

MEMORANDUM

DATE: August 18, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0267-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on August 15, 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

IN RE: PETITIONS FOR SPECIAL HEARING *

AND VARIANCE

(12460 Dulaney Valley Road) *

10th Election District

3rd Council District *

12460 Dulaney, LLC

Owner *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0267-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 12460 Dulaney LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R"): (1) To amend the site plan and Order approved in Case No. 1980-100-SPHA; (2) To approve a modified parking plan as more particularly shown on the site plan attached to the Petition for Special Hearing and Variance; (3) To confirm and permit existing and proposed business parking in a residential zone pursuant to B.C.Z.R. § 409.8 and as permitted in Case No. 1980-100-SPHA; (4) To allow non-conforming parking areas in a CR district; (5) To approve the location and setbacks on non-conforming structures; and (6) To permit a catering facility as an accessory use to a permitted standard restaurant use.

In addition, a Petition for Variance seeks: (1) To permit front yard building setbacks as little as zero ft. in lieu of the required 10 ft.; (2) As an alternative to the Petition for Special Hearing, to permit 122 parking spaces in lieu of the required 412 parking spaces; and (3) As an alternative to the Petition for Special Hearing, to permit overflow valet and employee parking to be located on a nondurable and dustless surface in lieu of the durable and dustless surface

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Date

By

7/15/16
Sen

required and to permit a drive aisle as little as 18 ft. in lieu of the required 20 ft. and parking spaces less than 8.5 ft. x 18 ft.

Appearing at the public hearing in support of the requests were Kehar Singh and professional engineer Richard Matz. Lawrence E. Schmidt, Esq. represented the Petitioner. Several area residents attended the hearing to obtain additional information regarding the requests. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP), Bureau of Development Plans Review (DPR) and Department of Environmental Protection and Sustainability (DEPS).

The Peerce's Plantation restaurant is located on the subject property. According to witnesses, this restaurant was something of an institution in this area, and it operated for over 30 years at this location. The restaurant has been closed for over 1 ½ years, and Mr. Singh (who operates several successful restaurants in the Baltimore metro area) has purchased the property and plans to undertake substantial renovations to the existing building and reopen the restaurant, which will again be known as Peerce's Plantation.

While the ownership of the business will change, the restaurant use will continue in largely the same fashion as it has in the past. The vast majority of the work will be on the interior, and while the exterior appearance will be enhanced and updated, the footprint of the restaurant building will not be enlarged. Even so, the existing parking is deficient under the B.C.Z.R., and certain setbacks are also nonconforming. In addition, Petitioner will host weddings and similar events at the restaurant and the zoning office suggested special hearing relief was necessary to approve this as an accessory "catering" use. These, then, are the items for which zoning relief is sought.

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By SEN

SPECIAL HEARING

As noted above, the bulk of the special hearing requests seek to “legitimize” existing nonconforming conditions and setbacks at the site. These conditions have existed for 30+ years, and have not had a detrimental impact upon the community. Two requests pertain to off-street parking, and those will be addressed as variances rather than through the special hearing petition.

The final special hearing request concerns the “catering” that is proposed as an accessory use to the standard restaurant. It is important to note the catering to be offered here will be unlike the operation of a sprawling facility like Martin’s West or similar venues. Petitioner explained he will host weddings, parties and family celebrations at the restaurant. Many restaurants in the Baltimore area provide similar services, and in that regard I believe the use is customary and will contribute to the overall operation of the Peerce’s Plantation restaurant. As such, it qualifies under the Regulations as a valid “accessory use,” and the petition will therefore be granted.

VARIANCE

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).

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By Sen

Petitioner has met this test. The property is irregularly shaped and has three different zoning classifications: RC 6, BL-CR and BL. As such the property is unique. Petitioner would experience practical difficulty if the regulations were strictly interpreted because it would be unable to complete the proposed improvements necessary to operate the restaurant. 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 County and (for the most part) community opposition.

One note is in order regarding variance request No. 2, pertaining to the number of off-street parking spaces required. Mr. Matz explained the County includes in the square footage calculation under B.C.Z.R. §409 all of the patio and outdoor seating areas. Using that formula, 412 spaces are required, which seems quite excessive for a restaurant of this nature. That is especially the case where, as noted by Mr. Singh, the outdoor seating would be utilized for only a few months every year. As such, regardless of the numbers referenced in the Petition, the parking at the restaurant will function in much the same way as it has for the past 30 years, and there is no indication there was ever an overflow or traffic congestion associated with a lack of parking at the facility.

While most of the community members in attendance were supportive of the requests, there was some concern regarding traffic conditions at the site. Specifically, Dulaney Valley Road makes a sharp turn and continues past the site, although there are no stop signs or other traffic calming measures. In addition, the restaurant building has no setback from the front yard property boundary, which arguably impacts the sight lines for motorists. In fact, the building, concrete patio and other structures bordering Dulaney Valley Road encroach upon land owned by Baltimore City, and Petitioner indicated it will soon acquire this land after approval by the City Council. Ex. 9, Council Bill.

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By

Sen

Of course, it would be inequitable to suggest the existing building be razed or relocated. Based on a review of the photographs and Mr. Matz' testimony, I believe a 3-way stop sign at the intersection of Loch Raven Drive and Dulaney Valley Road would improve traffic safety in this area. While the undersigned does not have authority to order such improvements be made, a copy of this Order will be provided to the Baltimore County Department of Public Works (DPW) along with a request they evaluate what, if anything, could be done to improve this intersection.

THEREFORE, IT IS ORDERED this 15th day of **July, 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."): (1) To amend the site plan and Order approved in Case No. 1980-100-SPHA in accordance with the plan (Exhibit 1) submitted in this case; (2) To confirm and permit existing and proposed business parking in a residential zone pursuant to B.C.Z.R. Section 409.8 and as permitted in Case No. 1980-100-SPHA; (3) To allow non-conforming parking areas in a CR district; (4) To approve the location and setbacks on non-conforming structures; and (5) To permit a catering facility as an accessory use to a permitted standard restaurant use, be and is hereby GRANTED.

IT IS FURTHER ORDERED the petition for variance seeking: (1) To permit front yard building setbacks as little as zero ft. in lieu of the required 10 ft.; (2) To permit 122 parking spaces in lieu of the required 412 parking spaces; and (3) To permit overflow valet and employee parking to be located on a nondurable and dustless surface in lieu of the durable and dustless surface required and to permit a drive aisle as little as 18 ft. in lieu of the required 20 ft. and parking spaces less than 8.5 ft. x 18 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware

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Date 7/15/16

By Den

that proceeding at this time is at its 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. Petitioners must comply with the ZAC comments of the DEPS and DPR, copies of which are attached hereto.
3. Prior to issuance of permits Petitioner must submit for approval by the DOP elevations of the building facades adjacent to Dulaney Valley Road.

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 7/15/16

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 12460 Dulaney Valley Rd. which is presently zoned BL & BL-CR
Deed References: 36279/261 10 Digit Tax Account # 2500006006
Property Owner(s) Printed Name(s) 12460 Dulaney LLC

(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

Please see attached.

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

3. ☒ a **Variance** from Section(s)

Please 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:

Name- Type or Print

☒

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners): Authorized Representative

Keir Singh of 12460 Dulaney LLC

Name #1 - Type or Print

Name #2 - Type or Print

☒

Signature #1

Signature #2

6208 Mossway Baltimore MD

Mailing Address City State

21212 (410) 961-4878 Keirbas1@yahoo.com

Zip Code Telephone # Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code Telephone # Email Address

CASE NUMBER 2016-0267-SPHA Filing Date 4/29/16

Do Not Schedule Dates: 7/15/16 Reviewer JF

Date 7/15/16 REV. 10/4/11

By Sen

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ATTACHMENT TO PETITION FOR SPECIAL HEARING AND VARIANCE

12460 Dulaney Valley Road
3rd Councilmanic District
10th Election District

Special Hearing Relief:

1. To amend the site plan and order approved in Case Number 1980-100-SPHA;
2. To approve a modified parking plan pursuant to Baltimore County Zoning Regulations ("BCZR") § 409.12, to allow existing parking areas as landscaped configured, proposed parking on a surface that is not durable and dustless and parking areas, the configuration thereof and the number of parking spaces provided all as more particularly shown on the site plan attached to the Petition for Special Hearing and Variance.
3. To confirm and permit existing and proposed business parking in a residential zone pursuant to BCZR § 409.8.B and as permitted in Case Number 1980-100-SPHA;
4. To allow nonconforming parking areas in a CR district pursuant to BCZR § 104 and § 259.C.3 and § 259.C.4;
5. To approve the location and setbacks on nonconforming structures pursuant to BCZR § 104;
6. To permit a catering facility as an accessory use to a permitted standard restaurant use; and
7. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Variance Relief:

1. To permit front yard building setbacks as little as zero feet in lieu of the required 10 feet by BCZR § 232.1;
2. As an alternative to the Petition for Special Hearing, to permit 122 parking spaces in lieu of the required 412 parking spaces pursuant to BCZR § 409.6;
3. As an alternative to the Petition for Special Hearing, to permit overflow valet and employee parking to be located on a nondurable and dustless surface in lieu of the durable and dustless surface required pursuant BCZR § 409.8.A.2 and to permit a drive aisle as little as 18 feet in lieu of the required 20 feet and parking spaces less than 8.5 feet x 18 feet per BCZR § 409.8.A.1; and
4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.



~~12460~~ ¹²⁴~~1240~~ **ZONING DESCRIPTION**
Dulaney Valley Road
Baltimore County, Maryland
April 25, 2016

Beginning at the North corner of the intersection of the Northwest side of Dulaney Valley Road, which is 40 feet wide, with the Northeast side of Lochraven Drive, 40 feet wide, and thence running with and binding on the Northwest side of Dulaney Valley Road

1. North 21 degrees 21 minutes 28 seconds East 666.60 feet, thence leaving the Northwest side of said Dulaney Valley Road,
2. North 68 degrees 38 minutes 31 seconds West 153.43 feet,
3. South 30 degrees 48 minutes 58 seconds West 196.73 feet,
4. South 59 degrees 10 minutes 53 seconds East 15.00 feet,
5. South 30 degrees 48 minutes 58 seconds West 435.60 feet, to the North side of the aforesaid Dulaney Valley Road, thence running with and binding on the Northeast side of said Road as now established,
6. Southeasterly by a curve to the right having a radius of 625.00 feet, for an arc length of 196.47 feet, the chord of said arc bearing South 49 degrees 41 minutes 09 seconds East 195.66 feet,
7. Southeasterly by a curve to the left having a radius of 56.00 feet, for an arc length of 50.14 feet, the chord of said arc bearing South 66 degrees 19 minutes 48 seconds East 48.48 feet,
8. Northeasterly by a curve to the left having a radius of 15.00 feet, for an arc length of 17.45 feet, the chord of said arc bearing North 54 degrees 14 minutes 21 seconds East 16.48 feet,

9. North 21 degrees 21 minutes 28 seconds East 11.34 feet to the place of beginning.

Containing 3.008 Acres more or less.

Located in the 3rd Election District and 10th Councilmanic District.
Known as 1240 Dulaney Valley Road.



APRIL 28, 2016

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203 Expiration Date: 11/02/2016



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 4258336

Sold To:

Lawrence Schmidt - CU00544744
600 Washington Ave
Ste 200
Towson, MD 21204-1301

Bill To:

Lawrence Schmidt - CU00544744
600 Washington Ave
Ste 200
Towson, MD 21204-1301

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

Jun 21, 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: # 2016-0267-SPHA
12460 Dulane Valley Road
N/corner of intersection of the NW corner of Dulane Valley Road and Loch Raven Drive
10th Election District - 3rd Councilmanic District
Legal Owners: Keir Singh, Authorized Representative of 12460 Dulane, LLC

SPECIAL HEARING: 1. To amend the site plan and order approved in Case Number 1980-100-SPHA; 2. To approve a modified parking plan, to allow existing parking areas as landscaped configured, proposed parking on a surface that is nondurable and dustless and parking areas, the configuration thereof and the number of parking spaces provided all as more particularly shown on the site plan attached to the Petition for Special Hearing and Variance; 3. To confirm and permit existing and proposed business parking in a residential zone pursuant to BC2R section 409.8 and as permitted in Case Number 1980-100-SPHA; 4. To allow non-conforming parking areas in a CR district; 5. To approve the location and setbacks on non-conforming structures; 6. To permit a catering facility as an accessory use to a permitted standard restaurant use; 7. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

VARIANCE: 1. To permit front yard building setbacks as little as zero ft. in lieu of the required 10 ft.; 2. As an alternative to the Petition for Special Hearing, to permit 122 parking spaces in lieu of the required 412 parking spaces; 3. As an alternative to the Petition for Special Hearing, to permit overflow valet and employee parking to be located on a nondurable and dustless surface in lieu of the durable and dustless surface required and to permit a drive aisle as little as 18 ft. in lieu of the required 20 ft. and parking spaces less than 8.5 ft. x 18 ft.; 4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, July 11, 2016 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.

IT 6/27 June 21 4258336

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/20/2016

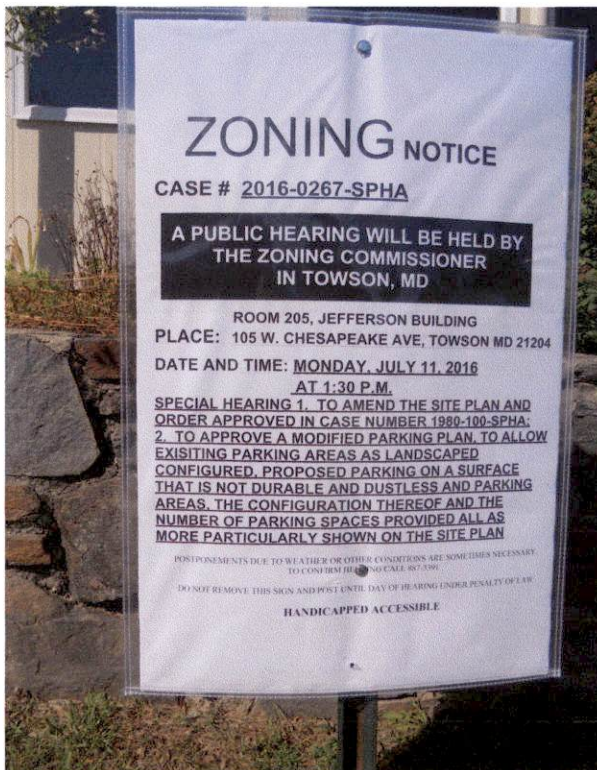
Case Number: 2016-0267-SPHA

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~ KEIR SINGH

Date of Hearing (Closing): JULY 11, 2016

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
12460 DULANEY VALLEY ROAD

The sign(s) were posted on: JUNE 19, 2016



SIGN # (A)

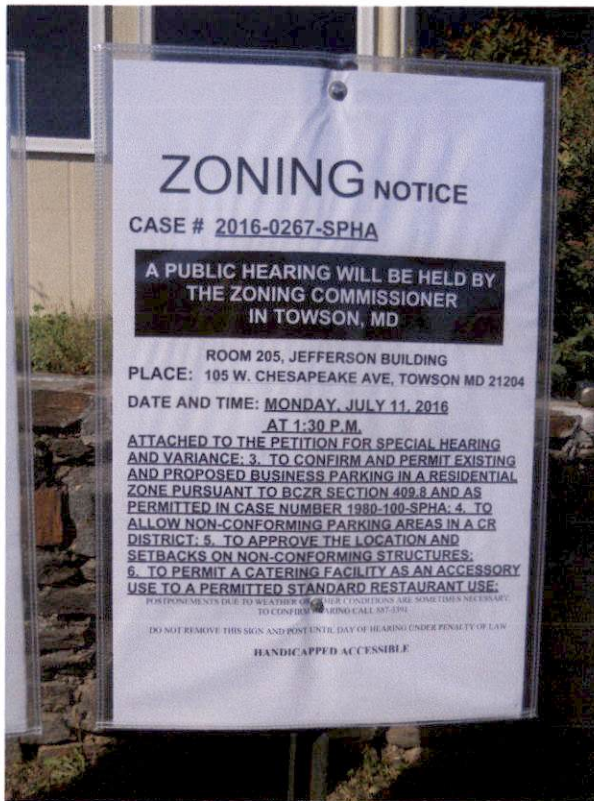
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

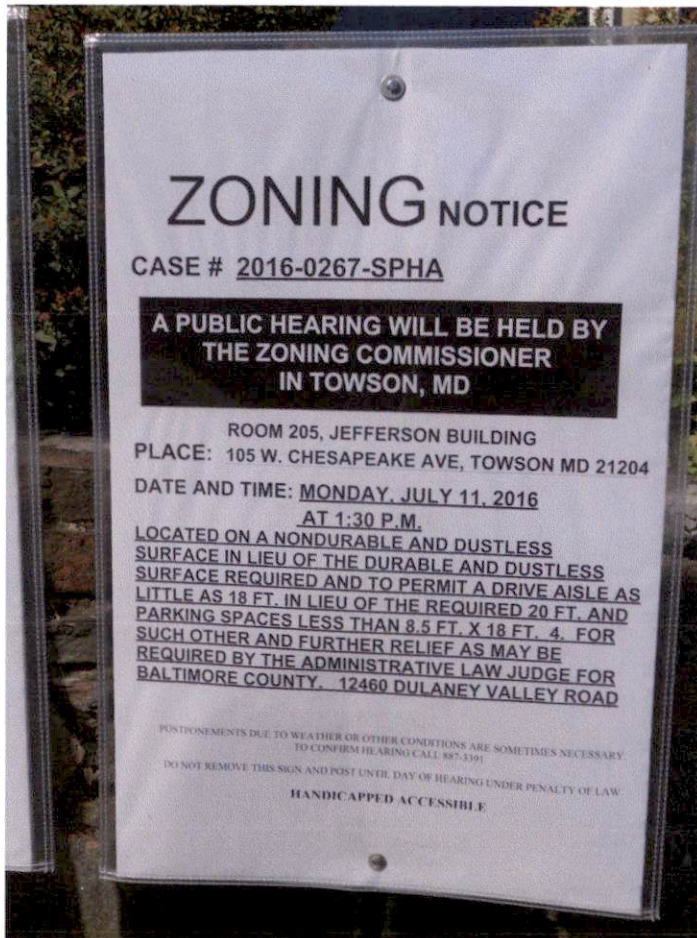
410 - 666 - 5366
(Telephone Number of Sign Poster)



SIGN # (B)



SIGN # (C)



SIGN # (D)



GROUP PHOTO 12460 DULANEY VALLEY RD.



June 1, 2016

KEVIN KAMENETZ
County Executive

NOTICE OF ZONING HEARING

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

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: 2016-0267-SPHA

12460 Dulaney Valley Road

N/corner of intersection of the NW corner of Dulaney Valley Road and Loch Raven Drive

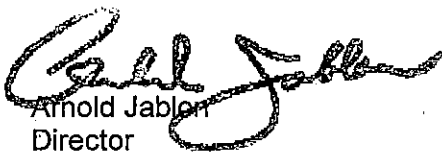
10th Election District – 3rd Councilmanic District

Legal Owners: Keir Singh, Authorized Representative of 12460 Dulaney LLC

Special Hearing 1. To amend the site plan and order approved in Case Number 1980-100-SPHA; 2. To approve a modified parking plan, to allow existing parking areas as landscaped configured, proposed parking on a surface that is not durable and dustless and parking areas, the configuration thereof and the number of parking spaces provided all as more particularly shown on the site plan attached to the Petition for Special Hearing and Variance; 3. To confirm and permit existing and proposed business parking in a residential zone pursuant to BCZR section 409.8 and as permitted in Case Number 1980-100-SPHA; 4. To allow non-conforming parking areas in a CR district; 5. To approve the location and setbacks on non-conforming structures; 6. To permit a catering facility as an accessory use to a permitted standard restaurant use; 7. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Variance 1. To permit front yard building setbacks as little as zero ft. in lieu of the required 10 ft.; 2. As an alternative to the Petition for Special Hearing, to permit 122 parking spaces in lieu of the required 412 parking spaces; 3. As an alternative to the Petition for Special Hearing, to permit overflow valet and employee parking to be located on a nondurable and dustless surface in lieu of the durable and dustless surface required and to permit a drive aisle as little as 18 ft. in lieu of the required 20 ft. and parking spaces less than 8.5 ft. x 18 ft. 4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, July 11, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Keir Singh, 6208 Massway, Baltimore 21212

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 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: PATUXENT PUBLISHING COMPANY
Tuesday, June 21, 2016 Issue - Jeffersonian

Please forward billing to:

Lawrence Schmidt
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2016-0267-SPHA

12460 Dulaney Valley Road

N/corner of intersection of the NW corner of Dulaney Valley Road and Loch Raven Drive

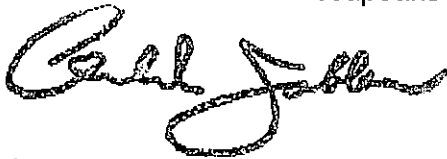
10th Election District – 3rd Councilmanic District

Legal Owners: Keir Singh, Authorized Representative of 12460 Dulaney LLC

Special Hearing 1. To amend the site plan and order approved in Case Number 1980-100-SPHA; 2. To approve a modified parking plan, to allow existing parking areas as landscaped configured, proposed parking on a surface that is not durable and dustless and parking areas, the configuration thereof and the number of parking spaces provided all as more particularly shown on the site plan attached to the Petition for Special Hearing and Variance; 3. To confirm and permit existing and proposed business parking in a residential zone pursuant to BCZR section 409.8 and as permitted in Case Number 1980-100-SPHA; 4. To allow non-conforming parking areas in a CR district; 5. To approve the location and setbacks on non-conforming structures; 6. To permit a catering facility as an accessory use to a permitted standard restaurant use; 7. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Variance 1. To permit front yard building setbacks as little as zero ft. in lieu of the required 10 ft.; 2. As an alternative to the Petition for Special Hearing, to permit 122 parking spaces in lieu of the required 412 parking spaces; 3. As an alternative to the Petition for Special Hearing, to permit overflow valet and employee parking to be located on a nondurable and dustless surface in lieu of the durable and dustless surface required and to permit a drive aisle as little as 18 ft. in lieu of the required 20 ft. and parking spaces less than 8.5 ft. x 18 ft. 4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, July 11, 2016 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE
12460 Dulaney Valley Rd; N of NW/S Dulaney* OF ADMINISTRATIVE
Valley Road & NE/S Loch Raven Drive
10th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): 12460 Dulaney LLC *
Petitioner(s) * BALTIMORE COUNTY
* 2016-267-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

MAY 04 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of May, 2016, a copy of the foregoing Entry of Appearance was mailed to Lawrence E. Schmidt, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2016-0267-JPHA

Property Address: 12460 Dulaney Valley Road

Property Description: _____

Legal Owners (Petitioners): 12460 Dulaney LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt, Esquire

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 5/20/2014

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

No. 139223

Date: 4/27/16

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
5/02/2016 4/29/2016 14:12:29 3

REC 4503 WALKIN CHET CAN
>> RECEIPT # 678005 4/29/2016 OFLN

Dept 5 528 ZIRING VERIFICATION
CR NO. 139223

Recpt Tot \$1,000.00
\$1,000.00 - CK \$1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6152				1,000.00

Total: 1,000.00

Rec From: Smith, Gilda & Schmitt LLC

For: SPN & A 2016 - 0267 - SPNA

DISTRIBUTION

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

CASHIER'S
VALIDATION

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: May 9, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0267-SPHA
Address 12460 Dulaney Valley Road
(Singh Property)

Zoning Advisory Committee Meeting of May 9, 2016.

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

1. Ground Water Management must review proposals which would change any water usage, food service, etc., since the facility is served by private well and septic.

Reviewer: Dan Esser Date: 5/6/16

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

SUBJECT: Zoning Advisory Committee Meeting
For May 9, 2016
Item No. 2016-0267

DATE: May 19, 2016

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

A Landscape Plan is required to be approved prior to any permit issuance.

*

*

*

*

*

*

DAK:CEN
cc:file

ZAC-ITEM NO 16-0267-05092016.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



7-11
RECEIVED

MAY 10 2016

OFFICE OF ADMINISTRATIVE HEARINGS

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: May 9, 2016

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Reviewer: Dan Esser

Date: 5/6/16

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



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

Date: 5/5/16

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. 2016-0267-SPHA

Special Hearing Variance -
12460 Dulaney LLC, Keir Singh
12460 Dulaney Valley Road.

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,

A handwritten signature in blue ink, appearing to read "Wendy Wolcott".

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

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

7-11-16
1:30 PM

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: July 8, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-267

RECEIVED

JUL 11 2016

INFORMATION:

Property Address: 12460 Dulaney Valley Road
Petitioner: Keir Singh
Zoning: BL
Requested Action: Special Hearing, Variance

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an amendment to the site plan and order approved in Case Number 1980-100-SPHA; approve a modified parking plan; to confirm and permit existing and proposed business parking in a residential zone; to allow nonconforming parking areas in a CR district; to approve the location and setbacks on nonconforming structures and to permit a catering facility as an accessory use to a permitted standard restaurant use.

The Department also reviewed the petition for variance to permit front yard building setbacks as little as 0 feet, 122 parking spaces, parking to be located on a nondurable and dustless surface, a drive aisle as little as 18 feet and parking spaces less than 8.5 feet x 18 feet in lieu of the required 10 feet, 412 parking spaces, durable surface, 20 feet and 8.5 feet x 18 feet respectively.

From the intersection that portion of Dulaney Valley Road traveling northwesterly is a Baltimore County Scenic Route and State Scenic Route while that portion traveling northeasterly is a State Scenic Route. The Department recommends that the architectural detailing proposed for those façades closest to Dulaney Valley Road and subject of the variance is contrary to the characteristics that define the aesthetic qualities of a scenic route as found in the Comprehensive Manual of Development Policies. Due to its immediate proximity to the route, thereby precluding any mitigation through the use of landscaping, the building has an undue visual impact that presents a distraction being out of harmony with the scenic landscape.

The Department of Planning has met with Petitioner's representatives who have expressed a willingness to refine the proposed architecture.

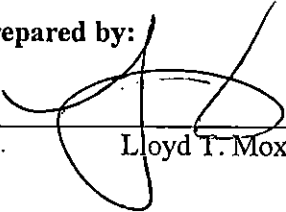
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Revised architectural elevations addressing those building facades adjacent to Dulaney Valley Road must be submitted to the Department of Planning in care of the contact person listed below for approval prior to the issuance of any building permits.

Date: July 8, 2016
Subject: ZAC #16-267
Page 2

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
Lawrence E. Schmidt, Esq., Smith, Gildea & Schmidt
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



7-11
RECEIVED

MAY 10 2016

OFFICE OF ADMINISTRATIVE HEARINGS

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: May 9, 2016

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Reviewer: Dan Esser Date: 5/6/16

ORDER RECEIVED FOR FILING

Date 7/15/16

By Sen

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

SUBJECT: Zoning Advisory Committee Meeting
For May 9, 2016
Item No. 2016-0267

DATE: May 19, 2016

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

A Landscape Plan is required to be approved prior to any permit issuance.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0267-05092016.doc

ORDER RECEIVED FOR FILING

Date 7/15/16
By Sen

CASE NAME Pearce
CASE NUMBER 2016-267-SP11A
DATE 7/4/16

CASE NAME Pearce
CASE NUMBER 2016-267-SP11A
DATE 7/4/16

[illegible]

PLEASE PRINT CLEARLY

C. TIZEN'S

CASE NAME _____
CASE NUMBER 2016-267
DATE 7-11-16

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

[illegible]

Case No.: 2016-267-SPHA

Exhibit Sheet

Petitioner/Developer

8-18-16

Protestant

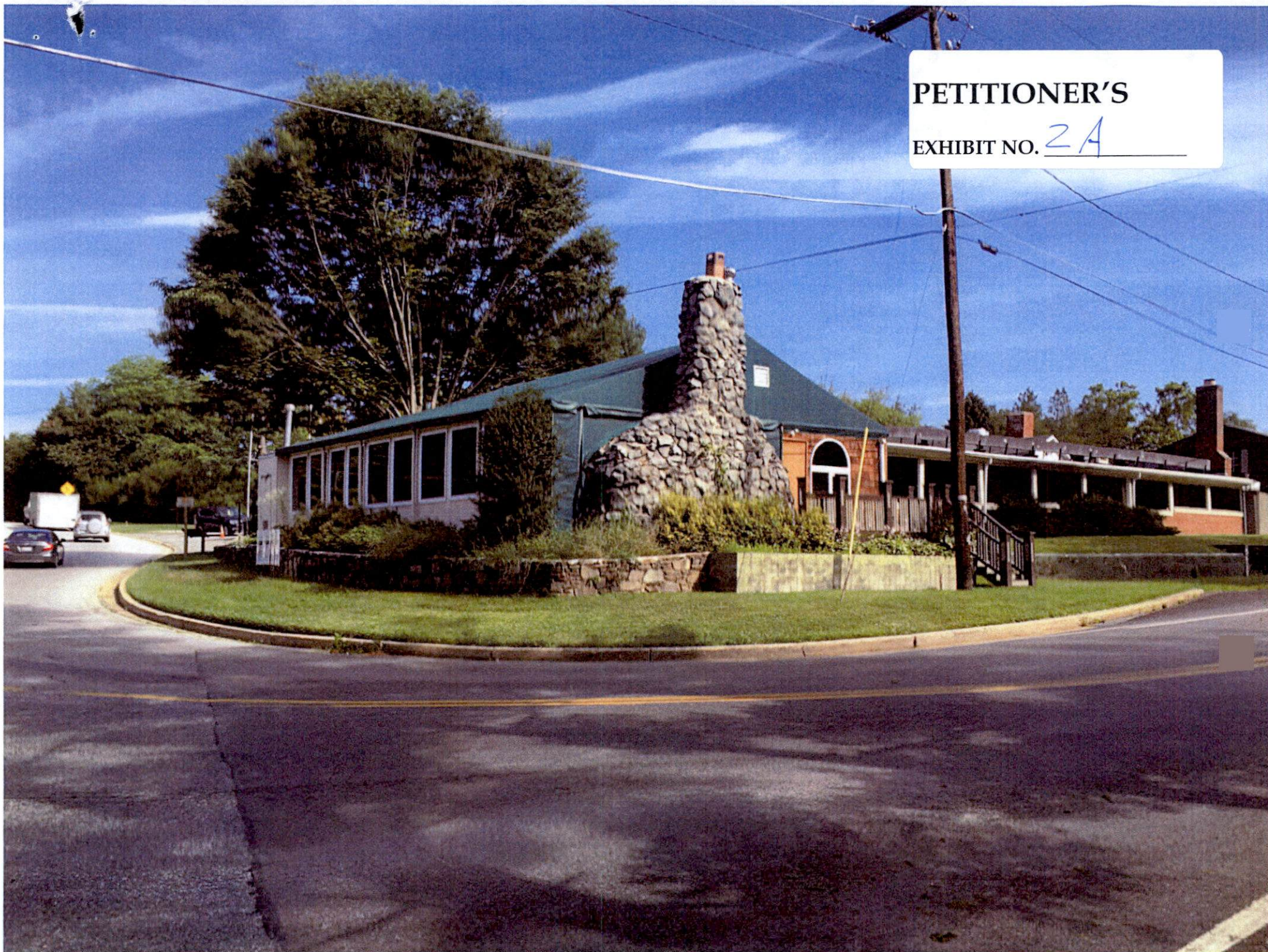
Sen
7-15-16

No. 1	Plan	
No. 2	Photos (A-M)	
No. 3	Photos (A-E)	
No. 4	Photos (A-K)	
No. 5	Photos (A-F)	
No. 6	Photos (A-E)	
No. 7	My Neighborhood Aerial	
No. 8	Order in No. 80-100	
No. 9	City Council Bill	
No. 10	Dev. Plan - Peerze's Plantation	
No. 11	Plat - Peerze's Plantation	
No. 12	Elevations	

No. 13 | Boundary + Topo Worksheet

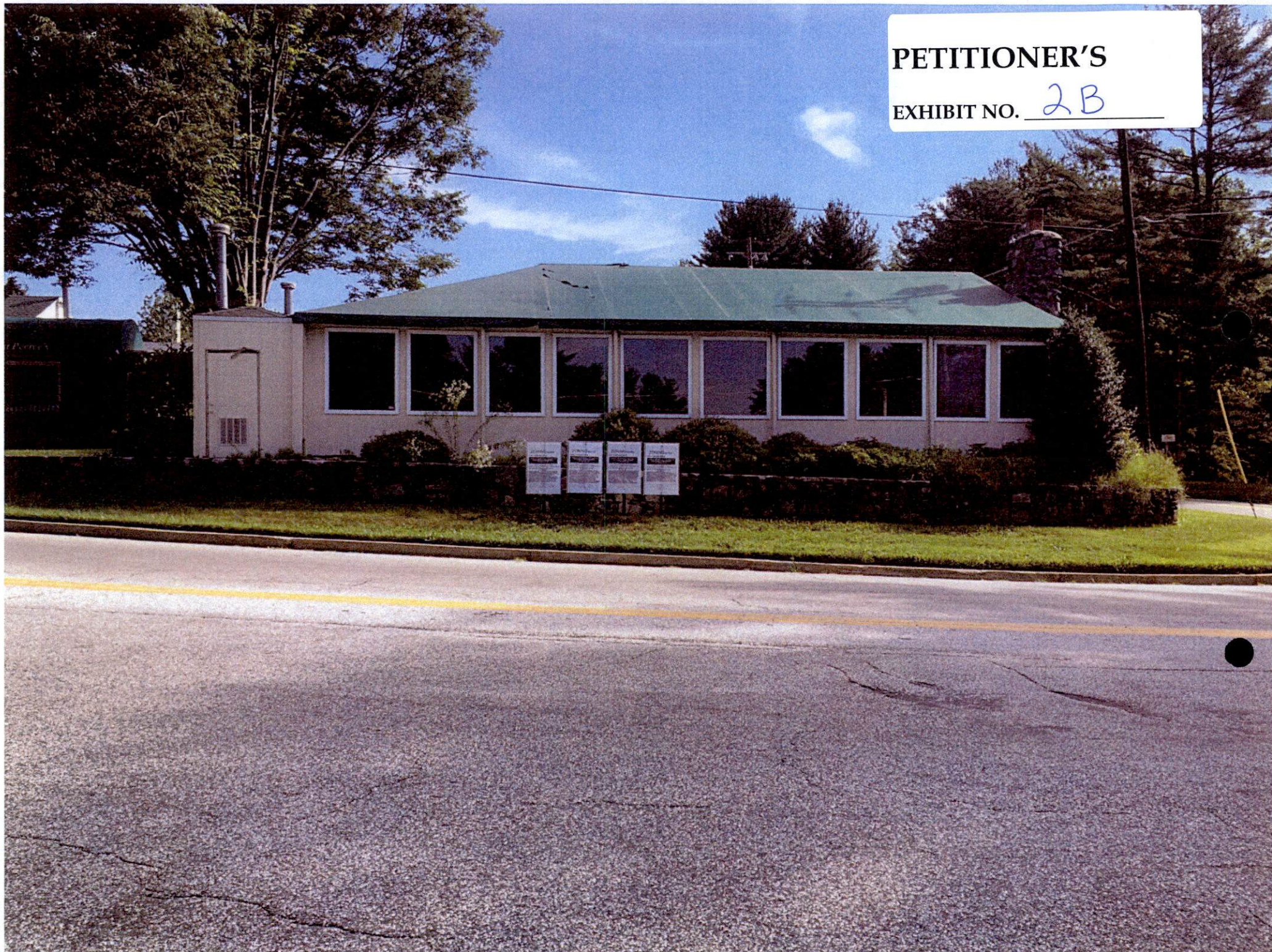
PETITIONER'S

EXHIBIT NO. 2A



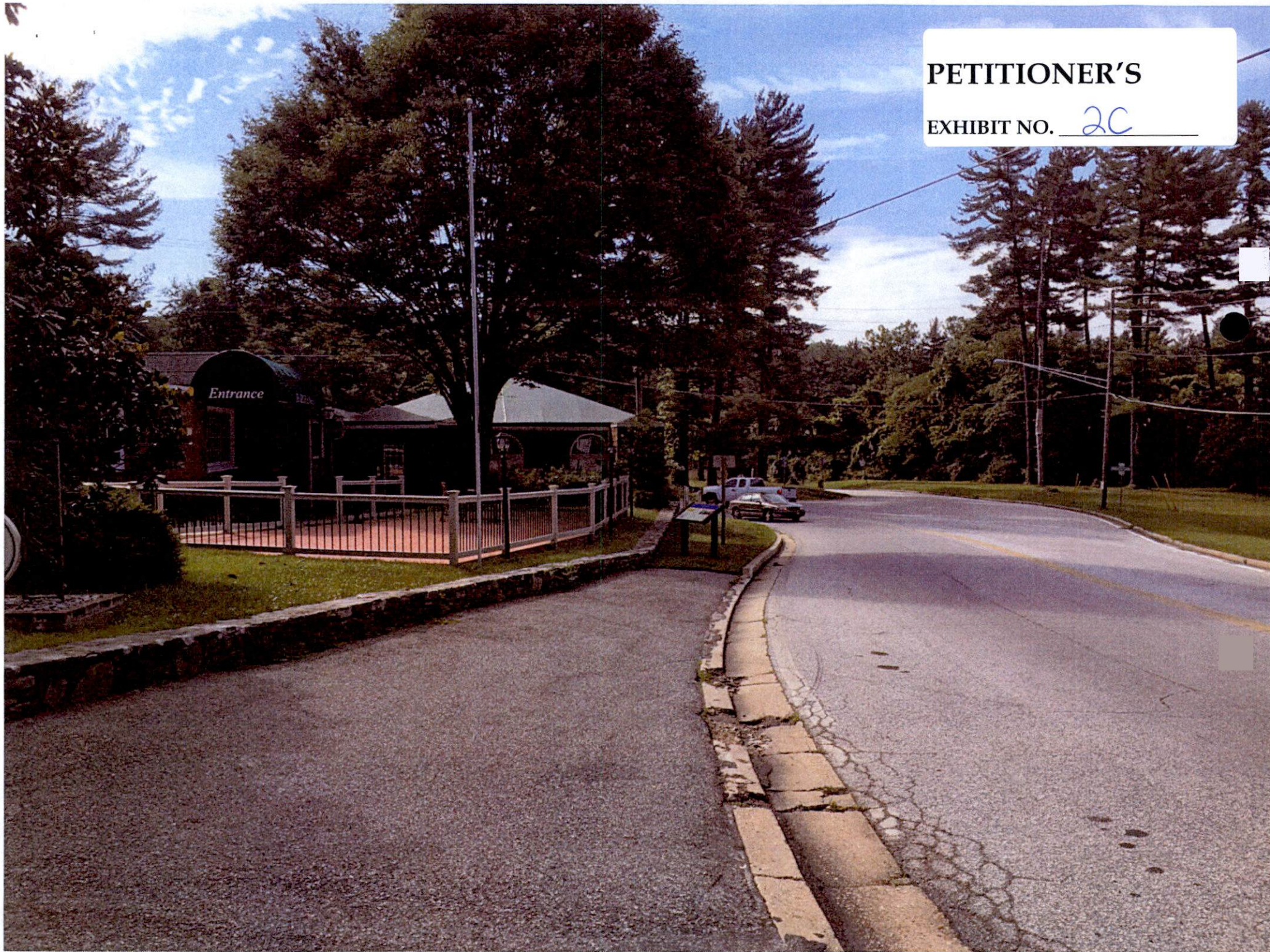
PETITIONER'S

EXHIBIT NO. 2B



PETITIONER'S

EXHIBIT NO. 2C



PETITIONER'S

EXHIBIT NO. 2D

← Loch Raven DR

Dulaney Valley Rd

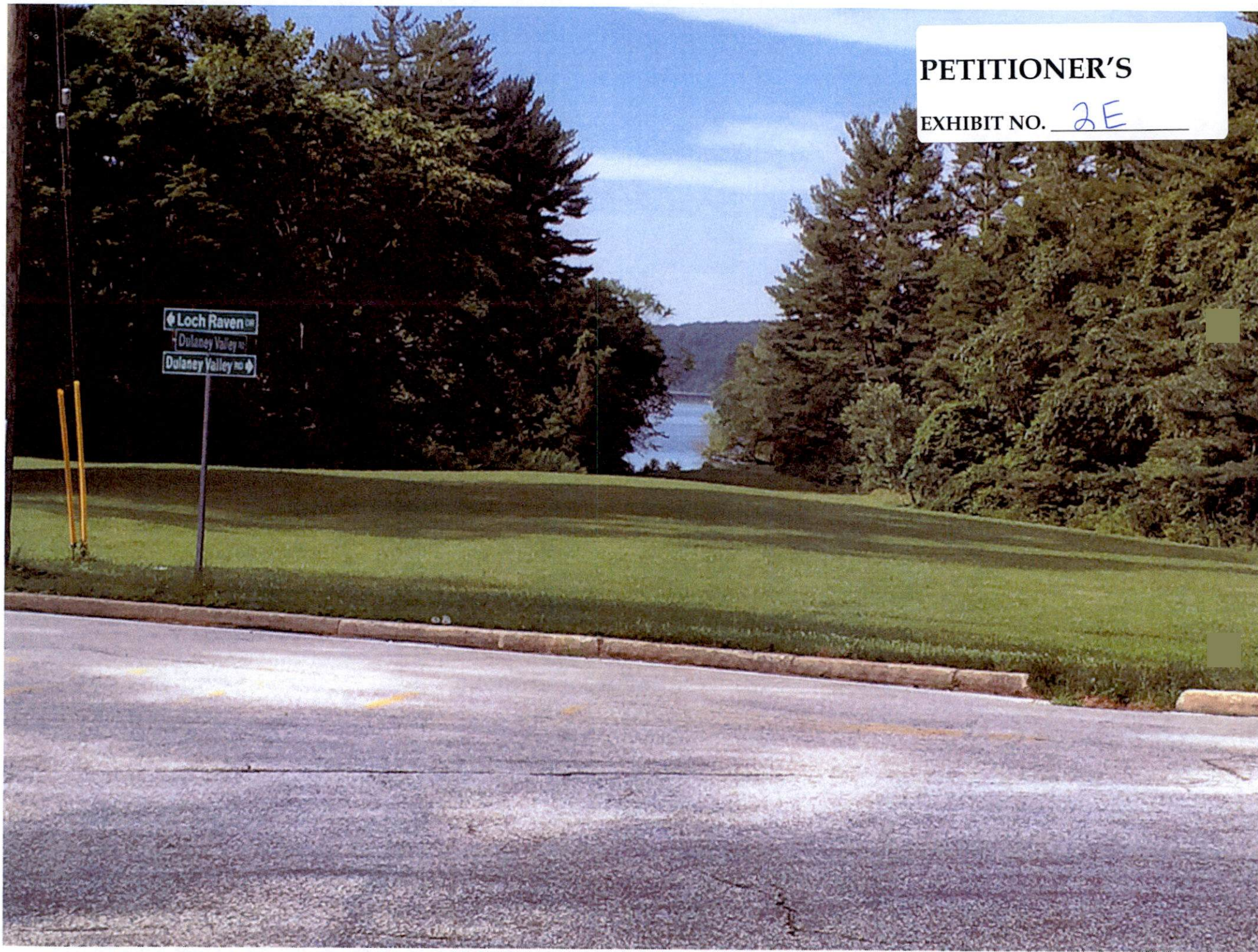
Dulaney Valley RD →

NO
PARKING
ANY
TIME
→

PETITIONER'S

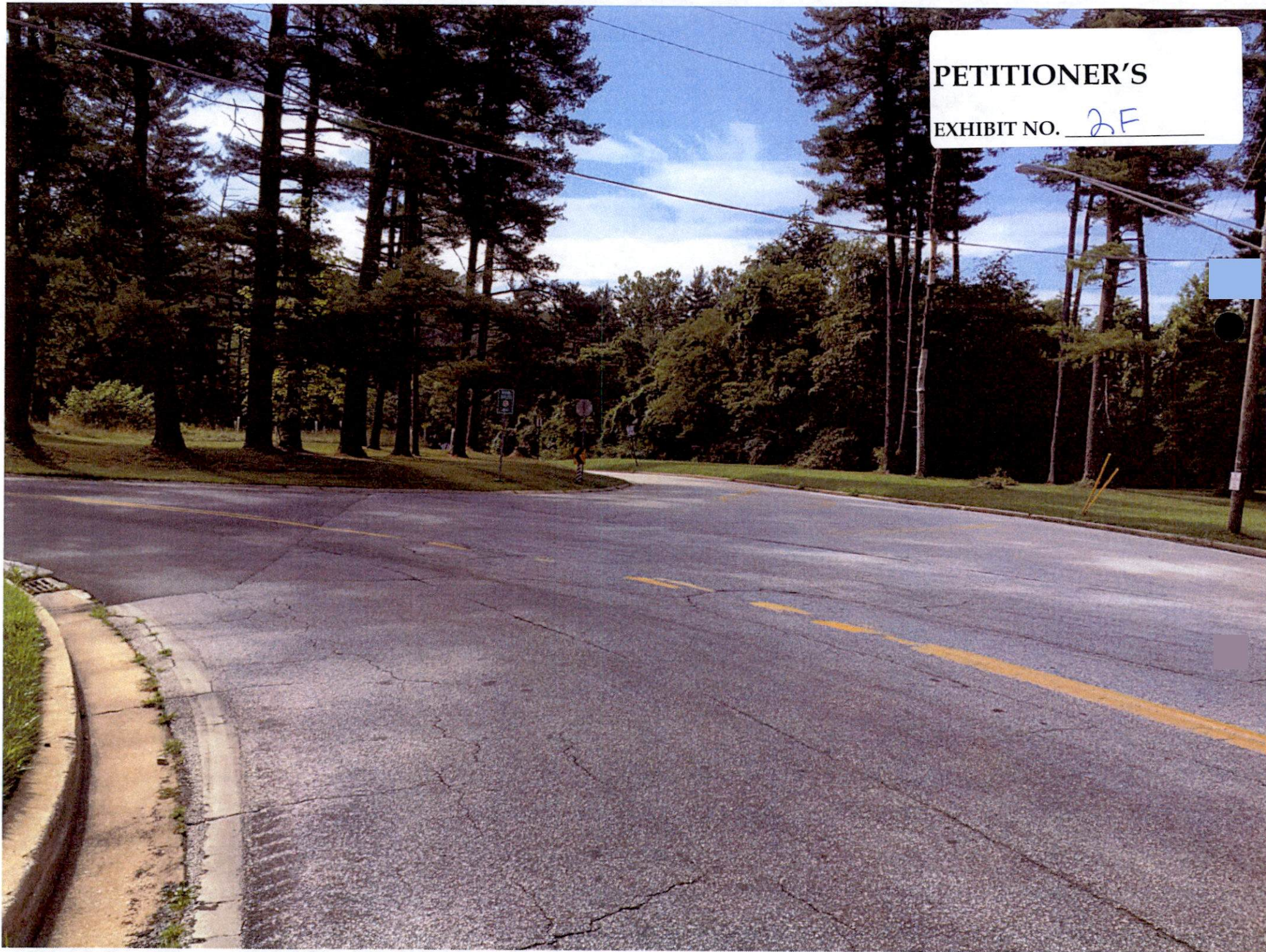
EXHIBIT NO. 2E

Loch Raven CR
Dulaney Valley RD
Dulaney Valley RD



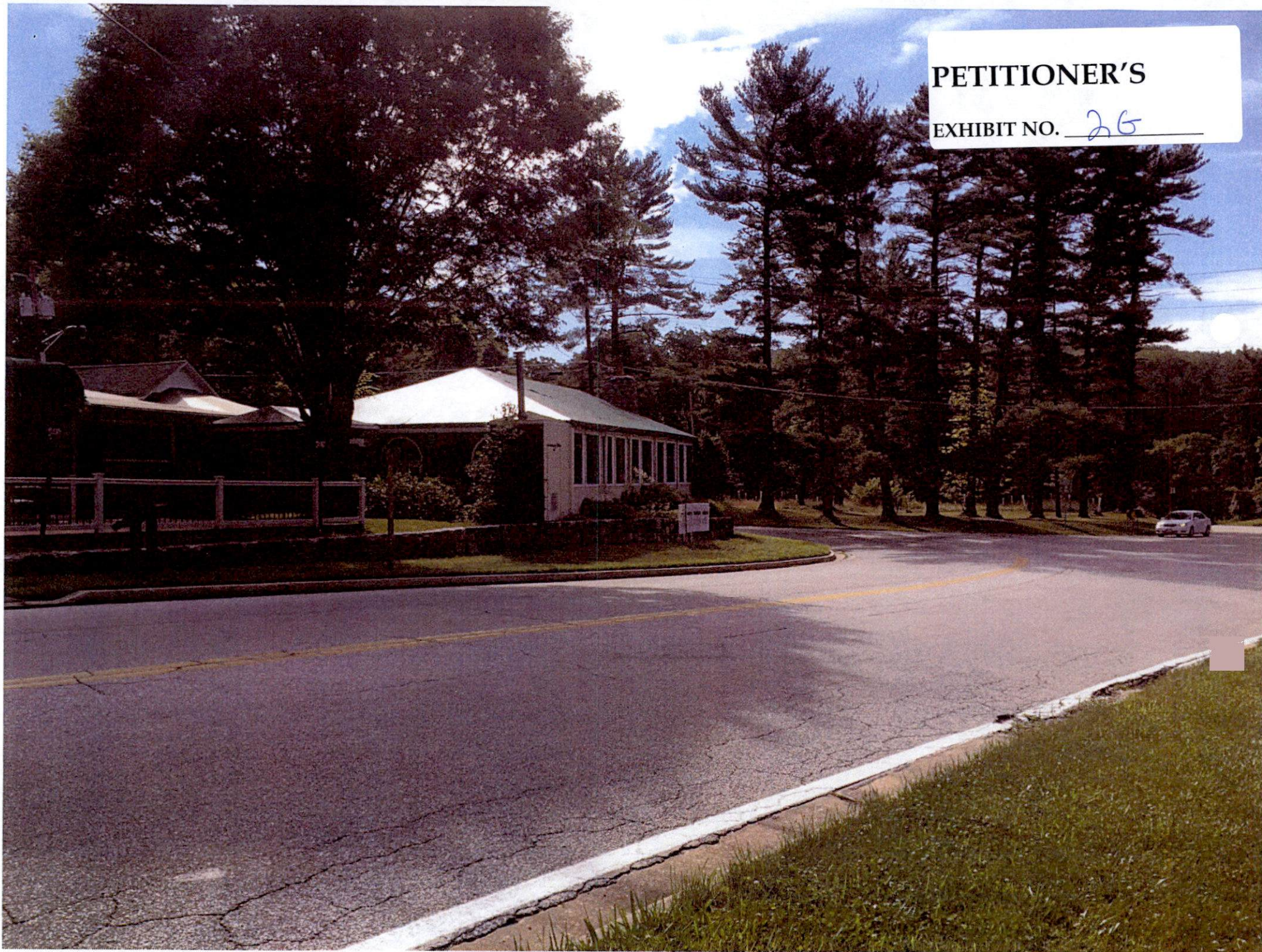
PETITIONER'S

EXHIBIT NO. 2F



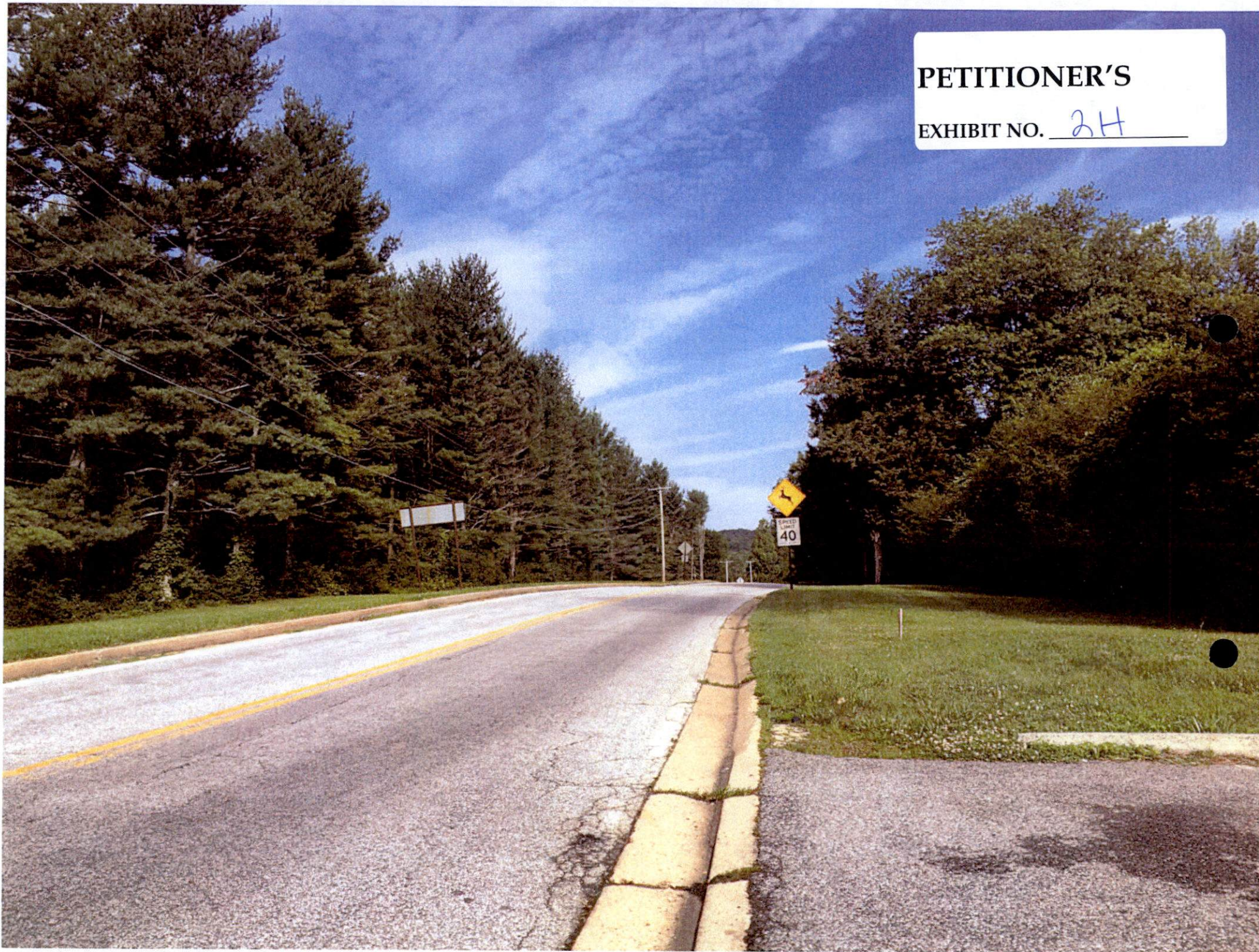
PETITIONER'S

EXHIBIT NO. 26



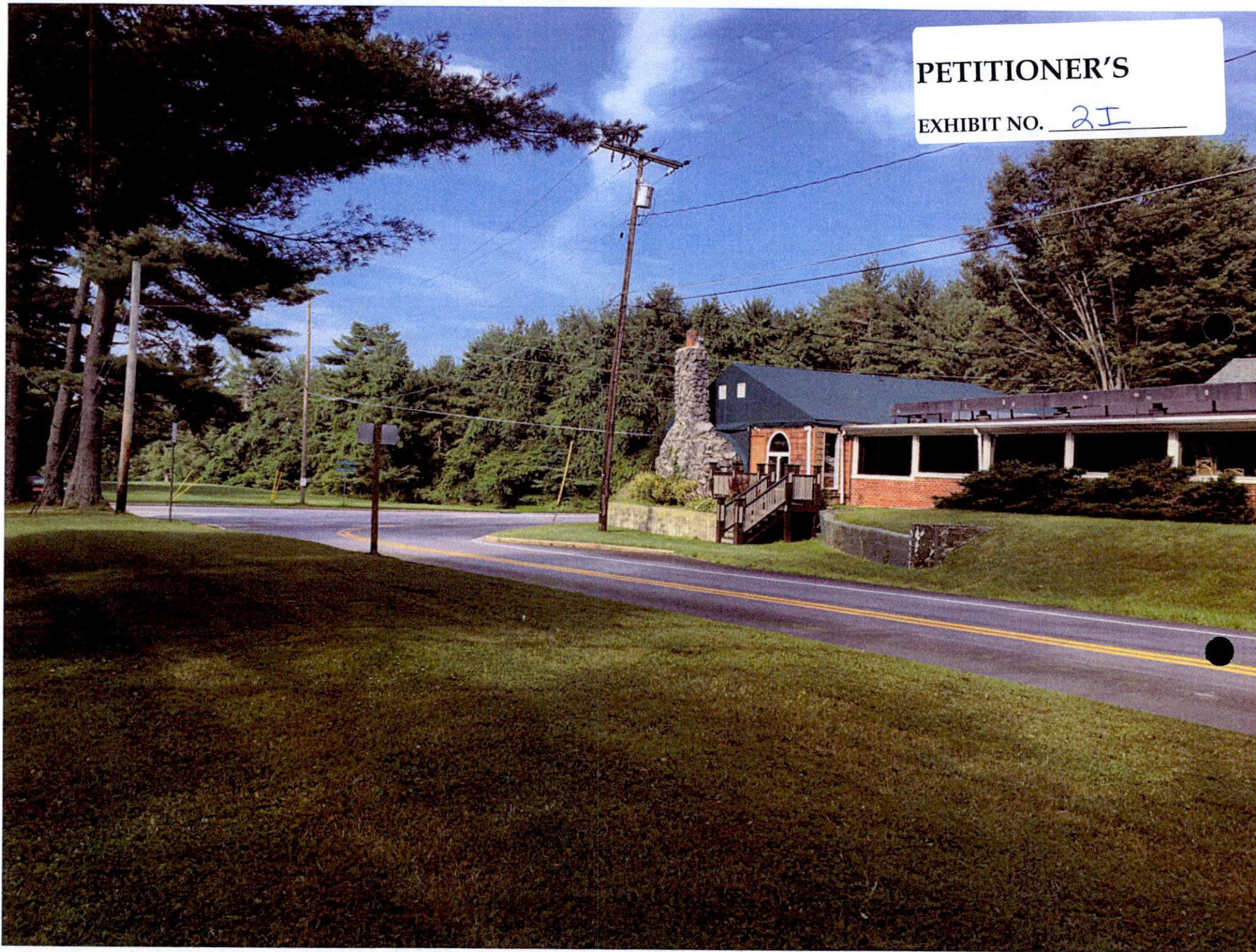
PETITIONER'S

EXHIBIT NO. 24



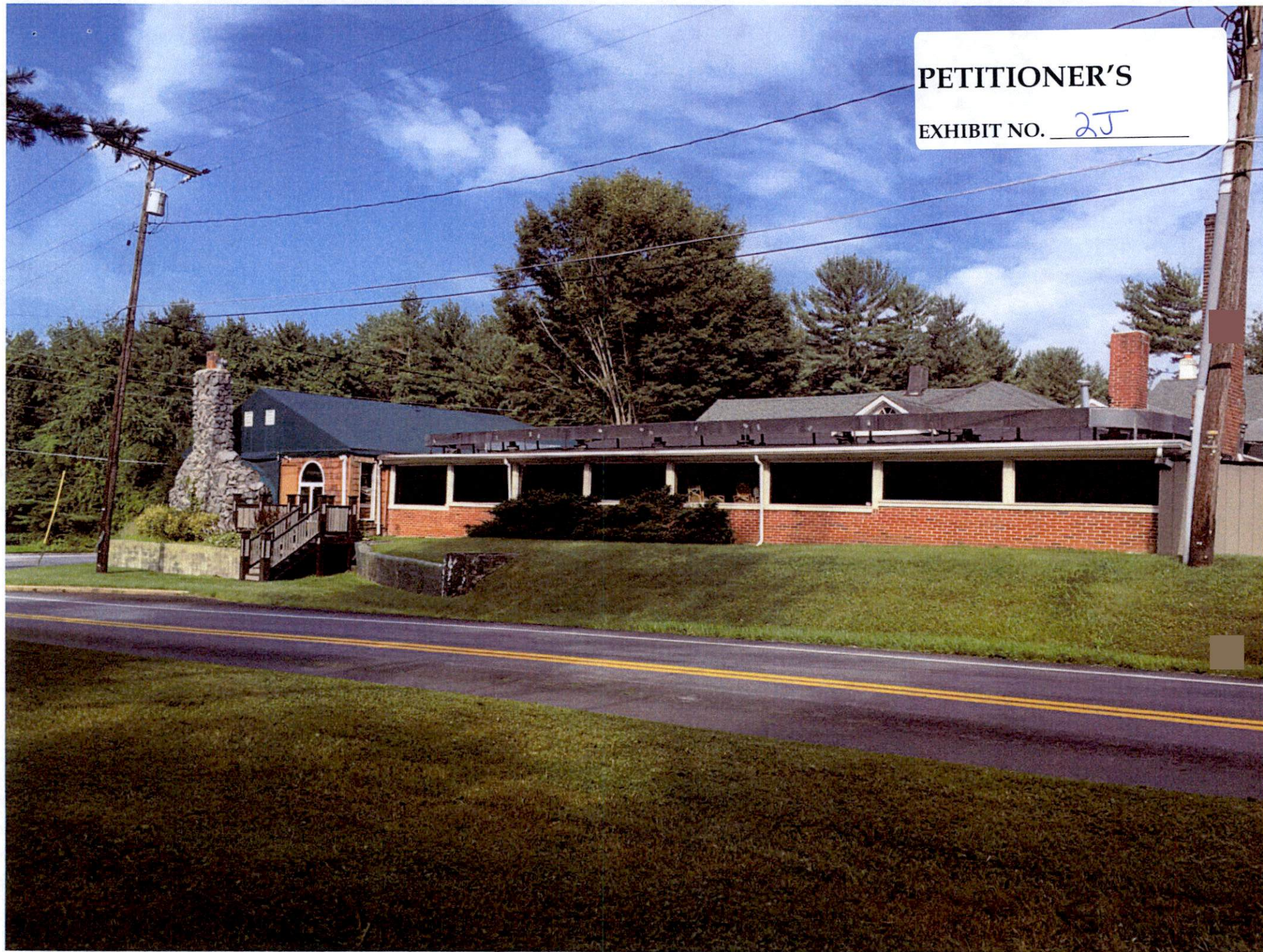
PETITIONER'S

EXHIBIT NO. 21



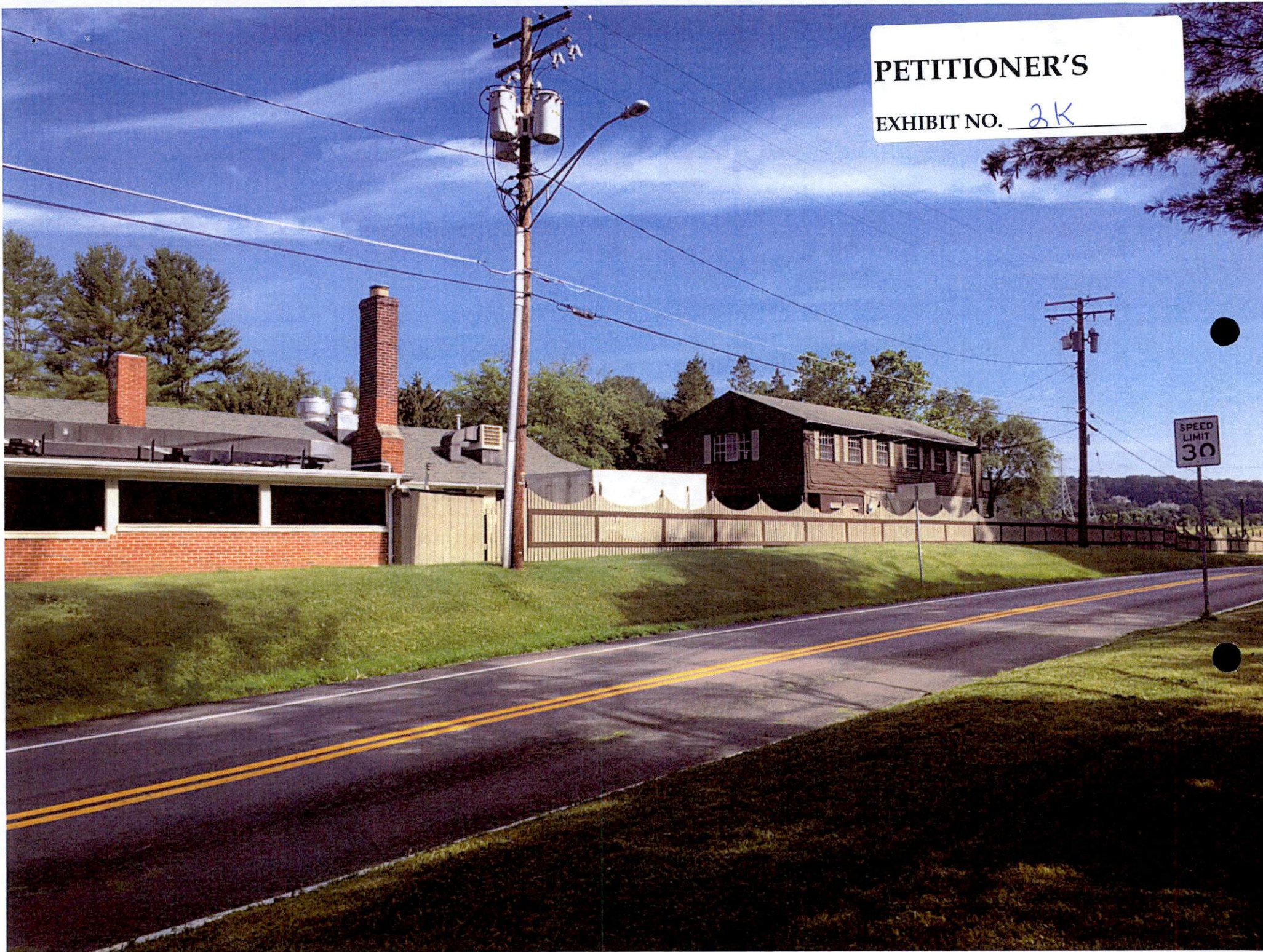
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EXHIBIT NO. 25



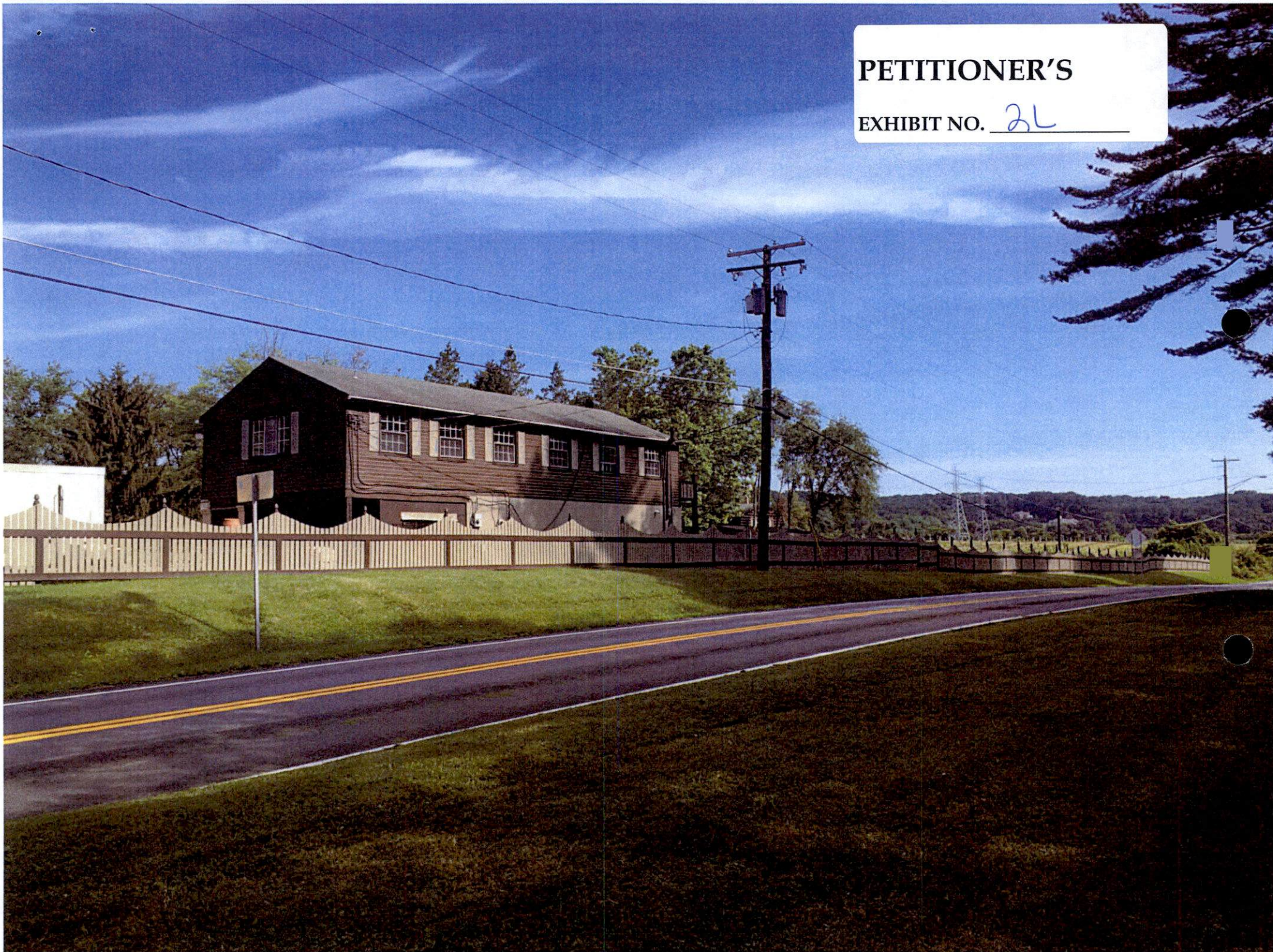
PETITIONER'S

EXHIBIT NO. 2K



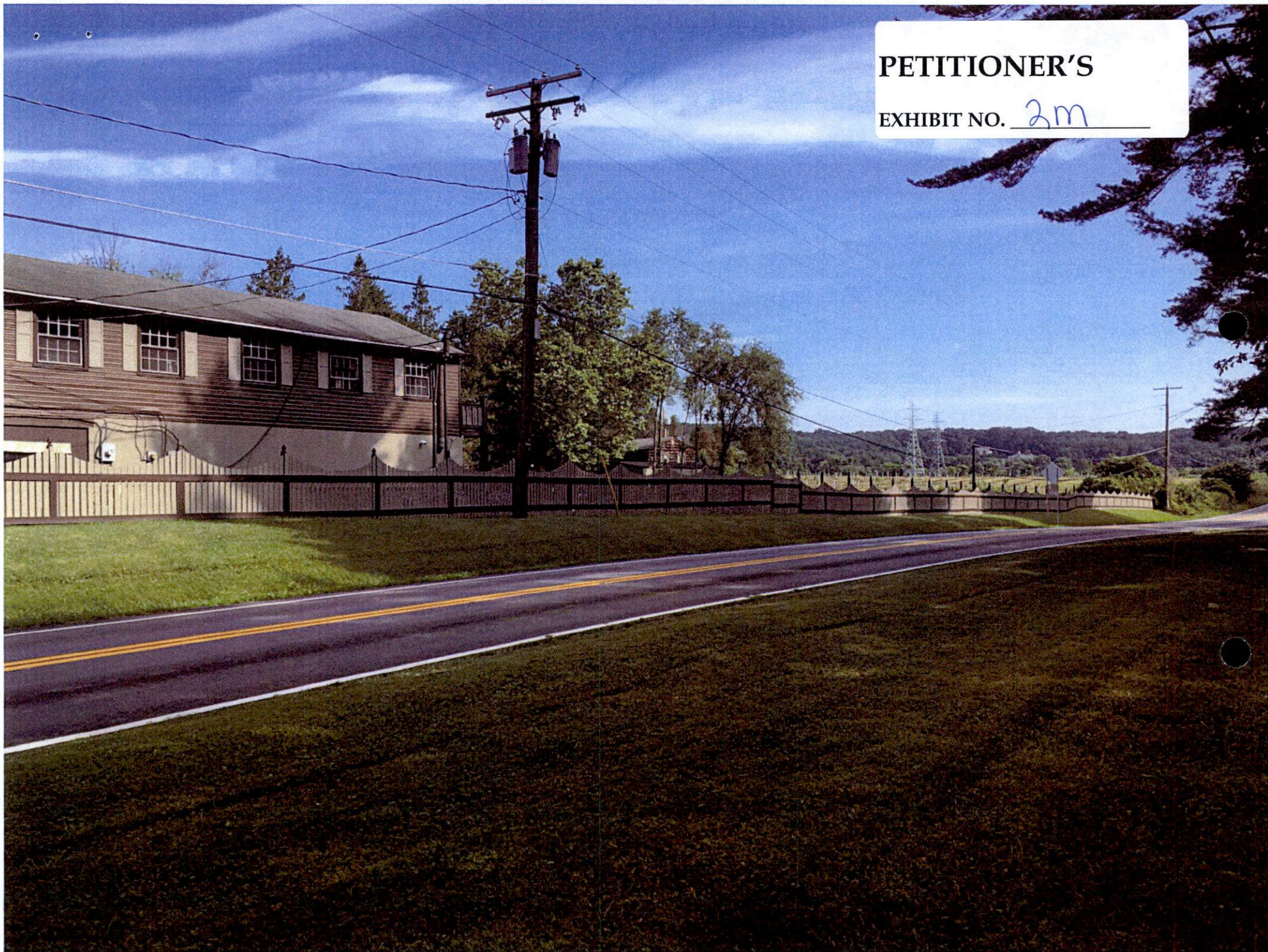
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EXHIBIT NO. 2L



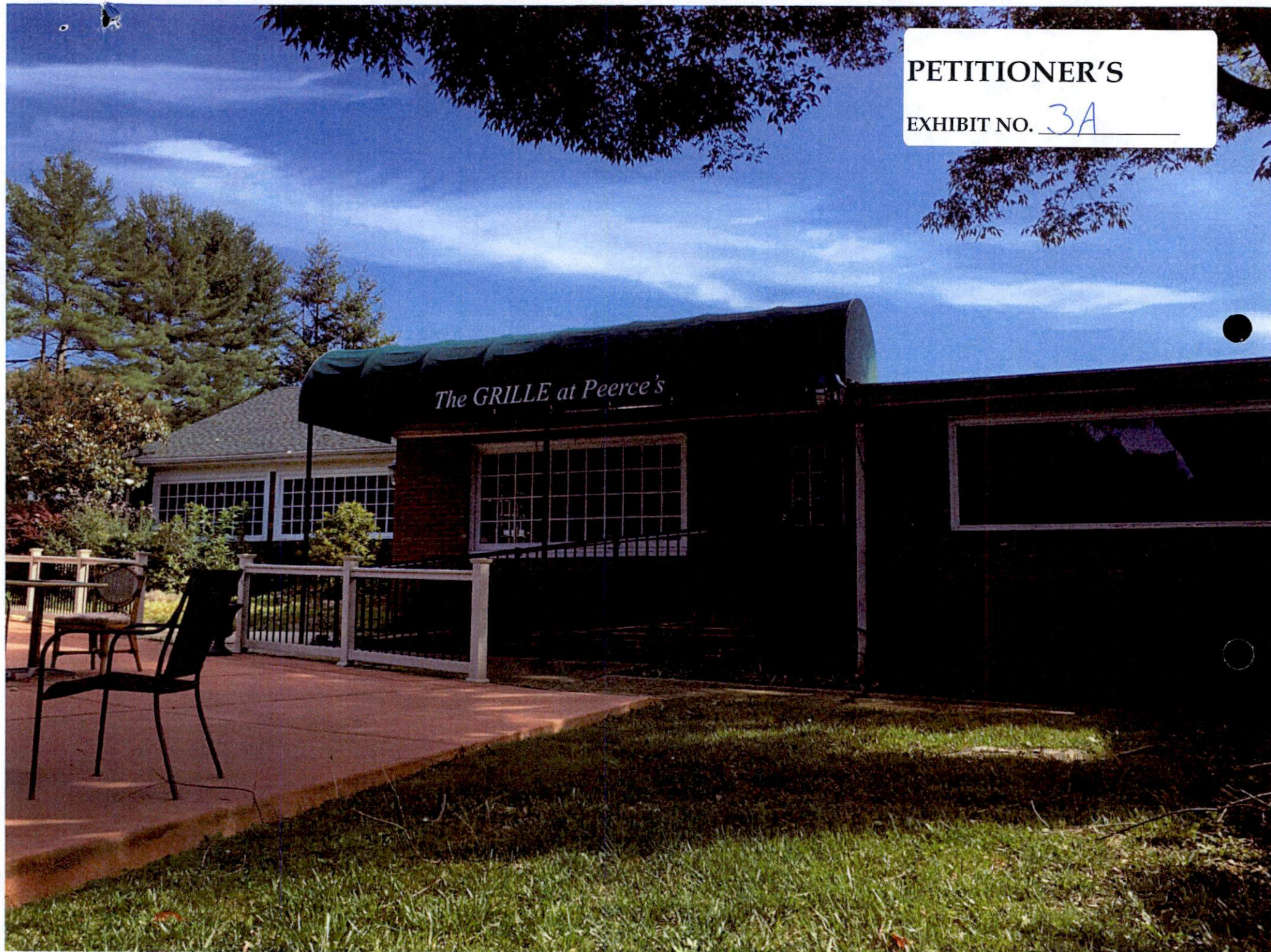
PETITIONER'S

EXHIBIT NO. 2m



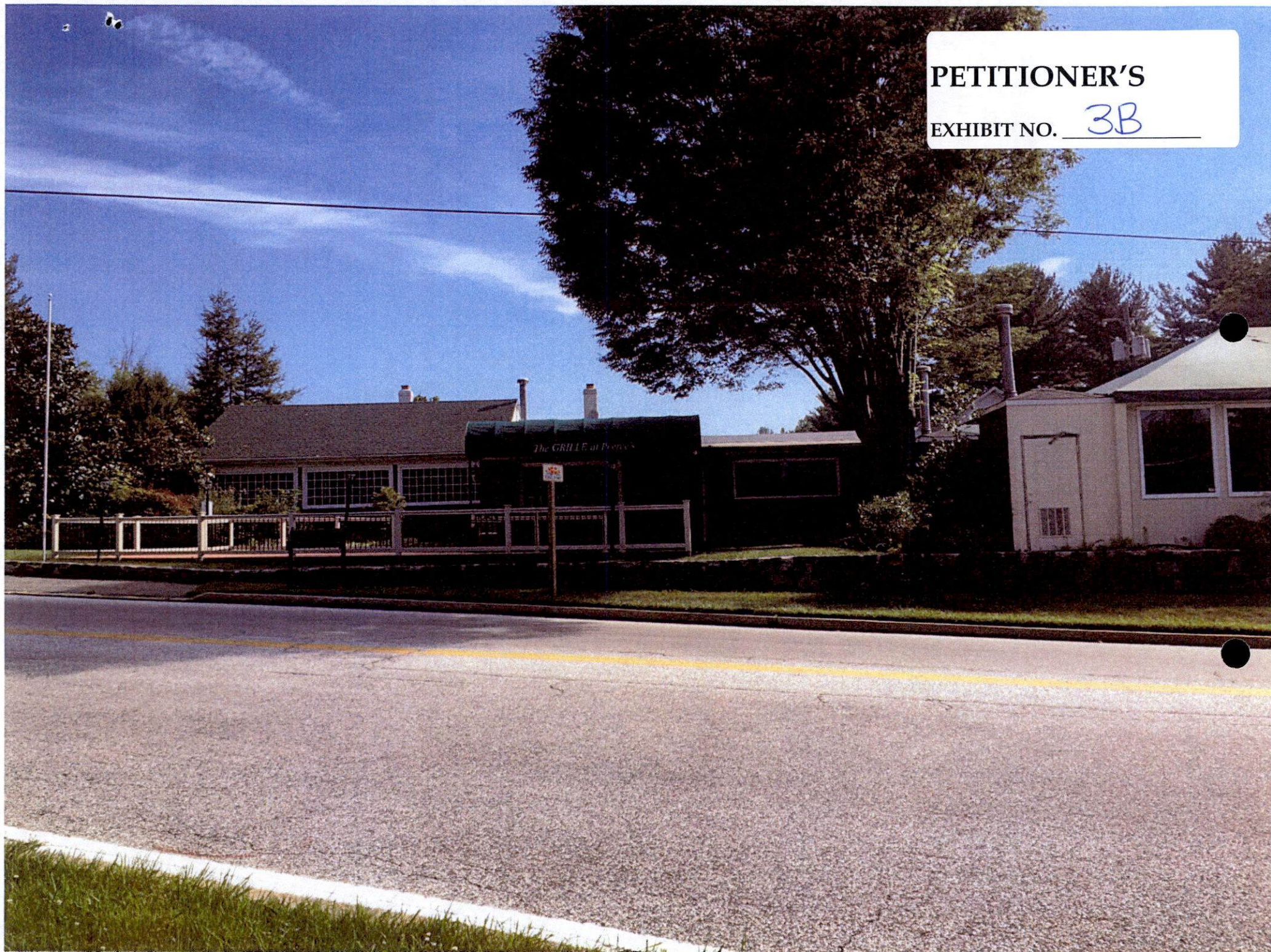
PETITIONER'S

EXHIBIT NO. 3A



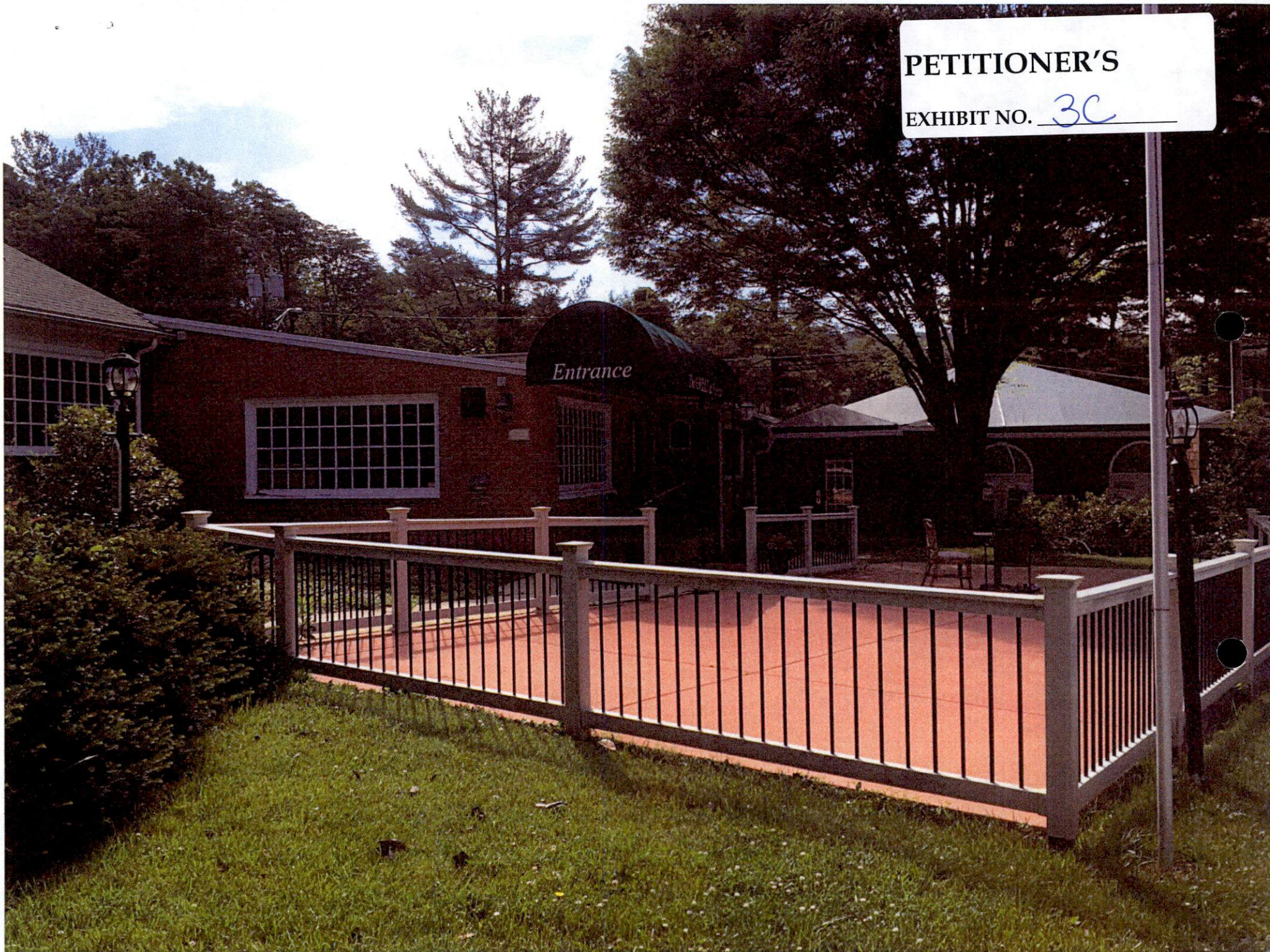
PETITIONER'S

EXHIBIT NO. 3B



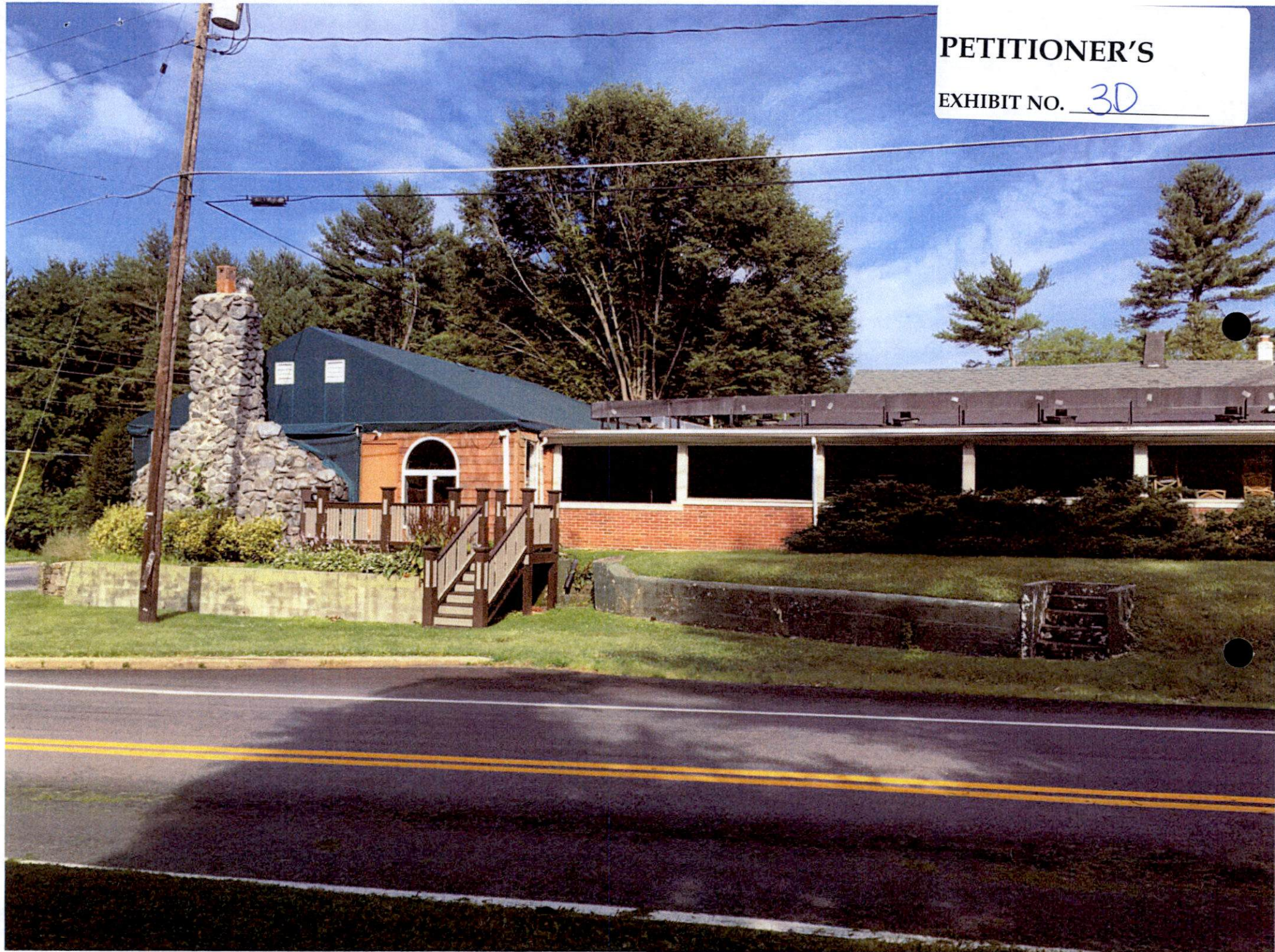
PETITIONER'S

EXHIBIT NO. 3C



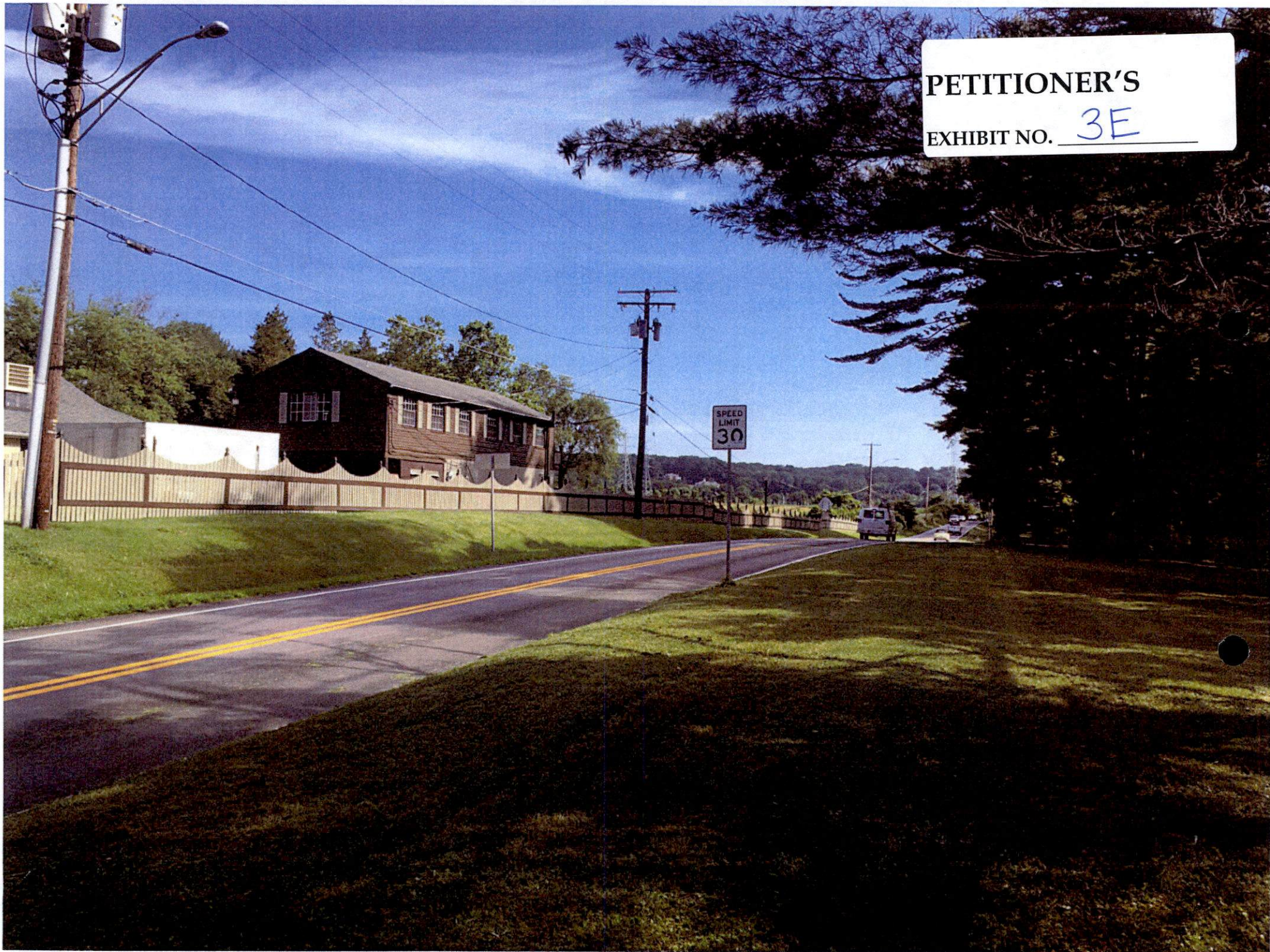
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EXHIBIT NO. 30



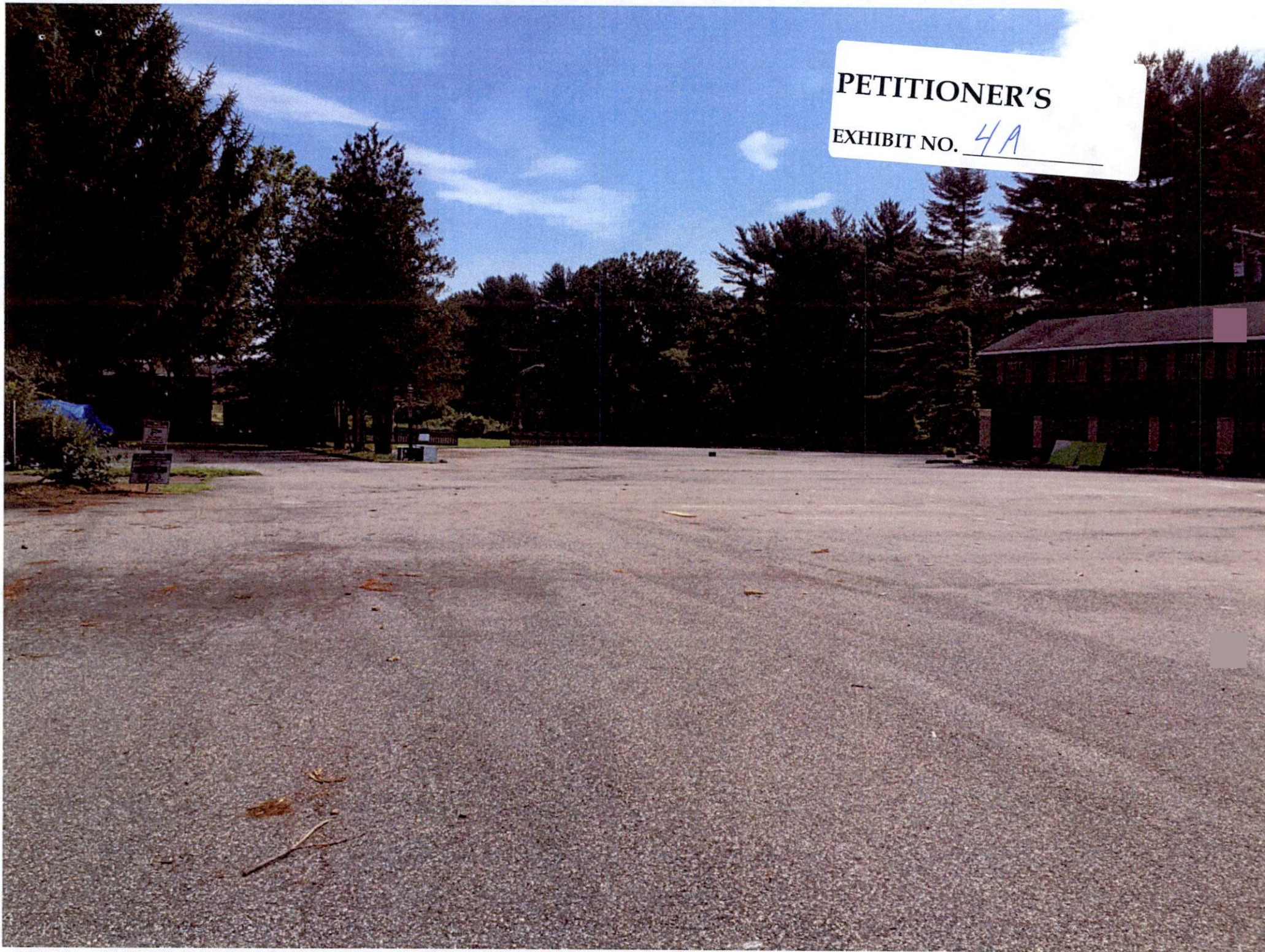
PETITIONER'S

EXHIBIT NO. 3E



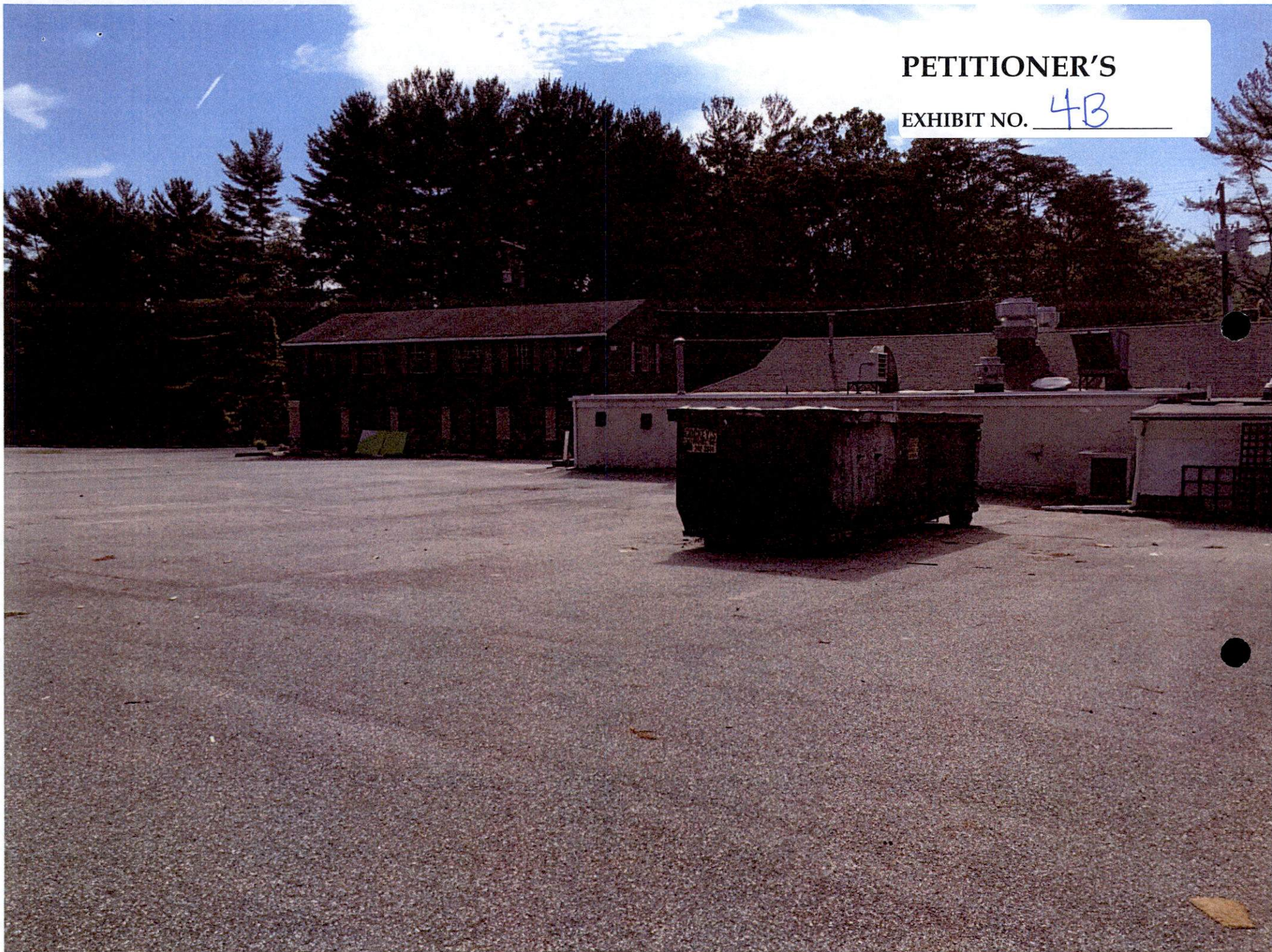
PETITIONER'S

EXHIBIT NO. 4A



PETITIONER'S

EXHIBIT NO. 4B



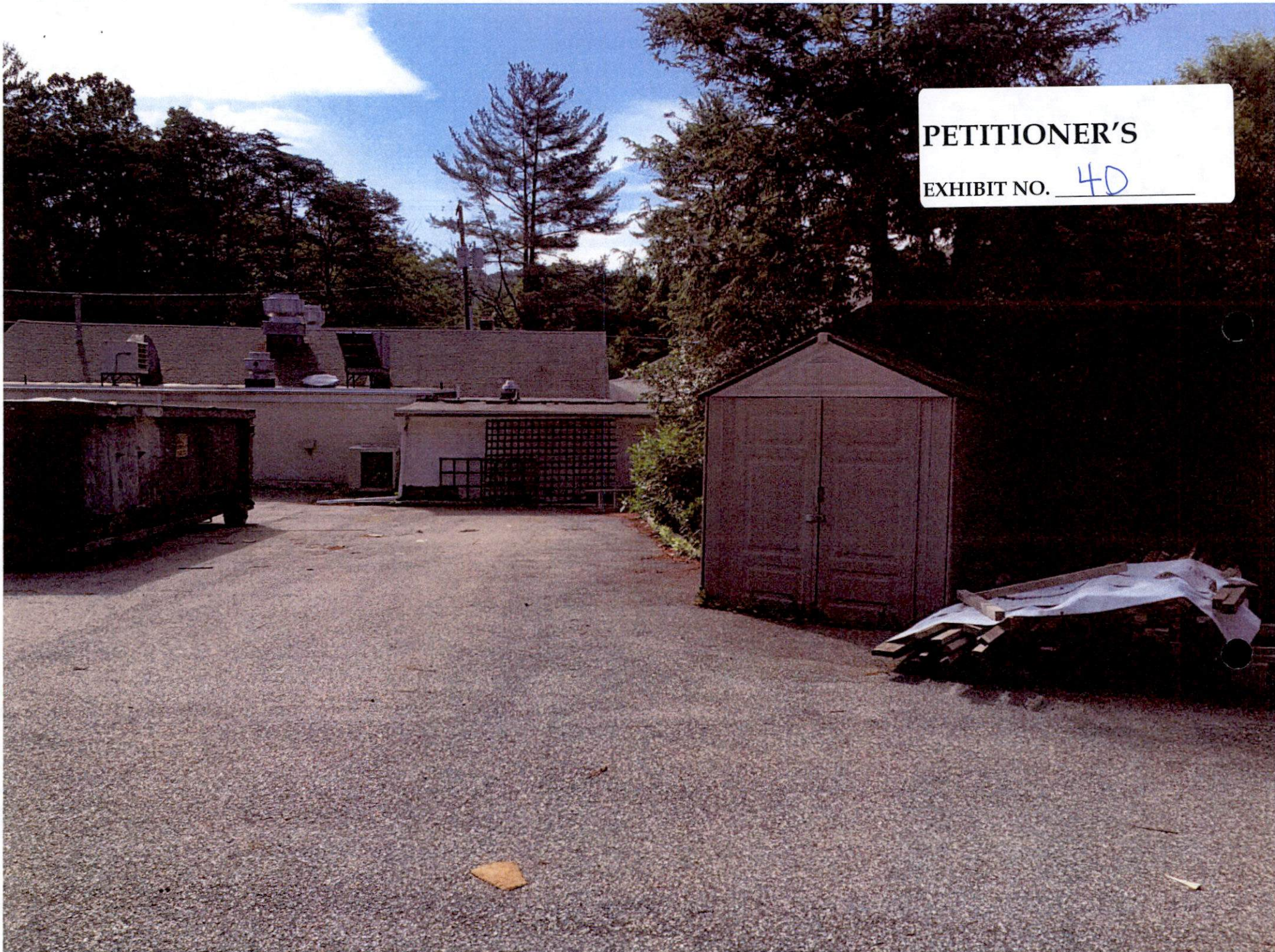
PETITIONER'S

EXHIBIT NO. 4C



PETITIONER'S

EXHIBIT NO. 40



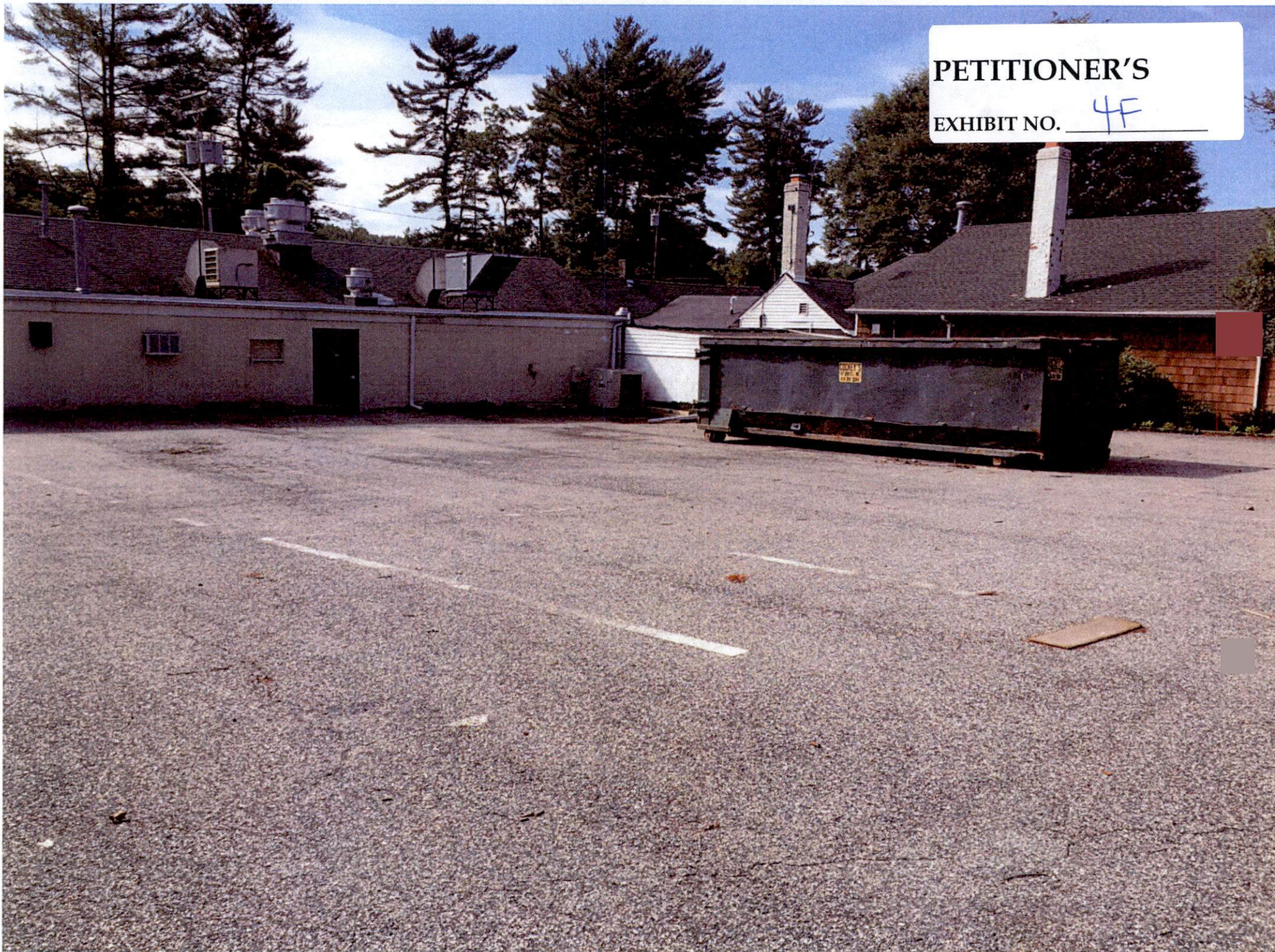
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EXHIBIT NO. 4E



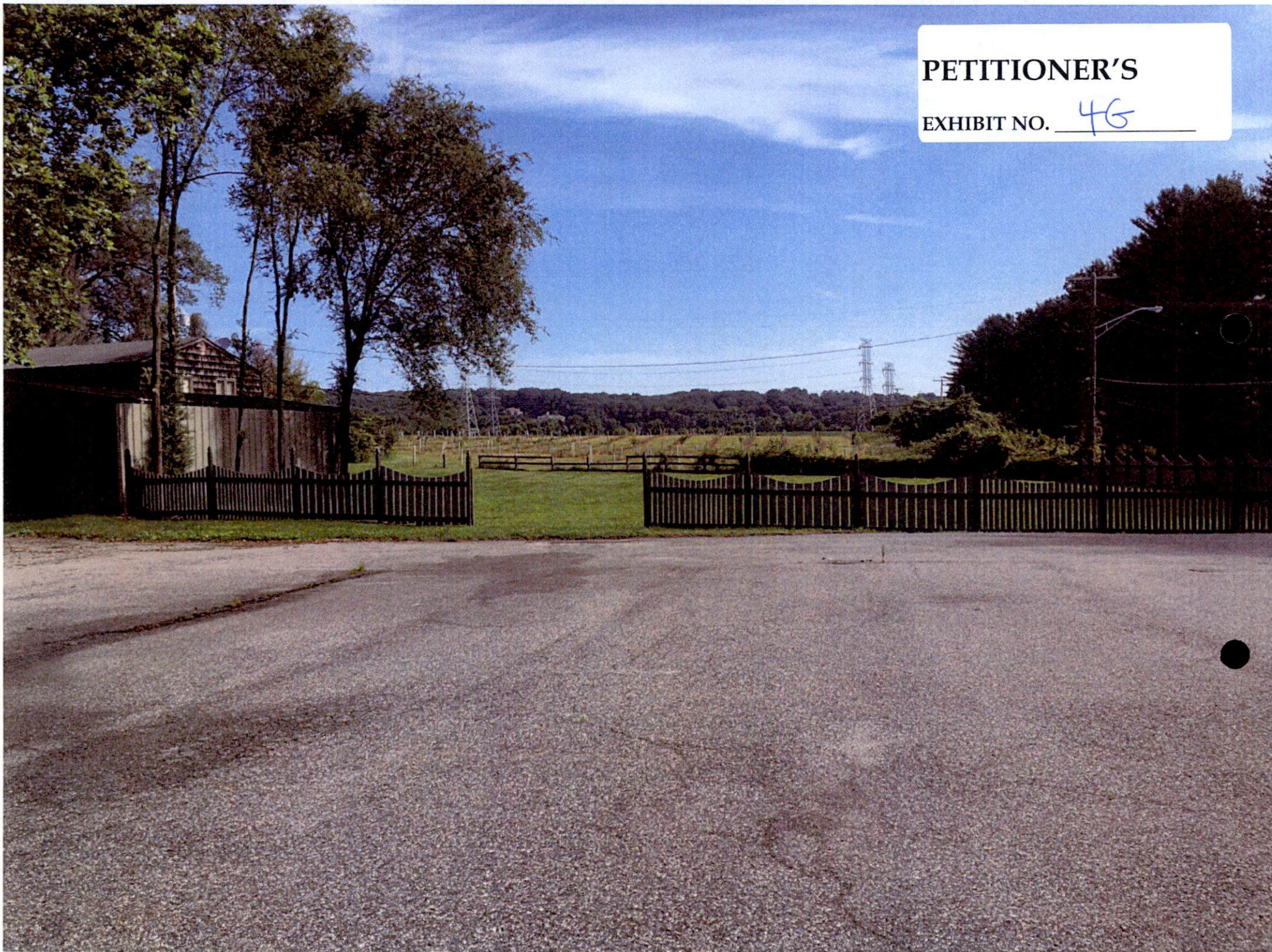
PETITIONER'S

EXHIBIT NO. 4F



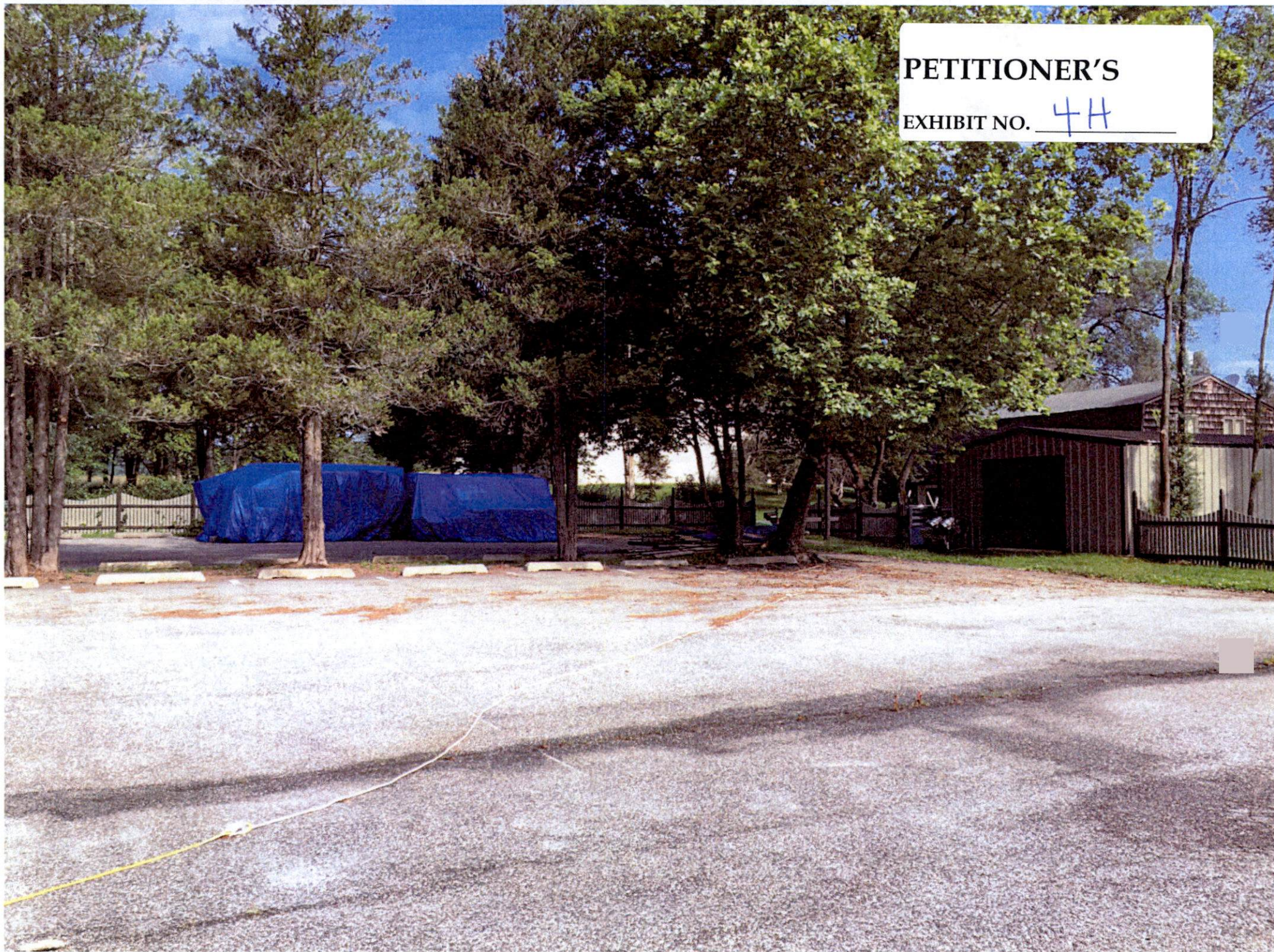
PETITIONER'S

EXHIBIT NO. 46



PETITIONER'S

EXHIBIT NO. 44



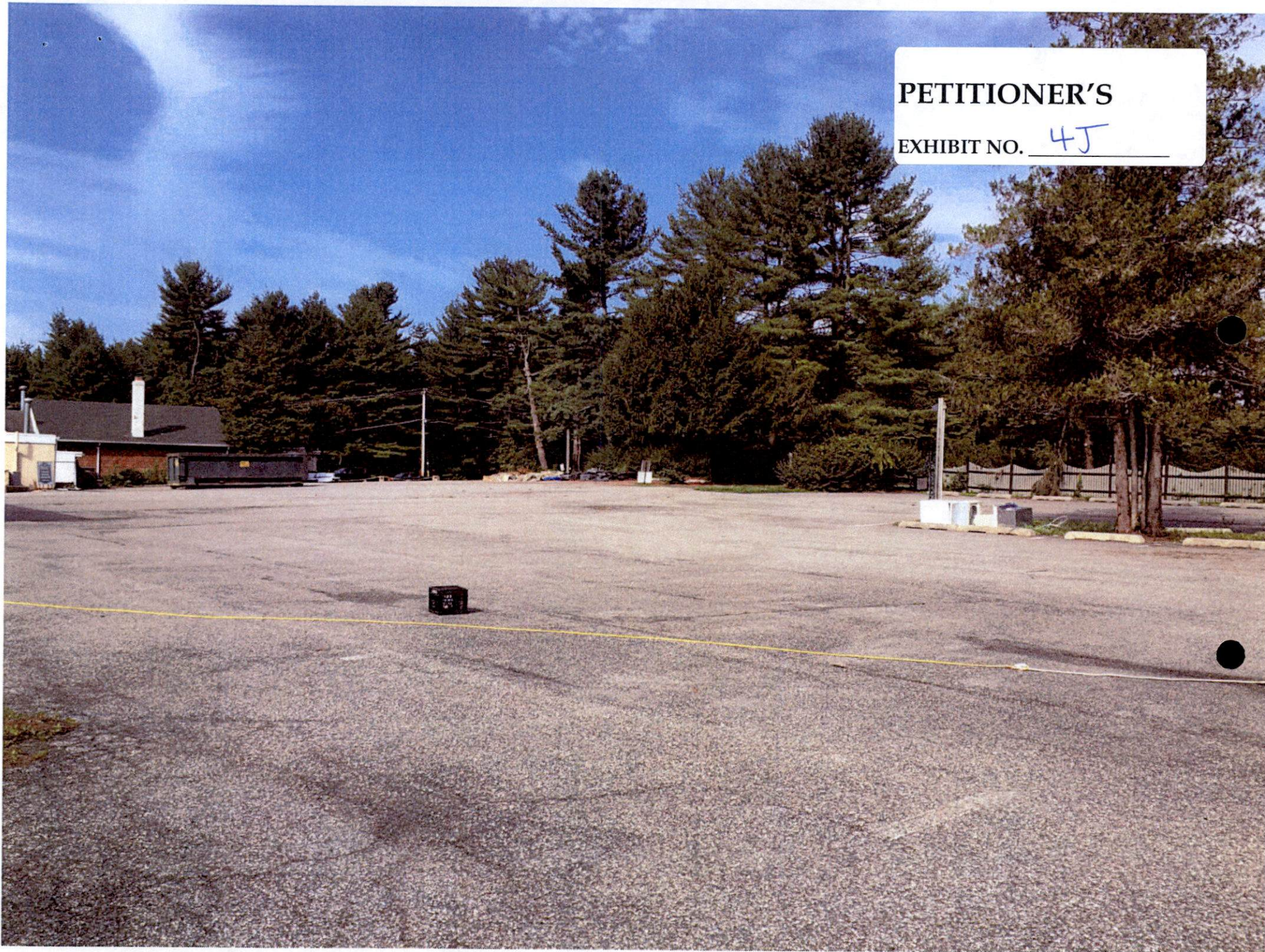
PETITIONER'S

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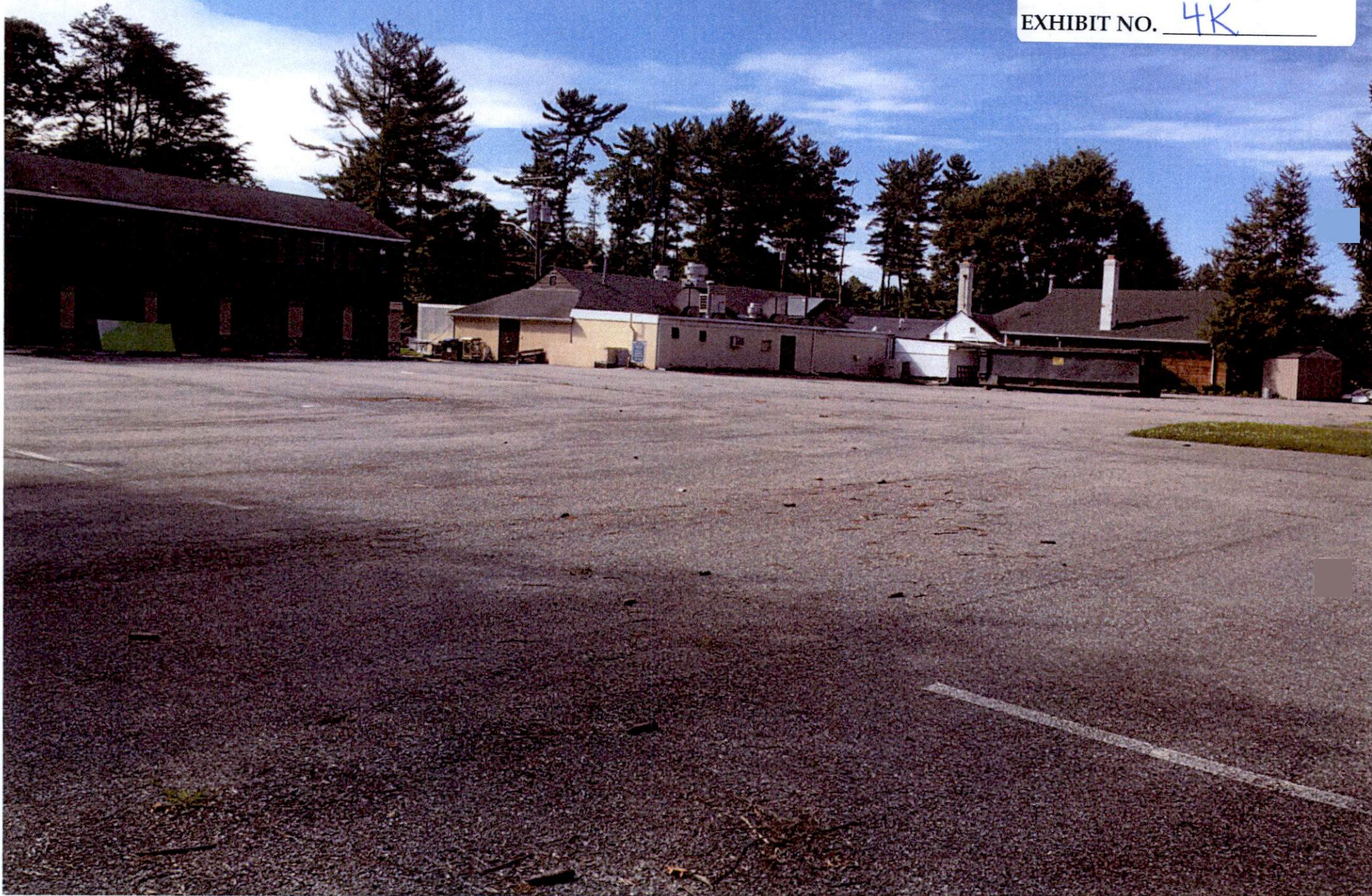
PETITIONER'S

EXHIBIT NO. 4J



PETITIONER'S

EXHIBIT NO. 4K



PETITIONER'S

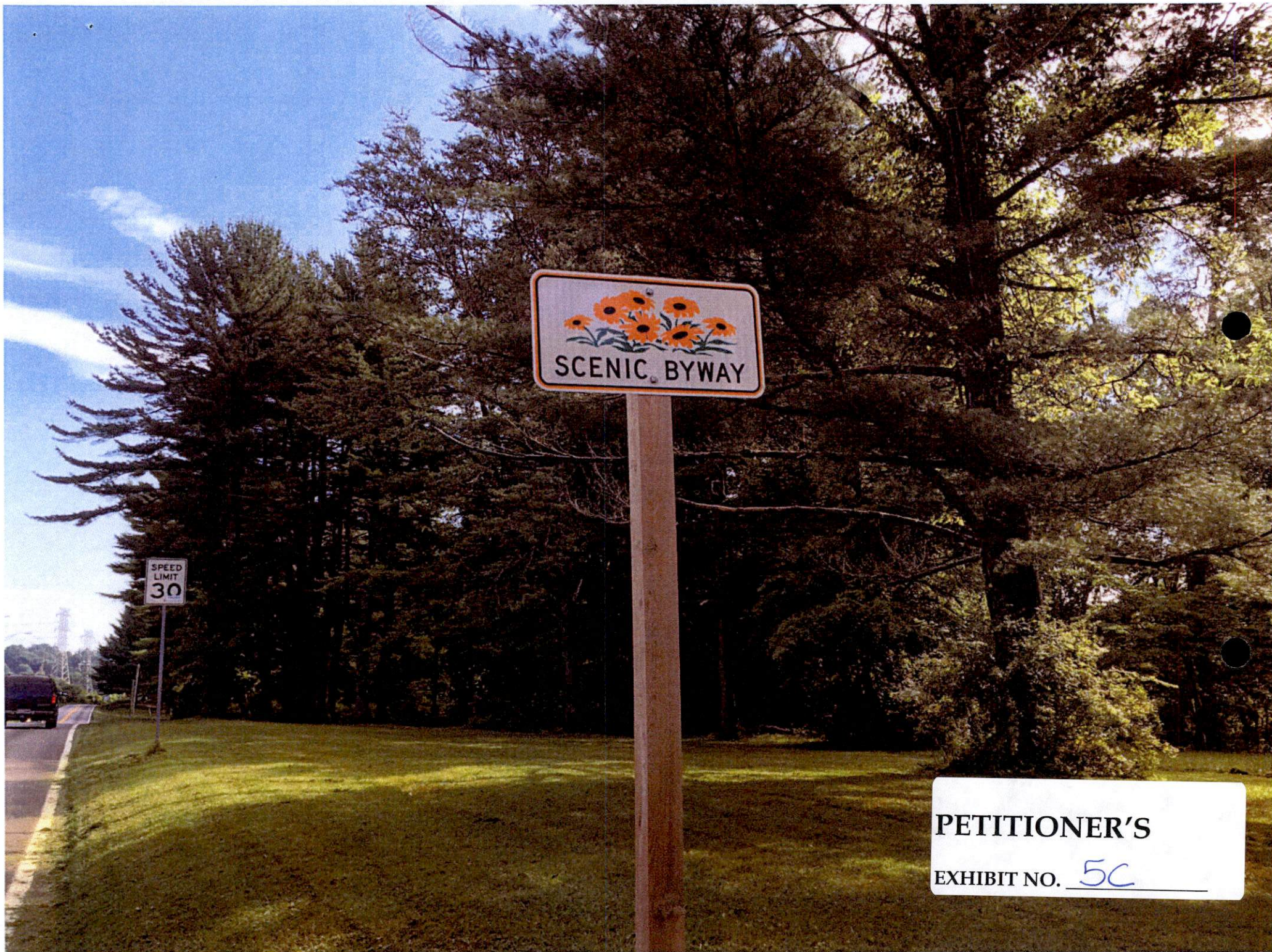
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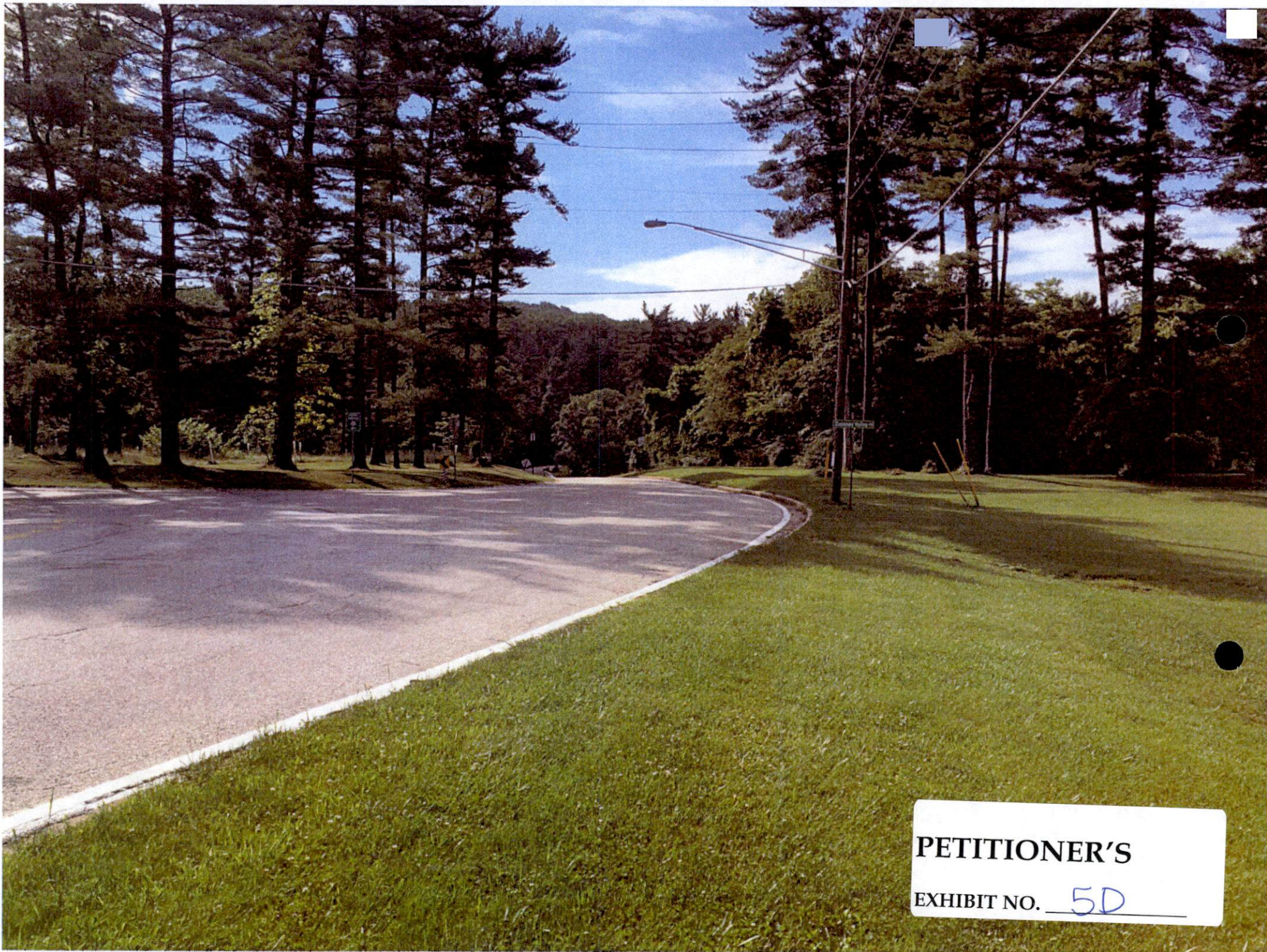
PETITIONER'S

EXHIBIT NO. 5B



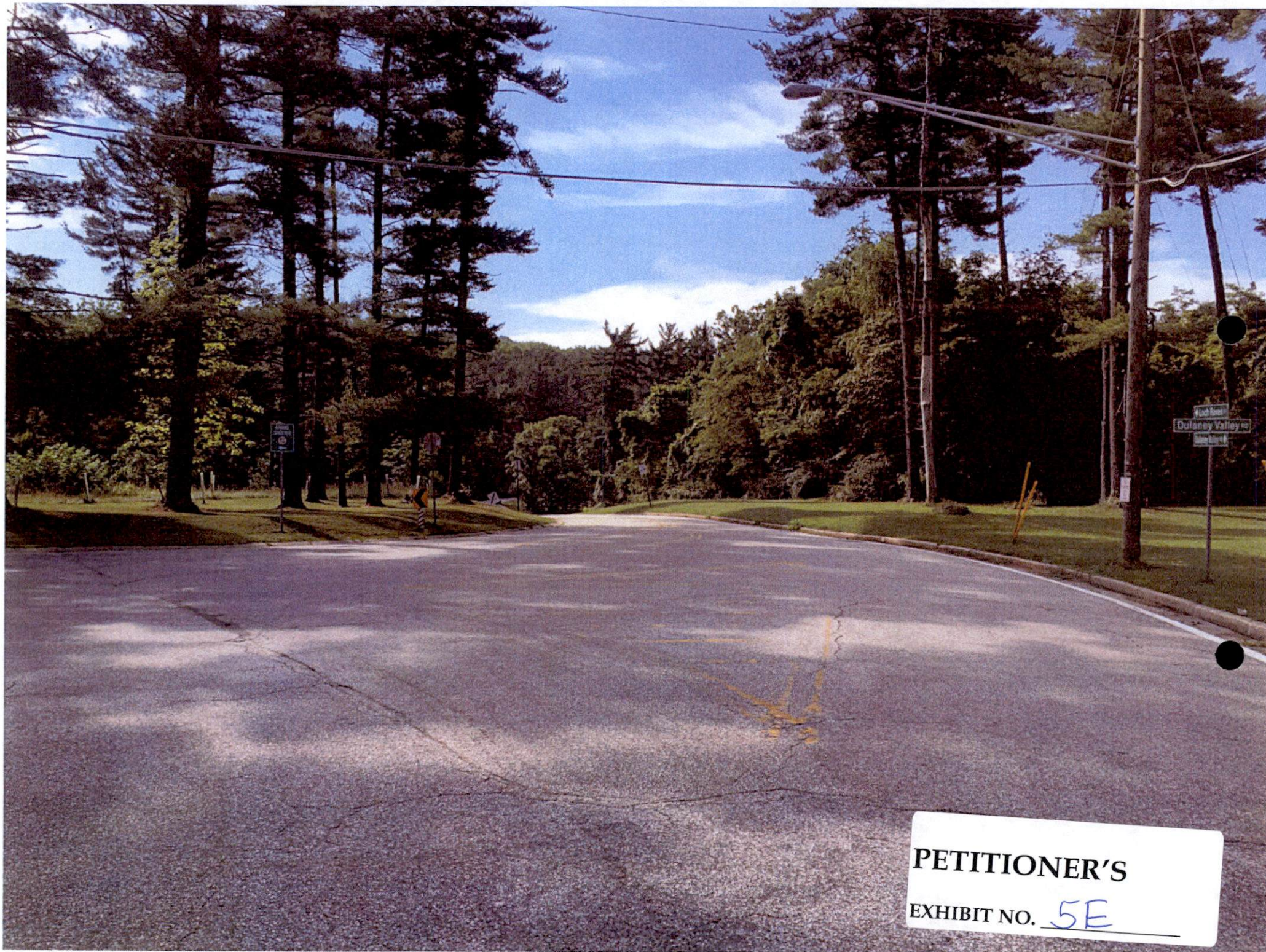
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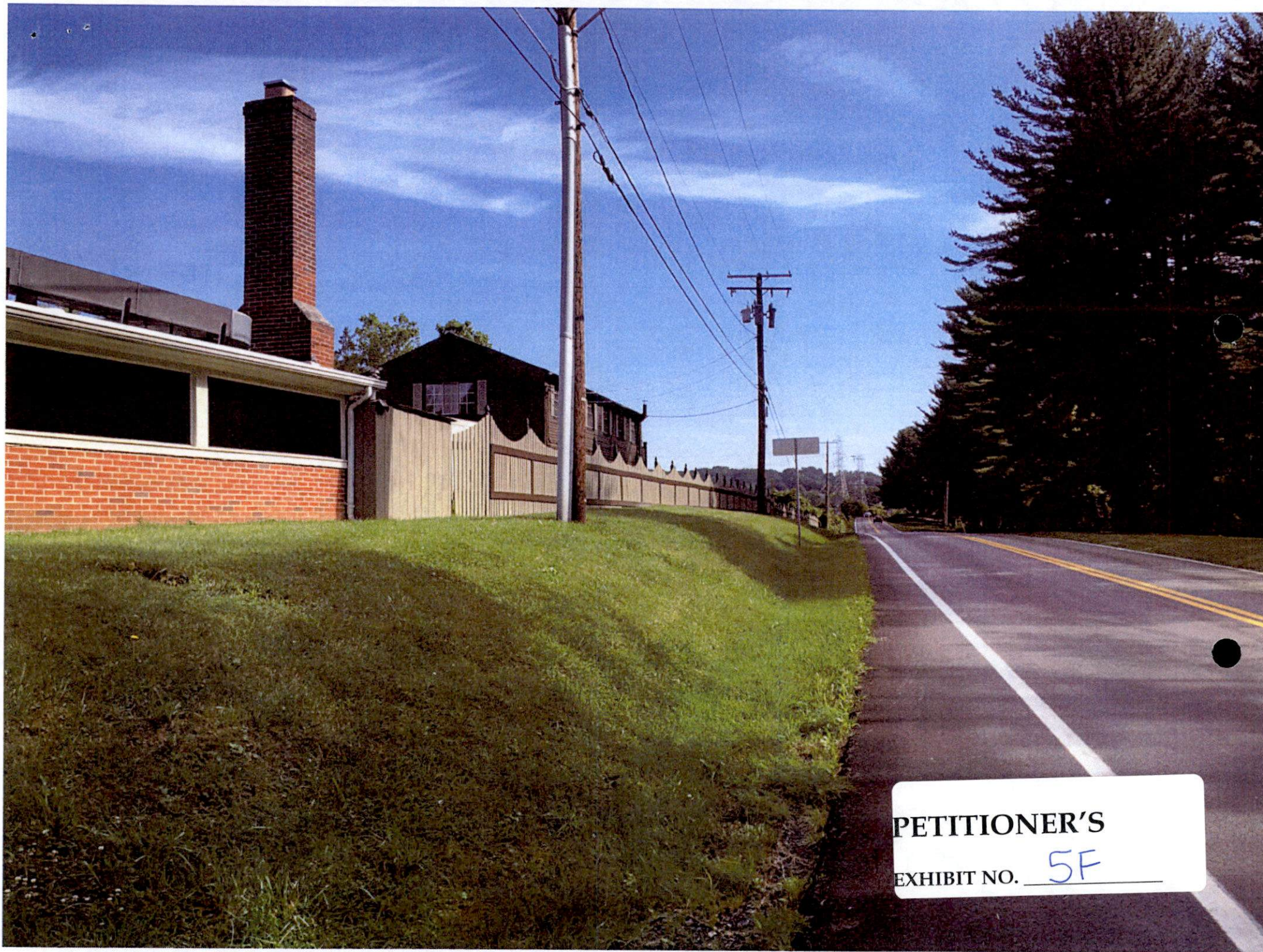
PETITIONER'S

EXHIBIT NO. 5D



PETITIONER'S

EXHIBIT NO. 5E

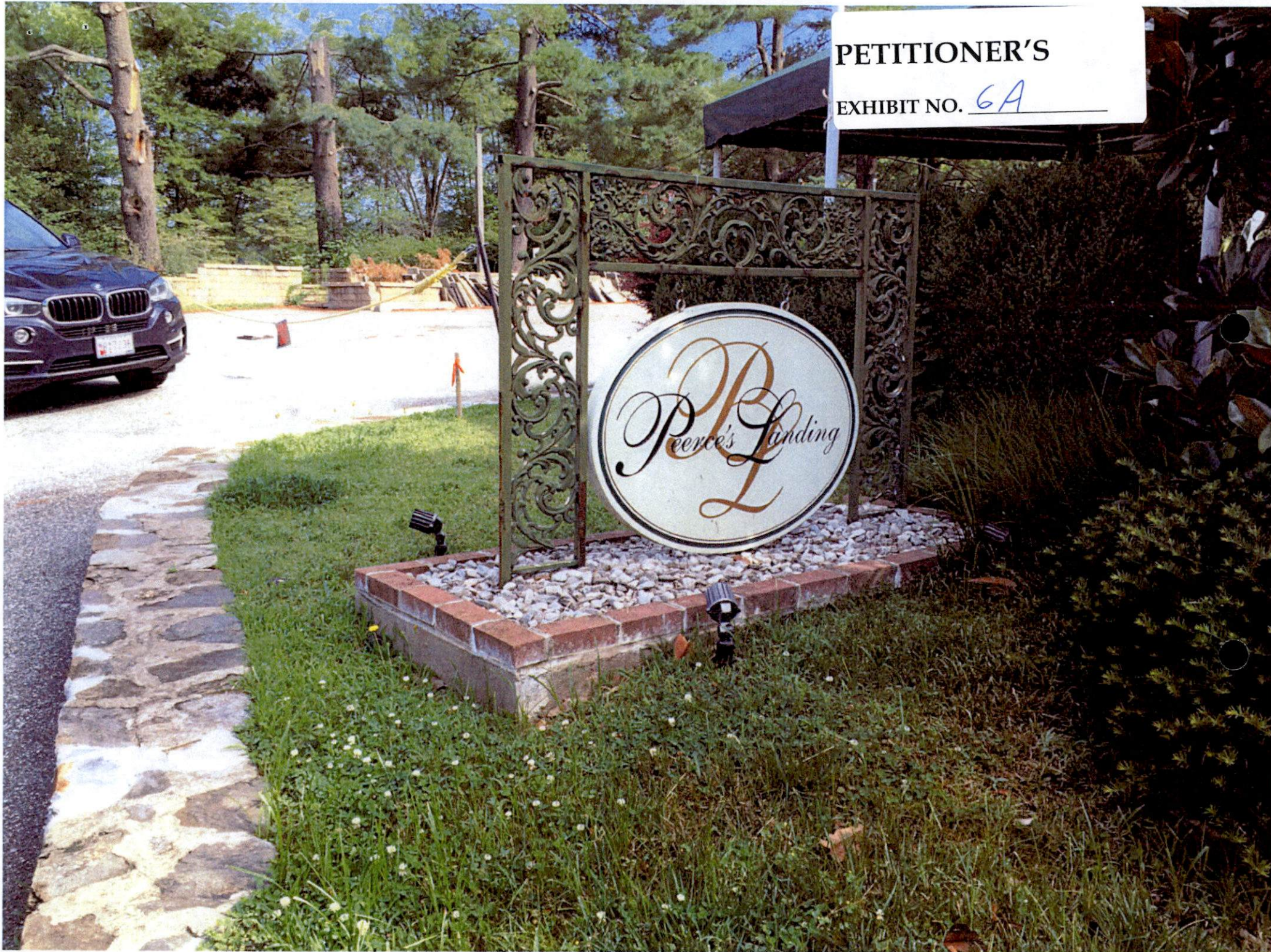


PETITIONER'S

EXHIBIT NO. 5F

PETITIONER'S

EXHIBIT NO. 6A



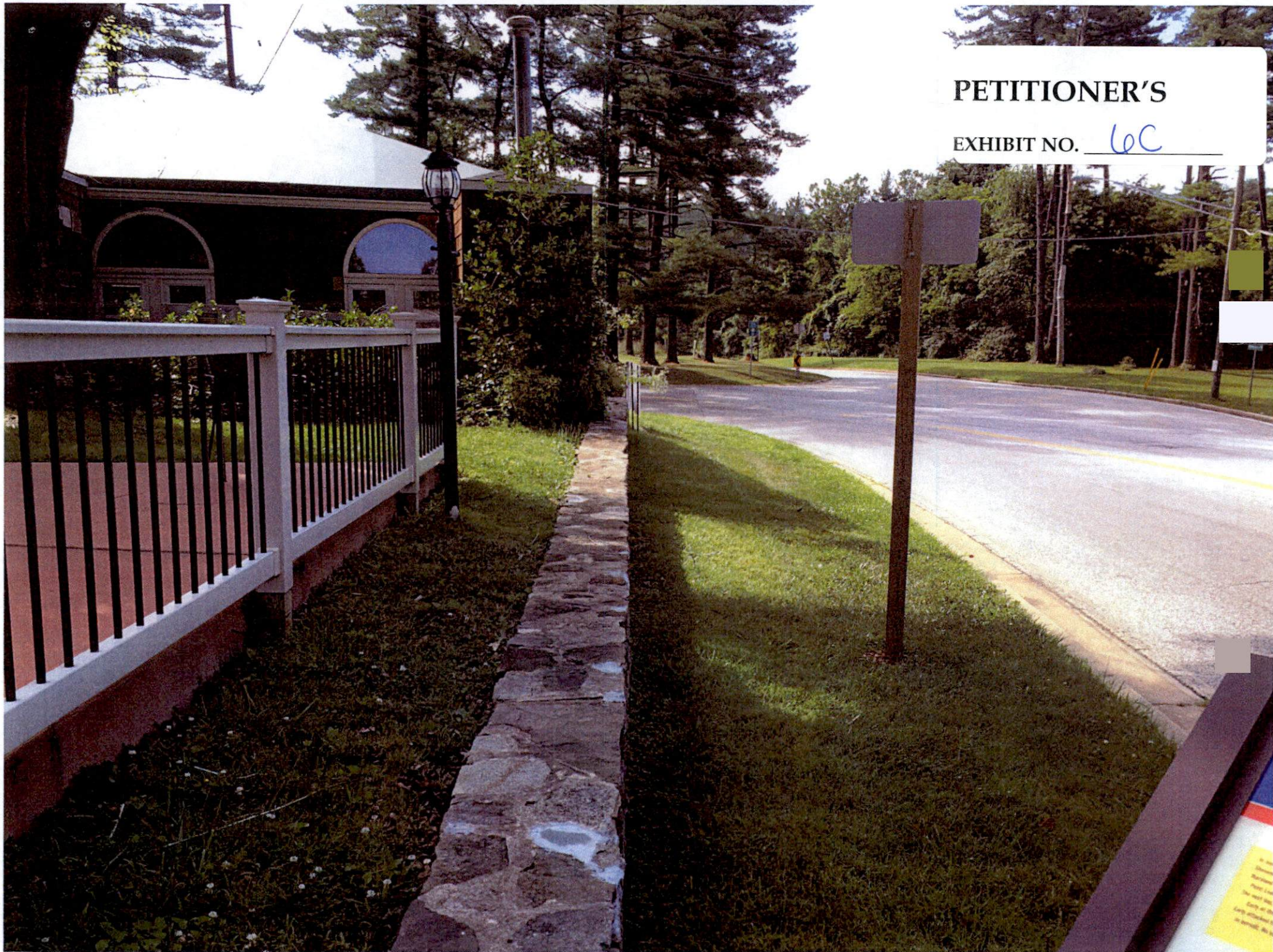
PETITIONER'S

EXHIBIT NO. 6B



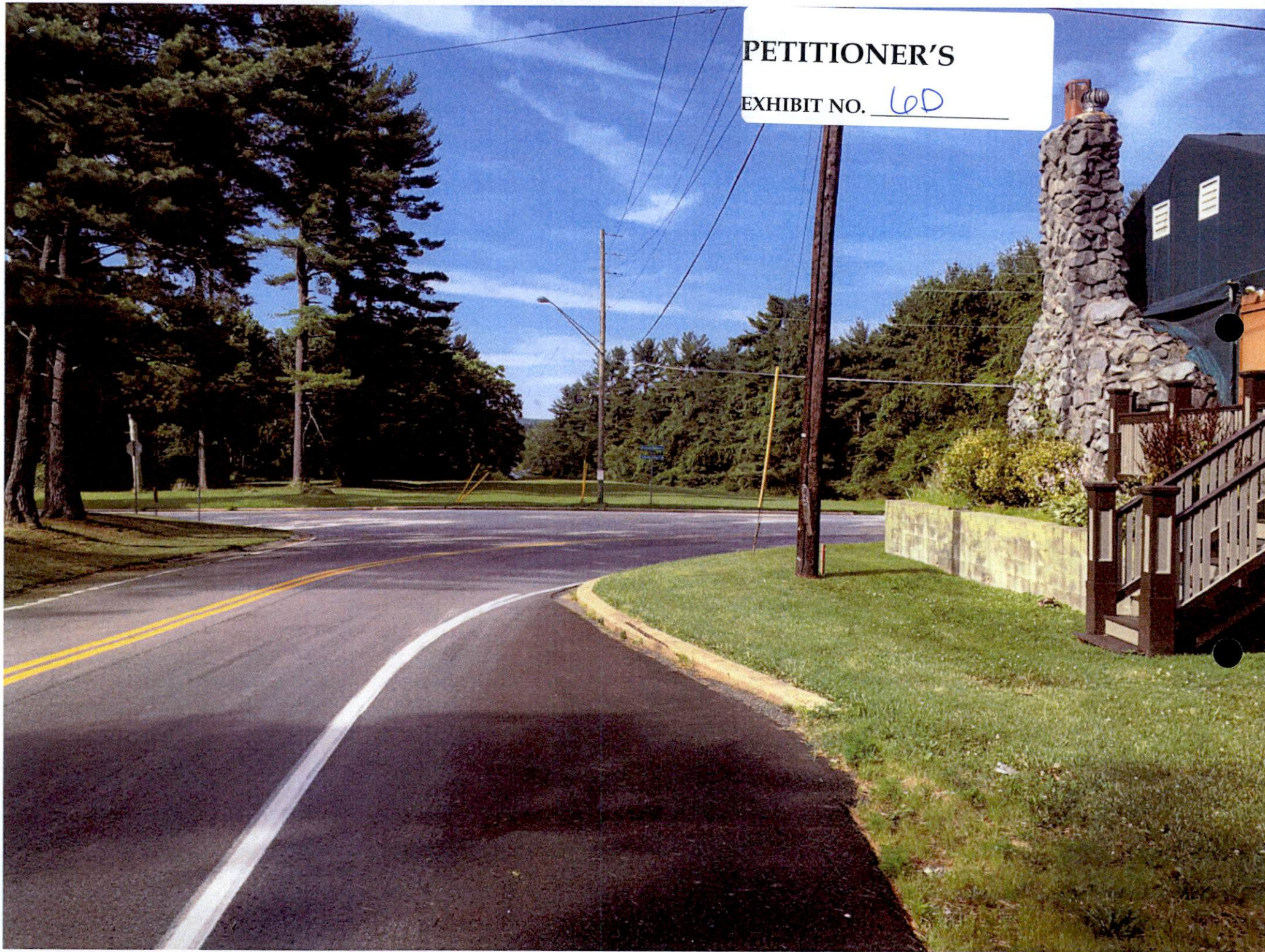
PETITIONER'S

EXHIBIT NO. 6C



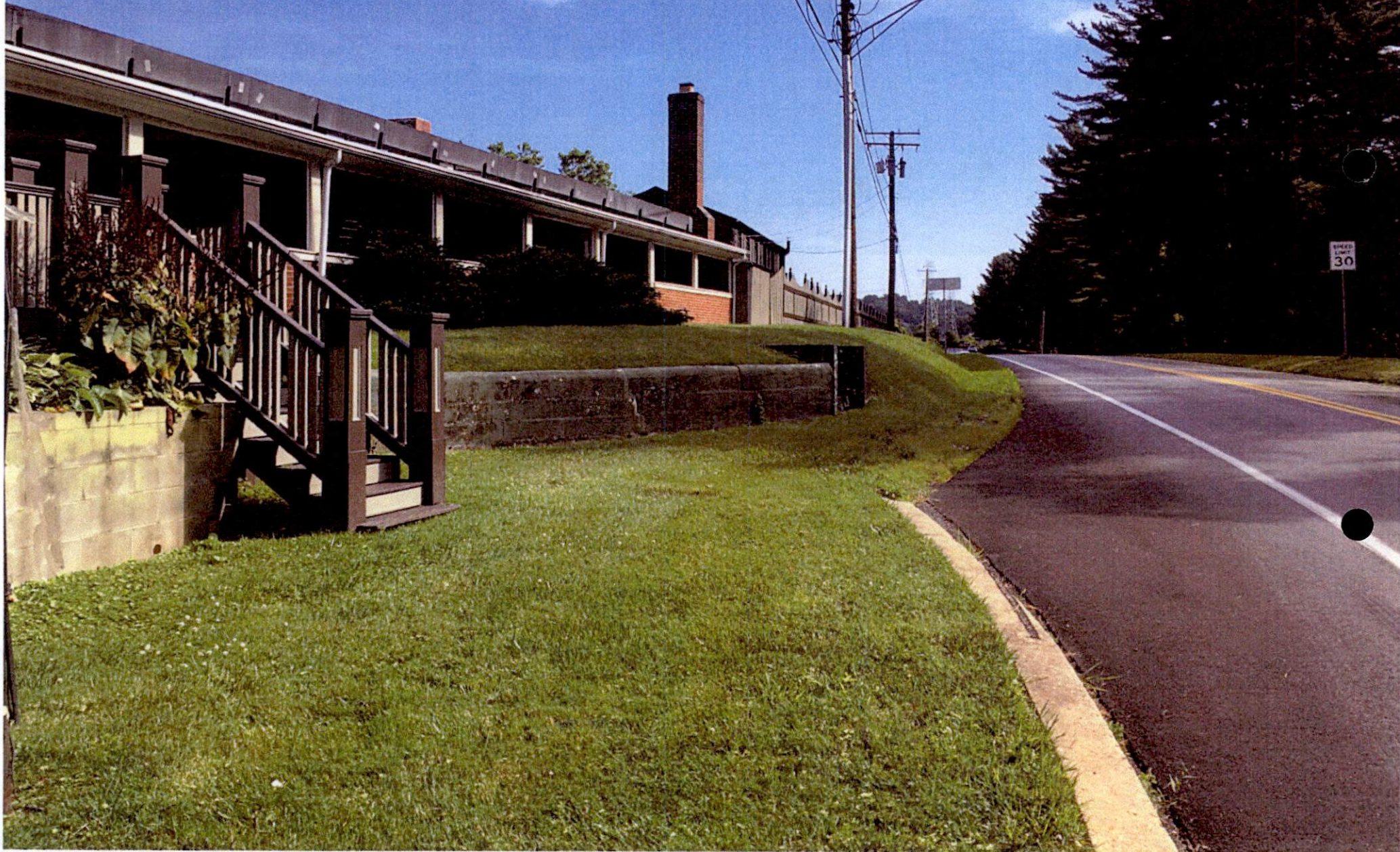
PETITIONER'S

EXHIBIT NO. 60



PETITIONER'S

EXHIBIT NO. 6E



PETITIONER'S

EXHIBIT NO. 7A



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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PETITIONER'S

EXHIBIT NO. 7B

DULANEY VALLEY RD

LOCH RAVEN DR

322 Feet



My Neighborhood Map

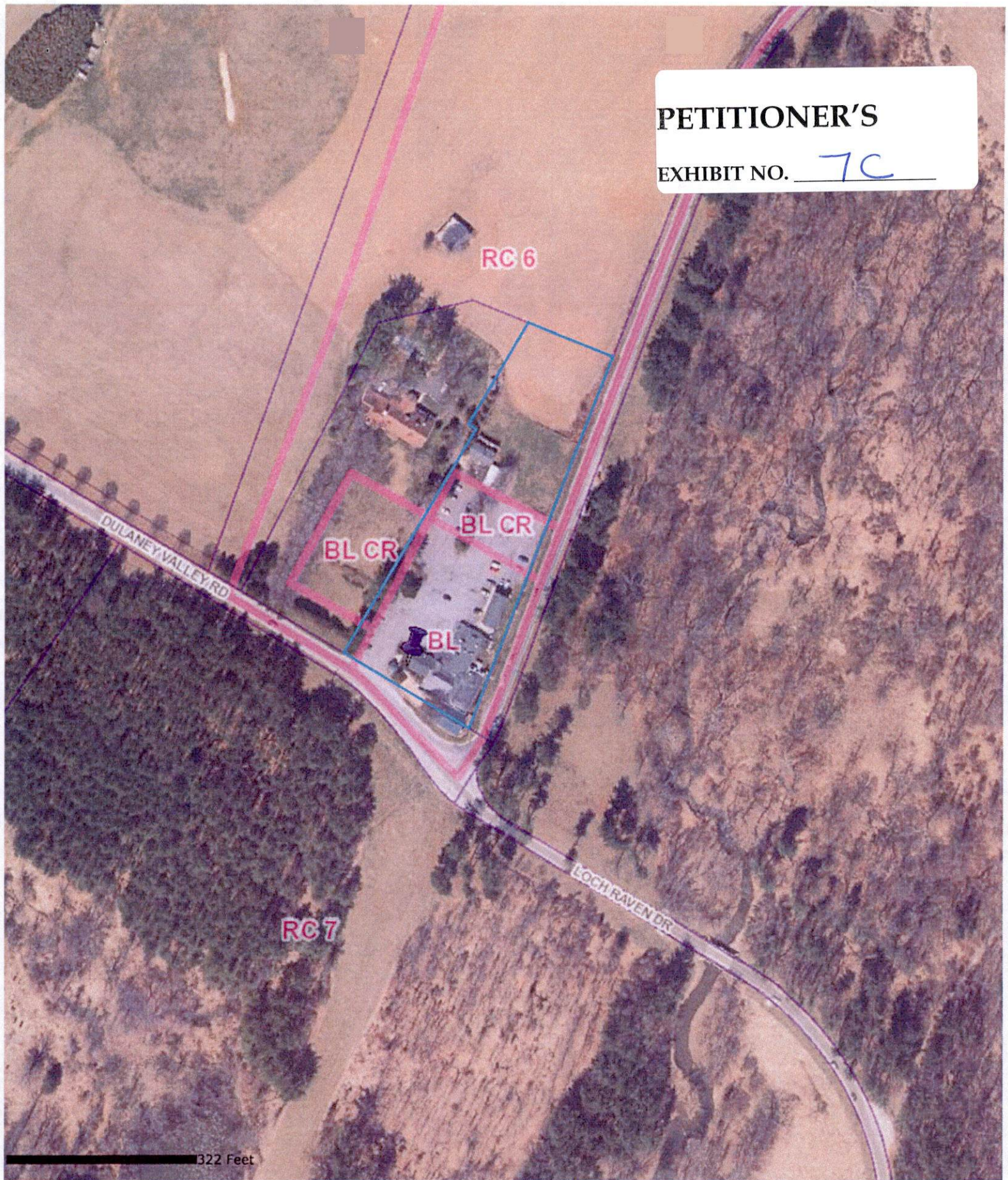
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Baltimore County
My Neighborhood



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PETITIONER'S

EXHIBIT NO. 7C



My Neighborhood Map

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Baltimore County
My Neighborhood



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PETITIONER'S

EXHIBIT NO. 7D



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My Neighborhood



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PETITIONER'S

EXHIBIT NO. 7E



My Neighborhood Map

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Baltimore County
My Neighborhood



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PETITIONER'S

EXHIBIT NO. 7F

DUANE VALLEY RD

LOCHT CREEK RD

1289 Feet



My Neighborhood Map

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Baltimore County
My Neighborhood



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PETITIONER'S

EXHIBIT NO. 76



My Neighborhood Map

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Baltimore County
My Neighborhood



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PETITION FOR SPECIAL HEARING

Dec 3
80-100 ASPH
246
Let No 8

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Peerce's Plantation, Inc. Illegal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a Special Use Permit for parking in a residential zone (R.C. 4) pursuant to Section 400.4 of the Baltimore County Zoning Regulations.

MAP	3/1
ELECTION	10-10-79
ENFORCE	10
D. No.	4-74
TYPE	
MADE	5/1
BY	10/1
DATE	10-1-79
BY	1/1

ORDER RECEIVED FOR FILING

Submitted 10/1/79
Mary Campbell
ADMINISTRATIVE

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PEERCE'S PLANTATION, INC.

BY: Peerce M. Lake
Peerce M. Lake, Pres. Legal Owner

Address Dulaney Valley Road
Phoenix, Maryland 21131

Address John B. Howard, Esq.
Petitioner's Attorney
210 Allegheny Avenue
Towson, Maryland 21204

Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 5th day of September, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of October, 1979, at 1:30 o'clock P. M.

[Signature]
Zoning Commissioner of Baltimore County

(over)

10/1/79
1:20 P.M.

PETITIONER'S

EXHIBIT NO.

8

PETITION FOR ZONING VARIANCE **FROM AREA AND HEIGHT REGULATIONS**

80-700038 PM
2/16

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Peerce's Plantation, Inc. legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 09.2b(5) to permit 162 parking spaces in lieu of the required 193 spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Petitioner desires to validate apparent non-conforming parking and proposes parking spaces in addition to the number that presently exists (which number more than adequately serves existing and projected needs); hardship and practical difficulty exist in that subject 2.08 acre can only accommodate number of spaces proposed.

SECTION	10
DATE	10/16/79
FILE	10-84510
BY	10/16/79

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

ORDER RECEIVED FOR FILING

DATE November 1, 1979

May Campbell
ADMINISTRATIVE ASSISTANT

Contract purchaser

Address

John B. Howard, Esq.
Petitioner's Attorney
210 Allegheny Avenue
Address Towson, Maryland 21204

PEERCE'S PLANTATION, INC.

BY: Peerce M. Lake
Peerce M. Lake, President Owner

Address Dulaney Valley Road

Phoenix, Maryland 21131

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day

of September, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 9th day of October, at 1:30 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

10/31/79
1:30 P.M.

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

IDCA NO. 7721

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

RECEIVED

I, OR WE, Pearce M. Lake LEGAL OWNER OF THE PROPERTY SITUATED IN BALTIMORE COUNTY, THE PROPERTY OUTLINE OF WHICH IS DRAWN TO SCALE, COMPLETE WITH BEARINGS AND DISTANCES ON 300 FT. SCALE MAPS, WHICH ARE ATTACHED HERETO, HEREBY MAKE APPLICATION TO FILE FOR A

Special IN A RC-1 ZONE TO USE THE HEREIN DESCRIBED OFFICE OF PLANNING & ZONING

Parking in a residential zone

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 2.00 Acres DEED REF. 5860-001

GRADING 0 % OF OVERALL SITE WILL REQUIRE GRADING.

BUILDING SIZE

GROUND FLOOR 1 AREA 9650 Sq. Ft.

NUMBER OF FLOORS 1 TOTAL HEIGHT 12

FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = .11

BUILDING USE

GROUND FLOOR Restaurant OTHER FLOORS

REQUIRED NUMBER OF PARKING SPACES

GROUND FLOOR 193 OTHER FLOORS TOTAL 193

PAVING

AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 58,120 Sq. Ft.

(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 340)

UTILITIES

WATER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM Well

SEWER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM Septic

UTILITIES SECURITY APPROVAL

John D. Saffert 5/15/79
BUREAU OF LAND DEVELOPMENT

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PEARCE'S PLANTATION, INC.

Pearce M. Lake
LEGAL OWNER
Pearce M. Lake, President
ADDRESS Dulaney Valley Road
Phoenix, Maryland 21131

APPLICANT, LESSEE OR CONTRACT PURCHASER

ADDRESS

☐ Amend
☐ Revis
☐ Build
☐ Fz21
☐ C-245

THE PLANNING BOARD HAS DETERMINED ON 7-19-79 THAT THE PROPOSED DEVELOPMENT DOES/DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 22-15.1(d) OF THE BALTIMORE COUNTY CODE.

OFFICE OF PLANNING & ZONING

7-19-79

DATE

John D. Saffert
CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD

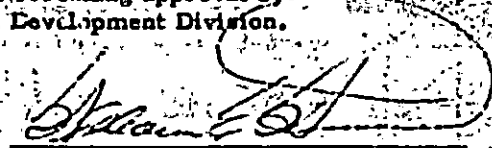
Kindly advise John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Legal Owner, of all proceedings on the within I.D.C.A. Application.

John B. Howard
John B. Howard

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that to issue a use permit for business or industrial parking in a residential zone will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1st day of November, 1979, that a use permit for business or industrial parking in a residential zone, as requested in the herein Petition, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Restaurant use only.
2. Compliance with Section 409.4 of the Baltimore County Zoning Regulations.
3. A revised site plan shall be submitted, delineating the location and size of the private septic system and indicating thereon the prohibited parking, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.


Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE November 1, 1979

BY Mary Leavitt, Clerk
of the Zoning Commission

Pet No
9

**INTRODUCTORY
CITY OF BALTIMORE
COUNCIL BILL**

Introduced by: Bernard C. "Jack" Young, President

At the request of: The Administration (Dept. Transportation), prepared by the Survey Section of
the Department of Transportation.

A BILL ENTITLED

AN ORDINANCE CONCERNING

**SALE OF CITY PROPERTY –
PORTION OF THE FORMER BED OF DULANEY VALLEY ROAD WITHIN THE
LOCH RAVEN RESERVOIR AND OWNED BY THE MAYOR AND CITY COUNCIL
OF BALTIMORE
ADJACENT TO 12460 DULANEY VALLEY ROAD
10TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in and to a certain parcel of land no longer needed for highway or other public use and known as the former bed of a portion of Dulaney Valley Road, within the Loch Raven Reservoir, adjacent to 12460 Dulaney Valley Road

BY authority of

Article V - Comptroller

Section 5(b)

Baltimore City Charter (1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That in accordance with Article V, Section 5 (b) of the City Charter the Comptroller of Baltimore City may sell, at either public or private sale, all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land no longer needed for highway or other public use and known as the former bed of Dulaney Valley Road, located in Baltimore County, and described as follows:

BEGINNING at an Iron Pin & Cap found on the northeasterly side of Dulaney Valley Road at the division line between Lot No. 1 and Lot No. 2 as shown on the Plat entitled, "Pierce's Plantation", which Plat is recorded among the Land Records of Baltimore County in Plat Book S.M. No. 78, folio 476; running thence with and binding on the northeasterly side of Dulaney Valley Road

1. South 59 degrees 11 minutes 02 seconds East a distance of 245.89 feet to an iron Pin & Cap found at the corner formed by the northeasterly side of Dulaney Valley Road and the northwesterly side of Dulaney Valley Road; thence running for new lines of division over, under, across and through the Lands of Mayor and City Council of Baltimore, Maryland, Dulaney Valley Road the four (4) following courses:
2. South 21 degrees 21 minutes 28 seconds West a distance of 11.34 feet; thence

PETITIONER'S

EXHIBIT NO. 9

3. By a curve to the right with a Radius of 15.00 feet, an Arc Length of 17.45 feet and being subtended by a Chord Bearing and Distance of South 54 degrees 14 minutes 21 seconds West, 16.48 feet; thence
4. By a curve to the right with a Radius of 56.00 feet, an Arc Length of 50.14 feet and being subtended by a Chord Bearing and Distance of North 66 degrees 19 minutes 48 seconds West, 48.48 feet; thence
5. By a curve to the left with a Radius of 625.00 feet, an Arc Length of 196.47 feet and being subtended by a Chord Bearing and Distance of North 49 degrees 41 minutes 09 seconds West, 195.66 feet to the Place of Beginning.

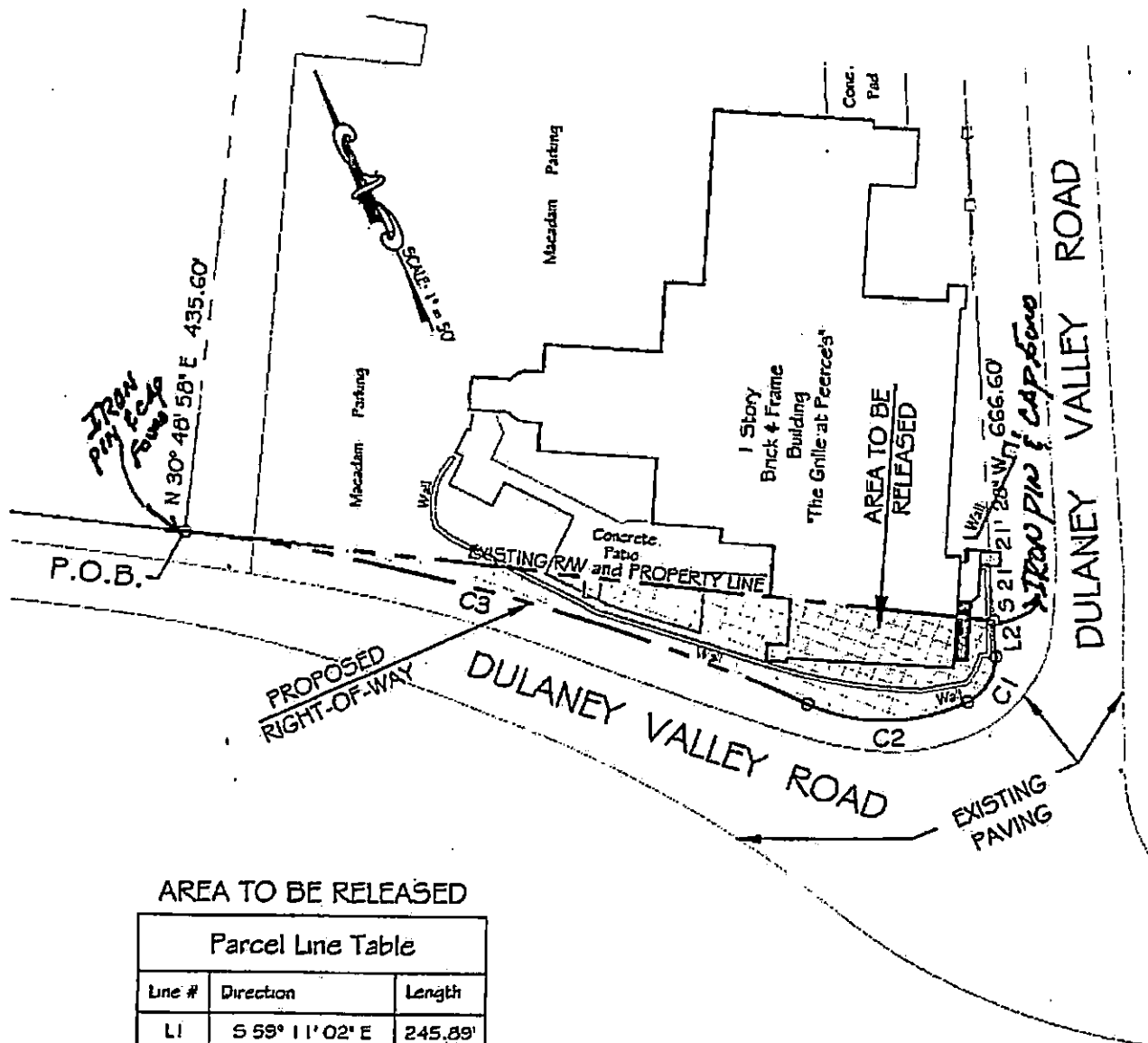
CONTAINING 3,838 square feet or 0.088 acres of land, more or less.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire hereinabove described parcel of land.

Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deeds shall pass under this ordinance unless the deed has been approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance takes effect on the date it is enacted.



AREA TO BE RELEASED

Parcel Line Table

Line #	Direction	Length
L1	S 59° 11' 02" E	245.89'
L2	S 21° 21' 28" W	11.34'

Curve Table

Curve #	Radius	Length	Chord Direction	Chord Length
C1	15.00'	17.45'	S 54° 14' 21" W	16.48'
C2	56.00'	50.14'	N 66° 19' 48" W	48.48'
C3	625.00'	196.47'	N 49° 41' 09" W	195.66'

3,838 Sq. Ft. or 0.088± Acres

PLAN TO ACCOMPANY DESCRIPTION

AREA ^{for} TO BE RELEASED BY THE
PROPOSED RIGHT-OF-WAY REALIGNMENT

MAYOR AND CITY COUNCIL OF BALTIMORE
MD to PEERCE'S PLANTATION
12460 DULANEY VALLEY ROAD
BALTIMORE, MD 21246
DULANEY, LLC

Prepared By

MAI, LLC
SURVEYORS

16951 YORK ROAD
MONKTON, MD 21111
(410) 357-8727

N/A	RPG	15-118
TITLE CO.	DRAWN BY	JOB NO.

MAI LLC

SURVEYORS

BOUNDARY • ALTA/ACSM • TOPOGRAPHIC • CONSTRUCTION • AS-BUILT
Veteran Owned Small Business (SBE No: SB11-4811)

PROPERTY DESCRIPTION

Area to be Released by
The Mayor and City Council of Baltimore City, MD
To
12460 Dulaney, LLC
12460 Dulaney Valley Road
10th Election District
Baltimore County, MD

BEGINNING at an Iron Pin & Cap found on the northeasterly side of Dulaney Valley Road at the division line between Lot No. 1 and Lot No. 2 as shown on the Plat entitled, "Peerce's Plantation", which Plat is recorded among the Land Records of Baltimore County in Plat Book S.M. No. 78, folio 476; thence running with and binding on the northeasterly side of Dulaney Valley Road

- ✓ 1. South 59 degrees 11 minutes 02 seconds East a distance of 245.89 to an Iron Pin & Cap found at the corner formed by the northeasterly side of Dulaney Valley Road and the northwesterly side Dulaney Valley Road; thence running for a new line of division over, under, across and through the Lands of Baltimore County, Maryland, Dulaney Valley Road the four (4) following courses:
- ✓ 2. South 21 degrees 21 minutes 28 seconds West a distance of 11.34 feet; thence
- ✓ 3. By a curve to the right with a Radius of 15.00 feet, an Arc Length of 17.45 feet and being subtended by a Chord Bearing and Distance of South 54 degrees 14 minutes 21 seconds West, 16.48 feet; thence
- ✓ 4. By a curve to the right with a Radius of 56.00 feet, an Arc Length of 50.14 feet and being subtended by a Chord Bearing and Distance of North 66 degrees 19 minutes 48 seconds West, 48.48 feet; thence
- ✓ 5. By a curve to the left with a Radius of 625.00 feet, an Arc Length of 196.47 feet and being subtended by a Chord Bearing and Distance of North 49 degrees 41 minutes 09 seconds West, 195.66 feet to the place of beginning

CONTAINING 3,838 square feet or 0.088 acres or land, more or less.



053A1

2500006005

PAI # 108018
Pt. Bk./Folio # 070151
2300002327
Pt. Bk. 0000005151
PAI # 108018

12450

RC 6

PAI # 100452

PAI # 100452

PAI # 100452

Pt. Bk./Folio # 078476

PAI # 100452

Lot # 2 2500006007

BL CR

BL CR

Lot # 1

Pt. Bk. 0000078, Folio 0476

12460

1980-0100-SPHA

BL

12460

PAI # 108025

12460

Pt. Bk./Folio # 006094

3 CD 10 ED

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

NE 16-D

053A2

11 ED

DULANEY VALLEY RD

LOCH RAVEN DR

0813020871

RC 7

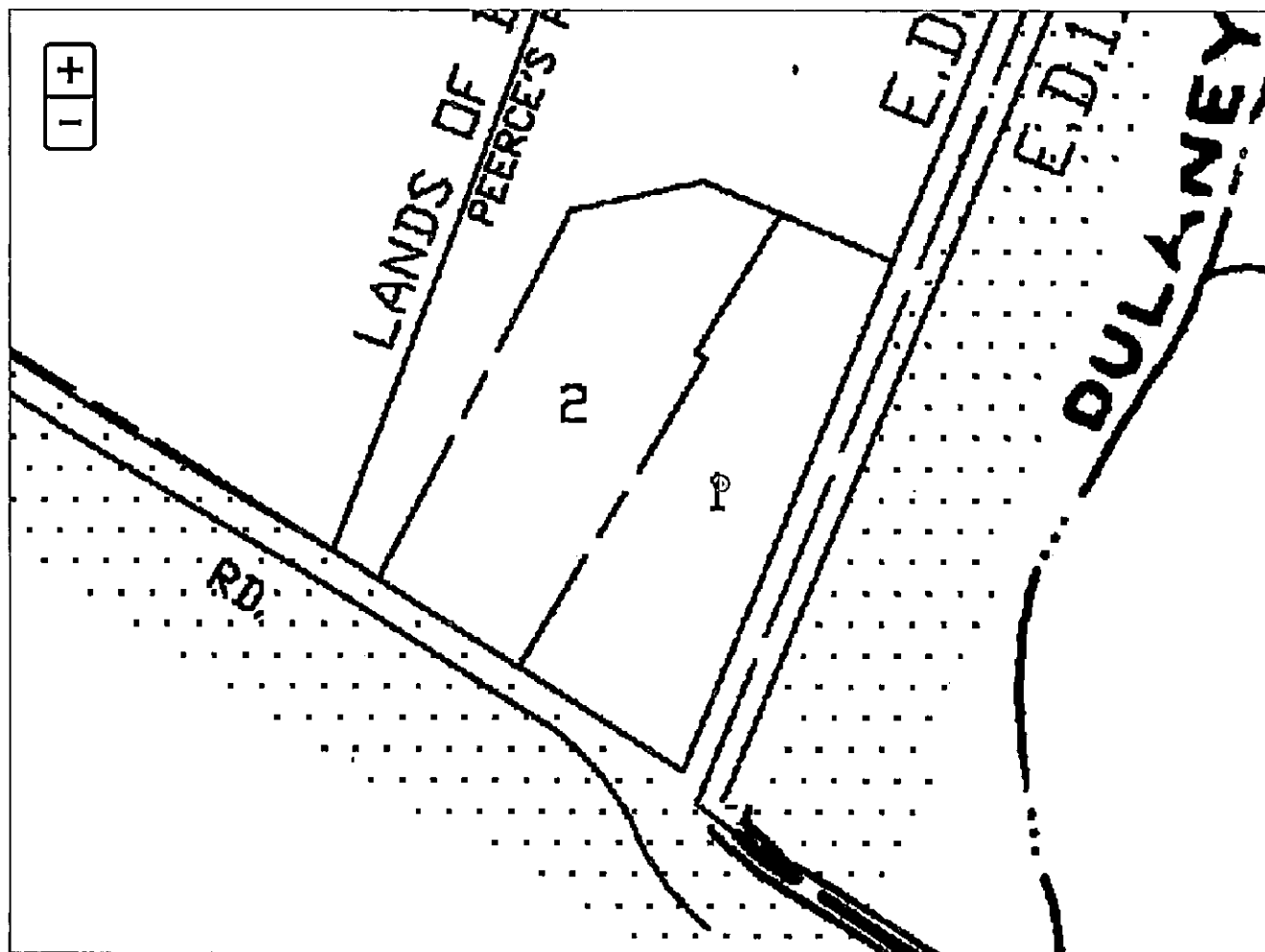
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 10 Account Number - 2500006006			
Owner Information					
Owner Name:	12460 DULANEY LLC		Use:	COMMERCIAL	
Mailing Address:	6208 MOSSWAY BALTIMORE MD 21212-		Principal Residence:	NO	
			Deed Reference:	/36279/ 00261	
Location & Structure Information					
Premises Address:		12460 DULANEY VALLEY RD PHOENIX MD 21131-2302		Legal Description: 2.92 AC NS 12460 DULANEY VALLEY RD PEERCE'S PLANTATION	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0053	0007	0501		0000	1
					Assessment Year: 2016
					Plat No: 0078/ Plat Ref: 0476
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1932	10455		2.9200 AC	23	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		RESTAURANT			
Value Information					
		Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		266,400	266,400		
Improvements		599,300	1,107,600		
Total:		865,700	1,374,000	865,700	1,035,133
Preferential Land:		0			0
Transfer Information					
Seller: PEERCES PLANTATION GL LLC		Date: 06/09/2015		Price: \$1,395,000	
Type: ARMS LENGTH IMPROVED		Deed1: /36279/ 00261		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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>)District: **10** Account Number: **2500006006**

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

July 6, 2016

12460 Dulaney LLC
Keir Singh
6208 Mossway
Baltimore MD 21212

RE: Case Number: 2016-0267 SPHA, Address: 12460 Dulaney Valley Rd

Dear Mr. Singh:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 27, 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,

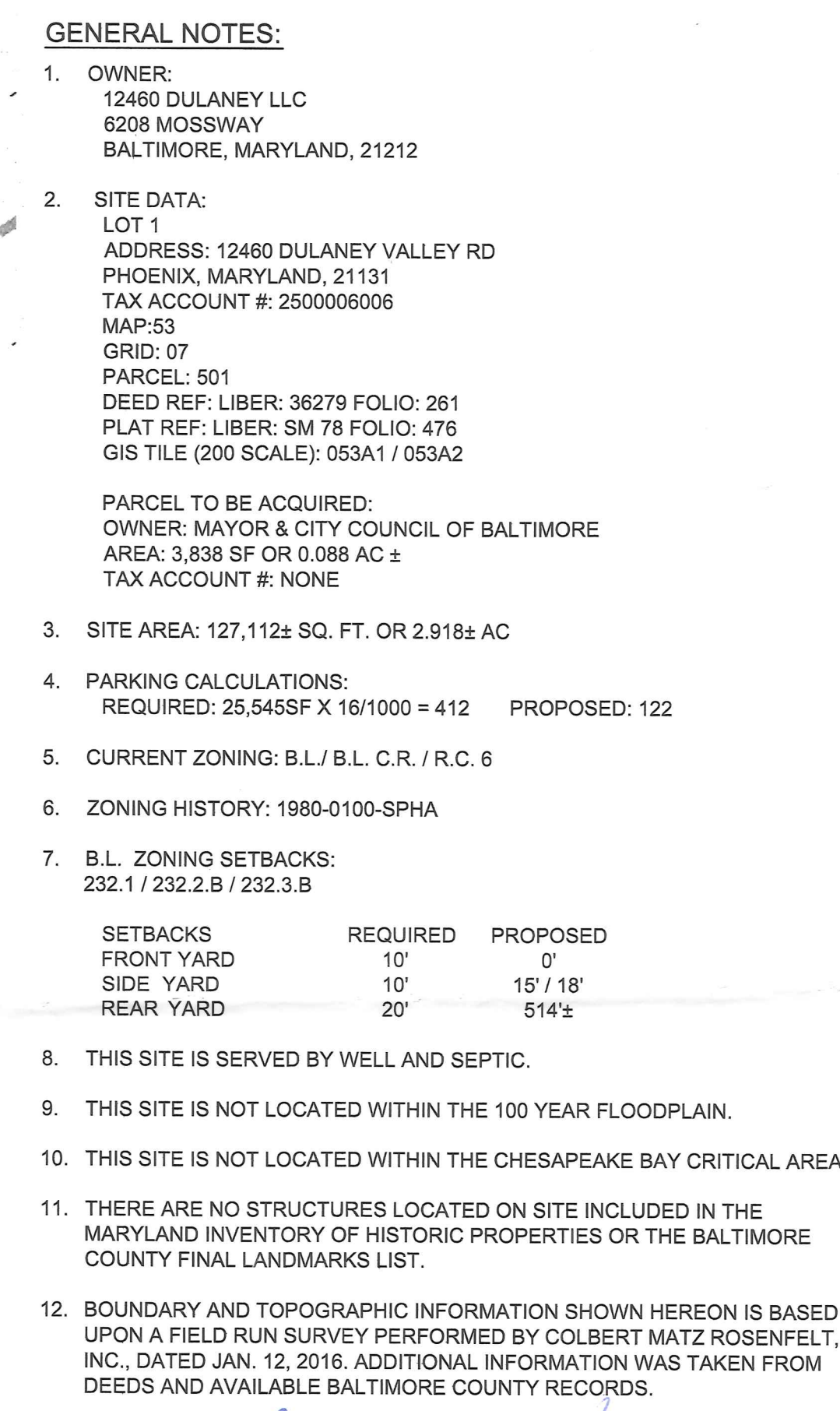
A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Lawrence E Schmidt, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204



SITE PLAN TO ACCOMPANY SPECIAL HEARING
& VARIANCE PETITION
12460 DULANEY VALLEY ROAD
PHOENIX, MARYLAND 21136

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.



Colbert Matz Rosenfelt, Inc.

*Engineers * Surveyors * Planners*

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

Telephone: (410) 653-3838

Facsimile: (410) 653-7953



Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. <u>13203</u> Expiration Date: <u>11-2-2016</u>				SCALE: 1" = 30' DATE: 7/11/2016 JOB NO.: 2015-340 DESIGNED: CMR DRAWN: AJCMS CHECKED: CMR FILE: VAR01_2015040.DWG DRAWING NUMBER: VAR-1	
NO.	DATE	REVISIONS:	BY	SHEET	1 OF 1

1. TO AMEND THE SITE PLAN AND ORDER APPROVED IN CASE NUMBER 1980-100-SPHA;
2. TO APPROVE A MODIFIED PARKING PLAN PURSUANT TO BALTIMORE COUNTY ZONING REGULATIONS ("BCZR") § 409.12, TO ALLOW EXISTING PARKING AREAS AS LANDSCAPED CONFIGURED, PROPOSED PARKING ON A SURFACE THAT IS NOT DURABLE AND DUSTLESS AND PARKING AREAS, THE CONFIGURATION THEREOF AND THE NUMBER OF PARKING SPACES PROVIDED ALL AS MORE PARTICULARLY SHOWN ON THE SITE PLAN ATTACHED TO THE PETITION FOR SPECIAL HEARING AND VARIANCE.
3. TO CONFIRM AND PERMIT EXISTING AND PROPOSED BUSINESS PARKING IN A RESIDENTIAL ZONE PURSUANT TO BCZR § 409.8.B AND AS PERMITTED IN CASE NUMBER 1980-100-SPHA;
4. TO ALLOW NONCONFORMING PARKING AREAS IN A CR DISTRICT PURSUANT TO BCZR § 104 AND § 259.C.3 AND § 259.C.4;
5. TO APPROVE THE LOCATION AND SETBACKS ON NONCONFORMING STRUCTURES PURSUANT TO BCZR § 104;
6. TO PERMIT A CATERING FACILITY AS AN ACCESSORY USE TO A PERMITTED STANDARD RESTAURANT USE; AND
7. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

1. TO PERMIT FRONT YARD BUILDING SETBACKS AS LITTLE AS ZERO FEET IN LIEU OF THE REQUIRED 10 FEET BY BCZR § 232.1;
2. AS AN ALTERNATIVE TO THE PETITION FOR SPECIAL HEARING, TO PERMIT 122 PARKING SPACES IN LIEU OF THE REQUIRED 412 PARKING SPACES PURSUANT TO BCZR § 409.6;
3. AS AN ALTERNATIVE TO THE PETITION FOR SPECIAL HEARING, TO PERMIT OVERFLOW VALET AND EMPLOYEE PARKING TO BE LOCATED ON A NONDURABLE AND DUSTLESS SURFACE IN LIEU OF THE DURABLE AND DUSTLESS SURFACE REQUIRED PURSUANT BCZR § 409.A.2 AND TO PERMIT A DRIVE AISLE AS LITTLE AS 18 FEET IN LIEU OF THE REQUIRED 20 FEET AND PARKING SPACES LESS THAN 8.5 FEET X 18 FEET PER BCZR § 409.A.1; AND
4. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

MAYOR & CITY COUNCIL OF BALTIMORE
BALTIMORE, MD. 21202
MAP 43 - GRID 7 - PARCEL 000
L 554 F 549
TAX ACCOUNT #0813020871
PLAT REF:

EXISTING
1 STORY MASONRY
& FRAME BUILDING
RESTAURANT & CATERER
12,981± SF
PROPOSED BUILDINGS
TOTAL 25,545± SF

~~P.O.B.~~
N 656,082.28
E 1,440,247.02

PROPOSED
RIGHT-OF-WAY

1. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
2. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 32-4-4-273
3. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
4. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
5. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS.
6. THE OWNER HEREBY RESERVES AND OFFERS FOR DEDICATION TO BALTIMORE COUNTY ALL SUCH RIGHTS OF WAY AND PROPERTY INTERESTS OF ANY KIND DESIGNATED HEREIN OR OTHERWISE REASONABLY DETERMINABLE TO BE INTENDED FOR DEDICATION TO BALTIMORE COUNTY (THE "PROPERTY INTERESTS"). THE PROPERTY INTERESTS MAY INCLUDE, BUT ARE NOT LIMITED TO, HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, SIGHT LINE EASEMENTS, FIRE SUPPRESSION EASEMENTS, FOREST CONSERVATION AREAS IN FEE OR EASEMENT, ACCESS EASEMENTS, FIRST BUFFER AREAS IN FEE OR EASEMENT, CRITICAL AREA EASEMENTS, LOCAL OPEN SPACE, GREENWAY AREAS IN FEE OR EASEMENT, STORM WATER MANAGEMENT AREAS, CONSERVANCY AREAS, AND ANY OTHER SIMILAR RIGHTS OF WAY OR PROPERTY INTERESTS, NO MATTER HOW ENTITLED, EXCEPT FOR THOSE INDICATED AS PRIVATE. THE OWNER SHALL CONVEY SAID PROPERTY INTERESTS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST TO BALTIMORE COUNTY. THE OBLIGATION TO CONVEY SAID PROPERTY INTERESTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, THE OWNERS PERSONAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS. UPON FINAL APPROVAL OF THIS PLAT BY THE REQUIRED GOVERNMENTAL AUTHORITIES, AND UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY, THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS, TO ENTER UPON THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORM WATER MANAGEMENT PONDS AND FACILITIES, AND FOR OTHER PUBLIC PURPOSES AS REASONABLY NECESSARY. THE PROPERTY SHOWN HEREON SHALL BE SUBJECT TO THE RIGHTS OF BALTIMORE COUNTY IN AND TO THE PROPERTY INTERESTS.
7. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
8. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS A RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT.
9. THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE BEDS THEREOF ARE EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
10. PANHANDLE DRIVES WILL BE MAINTAINED BY THE OWNERS OF THE PROPERTIES SOLD.
11. EASEMENT AGREEMENTS FOR PANHANDLES ARE INTENDED TO BE RECORDED SIMULTANEOUSLY WITH THE PLAT.
12. TRASH COLLECTION, SNOW REMOVAL, AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHT-OF-WAY.
13. THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
14. ALL REQUIREMENTS OF THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT AND BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT PERTAINING TO PRIVATE WATER AND/OR SEWERAGE SYSTEMS MUST BE COMPLIED WITH PRIOR TO THE APPROVAL OF BUILDING PERMITS.
15. PERCOLATION TESTS WILL BE VALID FOR A PERIOD OF FIVE YEARS AFTER THE DATE THE PLAT IS SIGNED BY THE DIRECTOR OF THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. AFTER THAT PERIOD, NEW TESTS MAY BE REQUIRED.

LOT 2
GIRLS LIFE PLANTATION MANSION, LLC
DEED REFERENCE: 15424/134
TAX ACCOUNT NUMBER: 1012000075
TAX MAP 53. GRID 7. PARCEL 403

NOTE:
THE EXISTING IMPROVEMENTS ON THE SUBJECT
PROPERTY ARE NOT SHOWN ON THIS PLAT.

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEY R WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

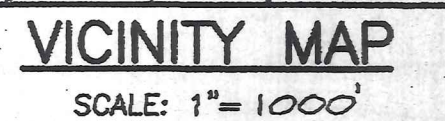
THE UNDERSIGNED OWNER'S OF THE LAND SHOWN HEREON, HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3 - 108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAS BEEN COMPLIED WITH, AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

Thomas C. Urban Deputy 6/1/89
DIRECTOR DATE
DEPARTMENT OF ENVIRONMENTAL ^{AND} PROTECTION AND RESOURCE MANAGEMENT

BY THE DIRECTOR OF PERMITS AND
DEVELOPMENT MANAGEMENT PURSUANT TO
SECTION 32-4-272 BALTIMORE COUNTY
CODE

Donald T. Reese 6-16-09

DIRECTOR DATE
DEPARTMENT OF PERMITS AND DEVELOPMENT
MANAGEMENT



PLAT EFFORTUM	15.00
TRIM	15.00
Road Road	Road # 21000
SM 22	R16 220
Jan 10 2000	00:00

SM 78-476



COMPUTED BY: JAS	DRAWN BY: WDS	CHECKED BY: JLL/WDS	JOB No.: 203066
---------------------	------------------	------------------------	--------------------

EDWIN J. KIRBY, JR.
PROF. LAND SURVEYOR
MD REG. NO. 5481

OWNER INFORMATION

GIRLS LIFE PLANTATION MANSION LLC

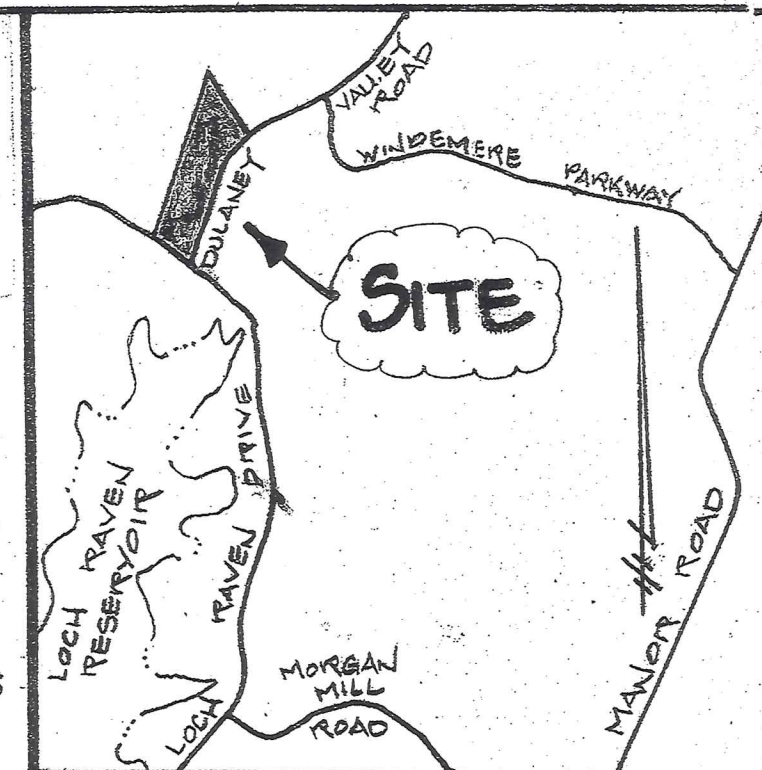
GIRLS LIFE PLANTATION PARCEL LLC

PEERCE'S PLANTATION GL LLC

PEERCE'S PLANTATION GL LLC CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

LEGEND

PROPERTY LINE
SOILS LINE
ZONING LINE
EXISTING CONTOURS
ULTIMATE RIGHT OF WAY LINE
PERC TEST LOCATION
FRONT ORIENTATION
ARROW



VICINITY MAP

SCALE: 1" = 2,000'
ELECTION DISTRICT 10TH
COUNCILMANIC DISTRICT 320

SITE DATA

DEED REFERENCES: 15424/192, 15424/127, 15424/117
TAX ACCOUNT No. 5: 1012000075, 1000000417, 1000010170
TAX MAP 53 PARCEL 403
TAX MAP 53 PARCEL 327
TAX MAP 53 PARCEL 300
ZONING MAP(S) Q55 A1&A2

ACREAGE: SEE SEPARATE TABLE
ZONING: BL-CR, RC-G
CENSUS TRACT
WATERSHED
SUBSEWERED:
OWNER(S) / APPLICANT(S)
TAX ACCT. 1012000075
GIRLS LIFE PLANTATION
MANSION, LLC
TAX ACCT. 1000010170
GIRLS LIFE PLANTATION
PARCEL LLC
ADDRESS & PHONE (FOR BOTH OF THE ABOVE)
12460 DULANEY VALLEY RD.
BALTIMORE, MD, 21214
410-254-9200
TAX ACCT. 1000000417
PEERCE'S PLANTATION
GL LLC
BALTIMORE COUNTY DEPT. OF PDM
Project No. 10-452 PRC 101466
ADDRESS: 12460 DULANEY VALLEY RD.
BALTIMORE COUNTY CODE PHOENIX, MD, 21131
Section 32-4-106B

NOTE: BALTIMORE COUNTY FOREST CONSERVATION REGULATIONS HAVE BEEN ADDRESSED BY THE PURCHASE OF 21,565 SQUARE FEET OF CREDIT AT A D.E.P./E.M. APPROVED FOREST CONSERVATION RETENTION BANK.

LANDSCAPING NOTE

LANDSCAPING WILL BE ADDRESSED AT A LATER DATE.

CERTIFICATION DEVELOPMENT Plan Approved By: [Signature] Date: 3-25-08
This plan approval shall expire four (4) years from this approval date.

RECORDING HISTORY:
CASE # 80-100 A8PH
TO ALLOW PARKING IN RESIDENTIAL ZONE AND VARIANCE FOR REDUCED PARKING - GRANTED
DEC # 016068 5-5-2008
GRANTED LIMITED EXEMPTION UNDER SEC. 32-4-106(b)(8).

RECEIVED
MAR 2 2008
DEVELOPMENT ENGINEERING CONSULTANTS, INC.
DEPT. OF PERMITS ENGINEERS & SURVEYORS
800 YORK ROAD, SUITE 200 BALTIMORE, MARYLAND 21212

NO.	DATE	DESCRIPTION
1	9-28-97	REV. PER GROUNDWATER MANAGEMENT COMMENTS
2	02-05-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
3	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
4	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
5	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
6	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
7	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
8	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
9	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM
10	07-21-08	ADD NEW PERC TESTS FOR LOW-PRESS. SYSTEM

SPELLMAN, LARSON & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

DEVELOPMENT PLAN FOR MINOR COMMERCIAL DEVELOPMENT

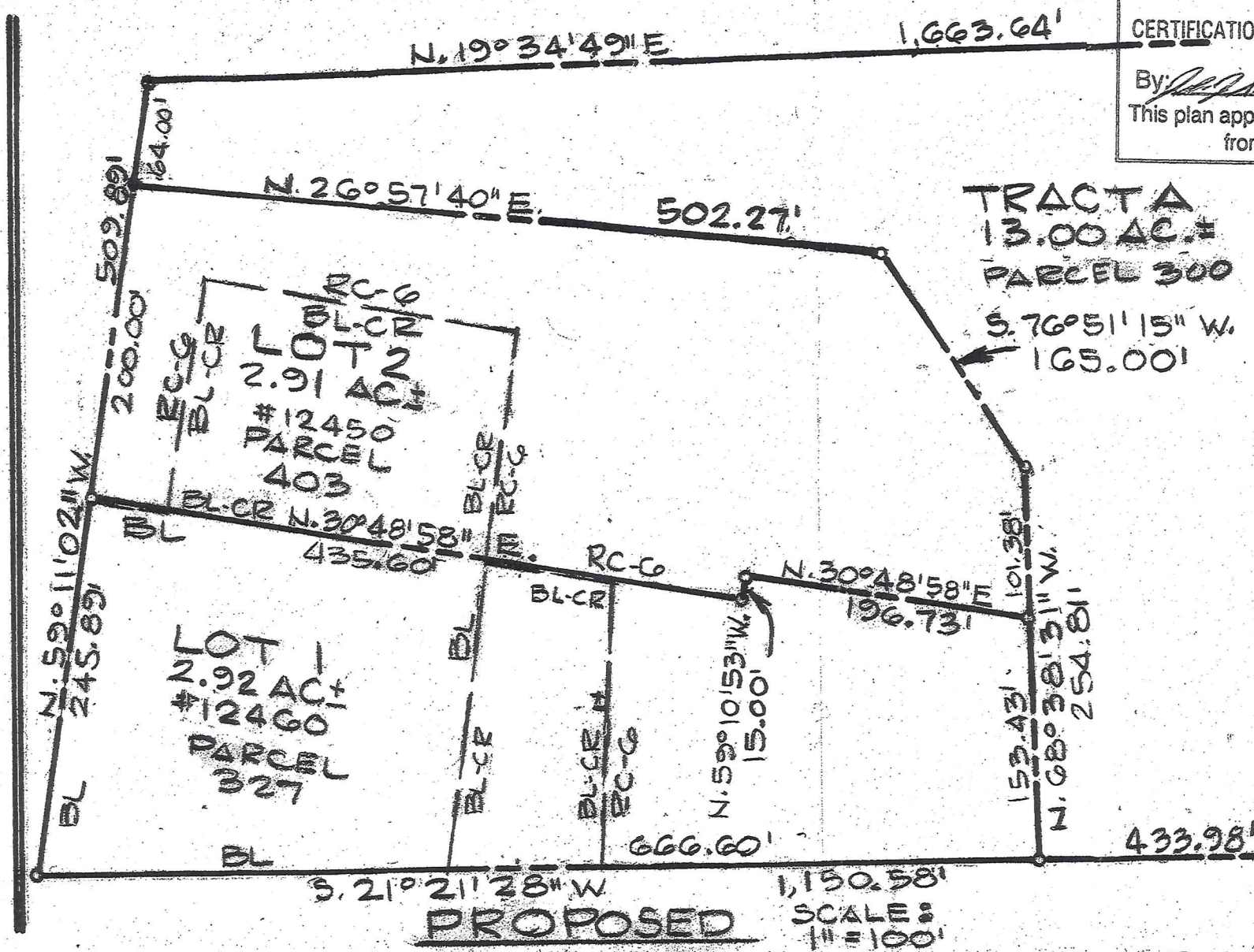
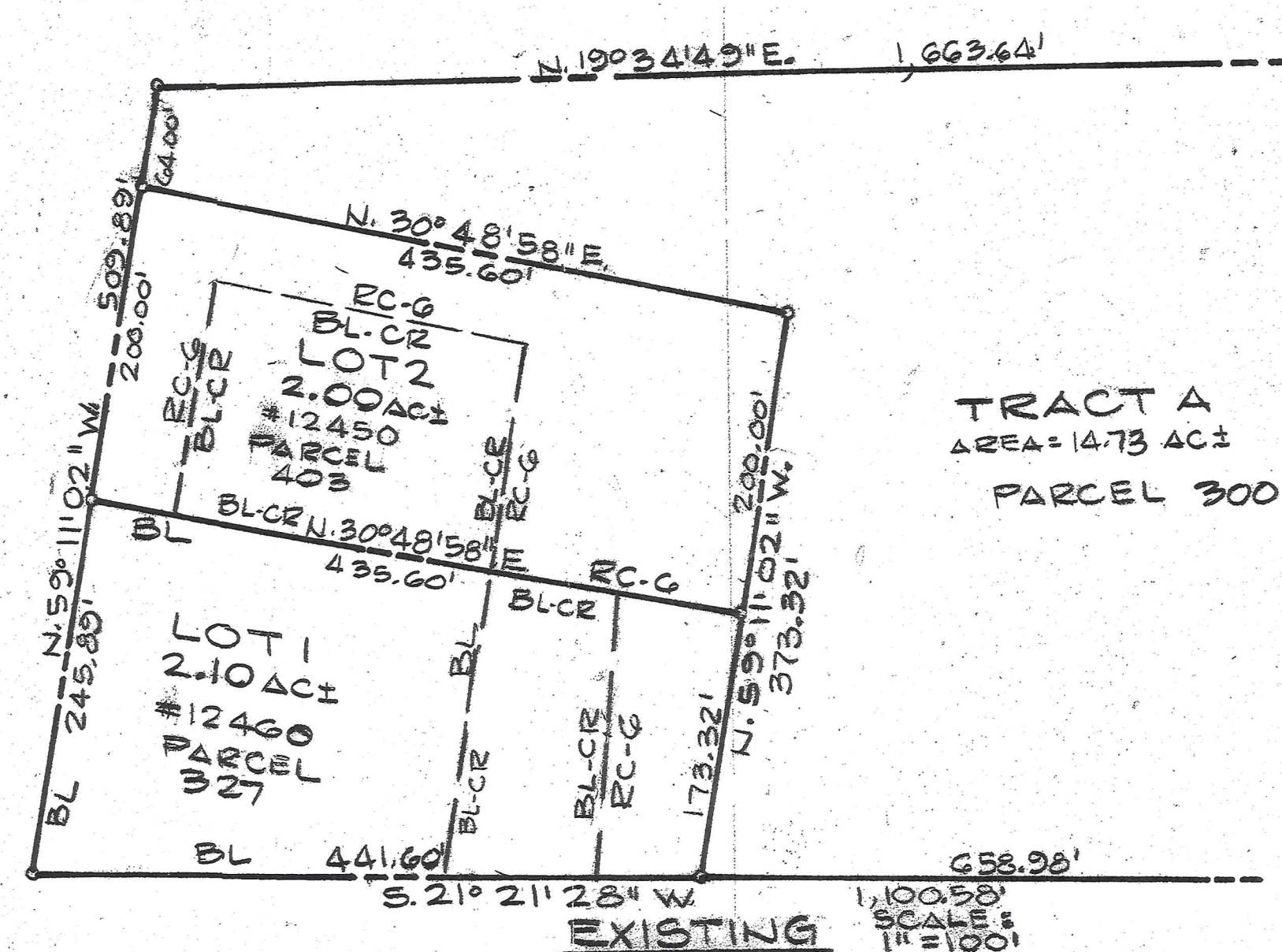
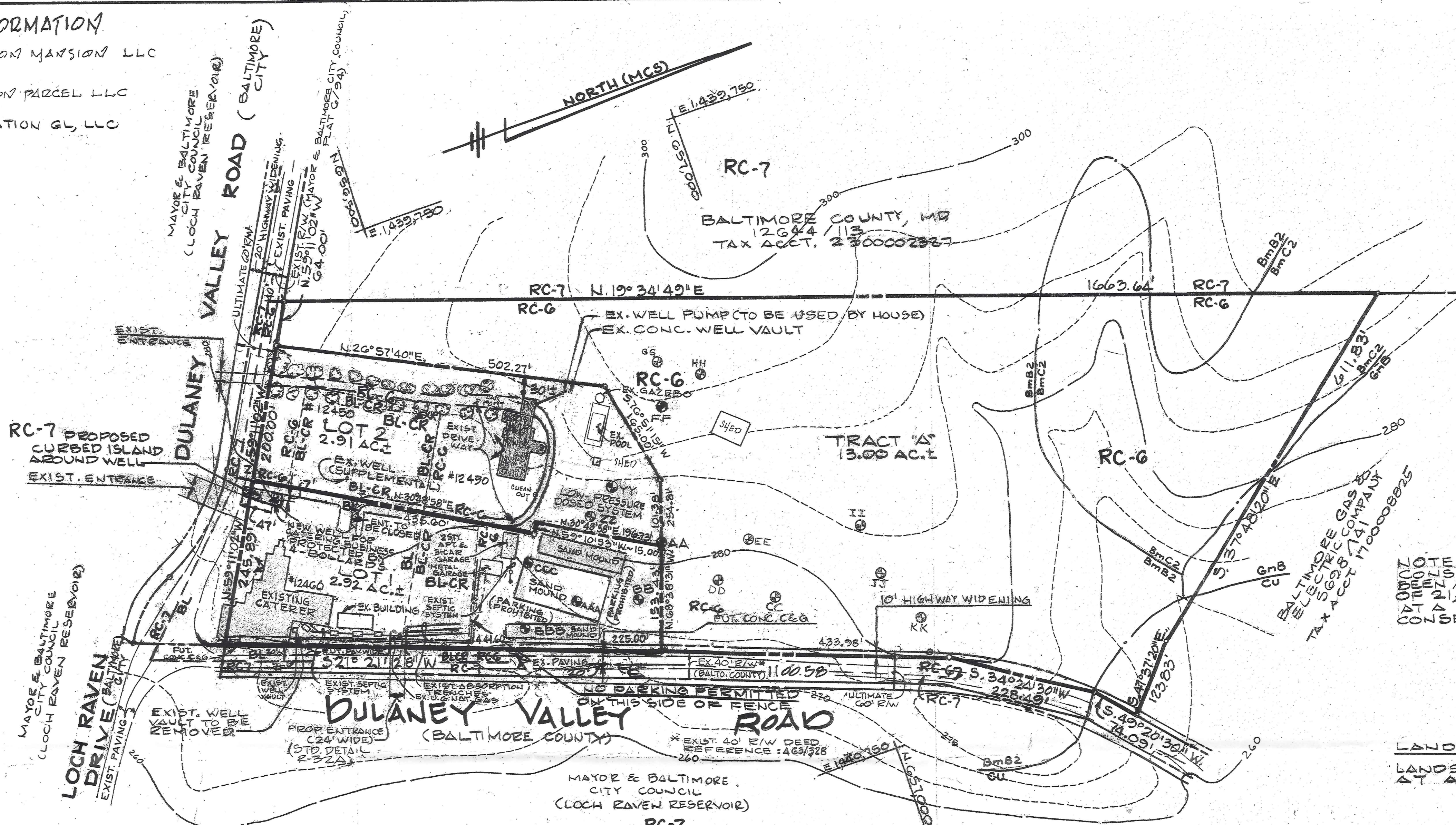
PEERCE'S PLANTATION

12460 DULANEY VALLEY ROAD

P.D.M. NO. 10-452

ELECT. DIST. No. 10 BALTIMORE CO., MD
7th COUNCILMANIC DISTRICT

SCALE: 1" = 100' DES. BY: PMJ
DATE: SEPT. 21, 2006 DRN. BY: PMJ
REV. NOV. 26, 2008 7/2/01 DEC. NO.



DEC	DATE	DESCRIPTION
DEC	11/26/08	ADD NOTE RE: FOREST CONSERVATION PER E.I.R.
DEC	11/17/08	FIELD LOCATE NEW WELL FOR CATERING
DEC	01/18/08	REVISED DWELLING PARCEL COMMENTS DATED 7/12/08
DEC	09/22/08	REVISED OUTLINE AND AREA FOR VACANT PARCELS AREA
DEC	8/5/08	ADDRESS OF PLAN 7/12/08 COMMENTS ADDRESS ZONING 7/28/08 COMMENTS
DEC	7/30/08	ADDRESS OF PLAN 7/12/08 COMMENTS ADDRESS ZONING 7/28/08 COMMENTS
BY	DATE	DESCRIPTION

TYPICAL PERCOLATION TEST LOCATION - AA
AREA OF DISTURBANCE = 0.00 AC (NO DEVELOPMENT PROPOSED)

THE TOPOGRAPHY AS SHOWN HEREON HAS BEEN TAKEN FROM THE APPROPRIATE BALTIMORE COUNTY PHOTOGRAMMETRIC TOPOGRAPHIC PLAN.

"BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING" HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.

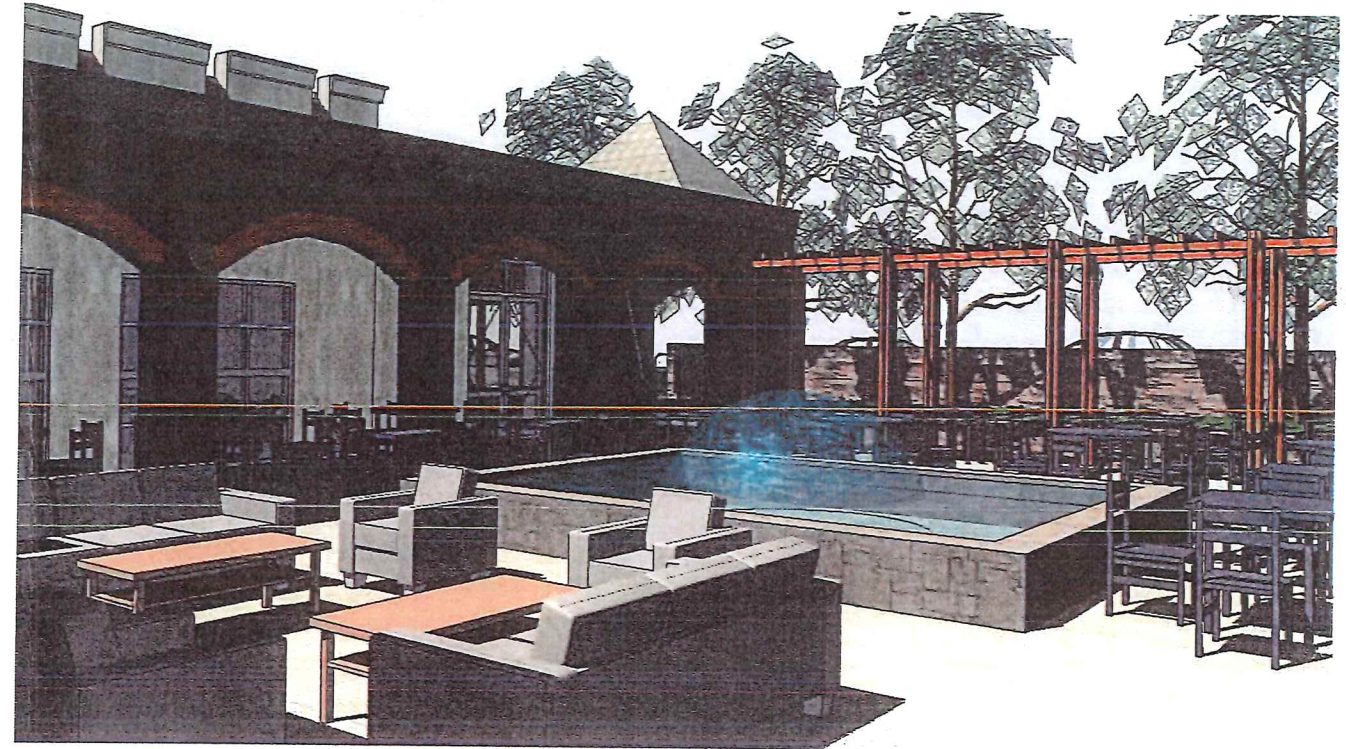
DRAWING IS BASED ON THE MARYLAND COORDINATE SYSTEM
HORIZONTAL: NAD 83/91
VERTICAL: NAVD 88

Developers
10



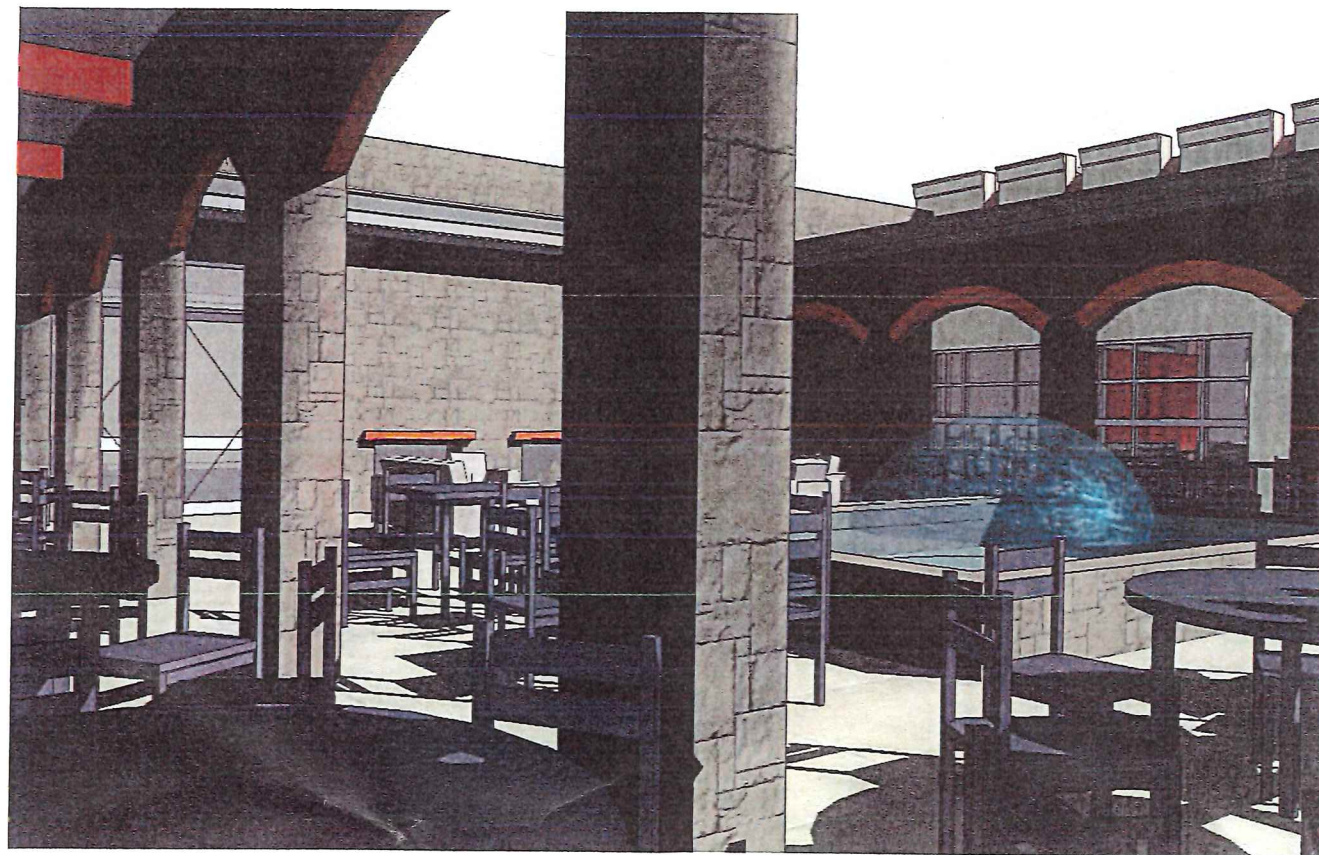
V10

Private Courtyard



V11

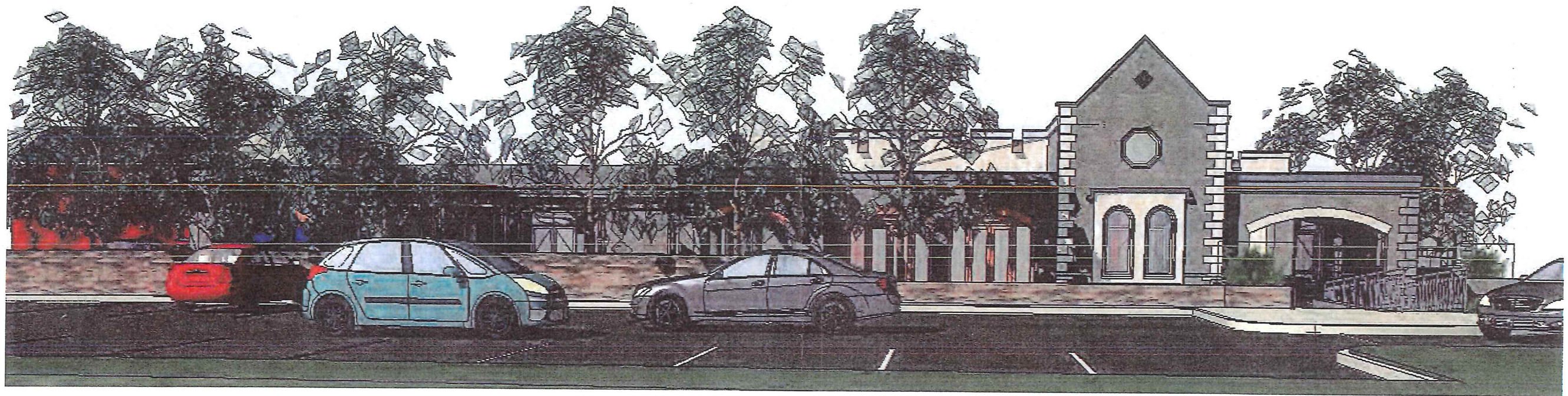
Private Courtyard Landscape



V12

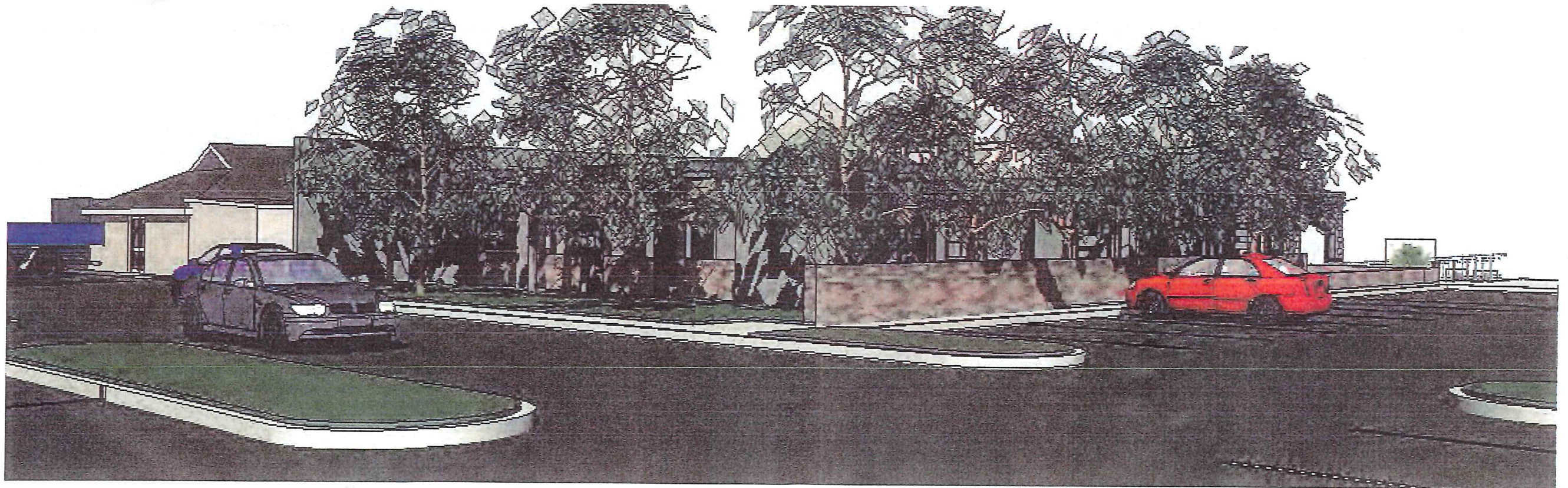
Private Courtyard Rear Wall

1/4" = 1'-0"



V6

West Facade



V7

Parking Entrance

1:19.22



LevinBrown & Associates, Inc.
15 Greenway Valley Road
Owens Mills, Maryland 21113-4191
Telephone: 410-941-0100 Fax: 410-941-0101
WWW.LEVINBROWN.COM

16 December 2015

schematic model - parking entrance

Scale: 1/4" = 1'-0"
pg 11

The Grill at Peerce's
12460 dulaney valley road
pheonix, maryland



Levin Brown & Associates, Inc.
15 Governing Valley Road
Orange Hills, Maryland 21117-4101
Telephone: 410-642-0010 Fax: 410-642-0100
WWW.LEVINBROWN.COM

16 December 2015

schematic model - outer court

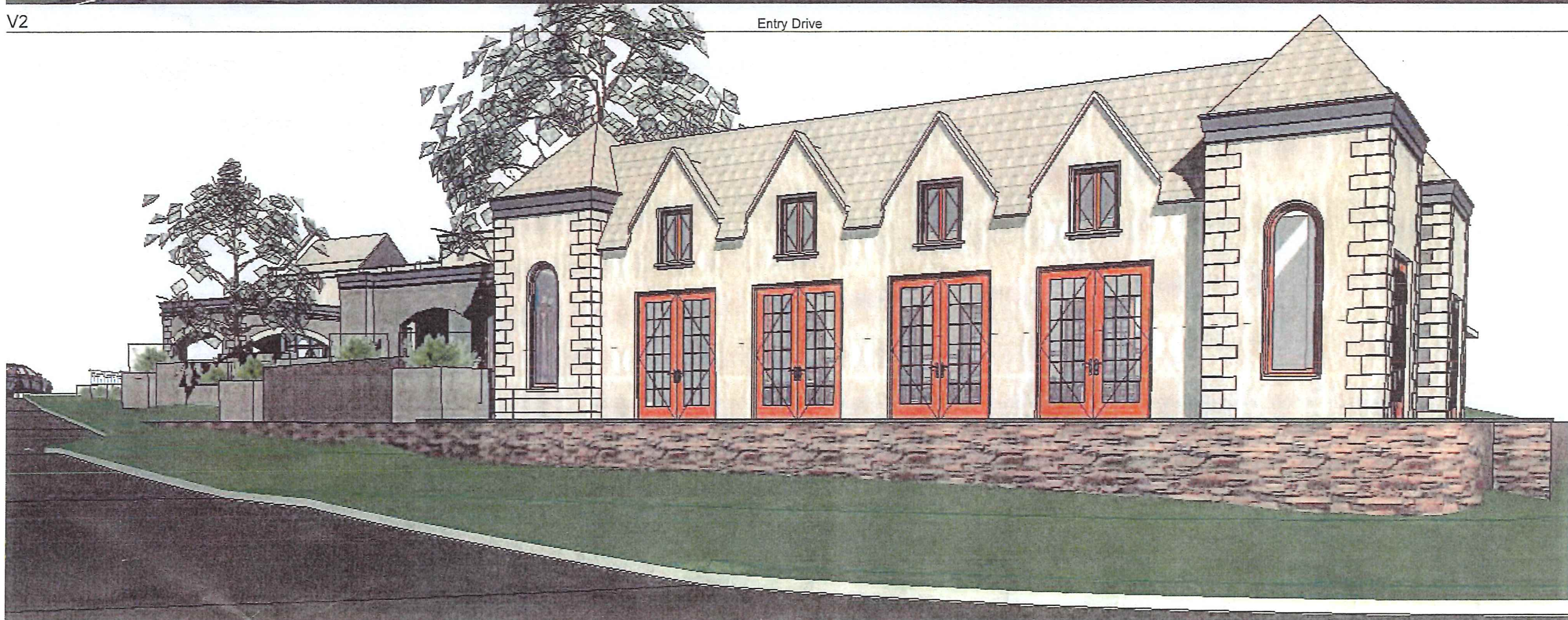
Scale: 1/4" = 1'-0"
pg 10

The Grill at Peerce's
12460 dulaney valley road
phoenix, maryland



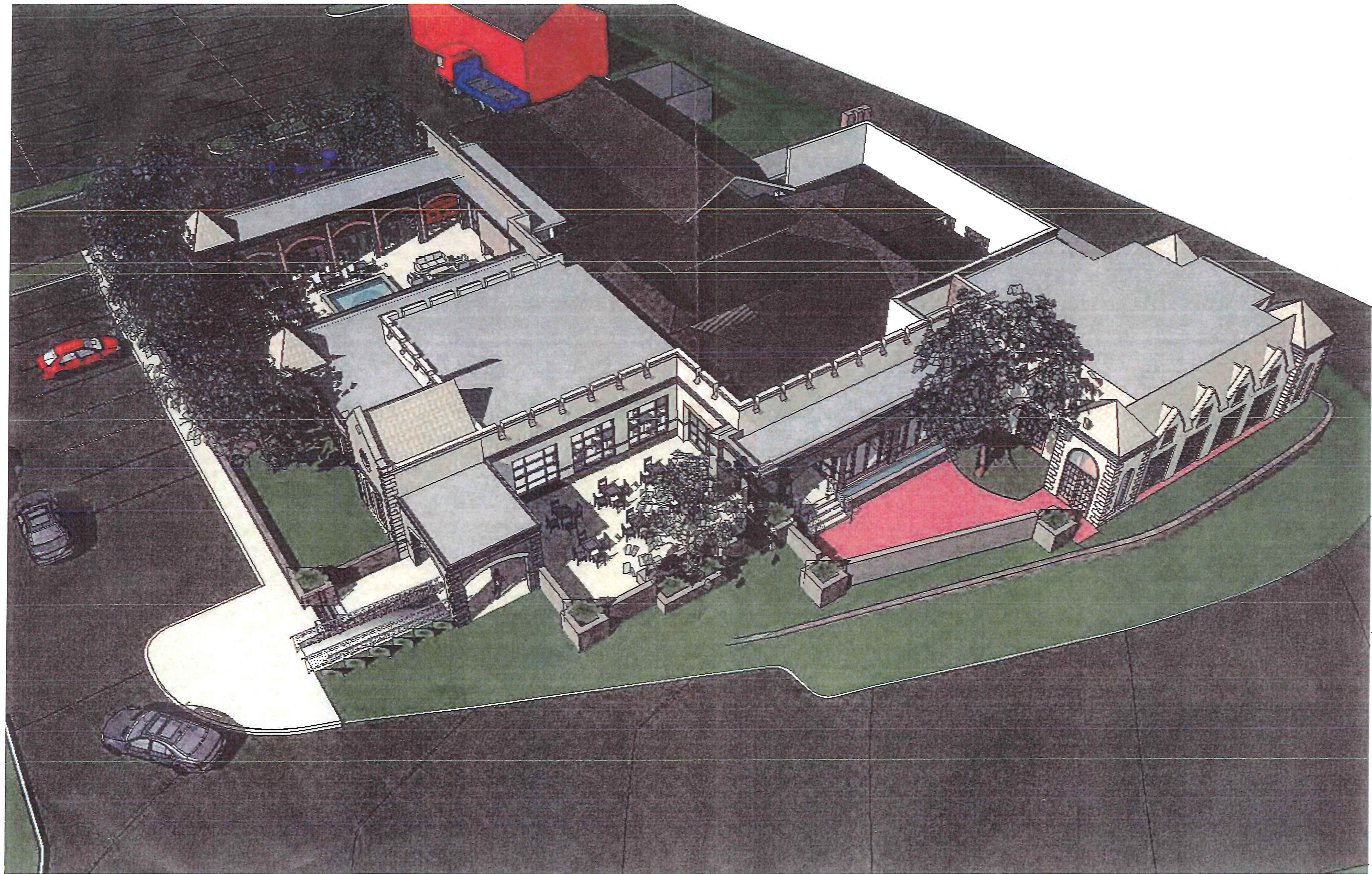
V2

Entry Drive



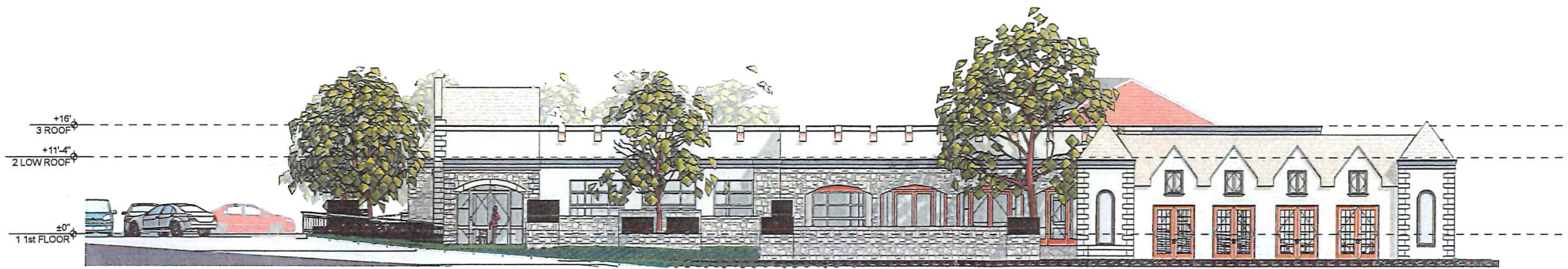
V5

Dulaney Intersection



V1

Campus Aerial



1

SOUTH ELEVATION

1/8" = 1'-0"



2

WEST ELEVATION

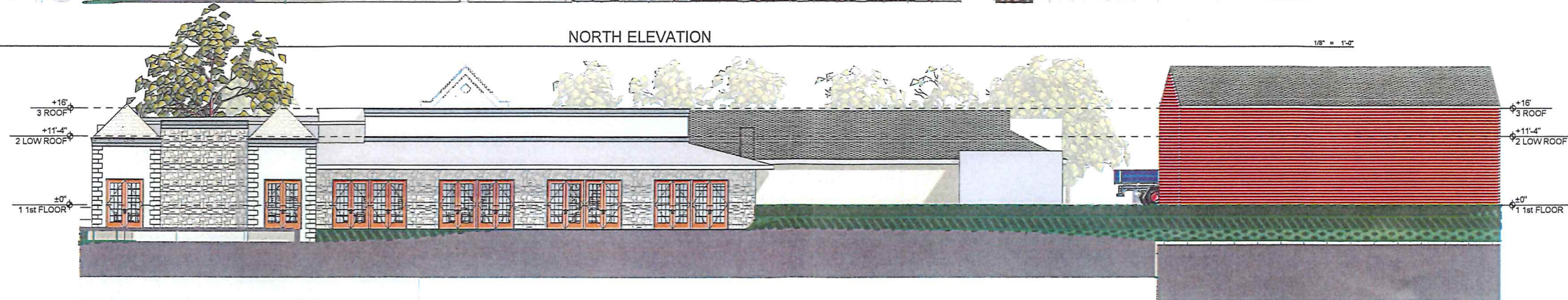
1/8" = 1'-0"



3

NORTH ELEVATION

1/8" = 1'-0"



4

EAST ELEVATION

1/8" = 1'-0"



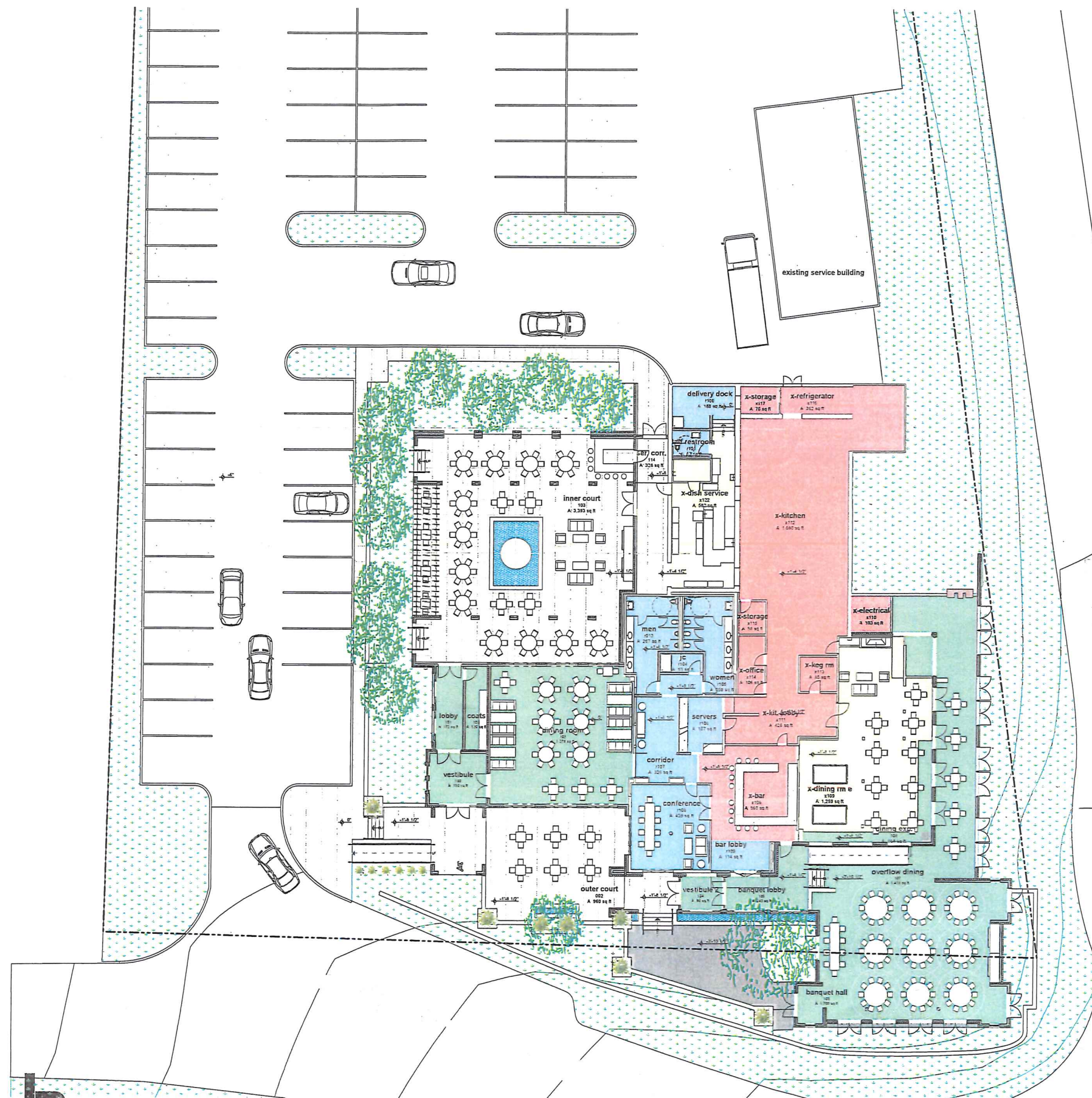
LevinBrown & Associates, Inc.
15 Greenway Valley Road
Orange, MA 01901
Telephone: 415-851-0100 Fax: 415-851-0101
WWW.LEVINBROWN.COM

16 December 2015

schematic building elevations

Scale: 1/8" = 1'-0"
pg 7

The Grill at Peerce's
12460 dulaney valley road
phoenix, maryland



4015 Peerces 01 Existing Aerial

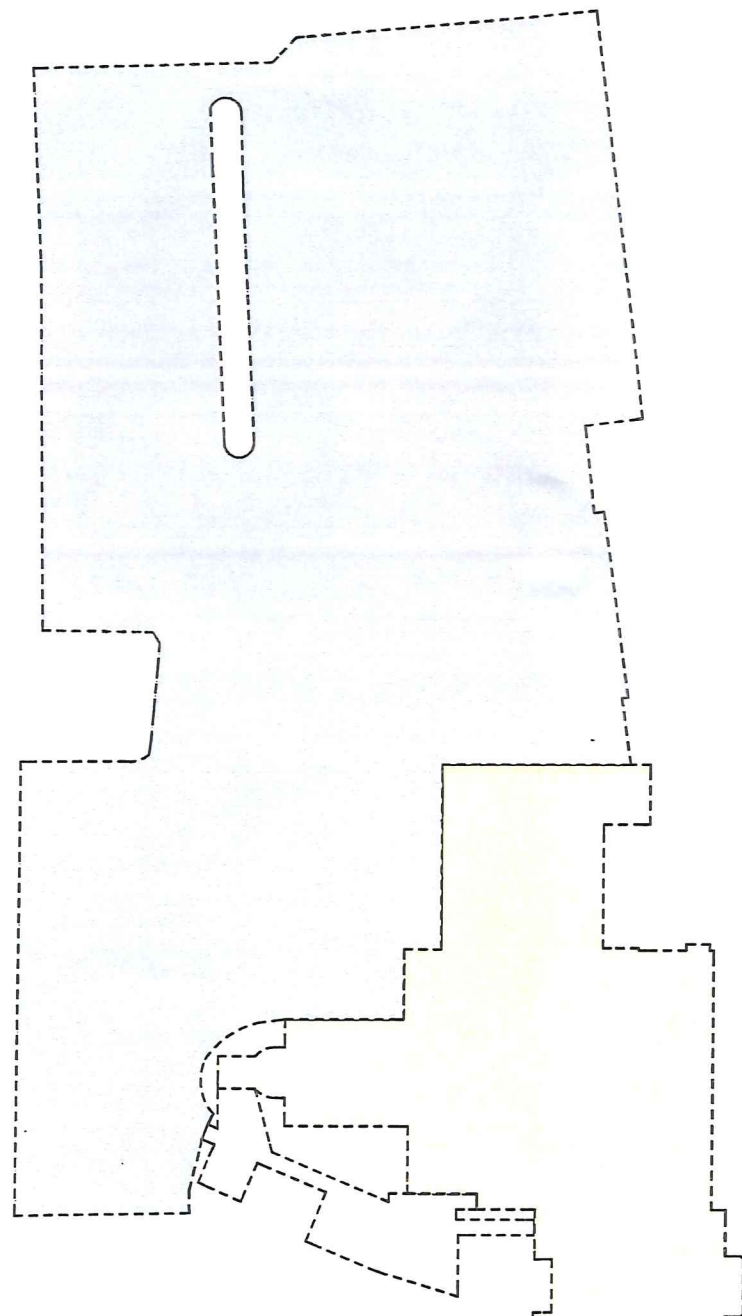
- existing to remain
- existing to remodel (minor)
- existing to demo
- new construction
- existing to remodel (major)
- new constr./terraces



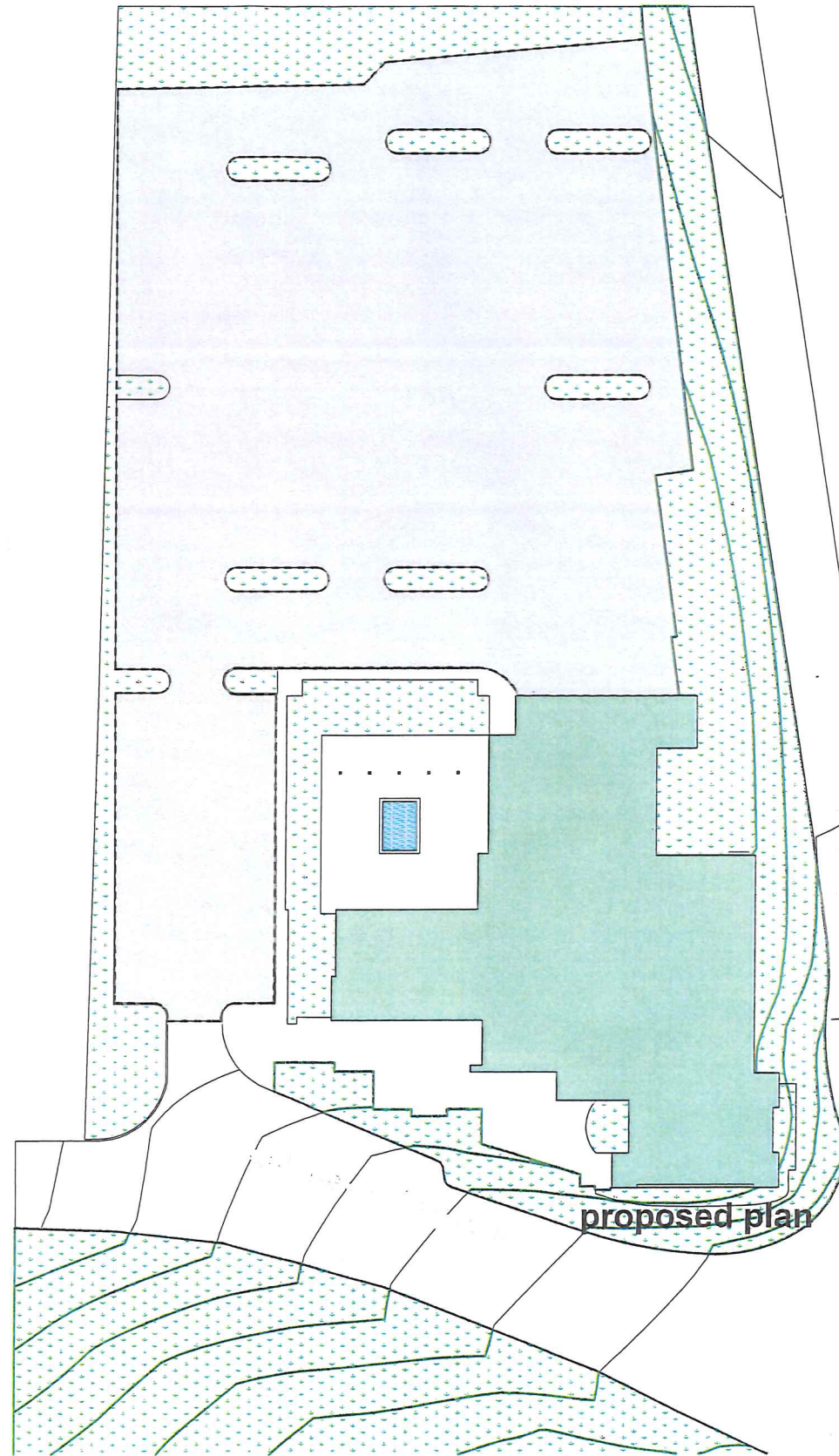
schematic floor plan

Scale: 1" = 1'-0", 3/32" = 1'-0"

The Grill at Peerce's
12460 dulany valley road
pheonix, maryland



existing plan



proposed plan

12,896 sq ft: exist. building area
 1,670 sq ft: exist. plaza area
 46,009 sq ft: exist. paved area
60,577 sq ft: exist. impervious area

13,888 sq ft: Combined Building Area
 7,512 sq ft: Combined Plaza Area
 42,504 sq ft: Preliminary Parking Design Area
63,904 sq ft: prelim. impervious area total



Levin/Brown & Associates, Inc.
 15 Chesapeake Valley Road
 Chesapeake, VA 22059
 Telephone 410-561-4100 Fax 410-561-4101
 WWW.LEVINBROWN.COM

16 December 2015

schematic area summary

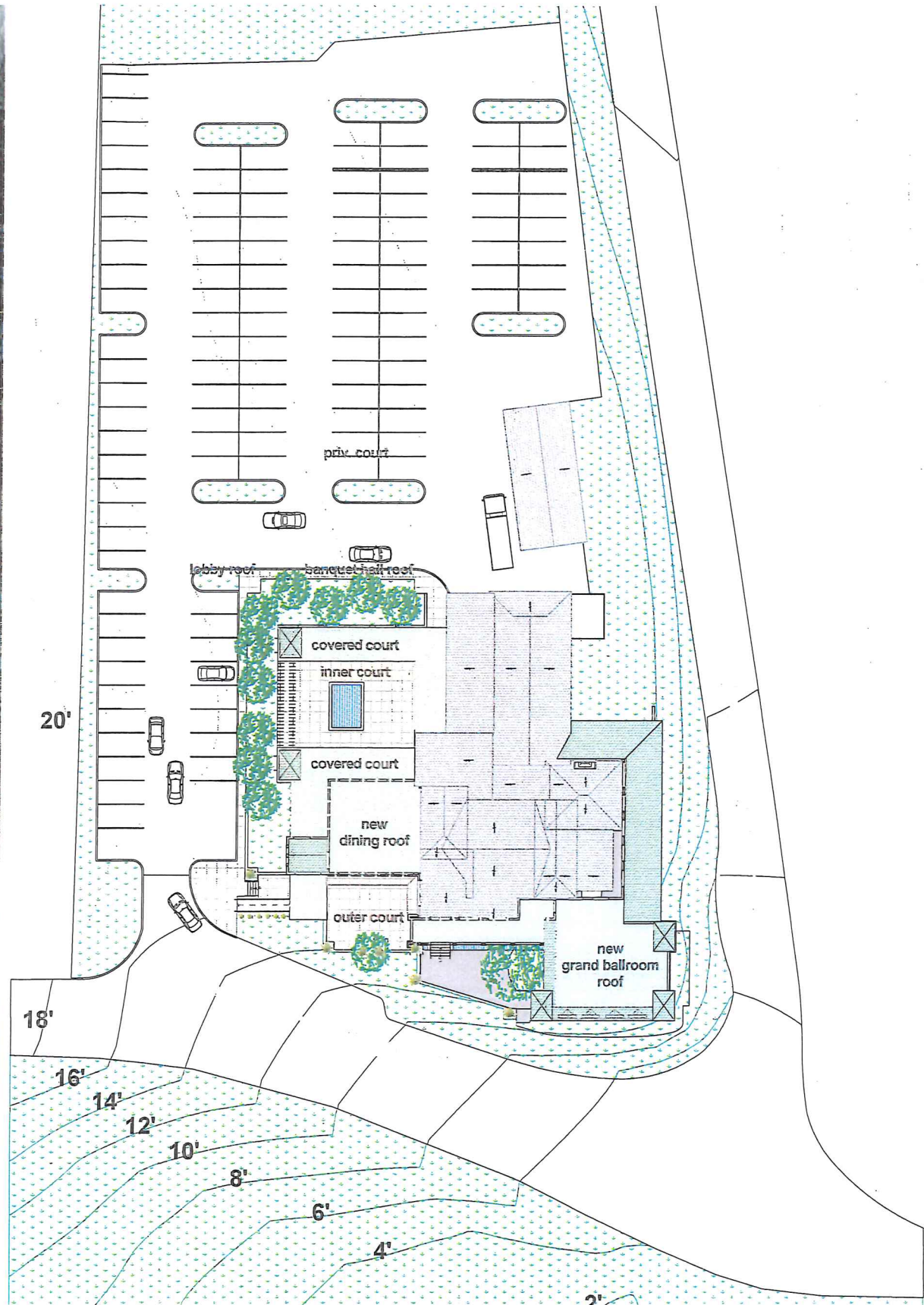
Scale: 1" = 20'
 pg 5



The Grill at Peerce's
 12460 dulaney valley road
 phoenix, maryland



4015 Peerce's 01 Existing Aerial



schematic siteplan

Scale: 1" = 20', 1" = 1'-0"

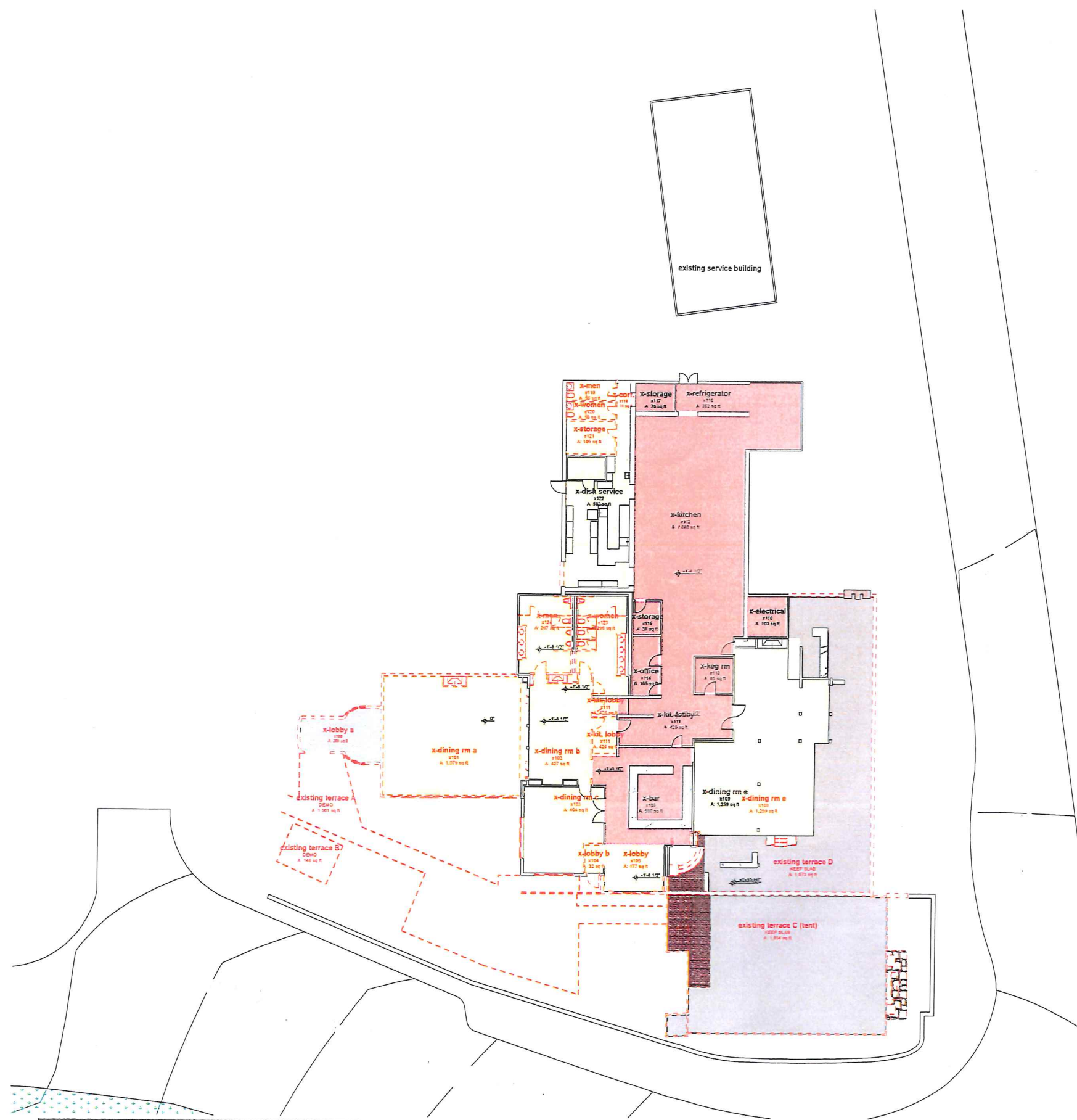
pg 4

The Grille at Peerce's
12460 dulaney valley road
pheonix, maryland



LevinBrown & Associates, Inc.
15 Greenway Valley Road
Crown Point, Maryland 21117-4111
Telephone: 410-551-0100 Fax: 410-551-0119
WWW.LEVINBROWN.COM

16 December 2015



existing floor plan + demo



4015 Peerces 01 Existing Aerial

- existing to remain
- existing to remodel (minor)
- existing to demo
- new construction
- existing to remodel (major)
- new constr./terraces



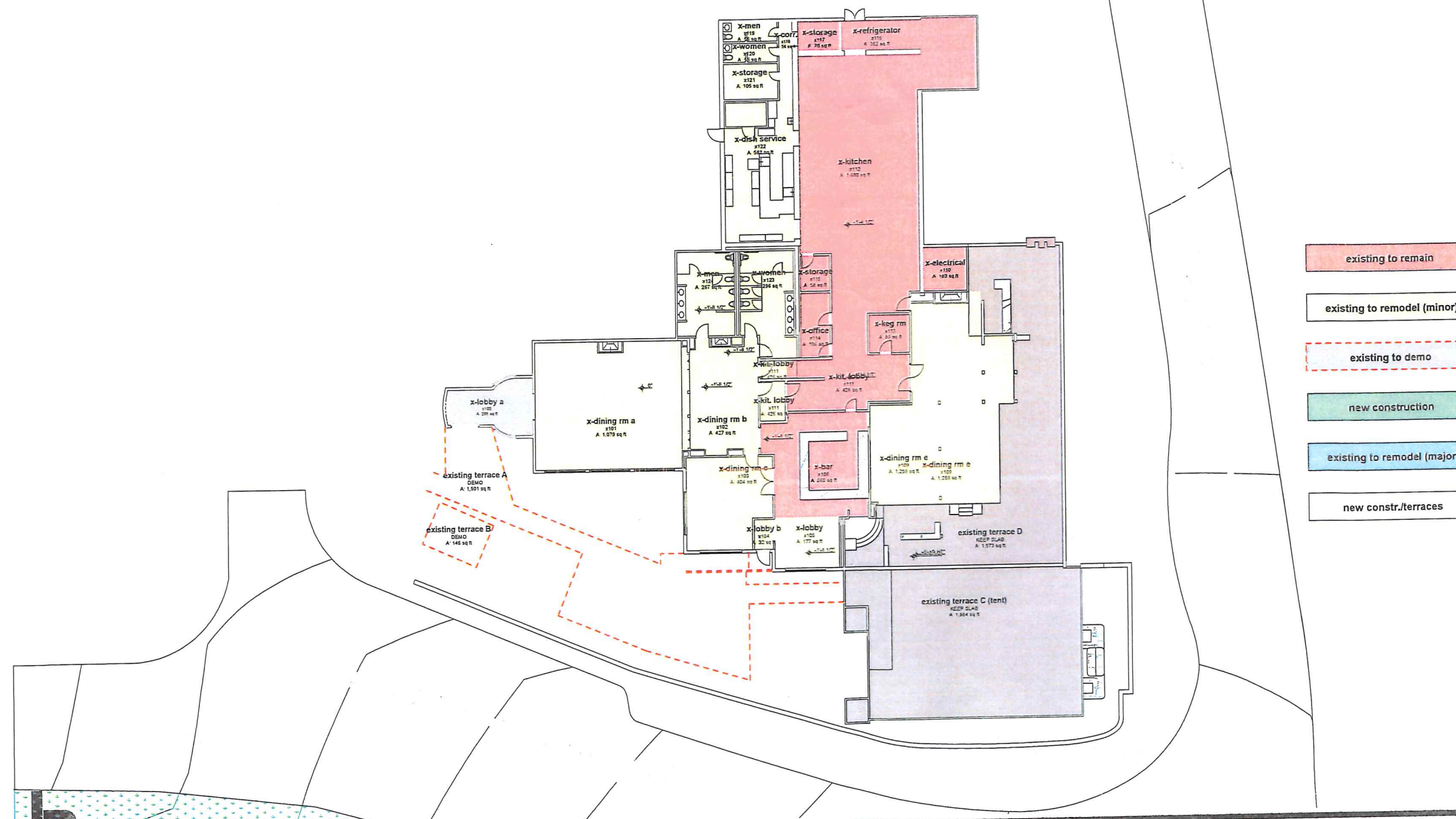
Scale: 3/32" = 1'-0", 1" = 1'-0"
pg 3

The Grill at Peerce's
12450 dulany valley road
pheonix, maryland



Existing Model

1:49.54



existing floor plan

Scale: 3/32" = 1'-0", 1/4" = 1'-0"

pg 2



The Grill at Peerce's

12460 dulaney valley road
pheonix, maryland



4015 Peerces 01 Existing Aerial



existing site plan

Scale: 1" = 1'-0", 1" = 20'
pg 1

The Grille at Peerce's
12460 dulaney valley road
pheonix, maryland



LevinBrown & Associates, Inc.
10 Greenway Valley Road
Orangeville, Maryland 21117-1401
Telephone: 410-251-4100 Fax: 410-251-4101
WWW.LEVINBROWN.COM

16 December 2015

Ref No 12



the peerces plantation

renovation, remodeling & addition

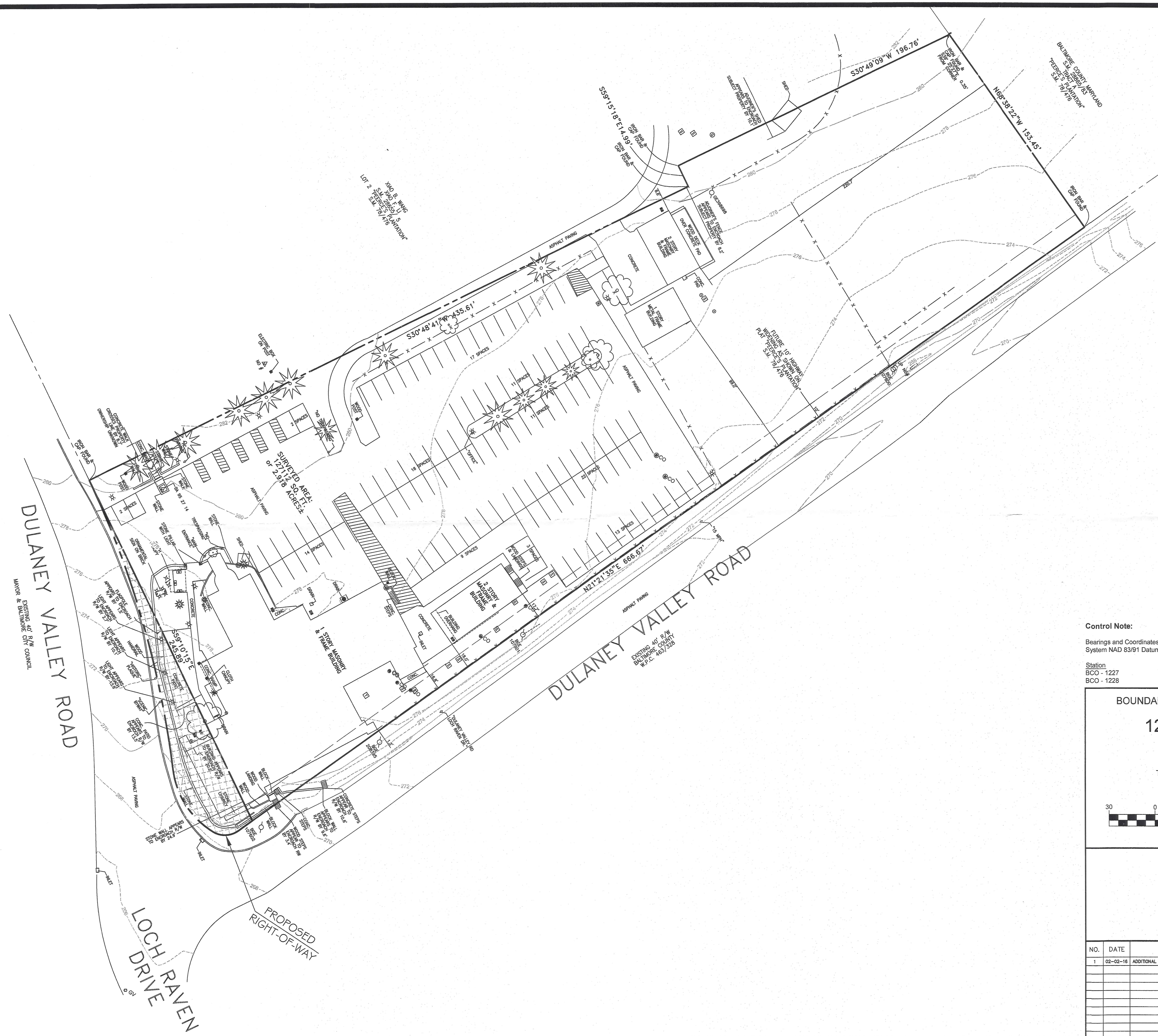
schematic design submittal


LevinBrown & Associates, Inc.
15 Greenway Valley Road
Orangeville, Maryland 21774-0101
Telephone 410-861-0101 Fax 410-861-0106
WWW.LEVINBROWN.COM

16 December 2015

Scale: 1/4" = 1'-0"
cover

The Grill at Peerce's
12460 dulaney valley road
pheonix, maryland



13

Control Note:
Bearings and Coordinates shown hereon are based on The Maryland Coordinate System NAD 83/91 Datum as referenced from Traverse control stations:

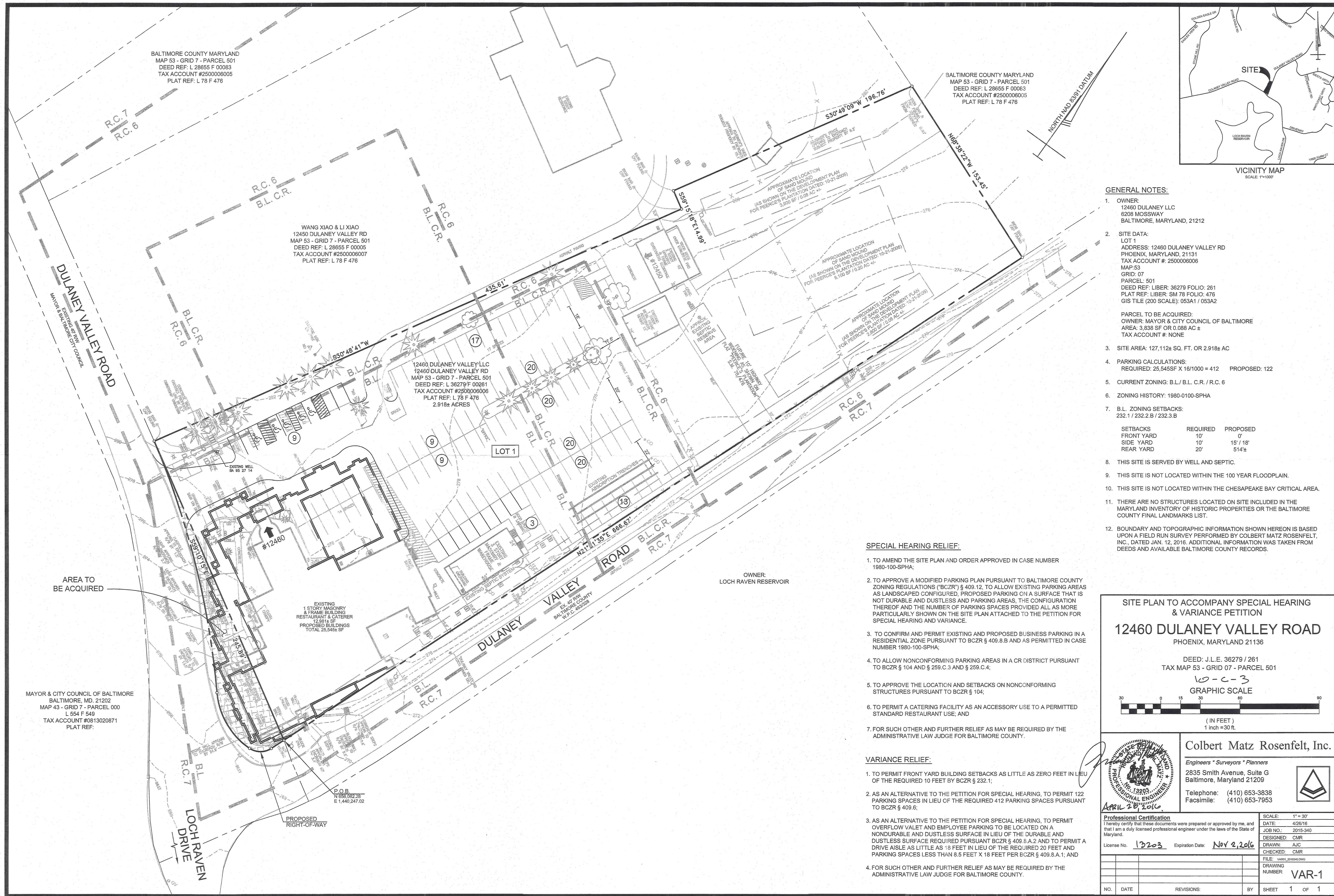
Station	Northing	Easting	Elevation
BCO - 1227	656394.09	1439660.71	
BCO - 1228	656214.95	1439958.18	

BOUNDARY AND TOPOGRAPHIC WORKSHEET
12460 Dulaney LLC
DEED: J.L.E. 36279 / 261
TAX MAP 53 - GRID 07 - PARCEL 501
BALTIMORE COUNTY, MD.

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30ft.

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

NO.	DATE	REVISIONS:	BY	SCALE: 1"= 30'
1	02-02-16	ADDITIONAL LOCATIONS	TRB	DATE: JANUARY 12, 2016 JOB NO.: 2015-340
				DESIGNED:
				DRAWN: TRB
				CHECKED: BRD
				FILE: 2015340 ENG BT 02-02-16
				DRAWING NUMBER:
				SHEET 1 OF 1



- GENERAL NOTES:**
- OWNER:
12460 DULANEY LLC
6208 MOSSWAY
BALTIMORE, MARYLAND, 21212
 - SITE DATA:
LOT 1
ADDRESS: 12460 DULANEY VALLEY RD
PHOENIX, MARYLAND, 21131
TAX ACCOUNT #: 2500006006
MAP: 53
GRID: 07
PARCEL: 501
DEED REF: LIBER: 36279 FOLIO: 261
PLAT REF: LIBER: SM 78 FOLIO: 476
GIS TILE (200 SCALE): 053A1 / 053A2

PARCEL TO BE ACQUIRED:
OWNER: MAYOR & CITY COUNCIL OF BALTIMORE
AREA: 3.838 SF OR 0.088 AC ±
TAX ACCOUNT #: NONE
 - SITE AREA: 127,112± SQ. FT. OR 2.918± AC
 - PARKING CALCULATIONS:
REQUIRED: 25,545SF X 16/1000 = 412 PROPOSED: 122
 - CURRENT ZONING: B.L./B.L.C.R. / R.C. 6
 - ZONING HISTORY: 1980-0100-SPHA
 - B.L. ZONING SETBACKS:
232.1 / 232.2.B / 232.3.B

SETBACKS	REQUIRED	PROPOSED
FRONT YARD	10'	0'
SIDE YARD	10'	15' / 18'
REAR YARD	20'	514±
 - THIS SITE IS SERVED BY WELL AND SEPTIC.
 - THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
 - THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - THERE ARE NO STRUCTURES LOCATED ON SITE INCLUDED IN THE MARYLAND INVENTORY OF HISTORIC PROPERTIES OR THE BALTIMORE COUNTY FINAL LANDMARKS LIST.
 - BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A FIELD RUN SURVEY PERFORMED BY COLBERT MATZ ROSENFELT, INC., DATED JAN. 12, 2016. ADDITIONAL INFORMATION WAS TAKEN FROM DEEDS AND AVAILABLE BALTIMORE COUNTY RECORDS.

- SPECIAL HEARING RELIEF:**
- TO AMEND THE SITE PLAN AND ORDER APPROVED IN CASE NUMBER 1980-100-SPHA;
 - TO APPROVE A MODIFIED PARKING PLAN PURSUANT TO BALTIMORE COUNTY ZONING REGULATIONS ("BCZR") § 409.12, TO ALLOW EXISTING PARKING AREAS AS LANDSCAPED CONFIGURED, PROPOSED PARKING ON A SURFACE THAT IS NOT DURABLE AND DUSTLESS AND PARKING AREAS, THE CONFIGURATION THEREOF AND THE NUMBER OF PARKING SPACES PROVIDED ALL AS MORE PARTICULARLY SHOWN ON THE SITE PLAN ATTACHED TO THE PETITION FOR SPECIAL HEARING AND VARIANCE.
 - TO CONFIRM AND PERMIT EXISTING AND PROPOSED BUSINESS PARKING IN A RESIDENTIAL ZONE PURSUANT TO BCZR § 409.8.B AND AS PERMITTED IN CASE NUMBER 1980-100-SPHA;
 - TO ALLOW NONCONFORMING PARKING AREAS IN A CR DISTRICT PURSUANT TO BCZR § 104 AND § 259.C.3 AND § 259.C.4;
 - TO APPROVE THE LOCATION AND SETBACKS ON NONCONFORMING STRUCTURES PURSUANT TO BCZR § 104;
 - TO PERMIT A CATERING FACILITY AS AN ACCESSORY USE TO A PERMITTED STANDARD RESTAURANT USE; AND
 - FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

- VARIANCE RELIEF:**
- TO PERMIT FRONT YARD BUILDING SETBACKS AS LITTLE AS ZERO FEET IN LIEU OF THE REQUIRED 10 FEET BY BCZR § 232.1;
 - AS AN ALTERNATIVE TO THE PETITION FOR SPECIAL HEARING, TO PERMIT 122 PARKING SPACES IN LIEU OF THE REQUIRED 412 PARKING SPACES PURSUANT TO BCZR § 409.8;
 - AS AN ALTERNATIVE TO THE PETITION FOR SPECIAL HEARING, TO PERMIT OVERFLOW VALET AND EMPLOYEE PARKING TO BE LOCATED ON A NONDURABLE AND DUSTLESS SURFACE IN LIEU OF THE DURABLE AND DUSTLESS SURFACE REQUIRED PURSUANT BCZR § 409.8.A.2 AND TO PERMIT A DRIVE AISLE AS LITTLE AS 18 FEET IN LIEU OF THE REQUIRED 20 FEET AND PARKING SPACES LESS THAN 8.5 FEET X 18 FEET PER BCZR § 409.8.A.1; AND
 - FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

SITE PLAN TO ACCOMPANY SPECIAL HEARING & VARIANCE PETITION

12460 DULANEY VALLEY ROAD
PHOENIX, MARYLAND 21136

DEED: J.L.E. 36279 / 261
TAX MAP 53 - GRID 07 - PARCEL 501
10-C-3
GRAPHIC SCALE
1 inch = 30 ft.

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

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 13203 Expiration Date: Nov 2, 2016

SCALE: 1" = 30'
DATE: 4/26/16
JOB NO.: 2015-340
DESIGNED: CMR
DRAWN: AJC
CHECKED: CMR
FILE: VAR01_2015040.DWG
DRAWING NUMBER: VAR-1
NO. DATE REVISIONS: BY SHEET 1 OF 1