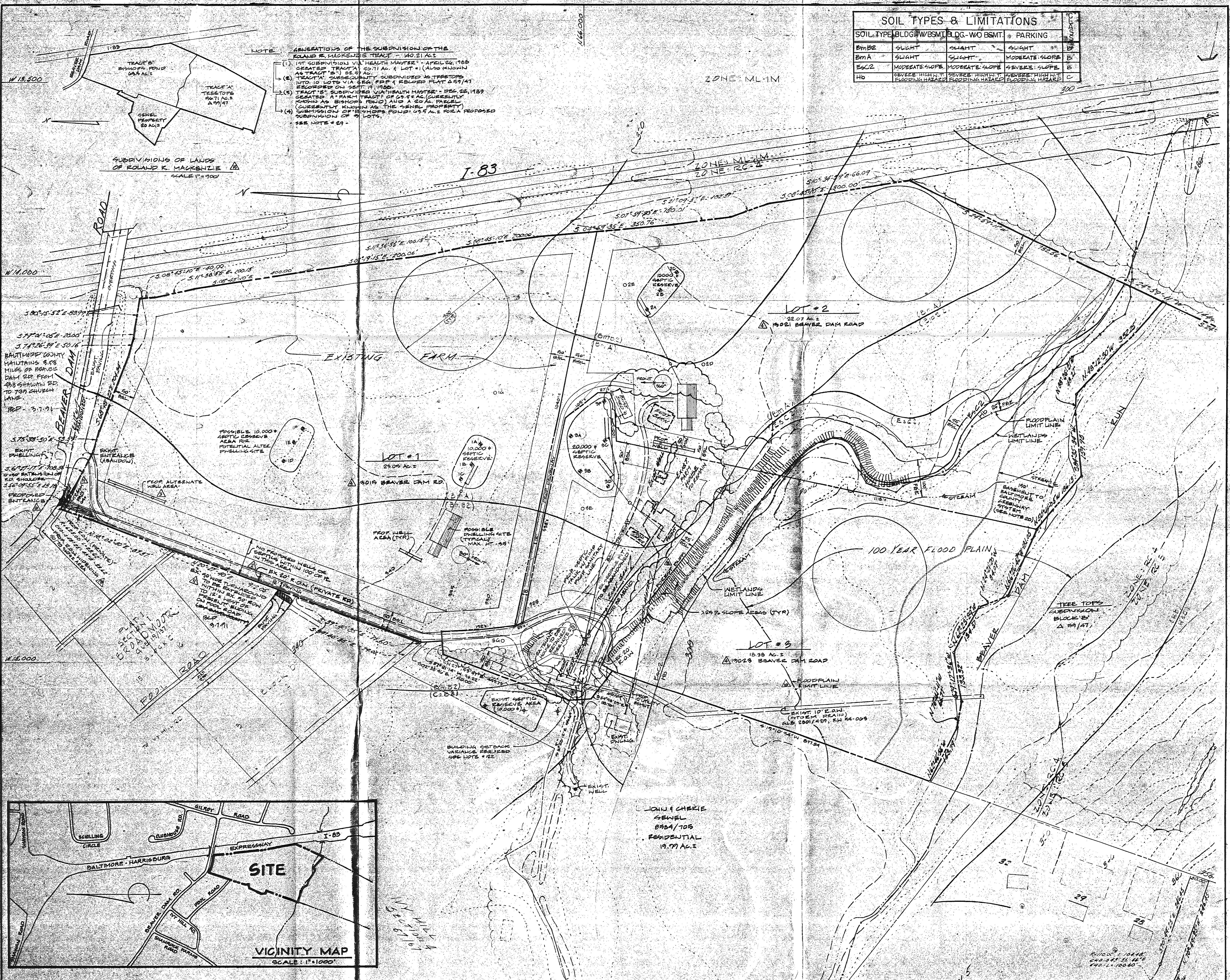


0 50 100 200 300 400 Feet

1 inch = 200 feet

Item # 0731

SOIL TYPES & LIMITATIONS				
SOIL TYPE	BLDG W/BSMT	BLDG-WO BSMT	PARKING	REMARKS
BmB2	SLIGHT	SLIGHT	SLIGHT	5'
BmA	SLIGHT	SLIGHT	MODERATE SLOPE	5'
BmC2	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE	5'
Hb	SEVERE SLOPE	SEVERE SLOPE	SEVERE SLOPE	5'



- GENERAL NOTES:**
- 1) SITE AREA - NET - 0.9 ACRES ±
GROSS - 0.9 ACRES ± (0.9 AC BEAVER DAM E.D.M.)
 - 2) EX. ZONING - RC-4
 - 3) ELECTION DISTRICT - #5
 - 4) CONGRESSIONAL DISTRICT - #9
 - 5) CENSUS TRACT - #11
 - 6) WATERSEED - #11
 - 7) SUBSECT - #11
 - 8) TAX ACCOUNT - #08-11-01210
 - 9) PERM. REFERENCE - 7894/004
 - 10) TAX MAP - #1, BLOCK #2, PARCEL #7
 - 11) DENSITY CALCULATION - 23,914 ACRES/AC - 12.75 UNITS
 - 12) UNITS PER ACRE - 2 LOTS FOR SINGLE FAMILY DWELLING
 - 13) REGIONAL PLANNING DISTRICT - NORTHERN SECTOR
 - 14) SCHOOL DISTRICT - POT SPRING ELEMENTARY
 - 15) LANDSCAPING - NOT REQUIRED IN RC-4 ZONE
 - 16) LOCAL OPEN SPACE - NOT REQUIRED IN RC-4 ZONE
 - 17) PARCELS - 100' WIDE LOT - 1/4 AC (1/4 AC REQUIRED FOR 1/4 AC)
 - 18) THERE ARE NO KNOWN HAZARDOUS MATERIALS SITES KNOWN TO EXIST ON THIS PARCEL
 - 19) THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT BECAUSE AS PERMITTED BY THE DEPT. OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 - 20) PROTECTIVE COVENANTS GOVERNING THE USE OF THE FOREST BUFFER EASEMENT SHALL BE RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY. THESE COVENANTS SHALL RUN WITH THE LAND AND CONTINUE IN PERPETUITY
 - 21) THE EASEMENT SHOWN ON THIS PLAN AS A PART OF THE BISHOPS POND TRAIL SHALL BE USED FOR THE PURPOSES OF THE BISHOPS POND TRAIL AND FOR MAINTENANCE PURPOSES. THE PURPOSES OF THE BISHOPS POND TRAIL SHALL BE MAINTAINED WITHIN THE FOREST BUFFER AREA WHICH WILL PERMIT OTHER THAN RECREATIONAL AND MAINTENANCE USE WILL BE USED BY BALTIMORE COUNTY AND THE PROPERTY OWNER
 - 22) THE 1/4 AC SUBSECT KNOWN AS BISHOPS POND HAS A PART OF THE 1/4 AC SUBSECT KNOWN AS BISHOPS POND TRAIL IN THE

- For Springs Elementary School District**
School Capacity 550
1990 Enrollment 737
Estimated Pupil Yield
- 23) ZONING REQUESTS - 1) A VARIANCE FROM RC-4 SEC. 103.3.4.4 TO PERMIT A 99' WIDE SETBACK IN USE OF THE REQUIRED 90' (ADMIN. #H100267) 2) CONSIDER APPLICATION TO ALLOW A TENANT DWELLING ON LOT #3
 - 24) REQUEST TO THE AGRICULTURAL LAND PRESERVATION ADVISORY BOARD - 1) APPROVAL OF APPLICATION TO PERMIT A TENANT DWELLING ON LOT #3 - SUBMITTED ON 12.21.90
 - 25) EXISTING FARM HOUSE & TENANT HOUSE CONTAIN MARYLAND HISTORIC TRUST INVENTORY NUMBERS
 - 26) UNAPPROVED PERM. TEST HOLES SHOWN ARE 16, 2P, 2E, 3E & 3A
 - 27) THE SEPTIC SYSTEM FOR THE MAIN HOUSE AND TENANT HOUSE WILL BE UPGRATED AND NEW PUMP TO SERVE LOT #3 & 8
 - 28) THERE ARE NO UNDERGROUND FUEL STORAGE TANKS KNOWN TO EXIST ON THIS SITE
 - 29) A FUTURE FLOODPLAIN & UTILITY EASEMENT OVER THE 100' EASEMENT FLOODPLAIN WILL BE PROVIDED
 - 30) THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD IN TRUST BY THE UNIVERSITY SINCE 1980. THE UNIVERSITY HAS MAINTAINED THE PROPERTY SINCE 1980. THE UNIVERSITY HAS MAINTAINED THE PROPERTY SINCE 1980. THE UNIVERSITY HAS MAINTAINED THE PROPERTY SINCE 1980.
 - 31) THE APPLICATION TO PERMIT A TENANT DWELLING ON LOT #3 HAS BEEN APPROVED BY THE AGRICULTURAL PRESERVATION ADVISORY BOARD

- ZONING COMMISSION REQUEST**
- 32) REQUEST TO THE ZONING COMMISSION TO PERMIT A 99' WIDE SETBACK IN USE OF THE REQUIRED 90' (ADMIN. #H100267) 2) CONSIDER APPLICATION TO ALLOW A TENANT DWELLING ON LOT #3
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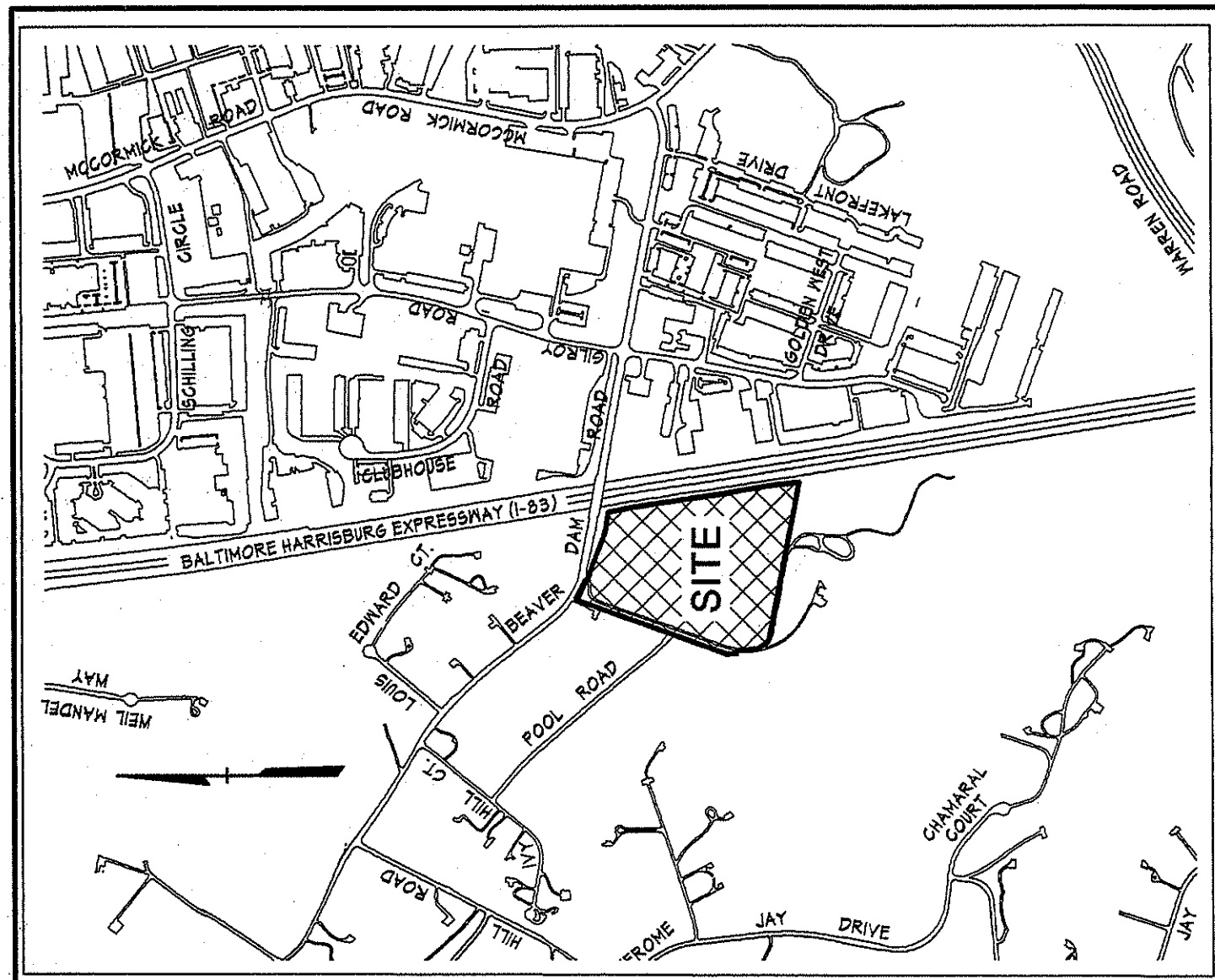
NO.	REVISION	DATE
1	NOTES 12-25 ADDED	12.25.90
2	EX. 20' E.D.M. DIMENSION REVISED	12.25.90
3	ALTERNATE WELL AREA SHOWN	12.25.90
4	STREET ADDRESS SHOWN	12.25.90
5	TRASH PAD ADDED	12.25.90
6	PROPOSED ENTRANCE SHOWN	12.25.90
7	REVISIONS FOR PRE-CRUI	12.25.90
8	NOTE # 21 REVISED	12.25.90
9	NOTE # 22-31 ADDED	12.25.90
10	ZONING COMMISSION REQUEST ADDED	12.25.90
11	FLOODPLAIN LIMIT LINE REVISED	12.25.90
12	POOL ROAD DIMENSION EXTENSION NOTE ADDED	12.25.90
13	FOREST BUFFER LIMIT REVISED	12.25.90
14	EDM. WIDE LINK ADDED FOR 90/70	12.25.90
15	SCHOOL FLAVER ADDED	12.25.90
16	SUBMISSION MAP & CHART ADDED	12.25.90

BALTIMORE COUNTY AND COUNTY REVIEW GROUP

This Plan Was Reviewed By The CRG On 3/7/91 With The Following Action Taken

PLAN APPROVED

Plan Approved By: [Signature]
Plan Approved On: 3/7/91
Approval Expiration Date: 3/7/94
Plan Disapproved: [Signature]
Continued W/ Required: [Signature]
Plan Referred To Plan: [Signature]



VICINITY MAP
SCALE: 1"=1000'

LANDSCAPING
LEGEND

- Proposed Shade Tree
- Proposed Flowering Tree
- Proposed Evergreen Tree

NOTE: The proposed landscaping shown is conceptual. The Final Landscape Plan is subject to the Baltimore County Landscaping Manual. The planting shown on the Final Landscape Plan will be detailed on the Final Landscape Plan.

DATA SOURCES:
TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM A FIELD SURVEY BY MICHAEL TURLEY CONSULTING ENGINEERS - PLANNERS, DATED JULY 2014. ADDITIONAL TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM FIELD SURVEY PROVIDED BY THE PROPERTY OWNER.
TOPOGRAPHIC INFORMATION, OUTSIDE OF THE FIELD SURVEY AREAS SHOWN ON THIS PLAN IS FROM THE BALTIMORE COUNTY OFFICE OF TECHNOLOGY - GIS UNIT.
COORDINATE SYSTEM (NAD 83) 2011 (NAD83) VIA GPS AND TIED TO THE FOLLOWING CORRS STATIONS:
DK1751 ANNE ARUNDEL CO CORRS ASP
DK1751 ANNE ARUNDEL CO CORRS ASP
DK1751 ANNE ARUNDEL CO CORRS ASP
DK1751 ANNE ARUNDEL CO CORRS ASP

DATE BY REVISIONS

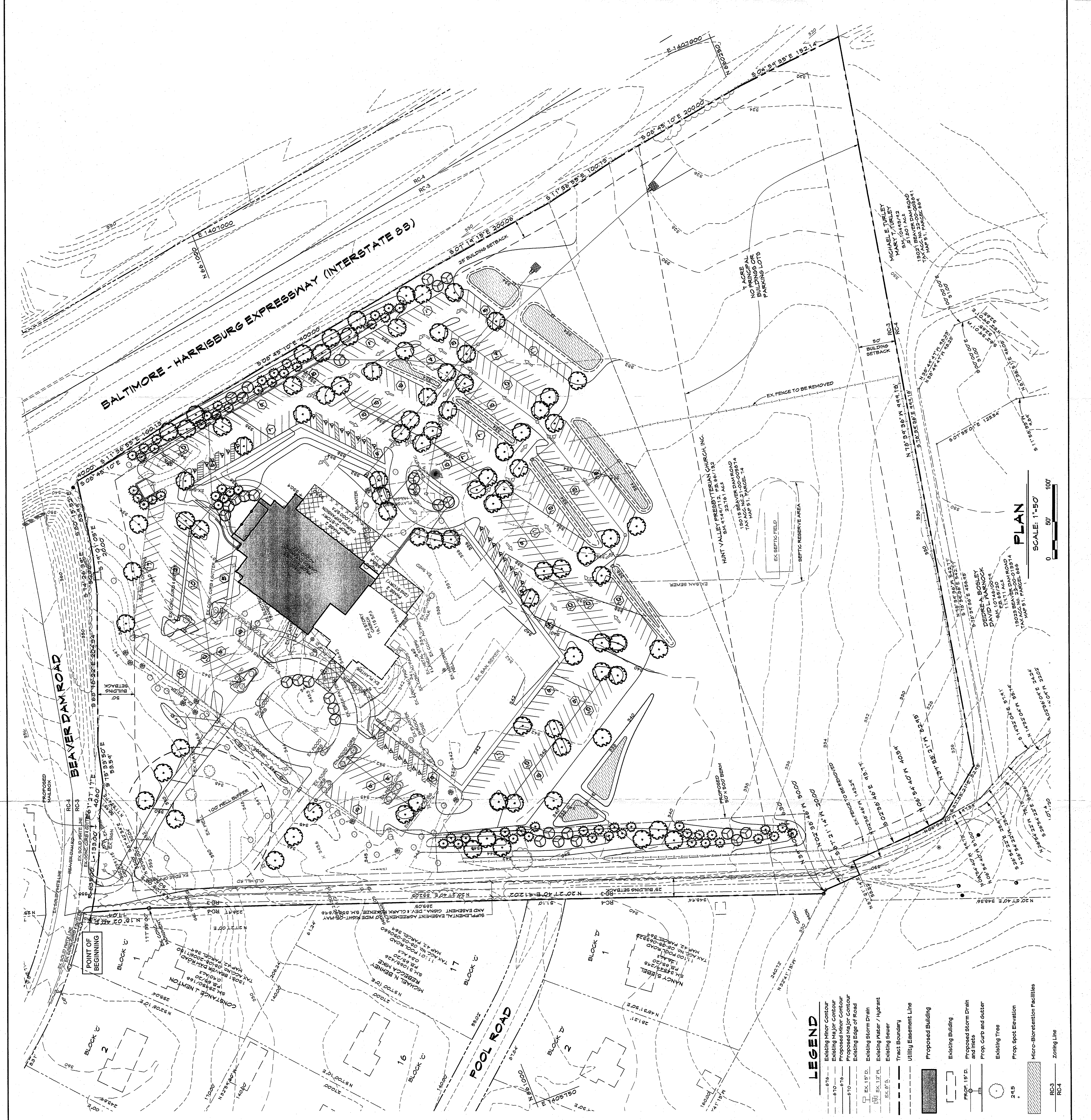
3rd Amended CRG Plan
and
Petition for Special Hearing
Hunt Valley Church
13015 Beaver Dam Road
Hunt Valley, Maryland 21080

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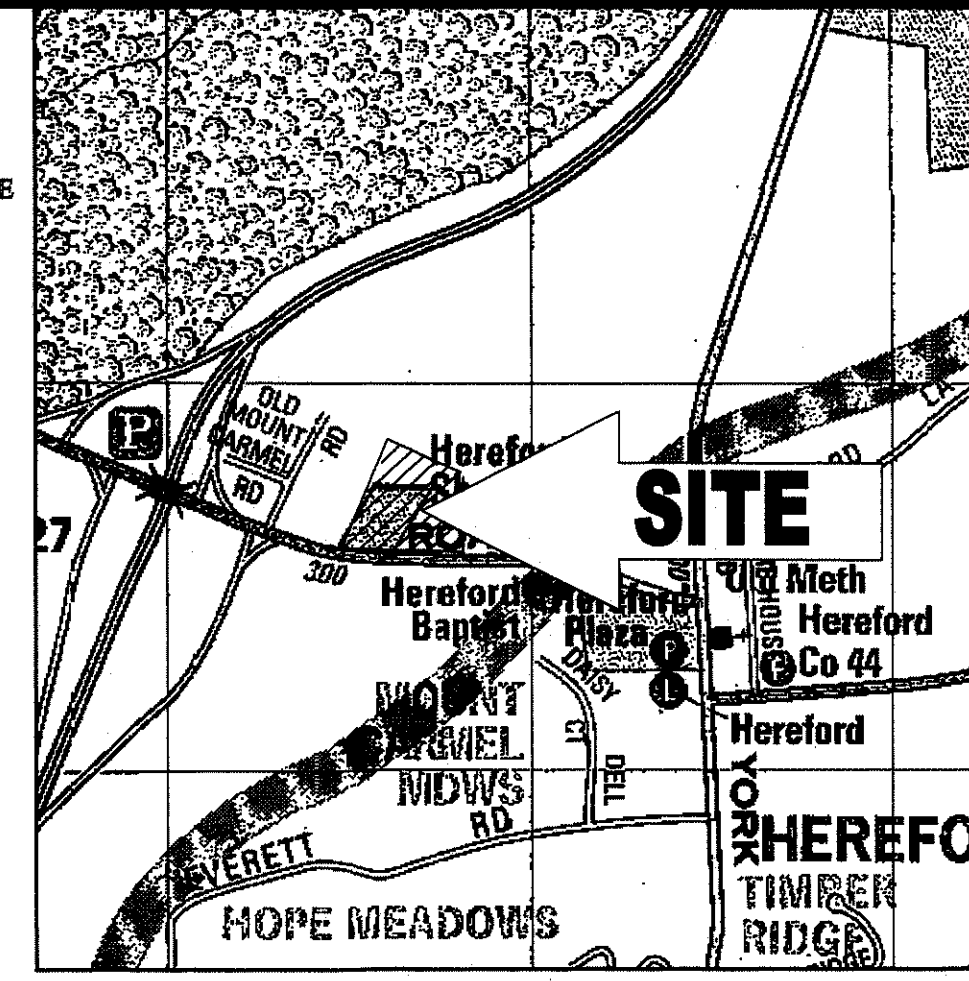
ISSUE DATES	BASE: M.S.S.
REVIEW: 12.10.14	DRAWN: M.S.S.
BID:	DESIGNED:
PERMIT:	CHECKED BY:
CONSTRUCTION:	DATE CHECKED:
SCALE: 1"=50'	DRAWING: 2 of 2
PROJECT NO: 141102	

Item #0131



LEGEND

- Existing Minor Contour
- Existing Major Contour
- Proposed Minor Contour
- Proposed Major Contour
- Existing Edge of Road
- Existing Storm Drain
- Existing Water / Hydrant
- Existing Sewer
- Tract Boundary
- Utility Easement Line
- Proposed Building
- Existing Building
- Proposed Storm Drain
- Proposed Storm Drain
- Prop. Cars and Cuts
- Existing Tree
- Prop. Spot Elevation
- Micro-Bioremediation Facilities
- RC-3
- RC-4
- Zoning Line



VICINITY MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=1000'

PROPERTY INFORMATION:

A. PROPERTY ADDRESS:	118 MOUNT CARMEL ROAD
B. SITE AREA:	146,921 S.F. ±, 3.37 AC. ± (LOT 1) 110,014 S.F. ±, 2.53 AC. ± (LOT 2) 9,266 S.F. ±, 0.21 AC. ± (DEDICATION) 7
C. ELECTION DISTRICT:	
D. COUNCILMANIC DISTRICT:	3
E. ADC MAP:	4234
F. CENSUS TRACT:	4070000
G. TAX MAP:	22
H. PARCEL:	344 & 378 0702080676 (PARCEL 344) 0716000620 (PARCEL 378)
I. TAX ACCOUNT NO.:	

2. ZONING: BL-CR

3. ZONING MAP REFERENCE: 022A2

4. FLOOR AREA RATIO: PERMITTED = 0.20
PROVIDED = 0.05 (5,125 S.F. / 110,014 S.F.)

5. EXISTING LAND USE: VACANT

PROPOSED LAND USE: CONVENIENCE STORE AND CARRY OUT RESTAURANT WITH GASOLINE

6. SETBACKS: (TO PROPERTY LINE)

	REQUIRED	PROVIDED
FRONT (BLDG)	30'	156.95'
FRONT (AVERAGE)	55.8' (MAX.)	64.95'
SIDE	15'	50.79'
REAR	15'	200.46'
CANOPY	15'	62.94'
FUEL PUMPS	25'	75.21'

7. LANDSCAPE TRANSITION AREA (LTAS)

	REQUIRED	PROVIDED
ALONG MT. CARMEL ROAD	15'	15.62'
ALONG REAR YARD (R.C.S ZONE)	15'	182.53'
ALONG SIDE YARD (BL-CR ZONE)	0'	9.20'
ALONG SIDE YARD (R.C.S ZONE)	15'	15.91'

8. HEIGHT REQUIREMENTS: NOT TO EXCEED 30'

PROPOSED BUILDING HEIGHT: C-STORE = 27'-10 1/4"
CANOPY = 21'

9. THIS SITE WILL BE SERVICED BY A PRIVATE WELL AND PRIVATE SEPTIC SYSTEM.

10. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.

11. THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.

12. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.

13. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.

14. ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE DESIGNED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

15. A REST ROOM FACILITY, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR CUSTOMERS.

16. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450 OR A VARIANCE WILL BE REQUESTED.

17. THERE ARE NO ABANDONED FUEL SERVICE STATIONS WITH AN MILE OF THE SITE (SECTION 405.3 BCZR)

18. THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.

19. THERE ARE NO HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

[illegible]

THE FOLLOWING STATES REQUIRE NOTIFICATION BY
EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO
DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE.
IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND
DELAWARE CALL - 811
(WV 1-800-245-4848) (PA 1-800-242-1778) (DC 1-800-257-7777)
(VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8888)

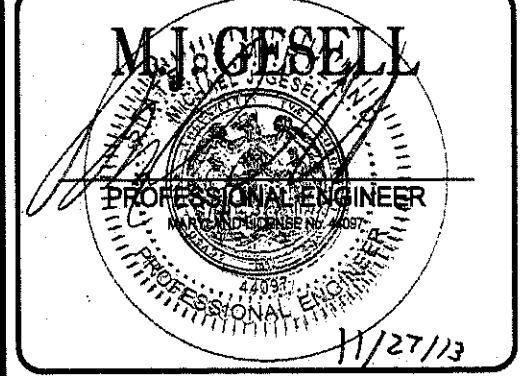
PROJECT No.:	MD101007
DRAWN BY:	RMS
CHECKED BY:	MJG
DATE:	10/28/13
SCALE:	1"=40'
CAD I.D.:	SE0

PROJECT: PLAN TO
ACCOMPANY
SPECIAL
EXCEPTION
FOR
ROYAL FARMS
STORE #185

LOCATION OF SITE
118 MOUNT CARMEL ROAD
PARKTON, MD 21120
BALTIMORE COUNTY
ELECTION DISTRICT 7
COUNCILMANIC DISTRICT: 3
GIS TLE: N11MR65: 022A?



**901 DULANEY VALLEY ROAD,
SUITE 801
TOWSON, MARYLAND 21204**
Phone: (410) 821-7900
Fax: (410) 821-7987
www.BohlerEngineering.com



SHEET TITLE:

2014-131-SPHX4

SHEET NUMBER:

1

OF 6

GIS # 122 N 701,559.92
 ELEV. 817.43 E 1,404,030.99
 DESCRIPTION : MONUMENT LOCATED NORTHWEST CORNER OF MOUNT
 CARMEL ROAD AND LIPS COUNTRY ROAD ON RAMP

GENERAL NOTE

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN THE CONTRACT WORK STATEMENT OF WORK. BEFORE SIGNING AND COVER.

FUEL SERVICE STATION (12 FUELLING POSITIONS X 1,600 S.F.)	= 18,000 S.F.
CONVENIENCE STORE (4 X 4,625 S.F.)	= 18,500 S.F.
ATM MACHINE (1 ATM X 1,000 S.F.)	= 1,000 S.F.
CARRY OUT RESTAURANT (6 X 524 S.F.)	= 3,144 S.F.
REQUIRED TOTAL AREA	= 40,844 S.F.
PROVIDED TOTAL AREA	= 110,014 S.F.

(PARKING SPACES REQUIRED BY BC2R SECTION 409.6A)			
USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
CONVENIENCE STORE AND CARRY OUT RESTAURANT W/ GASOLINE	5,125	5/1,000 S.F.	26
MUM # EMPLOYEES ON SHIFT			4
			1
		1/VACUUM	1
LAND TOTAL BUILDING S.F.	5,125		
TOTAL PARKING REQUIRED			32
TOTAL PARKING PROVIDED (INCLUDE TWO HANDICAP SPACE)			46

118 MOUNT CARMEL ROAD:

ZONING HISTORY

CASE NO. R-1987-0456 - REZONING REQUEST FROM R.C.5 TO BR WAS
WITHDRAWN BY PETITIONER ON SEPTEMBER 18, 1987.

CASE NO. R-1987-0456 - REZONING REQUEST FROM R.C.5 TO BR WAS
WITHDRAWN BY PETITIONER ON SEPTEMBER 18, 1987.

I, MICHAEL J. GESELL, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULLES LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 44097, EXPIRATION DATE: 8/9/15

CONTRACT SELLER

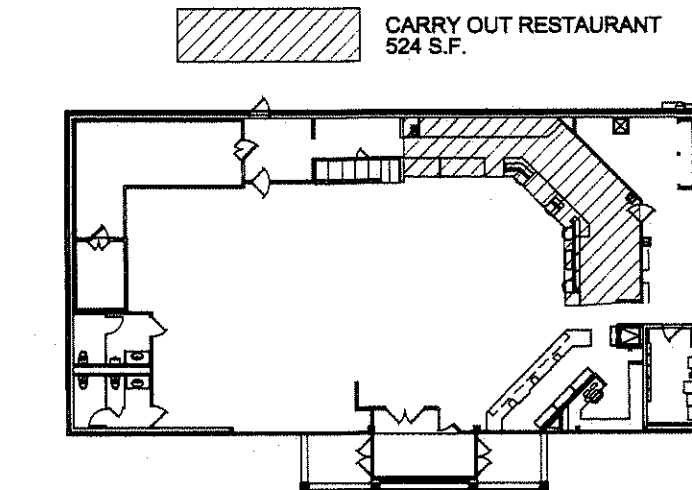
RIVERWATCH, LLC
C/O BURTON MANAGEMENT, LLC
3731 ABINGDON BEACH ROAD
ABINGDON, MD 21009

CONTRACT PURCHASER

TWO FARMS, INC.
3611 ROLAND AVENUE 21211
ATTN.: MR. JEFF BAINBRIDGE
PHONE: (410) 494-1631

HEARING, AND VARIANCE

1. SPECIAL EXCEPTION TO ALLOW A FUEL SERVICE STATION ON AN INDIVIDUAL SITE AND A CONVENIENCE STORE HAVING A SALES AREA LARGER THAN 1,500 SQUARE FEET, AND CARRY-OUT RESTAURANT AS USES IN COMBINATION, PURSUANT TO BCZR SECTIONS 405.2.B.2, 405.4.E.1, AND 405.4.E.10
2. VARIANCE IS REQUESTED FROM SECTION 259.3.C.7.a TO PERMIT A WALL MOUNTED ENTERPRISE SIGN OF 33.08 S.F. IN LIEU OF THE PERMITTED 8 S.F.
3. SPECIAL HEARING PER SECTION 259.3.C.7.c TO PERMIT ILLUMINATED SIGNS.



BUILDING INTERIOR LAYOUT

SCALE: 1"=30'

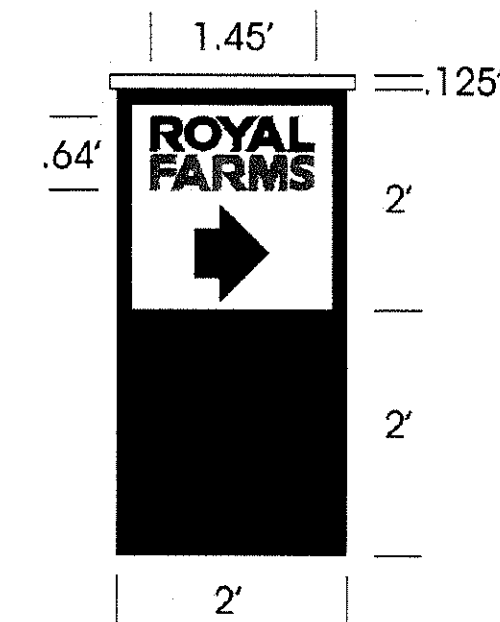
DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/(1991)
VERTICAL NAVD 88

THESE PLANS ARE FOR
SPECIAL EXCEPTION AND
ARE NOT TO BE UTILIZED
FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION
I, MICHAEL J. GESELL, HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED OR APPROVED BY ME, A
THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND,
LICENSE NO. 44097, EXPIRATION DATE: 6/9/15

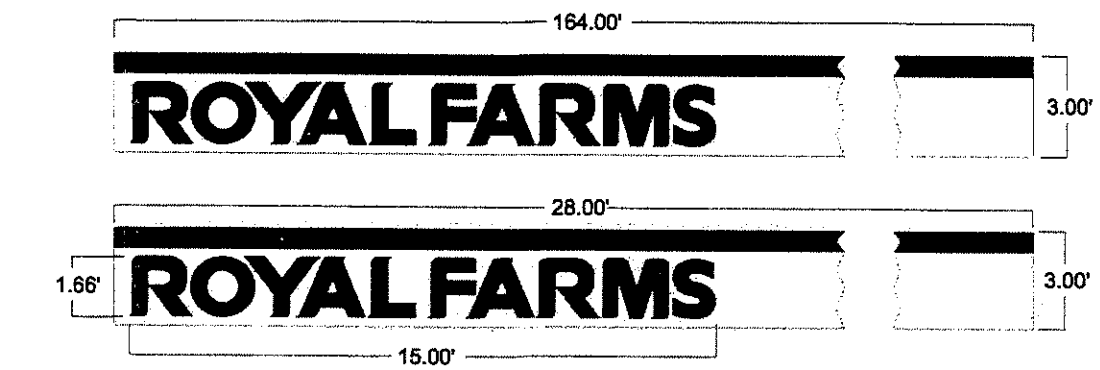


AREA = 33.08 S.F.
ROYAL FARMS CHANNEL LETTERS
NOT TO SCALE



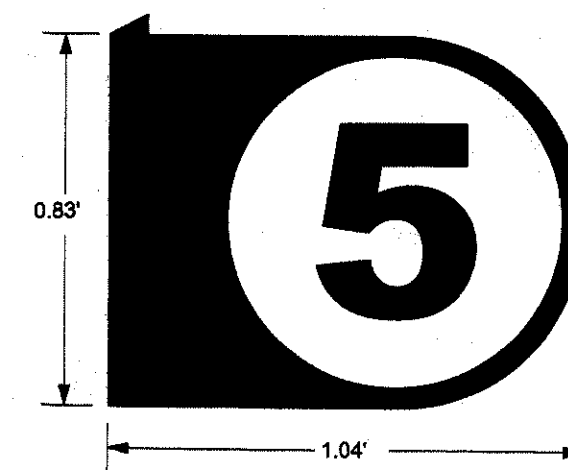
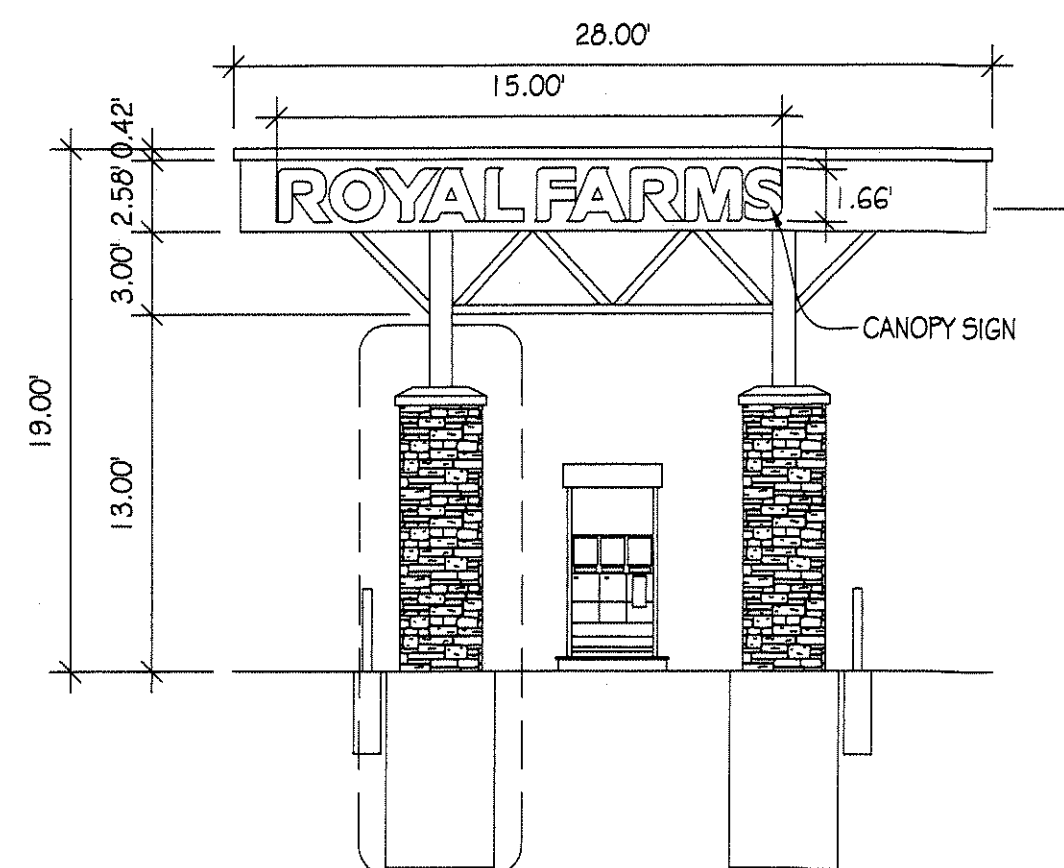
Sign 2' x 2' = 4'
Text .64' x 1.45' = .928' (23%)

STANDARD DIRECTIONAL SIGN
NOT TO SCALE



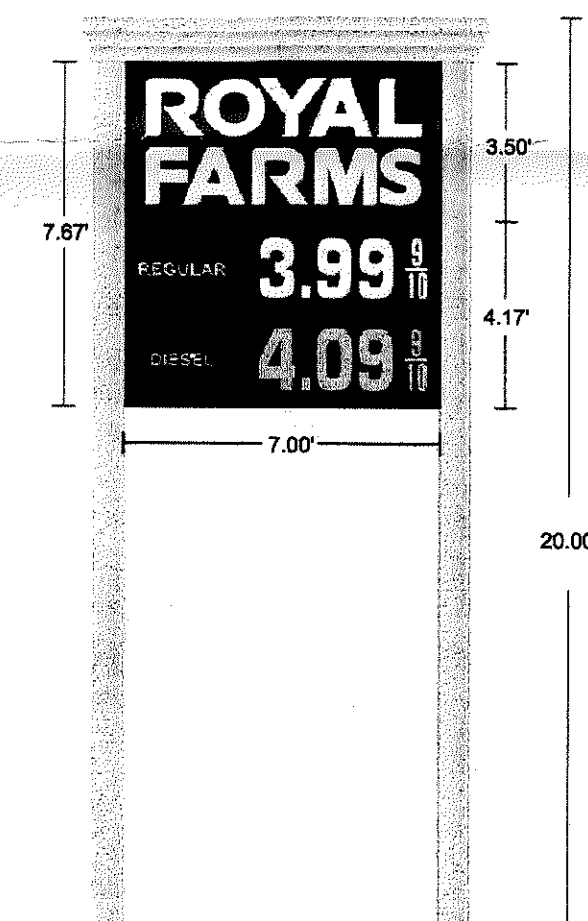
AREA = 24.90 S.F.

CANOPY SIGNS
NOT TO SCALE



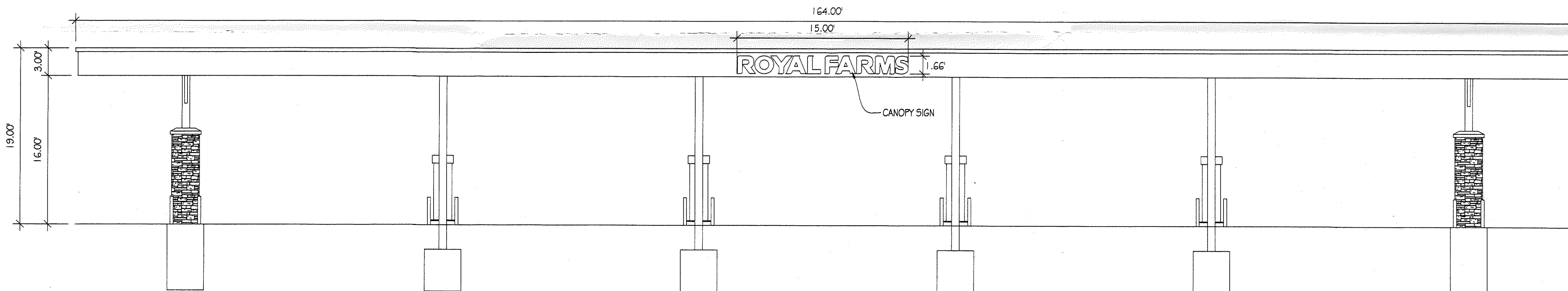
AREA = 0.84 S.F.

PUMP DESIGNATOR BLADE SIGN
NOT TO SCALE



AREA = 24.50 S.F.

2012 GOALPOST WITHOUT CAR WASH
PYLON SIGN
NOT TO SCALE

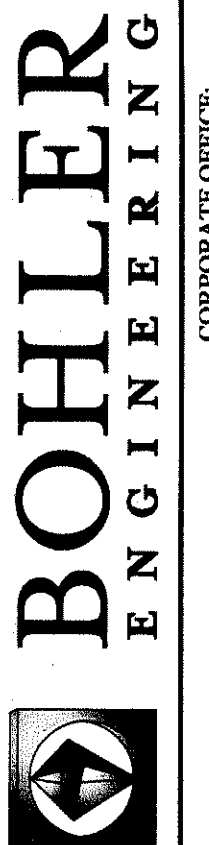


CANOPY DETAILS
NOT TO SCALE

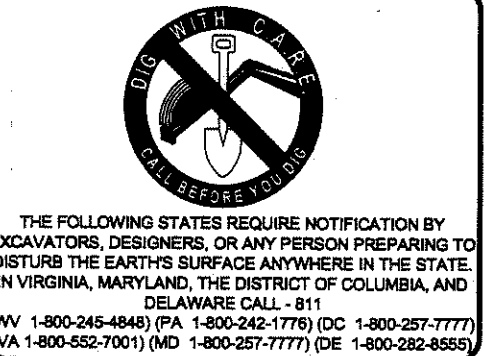
SIGNAGE NOTES
FREESTANDING SIGNAGE (ILLUMINATED)
1 PERMITTED PER FRONTAGE
MAX. AREA: 25 S.F. PER SIGN
MAX. HEIGHT: 25 FT.
PROPOSED: 1 SIGN AT 24.50 S.F. (NOT INCLUDING 29.19 S.F. FOR FUEL PRICING) AND A HEIGHT OF 20.00 FT.
BUILDING SIGNAGE (ILLUMINATED)
1 PERMITTED
MAX. AREA: 8 S.F.
PROPOSED: 1 SIGN AT 33.08 S.F. EACH (VARIANCE REQUIRED)
DIRECTIONAL SIGNAGE (ILLUMINATED)
NUMBER OF SIGNS ON PREMISES NOT REGULATED
MAX. AREA: 8 S.F.
MAX. HEIGHT: 4.13 FT.
COMPANY LOGO MAY NOT BE MORE THAN 30% OF THE TOTAL SIGN
PROPOSED: 2 SIGNS AT 0.93 S.F. EACH (23%)
CANOPY SIGNAGE (ILLUMINATED)
6 PERMITTED
MAX. AREA: 25 S.F. PER SIGN
PROPOSED: 3 SIGNS AT 24.90 S.F. EACH
PER CR REGULATIONS, NO SIGN MAY BE ILLUMINATED UNLESS APPROVED BY THE ZONING COMMISSIONER AT A HEARING.

THESE PLANS ARE FOR
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PROFESSIONAL CERTIFICATION
I, MICHAEL J. GESELL, 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. 44087, EXPIRATION DATE: 6/8/15



REVISIONS			
REV	DATE	COMMENT	BY



NOT APPROVED FOR
CONSTRUCTION

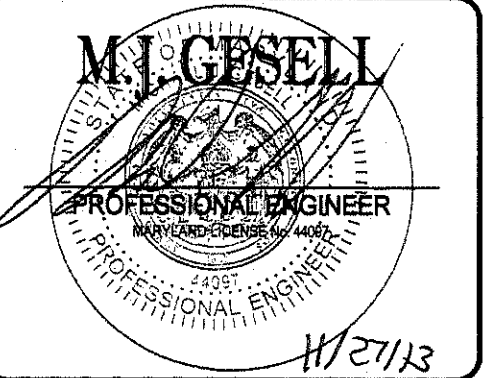
PROJECT No.: MD101007
DRAWN BY: RMS
CHECKED BY: MJS
DATE: 10/28/13
SCALE: AS NOTED
CAD L.D.: SED

PROJECT:
PLAN TO
ACCOMPANY
SPECIAL
EXCEPTION
FOR

ROYAL FARMS
STORE #185

LOCATION OF SITE
118 MOUNT CARMEL ROAD
PARKTON, MD 21120
BALTIMORE COUNTY
ELECTION DISTRICT: 7
COUNCILMANIC DISTRICT: 3
GIS TILE NUMBER: 022A2

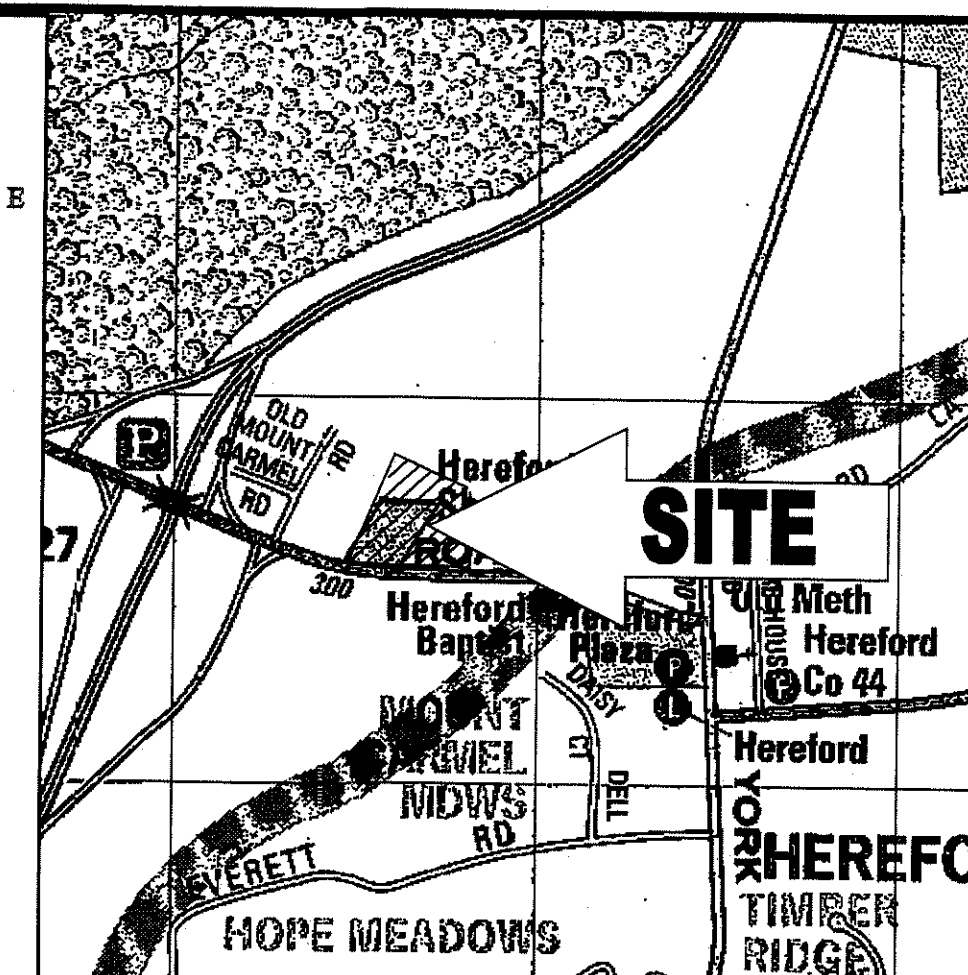
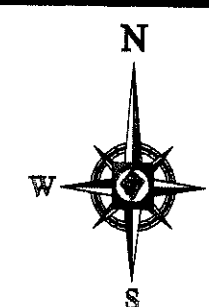
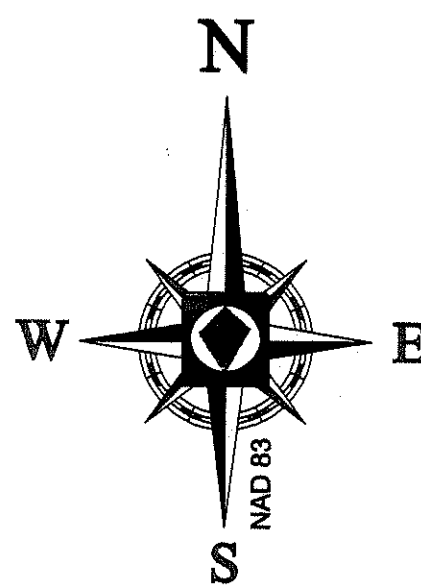
BOHLER
ENGINEERING
901 DULANEY VALLEY ROAD,
SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
www.BohlerEngineering.com



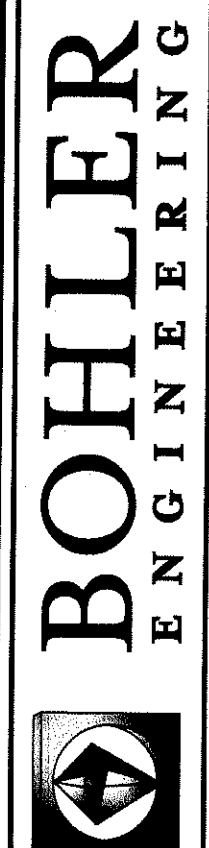
SHEET TITLE:
SIGNAGE
DETAILS
14-131-SPHXA

SHEET NUMBER:
4
OF 6

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT.
WORK BEFORE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO
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ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN
FULL CONFORMANCE WITH LOCAL, STATE AND FEDERAL LAWS.

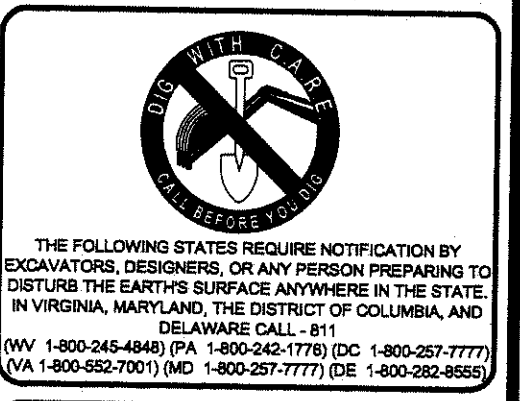


VICINITY MAP
COPYRIGHT ADD THE MAP PEOPLE
PERMIT USE NO. 2082153-5
SCALE: 1"=100'



BOHLER ENGINEERING
CORPORATE OFFICE:
WARREN, NJ
SURVEYORS
PROJECT MANAGERS
ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS
OFFICES:
SOUTH BRIDGE, VA
TOWSON, MD
STERLING, VA
SILVER SPRING, MD
PORT LAUDERDALE, FL
PHILADELPHIA, PA
THE INFORMATION CONTAINED ON THIS PLAN IS THE PROPERTY OF BOHLER ENGINEERING. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF BOHLER ENGINEERING.

REVISIONS			
REV	DATE	COMMENT	BY



NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: MD101007
DRAWN BY: MJS
CHECKED BY: MJS
DATE: 10/28/13
SCALE: 1"=40'
CAD I.D.: SED

PROJECT: **PLAN TO ACCOMPANY SPECIAL EXCEPTION FOR**

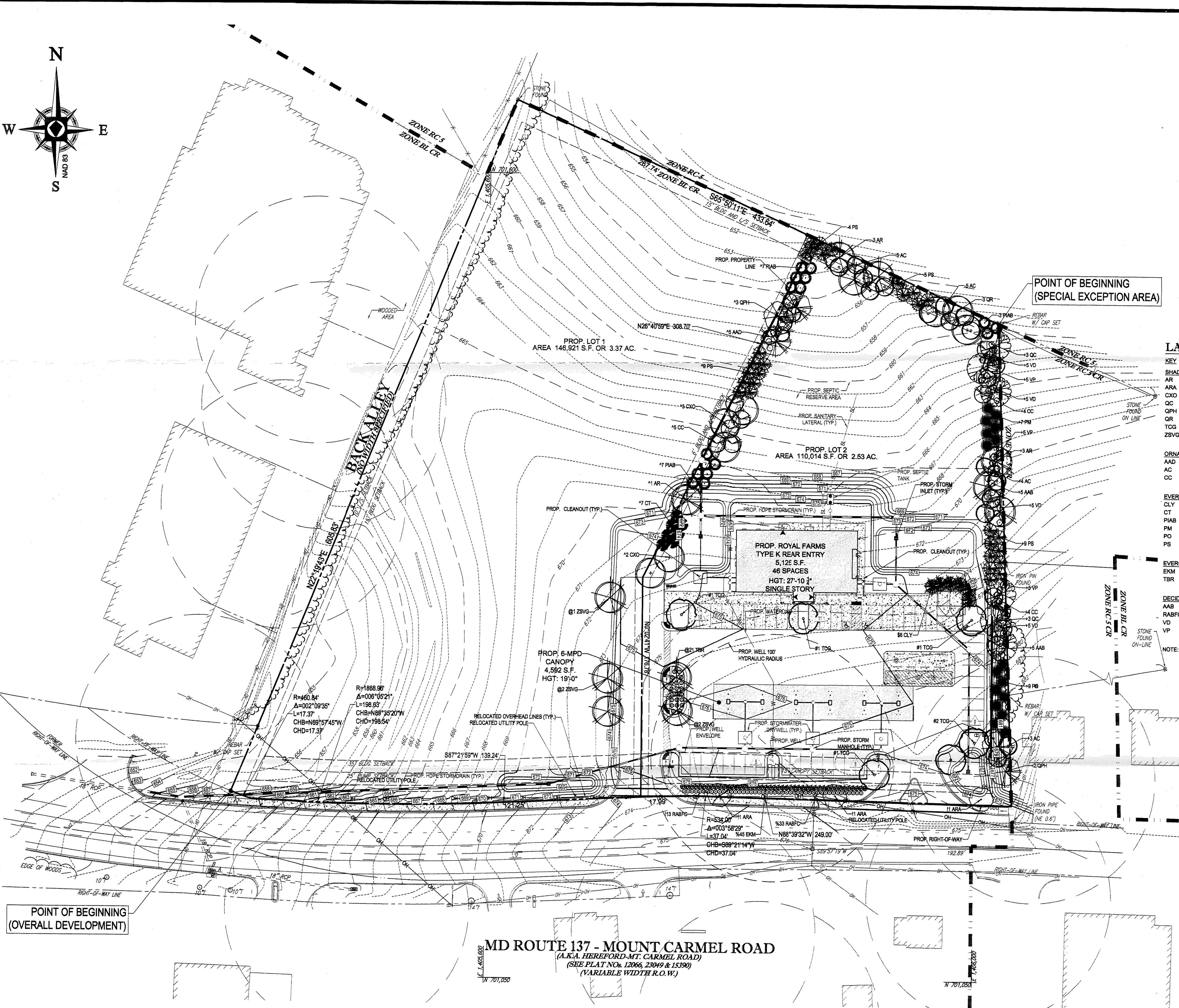
ROYAL FARMS
STORE #185

LOCATION OF SITE
118 MOUNT CARMEL ROAD
PARKTON, MD 21120
BALTIMORE COUNTY
ELECTION DISTRICT: 7
COUNCILMANIC DISTRICT: 3
GIS TILE NUMBER: 022A2

BOHLER ENGINEERING
901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
www.BohlerEngineering.com

E.R. McWILLIAMS
REGISTERED LANDSCAPE ARCHITECT
141713

SHEET TITLE:
SCHEMATIC LANDSCAPE PLAN
14-131-SP4X4
SHEET NUMBER:
3
OF 6



LANDSCAPE SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
SHADE TREE(S)					
AR	7	ACER RUBRUM	RED MAPLE	2 1/2" CAL	B+B
ARA	3	ACER RUBRUM 'ARMSTRONG'	ARMSTRONG COLUMNAR RED MAPLE	2 1/2" CAL	B+B
CXO	5	CELTIS X OCCIDENTALIS	HACKBERRY	2 1/2" CAL	B+B
QC	6	QUERCUS COCCINEA	SCARLET OAK	2 1/2" CAL	B+B
QPH	5	QUERCUS PHELLOS	WILLOW OAK	2 1/2" CAL	B+B
QR	3	QUERCUS RUBRA	RED OAK	2 1/2" CAL	B+B
TOG	6	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2 1/2" CAL	B+B
ZSVG	5	ZELKOVA SERRATA 'VILLAGE GREEN'	VILLAGE GREEN ZELKOVA	2 1/2" CAL	B+B
ORNAMENTAL TREE(S)					
AAD	5	AMELANCHIER	DOWNY SERVICEBERRY	6-7'	B+B
AC	17	AMELANCHIER CANADENSIS	MULTI STEM SHADBLow SERVICEBERRY	8-10'	B+B
CC	13	CERCIS CANADENSIS	EASTERN REDBUD	2-2 1/2" CAL	B+B
EVERGREEN TREE(S)					
CLY	6	X CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS	6-7'	B+B
CT	7	CHAMAECYPARIS THYOIDES	ATLANTIC WHITE CEDAR	6-7'	B+B
PIAB	17	PICEA ABIES	NORWAY SPRUCE	6-7'	B+B
PM	7	PSEUDOTSUGA MENZIESII	DOUGLAS FIR	6-7'	B+B
PO	9	PICEA OMORICA	SERBIAN SPRUCE	6-7'	B+B
PS	27	PINUS STROBUS	EASTERN WHITE PINE	6-7'	B+B
EVERGREEN SHRUB(S)					
EKM	45	EUONYMUS KLAUSCHOVICUS 'MANHATTAN'	SPREADING EUONYMUS	24-30"	#5 CAN
TBR	21	TAXUS BACCATA 'REPAIDENS'	SPREADING ENGLISH YEW	18-24"	B+B
DECIDUOUS SHRUB(S)					
AAB	15	ARONIA ARBUTIFOLIA 'BRILLIANTISSIMA'	RED CHOKEBERRY	3-4'	B+B
RABFC	46	ROSA 'APPLE BLOSSOM FLOWER CARPET'	APPLE BLOSSOM CARPET ROSE	2 GAL.	CONTAINER
VD	25	VIBURNUM DENTATUM	ARROWWOOD VIBURNUM	3-4'	B+B
VP	15	VIBURNUM PRUNIFOLIUM	BLACKHAW VIBURNUM	3-4'	B+B

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

SCHEMATIC LANDSCAPE PLAN
CERTIFICATION FORM

THIS SCHEMATIC LANDSCAPE PLAN IS SEALED BY A LANDSCAPE ARCHITECT AND CERTIFIED BY MY SIGNATURE BELOW AS BEING IN ACCORDANCE WITH ALL COUNTY AGENCY LANDSCAPE ARCHITECTURAL COMMENTS.

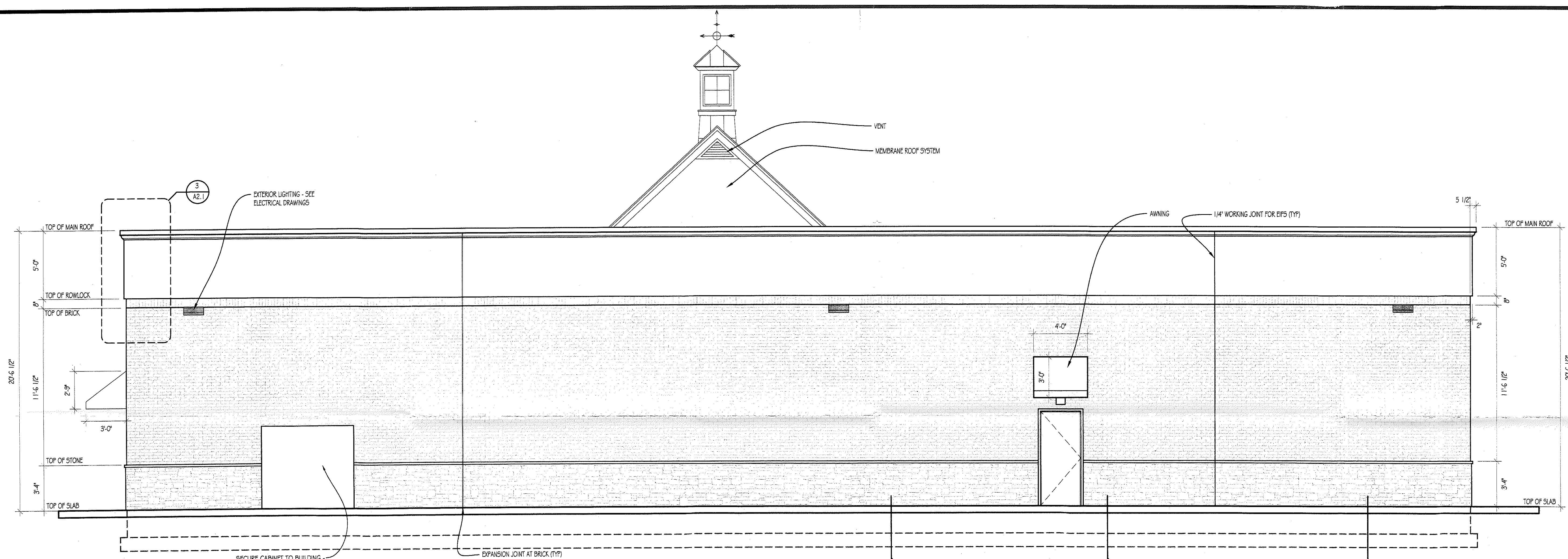
APPLICANT SIGNATURE: *[Signature]* DATE: 11/27/13 ERIC R. McWILLIAMS PRINT NAME

MAILING ADDRESS (IF NOT ALREADY ON PLAN)

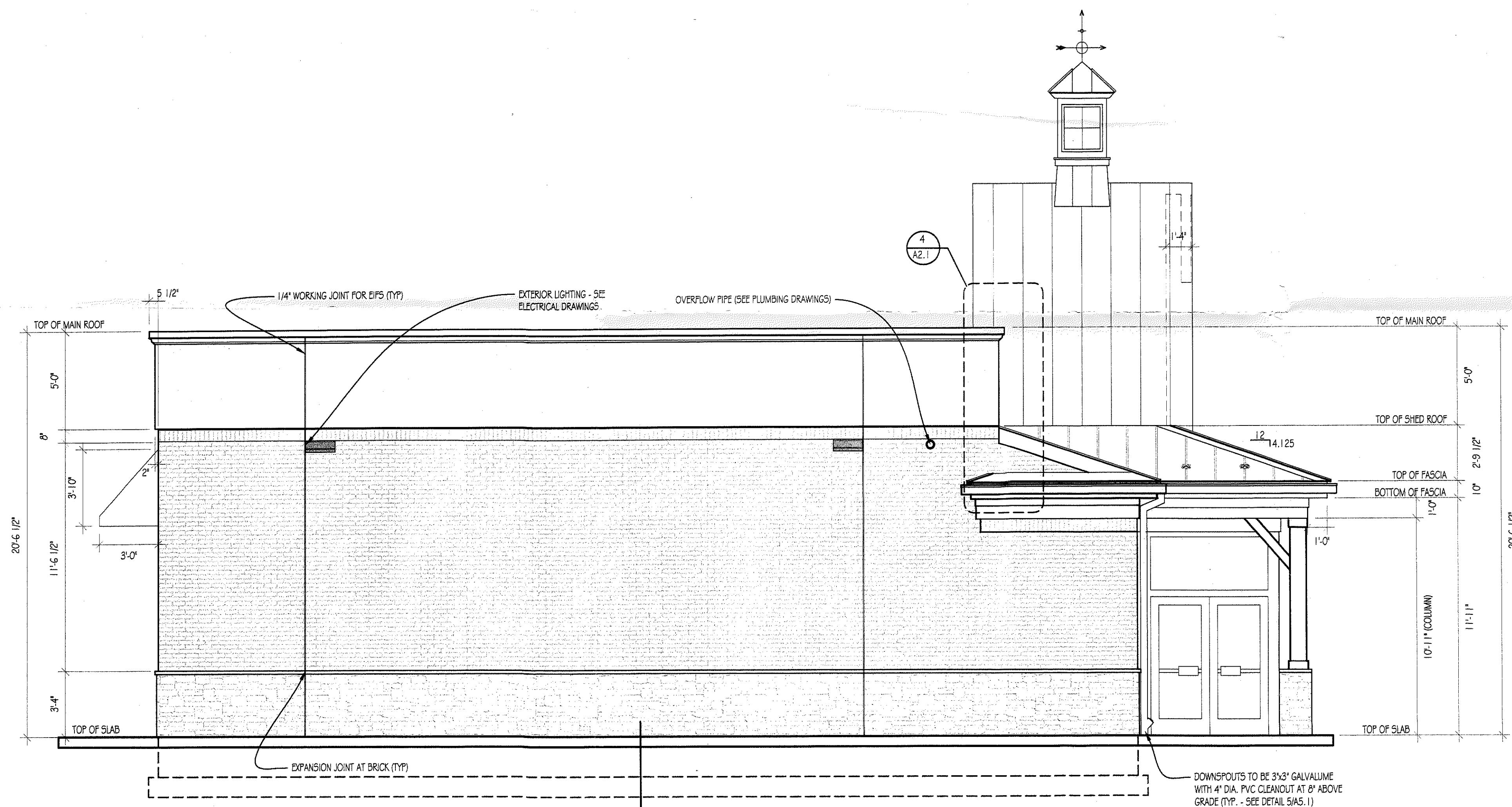
THESE PLANS ARE FOR SPECIAL EXCEPTION AND ARE NOT TO BE UTILIZED FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION
I, ERIC R. McWILLIAMS, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 141713, EXPIRATION DATE: 9/20/2014

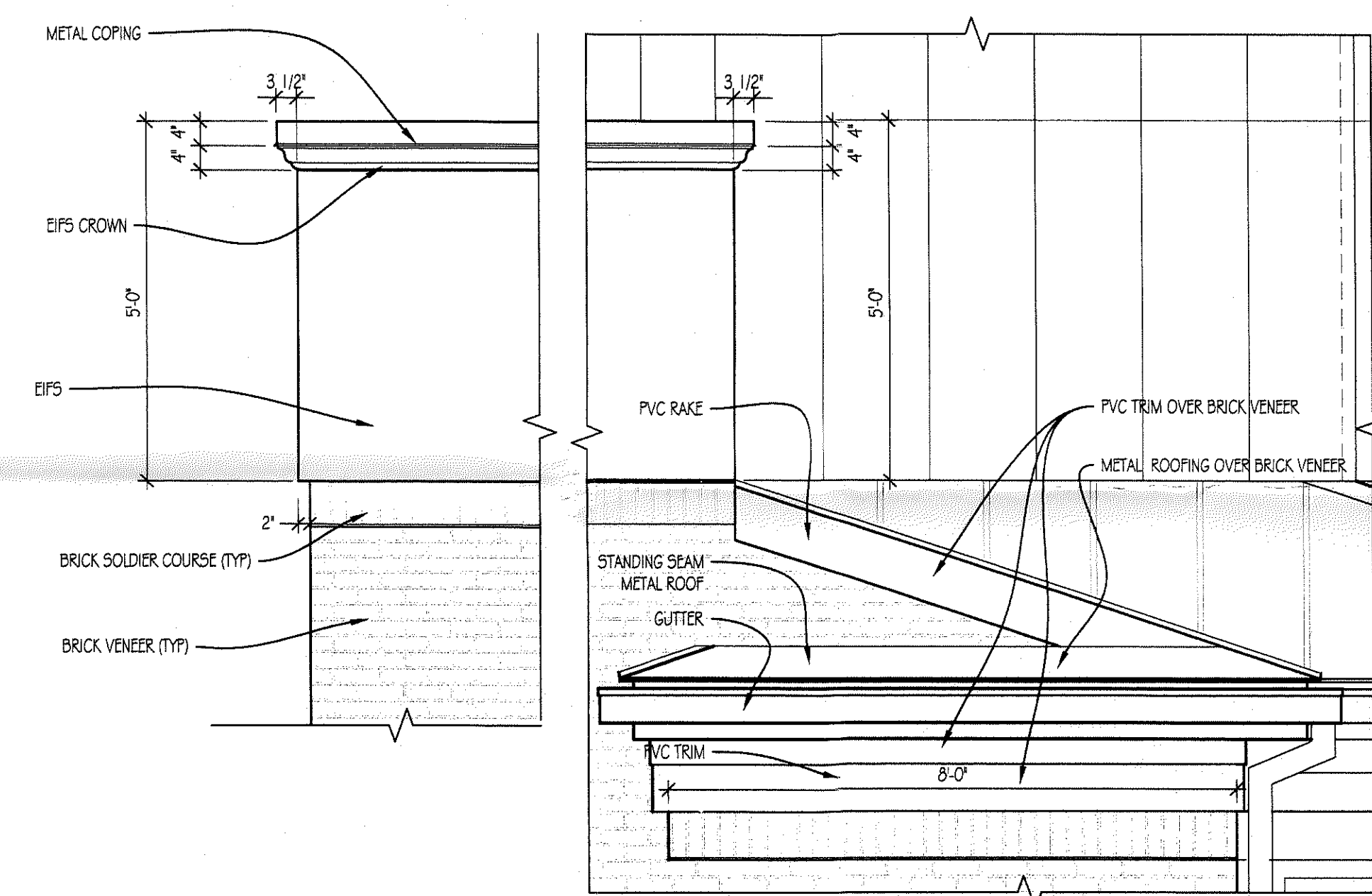
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1 REAR ELEVATION
SCALE = 1/4" = 1'-0"



2 LEFT ELEVATION
SCALE = 1/4" = 1'-0"



3 DETAIL
SCALE = 1/2" = 1'-0"

4 DETAIL
SCALE = 1/2" = 1'-0"

NOTE:
1. PAINT ALL EXTERIOR ELECTRICAL EQUIPMENT TO MATCH BUILDING.
2. SEE CIVIL PLANS FOR DETAILED GRADING INFORMATION.
3. SEE SHEET AG.1 FOR EXTERIOR SPECIFICATIONS.

RATCLIFFE
ARCHITECTS
Stevenson, Maryland 21153
10444 Stevenson Road
410-881-7010 • Fax: 410-881-5810 • pete@ratcliffe.com

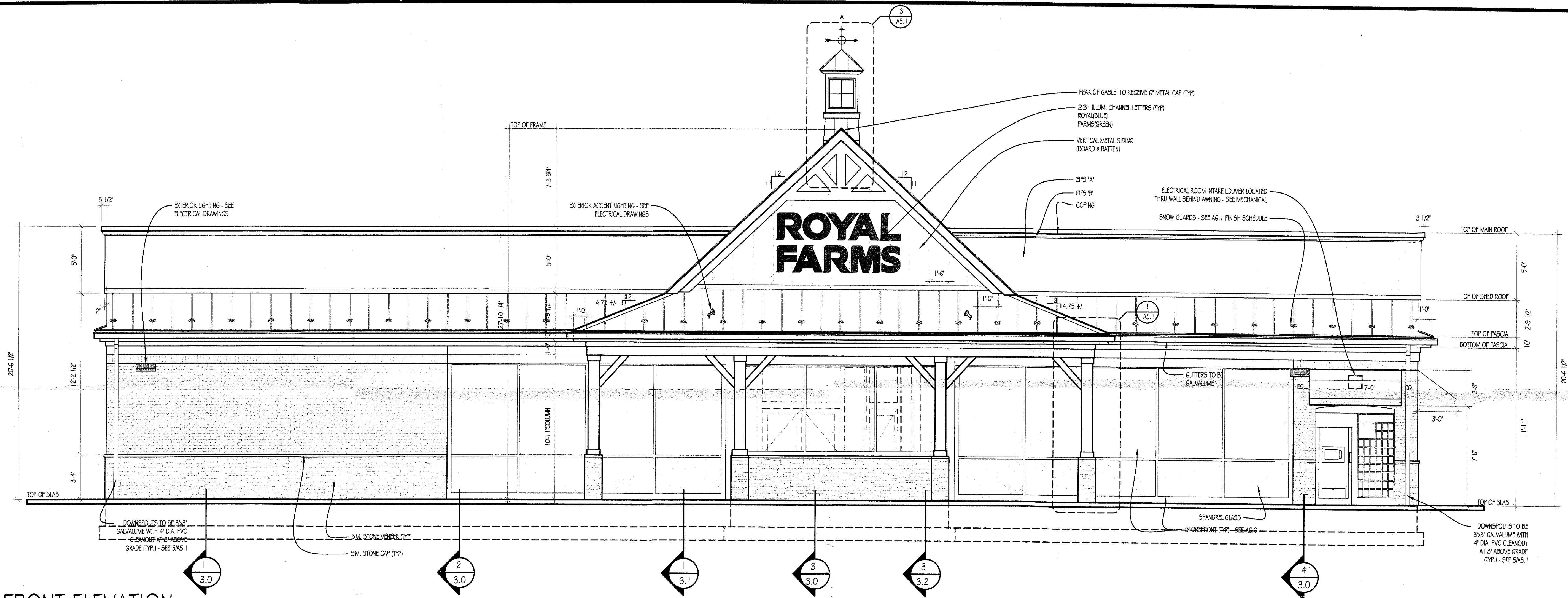
ROYAL FARMS
118 MOUNT CARMEL ROAD
PARKTON, MD 21120
STORE #185

ELEVATIONS

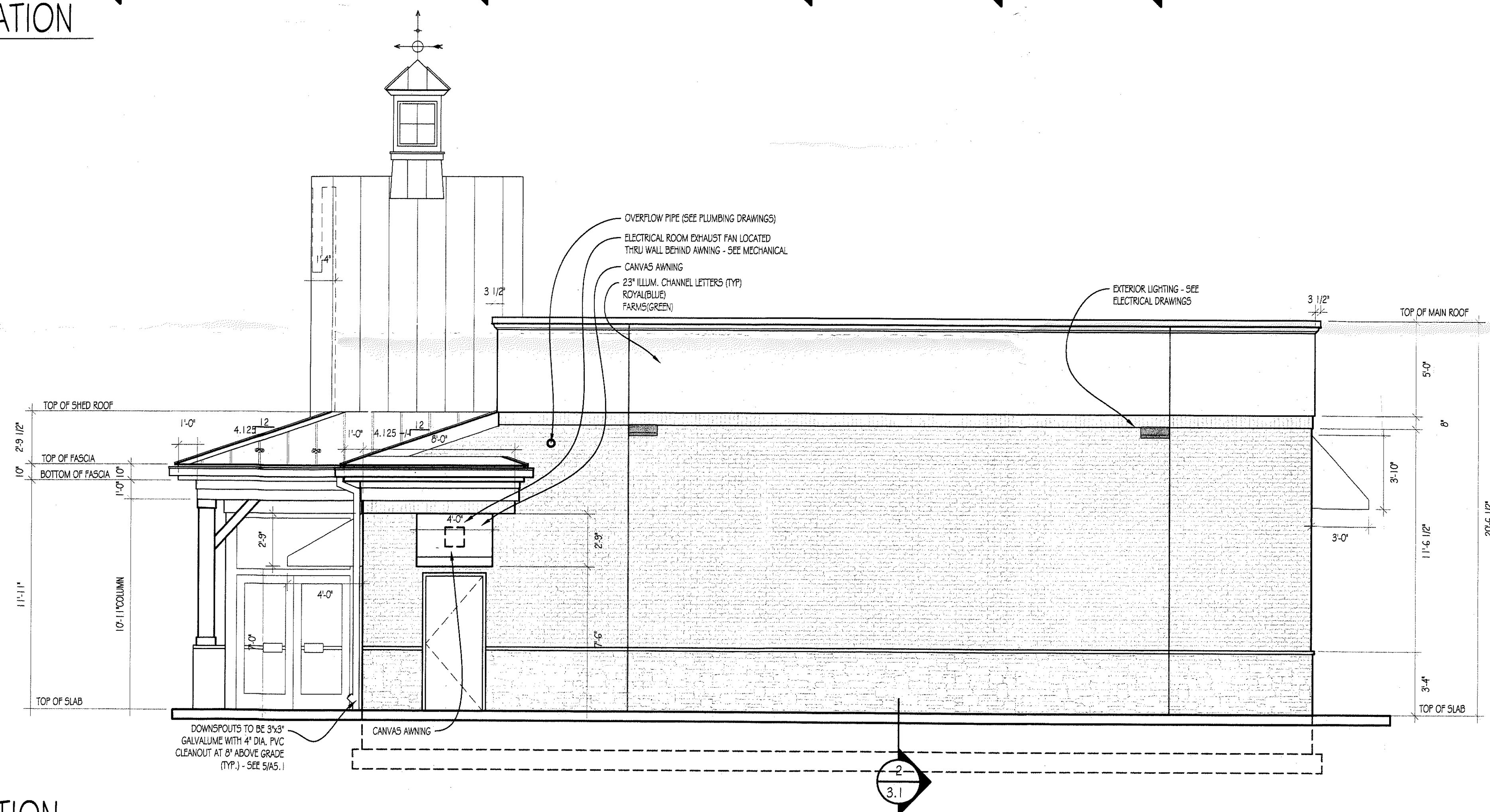
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KEY	DATE	NOT REVISD =
#	REVISD DATE	CONTENT
		PERMIT SET
		BID SET
		CONSTRUCTION SET

DATE 11.05.13
SCALE NOTED
DRAWN BY M STINEFELT

THESE DRAWINGS ARE PROTECTED UNDER THE COPYRIGHT ACT OF 1976 AND SHALL NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.



1 FRONT ELEVATION
SCALE = 1/4" = 1'-0"



2 RIGHT ELEVATION
SCALE = 1/4" = 1'-0"

NOTE:
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3. SEE SHEET AG.1 FOR EXTERIOR SPECIFICATIONS

RATCLIFFE
ARCHITECTS
10000 Sycamore Road
Savannah, Maryland 21153
410-484-2010 • Fax 410-484-3819 • info@ratcliffe.com

ROYAL FARMS

118 MOUNT CARMEL ROAD
PARKTON, MD 21120
STORE #185

ELEVATIONS

TITLE BLOCK	KEY	REVISED =	NOT REVISED =
#	REVISED DATE	CONTENT	
		PERMIT SET	
		BID SET	
		CONSTRUCTION SET	

DATE 11.05.13
SCALE NOTED
DRAWN BY M STINEFELT

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5 OF 6

14-131-SP4X4

C:\USERS\MGESELL\APPDATA\LOCAL\TEMP\ACPM\BLUSH_5164\M0100007SEO.DWG PRINTED BY: MGESELL 11.27.13 @ 3:04 PM LAST SAVED BY: MGESELL