

MEMORANDUM

DATE: December 2, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0020-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 2, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(1750-1754 E. Joppa Road)

11th Election District

5th Council District

BSH Properties, LLC

Legal Owner

Gavigan's Home Furnishings

Contract Purchaser

Petitioners

*

*

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0020-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of BSH Properties, LLC, owner of the subject property and Gavigan's Home Furnishings, contract purchaser ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §229.6(D) to allow parking lot areas to be located 10 ft. from the ultimate street right-of-way in lieu of the required 20 ft. A site plan was marked as Petitioners' Exhibit 1.

Robert Gavigan and land planner Bill Monk appeared in support of the petition. Adam M. Rosenblatt, Esq. represented the Petitioners. The Petition was advertised and posted as required by the B.C.Z.R. No protestants or interested citizens attended the hearing. No substantive Zoning Advisory Committee (ZAC) comments were received.

The subject property is approximately 5.65 acres and is split-zoned BL, BR, BLR & DR 5.5. The property is located along an extremely busy section of Joppa Road, and is surrounded by other commercial uses, including an automobile service garage. The site was the former home of Harold's Fruit Market (a beloved local institution) and a Salvation Army thrift shop. Exhibits 4A & B. Those structures have been razed, and Petitioners propose to construct an attractive new building (30,000 sq. ft.) which will be a furniture store. To do so, variance relief is required.

ORDER RECEIVED FOR FILING

Date 11/24/15

By Den

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. The site has an irregular shape and a large environmental buffer area that greatly restricts the available building envelope. As such, the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed building. 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. This is demonstrated by the lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 2nd day of November, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §229.6(D) to allow parking lot areas to be located 10 ft. from the ultimate street right-of-way in lieu of the required 20 ft., be and is hereby GRANTED.

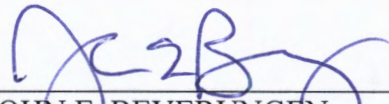
The relief granted herein shall be subject to the following:

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.

ORDER RECEIVED FOR FILING

Date 11/2/15
By Sen

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 11/2/15
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 1750-1754 E. Joppa Road, Baltimore, MD 21234 which is presently zoned BL, BR, BLR, DR 5.5
Deed References: 35481/00257, 31003/00001, 10 Digit Tax Account # 0904751891, 0908550150, 0911671861,
Property Owner(s) Printed Name(s) 15884/00384 BSH Properties, LLC 0911671860, 0911671860, 0908304360

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

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

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

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

3. ☒ a Variance from Section(s) 229.6(D) to allow parking lot areas to be located 10 feet from the ultimate street right of way in lieu of the required 20 feet in a BLR Zone.

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:

Gavigan's Home Furnishings

Name- Type or Print

Signature

700B Evelyn Avenue Linthicum MD

Mailing Address City State

21090 / 410-609-2114 / bob@ghfhome.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Adam M. Rosenblatt, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address City State

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

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

BSH Properties, LLC

Name #1- Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

7100 RUTHERFORD RD Baltimore MD

Mailing Address City State

21244 / /

Zip Code Telephone # Email Address

Representative to be contacted:

Adam M. Rosenblatt, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address City State

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

Zip Code Telephone # Email Address

CASE NUMBER

2016-0020 A

Filing Date

7-28-15

Do Not Schedule Dates:

Reviewer

AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

11/24/15

By

Den

84 hr Oct 14/15

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description **1750 East Joppa Road**

Beginning at a point located at the West corner of the intersection of Eddington Road and East Joppa Road. The following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

From intersection north corner of Eddington Road and East Joppa Road running South 80 degrees 23 minutes 38 seconds West, 347.78' feet from the Point of Beginning, continuing North 11 degrees 3 minutes 4 seconds West 258.79' feet to a point, continuing South 72 degrees 55 minutes 51 seconds West 250.42' feet to a point, continuing North 12 degrees 29 minutes 32 seconds West 20.06' feet to a point, continuing North 72 degrees 55 minutes 51 seconds East 200.00' feet to a point, continuing North 11 degrees 20 minutes 57 seconds West 120.14' feet to a point, continuing South 72 degrees 53 minutes 2 seconds West 207.19' feet to a point, continuing North 11 degrees 33 minutes 51 seconds West 6.00' feet to a point, continuing North 8 degrees 46 minutes 36 seconds East 33.81' feet to a point, continuing North 25 degrees 11 minutes 9 seconds East 34.61' feet to a point, continuing North 44 degrees 18 minutes 9 seconds East 33.69' feet to a point, continuing North 69 degrees 13 minutes 18 seconds East 605.78' feet to a point, continuing South 16 degrees 17 minutes 16 seconds East 451.10' feet to a point, continuing south 69 degrees 6 minutes 27 seconds West 99.60' feet to a point, continuing South 14 degrees 1 minute 30 seconds East 101.71' feet to a point and place of beginning.

Containing an area of 246,313 square feet or 5.56 acres of land, more or less and being located in the ninth Election District and fifth Council District of Baltimore County Maryland.



2016-0020-A

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD (410) 515-9000 ♦ Laurel, MD (410) 792-9792 ♦ Towson, MD (410) 821-1690 ♦ Georgetown, DE (302) 855-5734 ♦ Wilmington, DE (302) 326-2200 ♦ York, PA (717) 751-6073

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

No. **128645**
Date: **7/28/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
7/28/2015 7/28/2015 10:12:43 1

REG NS01 WALKIN LRAS LJR
>> RECEIPT # 598131 7/28/2015 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6130				\$ 500

Dept 5 328 ZONING VERIFICATION
CD NO. 128645

Recpt Tot \$500.00
\$500.00 CK 1.00 CA
Baltimore County, Maryland

Total: **\$ 500**

Rec From: **VENABLE**

For: **1750-1754 E JOHNS RD**

2016-0020-A

DISTRIBUTION

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

CASHIER'S
VALIDATION

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number:

2016-0020-A

Petitioner:

Gavigan's Home Furnishings

Address or Location:

1750-54 G. Joppa Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Adam Rosenblatt

Address:

Venable LP

210 W. Parrylana Ave, Suite 500
Towson, MD 21207

Telephone Number:

(410) 494-6271



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:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON,MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON,MD 21204-5304

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

Oct 08, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

NOTICE OF ZONING HEARING

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

Case: # 2016-0020-A

1750-1754 E. Joppa Road
N/s Joppa Road, 300 ft. w/of centerline of Eddington Avenue

11th Election District - 5th Councilmanic District

Legal Owner(s) BSH Properties, LLC

Contract Purchaser(s): Gavigan's Home Furnishings

Variance: to allow parking lot areas to be located 10 feet from the ultimate street right-of-way in lieu of the required 20 feet in a BLR zone.

Hearing: Friday, October 30, 2015 at 11:00 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.

10/114 October 8

3632262

CERTIFICATE OF POSTING

2016-0020-A

RE: Case No.: _____

Petitioner/Developer: _____

**BSH Properties, LLC
Gavigan's Home Furnishings**

October 30, 2015

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: _____

1750-1754 E. Joppa Road

October 10, 2015

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

October 10, 2015

(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)

CASE NAME GAUGER'S Furniture
CASE NUMBER 2016-0020-A
DATE _____

[illegible]



KEVIN KAMENETZ
County Executive

ANDREA

INTER-OFFICE CORRESPONDENCE

DESIGN REVIEW COMMENTS

JB 10-30
11 Am
Per Jon
Nightingale,
this was
emailed to
Adam
Rosenblatt
this Am

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

DATE: October 29, 2015

FROM: Andrea Van Arsdale, Director
Department of Planning

SUBJECT: Design Review Panel – Approval

PROJECT NAME: Gavigan's Furniture – 1750 East Joppa Road

PROJECT: DRP# 570

PROJECT TYPE: Commercial, Loch Raven - Baynesville

DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:

David Martin, Mitch Kellman, Melanie Moser, Ed Hord, Julie Kirsch

PROJECT DESCRIPTION:

Adam Rosenblatt, of Venable LLP, presented the project team to the Panel which included Allen Kitselman of Main Street Architecture and Matt Bishop of Morris & Ritchie Associates, Inc. The site is comprised of approximately 5.65 acres with a mix of DR 5.5, BLR, BL and BR zoning on the site. Gavigan's Furniture proposes to construct a 30,000 SF retail furniture showroom on the site. The proposed building will be single story with 200 feet of frontage and 150 feet in depth. The materials proposed for the building include Dryvit with drystack stone veneer accents. There is an existing sign on the site which will be re-clad to match the building materials.

Landscaping is proposed along the East Joppa road frontage and along the eastern property edge that abuts residential homes along Eddington Road. The rear of the site is undeveloped and includes wetland and forest buffers that will remain. Two storm water management facilities are proposed for the site in the rear of the parking area. Due to the fact that the property's road frontage along East Joppa Road is zoned BLR, a 20 foot wide landscape strip is required. The applicant is seeking a variance to reduce the parking setback requirement to 10 feet.

RECEIVED

OCT 29 2015

OFFICE OF ADMINISTRATIVE HEARINGS

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8/12</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8/31/15</u>	STATE HIGHWAY ADMINISTRATION	<u>no obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>2005-0417-SPH</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>10/8/15</u>	
SIGN POSTING	Date: <u>10/10/15</u> by <u>SSG Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-417-SPH

* CASE NO. 05-417-SPH
*
*

* * * * *

This matter came before this Deputy Zoning Commissioner on a Petition for Special Hearing filed by the legal owners of the subject property, Ronnal & Helen Simpson and Richard W. Byrd, lessee. The Petitioners requested special hearing relief for property located at 1750 E. Joppa Road in Baltimore County. The special hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a pre-existing nonconforming use of a commercial storage building of 45 ft. long x 21 ft. wide and existing commercial parking in a D.R. 5.5 zone.

WHEREAS, a hearing was held in this matter on April 11, 2005.

WHEREAS, a representative for the Petitioners, Vince Moskunas, notified this office in a letter dated June 28, 2005 that the Petitioners' request was now moot and that the case should be dismissed.

IT IS THEREFORE, ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 14 day of July, 2005, that the hereinabove Petition for Special Hearing having been withdrawn, be and is hereby DISMISSED, without prejudice.

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0904751891			
Owner Information					
Owner Name:	BSH PROPERTIES LLC		Use:	COMMERCIAL	
Mailing Address:	C/O TERESA HOLDA 7100 RUTHERFORD RD BALTIMORE MD 21244-		Principal Residence:	NO	
			Deed Reference:	/35481/ 00257	
Location & Structure Information					
Premises Address:		1754 E JOPPA RD BALTIMORE MD 21234-3620		Legal Description:	PT LT 30 1754 E JOPPA RD ROSENA DEI PLAT
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0070	0012	0806		0000	G 30
				Assessment Year:	Plat No:
				2014	0007/0147
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1966	900		4,750 SF	15	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		OFFICE BUILDING			
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		142,500	142,500		
Improvements		127,400	122,000		
Total:		269,900	264,500	264,500	264,500
Preferential Land:		0			0
Transfer Information					
Seller: SIDEWAYS MOTORSPORTS		Date: 10/21/2014		Price: \$370,000	
Type: ARMS LENGTH IMPROVED		Deed1: /35481/ 00257		Deed2:	
Seller: LONGBOTTOM B BRUCE,2ND		Date: 09/18/2007		Price: \$300,000	
Type: ARMS LENGTH IMPROVED		Deed1: /26178/ 00483		Deed2:	
Seller: DUCKETT LEROY A,ET AL		Date: 06/03/1980		Price: \$46,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06954/ 00054		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: 0904751891



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

October 22, 2015

BSH Properties LLC
7100 Rutherford Road
Baltimore MD 21244

RE: Case Number: 2016-0020 A, Address: 1750-1754 E Joppa Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 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
Gavigan's Home Furnishings, 700 B Evelyn Avenue, Linthicum MD 21090
Adam M Rosenblatt, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



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

Date: 8/3/15

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

RE: Baltimore County
Item No 2016-0020-A
Variance
BSH Properties, LLC
1750-1754 E. Joppa Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2016-0020-A.

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
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

DATE: August 12, 2015

SUBJECT: Zoning Advisory Committee Meeting
For August 10, 2015
Item No. 2016-0019, 0020, 0021, 0022, 0023, 0024, 0025 and 0026

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

RECEIVED

AUG 14 2015

Development Plans Review
Department of Permits, Approvals
and Inspections

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC08102015.doc



KEVIN KAMENETZ
County Executive

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

September 15, 2015

NOTICE OF ZONING HEARING

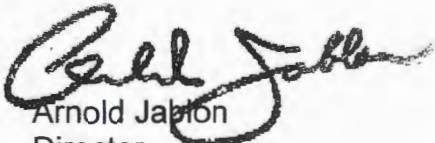
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0020-A

1750-1754 E. Joppa Road
N/s Joppa Road, 300 ft. w/of centerline of Eddington Avenue
11th Election District – 5th Councilmanic District
Legal Owners: BSH Properties, LLC
Contract Purchaser/Lessee: Gavigan's Home Furnishings

Variance to allow parking lot areas to be located 10 feet from the ultimate street right-of-way in lieu of the required 20 feet in a BLR zone.

Hearing: Friday, October 30, 2015 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Adam Rosenblatt, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Gavigans Home Furnishings, 700B Evelyn Avenue, Linthicum 21090
BSH Properties, LLC, 7100 Rutherford Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 10, 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, October 8, 2015 Issue - Jeffersonian

Please forward billing to:

Adam Rosenblatt

410-494-6271

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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: 2016-0020-A

1750-1754 E. Joppa Road

N/s Joppa Road, 300 ft. w/of centerline of Eddington Avenue

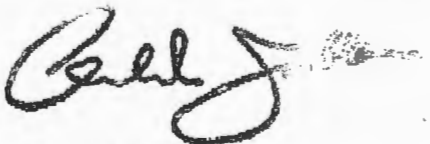
11th Election District – 5th Councilmanic District

Legal Owners: BSH Properties, LLC

Contract Purchaser/Lessee: Gavigan's Home Furnishings

Variance to allow parking lot areas to be located 10 feet from the ultimate street right-of-way in lieu of the required 20 feet in a BLR zone.

Hearing: Friday, October 30, 2015 at 11:00 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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1750-1754 E. Joppa Road; N/S E. Joppa Road, *
300' W of c/line Eddington Avenue * OF ADMINISTRATIVE
11th Election & 5th Councilmanic Districts *
Legal Owner(s): BSH Properties, LLC * HEARINGS FOR
Contract Purchaser(s): Gavigan's Home Furnishing *
Petitioner(s) * BALTIMORE COUNTY
* 2016-020-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

AUG 06 2015

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to Adam Rosenblatt, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

10-30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 2, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1750 – 1754 E Joppa Road

RECEIVED

INFORMATION:

NOV 03 2015

Item Number: 16-020

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: BSH Properties

Zoning: BL, BR, BLR, DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for a Variance to allow parking lot areas to be located 10 feet from the ultimate street right of way in lieu of the required 20 feet in a BLR Zone.

This project was subject to review by the Baltimore County Design Review Panel (DRP) as part of the Loch Raven-Baynesville Commercial Revitalization District. The DRP raised no issue with the parking areas.

The Department has no objection to granting the petitioned zoning relief.

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

Division Chief: Kathy G. Lebach
AVA/KS

C: Krystle Patchak



Zoning 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 obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



TRANSMITTAL

Date:	July 27, 2015
To:	Zoning Review
	PAI
	111 West Chesapeake Avenue, Suite 105
	Towson, Maryland, 21204
Fax #:	
From:	Bill Monk
Project #:	17121
Project	1750 E Joppa Road
Case #:	
Copies To:	File

Sent Via:	☐ Mail
	☐ Pick-up
	☒ Messenger
	☐ Fed Ex
	☐ Fax - # Pages
	(including cover)

-
- | | | |
|--|--|---|
| ☒ Approval | ☐ Record | ☐ Per your request |
| ☐ Review & Comment | ☐ Use & Information | ☐ Distribution |
-

<u>COPIES</u>	<u>SHEETS</u>	<u>DATE</u>	<u>DESCRIPTION</u>
12	1	7/27/2015	Plan to Accompany Variance Petition
3	1	7/27/2015	Zoning Description
1	-	-	Checklist
1	1	-	Zoning Map

COMMENTS:

1220-C East Joppa Road, Suite 505, Towson, Maryland 21286 Tel: (410) 821-1690 Fax: (410) 821-1748

Abingdon, MD • Laurel, MD • Towson, MD • Georgetown, DE • Wilmington, DE • York, PA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855- 5734 (302) 326-2600 (717) 751-6073

Visit us on the web at www.mragta.com



KEVIN KAMENETZ
County Executive

ANDREA VAN ARSDALE, *Director*
Department of Planning

INTER-OFFICE CORRESPONDENCE

DESIGN REVIEW COMMENTS

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

DATE: October 29, 2015

FROM: Andrea Van Arsdale, Director
Department of Planning

A handwritten signature in blue ink, appearing to read "Am for", is written over the name "Andrea Van Arsdale" in the "FROM:" line.

SUBJECT: Design Review Panel – Approval

PROJECT NAME: Gavigan's Furniture – 1750 East Joppa Road

PROJECT: DRP# 570

PROJECT TYPE: Commercial, Loch Raven - Baynesville

DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:

David Martin, Mitch Kellman, Melanie Moser, Ed Hord, Julie Kirsch

PROJECT DESCRIPTION:

Adam Rosenblatt, of Venable LLP, presented the project team to the Panel which included Allen Kitselman of Main Street Architecture and Matt Bishop of Morris & Ritchie Associates, Inc. The site is comprised of approximately 5.65 acres with a mix of DR 5.5, BLR, BL and BR zoning on the site. Gavigan's Furniture proposes to construct a 30,000 SF retail furniture showroom on the site. The proposed building will be single story with 200 feet of frontage and 150 feet in depth. The materials proposed for the building include Dryvit with drystack stone veneer accents. There is an existing sign on the site which will be re-clad to match the building materials.

Landscaping is proposed along the East Joppa road frontage and along the eastern property edge that abuts residential homes along Eddington Road. The rear of the site is undeveloped and includes wetland and forest buffers that will remain. Two storm water management facilities are proposed for the site in the rear of the parking area. Due to the fact that the property's road frontage along East Joppa Road is zoned BLR, a 20 foot wide landscape strip is required. The applicant is seeking a variance to reduce the parking setback requirement to 10 feet.

PETITIONER'S EXHIBIT

2

Subject: Approval (Design Review Panel)

Project name: Gavigan's Furniture

Project #: DRP 570

DISPOSITION:

Mr. Hord made a motion to conditionally approve the project with the following comments to be addressed:

1. Provide pedestrian access to the site – Study providing access from Joppa Road at the center of the site to the main entrance
2. Revise front elevation – Provide more glass to front elevation
3. Revise west elevation – Provide additional detailing (Consider stone piers similar to east elevation)
4. Revise the landscape plan – Provide required number of street trees along Joppa Road, adjust planting under trees around parking lot

Revisions are to be submitted to the Department of Planning for final review and approval. The motion was seconded by Ms. Moser and approved unanimously at 7:05 p.m.

As of October 28, 2015 all revised plans have been submitted to the Department of Planning. The Department of Planning concurs with the comments made by the DRP and recommends approval at this time.

This project is also subject to a development hearing whereby final approval is subject to an Administrative Law Judge decision.

LL:kp: File

c: DRP members in attendance
BSH Properties LLC, Property Owner
Matt Bishop, Morris & Ritchie Associates, Inc.
Allen Kitselman, Main Street Architecture
Adam Rosenblatt, Venable LLP
Lawrence Stahl, Managing Administrative Law Judge



KEVIN KAMENETZ
County Executive

ANDREA VAN ARSDALE, *Director*
Department of Planning

INTER-OFFICE CORRESPONDENCE

DESIGN REVIEW COMMENTS

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And Director Department of Permits, Approvals
and Inspections

DATE: October 29, 2015

FROM: Andrea Van Arsdale, Director
Department of Planning

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PROJECT: DRP# 570

PROJECT TYPE: Commercial, Loch Raven - Baynesville

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BSH Properties LLC, Property Owner
Matt Bishop, Morris & Ritchie Associates, Inc.
Allen Kitselman, Main Street Architecture
Adam Rosenblatt, Venable LLP
Lawrence Stahl, Managing Administrative Law Judge

WILLIAM P. MONK
Principal

PROJECT ASSIGNMENT:

Principal, Urban/Site Planning, Expert
Witness / Project Manager

YEARS OF EXPERIENCE:

MRA: 14
Other Firms: 25

EDUCATION:

Master of Urban Planning, University
of Illinois, 1975
Bachelor of Urban Planning,
University of Illinois, 1973

**PROFESSIONAL & INDUSTRY
AFFILIATIONS:**

Greater Towson Committee (formerly
Towson Development Corporation)
President 1998-2000
Bd. of Directors 1994-2014
Baltimore County Design Review
Panel, 2008 - present, past
Chairman
National Association of Industrial and
Office Properties, Legislative
Committee
Baltimore Development Work Group
(member)
International Council of Shopping
Centers (ICSC)
Homebuilders Association of
Maryland, Baltimore County
Chapter

PAST MEMBERSHIPS & AFFILIATIONS:

Mayor's Transition Committee for
Economic Development, Mayor
Martin O'Malley, City of Baltimore
1999-2000
American Planning Association
National Golf Association
Citizens Planning & Housing
Association (CPHA) (past board
member)
Tomorrow's Towson Urban Design
Committee (member)

QUALIFICATIONS:

Mr. Monk is a Principal of MRA and provides site planning/design, project management, and government and community liaison services to institutional, commercial/retail, industrial, and residential clients throughout the mid-Atlantic region. Mr. Monk has worked throughout the mid-Atlantic region for over 39 years, representing commercial/retail and residential clients, as well as serving on nonprofit boards, ad hoc committees, and providing pro bono professional services.

Mr. Monk has extensive experience providing expert witness testimony. He is an approved expert witness in land planning and zoning issues in several jurisdictions throughout the mid-Atlantic region, including Annapolis, Anne Arundel County, Baltimore, Baltimore County, Carroll County, Frederick County, Harford County, Howard County, Prince George's County, and St. Charles Community in Maryland. He has testified in more than 300 zoning hearings over the past 39 years.

Sample projects managed and designed by Mr. Monk include the following:

COMMERCIAL/RETAIL CENTERS

Bay River - Planned Business Community, Havre de Grace, Maryland - Project Manager/Chief Designer for a 76-acre mixed-use master planned business community containing over 900,000 SF of retail, office, and institutional space. Located at the interchange of I-95 and MD 155, the "Gateway" to the historic city of Havre de Grace.

Hampstead Business Park, Hampstead, Maryland - Project management and site planning for a 26-acre mixed-use (industrial, office, and retail) planned community at the crossroads of the new Hampstead By-Pass and MD Route 482.

Solo Cup Site, Owings Mills, Maryland - Project Manager and Designer in the preparation of a mixed-use (office, retail, and residential) planned community containing over 900,000 SF for this 51-acre site in Baltimore County.

Reisterstown Plaza, Baltimore, Maryland - Principal-In-Charge responsible for design/site planning studies for the reconfiguration expansion of the retail center consisting of over 100,000 SF.

Towson Commons Redevelopment Studies and Design, Towson, Maryland - Project Manager for ongoing redevelopment design studies intended to reposition the street-level retail component of a 15-year old mixed-use project that includes a proposed 20-story residential tower and an existing 10-story office tower. The Redevelopment Study process began with a survey of existing commercial real estate market opportunities in the area, and has focused on adding a strong residential

component, while reinforcing the project's strength as an office location of choice and creating new retail and restaurant opportunities with direct street level pedestrian access. Upfront project feasibility studies included surveying, site engineering, and securing government entitlement approvals.



**MORRIS & RITCHIE
ASSOCIATES, INC.**

C:\PDR\RESUMES BY SUBJECT\EXPERT WITNESS TESTIMONY\MRA - WPM EXPERT WITNESS 5-23-14.DOC

WILLIAM P. MONK - Page 2 of 5

Fidelity Investments Office, Towson, Maryland - Principal-in-Charge of land planning for the 6,500-SF office to serve as the prototype for the national deployment of Fidelity Investments new offices. Services provided by MRA included land development engineering, surveying, landscape architecture, architecture, and structural, mechanical, and electrical engineering, and government entitlement processing.

Target Store, Owings Mills, Maryland - Provided preliminary assessment and recommendations for the proposed 100,000-SF retail store with 500 parking spaces on a 12.5-acre site.

Canton Crossing, Baltimore City, Maryland - Master planning for six square block of mixed-use development incorporating hotel, office, retail, food market, structured parking, restaurant, and marina.

Glen Burnie Super Block, Anne Arundel County, Maryland - Prepared site plan for redevelopment of key five+ acre parcel in heart of Glen Burnie Urban Renewal District. Project includes food store anchor, retail, office, residential, structured parking, and town center plaza with skating rink.

BP Amoco Oil Company, Baltimore-Washington - Site/zoning feasibility studies and civil engineering for more than 80 sites.

Hagerstown Commons, Hagerstown, Maryland - A 42-acre, 350,000-SF, phased, mixed-use center containing office, retail and a cinema-plex.

Commerce Place, Prince George's County, Maryland - A 43-acre, 480,000-SF mixed-use retail, office and cinema-plex development.

Manassas Center, Manassas, Virginia - A ten-acre mixed-use, retail strip shopping center and low-rise office development project.

Arundel Crossing East, Anne Arundel County, Maryland - Prepared a 40-acre site development plan containing both a Super K-Mart Store (190,000+ SF) and a Hechinger's Home Care Center (130,000 SF.)

Allied Signal Company, Harbor Point, Baltimore, Maryland - Prepared mixed-use master plan for a 20+ acre site strategically located at entry to Baltimore's Inner Harbor. Includes retail, office, housing, entertainment, marina, and cruise ship docking facilities.

Old Town Mall, Baltimore, Maryland - Prepared site plans for re-design of historic urban renewal project, anchored by supermarket.

Boston Street Quay, Baltimore, Maryland - Prepared site plans for three-acre mixed-use development project on Baltimore's Inner Harbor waterfront, in Canton, incorporating retail, housing, and pier restaurant, with waterfront pedestrian promenade.

Tyson's Corner, Virginia - Preparation of site plan alternatives for a two-acre, multi-story retail/office and parking project containing more than 160,000 SF with structured parking.

Light House Point, Boston Street, Canton, Maryland - Prepared master plan for large scale mixed use waterfront development in historic Canton on Baltimore's "Gold Coast." Project includes housing, marina, specialty/maritime retail, restaurants, and pedestrian waterfront promenade.

Office Condominium Site Assessments, Mid-Atlantic Region - Prepared over 75 site development plans for the development of suburban office parks. Projects range in size from 5,000 SF to over 100,000 SF.

Liberty Valley Country Club, Baltimore County, Maryland - Assisted client through the special exception and variance procedures and obtained approval for redevelopment of Liberty Valley Country Club. Prepared golf course preliminary design plan.

Landover Center Rezoning, Prince George's County, Maryland - Prepared the master plan for a 15-acre mixed-use retail, motel, and office building project. He also served as expert witness in the successful rezoning.

WILLIAM P. MONK - Page 3 of 5

Lee Property Master Plan, Frederick County, Maryland - Preparation of a 102-acre mixed-use commercial complex containing over 400,000 SF of office, research and development space, a 190,000-SF Wal-Mart Super Store, a hotel/conference center complex and open space system. A historic Guilford farmstead comprising approximately 15 acres is the centerpiece of the complex. This area is on the National Register of Historic Places. The master plan calls for the conversion of historic farmhouse into an inn/restaurant while retaining the farmstead outbuildings and incorporating them into an educational/learning center.

Arundel Delight Quarry, Baltimore County, Maryland - This 125-acre parcel in northwest Baltimore County utilizes an abandoned quarry as its centerpiece by transforming it into a 25-acre lake. The master plan calls for a mix of commercial (village center), employment (office), elderly care/retirement community and a mix of housing types (estate and carriage homes). Additionally an extensive open space system along with active recreational facilities and a Baltimore County fire station are incorporated into this unique master plan. This master plan was prepared over a period of 18 months in concert with a community and business task force that resulted in the approval of the overall master plan and securing the appropriate zoning to accommodate the mix of uses.

Patapsco Planned Community, Baltimore County, Maryland - Preparation of master plan for an 800-acre planned residential and commercial project. Plan includes country club, open space system, community shopping facilities/office, research and development park and a mix of residential housing types.

Run About Cove, Anne Arundel County, Maryland - 110-acre residential community containing over 700 housing units with a commercial village center and extensive recreational/open space amenities.

Edmondson Square Shopping Center, Baltimore, Maryland - Prepared site development plans for redevelopment of the six-acre site for new Giant Food, Hollywood Video, and Advance Auto Parts stores.

Towson Overlook, Baltimore County, Maryland - Re-development of 13-acre site to add 75,000 SF to the existing 50,000-SF shopping center.

EDUCATIONAL FACILITIES

Elementary - High School

St. Marks School, Baltimore County, Maryland - Prepared plans and assisted client in obtaining rezoning for the historic renovation and redevelopment of the former St. Marks School on Winters Lane in Catonsville.

College / University

Technology Center at University of Maryland Baltimore County, South Campus, Catonsville, Maryland - Principal-In-Charge responsible for master planning for expansion of the South Campus to include two to three new research & technology buildings and conference center ranging in size from 60,000-100,000 SF each. 2003/Not built.

University of Maryland Baltimore County, Main Campus Master Planning for the Technology Development Center (TDC) and the Technology Research Center (TRC), Catonsville, Maryland - Principal-In-Charge responsible for master planning for expansion of the TDC and TRC facilities to include research, teaching, and conferencing facilities totaling 150,000-200,000 SF.

University of Maryland Baltimore County, Technology Development Center Parking Facilities, Catonsville, Maryland - Principal-In-Charge of site planning, civil engineering, and surveying for a 330-car satellite parking facility with shuttle bus pickup.

GOLF COURSE COMMUNITY MASTER PLANNING AND GOLF COURSE PLANNING AND DESIGN

Country Club of Maryland, Towson, Maryland - An 18-hole private country club. Served as principal in charge and project manager for overall planning, design and final engineering of a 36 unit residential subdivision. Lead consultant in procuring all entitlement approvals (development plan and record plat pending). Coordinated all environmental

consultants and the golf course architect in securing waivers and environmental approvals for stream modifications and renovations to the golf course.

Lake Diamond Golf and Country Club, Pinehurst, North Carolina - Preparation of a master plan incorporating an 18-hole golf course with club facilities and a "public golf center" including driving range, chipping and pitching greens and miniature golf course. Golf course routing is through dense pine forests and sand hills indigenous to the Pinehurst area. Lake Diamond (44 acres) provides a unique natural amenity. Estate home sites, community beach and recreation area, and the golf course are situated along the lake frontage. The Lake Diamond subdivision has been modified and incorporated into the overall master plan. The plan encompasses approximately 350 acres and includes estate homesites (20,000 SF+/-) and fairway cottage sites (7,000-8,000 SF).

Baltimore County, Maryland - Preparation of a golf course routing plan on approximately 210 acres of state-owned property adjacent to the Patapsco River. This unique golf course routing plan is laid out around a number of environmentally sensitive wetland areas and is integrated with a proposed equestrian riding center and riding trails, which tie into a public open space network along the Patapsco River.

Liberty Valley Country Club, Baltimore County, Maryland - A nine-hole executive par three golf course has been laid out on a portion of the former Hidden Valley Golf Course. The course is situated in a stream valley and incorporates large teeing areas to maximize the flexibility and allow play from multiple tees. A clubhouse with banquet and dining facilities, along with an Olympic-size swimming pool and tennis courts are included.

Potomac Point Golf Links, St. Mary's County, Maryland - Prepared three alternative golf course routing plans within the context of an 800(+)-acre planned community along the Potomac River in southern Maryland. Each routing plan encompassed different areas of the overall tract. The property, which offered a unique design challenge, included heavily wooded areas, tidal and non-tidal wetlands, fresh water lakes, a reclaimed sand quarry, and Potomac River and an inland bay frontages.

Each routing plan was developed within the context of the overall planned community, which included a wide range of residential product. This included single family estate lots, attached housing, condominium, and golf village home sites along with community commercial village and marina.

The golf course routing plan considered is described below.

The Potomac Point Links will be a unique 18-hole linksland style golf course built within the reclaimed sand hills of the former quarry site. The individual holes blend with the sand hills and ponds of this environmental award winning reclamation project providing a truly unique golf experience unmatched in this region. The course, which will be open to the public, is designed to be challenging and playable for all skill levels. Emphasis is placed on strategic shot making skills rather than strength while the usage of multiple tees allows the course to play from over 6,700 yards to slightly less than 4,900 yards. The unique character of the course incorporates grass bunkers and swales, waste bunkers, mounding, a system of ponds and streams and natural vegetation and grasses all of which reinforce the linkslands style of golf course architecture. The natural setting for the course is further enhanced by broad vistas of Breton Bay from many locations on the course. A public driving range with lesson tee, practice putting and chipping greens, pro shop, and clubhouse will provide the necessary support facilities.

Hunters Green Planned Business Park, Washington County, Maryland - This golf course routing plan is integrated through an 850-acre planned unit development including residential, retail, office, and industrial uses. A series of environmentally sensitive areas and stream are utilized to enhance the natural features and playability of the course. The project also contains an inn and conference center adjacent to the golf course, both of which provide a central focus for the overall development plan.

HEALTH CARE FACILITIES/HOSPITAL / NURSING HOME PROJECTS

Hackerman Patz House, St. Joseph's Medical Center Campus, Towson, Maryland - Principal-In-Charge responsible for procuring a zoning variance, feasibility study for utilities, production of construction documents, obtaining grading and building permits and construction observation for this two-level, 13,800-SF, 20-room facility located on .85 acres. MRA worked with the project Architect and campus facilities staff to layout this overnight facility for families of hospital care

WILLIAM P. MONK - Page 5 of 5

patients. This facility was modeled after the McDonald House facilities and a similar facility on the Sinai Hospital Site in the City of Baltimore. The project design and construction was funded by a donor contribution.

HOSPITALITY

Burkeshire Marriott Feasibility Study, Towson, Maryland - Planner hired by the Baltimore County Economic Development to provide a feasibility study for the expansion of the Marriott Hotel to include conferencing facilities, structured parking, and campus retailing along the York Road street frontage. Project also included developing alternative site plans for the entire block known as the "triangle" which includes the Towson VFW hall.

HOUSING

Decatur Street Townhomes, Baltimore, Maryland - Project Manager responsible for master planning and civil engineering for 72 housing units in Locust Point.

Luzerne Street, Canton Mills, Chester Street, and Fleet Street Townhomes, Baltimore, Maryland - Project Manager responsible for master planning and civil engineering for urban in-fill residential projects in Baltimore City.

**WILLIAM P. MONK
NATIONAL AND REGIONAL COMMERCIAL/RETAIL CLIENTS**

CONVENIENCE STORES

7-Eleven Food Stores
High's Food Stores
Wawa Food Stores
Paceway Convenience Stores
Dash-In Food Stores
6-12 Convenience Food Marts
X-Tra Mart
Royal Farm Stores

AUTOMOTIVE SERVICE

Precision Tune
Mr. Transmission
Pit Stop, Inc.
Windshields of America
Grease Monkey
Econo Lube 'N' Tune
Midas Muffler
3 Rivers Glass
Jiffy Lube
Mr. Tire
Kimmel Tire
Midas Muffler
Grease Monkey
Salvo Auto Parts
National Tire Warehouse
Western Auto
Parts America
NTW Automotive

AUTOMOTIVE-GASOLINE

BP/Amoco Oil Co.
Arco Petroleum
Gulf Oil Company
Stewart/Agip
Shell Oil Company
Southern Maryland Oil Co.
Sunoco
Texaco/Star Enterprise
Eastern Petroleum
Quarles Petroleum, Inc.
Carroll Independent Fuel
Ewing Oil Company
Ocean Petroleum Co.

RESTAURANTS

Dunkin Donuts
Pizza Hut
Taco Bell
Hot-N-Now
Big Boys
Roy Rogers Restaurants
Checkers
Church's Fried Chicken
Hardee's
Burger King
Golden Corral
Kentucky Fried Chicken
Mr. Donut
Friendly's Restaurants
Chili's Restaurants
Subway Sub Shops
Red Hot n' Blue
McDonald's Corporation
All-In-One (Taco Bell, Pizza Hut, KFC)
East Side Marios
Chevys Mexican Restaurants
California Pizza Kitchen
Fuddruckers
Sweet Pea Café
Old Country Buffet
Cracker Barrel
Rita's Water Ice
Krispy Kreme
Wendy's
Red Robin Restaurants
Mission BBQ

MISCELLANEOUS-COMMERCIAL

Rite Aid
K-Mart
Duron Paints
Nichol's Department Store
Safeway Food Stores
Blockbusters Video
Pier One Imports
Price Warehouse
F&M Drug Stores
Roses Department Store
Town & Country Pontiac-Nissan
Klein's Supermarkets
C.J. Bonner Co.
Carteret Savings Bank
Penn Advertising
Universal Advertising
Giant Foods
Nextel Corporation
PNE Media
Enterprise Rent-A-Car
Koons Ford
ATC Communications, Inc.
Wal-Mart
Sam's Club
Hechinger's
Bluecrest North Caterers
Musselman Chevrolet
Bell Atlantic
Luby Chevrolet
Sports Authority
Revco Drugs
CVS Drugs
Wels Markets
Lamar Advertising
Hollywood Video
Food Lion
Graul's Food Markets
Jeepers, Inc.
Walgreens
Bank of America
Dollar General

WILLIAM P. MONK
JURISDICTIONS WHERE WORK HAS BEEN PERFORMED

MARYLAND

Aberdeen*
Annapolis*
Anne Arundel County*
Baltimore*
Baltimore County*
Bel Air*
Bowie
Charles County
Calvert County
Cambridge
Caroline County
Carroll County*
Cecil County
Centreville
Chesapeake Beach
College Park
Columbia
Easton
Ellicott City
Frederick
Frederick County*
Gaithersburg
Hagerstown
Hampstead
Harford County*
Havre de Grace*
Howard County*
Kent County
Laurel
Montgomery County
Ocean City
Perryville
Prince George's County*
Queen Anne's Co.

Rockville
St. Charles Community*
St. Mary's County
St. Michael's
Salisbury
Talbot County
Washington County
Westminster

DELAWARE

Dover
Kent County
Milford
Newark
Rehoboth Beach
Sussex County

**DISTRICT OF
COLUMBIA**

NEW JERSEY

Cherry Hill
Dover Township
Mountainside
Pequannock Township
Perth Amboy
Piscataway*
Wall Township*
Pompton Plains
Toms River

NORTH CAROLINA
Pinehurst

PENNSYLVANIA

Bucks County
Chester County
Montgomery County
Paoli
Shrewsbury

VIRGINIA

Alexandria
Arlington
Arlington County
Chesterfield County
(Richmond area)
Fairfax City
Fairfax County
Falls Church
Fauquier County
Henrico County
(Richmond area)
Hemdon
Leesburg
Loudon County
Manassas
Manassas Park
McLean
Prince William County
Quantico
Richmond
Sterling
Vienna

WEST VIRGINIA
Martinsburg

*EXPERT WITNESS

FORMER SITE OF HAROLD'S FRUIT MARKET



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

PEPPER

FORMER SITE OF SALVATION ARMY THRIFT STORE



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS



PETITIONER'S
EXHIBIT 6e



PETITIONER'S
EXHIBIT 6A



PETITIONER'S
EXHIBIT 6B



PETITIONER'S
EXHIBIT 6C



PETITIONER'S
EXHIBIT 6D



PETITIONER'S
EXHIBIT 10

Case No.: 2016-0020-A

Exhibit Sheet

11-2-15
Sen

Petitioner/Developer

DW
12-315

Protestant

No. 1	site plan (redline)	
No. 2	DRP Approval memo	
No. 3	Monk resume	
No. 4	Photos - former site conditions	
No. 5	"Area Context" aerial photo	
No. 6	6A-6E photos - exist. conditions	
No. 7	Plan to Accompany DRP application	
No. 8	Plan w/ highlighted business zones	
No. 9	"Perspective" elevation	
No. 10	Photo - nearby business landscape buffer	
No. 11	Kitselman resume	
No. 12	Conceptual Elevations	

H. Allen Kitselman AIA, LEED-AP, NCARB

315 South Church Street
Berryville, Virginia 22611
540-539-6936
akitsel@mainstreetarch.com

Education

- o Virginia Polytechnic Institute and State University
BS Architecture and Environmental Design 1984
(5-year professional degree)

Professional Experience

Main Street Architecture, P.C.

Co-Owner/ President

November 1991 – Present

Projects include residential and commercial new work and additions, historic preservation and rehabilitations, office, retail/ mercantile, warehouse, banking, institutional assisted living, medical office, religious, museum, public/ government, educational, food service, industrial, recreational, interiors, site design, currently registered in Virginia, West Virginia, and Maryland.

Ballinger LaRock Architects AIA, PC

Associate/ Project Architect

1984 – 1991

Project management and design on residential homes and additions, commercial banks, hotel, mercantile, health/ fitness, religious, furniture design and construction inspections. Client contact and all phases of design and construction documents, specifications and administration. Presentation site planning Construction design build and RFP responses for Ball-Rock Construction included bidding, estimating and supervision.

Ward-Hall Associates AIA

Draftsman/ Intern

1981 – 1984

Drafting, presentation drawings and model work on many larger office building and parking facilities in the DC Metro area including high rise office.

Community Service

Current Berryville Ward 2 Town Councilman.
Current Chairman of the Berryville Area Development Authority.
Current Chairman of Berryville Town Council Community Improvements Committee.
Current Member of the Clarke County Green Advisory Committee
Former Board Member of the Waterford Foundation.

Affiliations

Member American Institute of Architects.
LEED Accredited Professional with The United States Green Building Council
Member NCARB.
Green Advantage R Certified
Earth Craft House Certified
Earth Craft Multi-Family Certified
Company is a member of the U.S. Green Building Council
Company is a member of the International Code Council
Company is a member of National Fire Protection Association

MSA

24 N. BUCKMARSH STREET BERRYVILLE, VIRGINIA 22611.1062

FAX: 540.955.4614 VOICE: 540.955.1669



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

PERSPECTIVE

PETITIONER'S EXHIBIT 9



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND
LANDSCAPE ARCHITECTS

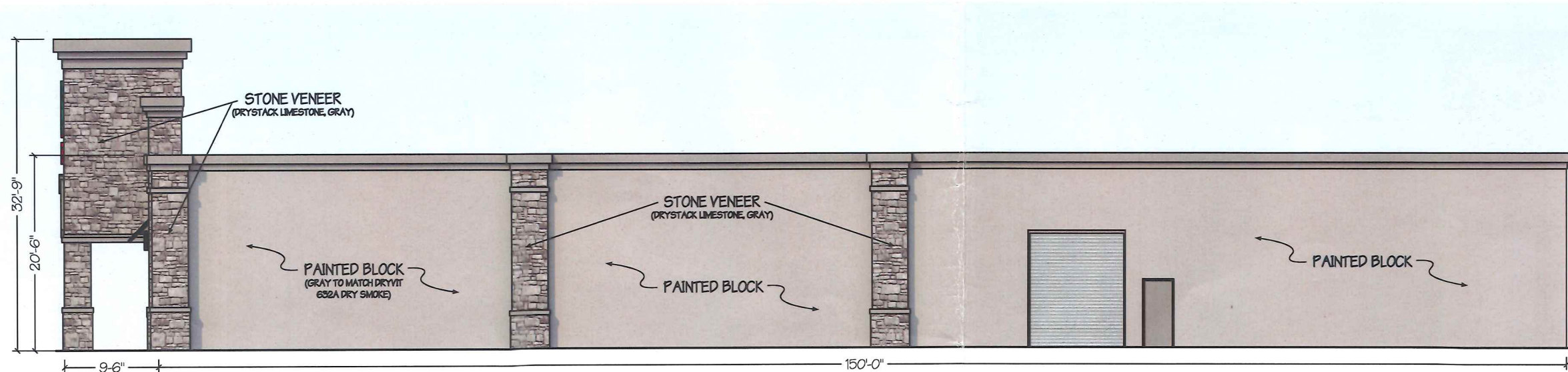
PETITIONER'S
EXHIBIT **5**

0 30 60 90

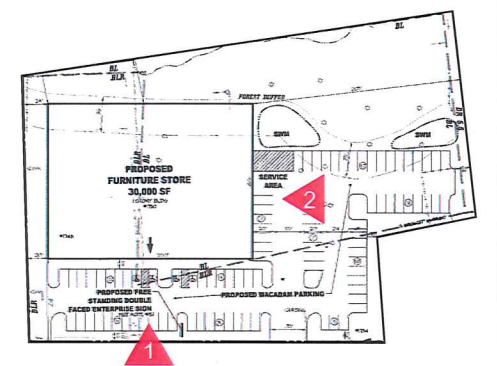
1750 EAST JOPPA ROAD - AREA CONTEXT



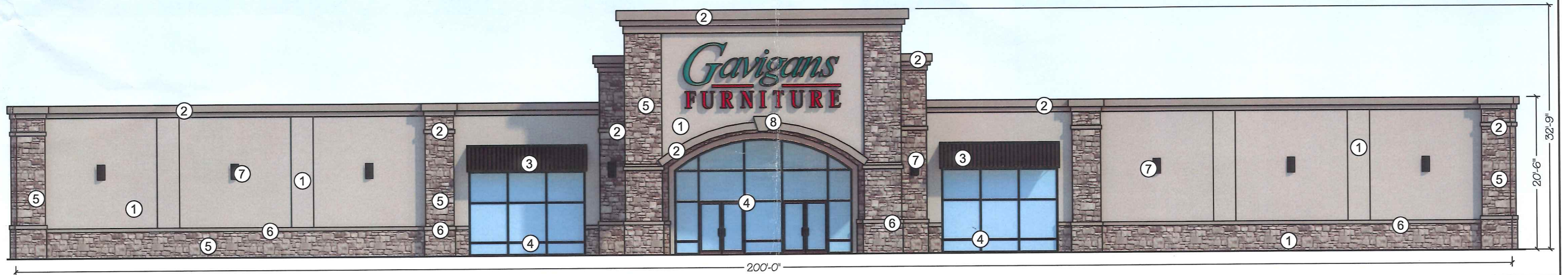
1 Front Elevation



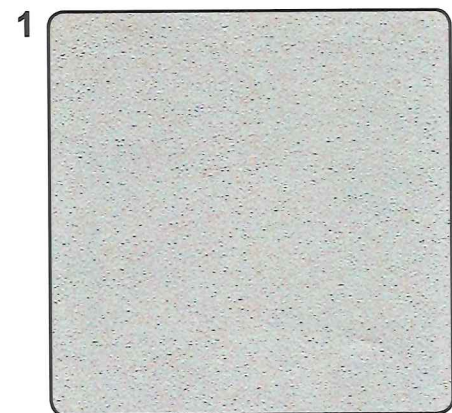
2 Right Elevation



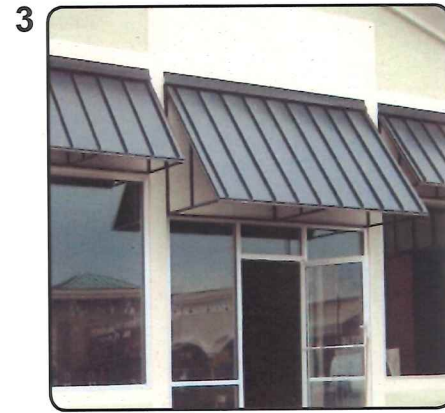
PETITIONER'S EXHIBIT 12



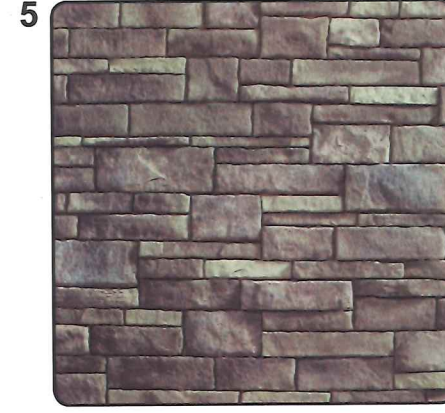
Materials:



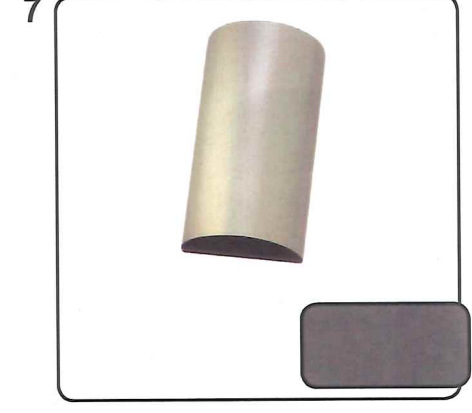
Wall:
Dryvit 632A Gray Smoke



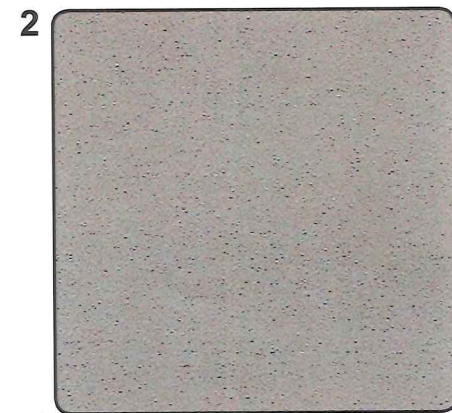
Awnings:
Standing seam metal, black



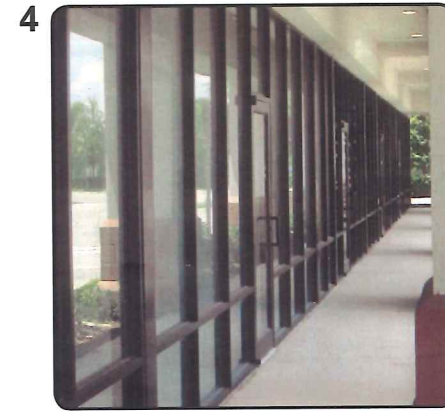
Stone Veneer:
Drystack Limestone, gray



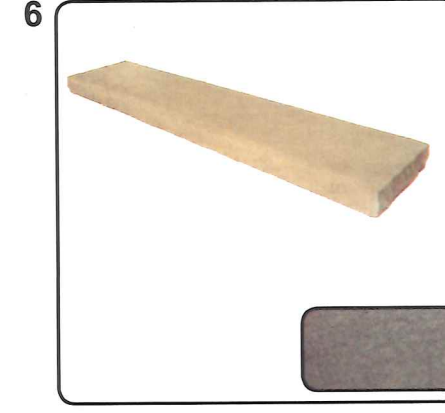
Lighting:
18" up/down light, gun metal



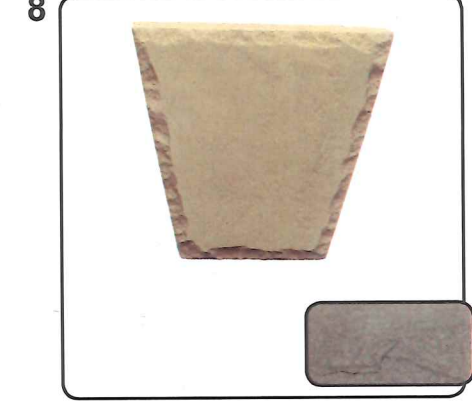
Cornice:
Dryvit 633A Battleship



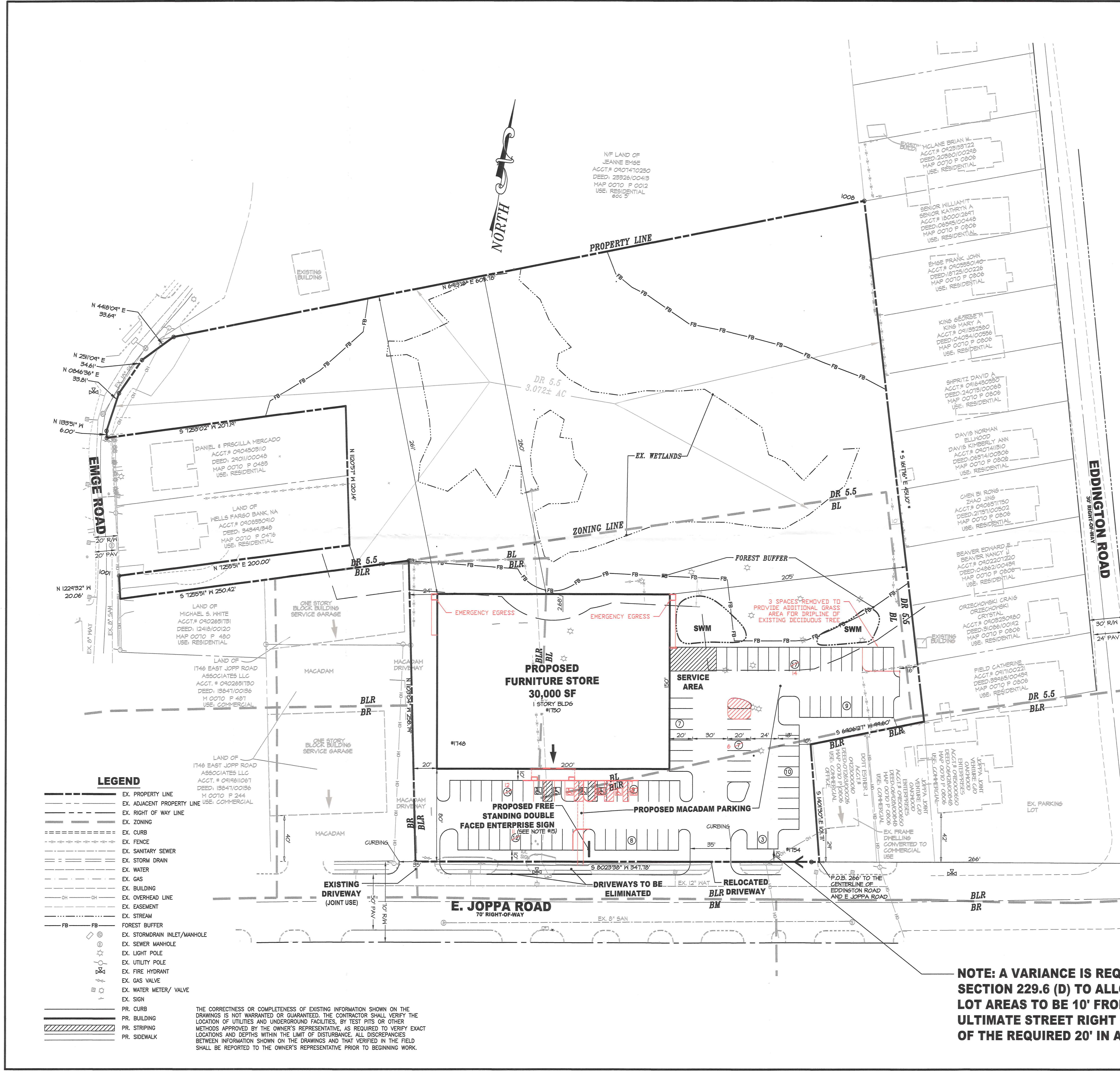
Storefront:
Aluminum storefront system, black



Stone Cap:
Drystack Limestone, gray



Keystone:
Limestone, gray
or Dryvit 633A Battleship



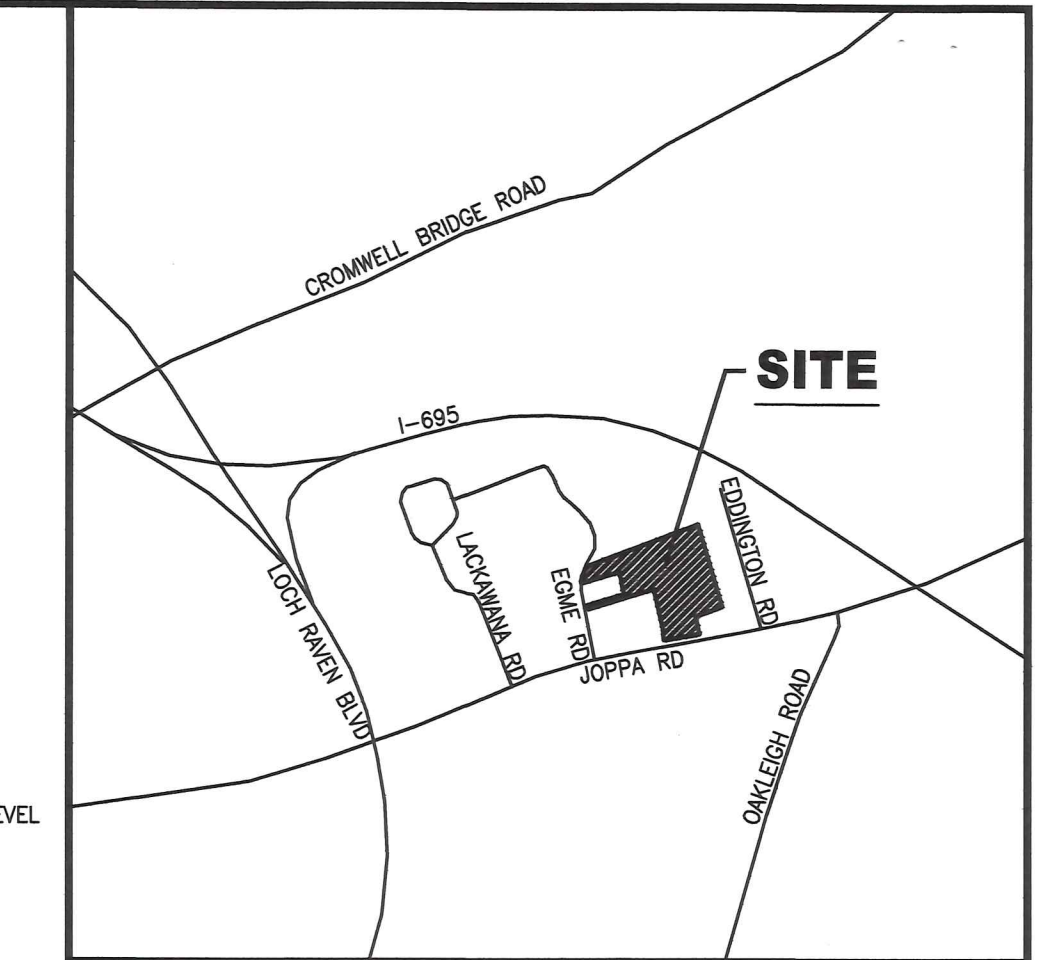
GENERAL NOTES

- OWNER: BSH PROPERTIES LLC
7100 RUTHERFORD RD
BALTIMORE, MD 21244
- SITE DATA:
ADDRESS: 1750 E JOPPA ROAD
BALTIMORE, MD 21234
GROSS AREA: 5.65 AC±
BL, BLR, DR5.5
EXISTING ZONING: 9
COUNCILMANIC DISTRICT: 5
CENSUS TRACT: 491800
WATERSHEDS: LOWER GUNPOWDER FALLS, BACK RIVER
TAX MAP: MAP 0070 GRID 0012
OLD ADC MAP: 2845 / 27K6
PARCEL: 0805, 0247, 0478
TAX ACCOUNT NUMBERS: 0804751891, 0808550150, 0911671861, 0911671860, 0911671860, 0908304360
EX. LAND USE: COMMERCIAL - FURNITURE STORE - 1 LEVEL
PROP. LAND USE: BL 1.513 AC±
BLR 1.020 AC±
BR 0.049 AC±
DR 5.5 3.088 AC±
TOTAL: 5.65 AC±
- ZONING MAP REFERENCE: 070C2
DEED REFERENCES: 35481/00257, 31003/00001, 15884/00384
- FLOOR AREA RATIO:
TOTAL BUILDING AREA: 30,000 SF
30,000 SF / 246,114 SF (5.65 AC) = FAR .12
- PARKING:
REQUIRED: 2.5/1000 SF (30,000 SF / 1000 X 2.5) = 75 PARKING SPACES
PROPOSED: 87 PARKING SPACES
- THIS SITE IS INSIDE URDL AND SERVED BY PUBLIC WATER AND SEWER.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
- THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE IS LOCATED IN A FAILED BASIC SERVICES AREA (TRANSPORTATION). THE DEPARTMENT OF PUBLIC WORKS (DPW) AND THE DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS (PAI) HAVE DETERMINED THAT THE PROPOSED USE WILL GENERATE LESS TRIPS THAN THE PRIOR USE AND NO RELIEF FROM THE BASIC SERVICE MAPS IS REQUIRED.
- THERE ARE NO KNOWN FLOODPLAINS ON THIS SITE (F.E.M.A. PANEL NO. 2400100270F).
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
- THE MAXIMUM BUILDING HEIGHT FOR BLR ZONE SHALL NOT EXCEED 35'.
- THERE ARE NO KNOWN BUILDINGS, PROPERTIES, OR SITES WHICH ARE ON THE MARYLAND HISTORICAL TRUST INVENTORY, BALTIMORE COUNTY LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, OR THE MARYLAND ARCHEOLOGICAL SURVEY.
- ZONING CASES:

#1748	#1750	#1754
2005-0417-SPH	2005-0417-SPH	2005-0417-SPH
R-1974-0066	R-1974-0066	R-1974-0066
R-1972-0198	R-1972-0198	
R-1972-0051-A	R-1972-0051-A	
R-1971-0090	R-1971-0090	R-1971-0090
R-1969-0181-A		
	1966-0007-A	1966-0007-A
R-1964-0134-A	R-1964-0134-A	
	1962-5485-X	1962-5485-X
R-1959-4780	R-1959-4780	

2005-0417-SPH: TO APPROVE PRE-EXISTING NONCONFORMING USE OF A COMMERCIAL BUILDING AND PARKING IN A DR5.5 ZONE - WITHDRAWN/DISMISSED ON 07-14-05.
R-1974-0066: PETITION FOR RECLASSIFICATION FROM DR5.5 TO BM - DISMISSED 10-9-1975.
R-1972-0198: PETITION FOR RECLASSIFICATION FROM DR5.5 TO BR - GRANTED 03-15-1972.
R-1972-0051-A: VARIANCE REQUESTED TO PERMIT A 0' SIDE AND REAR YARD SET BACK IN LIEU OF REQUIRED 30' AND RECLASSIFICATION FROM DR5.5 TO BR - GRANTED 06-26-1972.
R-1971-0090: PETITION FOR RECLASSIFICATION FROM R-6 TO BR AND BL - DISMISSED 10-03-1973.
R-1969-0181-A: PETITION FOR RECLASSIFICATION FROM R-6 TO BR VARIANCE FOR SIDE YARD SETBACK TO 0' IN LIEU OF 30' AND PERMIT 38 PARKING SPACES IN LIEU OF 44 SPACES - GRANTED 02-24-1969.
1966-0007-A: REQUESTED A 16' SIDE YARD INSTEAD OF REQUIRED 30' ON EAST SIDE AND 4' ON WEST SIDE INSTEAD OF REQUIRED 30' - GRANTED JULY 1965.
R-1964-0134-A: VARIANCE REQUESTED TO PERMIT 15' SIDE YARD IN LIEU OF REQUIRED 30', RECLASSIFIED ZONING FROM R-6 TO BR - GRANTED 05-13-64.
1962-5485-X: SPECIAL EXEMPTION FOR ILLUMINATED ADVERTISING STRUCTURE - GRANTED FEBRUARY 1962.
R-1959-4780: PETITION TO REZONE FROM R-6 TO BR - DENIED 11-13-59.
- BUILDING SETBACK TABLE:

	BL (BUSINESS LOCAL) BCZR 232.1 - 232.3	BLR (BUSINESS LOCAL RESTRICTED) BCZR 229.6.B-C
FRONT:	40'	25'
SIDE:	20'	10'
REAR:	20'	261'
- ALL SIGNS SHALL BE IN CONFORMANCE WITH SECTION 450 BCZR OR A PETITION FOR A VARIANCE WILL BE FILED.



VICINITY MAP

SCALE 1" = 1000'

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/91
VERTICAL NAVD 88

NOTE: A VARIANCE IS REQUIRED FROM
SECTION 229.6 (D) TO ALLOW PARKING
LOT AREAS TO BE 10' FROM THE
ULTIMATE STREET RIGHT OF WAY IN LIEU
OF THE REQUIRED 20' IN A BLR ZONE.



MORRIS & RITCHIE ASSOCIATES, INC.
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1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748

MRA.GTA.COM

**PLAN TO ACCOMPANY
VARIANCE PETITION
REDLINE
1750 E. JOPPA ROAD
BALTIMORE, MARYLAND**

9TH ELECTION DISTRICT

5TH COUNCILMANIC DISTRICT

DATE	REVISIONS	JOB NO.:	17121
10-23-15	REVISION	SCALE:	1"= 40'
		DATE:	07/7/2015
		DRAWN BY:	CGM
		DESIGN BY:	WPM
		REVIEW BY:	WPM
		SHEET:	1 OF 1