

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(2915 Joppa Road) *

9th Election District *

5th Council District *

Stanley & Denise Feiden and

Paul & Rosemary Krause, *Legal Owners* *

JC Bar Development, LLC, *

Contract Purchaser *

Petitioners

* * * * *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0304-SPHA

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Stanley & Denise Feiden and Paul & Rosemary Krause, legal owners, and JC Bar Development, LLC, contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to approve commercial parking in a residential zone; (2) to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window; and (3) to permit access to a commercial use through a residential zone.

In addition, an amended Petition for Variance seeks the following: (1) to allow off-street parking spaces to be located a minimum of 15 feet from a tract boundary in lieu of the required 75 feet and to remove the required 50 foot landscaped residential transition area along the western portion of the property that is proposed to be undeveloped open space. In lieu, a 15-foot Class "A" landscape buffer will be provided; (2) from B.C.Z.R. §409.8 to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and (3) to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1A & 1B.

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Date

5/18/16

By

Den

Appearing at the public hearing in support of the requests was Jason Mitchell, Dan Wallace, Eric McWilliams, Carl Wilson, Garry Russell and Joseph Ucciferro. David H. Karceski, Esq. and Adam Rosenblatt, Esq. represented the Petitioners. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and Bureau of Development Plans Review (DPR). The DOP did not oppose the relief, but requested a note be added to the plan concerning a 2012 rezoning of the property. The Petitioners added such a note to the plan, and thus the DOP comment is satisfied. DPR requested a landscape plan for the site, and a condition to that effect is included below.

SPECIAL HEARING

The subject property contains approximately 3.04 acres and is located at the intersection of Joppa and Harford Roads. Petitioners propose to construct a CVS pharmacy, and due to several site constraints variance and special hearing relief is required.

The first special hearing request concerns commercial parking in a residential zone. The plan shows four parking spaces would be located in the DR zone, adjacent to an open space area of the site Petitioners propose to convey to NeighborSpace. Mr. Ucciferro, a professional engineer accepted as an expert, testified Petitioners satisfy all requirements in B.C.Z.R. §409.8, and I concur.

The second special hearing request relates to the number of stacking spaces required for a pharmacy drive thru lane, an issue which is not addressed in the Regulations. Developer's representatives noted the average drive thru transaction time at CVS is approximately 3-4 minutes, which means that an extended queue is unlikely. Other CVS stores in Baltimore County have been approved with only 2 stacking spaces, and Petitioners are complying

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By Den

spaces would accommodate even the busiest peak-hour periods at the store. As such, I believe four stacking spaces are sufficient for the proposed CVS.

The final special hearing request seeks approval for accessing a commercial use through a residential zone. Counsel indicated the Zoning Commissioner's Policy Manual (ZCPM) provides that such access is permitted when "it is the sole access to the site." ZCPM, p.1-42.2. As Mr. Ucciferro testified, the Joppa Road access shown on the plan, located in a residential zone, is the only "full access" point for the store. As such the request will be granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have met this test. Mr. Ucciferro testified the property is irregularly shaped and that a significant grade change (approximately 25 feet) exists at the site. As such it is unique. Petitioners would experience practical difficulty if the regulations were strictly interpreted because they would be unable to construct the proposed CVS store. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

THEREFORE, IT IS ORDERED this 18th day of May, 2016, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to approve commercial parking in a residential zone; (2) to approve four stacking spaces, not including space next to the transaction window, for

ORDER RECEIVED FOR FILING

Date

5/18/16

By

den

a pharmacy drive-up window; and (3) to permit access to a commercial use through a residential zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to allow off-street parking spaces to be located a minimum of 15 feet from a tract boundary in lieu of the required 75 feet and to remove the required 50 foot landscaped residential transition area along the western portion of the property that is proposed to be undeveloped open space. In lieu, a 15-foot Class "A" landscape buffer will be provided; (2) from B.C.Z.R. §409.8 to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and (3) to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioners must submit for approval by Baltimore County landscape and lighting plans for the site.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

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Date 5/18/16
By sln



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 W/S Harford Rd., S/S of Joppa Rd. which is presently zoned BL / BL-AS / D.R. 5.5

Deed References: SEE ATTACHED 10 Digit Tax Account # SEE ATTACHED

Property Owner(s) Printed Name(s) SEE ATTACHED

(SELECT THE HEARING(S) BY MARKING X 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. X 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. X 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 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 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:

JC Bar Development, LLC, c/o Jason Mitchell

Name- Type or Print

for Jason Mitchell

Signature

415 Fallowfield Rd Suite 301, Camp Hill, PA

Mailing Address City State

17011 / (717) 761-7801 / jason@jcbarprop.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

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

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 15-304-SPHA

Filing Date 6/26/15

Do Not Schedule Dates: _____

Reviewer JNP

ORDER RECEIVED FOR FILING

Date

5/18/16

By

Den

AMENDED 4/4/16

Amended 5/11/16

PETITION FOR SPECIAL HEARING AND VARIANCE

ATTACHED SHEET

REQUESTED VARIANCES

1. Variance from BCZR Section 1B01.1.B.1. ~~E~~ allow off-street parking spaces to be located a minimum of 15 feet from a tract boundary in lieu of the required 75 feet and to remove the required 50 foot landscaped residential transition area along the western portion of the property that is proposed to be undeveloped open space. In lieu, a 15-foot Class 'A' landscape buffer will be provided.
2. Variance from BCZR Section 409.8.A.1 and the Baltimore County Landscape Manual to permit a setback of 3 feet in lieu of the required 10-foot setback requirement from an adjoining commercial property.
3. Variance from BCZR Section 450.5.B.4.B to permit a freestanding sign to be erected 0 feet from a residential zone in lieu of the required 25 feet.
4. Also, for such further relief as the Administrative Law Judge may require.

ORDER RECEIVED FOR FILING

Date

By

5/18/16

sen

PETITION FOR SPECIAL HEARING AND VARIANCE

ATTACHED SHEET

REQUESTED SPECIAL HEARING APPROVALS

1. Special Hearing to approve commercial parking in a residential zone pursuant to BCZR Section 409.8.B.
2. Special Hearing to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window, pursuant to BCZR Section 409.10.A.
3. Special Hearing to permit access to a commercial use through a residential zone.

PETITION FOR SPECIAL HEARING AND VARIANCE

ATTACHED SHEET

Deed References: 17611/552
11612/319
11655/559
11482/537
12095/252
10118/353

PETITION FOR SPECIAL HEARING AND VARIANCE

ATTACHED SHEET

LEGAL OWNER:

2915 E. Joppa Road
Tax Map 0071, Parcel 0292
Tax Account #0912590640

Tax Map 0071, Parcel 0661
Tax Account # 0911770534

2919 E. Joppa Road
Tax Map 0071, Parcel 0662
Tax Account # 0913754890

Tax Map 0071, Parcel 1472
Tax Account # 2000000377

9516 Harford Road
Tax Map 0071, Parcel 0813
Tax Account # 0908003191

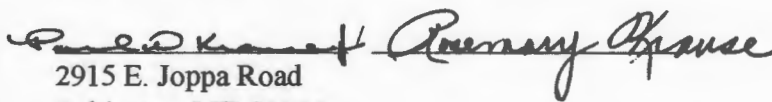
Tax Map 0071, Parcel 0813
Tax Account # 0908003190

9514 Harford Road
Tax Map 0071, Parcel 1086
Tax Account # 1900008246

2907 Joppa Road
Tax Map 0071, Parcel 0657
Tax Account # 0911770532

Tax Map 0071, Parcel 0660
Tax Account # 0911770533

Paul D. Krause, Jr. / Rosemary Krause


2915 E. Joppa Road
Baltimore, MD 21234
(410) 882-2986



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 W/S Harford Rd., S/S of Joppa Rd. which is presently zoned BL / BL-AS / D.R. 5.5

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Property Owner(s) Printed Name(s) SEE ATTACHED

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

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1. X 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. X 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 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 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:

JC Bar Development, LLC, c/o Jason Mitchell

Name- Type or Print

Jason Mitchell for Jason Mitchell

Signature

415 Fallowfield Rd Suite 301, Camp Hill, PA

Mailing Address City State

17011 / (717) 761-7801 / jason@jcbarprop.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Stanley S. Fine, Esq.

Name- Type or Print

Stanley S. Fine / Jan

Signature

25 S. Charles St., Suite 2115, Baltimore, MD

Mailing Address City State

21201 / (410) 727-6600 / sfine@rosenbergmartin.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

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:

Stanley S. Fine, Esq.

Name - Type or Print

Stanley S. Fine / Jan

Signature

25 S. Charles St., Suite 2115, Baltimore, MD

Mailing Address City State

21201 / (410) 727-6600 / sfine@rosenbergmartin.com

Zip Code Telephone # Email Address

CASE NUMBER 2015-0304-SPHA Filing Date 6/26/2015

Do Not Schedule Dates: _____

Reviewer JMP

PETITION FOR SPECIAL HEARING AND VARIANCE

ATTACHED SHEET

REQUESTED VARIANCES

1. Variance from BCZR Section 1B01.1.B.1.E to remove the required 50 foot landscaped residential transition area along the western portion of the property that is proposed to be undeveloped open space. In lieu, a 15-foot Class 'A' landscape buffer will be provided
2. Variance from BCZR Section 409.8.A.1 and the Baltimore County Landscape Manual to permit a setback of 3 feet in lieu of the required 10-foot setback requirement from an adjoining commercial property.
3. Variance from BCZR Section 450.5.B.4.B to permit a freestanding sign to be erected 0 feet from a residential zone in lieu of the required 25 feet.
4. Also, for such further relief as the Administrative Law Judge may require.

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ATTACHED SHEET

REQUESTED SPECIAL HEARING APPROVALS

1. Special Hearing to approve commercial parking in a residential zone pursuant to BCZR Section 409.8.B.
2. Special Hearing to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window, pursuant to BCZR Section 409.10.A.

PETITION FOR SPECIAL HEARING AND VARIANCE

ATTACHED SHEET

Deed References: 17611/552
11612/319
11655/559
11482/537
12095/252
10118/353

PETITION FOR SPECIAL HEARING AND VARIANCE

ATTACHED SHEET

REQUESTED VARIANCE RELIEF

1. Variance from Section 1B01.1.B.1.e to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 feet and to permit a residential transition area setback of 70 feet in lieu of the required 75 feet along the western portion of the property that is proposed to be undeveloped open space.
2. Variance from Section 409.8.A.1 and the Baltimore County Landscape Manual to permit a setback of 3 feet in lieu of the required 10 foot setback requirement from an adjoining commercial property.
3. Variance from Section 450.5.B.4.b to permit a freestanding sign to be erected 0 feet from a residential zone in lieu of the required 25 feet.
4. Also, for such further variance relief as the Administrative Law Judge may require.

2915 E. JOPPA ROAD

ZONING PROPERTY DESCRIPTION FOR PROPOSED CVS PARCEL (TAX MAP 71; PARCELS 1064, 1472, 662, 661, 292, 813, 1086, & 660)

BEGINNING AT A POINT ON THE NORTH SIDE OF HARFORD ROAD, WHICH IS AN EXISTING VARIABLE WIDTH RIGHT OF WAY, A DISTANCE OF 197.38 SOUTHWEST OF THE CENTERLINE OF JOPPA ROAD, A VARIABLE WIDTH RIGHT-OF-WAY AND RUNNING:

1. SOUTH 60 DEGREES 08 MINUTES 56 SECONDS WEST 13.30 FEET TO A POINT, AND;
2. WITH A CURVE HAVING A RADIUS OF 884.50 FEET AND AN ARC LENGTH OF 58.69 FEET (THE CHORD OF SAID ARC BEING SOUTH 52 DEGREES 30 MINUTES 53 SECONDS WEST 58.67 FEET) THENCE;
3. NORTH 36 DEGREES 26 MINUTES 47 SECONDS WEST 25.99 FEET TO A POINT, AND;
4. SOUTH 55 DEGREES 41 MINUTES 39 SECONDS WEST 92.67 FEET TO A POINT, AND;
5. SOUTH 32 DEGREES 03 MINUTES 03 SECONDS EAST 15.50 FEET TO A POINT, AND;
6. SOUTH 22 DEGREES 26 MINUTES 19 SECONDS WEST 16.75 FEET TO A POINT, AND;
7. SOUTH 59 DEGREES 37 MINUTES 49 SECONDS WEST 68.18 FEET TO A POINT, AND;
8. NORTH 31 DEGREES 57 MINUTES 22 SECONDS WEST 35.30 FEET TO A POINT, AND;
9. NORTH 58 DEGREES 02 MINUTES 38 SECONDS EAST 20.00 FEET TO A POINT, AND;
10. NORTH 32 DEGREES 26 MINUTES 10 SECONDS WEST 59.89 FEET TO A POINT, AND;
11. NORTH 29 DEGREES 22 MINUTES 17 SECONDS WEST 64.94 FEET TO A POINT, AND;
12. NORTH 43 DEGREES 49 MINUTES 56 SECONDS EAST 2.44 FEET TO A POINT, AND;
13. NORTH 31 DEGREES 57 MINUTES 22 SECONDS WEST 135.18 FEET TO A POINT, AND;
14. NORTH 77 DEGREES 44 MINUTES 00 SECONDS WEST 70.00 FEET TO A POINT, AND;
15. NORTH 85 DEGREES 41 MINUTES 00 SECONDS WEST 100.00 FEET TO A POINT, AND;
16. NORTH 04 DEGREES 19 MINUTES 00 SECONDS EAST 174.52 FEET TO A POINT, AND;
17. WITH A CURVE HAVING A RADIUS OF 961.45 FEET AND AN ARC LENGTH OF 205.52 FEET (THE CHORD OF SAID ARC BEING SOUTH 79 DEGREES 57 MINUTES 42 SECONDS EAST 205.13 FEET) THENCE;
18. WITH A CURVE HAVING A RADIUS OF 961.45 FEET AND AN ARC LENGTH OF 11.10 FEET (THE CHORD OF SAID ARC BEING SOUTH 73 DEGREES 51 MINUTES 14 SECONDS EAST 11.10 FEET) THENCE;
19. WITH A CURVE HAVING A RADIUS OF 711.33 FEET AND AN ARC LENGTH OF 127.27 FEET (THE CHORD OF SAID ARC BEING SOUTH 66 DEGREES 01 MINUTES 20 SECONDS EAST 127.10 FEET) THENCE;

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20. SOUTH 34 DEGREES 23 MINUTES 25 SECONDS EAST 86.38 FEET TO A POINT,
AND;
21. SOUTH 35 DEGREES 42 MINUTES 46 SECONDS EAST 107.26 FEET TO A POINT,
AND;
22. SOUTH 38 DEGREES 09 MINUTES 20 SECONDS EAST 60.37 FEET TO A POINT,
AND;
23. SOUTH 38 DEGREES 31 MINUTES 24 SECONDS EAST 36.18 FEET TO THE
POINT OF BEGINNING HEREOF.

CONTAINING 187,574 SQUARE FEET (4.306 ACRES) OF LAND, MORE OR LESS.
LOCATED IN THE 9TH ELECTION DISTRICT AND 5TH COUNCIL DISTRICT.



L-25-15

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

No. **138172**

Date: **4/14/16**

PAID RECEIPT

BUSINESS ACTUAL TIME
 4/15/2016 4/15/2016 13:59:26

REG 4501 MONTH LONG LTR

RECEIPT # 649165 4/15/2016

Dept 5 530 TOWING VERIFICATION

OF NO. 138172

Recpt Tot 1250.00

1250.00 CA

Baltimore County, MD 21201

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				8250.00

Total: **8250.00**

Rec From:

For:

amendment - case #15-304-SPHA

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

No. 127157
Date: 6/26/2015

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRM
6/29/2015	6/26/2015	10:30:07	5

(T) W005 MALKIN RDOS LRB
 > RECEIPT # 001357 6/26/2015 OCLN
 (T) 5 528 ZONING VERIFICATION
 (T) NO. 127137

Rept Tot \$1,000.00
 \$1,000.00 OK \$.00 CA
 Baltimore County, Maryland

[illegible]

Total: 1 200,00

Rec From: Rosenberg, Martin, Greenberg
For: Special Hearing & Variance - 2915 E. Joppa Road
2015-0304-SHA (Linden/Krause)

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

Certificate of Posting

Case No. 2015-0304-SPHA

PLACE: ROOM 205, JEFFERSON BUILDING, 105 W. CHESAPEAKE AVE.

TOWSON 21204

DATE AND TIME: FRI., SEPT. 4, 2015 AT 1:30 P.M.

REQUEST: SPECIAL HEARING TO APPROVE COMMERCIAL PARKING IN A RESIDENTIAL

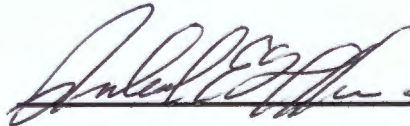
ZONE; TO APPROVE FOUR STACKING SPACES, NOT INCLUDING SPACE NEXT TO THE TRANSACTION WINDOW,
FOR A PHARMACY DRIVE-UP WINDOW, VARIANCE TO MAINTAIN A 5 FOOT UNCLEARED AND LANDSCAPED
RESIDENTIAL TRANSITION AREA BUFFER IN LIEU OF THE REQUIRED 50 FT. AND TO PERMIT A RESIDENTIAL
TRANSITION AREA SETBACK OF 70 FT. IN LIEU OF THE REQUIRED 75 FT. ALONG THE WESTERN PORTION OF THE
PROPERTY THAT IS PROPOSED TO BE UNDEVELOPED OPEN SPACE; TO PERMIT A SETBACK OF 3 FT. IN
LIEU OF THE REQUIRED 10 FT. SETBACK REQUIREMENT FROM AN ADJOINING COMMERCIAL PROPERTY;
AND TO PERMIT A FREE STANDING SIGN TO BE ERECTED 0 FT. FROM A RESIDENTIAL ZONE IN
LIEU OF THE REQUIRED 25 FT. ALSO, FOR SUCH FARTHER RELIEF AS THE ADMINISTRATIVE
LAW JUDGE MAY REQUIRE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

2915 E. Joppa Road - (sheet 2 of 2)

(Posted 8/15/15)

 8/15/15

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



THE BALTIMORE SUN MEDIA GROUP

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 3487633

Sold To:

Trish Czyzewski - CU00462443
25 S Charles St
Baltimore, MD 21201-3322

Bill To:

Trish Czyzewski - CU00462443
25 S Charles St
Baltimore, MD 21201-3322

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

Aug 13, 2015

The Baltimore Sun Media Group

By S. Wilkins

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: # 2015-0304-SPHA

2915 E. Joppa Road
NW/s Harford Road, 197.38 ft. SW of Joppa Road
9th Election District - 5th Councilmanic District
Legal Owner(s) Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing: to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window.

Variance: to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, September 4, 2015 at 1:30 p.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.

8/104 Aug. 13

3487633



THE BALTIMORE SUN MEDIA GROUP

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 Or

Sold To:

Trish Czyzewski - CU00462443
25 S Charles St
Baltimore, MD 21201-3322

Bill To:

Trish Czyzewski - CU00462443
25 S Charles St
Baltimore, MD 21201-3322

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

Oct 08, 2015

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9th Election District - 5th Councilmanic District
Legal Owner(s) Stanley & Denise Fleden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window.

Variance to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Thursday, October 29, 2015 at 1:30 p.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.
10/118 October 8 3632563

The Baltimore

By

S. Wilkinson

Legal Advertising



THE BALTIMORE SUN MEDIA GROUP

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 4086230

Sold To:

Trish Czyzewski - CU00462443
25 S Charles St
Ste 2115
Baltimore, MD 21201-3322

Bill To:

Trish Czyzewski - CU00462443
25 S Charles St
Ste 2115
Baltimore, MD 21201-3322

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

Apr 07, 2016

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: # 2015-0304-SPHA

2915 E. Joppa Road
NW/s Harford Road, 197.38 ft. SW of Joppa Road
9th Election District - 5th Councilmanic District
Legal Owner(s)

SPECIAL HEARING: to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window.

VARIANCE: to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, April 29, 2016 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.

4/017 April 7

4086230

CERTIFICATE OF POSTING

2015-0304-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Stanley & Denise Fieden & Paul & Rosemary Krouse

May 11, 2016

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

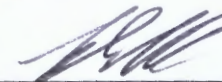
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2915 E Joppa Road

The sign(s) were posted on **April 21, 2016**

(Month, Day, Year)

Sincerely,



April 21, 2016

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

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

April 20, 2016

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2015-0304-SPHA

2915 E. Joppa Road

NW/s Harford Road, 197.38 ft. SW of Joppa Road

9th Election District – 5th Councilmanic District

Legal Owners: Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window. To permit access to a commercial use through a residential zone. **Variance** to remove the required 50 ft. landscaped residential transition area along the western portion of the property that is proposed to be undeveloped open space. In lieu, a 15 ft. Class "A" landscape buffer will be provided. To permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft.; also, for such further relief as the Administrative Law Judge may require.

Hearing: Wednesday, May 11, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the hearing location information.

Arnold Jablon
Director

AJ:kl

C: Stanley Fine, 25 S. Charles Street, Ste. 2115, Baltimore 21201
JC Bar Development, LLC, Jason Mitchell, 415 Fallowfield Rd., Ste. 301, Camp Hill PA 17011
Stanley & Denise Fieden, 2913 E. Joppa Rd., Baltimore 21234
David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 21, 2016**
- (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: The Sun Publication
Thursday, April 21, 2016 Issue - Jeffersonian

Please forward billing to:

Trish Czyzewski
25 S. Charles Street, Ste. 2115
Baltimore, MD 21201

410-727-6600

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: 2015-0304-SPHA

2915 E. Joppa Road
NW/s Harford Road, 197.38 ft. SW of Joppa Road
9th Election District – 5th Councilmanic District
Legal Owners: Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window; for a pharmacy drive-up window. To permit access to a commercial use through a residential zone. **Variance** to remove the required 50 ft. landscaped residential transition area along the western portion of the property that is proposed to be undeveloped open space. In lieu, a 15 ft. Class "A" landscape buffer will be provided. To permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft.; also, for such further relief as the Administrative Law Judge may require.

Hearing: Wednesday, May 11, 2016 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 7, 2016 Issue - Jeffersonian

Please forward billing to:

Trish Czyzewski
25 S. Charles Street, Ste. 2115
Baltimore, MD 21201

410-727-6600

NOTICE OF ZONING HEARING

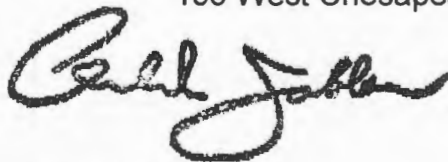
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0304-SPHA

2915 E. Joppa Road
NW/s Harford Road, 197.38 ft. SW of Joppa Road
9th Election District – 5th Councilmanic District
Legal Owners: Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window. Variance to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, April 29, 2016 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.



KEVIN KAMENETZ
County Executive

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

March 24, 2016

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2015-0304-SPHA

2915 E. Joppa Road

NW/s Harford Road, 197.38 ft. SW of Joppa Road

9th Election District – 5th Councilmanic District

Legal Owners: Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window. Variance to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, April 29, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Stanley Fine, 25 S. Charles Street, Ste. 2115, Baltimore 21201
JC Bar Development, LLC, Jason Mitchell, 415 Fallowfield Rd., Ste. 301, Camp Hill PA 17011
Stanley & Denise Fieden, 2913 E. Joppa Rd., Baltimore 21234
David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 9, 2016

- (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, October 8, 2015 Issue - Jeffersonian

Please forward billing to:

Trish Czyzewski
25 S. Charles Street, Ste. 2115
Baltimore, MD 21201

410-727-6600

NOTICE OF ZONING HEARING

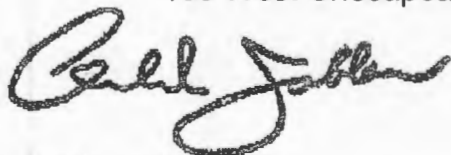
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0304-SPHA

2915 E. Joppa Road
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9th Election District – 5th Councilmanic District
Legal Owners: Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window. Variance to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Thursday, October 29, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

September 14, 2015

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

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2015-0304-SPHA

2915 E. Joppa Road

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9th Election District – 5th Councilmanic District

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Hearing: Thursday, October 29, 2015 at 1:30 p.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: Stanley Fine, 25 S. Charles Street, Ste. 2115, Baltimore 21201
JC Bar Development, LLC, Jason Mitchell, 415 Fallowfield Rd., Ste. 301, Camp Hill PA 17011
Stanley & Denise Fieden, 2913 E. Joppa Rd., Baltimore 21234
Richard Burch, 401 Washington Avenue, Ste. 900, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 9, 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, August 13, 2015 Issue - Jeffersonian

Please forward billing to:

Trish Czyzewski
25 S. Charles Street, Ste. 2115
Baltimore, MD 21201

410-727-6600

NOTICE OF ZONING HEARING

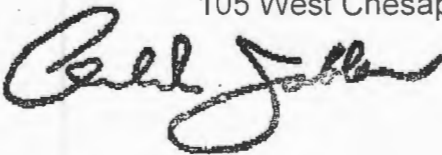
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CASE NUMBER: 2015-0304-SPHA

2915 E. Joppa Road
NW/s Harford Road, 197.38 ft. SW of Joppa Road
9th Election District – 5th Councilmanic District
Legal Owners: Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window. Variance to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, September 4, 2015 at 1:30 p.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.



KEVIN KAMENETZ
County Executive

July 13, 2015

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

NOTICE OF ZONING HEARING

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2915 E. Joppa Road

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9th Election District – 5th Councilmanic District

Legal Owners: Stanley & Denise Fieden & Paul & Rosemary Krause

Special Hearing to approve commercial parking in a residential zone; to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window. Variance to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 ft. and to permit and to permit a residential transition area setback of 70 ft. in lieu of the required 75 ft. along the western portion of the property that is proposed to be undeveloped open space; to permit a setback of 3 ft. in lieu of the required 10 ft. setback requirement from an adjoining commercial property; and to permit a freestanding sign to be erected 0 ft. from a residential zone in lieu of the required 25 ft. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Friday, September 4, 2015 at 1:30 p.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: Stanley Fine, 25 S. Charles Street, Ste. 2115, Baltimore 21201
JC Bar Development, LLC, Jason Mitchell, 415 Fallowfield Rd., Ste. 301, Camp Hill PA 17011
Stanley & Denise Fieden, 2913 E. Joppa Rd., Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 15, 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.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
2915 Joppa Road E; NW/S Harford Road,	*	OF ADMINISTRATIVE
197.38' SW of Joppa Road		
9 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Stanley & Denise Feiden		
& Paul & Rosemary Krause	*	BALTIMORE COUNTY
Contract Purchaser(s): JC Bar Development LLC		
Petitioner(s)	*	2015-304-SPHA

* * * * *

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

JUL 10 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of July, 2015, a copy of the foregoing Entry of Appearance was mailed to Stanley Fine, Esquire, 25 S. Charles Street, Suite 2115, Baltimore, Maryland 21201, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 28, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2915 E Joppa Road

INFORMATION:

Item Number: 15-304

Petitioner: Stanley Fieden, et al

Zoning: BL, BL-AS, DR 5.5

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve commercial parking in a residential zone and four stacking spaces not including the space next to the transaction window and the Petition for Variance relief from residential transition area, landscape and sign regulations as follows:

- Variance from Section 1B01.1.B.1.e to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 feet and to permit a residential transition area setback of 70 feet in lieu of the required 75 feet along the western portion of the property that is proposed to be undeveloped open space.
- Variance from Section 409.8.A.1 and the Baltimore County Landscape Manual to permit a setback of 3 feet in lieu of the required 10 foot setback requirement from an adjoining commercial property.
- Variance from Section 450.5.B.4.b to permit a freestanding sign to be erected 0 feet from a residential zone in lieu of the required 25 feet.

The property was the subject of CZMP Issue 5-019 in 2012 which changed the zoning to its current split zoned designation of BL, BL-AS and DR 5.5 and is further subject to a Memorandum of Understanding (MOU) between the current property owners and the Carney Improvement Association. The MOU outlines specific criteria for landscaping requirements, signage, maintenance of and the possible relocation of the Carney community sign located on the property. The MOU also covers the development and preservation of the passive space area at the western edge of the property.

This Department has reviewed the documentation in support of the petitions including the MOU and recommends that the building and landscaping are adequate and appropriate for this commercial intersection.

The Department has no objection to the granting of the zoning relief conditioned upon the following:

- The aforementioned 2012 CZMP Issue 5-019 shall be noted on any site plans submitted to Baltimore County for review and approval.
- Through the hearing process, the entity charged with the maintenance of the neighborhood park area should be identified and so noted in the Decision and Order of the Baltimore County Administrative Law Judge.

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Division Chief: Kathy Sredabaen
AVA/KS

c: Jeanette Tansey, RLA, PAI
Laurie Hay

RICHARD C. BURCH *
DOUGLAS W. BISER *
ANDREW JANQUITTO **
MATTHEW P. LALUMIA *

* MEMBER OF MARYLAND BAR
* MEMBER OF DISTRICT OF COLUMBIA BAR

8/15
TO KL
OK to PP

MUDD, HARRISON & BURCH, L.L.P.
ATTORNEYS AT LAW
401 WASHINGTON AVENUE
SUITE 900
TOWSON, MARYLAND 21204-4835
410 828 1335
FAX 410 828 1042

JB 9/4
1:30 PM

JOHN E. MUDD
(1928-2003)

T. ROGERS HARRISON
(1949-1995)

August 26, 2015

HAND DELIVERY

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

RECEIVED

AUG 26 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case No. 2015-0304-SPHA
Property Location: Harford Road/Joppa Road
9th Election District; 5th Council District
Petitioner/Contract Purchaser: JC Bar Development, LLC
Hearing Date: Friday, September 4, 2015; 1:30 p.m.

Dear Judge Beverungen:

I have been retained by Carney Village Limited Partnership, which owns and operates the Carney Village Shopping Center on Harford Road in immediate proximity to the proposed development referenced above. My client intends to participate in the above-captioned proceeding which involves requests for several variances and other Special Hearing approvals. Unfortunately, I am not currently available to appear at the hearing now scheduled for the afternoon of Friday, September 4, as I am scheduled to be traveling to Nantucket to catch up with my wife, children and grandchildren for the Labor Day weekend. I attach a copy of my flight itinerary, which was arranged back in May when we were planning the summer schedule.

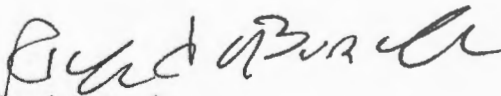
Yesterday, I placed calls to Stanley Fine and Justin Williams, counsel for the Petitioner, to discuss my request with them, however, I was not able to reach either of them. It is, however, my understanding that this matter has not been postponed previously. My client reached out to me yesterday after it was advised by the attorney with whom it had been consulting that he was concerned about a potential conflict and had decided to decline any further involvement in the matter.

If you are inclined to grant my request, I assure you and the Petitioner that I will cooperate fully with the rescheduling of the matter to ensure that it is reset as quickly as possible.

The Honorable John E. Beverungen
Administrative Law Judge
August 26, 2015
Page Two

I thank you for your kind consideration of this request.

Very truly yours,


Richard C. Burch

RCB/tyj

cc: Stanley Fine, Esquire (w/enc.) (via e-mail/1st class mail)
Jack Luetkemeyer

Enclosure

RICHARD C. BURCH *
DOUGLAS W. BISER *
ANDREW JANQUITTO **
MATTHEW P. LALUMIA *

MUDD, HARRISON & BURCH, L.L.P.
ATTORNEYS AT LAW
401 WASHINGTON AVENUE
SUITE 900
TOWSON, MARYLAND 21204-4835
410 828 1335
FAX 410 828 1042

JOHN E. MUDD
(1928-2003)

T. ROGERS HARRISON
(1949-1995)

* MEMBER OF MARYLAND BAR
* MEMBER OF DISTRICT OF COLUMBIA BAR

Facsimile Transmission

TO: Kristen
FAX #: (410) 887-3048
FROM: Teri Jarrard for Richard C. Burch
DATE: September 1, 2015
RE: 2015-0304-SPHA

We are transmitting 1 page(s) (including this cover sheet). If you do not receive all the pages, please call Teri at (410) 828-1335.

Kristen:

Per our conversation of a few minutes ago, Mr. Burch is available on the following dates in October: 7, 13, 15, 16, 20, 26, 27, 29. If the hearing must be on a Friday, he can make himself available on the 16th, 23rd or 30th.

Many thanks.

Teri Jarrard

This message and accompanying pages (if any) are intended only for the use of the individual to whom or entity to which this is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address above via the U.S. Postal Service. Thank you.

Your flights

[Upcoming travel](#)[Check in online](#)[Check flight status](#)

Tue, Sep 01 Nantucket, MA (ACK) Baltimore, MD (BWI)

+3 more flights

[Manage flight](#)

Confirmation code #YLVZZO | Status: Confirmed

[Check in](#)

Depart: Tuesday, September 1, 2015

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
1551 (E90)	ACK BOS	2:48 PM	3:36 PM	Duration: 0h 48min

Connecting flight - 1h 9min Layover

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
0827 (E90)	BOS BWI	4:45 PM	6:15 PM	Duration: 1h 30min

Return: Friday, September 4, 2015

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
0626 (E90)	BWI BOS	10:10 AM	11:29 AM	Duration: 1h 19min

Connecting flight - 1h 12min Layover

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
1552 (E90)	BOS ACK	1:26 PM	2:12 PM	Duration: 0h 46min

Thu, Sep 10 Nantucket, MA (ACK) Baltimore, MD (BWI)

+3 more flights

[Manage flight](#)

Confirmation code #PNGIIV | Status: Confirmed

[Check in](#)

Fri, Aug 14 Baltimore, MD (BWI) Nantucket, MA (ACK)

+3 more flights

[Manage flight](#)

Confirmation code #MADSDJ | Status: Confirmed

[Check in](#)

Link an itinerary to your TrueBlue account

If you purchased a flight without using your TrueBlue number or before you were a TrueBlue member, you can link that itinerary to your account to earn points when you fly. Request any missing points for completed travel within the past 12 months.

[Link an itinerary to my TrueBlue account](#)

9/4 - P.P

2015-0304-SPHA

Sherry Nuffer

From: Meg O'Hare <carneycia@gmail.com>
Sent: Wednesday, September 02, 2015 12:45 PM
To: Administrative Hearings
Cc: Peter Max Zimmerman; Stanley Fine
Subject: Re: Zoning Variance Case # 2015-0304-SPHA

RECEIVED

SEP 02 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Mr. Beverungen:

After further conversation with Mr. Stanley Fine, attorney representing JC Barr, the developer of the CVS project, the Carney Improvement does not oppose the requested variances for case # 2015-0304-SPHA.

I cannot attend the hearing because I am currently in Montana.

If you have any questions you may call my cell phone at 410.409.3136.

Sincerely,

Meg O'Hare
Carney Improvement President

Dear Mr. Beverungen:

Attached is a letter in opposition to the special variances requested for case # 2015-0304-SPHA. These are variances for the proposed CVS at the corner of Harford and Joppa Roads in Carney.

Thank you for your consideration of our opposition to these variances.

Sincerely,

Mrs. Mary Margaret (Meg) O'Hare

Carney Improvement Association President

3012 Summit Avenue

Baltimore, MD 21234

410.668.5183 (home)

410.409.3136 (cell)

9/4
P.P

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 28, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2915 E Joppa Road

INFORMATION:

Item Number: 15-304

Petitioner: Stanley Fieden, et al

Zoning: BL, BL-AS, DR 5.5

Requested Action: Special Hearing, Variance

RECEIVED

AUG 31 2015

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve commercial parking in a residential zone and four stacking spaces not including the space next to the transaction window and the Petition for Variance relief from residential transition area, landscape and sign regulations as follows:

- Variance from Section 1B01.1.B.1.e to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 feet and to permit a residential transition area setback of 70 feet in lieu of the required 75 feet along the western portion of the property that is proposed to be undeveloped open space.
- Variance from Section 409.8.A.1 and the Baltimore County Landscape Manual to permit a setback of 3 feet in lieu of the required 10 foot setback requirement from an adjoining commercial property.
- Variance from Section 450.5.B.4.b to permit a freestanding sign to be erected 0 feet from a residential zone in lieu of the required 25 feet.

The property was the subject of CZMP Issue 5-019 in 2012 which changed the zoning to its current split zoned designation of BL, BL-AS and DR 5.5 and is further subject to a Memorandum of Understanding (MOU) between the current property owners and the Carney Improvement Association. The MOU outlines specific criteria for landscaping requirements, signage, maintenance of and the possible relocation of the Carney community sign located on the property. The MOU also covers the development and preservation of the passive space area at the western edge of the property.

This Department has reviewed the documentation in support of the petitions including the MOU and recommends that the building and landscaping are adequate and appropriate for this commercial intersection.

The Department has no objection to the granting of the zoning relief conditioned upon the following:

- The aforementioned 2012 CZMP Issue 5-019 shall be noted on any site plans submitted to Baltimore County for review and approval.
- Through the hearing process, the entity charged with the maintenance of the neighborhood park area should be identified and so noted in the Decision and Order of the Baltimore County Administrative Law Judge.

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Division Chief: Kathy Senebader
AVA/KS

c: Jeanette Tansey, RLA, PAI
Laurie Hay



KEVIN KAMENETZ
County Executive

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

October 22, 2015

Stanley & Denise M Fieden
2913 E Joppa Road
Baltimore MD 21234

RE: Case Number: 2015-0304 SPHA, Address: W/S Harford Road, S/S Joppa Road

Dear Mr. & Ms. Fieden:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 28, 2015. 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
JC Bar Development LLC, Jason Mitchell, 415 Fallowfield Road, Suite 301
Camp Hill PA 17011
Stanley S Fine, Esquire, 25 S Charles Street Suite 2115, Baltimore MD 21201

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 7/7/15

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2015-0304-SPHA
Special Hearing Variance
Stanley & Denise M. Feiden &
Paul D. Jr. & Rosemary Krause
JC Bar Development LLC
2915 Foppa Road East MD 147
CVS Pharmacy.

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 7/7/15. A field inspection and internal review reveals that an entrance onto MD 147 consistent with current State Highway Administration guidelines is required. As a condition of approval for 2015 Variance, Case Number 2015-0304-SPHA 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 Richard Zeller at 410-229-2398 or 1-866-998-0367 (in Maryland only) extension 2398, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

cc: Mr. Michael Pasquariello, Utility Engineer, SHA

* The SHA is currently reviewing this proposed development in conjunction with an SHA project for improvements on Foppa Road and MD 147.

My telephone number/toll-free number is _____

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

Street Address: 320 West Warren Road - Hunt Valley, Maryland 21030 - Phone 410-229-2300 or 1-866-998-0367 -

Fax 410-527-4685 - www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For July 20, 2015
Item No. 2015-0304

DATE: July 20, 2015

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

Landscape and lighting plan approvals with security are required prior to issuance of a building permit.

Show the limits of Old Joppa Road and its disposition.

A 15-foot-wide landscape strip is required adjacent to residential property if no RTA applies (Variance #1). The proposed 5-foot setback is insufficient as a buffer between the proposed park and proposed parking spaces.

* * * * *

DAK
cc:file

ZAC-ITEM NO 15-0304-07202015.doc



KEVIN KAMENETZ
County Executive

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

October 23, 2015

Edward J. Gilliss, Esq.
Royston, Mueller, McLean & Reid, LLP
102 West Pennsylvania Avenue, Suite 600
Towson, Maryland 21204-4575

Richard C. Burch, Esq.
Mudd, Harrison & Burch, LLP
401 Washington Avenue, Suite 900
Towson, Maryland 21204-4835

RE: Petition for Special Hearing and Variance (Request for Postponement)
Case No. 2015-0304-SPHA
Property: 2915 Joppa Road

Dear Counsel:

I am in receipt of the postponement request on behalf of the Petitioner in the above matter, I understand counsel for the Protestant consents to the postponement. As such, the request will be granted and the scheduled October 29, 2015 hearing will be removed from the calendar.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln

M E M O R A N D U M

DATE: October 23, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0304- SPHA

A postponement was request by Edward J. Gilliss, Esq. on October 23, 2015. Judge Beverungen granted the postponement on October 23, 2015. The subject file is being returned to Zoning Review.

c: Case File
Office of Administrative Hearings

ROYSTON, MUELLER, McLEAN & REID, LLP

ATTORNEYS AT LAW

SUITE 600

THE ROYSTON BUILDING
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575

TELEPHONE 410-823-1800

FACSIMILE 410-828-7859

www.rmmlr.com

R. TAYLOR McLEAN
WILLIAM F. BLUE
THOMAS F. McDONOUGH
KEITH R. TRUFFER*
ROBERT S. HANDZO*
EDWARD J. GILLISS
TIMOTHY J. OURSLER
ROBERT G. BLUE
CRAIG P. WARD
LEANNE M. SCHRECENGOST
LISA J. McGRATH

JAMES L. SHEA, JR.
MARTHA K. WHITE
ROBERT F. MILLER
SARAH M. GRABENSTEIN
MATTHEW P. BOSAK

OF COUNSEL

LAUREL PARETTA REESE
EUGENE W. CUNNINGHAM, JR., P.A.
BRADFORD G.Y. CARNEY
STEPHEN C. WINTER
JOHN A. PICA, JR.

CARROLL W. ROYSTON
1913-1991

H. ANTHONY MUELLER
1913-2000

RICHARD A. REID
1931-2008

* ALSO ADMITTED IN D.C.

October 23, 2015

Via Hand Delivery

Hon. John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

RECEIVED

OCT 23 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case No.: 2015-0304-SPHA
2915 Joppa Road
Request for Postponement

Dear Judge Beverungen:

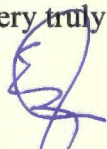
I represent the petitioner in this matter. Richard Burch, Esq. has entered his appearance on behalf of the protestant.

Mr. Burch has authorized me to represent to you that he consents to this letter request for a postponement of the scheduled October 29, 2015 hearing.

Reasons for the request for postponement are numerous but include the fact that the contract purchaser is evaluating site issues in an effort to minimize and/or eliminate certain of the requested relief items.

I thank you for your cooperation and look forward to receiving confirmation that this matter has, in fact, been postponed.

Very truly yours,


Edward J. Gilliss, Esq.

EJG/afd

cc: Richard Burch, Esq. (via e-mail)

M E M O R A N D U M

DATE: June 20, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0304-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on June 17, 2016. 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

CASE NAME CVS HARTFORD/TOPPA
CASE NUMBER 2015-304-3PHA
DATE 5/11/16

[illegible]

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 10, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 15-304 (Revised)

RECEIVED

MAY 11 2016

INFORMATION:

Property Address: 2915 E Joppa Road
Petitioner: David Karceski, Esquire et al.
Zoning: BL, BL-AS, DR 5.5
Requested Action: Special Hearing, Variance

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for a special hearing to determine whether the Administrative Law Judge should approve commercial parking in a residential zone, four stacking spaces, not including space next to transaction window for a pharmacy drive up window, and to permit access to a commercial use through a residential zone. The Department also reviewed the petition for variance to remove the required 50 foot landscaped residential transition area and provide a 15 foot Class A landscape buffer, permit a setback of 3 feet from an adjoining commercial property and permit a freestanding sign be erected 0 feet from a residential zone in lieu of the required 10 foot setback and 25 foot setback respectively.

A site visit was conducted on May 4, 2016. The property was the subject of CZMP Issue 5-019 in 2012 which changed the zoning to its current split zoned designation of BL, BL-AS and DR 5.5 and is further subject to a Memorandum of Understanding (MOU) between the current property owners and the Carney Improvement Association. The MOU outlines specific criteria for landscaping requirements, signage, maintenance of and the possible relocation of the Carney community sign located on the property. The MOU also covers the development and preservation of the passive space area at the western edge of the property. The MOU is being amended to reflect the revised site plan dated 4/14/16.

The Department has reviewed the documentation in support of the petitions including the MOU and recommends that the building and landscaping are adequate and appropriate for this commercial intersection.

The Department has no objection to the granting of the petitioned zoning relief conditioned upon the following:

- The aforementioned 2012 CZMP Issue 5-019 shall be noted on any site plans submitted to Baltimore County for review and approval.

Date: May 10, 2016
Subject: ZAC #15-304 (Revised)
Page 2

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:

Lloyd T. Moxley (KS)
Lloyd T. Moxley

Division Chief:

Kathy Schlabach
Kathy Schlabach

AVA/KS/LTM/ka

c: Laurie Hay
David Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

SECTION

102.6 ACCESS

A. For Heavier Uses Through Lighter Zones:

1. Access for a heavier commercial or industrial use or a heavier commercial or industrial zone through a lighter or more restrictive commercial or industrial zone is permitted. It does not have to be the only possible access that the property has.
2. Access through O-1 and O-2 for commercial and industrial uses is only permitted if it is demonstrated that it is the only possible access. If it is not the only possible access, a special hearing would be required by the Zoning Commissioner. A hearing may also be required if it is the only access.
3. Access through a residential zone (RC, DR, RAE) for a commercial or industrial use may be permitted if it is the sole access to the site. A public hearing may be required based on a determination that:
 - a. it is the only possible access from a public street;
 - b. and/or the residential land in issue is too small;
 - c. and/or the land in issue is subject to other restrictions which prevents a residential use.
4. Access through an RO zone, a public hearing would only be necessary pursuant to Section 1.C above if it is determined that the use of the land in issue at the time the subdivision and/or development plan was submitted was residential - if commercial, no hearing would be required (See M84-6 and 85-302 SPH).
5. Interior driveways that serve commercial or industrial uses through residential zones which are for circulation only with no access to the property from a public street would not require a public hearing.

B. If property is wholly or partially zoned ML-IM, and the proposed use is located wholly or partially in the ML-IM zone with access to the site through a zone other than ML-IM, the requirements of Section 253.1.C with regard to access is not applicable.

C. See County Attorney Opinions, dated 9/20/79; 9/19/79; 1/17/80.

APPROVED MAY 13, 1992

9/4-P.P

2015-0304-SPHA

Sherry Nuffer

From: Meg O'Hare <carneycia@gmail.com>
Sent: Wednesday, September 02, 2015 12:45 PM
To: Administrative Hearings
Cc: Peter Max Zimmerman; Stanley Fine
Subject: Re: Zoning Variance Case # 2015-0304-SPHA

RECEIVED

SEP 02 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Mr. Beverungen:

After further conversation with Mr. Stanley Fine, attorney representing JC Barr, the developer of the CVS project, the Carney Improvement does not oppose the requested variances for case # 2015-0304-SPHA.

I cannot attend the hearing because I am currently in Montana.

If you have any questions you may call my cell phone at 410.409.3136.

Sincerely,

Meg O'Hare
Carney Improvement President

Dear Mr. Beverungen:

Attached is a letter in opposition to the special variances requested for case # 2015-0304-SPHA. These are variances for the proposed CVS at the corner of Harford and Joppa Roads in Carney.

Thank you for your consideration of our opposition to these variances.

Sincerely,

Mrs. Mary Margaret (Meg) O'Hare

Carney Improvement Association President

3012 Summit Avenue

Baltimore, MD 21234

410.668.5183 (home)

410.409.3136 (cell)

Debra Wiley

From: Kristen L Lewis
Sent: Friday, August 28, 2015 11:05 AM
To: Debra Wiley
Subject: RE: 2015-0304-SPHA

Hi, yes Arnold ok'd the request.

Kristen Lewis
PAL – Zoning Review
410-887-3391

From: Debra Wiley
Sent: Friday, August 28, 2015 9:46 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; June Wisnom <jwisnom@baltimorecountymd.gov>
Cc: Sherry Nuffer <snuffer@baltimorecountymd.gov>
Subject: 2015-0304-SPHA

Hi,

We're assuming since Sherry didn't receive the file that the postponement request was granted by Arnold ?

Just let us know. Thanks.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

9/4 1:30pm

Debra Wiley

From: Debra Wiley
Sent: Wednesday, August 26, 2015 9:22 AM
To: Kristen L Lewis
Cc: Sherry Nuffer (snuffer@baltimorecountymd.gov)
Subject: 9/4 @ 1:30 PM
Attachments: 20150826092110885.pdf

Hi Kristen,

Please find attached a postponement request that should be decided by Arnold Jablon -- outside the 5-day timeframe.

Thanks in advance.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Wednesday, August 26, 2015 9:21 AM
To: Debra Wiley
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

Scan Date: 08.26.2015 09:21:10 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

8/28
Sherry did
not receive
file from
June.

JS 9/4
1:30 pm

RICHARD C. BURCH *
DOUGLAS W. BISER *
ANDREW JANQUITTO *
MATTHEW P. LALUMIA *

MUDD, HARRISON & BURCH, L.L.P.
ATTORNEYS AT LAW
401 WASHINGTON AVENUE
SUITE 900
TOWSON, MARYLAND 21204-4835
410 828 1335
FAX 410 828 1042

JOHN E. MUDD
(1928-2003)

T. ROGERS HARRISON
(1949-1995)

* MEMBER OF MARYLAND BAR
* MEMBER OF DISTRICT OF COLUMBIA BAR

August 26, 2015

HAND DELIVERY

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

RECEIVED

AUG 26 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case No. 2015-0304-SPHA
Property Location: Harford Road/Joppa Road
9th Election District; 5th Council District
Petitioner/Contract Purchaser: JC Bar Development, LLC
Hearing Date: Friday, September 4, 2015; 1:30 p.m.

Dear Judge Beverungen:

I have been retained by Carney Village Limited Partnership, which owns and operates the Carney Village Shopping Center on Harford Road in immediate proximity to the proposed development referenced above. My client intends to participate in the above-captioned proceeding which involves requests for several variances and other Special Hearing approvals. Unfortunately, I am not currently available to appear at the hearing now scheduled for the afternoon of Friday, September 4, as I am scheduled to be traveling to Nantucket to catch up with my wife, children and grandchildren for the Labor Day weekend. I attach a copy of my flight itinerary, which was arranged back in May when we were planning the summer schedule.

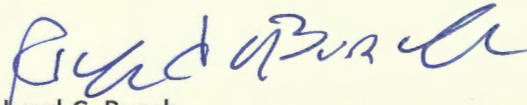
Yesterday, I placed calls to Stanley Fine and Justin Williams, counsel for the Petitioner, to discuss my request with them, however, I was not able to reach either of them. It is, however, my understanding that this matter has not been postponed previously. My client reached out to me yesterday after it was advised by the attorney with whom it had been consulting that he was concerned about a potential conflict and had decided to decline any further involvement in the matter.

If you are inclined to grant my request, I assure you and the Petitioner that I will cooperate fully with the rescheduling of the matter to ensure that it is reset as quickly as possible.

The Honorable John E. Beverungen
Administrative Law Judge
August 26, 2015
Page Two

I thank you for your kind consideration of this request.

Very truly yours,



Richard C. Burch

RCB/tvj

cc: Stanley Fine, Esquire (w/enc.) (via e-mail/1st class mail)
Jack Luetkemeyer

Enclosure

Your flights

[Upcoming travel](#)[Check in online](#)[Check flight status](#)

Tue, Sep 01

Nantucket, MA (ACK)

Baltimore, MD (BWI)

[+3 more flights](#)[Manage flight](#)Confirmation code #YLVZZO | Status: **Confirmed**[Check in](#)Depart: **Tuesday, September 1, 2015**

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
1551 (E90)	ACK BOS	2:48 PM	3:36 PM	Duration: 0h 48min

Connecting flight - 1h 9min Layover

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
0827 (E90)	BOS BWI	4:45 PM	6:15 PM	Duration: 1h 30min

Return: **Friday, September 4, 2015**

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
0626 (E90)	BWI BOS	10:10 AM	11:29 AM	Duration: 1h 19min

Connecting flight - 1h 57min Layover

FLIGHT	ROUTE	DEPART	ARRIVE	Confirmed
1552 (E90)	BOS ACK	1:26 PM	2:12 PM	Duration: 0h 46min

Thu, Sep 10

Nantucket, MA (ACK)

Baltimore, MD (BWI)

[+3 more flights](#)[Manage flight](#)Confirmation code #PNGIVV | Status: **Confirmed**[Check in](#)

Fri, Aug 14

Baltimore, MD (BWI)

Nantucket, MA (ACK)

[+3 more flights](#)[Manage flight](#)Confirmation code #MADSDJ | Status: **Confirmed**[Check in](#)

Link an itinerary to your TrueBlue account

If you purchased a flight without using your TrueBlue number or before you were a TrueBlue member, you can link that itinerary to your account to earn points when you fly. **Request** any missing points for completed travel within the past 12 months.

[Link an itinerary to my TrueBlue account](#)

Debra Wiley

JB 9/4
1:30 pm

From: Fine, Stanley <SFine@rosenbergmartin.com>
Sent: Thursday, August 27, 2015 3:46 PM
To: Administrative Hearings
Cc: jason@jcbarprop.com; rcb@mhblaw.com; Peoples Counsel; Williams, Justin; Fine, Stanley
Subject: JC Bar Development, LLC Withdrawal
Attachments: Ltr. to John Beverungen, Admin. Law Judge.pdf

Good afternoon:

The attached correspondence is being forwarded to you on behalf of Stanley S. Fine. Thank you.

Trish Czyzewski, Legal Assistant



**Rosenberg
Martin
Greenberg^{LLP}**

Rosenberg Martin Greenberg, LLP
25 South Charles Street, 21st Floor
Baltimore, MD 21201-3305
410-727-6600 phone
410-727-1115 fax
410-895-1212 direct dial
rosenbergmartin.com



Rosenberg
Martin
Greenberg^{LLP}

STANLEY S. FINE
sfine@rosenbergmartin.com

August 27, 2015

VIA EMAIL TO:
administrativehearings@baltimorecountymd.gov

John Beverungen, Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Room 103
Towson, Maryland 21204

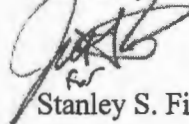
Re: 2015-0304-SPHA
W/S of Harford Road/ S/S of Joppa Road

Dear Judge Beverungen:

Please withdraw the appearance of Stanley S. Fine and Rosenberg Martin Greenberg, LLP on behalf of JC Bar Development, LLC, the applicant in the above-referenced matter.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,



Stanley S. Fine

cc: JC Bar Development, LLC (via electronic mail)
Richard Burch (via electronic mail)
Peter Max Zimmerman (via electronic mail)

4812-5017-3991, v. 1

JB 9-4-15
1:30 PM

Debra Wiley

From: Meg O'Hare <carneycia@gmail.com>
Sent: Friday, July 17, 2015 2:33 PM
To: Administrative Hearings
Subject: Zoning Variance Case # 2015-0304-SPHA
Attachments: CIA CVS Variances Opposition.doc

Dear Mr. Beverungen:

Attached is a letter in opposition to the special variances requested for case # 2015-0304-SPHA. These are variances for the proposed CVS at the corner of Harford and Joppa Roads in Carney.

Thank you for your consideration of our opposition to these variances.

Sincerely,

Mrs. Mary Margaret (Meg) O'Hare

Carney Improvement Association President

3012 Summit Avenue

Baltimore, MD 21234

410.668.5183 (home)

410.409.3136 (cell)

Carney Improvement Association, Inc.
P.O. Box 28282
Carney, MD 21234-8282
carneycia@gmail.com

Meg O'Hare	President
Romi Shah	Vice President
JoAnne Krause	Recording Secretary
Marilyn Ryan	Corresponding Secretary
John Ryan	Treasurer
Jim Cousler	Sergeant-at-Arms

July 17, 2015

Mr. John Beverungen
Administrative Law Judge
Jefferson Building, Suite 103
Towson, Maryland 21204

Dear Mr. Beverungen:

The community of Carney is an older community that predated zoning regulations and the protections they offer residents. Therefore, it is extremely important to our community that special variances are not permitted in Carney. These are the only protection that our residents have against encroaching commercial development, in this case, a very large CVS Pharmacy.

In my role as President of the Carney Improvement Association (CIA), I am writing in opposition to granting the special variances requested in **case#2015-0304-SPHA** by the owners and their representatives in the zoning petition relating to the proposed new and relocated CVS pharmacy near the southwest corner of Joppa and Harford Roads. The CIA asks that you deny the following:

REQUESTED SPECIAL VARIANCE APPROVALS

1. Special Hearing to approve commercial parking in a residential zone pursuant to BCZR Section 409.8.B.
2. Special Hearing to approve four stacking spaces, not including space next to the transaction window, for a pharmacy drive-up window, pursuant to BCZR Section 409.10.A.

REQUESTED VARIANCE RELIEF

1. Variance from Section 1B01.1.B.I.e to maintain a 5 foot uncleared and landscaped residential transition area buffer in lieu of the required 50 feet and to permit a residential transition area setback of 70 feet in lieu of the required 75 feet along the western portion of the property that is proposed to be undeveloped open space.

Carney Improvement Association, Inc.
P.O. Box 28282
Carney, MD 21234-8282
carneycia@gmail.com

2. Variance from Section 409.8.A. I and the Baltimore County Landscape Manual to permit a setback of 3 feet in lieu of the required 10 foot setback requirement from an adjoining commercial property.
3. Variance from Section 450.5.B.4.b to permit a freestanding sign to be erected 0 feet from a residential zone in lieu of the required 25 feet.
4. Also, for such further variance relief as the Administrative Law Judge may require:

Following is a list of the properties and owners requesting the special variances:

LEGAL OWNER:

Stanley Fieden
Denise M. Fieden
2913 E. Joppa. Road
Baltimore, MD 21234

2913 E. Joppa Road

Tax Map 0071, Parcel 1064
Tax Account # 1700010116

LEGAL OWNER:

Paul D. Krause, Jr.
Rosemary Krause
2915 E. Joppa. Road
Baltimore, MD 21234

2915 E. Joppa Road

Tax Map 0071, Parcel 0657
Tax Account # 0911770532

2919 E. Joppa Road

Tax Map 0071, Parcel 0662
Tax Account # 0913754890

Tax Map 0071, Parcel 1472
Tax Account # 2000000377

9516 Harford Road

Tax Map 0071, Parcel 0813
Tax Account # 0908003191

Tax Map 0071, Parcel 0813
Tax Account # 0908003190

9514 Harford Road

Tax Map 0071, Parcel 1086
Tax Account # 1900008246

2907 Joppa Road

Tax Map 0071, Parcel 0660
Tax Account # 0911770533

Carney Improvement Association, Inc.
P.O. Box 28282
Carney, MD 21234-8282
carneycia@gmail.com

I am very sorry that I cannot attend this hearing. I will be on my family vacation. I appreciate that you will consider the concerns of the Carney community in your deliberations.

Sincerely,

Meg O'Hare

Mrs. Mary Margaret (Meg) O'Hare
Carney Improvement Association President

3012 Summit Avenue
Baltimore, MD 21234
410.668.5183 (home)
410.409.3136 (cell)

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
5/2/16	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
4/28/16	DEPS (if not received, date e-mail sent _____)	N/C
	FIRE DEPARTMENT	
8/28/15	PLANNING (if not received, date e-mail sent _____)	C
4/27/16	STATE HIGHWAY ADMINISTRATION	no obj
	TRAFFIC ENGINEERING	
4/17/16	Chuy. SHA - Lee Lambert	C
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
5/5/16	Hwy Design	C
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 4/7/16	
SIGN POSTING	Date: 4/21/16 by SSG. BLACK	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 1700010116			
Owner Information					
Owner Name:		FIEDEN STANLEY FIEDEN DENISE M		Use:	RESIDENTIAL
Mailing Address:		2913 E JOPPA RD BALTIMORE MD 21234-3021		Principal Residence:	YES
				Deed Reference:	/17611/ 00552
Location & Structure Information					
Premises Address:		2913 JOPPA RD 0-0000		Legal Description:	.2721 AC 2913 E JOPPA RD 350 W HARFORD RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0071	0015	1064		0000	2014
Special Tax Areas:			Town: Ad Valorem: Tax Class: NONE		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
1940		1,456 SF		11,852 SF	
Property Land Area		County Use			
11,852 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	FRAME	1 full	
Value Information					
Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		86,900		74,300	
Improvements		106,900		98,900	
Total:		193,800		173,200	
Preferential Land:		0		0	
Transfer Information					
Seller: KRAUSE PAUL D,JR		Date: 03/04/2003		Price: \$100,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /17611/ 00552		Deed2:	
Seller: KRAUSE LOUISE		Date: 02/09/1977		Price: \$30,000	
Type: ARMS LENGTH IMPROVED		Deed1: /05699/ 00491		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2015 07/01/2016	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

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>).

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0911770534			
Owner Information					
Owner Name:		KRAUSE PAUL D KRAUSE ROSEMARY I		Use: Principal Residence:	
Mailing Address:		2915 E JOPPA RD BALTIMORE MD 21234		Deed Reference: /11482/ 00537	
Location & Structure Information					
Premises Address:		JOPPA RD 0-0000		Legal Description: 0.41 AC SS JOPPA RD 160 W HARFORD RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0071	0015	0661		0000	2014
Special Tax Areas:				Town: Ad Valorem: Tax Class:	
				NONE	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
			17,859 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		67,400	57,900		
Improvements		0	0		
Total:		67,400	57,900	57,900	57,900
Preferential Land:		0			0
Transfer Information					
Seller: KRAUSE LOUISE E		Date: 03/15/1996		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /11482/ 00537		Deed2:	
Seller: KRAUSE LOUIS A M		Date: 09/16/1976		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06798/ 00713		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	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 \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **09** Account Number: **0911770534**

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.

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>).



KEVIN KAMENETZ
County Executive

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

May 5, 2016

Stanley and Denise Fieden
2913 E Joppa Road
Baltimore MD 21234

RE: Case Number: 2015-0304 SPHA, Address: W/S Harford Road

Dear Mr. & Ms. Fieden:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 4, 2016. 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.", is written over a circular embossed seal.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
JC Bar Development LLC, Jason Mitchell, 415 Fallowfield Road, Ste 301, Camp Hill PA 17011
David H Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 4/27/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2015-0304 SPHA

Special Hearing Variance
Stanley & Denise M. Fieden and Paul D. Jr. & Rosemary Krause
2915 Joppa Road E.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

* SHA is currently reviewing plans for an entrance on MD147 to this site. The project is also being coordinated with an SHA construction project at the intersection of MD147 & Joppa Road.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired or Speech 1-800-735-2258 Statewide Toll-Free

Street Address: 320 West Warren Road * Hunt Valley, Maryland 21030 * Phone 410-229-2300 or 1-866-998-0367 * Fax 410-527-4690

www.roads.maryland.gov

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



State Highway
Administration

Maryland Department of Transportation

Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

April 12, 2016

RECEIVED

MAY 06 2016

W. Carl Richards, Jr., Chief
Zoning Review Office
111 West Chesapeake Avenue
Room 111
Towson MD 21204

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Mr. Richards:

I am writing you in regard to Zoning Petition Case Number 2015-0304 SPHA. Recent records research has indicated that State Highway Administration does indeed retain Fee Simple ownership of the parcel of land identified in this petition as belonging to SHA. The subject parcel is currently encumbered with roadbed that was once a part of Old Joppa Road. SHA is in the process of finalizing the transfer of this parcel to Baltimore County by way of a Road Transfer Agreement.

It is also the intention of SHA to remove the asphalt roadbed from this parcel prior to Baltimore County taking possession. This impervious surface removal is an important component of the water quality and storm water management design and permitting for SHA's upcoming geometric safety improvement project BA146006692 - MD 147 (Harford Road) at Joppa Road.

Because this parcel is also a part of this petition, and SHA will be conveying it to Baltimore County, SHA defers to the County as to any action with respect to the pending zoning petition. Should you have any additional questions or concerns, please contact me directly at 410-229-2401, or via email at llambert@sha.state.md.us. I will be happy to assist you.

Sincerely,

Lee Lambert
Chief, SHA District 4 Right of Way

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

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



State Highway
Administration

Maryland Department of Transportation

Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

W. Carl Richards, Jr.
Page Two

cc: David Peake, District Engineer, SHA
Gina M. Anthony, Director ORE, SHA
Jane Heming, Chief PAM, SHA
Mark Riesett, Real Property Specialist PAM, 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.roads.maryland.gov



KEVIN KAMENETZ
County Executive

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

May 5, 2016

The Honorable John E. Beverungen
Office of Administrative Hearings
105 W. Chesapeake Avenue, Ste. 103
Towson, MD 21204

RECEIVED

MAY 05 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case No. 2015-304-SPHA
Proposed Access to CVS Store

Dear Honorable Beverungen:

On behalf of the Highway Design Section of the Department of Public Works (DPW), I have reviewed the petition and site plan in the above-referenced case, which includes a request to provide access to a commercial use through a residential zone.

I am writing to confirm that from a design and safety perspective, the only feasible way to provide access to the proposed CVS Store from Joppa Road is through the residential zone as shown on the site plan. We concur with the findings of SHA that the proposed entrance location provides for the highest level of safety and capacity. DPW requests that the proposed entrance remain in the location shown on the site plan. Locating the entrance closer to the intersection with Harford Road would cause problems with safety and design.

Very truly yours,

Rahee J. Famili
Rahee J. Famili, P.E.
Chief, Highway Design Section

cc: Adam Rosenblatt

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 2, 2016
Item No. 2015-0304

DATE: May 2, 2016

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

A Landscape Plan meeting manual requirements for setbacks & screening is required as well as a Photometric Lighting Plan.

Label the proposed community park and denote its ownership and show all improvements.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0304-0502016.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: April 28, 2016

SUBJECT: DEPS Comment for Zoning Item # 2015-0304-SPHA
Address 2915 Joppa Road East
(Fieden & Krause Property)

Zoning Advisory Committee Meeting of **May 2, 2016**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 04-28-2016



Rosenberg
Martin
Greenberg^{LLP}

STANLEY S. FINE
sfine@rosenbergmartin.com

April 15, 2016

VIA EMAIL TO:
administrativehearings@baltimorecountymd.gov

John Beverungen, Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Room 103
Towson, Maryland 21204

Re: 2015-0304-SPHA
W/S of Harford Road/ S/S of Joppa Road

Dear Judge Beverungen:

Please withdraw the appearance of Stanley S. Fine and Rosenberg Martin Greenberg, LLP on behalf of JC Bar Development, LLC, the applicant in the above-referenced matter.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,


Stanley S. Fine

cc: JC Bar Development, LLC (via electronic mail)
David Karceski, Esq. (via electronic mail)

4812-5017-3991, v. I

M E M O R A N D U M

DATE: October 23, 2015
TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2015-0304- SPHA

A postponement was request by Edward J. Gilliss, Esq. on October 23, 2015. Judge Beverungen granted the postponement on October 23, 2015. The subject file is being returned to Zoning Review.

c: Case File
Office of Administrative Hearings



BOHLERTM
ENGINEERING

901 Dulaney Valley Road, Suite 801
Towson, MD 21204
PHONE 410.821.7900
FAX 410.821.7987

May 7, 2016
Via Hand Delivery

Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

Attention: John E. Beverungen

RE: CVS/pharmacy
Harford Road & Joppa Road
Parkville, MD
Case Number: 2015-304 SPHA
BEPC # MD091511

Dear Mr. Beverungen:

Bohler Engineering on behalf of its Client, J.C. Bar Properties, Inc, requests that Case Number 2015-304 SPHA for the subject site be taken off hold and be returned to active status. We respectfully request that a hearing date be scheduled for the next available date/time.

If you should have any questions or require additional information, please do not hesitate to contact our office at (410) 821-7900.

Sincerely,

BOHLER ENGINEERING VA, LLC

Andrew G. Stine, P.E.
Project Manager

ags

H:\09\MD091511\Documents\Correspondence\160307 - Zoning Letter - Reinstatement.doc

Case No.:

2015-0304-SPHA

Exhibit Sheet

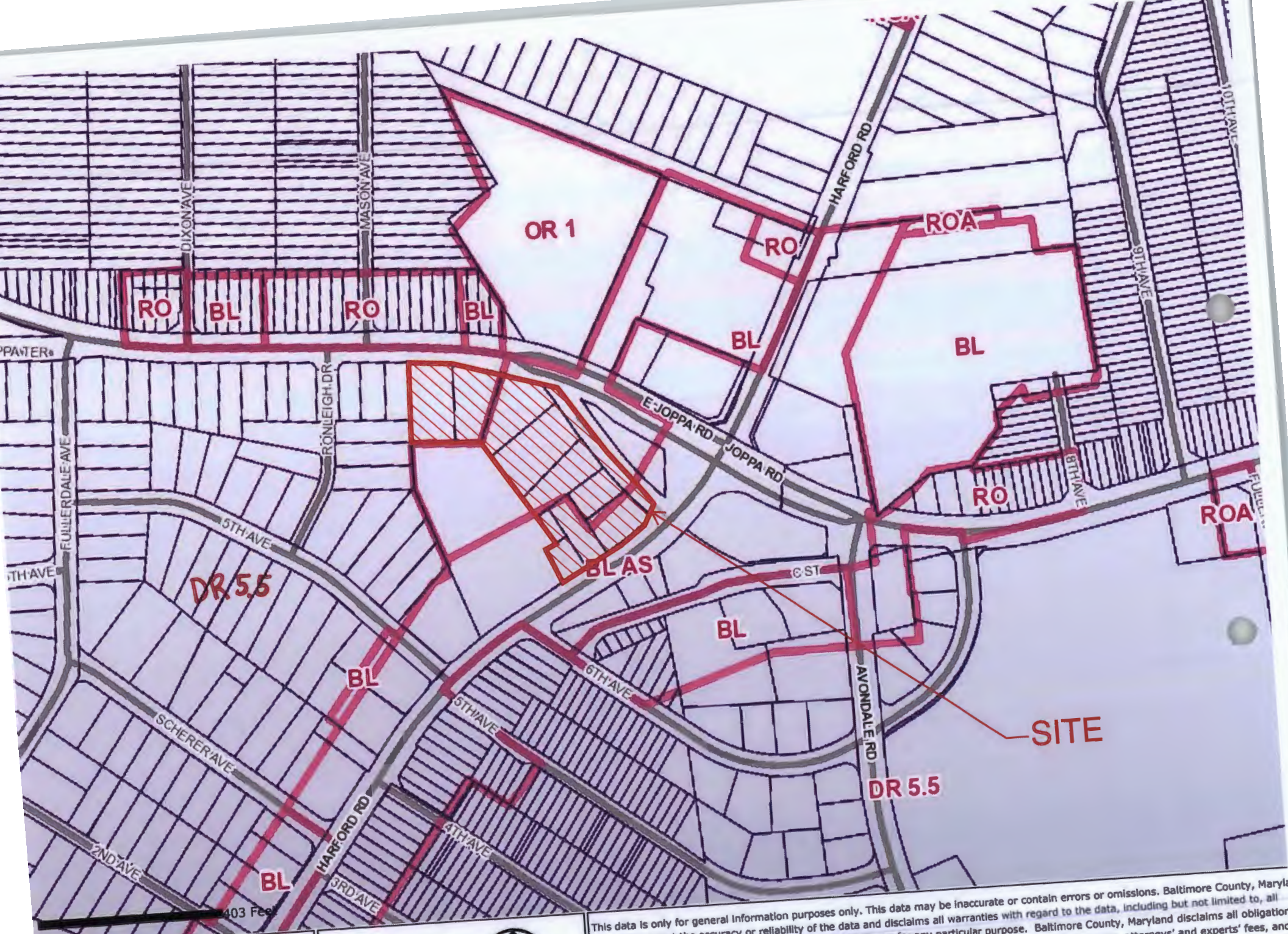
Petitioner/Developer

DPW
6-20-16

Protestant

Sen
5-18-16

No. 1	IA > zoning plan IB	
No. 2	Ucciferro CV	
No. 3	Photo exhibit	
No. 4	Aerial photo/map	
No. 5	Land survey	
No. 6	SHA letter 4-12-2016	
No. 7	CVS Proposed Roadway improve.	
No. 8	SHA letter 5-4-2016	
No. 9	DPW letter 5-5-2016	
No. 10	Schematic landscape plan	
No. 11	McWilliams CV	
No. 12		



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligations and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

2015-02-11-SPH



BOHLERTM

ENGINEERING RESUME

901 Dulaney Valley Rd., Ste. 801
Towson, MD 21204
PHONE 410.821.7900
FAX 410.821.7987

Joseph J. Ucciferro, P.E.
Project Manager

EDUCATION:

Bachelor of Civil Engineering, University of Delaware, Newark, DE

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, Board of Supervisors, Board of Appeals, and related municipal entities in Maryland, Delaware, and Pennsylvania.

EXPERIENCE:

Currently serves as a Project Manager in Bohler Engineering's Towson, Maryland Office. Experience includes over twelve (12) years of design and project management. Primarily responsible for client and project management for various commercial, residential, and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, pump/tank design and permitting, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes and other related projects in municipalities in Maryland, Delaware, and Pennsylvania.

BALTIMORE COUNTY PROJECTS OF NOTE:

- Merritt Pavilion – (Planned Unit Development) Dundalk
- Insurance Auto Auction – Rosedale and Dundalk (Special Exception and Variance)
- Shelter Development and YMCA (Planned Unit Development) – Catonsville
- Federal Realty – Flats at 703 (Towson Multi-family Development Plan)
- Federal Realty – Avenue at White Marsh PUD Refinement
- YMCA Development – (Development Plan) Towson
- Multiple Quick Serve Restaurants (Chick-fil-A, Sonic)
- Multiple Bank Projects (Bank of America, M&T Bank, PNC Bank, BB&T Bank)
- Multiple Fuel Service Station Projects (SMO, Wawa, Royal Farms)
- Multiple Pharmacy Projects

PROFESSIONAL AFFILIATIONS:

- Maryland Professional Engineer #36064
- Urban Land Institute (ULI)
- National Association of Industrial & Office Properties (NAIOP)
- International Conference of Shopping Centers (ICSC)

PETITIONER'S

EXHIBIT NO.

2



BOHLERTM

ENGINEERING RESUME

901 Dulaney Valley Rd., Ste. 801
Towson, MD 21204
PHONE 410.821.7900
FAX 410.821.7987

Joseph J. Ucciferro, P.E. Project Manager

EDUCATION:

Bachelor of Civil Engineering, University of Delaware, Newark, DE

PROJECT TESTIMONY:

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BALTIMORE COUNTY PROJECTS OF NOTE:

- Merritt Pavilion – (Planned Unit Development) Dundalk
- Insurance Auto Auction – Rosedale and Dundalk (Special Exception and Variance)
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- Multiple Quick Serve Restaurants (Chick-fil-A, Sonic)
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- Multiple Pharmacy Projects

PROFESSIONAL AFFILIATIONS:

- Maryland Professional Engineer #36064
- Urban Land Institute (ULI)
- National Association of Industrial & Office Properties (NAIOP)
- International Conference of Shopping Centers (ICSC)



BOHLERTM

ENGINEERING RESUME

901 Dulaney Valley Rd., Ste. 801
Towson, MD 21204
PHONE 410.821.7900
FAX 410.821.7987

Joseph J. Ucciferro, P.E. Project Manager

EDUCATION:

Bachelor of Civil Engineering, University of Delaware, Newark, DE

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, Board of Supervisors, Board of Appeals, and related municipal entities in Maryland, Delaware, and Pennsylvania.

EXPERIENCE:

Currently serves as a Project Manager in Bohler Engineering's Towson, Maryland Office. Experience includes over twelve (12) years of design and project management. Primarily responsible for client and project management for various commercial, residential, and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, pump/tank design and permitting, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes and other related projects in municipalities in Maryland, Delaware, and Pennsylvania.

BALTIMORE COUNTY PROJECTS OF NOTE:

- Merritt Pavilion – (Planned Unit Development) Dundalk
- Insurance Auto Auction – Rosedale and Dundalk (Special Exception and Variance)
- Shelter Development and YMCA (Planned Unit Development) – Catonsville
- Federal Realty – Flats at 703 (Towson Multi-family Development Plan)
- Federal Realty – Avenue at White Marsh PUD Refinement
- YMCA Development – (Development Plan) Towson
- Multiple Quick Serve Restaurants (Chick-fil-A, Sonic)
- Multiple Bank Projects (Bank of America, M&T Bank, PNC Bank, BB&T Bank)
- Multiple Fuel Service Station Projects (SMO, Wawa, Royal Farms)
- Multiple Pharmacy Projects

PROFESSIONAL AFFILIATIONS:

- Maryland Professional Engineer #36064
- Urban Land Institute (ULI)
- National Association of Industrial & Office Properties (NAIOP)
- International Conference of Shopping Centers (ICSC)

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

April 12, 2016

W. Carl Richards, Jr., Chief
Zoning Review Office
111 West Chesapeake Avenue
Room 111
Towson MD 21204

Dear Mr. Richards:

I am writing you in regard to Zoning Petition Case Number 2015-0304 SPHA. Recent records research has indicated that State Highway Administration does indeed retain Fee Simple ownership of the parcel of land identified in this petition as belonging to SHA. The subject parcel is currently encumbered with roadbed that was once a part of Old Joppa Road. SHA is in the process of finalizing the transfer of this parcel to Baltimore County by way of a Road Transfer Agreement.

It is also the intention of SHA to remove the asphalt roadbed from this parcel prior to Baltimore County taking possession. This impervious surface removal is an important component of the water quality and storm water management design and permitting for SHA's upcoming geometric safety improvement project BA146006692 - MD 147 (Harford Road) at Joppa Road.

Because this parcel is also a part of this petition, and SHA will be conveying it to Baltimore County, SHA defers to the County as to any action with respect to the pending zoning petition. Should you have any additional questions or concerns, please contact me directly at 410-229-2401, or via email at llambert@sha.state.md.us. I will be happy to assist you.

Sincerely,

A handwritten signature in blue ink that reads "Lee Lambert".

Lee Lambert
Chief, SHA District 4 Right of Way

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

PETITIONER'S

EXHIBIT NO. C

Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Secretary*
Gregory C. Johnson, P.E., *Administrator*

W. Carl Richards, Jr.
Page Two

cc: David Peake, District Engineer, SHA
Gina M. Anthony, Director ORE, SHA
Jane Heming, Chief PAM, SHA
Mark Riesett, Real Property Specialist PAM, 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.roads.maryland.gov

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

May 4, 2016



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Mr. Carl Wilson, Jr., P.E., PTOE
The Traffic Group, Inc.
9900 Franklin Square Drive
Suite H
Baltimore, MD 21236

Dear Mr. Wilson:

Thank you for your recent email requesting that the State Highway Administration (SHA) state their position regarding the proposed entrance location on Joppa Road to the proposed CVS Pharmacy located at the northwest corner of MD 147 & Joppa Road. We are pleased to respond.

Baltimore County
MD 147 (west side) 350' south of Joppa Road
"CVS Pharmacy" Store # 4212
SHA Tracking No. 12APBA015XX
Mile Post 1.96

The proposed entrance location on Joppa Road is outside of the SHA's jurisdiction to require or deny. However, based on our review of this entrance location as it relates to the SHA construction project (BA1465167) at the intersection of Joppa Road & MD 147, the current proposed entrance location provides for the highest level of safety and capacity and is therefore the SHA's preferred location for that entrance.

If there are any questions, please contact Richard Zeller at 410-229-2332 or toll free in Maryland only, 1-886-998-0367 (x2332). You may also e-mail him (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA
Acting Metropolitan District Engineer/
Assistant District Engineer – Project Development
State Highway Administration
District 4 - Baltimore and Harford Counties

cc: Bohler Engineering / 901 Dulaney Valley Road, Suite 801, Towson, MD 21204.
J.C. Bar Development, LLC / 415 Fallowfield Road, Suite 301, Camp Hill, PA 17011
Mr. Jan M. Cook / 111 W. Chesapeake Avenue, Towson, MD 21204
Mr. Edward Bokman, SHA District 4 – Engineering Systems Design Team
Ms. Erin Kuhn, SHA Assistant District Engineer – Traffic

My telephone number/toll-free number is
Maryland Relay Service for Impaired or Speech 1-800-735-2258 Statev
Street Address: 320 West Warren Road * Hunt Valley, Maryland 21030 * Phone 410-229-2300
www.roads.maryland.gov

PETITIONER'S

EXHIBIT NO. 8



KEVIN KAMENETZ
County Executive

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

May 5, 2016

The Honorable John E. Beverungen
Office of Administrative Hearings
105 W. Chesapeake Avenue, Ste. 103
Towson, MD 21204

Re: Case No. 2015-304-SPHA
Proposed Access to CVS Store

Dear Honorable Beverungen:

On behalf of the Highway Design Section of the Department of Public Works (DPW), I have reviewed the petition and site plan in the above-referenced case, which includes a request to provide access to a commercial use through a residential zone.

I am writing to confirm that from a design and safety perspective, the only feasible way to provide access to the proposed CVS Store from Joppa Road is through the residential zone as shown on the site plan. We concur with the findings of SHA that the proposed entrance location provides for the highest level of safety and capacity. DPW requests that the proposed entrance remain in the location shown on the site plan. Locating the entrance closer to the intersection with Harford Road would cause problems with safety and design.

Very truly yours,

Rahee J. Famili
Rahee J. Famili, P.E.
Chief, Highway Design Section

cc: Adam Rosenblatt

PETITIONER'S

EXHIBIT NO. 9

RESUME

Eric R. McWilliams, R.L.A.
Landscape Architect

EDUCATION:

Bachelor of Agricultural Business Management, Pennsylvania State University

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, City Councils, Board of Supervisors, Board of Appeals, Board of Adjustments and related municipal entities in Delaware, Maryland, and Pennsylvania.

EXPERIENCE:

Currently serves as a Landscape Architect in Bohler Engineering's Towson, Maryland Office. Experience includes over thirteen (13) years of design and project management. Primarily responsible for site planning, landscape plans, environmental design and project management for various commercial and residential developments. Areas of experience include site feasibility analysis and budgeting, environmental permitting, forest conservation, site layout and planning, zoning and subdivision ordinance review/interpretation, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, septic design, compliance/evaluations, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, gasoline service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes, residential subdivision and other related projects in municipalities in Maryland, Delaware and Pennsylvania.

PROFESSIONAL AFFILIATIONS:

- Maryland Registered Landscape Architect #3697
- Delaware Licensed Landscape Architect #S1-0000502

PETITIONER'S

EXHIBIT NO.

11

RESUME

Eric R. McWilliams, R.L.A.
Landscape Architect

EDUCATION:

Bachelor of Agricultural Business Management, Pennsylvania State University

PROJECT TESTIMONY:

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RESUME

Eric R. McWilliams, R.L.A.
Landscape Architect

EDUCATION:

Bachelor of Agricultural Business Management, Pennsylvania State University

PROJECT TESTIMONY:

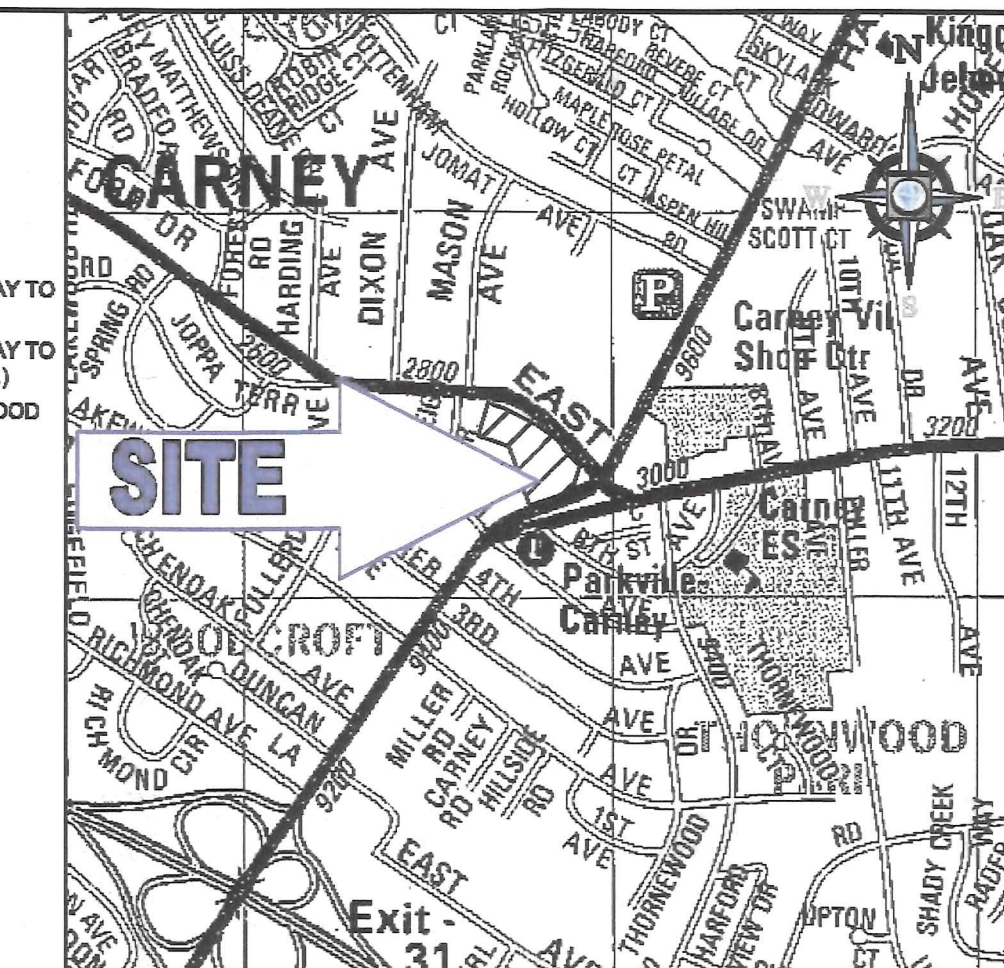
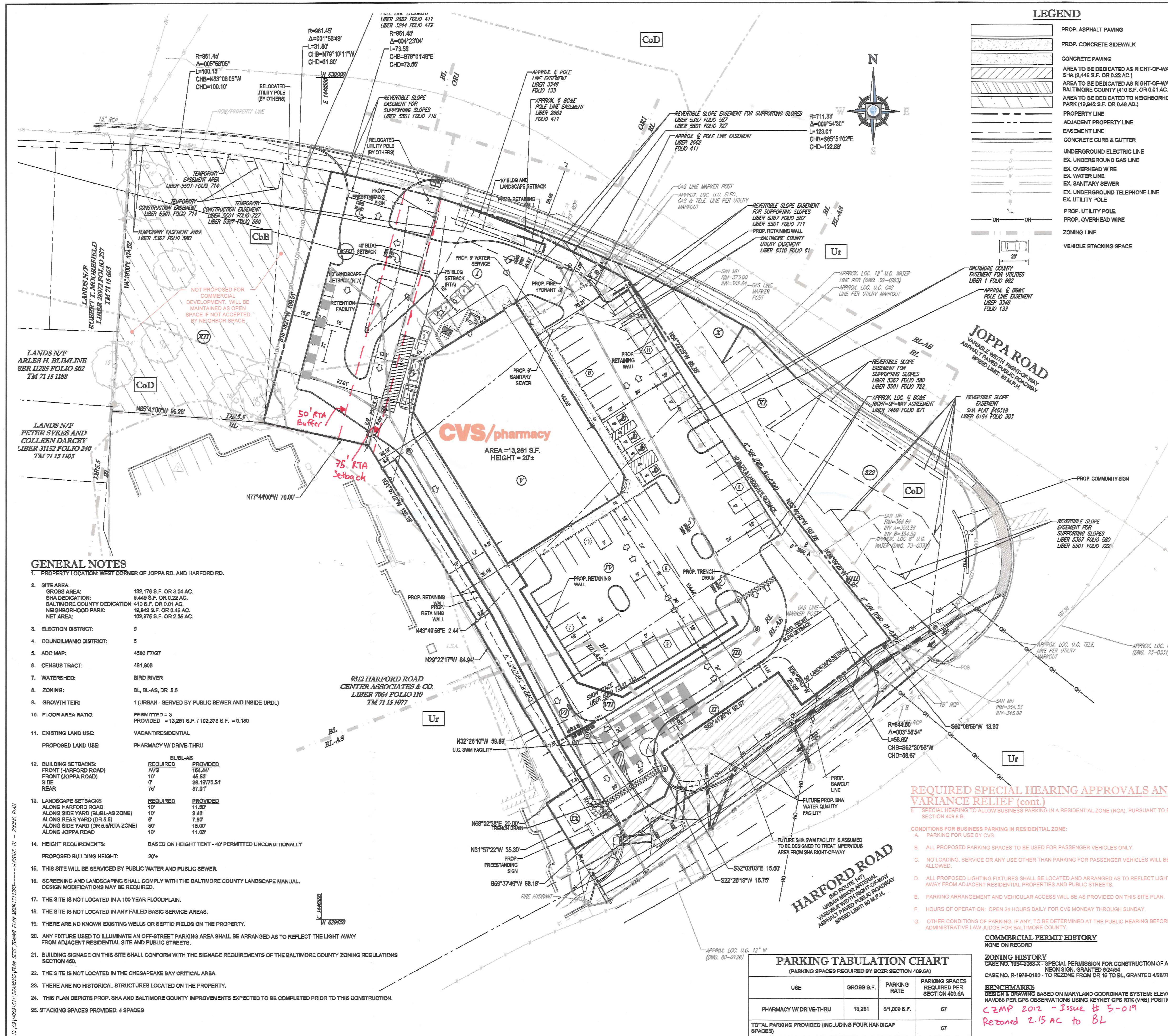
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PROFESSIONAL AFFILIATIONS:

- Maryland Registered Landscape Architect #3697
- Delaware Licensed Landscape Architect #S1-0000502



VICINITY MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602150-6
SCALE: 1"=1000'

REQUIRED SPECIAL HEARING APPROVALS AND VARIANCE RELIEF
REQUESTED SPECIAL HEARING APPROVALS
1. SPECIAL HEARING TO APPROVE COMMERCIAL PARKING IN A RESIDENTIAL ZONE PURSUANT TO BCZR SECTION 409.6.B.
2. SPECIAL HEARING TO APPROVE FOUR STACKING SPACES, NOT INCLUDING SPACE NEXT TO THE TRANSACTION WINDOW, FOR A PHARMACY DRIVE-UP WINDOW, PURSUANT TO BCZR SECTION 409.10.A.
3. SPECIAL HEARING TO PERMIT ACCESS TO A COMMERCIAL USE THROUGH A RESIDENTIAL ZONE.

REQUESTED VARIANCE RELIEF
1. VARIANCE FROM BCZR SECTION 1801.1.B.1.E TO REMOVE THE REQUIRED 50' LANDSCAPED RESIDENTIAL TRANSITION AREA ALONG THE WESTERN PORTION OF THE PROPERTY THAT IS PROPOSED TO BE UNDEVELOPED OPEN SPACE. IN LIEU, A 15' CLASS 'A' LANDSCAPE BUFFER WILL BE PROVIDED.
2. VARIANCE FROM BCZR SECTION 409.8.A.1 AND THE BALTIMORE COUNTY LANDSCAPE MANUAL TO PERMIT A SETBACK OF 3.0 FEET IN LIEU OF THE REQUIRED 10 FOOT SETBACK REQUIREMENT FROM AN ADJOINING COMMERCIAL PROPERTY.
3. VARIANCE FROM BCZR SECTION 450.8.B.4.B TO PERMIT A FREESTANDING SIGN TO BE ERRECTED 0 FEET FROM A RESIDENTIAL ZONE IN LIEU OF THE REQUIRED 25 FEET.
4. ALSO, FOR SUCH FURTHER VARIANCE RELIEF AS THE ADMINISTRATIVE LAW JUDGE MAY REQUIRE.

PROPERTY INFORMATION:

I STANLEY FIEDEN AND DEBBIE M. FIEDEN 2913 JOPPA ROAD ACCT. NO. 1700010116 LIBER 17811 FOLIO 552 LIBER 11812 FOLIO 319 TM 71 15 1084 AREA: 12,788 S.F. ±, 0.292 AC. ±
USE: RESIDENTIAL

II PAUL D. KRAUSE AND ROSEMARY I. KRAUSE HARFORD ROAD ACCT. NO. 200003977 LIBER 11462 FOLIO 537 LIBER 5501 FOLIO 722 TM 71 15 1472 (PARCEL III) AREA: 8,804 S.F. ±, 0.202 AC. ±
USE: VACANT

III PAUL D. KRAUSE AND ROSEMARY I. KRAUSE 2018 E. JOPPA ROAD ACCT. NO. 0918764880 LIBER 11462 FOLIO 537 LIBER 11812 FOLIO 319 TM 71 15 882 (PARCEL I) AREA: 7,248 S.F. ±, 0.166 AC. ±
USE: VACANT

IV PAUL D. KRAUSE AND ROSEMARY I. KRAUSE JOPPA ROAD ACCT. NO. 0911770334 LIBER 11462 FOLIO 537 LIBER 11812 FOLIO 319 TM 71 15 881 (PARCEL I) AREA: 18,543 S.F. ±, 0.380 AC. ±
USE: RESIDENTIAL

V PAUL D. KRAUSE, JR. AND ROSEMARY I. KRAUSE 2915 E. JOPPA ROAD ACCT. NO. 0918509940 LIBER 10118 FOLIO 553 LIBER 11812 FOLIO 319 TM 71 15 252 AREA: 19,166 S.F. ±, 0.440 AC. ±
USE: RESIDENTIAL

VI PAUL D. KRAUSE AND ROSEMARY I. KRAUSE HARFORD ROAD ACCT. NO. 0908003190 LIBER 11855 FOLIO 559 TM 71 15 813 AREA: 1,797 S.F. ±, 0.041 AC. ±
USE: VACANT

VII THE STATE HIGHWAY ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF MARYLAND ACCT. NO. (NONE ON RECORD) LIBER 8164 FOLIO 303 TM (NONE ON RECORD) AREA: 13,900 S.F. OR 0.301 AC. ±
USE: VACANT

VIII BALTIMORE COUNTY, MARYLAND JOPPA ROAD ACCT. NO. 091770530 LIBER 5501 FOLIO 722 TM 71 15 813 AREA: 9,396 S.F. ±, 0.222 AC. ±
USE: VACANT

IX PAUL D. KRAUSE AND ROSEMARY I. KRAUSE 8514 HARFORD ROAD ACCT. NO. 1900002648 LIBER 5547 FOLIO 247 TM 71 15 1088 AREA: 3,028 SF OR 0.070 AC. ±
USE: RESIDENTIAL

X THE JOSEPH L. GERRING REVOCABLE TRUST AND THE ANNE E. GERRING REVOCABLE LIVING TRUST ACCT. NO. (NONE ON RECORD) LIBER 8004 FOLIO 584 TM (NONE ON RECORD) AREA: 2,395 S.F. OR 0.055 AC. ±
USE: VACANT

XI NICHOLAS S. MANGIONE AND MARY C. MANGIONE ACCT. NO. (NONE ON RECORD) LIBER 5574 FOLIO 283 TM (NONE ON RECORD) AREA: 2,205 S.F. OR 0.058 AC. ±
USE: VACANT

XII PAUL D. KRAUSE, JR. AND ROSEMARY I. KRAUSE JOPPA ROAD ACCT. NO. 091770533 LIBER 7021 FOLIO 784 TM 71 15 887 AREA: 17,314 S.F. ±, 0.397 AC. ±
USE: VACANT

XIII PAUL D. KRAUSE, JR. AND ROSEMARY I. KRAUSE JOPPA ROAD ACCT. NO. 091770533 LIBER 7021 FOLIO 784 TM 71 15 887 AREA: 17,314 S.F. ±, 0.397 AC. ±
USE: VACANT

XIV PAUL D. KRAUSE AND ROSEMARY I. KRAUSE 9516 HARFORD ROAD ACCT. NO. 0908003191 LIBER 12006 FOLIO 252 TM 71 15 813 AREA: 5,882 S.F. ±, 0.135 AC. ±
USE: VACANT

XV PAUL D. KRAUSE AND ROSEMARY I. KRAUSE 9516 HARFORD ROAD ACCT. NO. 0908003191 LIBER 12006 FOLIO 252 TM 71 15 813 AREA: 5,882 S.F. ±, 0.135 AC. ±
USE: VACANT

PETITIONER'S
EXHIBIT NO. 1A

PROFESSIONAL CERTIFICATION
I, JOSEPH J. UCCIFERRO, 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. 36034, EXPIRATION DATE: 02/28/2016

13,281 TYPE B
REAR DRIVE-THRU

STORE NUMBER: 4212

HARFORD ROAD AND JOPPA ROAD
BALTIMORE COUNTY, MARYLAND

PROJECT TYPE: RELO

DEAL TYPE:

CS PROJECT NUMBER: 51709

ARCHITECT OF RECORD

BOHLER
ENGINEERING

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

DEVELOPER

J.C. BAR DEVELOPMENT, LLC

415 FALLOWFIELD ROAD, SUITE 301
CAMP HILL, PA 17011
CONTACT: JASON MITCHELL
TEL : (717) 761-7801

J.J. UCCIFERRO

PROFESSIONAL ENGINEER

5-10-16

REVISIONS

REV.	DATE	COMMENT	BY:
1	5/8/16	PER COUNTY COMMENTS	RLB

CHECKED BY: BRR

DRAWN BY: RLB

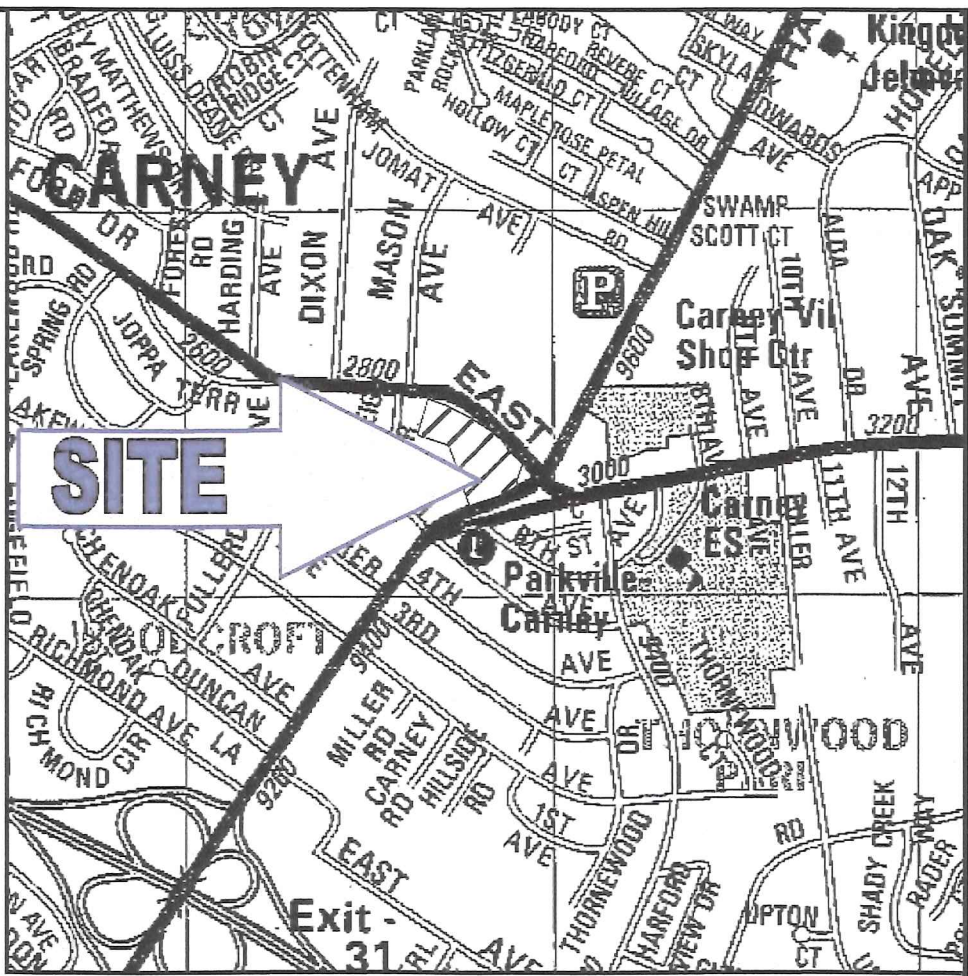
DATE: 4/14/16

JOB NUMBER: MD091511

TITLE: ZONING PLAN

SHEET NUMBER: 1

COMMENTS: NOT FOR CONSTRUCTION



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

13,281 TYPE B	
REAR DRIVE-THRU	
STORE NUMBER:	4212
<i>HARFORD ROAD AND JOPPA ROAD</i>	
<i>BALTIMORE COUNTY, MARYLAND</i>	
PROJECT TYPE:	RELO
DEAL TYPE:	
CS PROJECT NUMBER:	51709

ARCHITECT OF RECORD



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

DEVELOPER

J.C. BAR DEVELOPMENT, LLC

415 FALLOWFIELD ROAD, SUITE 301
CAMP HILL, PA 17011
CONTACT: JASON MITCHELL
TEL : (717) 761-7801

J.J. UCCIFERRO
PROFESSIONAL ENGINEER

5-10-16

REVISIONS

[illegible]

CHECKED BY:	BRR
DRAWN BY:	RLB
DATE:	6/25/15
JOB NUMBER:	MD091511

LE: ZONING PLAN

SHEET NUMBER:

2

COMMENTS:

NOT FOR CONSTRUCTION



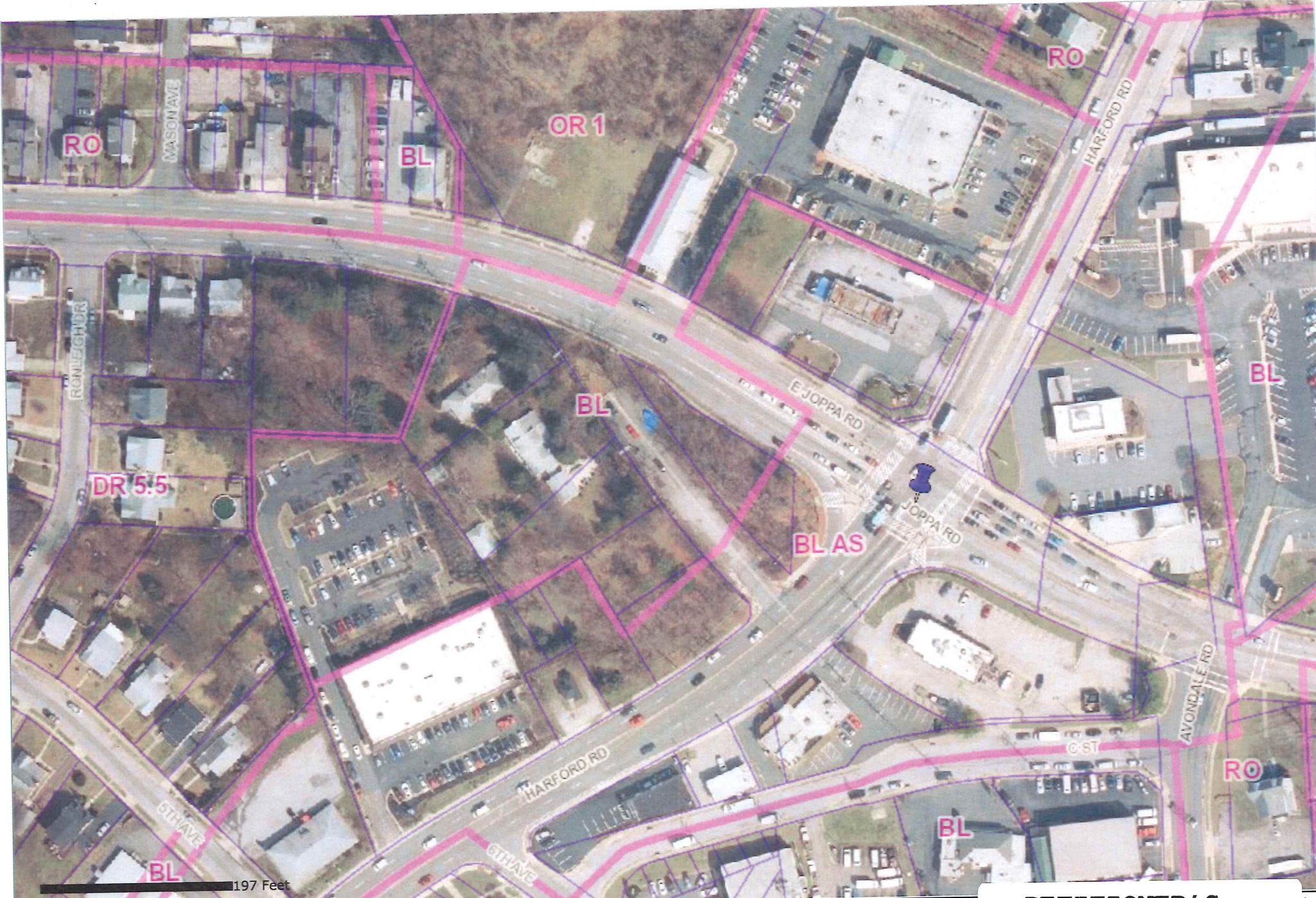
PHOTO LOCATION - HARFORD & JOPPA CVS

HARFORD ROAD AND JOPPA ROAD
BALTIMORE, MARYLAND

PETITIONER'S

EXHIBIT NO. 3

05/09/2016



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may not be accurate or reliable. Baltimore County does not warrant the accuracy or reliability of the data and disclaims all obligation and liability for damages, including but not limited to, attorneys' and experts' fees, and court costs incurred as a result of, this data.

Printed 5/5/2016

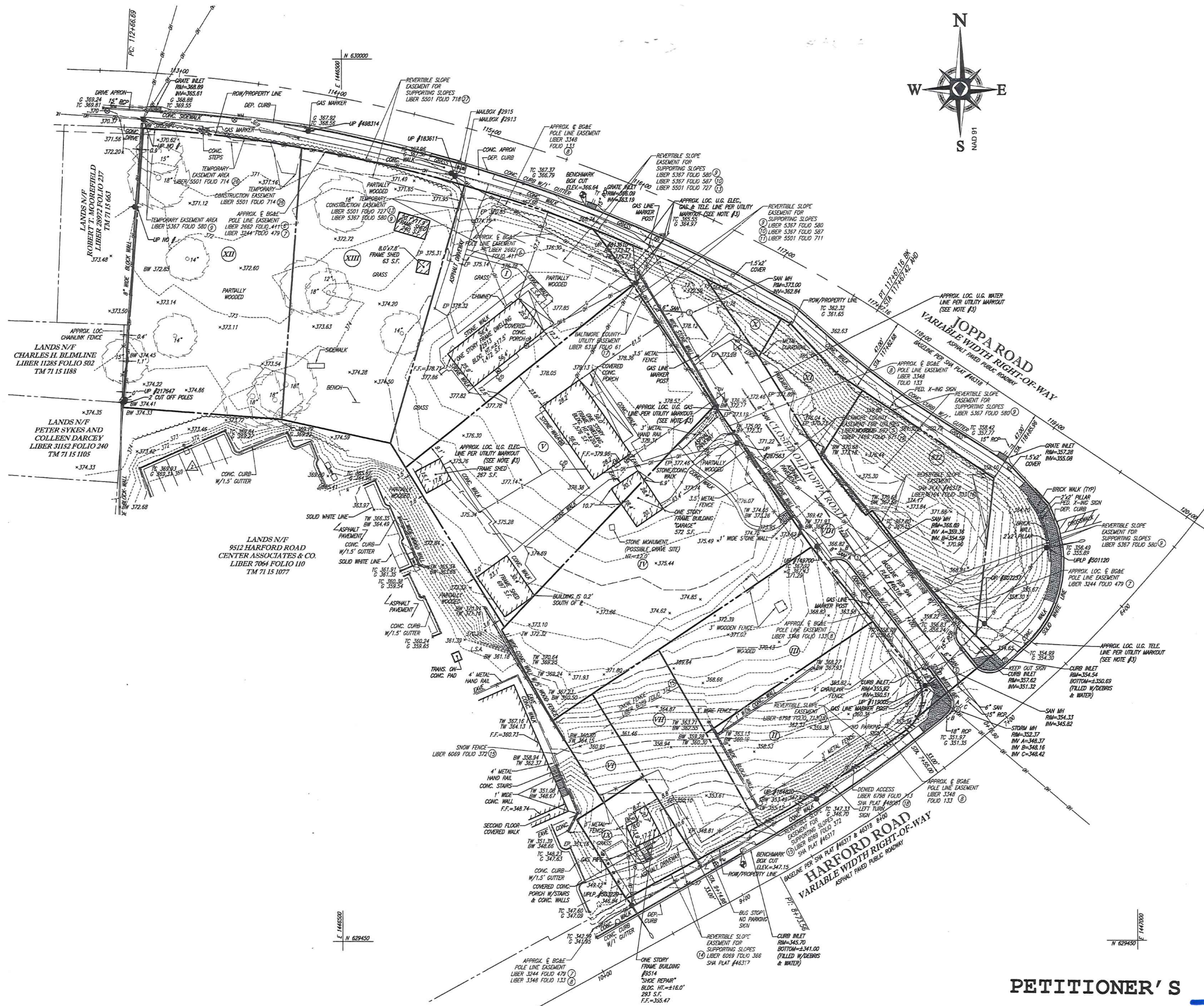
PETITIONER'S

EXHIBIT NO.

4

ity,
not
his

BOHLER ENGINEERING, ALL RIGHTS RESERVED.
THIS DOCUMENT IS THE PROPERTY OF BOHLER ENGINEERING, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BOHLER ENGINEERING, INC.



LEGEND	
---	EXISTING CONTOUR
x 123.45	EXISTING SPOT ELEVATION
x TC 123.45	EXIST. TOP OF CURB ELEVATION
x G 122.85	EXIST. GUTTER ELEVATION
x TW 121.45	EXIST. TOP OF WALL ELEVATION
x BW 122.85	EXIST. BOTTOM OF WALL ELEVATION
⊕	HYDRANT
⊕	WATER VALVE
⊕	GAS VALVE
— OH —	OVERHEAD WIRES
— G —	APPROX. LOC. UNDERGROUND GAS LINE
— W —	APPROX. LOC. UNDERGROUND WATER LINE
— T —	APPROX. LOC. UNDERGROUND TEL. LINE
— E —	APPROX. LOC. UNDERGROUND ELEC. LINE
⊕	UTILITY POLE
⊕	MONITORING WELL
⊕	ELECTRIC METER
⊕	ELECTRIC BOX
⊕	SANITARY MANHOLE
⊕	STORM DRAIN MANHOLE
⊕	WATER METER
⊕	GAS METER
⊕	SIGN
⊕	MAIL BOX
⊕	BOLLARD
⊕	METAL GUARDRAIL
— X —	FENCE
⊕	LANDSCAPED AREA
⊕	DOUBLE AREA LIGHT
⊕	CLEAN OUT
⊕	TITLE REPORT EXCEPTION
⊕	BENCHMARK
⊕	UTILITY POLE/LIGHT POLE
⊕	GUY WIRE
⊕	TREE LINE
⊕	TREE (SIZE AS NOTED)
(M) (N)	MEASURED
(R) (R)	RECORD
(T) (T)	TOTAL
⊕	AIR CONDITIONING UNIT
⊕	REBAR WITH CAP SET UNLESS NOTED OTHERWISE
⊕	DENIED ACCESS
⊕	RIGHT OF WAY



PETITIONER'S
EXHIBIT NO. **5**

3	REVISED BOUNDARY AND DESCRIPTIONS	SU	04/07/16
2	REVISED PER TITLE COMMITMENT & FIELD VISIT	JEB	04/03/15
1	REVISED PER UPDATED COMMITMENT	MJM	10/27/11
No.	DESCRIPTION OF REVISION	BY:	DATE
ALTA/NSPS LAND TITLE SURVEY			
CVS/ pharmacy			
CORNER OF JOPPA ROAD AND HARFORD ROAD 9th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND			
FILE NO. SD091511	BOHLER ENGINEERING		
DATE 06/13/11	2208 DAVIS DRIVE, SUITE 200 STERLING, VIRGINIA 20166 703.788.8800 • 703.788.8801 FAX www.bohlerengineering.com		
FIELD DATE 03/15/15 05/25/11	CREW CHIEF JQ	DRAWN MJM/JEB	REVIEWED KAW APPROVED JSC SCALE 1"=30' DWG NO. 204

Cut back existing median.

E. Joppa Road
(To MD 147 →)

Harford Road

Harford Road

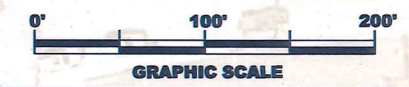
C Street

PROP. CVS DEVELOPMENT
2.41 ACRES (INCLUDING
PARK PARCEL)
REQ. PARKING = 67 SP.
PROV. PARKING = 67 SP.
VS/pharmacy
AREA = 13,281 S.F.
1 STORY
HEIGHT = 20'±

EXISTING CONDITIONS

ROADWAY CENTERLINE

PROPOSED CONDITIONS
(September 14, 2015)



M. Vojtech OWNER	APPROVED	DATE
	DATE	DATE

CVS PROPOSED CONDITIONS

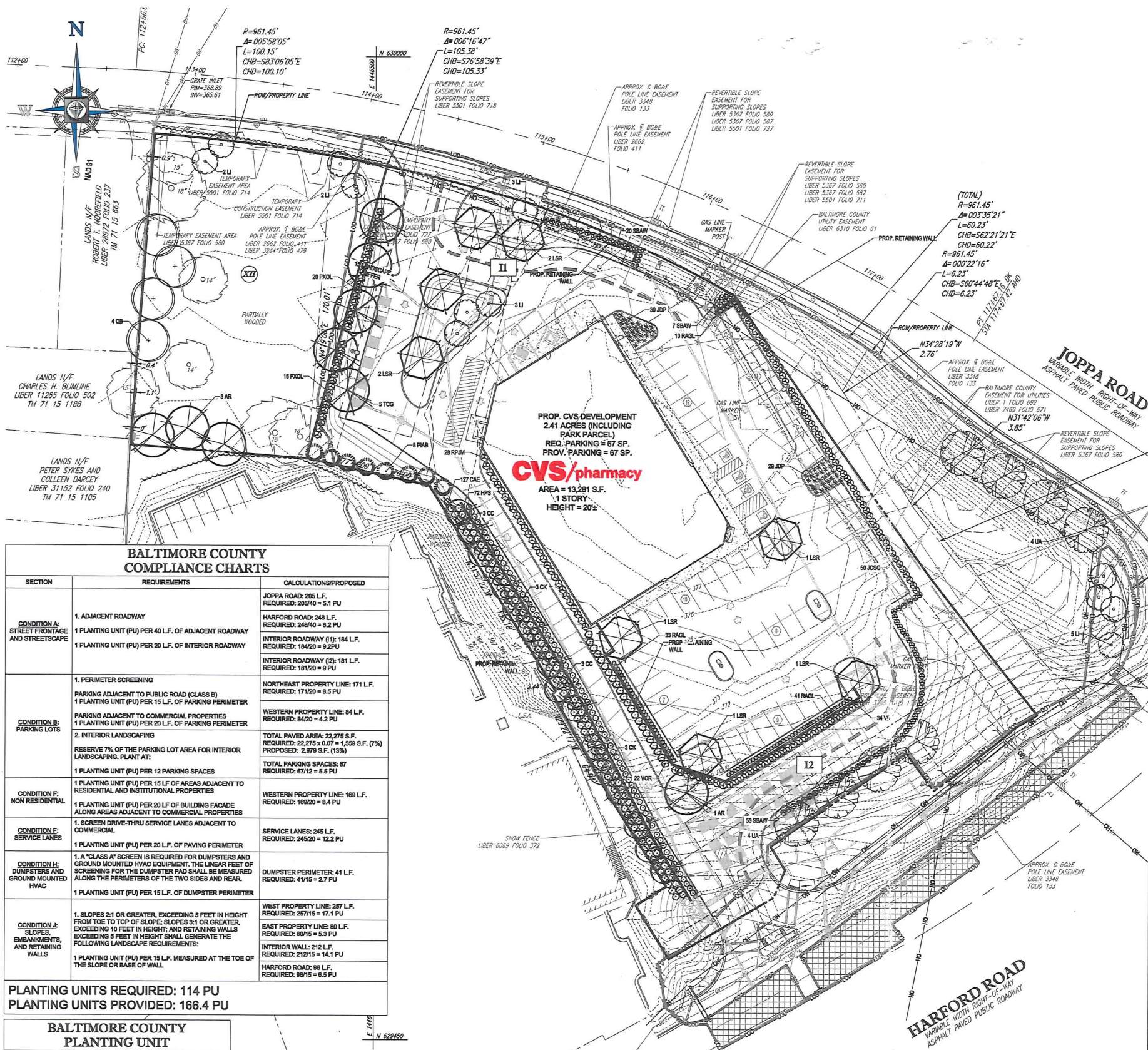
DATE: 09/14/2015

LOCATION: Harford Road, Harford County, MD

FILE NAME: 20150914



PLOTTED: 09/14/15
PLOTTER: HP DesignJet T1100e
FILE: P:\2015\09\14\CVS_Harford_Road_Join_V1_20150914.dgn



BALTIMORE COUNTY COMPLIANCE CHARTS		
SECTION	REQUIREMENTS	CALCULATIONS/PROPOSED
CONDITION A: STREET FRONTAGE AND STREETSCAPE	1. ADJACENT ROADWAY	JOPPA ROAD: 205 L.F. REQUIRED: 205/40 = 5.1 PU
	1 PLANTING UNIT (PU) PER 40 L.F. OF ADJACENT ROADWAY	HARFORD ROAD: 248 L.F. REQUIRED: 248/40 = 6.2 PU
CONDITION B: PARKING LOTS	1. PERIMETER SCREENING	INTERIOR ROADWAY (1): 184 L.F. REQUIRED: 184/20 = 9.2 PU
	1 PLANTING UNIT (PU) PER 20 L.F. OF INTERIOR ROADWAY	INTERIOR ROADWAY (2): 181 L.F. REQUIRED: 181/20 = 9 PU
CONDITION C: NON RESIDENTIAL	1. PERIMETER SCREENING	NORTHEAST PROPERTY LINE: 171 L.F. REQUIRED: 171/20 = 8.5 PU
	1 PLANTING UNIT (PU) PER 15 L.F. OF AREAS ADJACENT TO RESIDENTIAL AND INSTITUTIONAL PROPERTIES	WESTERN PROPERTY LINE: 84 L.F. REQUIRED: 84/20 = 4.2 PU
CONDITION D: SERVICE LANES	1. PERIMETER SCREENING	TOTAL PAVED AREA: 22,275 S.F. REQUIRED: 22,275 x 0.07 = 1,559 S.F. (7%) PROPOSED: 2,978 S.F. (13%)
	1 PLANTING UNIT (PU) PER 12 PARKING SPACES	TOTAL PARKING SPACES: 67 REQUIRED: 67/12 = 5.5 PU
CONDITION E: DUMPSTERS AND GROUND MOUNTED HVAC	1. A CLASS A SCREEN IS REQUIRED FOR DUMPSTERS AND GROUND MOUNTED HVAC EQUIPMENT. THE LINEAR FEET OF SCREENING FOR THE DUMPSTER PAD SHALL BE MEASURED ALONG THE PERIMETERS OF THE TWO SIDES AND REAR.	WESTERN PROPERTY LINE: 169 L.F. REQUIRED: 169/20 = 8.4 PU
	1 PLANTING UNIT (PU) PER 20 L.F. OF BUILDING FACADE ALONG AREAS ADJACENT TO COMMERCIAL PROPERTIES	SERVICE LANES: 245 L.F. REQUIRED: 245/20 = 12.2 PU
CONDITION F: SLOPES, EMBANKMENTS, AND RETAINING WALLS	1. SLOPES 2:1 OR GREATER, EXCEEDING 5 FEET IN HEIGHT FROM TOE TO TOP OF SLOPE, SLOPES 3:1 OR GREATER, EXCEEDING 10 FEET IN HEIGHT, AND RETAINING WALLS EXCEEDING 5 FEET IN HEIGHT SHALL GENERATE THE FOLLOWING LANDSCAPE REQUIREMENTS:	DUMPSTER PERIMETER: 41 L.F. REQUIRED: 41/15 = 2.7 PU
	1 PLANTING UNIT (PU) PER 15 L.F. OF DUMPSTER PERIMETER	WEST PROPERTY LINE: 257 L.F. REQUIRED: 257/15 = 17.1 PU
PLANTING UNITS REQUIRED: 114 PU		EAST PROPERTY LINE: 80 L.F. REQUIRED: 80/15 = 5.3 PU
PLANTING UNITS PROVIDED: 166.4 PU		INTERIOR WALL: 212 L.F. REQUIRED: 212/15 = 14.1 PU

BALTIMORE COUNTY PLANTING UNIT	
1 PLANTING UNIT	1 MAJOR DECIDUOUS TREE 2" - 3" IN CALIPER AT INSTALLATION
1 PLANTING UNIT	2 MINOR DECIDUOUS TREES 1" - 1 1/2" IN CALIPER AT INSTALLATION
1 PLANTING UNIT	2 EVERGREEN TREES 6" IN HEIGHT AT INSTALLATION
1 PLANTING UNIT	5 SHRUBS 18" - 30" IN HEIGHT AT INSTALLATION DEPENDING ON SCREEN TYPE
1 PLANTING UNIT	500 S.F. OF GROUND COVER AT RECOMMENDED AAN STANDARDS
1 PLANTING UNIT	10 HERBACEOUS/PERENNIAL PLANTS A 1 GALLON SIZE *MAY ONLY BE USED TO MEET CLASS D SCREENING
1 PLANTING UNIT	20 HERBACEOUS/PERENNIAL PLANTS AT 1 QT. SIZE *MAY ONLY BE USED TO MEET CLASS D SCREENING

SCHEMATIC LANDSCAPE PLAN
CERTIFICATION FORM

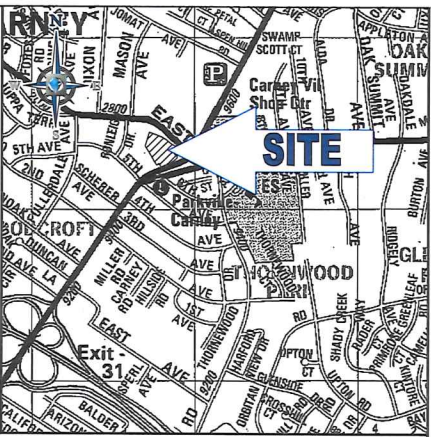
THIS SCHEMATIC LANDSCAPE PLAN IS SEALED BY A LANDSCAPE ARCHITECT AND CERTIFIED BY HIS SIGNATURE BELOW AS BEING IN ACCORDANCE WITH ALL COUNTY AGENCY LANDSCAPE ARCHITECTURAL COMMENTS.

APPLICANT SIGNATURE _____ DATE _____ PRINT NAME _____

MAILING ADDRESS (IF NOT ALREADY ON PLAN) _____

LANDSCAPE SCHEDULE					
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
SHADE TREES(S)					
AR	4	ACER RUBRUM	RED MAPLE	2 1/2" CAL / 12-14'	B+B
LSR	8	LIQUIDAMBAR STYRACIFLUA 'ROTUNDOLOBA'	SEEDLESS SWEETGUM	2 1/2" CAL	B+B
QR	4	QUERCUS RUBRA	RED OAK	2 1/2" CAL	B+B
TGO	5	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2 1/2" CAL	B+B
UA	8	ULMUS AMERICANA 'DELAWARE'	DELAWARE AMERICAN ELM	2 1/2" CAL	B+B
SUBTOTAL: 29					
ORNAMENTAL TREES(S)					
CC	8	CERCIS CANADENSIS	EASTERN REDBUD	2-1/2" CAL / 8-10'	B+B
CK	8	CORNUS KOUSA	KOUSA DOGWOOD	8-10'	B+B
LI	15	LAGERSTROMIA INDICA	COMMON CRAPPEMYRTLE	8-10'	B+B
SUBTOTAL: 30					
EVERGREEN TREES(S)					
PIAB	8	PICEA ABIES	NORWAY SPRUCE	6"	B+B
SUBTOTAL: 8					
DECIDUOUS SHRUB(S)					
CAE	127	CORNUS ALBA 'ELEGANTISSIMA'	VARIEGATED RED TWIG DOGWOOD	2-3"	B+B
HPS	72	HYPERICUM PATULUM 'SUNBURST'	SUNBURST ST. JOHNSWORT	18-24"	#3 CAN
RAGL	64	RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC	1 GAL.	CONTAINER
SBW	80	SPREA X SUMALDA 'ANTHONY WATERS'	ANTHONY WATERS SPREA	18-24"	#3 CAN
VOR	22	VIORNIUM OPULUS 'ROSSUM'	EUROPEAN SNOWBALL VIORNIUM	30-36"	B+B
SUBTOTAL: 365					
EVERGREEN SHRUB(S)					
JCSB	50	JUNIPERUS CHINENSIS 'SEA GREEN'	SEA GREEN JUNIPER	24-30" SPRED.	B+B
JOP	59	JUNIPERUS DAURICA 'PARSON'	PARSON JUNIPER	15-18" SPRED.	#3 CAN
PKOL	28	PRUNUS LAUROCEASUS 'OTTO LUYKEN'	OTTO LUYKEN CHERRY LAUREL	24-30"	#3 CAN
RPJM	28	RHODODENDRON CAROLINIANA X P.J.M.	P.J.M. RHODODENDRON	24-30"	B+B
VR	24	VIORNIUM X RHYTIDOPHYLLUM	LEATHERLEAF VIORNIUM	3-4'	B+B
SUBTOTAL: 207					

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. 3987, EXPIRATION DATE 03/31/2019.



BALTIMORE COUNTY MINIMUM LANDSCAPE MAINTENANCE REQUIREMENTS

1. LAWN AREAS SHALL BE MOWED TO A HEIGHT OF 2 TO 3 INCHES AND NOT ALLOWED TO REACH A HEIGHT OF 5 INCHES BEFORE MOWING.
2. ALL CURBS AND WALKS SHALL BE EDGED AS NEEDED.
3. ALL LAWN AREAS ADJACENT TO BUILDING FACES OR STRUCTURES SHALL BE TRIMMED.
4. A SLOW RELEASE NITROGEN BALANCED FERTILIZER WITH A 2-1-1 RATIO SHALL BE APPLIED AT A RATE OF 2 POUNDS OF NITROGEN PER 1000 SQUARE FEET IN SEPTEMBER, OCTOBER, AND FEBRUARY.
5. LIME SHALL BE APPLIED AT THE RATE DETERMINED BY A SOILS REPORT.
6. IT IS RECOMMENDED THAT LAWN AREAS BE TREATED IN MID-MARCH TO EARLY APRIL WITH PRE-EMERGENT HERBICIDE (BETASAN) OR EQUAL APPLIED AT THE MANUFACTURER'S RECOMMENDED RATE.
7. A POST-EMERGENT HERBICIDE (TRIMEC) OR EQUAL IS RECOMMENDED TO BE SPRAYED ON LAWN AREAS IN THE LATE SPRING OR THE EARLY FALL. FOLLOW MANUFACTURER'S RATES AND RECOMMENDATIONS.
8. INSECTICIDES AND FUNGICIDES ARE RECOMMENDED FOR INSECT AND DISEASE CONTROL.
9. RESEED BARE AREAS OF LAWN AS NECESSARY. YEARLY AERATION IS RECOMMENDED.
10. ALL TRASH, LITTER, AND DEBRIS SHALL BE REMOVED FROM LAWN AREAS, PARKING LOTS, AND SHRUB BEDS AS NEEDED.
11. MULCH ALL SHRUB AND GROUND COVER BEDS YEARLY WITH 3 INCHES OF SHREDDED HARDWOOD BARK.
12. PERMIT SHRUBS AND TREES TO GROW AND ENLARGE TO THEIR DESIGN SIZE. CONSULT PROJECT LANDSCAPE ARCHITECT FOR DETAILS.
13. PRUNE TREES IN ACCORDANCE WITH LANDSCAPE SPECIFICATION GUIDELINES FOR BALTIMORE-WASHINGTON METROPOLITAN AREAS.

LEGEND

EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
---	ON-SITE PROPERTY LINE / R.O.W. LINE	---
---	UTILITY POLE WITH LIGHT	---
---	UTILITY POLE	---
---	TYPICAL LIGHT	---
---	TYPICAL SIGN	---



13,281 TYPE B
REAR DRIVE-THRU
STORE NUMBER: 4212
HARFORD ROAD AND JOPPA ROAD
BALTIMORE COUNTY, MARYLAND
PROJECT TYPE: RELO
DEAL TYPE:
CS PROJECT NUMBER: 51709



901 DULANEY VALLEY ROAD, SUITE 501
TOWSON, MARYLAND 21204
Phone: (410) 821-7800
Fax: (410) 821-7887
www.BohlerEngineering.com

DEVELOPER

J.C. BAR DEVELOPMENT, LLC

415 FALLOWFIELD ROAD, SUITE 301
CAMP HILL, PA 17011
CONTACT: JASON MITCHELL
TEL : (717) 761-7801

E.R. McWILLIAMS

LANDSCAPE ARCHITECT
MARYLAND LICENSE NO. 3987

REVISIONS

REV: DATE: COMMENT:

CHECKED BY:

DRAWN BY: RLB

DATE: 6/25/15

JOB NUMBER: MD091511

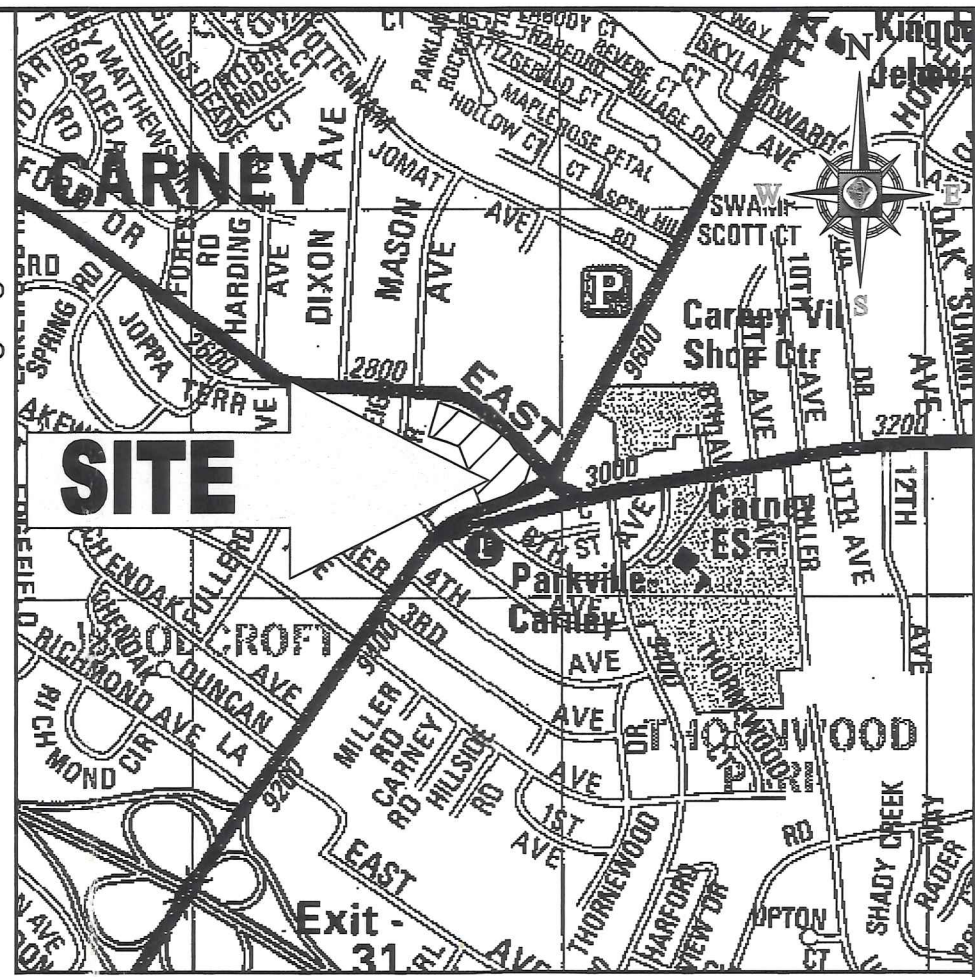
TITLE: SCHEMATIC LANDSCAPE PLAN

SHEET NUMBER:

1 OF 1

COMMENTS: NOT FOR CONSTRUCTION

PETITIONER'S
EXHIBIT NO. 10



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

CVS
pharmacy

13,281 TYPE B
REAR DRIVE-THRU

STORE NUMBER: 4212

HARFORD ROAD AND JOPPA ROAD
BALTIMORE COUNTY, MARYLAND

PROJECT TYPE: RELO
DEAL TYPE:

CS PROJECT NUMBER: 51709

ARCHITECT OF RECORD

BOHLER
ENGINEERING

**901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204**
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DEVELOPER

J.C. BAR DEVELOPMENT, LLC

415 FALLOWFIELD ROAD, SUITE 301
CAMP HILL, PA 17011
CONTACT: JASON MITCHELL
TEL : (717) 761-7801

I. I. UCCIFERRO

PROFESSIONAL ENGINEER

6-25-15

REVISIONS

REV:	DATE:	COMMENT:	BY:
------	-------	----------	-----

CHECKED BY: _____ BRP _____

DRAWN BY: _____ RLE _____

DATE: 6/25/15

JOB NUMBER: MD09151

TITLE: ZONING PLAN

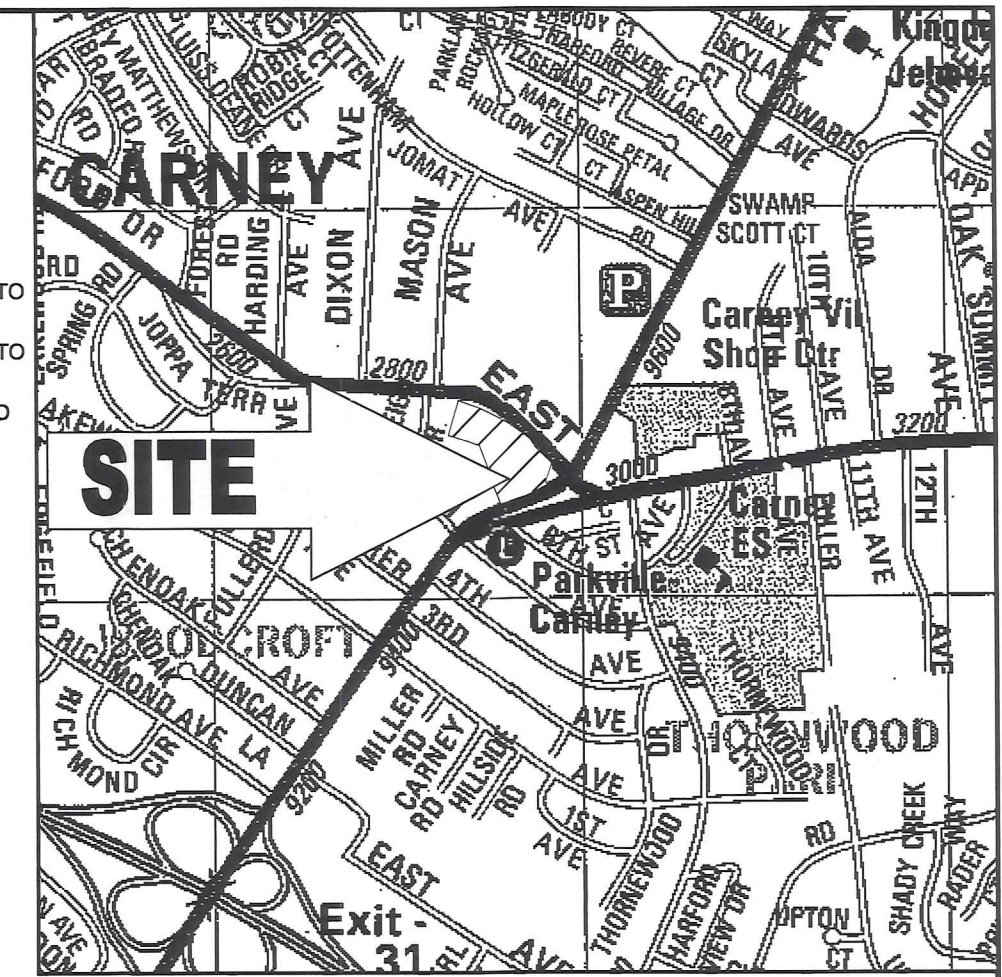
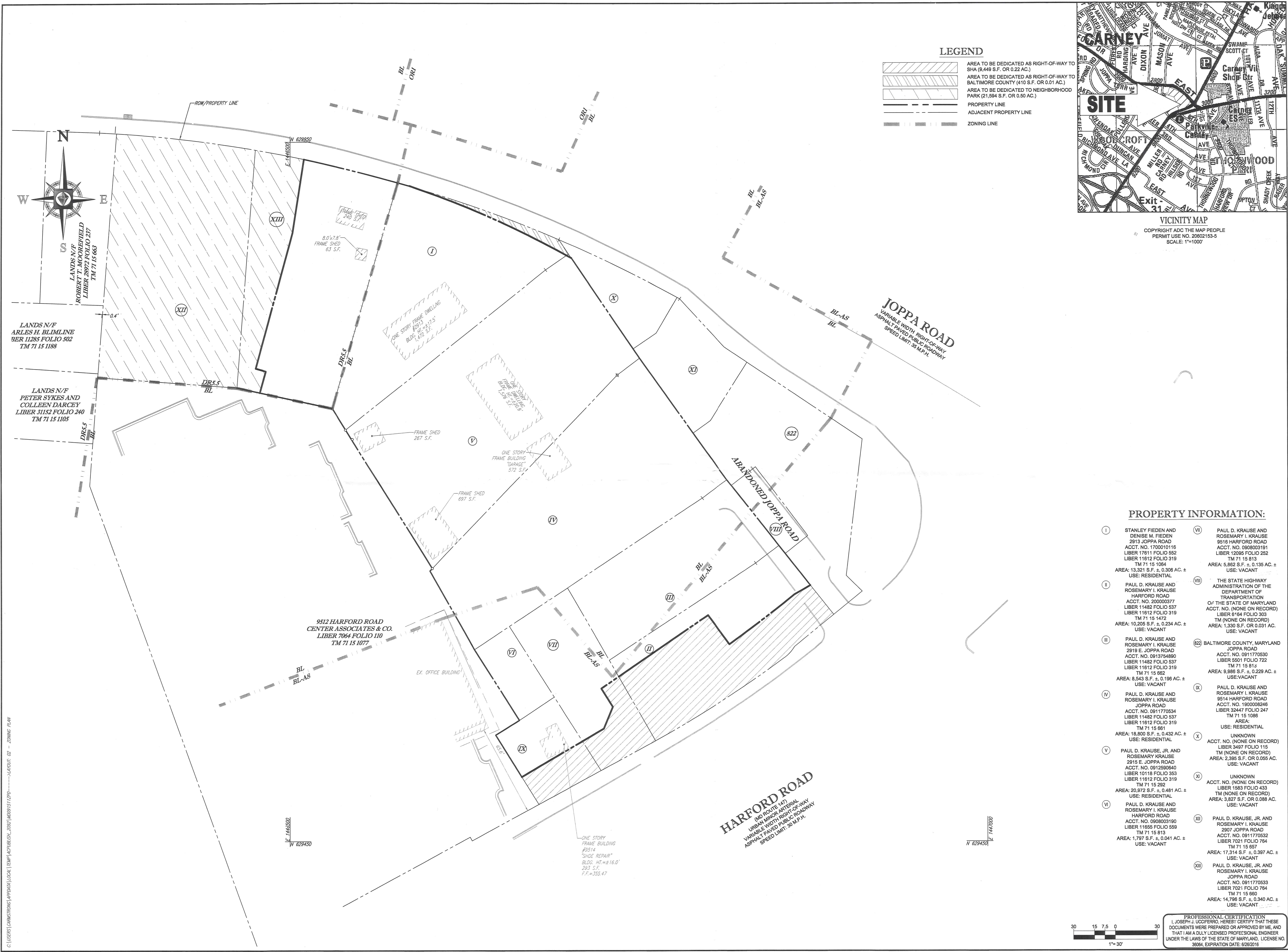
SHEET NUMBER:

1

COMMENTS:

NOT FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION
I, JOSEPH J. UCCIFERRO, 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.
36064. EXPIRATION DATE: 6/26/2016



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

- LEGEND**
- AREA TO BE DEDICATED AS RIGHT-OF-WAY TO SHA (8,449 S.F. OR 0.22 AC.)
 - AREA TO BE DEDICATED AS RIGHT-OF-WAY TO BALTIMORE COUNTY (410 S.F. OR 0.01 AC.)
 - AREA TO BE DEDICATED TO NEIGHBORHOOD PARK (21,594 S.F. OR 0.50 AC.)
 - PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - ZONING LINE

PROPERTY INFORMATION:

- | | |
|---|---|
| <p>I STANLEY FIEDEN AND DENISE M. FIEDEN
2913 JOPPA ROAD
ACCT. NO. 1700010116
LIBER 17611 FOLIO 552
LIBER 11612 FOLIO 319
TM 71 15 1064
AREA: 13,321 S.F. ±, 0.306 AC. ±
USE: RESIDENTIAL</p> | <p>VII PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
9516 HARFORD ROAD
ACCT. NO. 0908003191
LIBER 12095 FOLIO 252
TM 71 15 813
AREA: 5,862 S.F. ±, 0.135 AC. ±
USE: VACANT</p> |
| <p>II PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
HARFORD ROAD
ACCT. NO. 200000377
LIBER 11482 FOLIO 537
LIBER 11612 FOLIO 319
TM 71 15 1472
AREA: 10,205 S.F. ±, 0.234 AC. ±
USE: VACANT</p> | <p>VIII THE STATE HIGHWAY ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF MARYLAND
ACCT. NO. (NONE ON RECORD)
LIBER 6164 FOLIO 360
TM (NONE ON RECORD)
AREA: 1,330 S.F. OR 0.031 AC.
USE: VACANT</p> |
| <p>III PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
JOPPA ROAD
ACCT. NO. 0911770530
LIBER 5501 FOLIO 722
TM 71 15 813
AREA: 9,986 S.F. ±, 0.229 AC. ±
USE: VACANT</p> | <p>822 BALTIMORE COUNTY, MARYLAND
JOPPA ROAD
ACCT. NO. 0911770530
LIBER 5501 FOLIO 722
TM 71 15 813
AREA: 9,986 S.F. ±, 0.229 AC. ±
USE: VACANT</p> |
| <p>IV PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
JOPPA ROAD
ACCT. NO. 0911770534
LIBER 11482 FOLIO 537
LIBER 11612 FOLIO 319
TM 71 15 861
AREA: 8,543 S.F. ±, 0.196 AC. ±
USE: VACANT</p> | <p>IX PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
9514 HARFORD ROAD
ACCT. NO. 1900008246
LIBER 52447 FOLIO 247
TM 71 15 1086
AREA: 18,800 S.F. ±, 0.432 AC. ±
USE: RESIDENTIAL</p> |
| <p>V PAUL D. KRAUSE, JR. AND ROSEMARY KRAUSE
2915 E. JOPPA ROAD
ACCT. NO. 0912590640
LIBER 10118 FOLIO 353
LIBER 11612 FOLIO 319
TM 71 15 292
AREA: 20,872 S.F. ±, 0.481 AC. ±
USE: RESIDENTIAL</p> | <p>X ACCT. NO. (NONE ON RECORD)
LIBER 3497 FOLIO 115
TM (NONE ON RECORD)
AREA: 2,355 S.F. OR 0.055 AC.
USE: VACANT</p> |
| <p>VI PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
HARFORD ROAD
ACCT. NO. 0908003190
LIBER 11655 FOLIO 559
TM 71 15 813
AREA: 1,797 S.F. ±, 0.041 AC. ±
USE: VACANT</p> | <p>XI UNKNOWN
ACCT. NO. (NONE ON RECORD)
LIBER 1583 FOLIO 433
TM (NONE ON RECORD)
AREA: 3,827 S.F. OR 0.088 AC.
USE: VACANT</p> |
| | <p>XII PAUL D. KRAUSE, JR. AND ROSEMARY I. KRAUSE
2907 JOPPA ROAD
ACCT. NO. 0911770532
LIBER 7021 FOLIO 764
TM 71 15 851
AREA: 17,314 S.F. ±, 0.397 AC. ±
USE: VACANT</p> |
| | <p>XIII PAUL D. KRAUSE, JR. AND ROSEMARY I. KRAUSE
JOPPA ROAD
ACCT. NO. 0911770533
LIBER 7021 FOLIO 764
TM 71 15 860
AREA: 14,798 S.F. ±, 0.340 AC. ±
USE: VACANT</p> |

PROFESSIONAL CERTIFICATION
I, JOSEPH J. UCCEFFERRO, 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. 36064, EXPIRATION DATE: 6/28/2016

13,281 TYPE B
REAR DRIVE-THRU
STORE NUMBER: 4212
HARFORD ROAD AND JOPPA ROAD
BALTIMORE COUNTY, MARYLAND
PROJECT TYPE: RELO
DEAL TYPE:
CS PROJECT NUMBER: 51709

ARCHITECT OF RECORD

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

J.C. BAR DEVELOPMENT, LLC

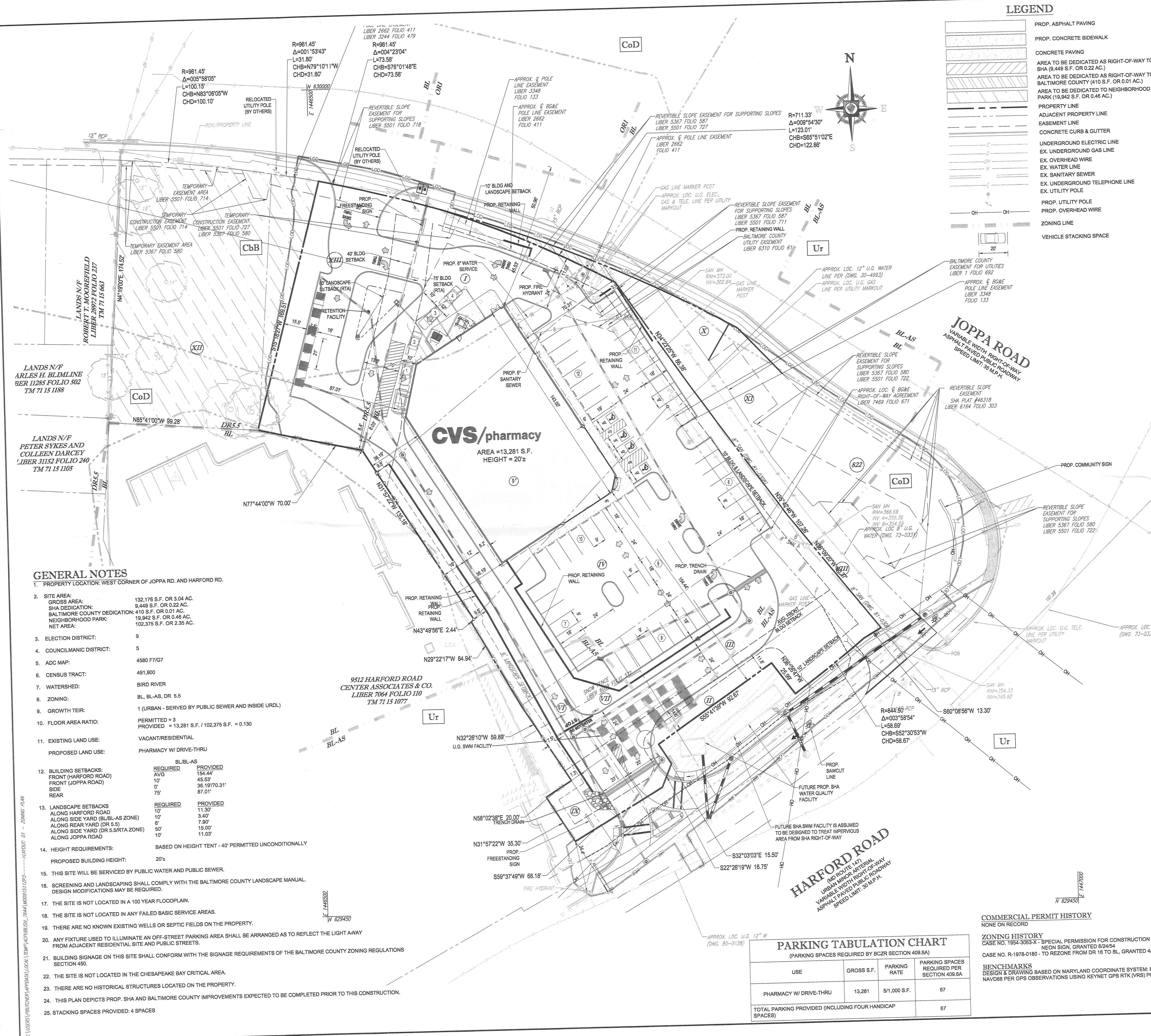
415 FALLOWFIELD ROAD, SUITE 301
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TEL : (717) 761-7801

J.J. UCCEFFERRO
PROFESSIONAL ENGINEER
6-25-15

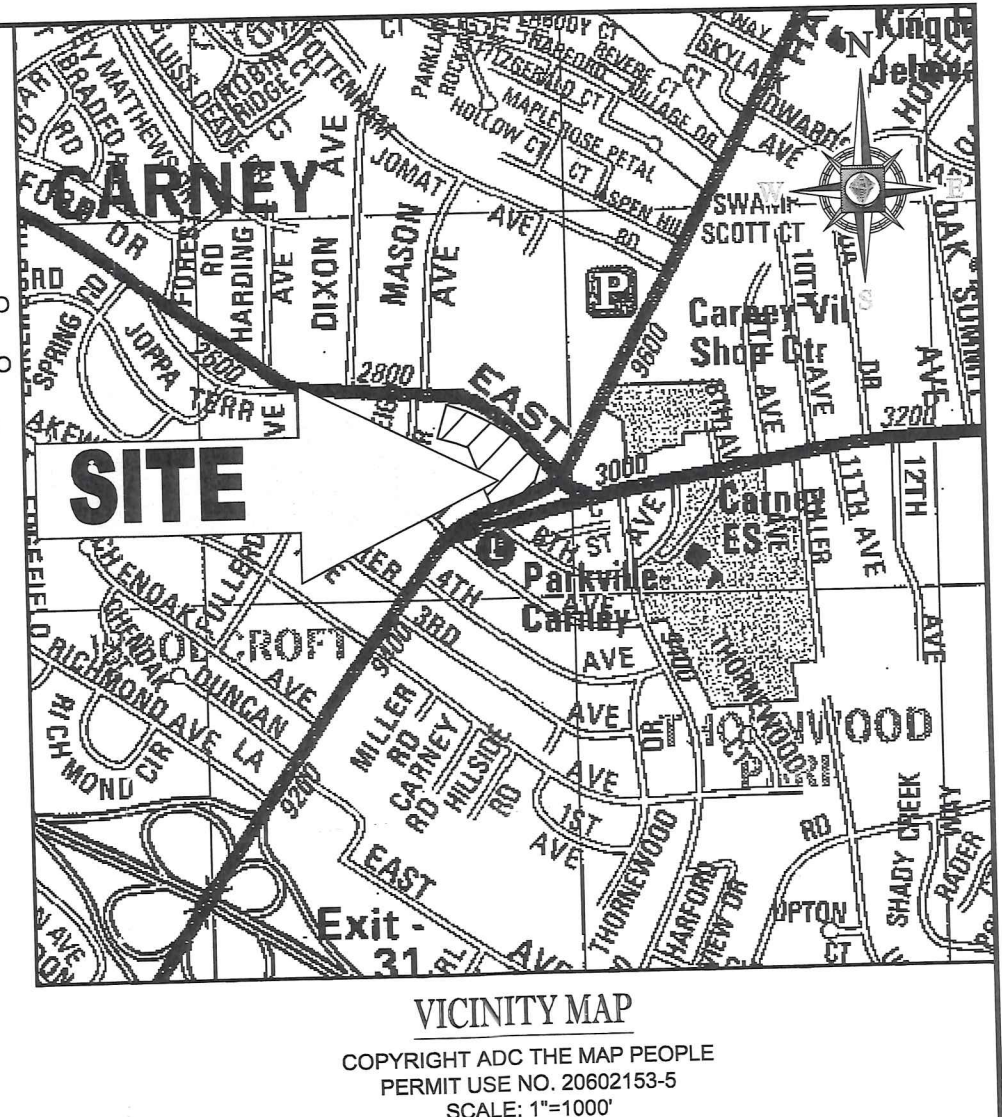
REVISIONS

REV.	DATE	COMMENT	BY

CHECKED BY: BRR
DRAWN BY: RLB
DATE: 6/25/15
JOB NUMBER: MD091511
TITLE: **ZONING PLAN**
SHEET NUMBER: 2
COMMENTS:
NOT FOR CONSTRUCTION



- LEGEND**
- PROP. ASPHALT PAVING
 - PROP. CONCRETE SIDEWALK
 - CONCRETE PAVING
 - AREA TO BE DEDICATED AS RIGHT-OF-WAY TO SHA (9,448 S.F. OR 0.22 AC.)
 - AREA TO BE DEDICATED AS RIGHT-OF-WAY TO BALTIMORE COUNTY (410 S.F. OR 0.01 AC.)
 - AREA TO BE DEDICATED TO NEIGHBORHOOD PARK (19,942 S.F. OR 0.46 AC.)
 - PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - EASEMENT LINE
 - CONCRETE CURB & GUTTER
 - UNDERGROUND ELECTRIC LINE
 - EX. UNDERGROUND GAS LINE
 - EX. OVERHEAD WIRE
 - EX. WATER LINE
 - EX. SANITARY SEWER
 - EX. UNDERGROUND TELEPHONE LINE
 - EX. UTILITY POLE
 - PROP. UTILITY POLE
 - PROP. OVERHEAD WIRE
 - ZONING LINE
 - VEHICLE STACKING SPACE



- REQUIRED SPECIAL HEARING APPROVALS AND VARIANCE RELIEF**
- REQUIRED SPECIAL HEARING APPROVALS**
- SPECIAL HEARING TO APPROVE COMMERCIAL PARKING IN A RESIDENTIAL ZONE PURSUANT TO BCZR SECTION 409.8.B.
 - SPECIAL HEARING TO APPROVE FOUR STACKING SPACES, NOT INCLUDING SPACE NEXT TO THE TRANSACTION WINDOW, FOR A PHARMACY DRIVE-UP WINDOW, PURSUANT TO BCZP SECTION 409.10.A.
 - SPECIAL HEARING TO PERMIT ACCESS TO A COMMERCIAL USE THROUGH A RESIDENTIAL ZONE.
- REQUESTED VARIANCE RELIEF**
- VARIANCE FROM BCZR SECTION 1801.1.B.1.E TO REMOVE THE REQUIRED 50' LANDSCAPED RESIDENTIAL TRANSITION AREA ALONG THE WESTERN PORTION OF THE PROPERTY THAT IS PROPOSED TO BE UNDEVELOPED OPEN SPACE. IN LIEU, A 15' CLASS 'A' LANDSCAPE BUFFER WILL BE PROVIDED.
 - VARIANCE FROM BCZR SECTION 409.8.A.1 AND THE BALTIMORE COUNTY LANDSCAPE MANUAL TO PERMIT A SETBACK OF 3.0 FEET IN LIEU OF THE REQUIRED 10 FOOT SETBACK REQUIREMENT FROM AN ADJOINING COMMERCIAL PROPERTY.
 - VARIANCE FROM BCZR SECTION 450.5.B.4.B TO PERMIT A FREESTANDING SIGN TO BE ERRECTED 0 FEET FROM A RESIDENTIAL ZONE IN LIEU OF THE REQUIRED 25 FEET.
 - ALSO, FOR SUCH FURTHER VARIANCE RELIEF AS THE ADMINISTRATIVE LAW JUDGE MAY REQUIRE.

PROPERTY INFORMATION:

- | | |
|---|--|
| <p>(I) STANLEY FIEDEN AND DENISE M. FIEDEN
2913 JOPPA ROAD
ACCT. NO. 1700010116
LIBER 17611 FOLIO 552
LIBER 11612 FOLIO 319
TM 71 15 1064
AREA: 12,738 S.F. ±, 0.292 AC. ±
USE: RESIDENTIAL</p> | <p>(VIII) THE STATE HIGHWAY ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF MARYLAND
ACCT. NO. (NONE ON RECORD)
TM 71 15 1064
AREA: 13,500 S.F. OR 0.301 AC.
USE: VACANT</p> |
| <p>(II) PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
HARFORD ROAD
ACCT. NO. 200000377
LIBER 11482 FOLIO 537
LIBER 11612 FOLIO 319
TM 71 15 1472
(PARCEL III)
AREA: 8,804 S.F. ±, 0.202 AC. ±
USE: VACANT</p> | <p>(822) BALTIMORE COUNTY, MARYLAND
JOPPA ROAD
ACCT. NO. 0911770330
LIBER 5501 FOLIO 722
TM 71 15 813
AREA: 9,986 S.F. ±, 0.229 AC. ±
USE: VACANT</p> |
| <p>(III) PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
HARFORD ROAD
ACCT. NO. 0913754890
LIBER 11482 FOLIO 537
LIBER 11612 FOLIO 319
TM 71 15 662
(PARCEL II)
AREA: 7,248 S.F. ±, 0.166 AC. ±
USE: VACANT</p> | <p>(IX) PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
9514 HARFORD ROAD
ACCT. NO. 1900008246
LIBER 32447 FOLIO 247
TM 71 15 1086
AREA: 3,028 SF OR 0.070 AC.
USE: RESIDENTIAL</p> |
| <p>(IV) PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
JOPPA ROAD
ACCT. NO. 0911770534
LIBER 11482 FOLIO 537
LIBER 11612 FOLIO 319
TM 71 15 661
(PARCEL I)
AREA: 18,543 S.F. ±, 0.380 AC. ±
USE: RESIDENTIAL</p> | <p>(X) THE JOSEPH L. GEHRING REVOCABLE TRUST AND THE ANNIE E. GEHRING REVOCABLE LIVING TRUST
ACCT. NO. (NONE ON RECORD)
LIBER 8004 FOLIO 364
TM (NONE ON RECORD)
AREA: 2,395 S.F. OR 0.055 AC.
USE: VACANT</p> |
| <p>(V) PAUL D. KRAUSE, JR. AND ROSEMARY I. KRAUSE
2915 E. JOPPA ROAD
ACCT. NO. 0912598840
LIBER 10116 FOLIO 363
LIBER 11612 FOLIO 319
TM 71 15 292
AREA: 19,166 S.F. ±, 0.440 AC. ±
USE: RESIDENTIAL</p> | <p>(XI) NICHOLAS S. MANGIONE AND MARY C. MANGIONE
ACCT. NO. (NONE ON RECORD)
LIBER 5574 FOLIO 293
TM (NONE ON RECORD)
AREA: 2,508 S.F. OR 0.058 AC.
USE: VACANT</p> |
| <p>(VI) PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
HARFORD ROAD
ACCT. NO. 0908003190
LIBER 11655 FOLIO 559
TM 71 15 813
AREA: 1,797 S.F. ±, 0.041 AC. ±
USE: VACANT</p> | <p>(XII) PAUL D. KRAUSE, JR. AND ROSEMARY I. KRAUSE
JOPPA ROAD
ACCT. NO. 0911770533
LIBER 7021 FOLIO 784
TM 71 15 661
AREA: 17,314 S.F. ±, 0.397 AC. ±
USE: VACANT</p> |
| <p>(VII) PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
9516 HARFORD ROAD
ACCT. NO. 0908003191
LIBER 12098 FOLIO 282
TM 71 15 813
AREA: 5,882 S.F. ±, 0.135 AC. ±
USE: VACANT</p> | <p>(XIII) PAUL D. KRAUSE AND ROSEMARY I. KRAUSE
JOPPA ROAD
ACCT. NO. 0911770533
LIBER 7021 FOLIO 784
TM 71 15 661
AREA: 14,796 S.F. ±, 0.340 AC. ±
USE: VACANT</p> |

COMMERCIAL PERMIT HISTORY

NONE ON RECORD

ZONING HISTORY

CASE NO. 1854-3083-X - SPECIAL PERMISSION FOR CONSTRUCTION OF A DOUBLE NEON SIGN, GRANTED 8/24/84

CASE NO. R-1978-0180 - TO REZONE FROM DR 16 TO BL, GRANTED 4/28/78

BENCHMARKS

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: ELEVATIONS ARE NAVD83 PER GPS OBSERVATIONS USING KEYNET GPS RTK (VRS) POSITIONS.

PARKING TABULATION CHART			
(PARKING SPACES REQUIRED BY BCZR SECTION 409.8A)			
USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.8A
PHARMACY W/ DRIVE-THRU	13,281	5/1,000 S.F.	67
TOTAL PARKING PROVIDED (INCLUDING FOUR HANDICAP SPACES)			67

GENERAL NOTES

- PROPERTY LOCATION: WEST CORNER OF JOPPA RD. AND HARFORD RD.
- SITE AREA:
 - GROSS AREA: 132,176 S.F. OR 3.04 AC.
 - SHA DEDICATION: 9,448 S.F. OR 0.22 AC.
 - BALTIMORE COUNTY DEDICATION: 410 S.F. OR 0.01 AC.
 - NEIGHBORHOOD PARK: 19,942 S.F. OR 0.46 AC.
 - NET AREA: 102,375 S.F. OR 2.35 AC.
- ELECTION DISTRICT: 9
- COUNCILMANIC DISTRICT: 5
- ADC MAP: 4580 F7/G7
- CENSUS TRACT: 491,900
- WATERSHED: BIRD RIVER
- ZONING: BL, BL-AS, DR 5.5
- GROWTH TEIR: 1 (URBAN - SERVED BY PUBLIC SEWER AND INSIDE URDL)
- FLOOR AREA RATIO: PERMITTED = 3
PROVIDED = 13,281 S.F. / 102,375 S.F. = 0.130
- EXISTING LAND USE: VACANT/RESIDENTIAL
- PROPOSED LAND USE: PHARMACY W/ DRIVE-THRU
- BUILDING SETBACKS:

	REQUIRED	PROVIDED
FRONT (HARFORD ROAD)	154.44'	45.53'
FRONT (JOPPA ROAD)	10'	38.19/70.31'
SIDE	0'	7.90'
REAR	75'	87.01'
- LANDSCAPE SETBACKS:

	REQUIRED	PROVIDED
ALONG HARFORD ROAD	10'	11.30'
ALONG SIDE YARD (BL/BL-AS ZONE)	10'	3.40'
ALONG REAR YARD (DR 5.5)	6'	7.90'
ALONG SIDE YARD (DR 5.5/RTA ZONE)	10'	15.00'
ALONG JOPPA ROAD	50'	11.03'
- HEIGHT REQUIREMENTS: BASED ON HEIGHT TENT - 40' PERMITTED UNCONDITIONALLY
- PROPOSED BUILDING HEIGHT: 20'
- THIS SITE WILL BE SERVICED BY PUBLIC WATER AND PUBLIC SEWER.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL. DESIGN MODIFICATIONS MAY BE REQUIRED.
- THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- BUILDING SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.
- THIS PLAN DEPICTS PROP. SHA AND BALTIMORE COUNTY IMPROVEMENTS EXPECTED TO BE COMPLETED PRIOR TO THIS CONSTRUCTION.
- STACKING SPACES PROVIDED: 4 SPACES



13,281 TYPE B REAR DRIVE-THRU

STORE NUMBER: 4212

HARFORD ROAD AND JOPPA ROAD
BALTIMORE COUNTY, MARYLAND

PROJECT TYPE: RELO

DEAL TYPE:

CS PROJECT NUMBER: 51709

ARCHITECT OF RECORD

BOHLER ENGINEERING

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TEL : (717) 761-7801

J.J. UCCIFERRO

PROFESSIONAL ENGINEER

4/14/16

REVISIONS

REV.	DATE	COMMENT:	BY:

CHECKED BY: BRR

DRAWN BY: RL6

DATE: 4/14/16

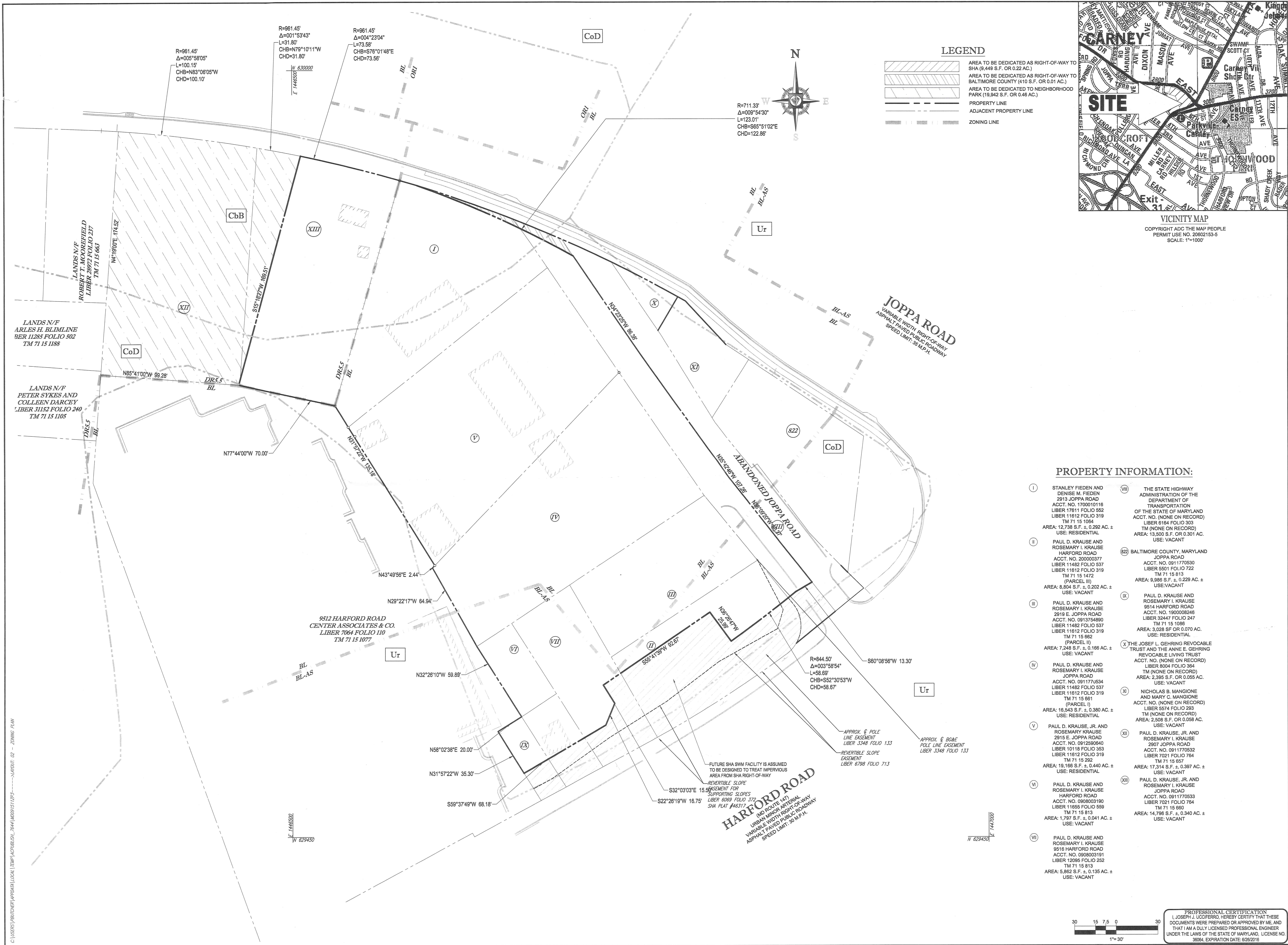
JOB NUMBER: MD091511

TITLE: **ZONING PLAN**

SHEET NUMBER: 1

NOT FOR CONSTRUCTION

Revised 4/14/16 2015-0304 SPH



CVS
pharmacy

13,281 TYPE B
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PROFESSIONAL ENGINEER
BALTIMORE COUNTY, MARYLAND

4/14/16

REVISIONS

REV. DATE COMMENT BY:

CHECKED BY: BRR

DRAWN BY: RLB

DATE: 6/25/15

JOB NUMBER: MD091511

TITLE: **ZONING PLAN**

SHEET NUMBER:

2

COMMENTS:
NOT FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION
I, JOSEPH J. UCCIFERRO, 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.
38064, EXPIRATION DATE: 6/26/2016