

M E M O R A N D U M

DATE: January 12, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0084-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on January 11, 2017. 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	*	BEFORE THE
AND VARIANCE		
(1609 E. Joppa Road)	*	OFFICE OF
9 th Election District		
5 th Council District	*	ADMINISTRATIVE HEARINGS
S & S Enterprises		
Owner	*	FOR BALTIMORE COUNTY
Petitioner		
	*	Case No. 2017-0084-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 S & S Enterprises, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve the use of seven (7) parking spaces in a residential zone (DR 5.5) for commercial use. In addition, a Petition for Variance seeks to permit 29 parking spaces for a medical office/clinic in lieu of the required 47 parking spaces. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was professional engineer John Motsco, Michael Schaffer and David Strohming. Jeffrey H. Scherr, Esq. represented the Petitioner. Dale Cassidy, who lives near the property, attended the hearing to express concerns regarding certain aspects of the proposal. Ms. Cassidy indicated that while she is pleased the vacant site will be redeveloped, the property was not properly maintained by the prior tenant, and she was also concerned with runoff from the site.

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) and the Bureau of Development Plans Review (DPR). The DOP

ORDER RECEIVED FOR FILING

Date 12-12-16

By low

did not object to the requests but indicated a landscape plan would be required. That agency also requested to see elevations and details for any proposed signage prior to issuance of permit(s) therefor. The Bureau of DPR initially identified in its ZAC comment a number of concerns with the proposal, and the Petitioner's engineer prepared a redlined site plan to address each of those issues. That agency indicated in a December 8, 2016 e-mail to the undersigned its concerns were addressed and it supports the project.

The subject property is approximately 0.768 acres in size and is split-zoned BL, BL-AS and DR-5.5. The site is improved with a one-story commercial building constructed in 1961, which in the past was used for an automobile dealership and furniture store. The site has been vacant for approximately 18 months. Total Renal Care, Inc. now proposes to lease the property from Petitioner and operate a kidney dialysis clinic at the site, a use permitted by right in the BL zone. Given certain site constraints zoning relief is required with respect to the off-street parking for the clinic.

SPECIAL HEARING

The petition for special hearing seeks to permit commercial parking in a residential zone. While the great majority of the property is zoned B.L., an extremely small portion along the southeast corner of the site is zoned D.R. 5.5. Seven of the proposed 29 parking spaces would be located (at least partially) within the D.R. 5.5 zone. The property immediately adjacent, owned by Neighborspace of Baltimore County, LLC, contains a small community park.

Mr. Motsco explained prior tenants most likely used this small area for parking as well, and he opined Petitioner satisfied all requirements set forth in B.C.Z.R. §409.8. In these circumstances I do not believe granting the request would be injurious to the community and the petition will therefore be granted.

ORDER RECEIVED FOR FILING

Date 12-12-16

By [Signature]

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).

Petitioner has met this test. The property has irregular dimensions and is therefore unique. Petitioner would experience practical difficulty if the regulations were strictly interpreted because it would be unable to lease the site for use as a dialysis clinic.

Petitioner explained that most dialysis patients are quite ill and treatments can last several hours. The clinic anticipates the majority of patients will be dropped off and picked up at a later time by a family member or friend. As such, I do not believe there will be a shortage of parking at the site. With regard to Ms. Cassidy's concern about storm water runoff, the site plan shows that a significant amount of macadam would be removed from the site, at DPR's urging. Mr. Motsco noted these area will be replanted with vegetation, and he stated this will help to reduce the amount of storm water runoff. In addition, Mr. Motsco stated Petitioner would install curb and gutter along the southern boundary of the site, which would divert surface water to an existing drainage system. In light of this testimony I do not believe granting the variance would have a detrimental impact upon the surrounding community.

THEREFORE, IT IS ORDERED this 12th day of December, 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.) to approve the use of seven (7) parking spaces in a residential zone

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Date 12-12-16

By [Signature]

(DR 5.5) for commercial use, be and is hereby GRANTED.

IT IS FURTHER ORDERED the petition for variance to permit 29 parking spaces for a medical office/clinic in lieu of the required 47 parking spaces, 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 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, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioner must submit for approval by Baltimore County landscape and lighting plans for the property.
3. Prior to issuance of permits Petitioner must submit for approval by the DOP elevations and details for any proposed signage.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 12-12-16

By bw



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 1609 E. Joppa Road which is presently zoned BL, BL AS, DR 5.5
 Deed References: 5351/211 10 Digit Tax Account # 09092206930
 Property Owner(s) Printed Name(s) S and S Enterprises

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

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

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
 the use of seven (7) parking spaces in a Residential zone (DR 5.5) for commercial use pursuant to B.C.Z.R. Section 409.8.B – See Attached

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

3. X a **Variance** from Section(s) 29
409.6.A.2, BCZR, TO PERMIT THE USE OF 30 SPACES PARKING SPACES FOR THE MEDICAL OFFICE / CLINIC IN LIEU OF THE REQUIRED 47 PARKING SPACES

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)

See Attached

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:

Jeffrey H. Scherr
 Name- Type or Print _____
 Signature Jeffrey H. Scherr
 Kramon & Graham, P.A.
 One South Street, Suite 2600 Baltimore MD
 Mailing Address _____ City _____ State _____
 21202 / 410-752-6030 / jscherr@kg-law.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

S and S Enterprises /
 Name #1 – Type or Print _____ Name #2 – Type or Print _____
 Signature #1 [Signature] Signature #2 _____
 P.O. Box 440 Cockeysville Maryland
 Mailing Address _____ City _____ State _____
 21030 / 410-544-4429
 Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2017-0084-SPHA Filing Date 9/29/2016 Do Not Schedule Dates: _____ Reviewer JNP

REV. 10/4/11

ORDER RECEIVED FOR FILING

Date 12-12-16

By [Signature]

**ATTACHMENT TO
PETITION FOR ZONING HEARING AND VARIANCE**

1609 E. Joppa Road

Petitioner seeks (A) a special hearing under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow for the use of seven (7) parking spaces in a Residential zone (DR 5.5) for commercial use pursuant to Section 409.8.B; and (B) a variance from Section 409.6.A.2 to reduce the required parking spaces from 47 spaces to 30 spaces.

Petitioner seeks the special hearing and variance for the reasons hereinafter set forth. The subject property is a 0.768± acre parcel zoned BL, BL AS, and DR 5.5 and is improved by a one-story commercial building containing 10,444± square feet that is currently vacant (the "Property"). The building is located within the BL zone. The parking spaces are located in zones BL, BL AS, and DR 5.5.

Petitioner desires to lease the Property to Total Renal Care, Inc. t/a DaVita for use as a state-licensed kidney dialysis center. A medical clinic is permitted as of right in a BL zone pursuant to B.C.Z.R. § 230.1.A.9. A state-licensed kidney dialysis center is considered a medical clinic pursuant to B.C.Z.R. § 101.1 (*see* Bill 14-2015, attached as Exhibit A). The proposed location of the kidney dialysis center is shown on the plan attached hereto as Exhibit B.

The building was built in 1961. The Property contains 30 parking spaces. The proposed use pursuant to a long-term lease as a kidney dialysis center will be helpful to the community. The Property configuration and parking capacity is peculiar to it and different from other neighboring properties. It would be a hardship to Petitioner to destroy and rebuild the building to accommodate the required parking.

The center is expected to employ eight (8) employees initially and a maximum of 11 employees when fully staffed in 12-18 months. The center will be equipped with 22 patient stations.

The gross floor area of the building is 10,444± square feet. The current parking requirement pursuant to Section 409.6.A.2 is 47 parking spaces. Since most patients do not drive after receiving dialysis, they are dropped off and picked up for each treatment. In addition, the average treatment time is four (4) hours, causing the drivers who deliver the patients not to park and wait for such patients to conclude a treatment. Therefore, the parking spaces will not often be used for patient parking and the 30 spaces will be sufficient to accommodate parking on the Property with the anticipated use. The Petitioner intends to add an exterior canopy and driveway for an ambulance and patient

drop-off and pick-up area as shown on Exhibit B. This will not affect the current parking spaces.

The use of the Property as a kidney dialysis center is consistent with the spirit and intent of the B.C.Z.R. and the Property's zoning classification. The requested variance will not be detrimental to the health, safety or general welfare of the community and will in fact provide a valuable health service to the members of the community. The Property can easily accommodate the flow of patients to the dialysis center.

A small portion at the south end of the Property is located in the DR 5.5 zone. This affects seven (7) parking spaces as shown on Exhibit B. Petitioner requests a special hearing to allow those seven (7) parking spaces in a DR 5.5 zone. The Property located within this zone is park land and not improved with homes. Therefore, there will be no impact by the parking on neighboring residential use.

As described on Exhibit B, there are currently two (2) variances and one (1) property reclassification on record for the Property: (1) a variance to increase the signage size and height (Case No. 1968-0168-A); (2) a variance to permit parking spaces to have zero foot setbacks adjacent to the street property line instead of the required eight (8) feet (Case No. 1968-0222-A); and (3) a reclassification from an "A" residence zone to an "E" commercial zone (Case No. 1952-2390).

For the reasons set forth above, Petitioner requests the Zoning Commissioner to approve the use of seven (7) parking spaces within the DR 5.5 zone and a variance to reduce the parking requirement from 47 to 30 parking spaces.

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 3

Bill No. 14-15

Mr. David Marks, Councilman

By the County Council, February 2, 2015

A BILL
ENTITLED

AN ACT concerning

Medical Clinic

FOR the purpose of defining a medical clinic to include a state-licensed kidney dialysis center;
providing that a kidney dialysis center is not subject to regulation under Article 4C of the Zoning Regulations; and generally relating to medical clinics.

BY repealing and re-enacting, with amendments,

Section 101.1, by adding, alphabetically, the definition of medical clinic,
and Section 4C-101
Baltimore Zoning Regulations, as amended

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

Section 101

Definitions

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

2017-0084-SPHA

1 § 101.1

2 MEDICAL CLINIC - THE TERM INCLUDES A STATE-LICENSED KIDNEY
3 DIALYSIS CENTER.

4 ARTICLE 4C

5 STATE LICENSED MEDICAL CLINICS

6 §4C-101. Definitions.

7 As used in this article, the following terms shall have the meanings indicated:

8 STATE-LICENSED MEDICAL CLINIC -

9 A. A freestanding ambulatory-care facility licensed under Title 19, subtitle 3B, of the
10 Health-General Article of the Annotated Code of Maryland, EXCEPT A KIDNEY DIALYSIS
11 CENTER;

12 B. A detoxification facility certified under Title 8, Subtitle 4, of the Health-General
13 Article of the Annotated Code of Maryland; or

14 C. An alcohol abuse and drug abuse treatment program certified under Title 8, Subtitle 4,
15 of the Health-General Article of the Annotated Code of Maryland.

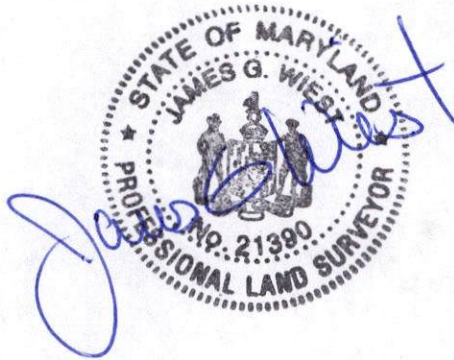
16 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
17 the affirmative vote of five members of the County Council, shall take effect on March 16, 2015.

b01415.wpd

July 25, 2016

ZONING DESCRIPTION FOR
#1609 EAST JOPPA ROAD

Beginning at a point on the south side of East Joppa Road, which is 70 feet wide, at the distance of 150 feet northeast of the centerline of Pleasant Plains Road, which is 60 feet wide. Thence the following courses and distances: **(1)** North 81 degrees 30 minutes 15 seconds East 210.27 feet; thence **(2)** South 08 degrees 21 minutes 48 seconds East 182.35 feet; thence **(3)** South 81 degrees 30 minutes 15 seconds West 165.02 feet; thence **(4)** North 17 degrees 04 minutes 55 seconds West 90.49 feet; and thence **(5)** North 27 degrees 07 minutes 55 seconds West 98.01 to the place of beginning. Being part of that land as recorded in Deed Liber E.H.K., Jr. 5351, folio 211, containing 0.77 acres of land, more or less. Located in the Ninth Election District and Fifth Council District.



James G. Wiest
Professional Land Surveyor
MD Registration No. 21390
License Expires February 5, 2018

2017-0084-SPHA



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 4596643

Sold To:

Kramon & Graham PA - CU00195968
1 South St Ste 2600
Baltimore, MD 21202

Bill To:

Kramon & Graham PA - CU00195968
1 South St Ste 2600
Baltimore, MD 21202

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

Nov 17, 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: # 2017-0084-SPHA
1609 E. Joppa Road
S/S of E. Joppa Road, 150 ft. NE of Pleasant Plains Road
9th Election District - 5th Councilmanic District
Legal Owner(s) S and S Enterprises

Special Hearing: to determine whether or not the Administrative Law Judge should approve the use of 7 parking spaces in a residential zone (DR S.S.) for commercial use.

Variance: to permit the use of 30 parking spaces for the medical office/clinic in lieu of the required 47 parking spaces.

Hearing: Thursday, December 8, 2016 at 2:30 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.

11/124 November 17 4596643



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 4582102

Sold To:

Kramon & Graham PA - CU00195968
1 South St Ste 2600
BALTIMORE, MD 21202

Bill To:

Kramon & Graham PA - CU00195968
1 South St Ste 2600
BALTIMORE, MD 21202

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

Nov 10, 2016

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Legal Owner(s) S and S Enterprises

Special Hearing: to determine whether or not the Administrative Law Judge should approve the use of 7 parking spaces in a residential zone (DR 5.5) for commercial use.

Variance: to permit the use of 30 parking spaces for the medical office/clinic in lieu of the required 47 parking spaces.

Hearing: Thursday, December 1, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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11/072 November 10 4582102

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

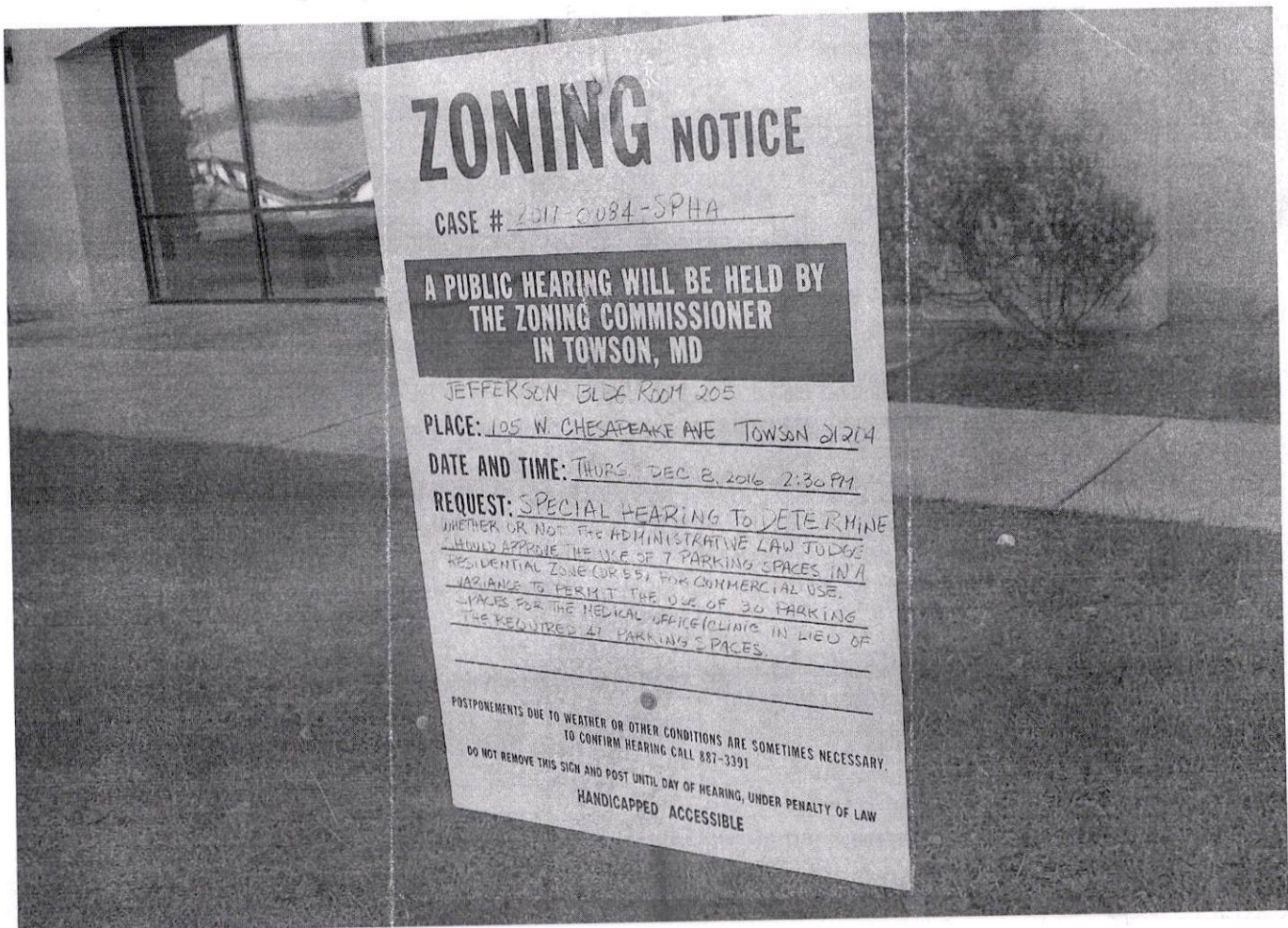
Date: 11/18/16

RE: Case Number: 2017-0084-SPHA

Petitioner/Developer: Sands Enterprises

Date of Hearing/Closing: 12/8/16 2:30 PM

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 1609 E. Joppa Rd



TO: PATUXENT PUBLISHING COMPANY
Thursday, November 17, 2016 Issue - Jeffersonian

Please forward billing to:

Jeffrey Scherr
Kramon & Graham
One South Street, Ste. 2600
Baltimore, MD 21202

410-752-6030

NOTICE OF ZONING HEARING

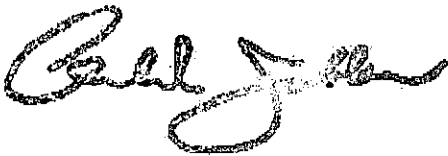
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CASE NUMBER: 2017-0084-SPHA

1609 E. Joppa Road
S/s of E. Joppa Road, 150 ft. NE of Pleasant Plains Road
9th Election District – 5th Councilmanic District
Legal Owners: S and S Enterprises

Special Hearing to determine whether or not the Administrative Law Judge should approve the use of 7 parking spaces in a residential zone (DR 5.5) for commercial use. **Variance** to permit the use of 30 parking spaces for the medical office/clinic in lieu of the required 47 parking spaces.

Hearing: Thursday, December 8, 2016 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

November 14, 2016

NEW 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: 2017-0084-SPHA

1609 E. Joppa Road

S/s of E. Joppa Road, 150 ft. NE of Pleasant Plains Road

9th Election District – 5th Councilmanic District

Legal Owners: S and S Enterprises

Special Hearing to determine whether or not the Administrative Law Judge should approve the use of 7 parking spaces in a residential zone (DR 5.5) for commercial use. **Variance** to permit the use of 30 parking spaces for the medical office/clinic in lieu of the required 47 parking spaces.

Hearing: Thursday, December 8, 2016 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Jeffrey Scherr, One South St., Ste. 2600, Baltimore 21202
S & S Enterprises, P.O. Box 440, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 18, 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.



KEVIN KAMENETZ
County Executive

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

November 2, 2016

NOTICE OF ZONING HEARING

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CASE NUMBER: 2017-0084-SPHA

1609 E. Joppa Road

S/s of E. Joppa Road, 150 ft. NE of Pleasant Plains Road

9th Election District – 5th Councilmanic District

Legal Owners: S and S Enterprises

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Hearing: Thursday, December 1, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Jeffrey Scherr, One South St., Ste. 2600, Baltimore 21202
S & S Enterprises, P.O. Box 440, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 11, 2016.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 10, 2016 Issue - Jeffersonian

Please forward billing to:

Jeffrey Scherr
Kramon & Graham
One South Street, Ste. 2600
Baltimore, MD 21202

410-752-6030

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1609 E. Joppa Road

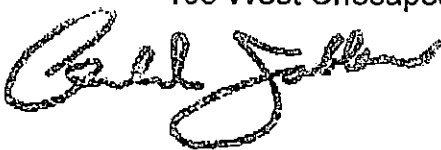
S/s of E. Joppa Road, 150 ft. NE of Pleasant Plains Road

9th Election District – 5th Councilmanic District

Legal Owners: S and S Enterprises

Special Hearing to determine whether or not the Administrative Law Judge should approve the use of 7 parking spaces in a residential zone (DR 5.5) for commercial use. **Variance** to permit the use of 30 parking spaces for the medical office/clinic in lieu of the required 47 parking spaces.

Hearing: Thursday, December 1, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
1609 East Joppa Road; S/S E. Joppa Road,	*	OF ADMINSTRATIVE
150' NE of Pleasant Plains Road		
9 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): S and S Enterprises		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2017-084-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

OCT 05 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of October, 2016, a copy of the foregoing Entry of Appearance was mailed to Jeffrey H. Scherr, Esquire, Kramon & Graham, P.A., One South Street, Suite 2600, Baltimore, Maryland 21202, 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/neighbors 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: 2017-0084-SPHA

Property Address: 1609 E. Joppa Road

Property Description: Tax Account No. ~~06-02-206930~~; 0.768± acres SS Joppa Road

09-02-206930

Legal Owners (Petitioners): S and S Enterprises

Contract Purchaser/Lessee: ~~Robert S. Scherr, Esquire~~ *JS*

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey H. Scherr, Esquire

Company/Firm (if applicable): Kramon & Graham, P.A.

Address: One South Street, Suite 2600

Baltimore, MD 21202-3201

Telephone Number: 410-752-6030

Revised 5/20/2014

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

NO 144022

Date: 9/29/2016

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					1000.00
Total:									1000.00

Rec From: Kraumon & Graham, P.A

For: Special Hearing & Variance - 1609 E. Joppa Road
2617-0084-SPHA (Sands Enterprises) (1)

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME BSW
9/29/2016 9/29/2016 10:27:59 3

REG 0303 WALKIN CASH
RECEIPT # 699071 9/29/2016 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 144022

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

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

November 29, 2016

S and S Enterprises
P O Box 440
Cockeysville MD 21030

RE: Case Number: 2017-0084 SPHA, Address: 1609 E Joppa Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 29, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jeffrey H Scherr, Esquire, One South Street, Suite 2600, Baltimore MD 21202

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



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

Date: 10/5/16

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. 2017-0084-SPHA

Special Hearing Variance
S & S Enterprises
1609 E. Joppa 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,

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: November 2, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-084

RECEIVED

NOV 04 2016

INFORMATION:

Property Address: 1609 E Joppa Road
Petitioner: S and S Enterprises
Zoning: BL, BL-AS, DR 5.5
Requested Action: Special Hearing, Variance

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve the use of 7 parking spaces in a residential zone for a commercial use and the petition for variance to allow the use of 30 parking spaces for a medical office/clinic in lieu of the required 47 parking spaces.

A site visit was conducted on October 12, 2016. The site is located in the Loch Raven Commercial Revitalization District and the Loch Raven Design Review Panel (DRP) area.

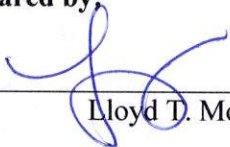
The Department of Planning has no objection to granting the petitioned zoning relief conditioned upon the following:

- Submit a landscape plan to the Baltimore County Landscape Architect for approval prior to the issuance of permits. Such a plan will show screening equal to or surpassing the requirements of Condition H of the Baltimore County Landscape Manual at those places where a dumpster is proposed and also enhanced vegetative screening along the Joppa Road frontage.
- Submit elevations and details for all proposed signage to include a description of colors and materials for review and approval to the contact person listed below prior to any sign permit issuance.

The Petitioner shall contact the Department prior to any permit application to confirm the extent of project review by the DRP.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Laurie Hay

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Jeffrey H. Scherr, Kramon & Graham, P.A.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

OCT 05 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: October 5, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0084-SPHA
Address 1609 E. Joppa Road
(S&S Enterprises Property)

Zoning Advisory Committee Meeting of **October 10, 2016**.

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

Reviewer: Steve Ford

Date: 10-05-2016

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: November 2, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-084

INFORMATION:

Property Address: 1609 E Joppa Road
Petitioner: S and S Enterprises
Zoning: BL, BL-AS, DR 5.5
Requested Action: Special Hearing, Variance

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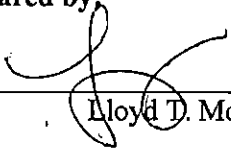
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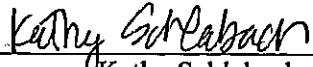
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Prepared by:



Lloyd D. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Laurie Hay

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Jeffrey H. Scherr, Kramon & Graham, P.A.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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(S&S Enterprises Property)

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comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 10-05-2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 10, 2016
Item No. 2017-0084

DATE: October 11, 2016

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

The proposed drop-off lane in the front is unsafe because it has the potential for causing traffic to back up on Joppa Road.

In our opinion, the petitioner should be asking for a modified parking plan based on the following:

- The angled parking in the rear is deficient in the length of the spaces by about a foot.
- The one-way traffic flow at the rear of the building should be the opposite of what is shown when considering the ingress from Pleasant Plains Road. In most cases, circulation is counter-clockwise.
- The pathway from the handicap parking spaces may not be in the travel lane.
- The first parking space at the northeast entrance should be removed for the following reasons.
 1. Drivers on Joppa Road wishing to enter the site would have to stop, if someone were backing out of the space. This would be exacerbated if someone were leaving the drop-off lane.
 2. The three remaining handicap spaces could then be spread out to the standard 13-foot width.
 3. Landscaping should be placed along Joppa Road to screen the parking area.

The variance granted in 1968 for a zero-foot setback probably would not have been allowed if the drop-off lane were proposed at that time and if the increase in traffic volume on Joppa Road would have been predicted.

Provide the required 10-foot-wide landscape strip along Joppa Road.

Remove the paved areas that are not being used as parking and the dumpster and replace them with landscaping.

Landscape and Lighting Plans are required.

* * * * *

DAK
cc:file
ZAC-ITEM NO 17-0084-10102016.doc

S+S Enterprises
CASE NAME 1609 E. Joppa Rd.
CASE NUMBER 2017-0084-SPH
DATE 12-8-2016

[illegible]

DATE _____

BER 2017-0084-SPHA
12-8-2016

E - MAIL

[illegible]

Carl Richards Jr

From: Dennis A Kennedy
Sent: Thursday, December 08, 2016 9:00 AM
To: Carl Richards Jr; John E. Beverungen
Cc: 'Dwight Little'; James Hermann; John Motsco; 'Jeffrey H. Scherr'
Subject: RE: 2017-0084 SPHA-- 1609 E. Joppa Road
Attachments: 1609 E JOPPA ROAD REV VARIANCE EXHIBIT 12-7-16.pdf

John and Carl:

The attached red-lined plan addresses our ZAC comments dated Oct. 11, 2016, and we support the modified parking shown. Approved Landscape and Lighting Plans will be required before any permit approval.

Dennis Kennedy, Supervisor
Development Plans Review

From: John Motsco [mailto:johnm@mail177-3.suw61.mandrillapp.com] **On Behalf Of** John Motsco
Sent: Wednesday, December 07, 2016 6:46 PM
To: Dennis A Kennedy <DKennedy@baltimorecountymd.gov>; 'Jeffrey H. Scherr' <JScherr@kg-law.com>
Cc: 'Dwight Little' <dwightl@littleassociates.com>
Subject: 1609 E. Joppa Road

Dennis,

As a follow up to our recent conversation regarding your comments on the 1609 E. Joppa Road Variance Plan, I have prepared the attached redlined exhibit to be presented at the hearing tomorrow. We have relocated the drop-off aisle, removed the handicap parking space closest to Joppa Road and removed any unnecessary existing paving to address your comments. These changes have also allowed us to provide the required 10' landscape strip along Joppa Road. Additionally I have attached materials supporting the layout of the handicap parking and access aisle as shown on the plan.

It would be greatly appreciated if you had an opportunity to review the attached in advance of the hearing tomorrow afternoon. If you should have any questions please don't hesitate to call. If you feel that it would be beneficial I am also available to meet any time before 1:00 tomorrow.

Thanks in advance,
John Motsco P.E., Project Engineer
Little & Associates, Inc.
1055 Taylor Avenue, Suite 307
Towson, MD 21286
410-296-1636
410-296-1639 (fax)
johnm@littleassociates.com

John E. Beverungen

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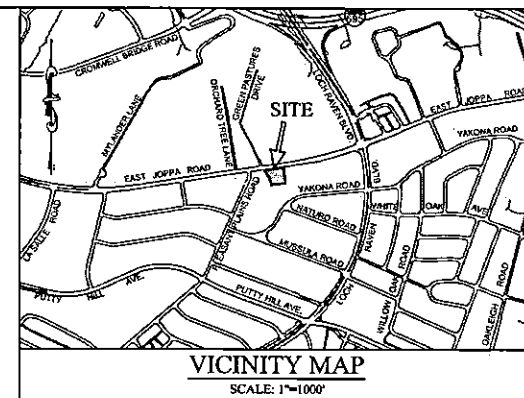
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Sent: Wednesday, December 07, 2016 6:46 PM
To: Dennis A Kennedy <DKennedy@baltimorecountymd.gov>; 'Jeffrey H. Scherr' <JScherr@kg-law.com>
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Little & Associates, Inc.
1055 Taylor Avenue, Suite 307
Towson, MD 21286
410-296-1636
410-296-1639 (fax)
johnm@littleassociates.com



- I. VARIANCE FROM SEC. 409.6 A.2 TO PERMIT THE USE OF 30 PARKING SPACES FOR THE MEDICAL OFFICE/ CLINIC IN LIEU OF THE REQUIRED 47 PARKING SPACES (4.5 SPACES/1000 S.F.).
- II. SPECIAL HEARING TO PERMIT THE USE OF 7 PARKING SPACES IN A RESIDENTIAL ZONE (DR 5.5) FOR COMMERCIAL USE PURSUANT TO SEC. 409.8.B.

16139

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment10/11DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)C10/5DEPS
(if not received, date e-mail sent _____)N/C11/2FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)NO OBJ
w/records10/5

STATE HIGHWAY ADMINISTRATION

NO OBJ11/2

TRAFFIC ENGINEERING

11/2

COMMUNITY ASSOCIATION

11/2

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

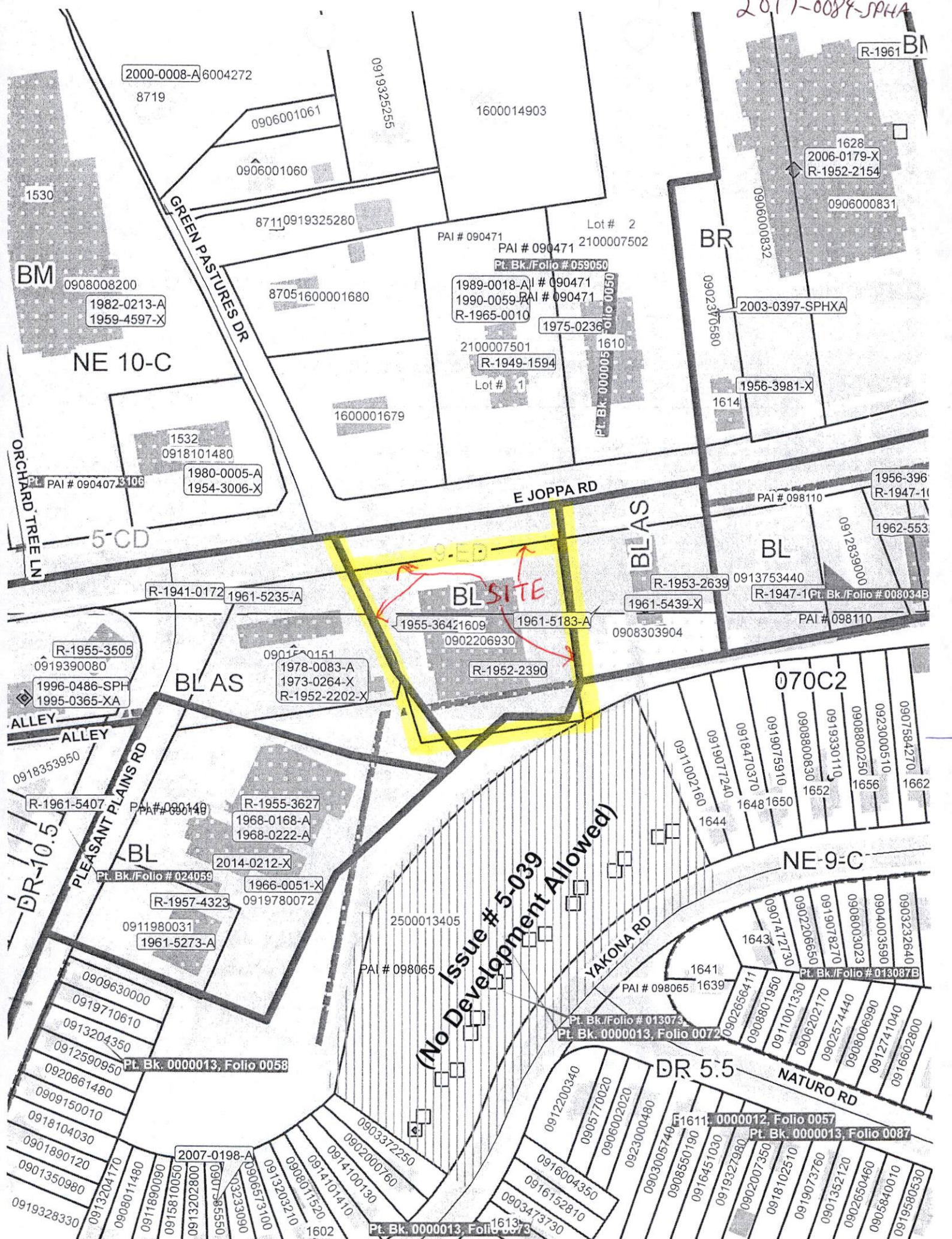
NEWSPAPER ADVERTISEMENT Date: 11/17/16SIGN POSTING Date: 11/18/16 by PulsonPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

[Real Property Data Search](#) [Guide to searching the database](#)
[Search Result for BALTIMORE COUNTY](#)

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0902206930			
Owner Information					
Owner Name:	SCHAEFER LOUIS M STROHMINGER GEORGE H ET AL		Use: Principal Residence:	COMMERCIAL NO	
Mailing Address:	P O BOX 440 COCKEYSVILLE MD 21030-		Deed Reference:	/05351/ 00211	
Location & Structure Information					
Premises Address:		1609 JOPPA RD 0-0000		Legal Description:	.7714 AC SS JOPPA RO 250 E PLEASANT PLAINS R
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0070	0017	0544		0000	2017 Plat Ref:
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1961	11359		34,408 SF	22	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		RETAIL STORE			
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	719,000	719,000			
Improvements	1,030,000	1,030,000			
Total:	1,749,000	1,749,000	1,749,000		
Preferential Land:	0				
Transfer Information					
Seller: BERMAN ALLAN L		Date: 04/17/1973		Price: \$140,000	
Type: ARMS LENGTH IMPROVED		Deed1: /05351/ 00211		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

2017-0084-SPHA



Issue # 5-039
(No Development Allowed)

BLSITE

NE 10-C

BLAS

070C2

NE-9-C

DR 5:5

NATURO RD

E JOPPA RD

GREEN PASTURES DR

ORCHARD TREE LN

DR-10.5

BL

BLAS

BL

BR

R-1961

1982-0213-A
1959-4597-X

1989-0018-AI # 090471
1990-0059-AI # 090471
R-1965-0010

2006-0179-X
R-1952-2154

2003-0397-SPHXA

1956-3981-X

1956-396
R-1947-11

1962-553

R-1941-0172

1961-5235-A

R-1953-2639

R-1947-1 Pt. Bk./Folio # 008034B

1955-36421609

1961-5183-A

0902206930

R-1952-2390

1978-0083-A
1973-0264-X
R-1952-2202-X

R-1955-3505
0919390080
1996-0486-SPH
1995-0365-XA

ALLEY

ALLEY

0918353950

R-1961-5407

Pt. Bk./Folio # 024059

R-1955-3627
1968-0168-A
1968-0222-A

2014-0212-X

1966-0051-X

0919780072

R-1957-4323

0911980031
1961-5273-A

2500013405

PAI # 098065

PAI # 098065 1639

Pt. Bk./Folio # 013073
Pt. Bk. 0000013, Folio 0072

0903232640
0904003590
0908003023
0919078270
0902206650
0907472730
0906202170
0902574440
0908006690
09014127160
0902650460
0905840010
0905616160

Pt. Bk./Folio # 013087B

1611, 0000012, Folio 0057

Pt. Bk. 0000013, Folio 0087

Pt. Bk. 0000013, Folio 0073

2007-0198-A

0919328330

0913204170

0911890090

0915810050

0913202800

0913202800

0913202800

0913202800

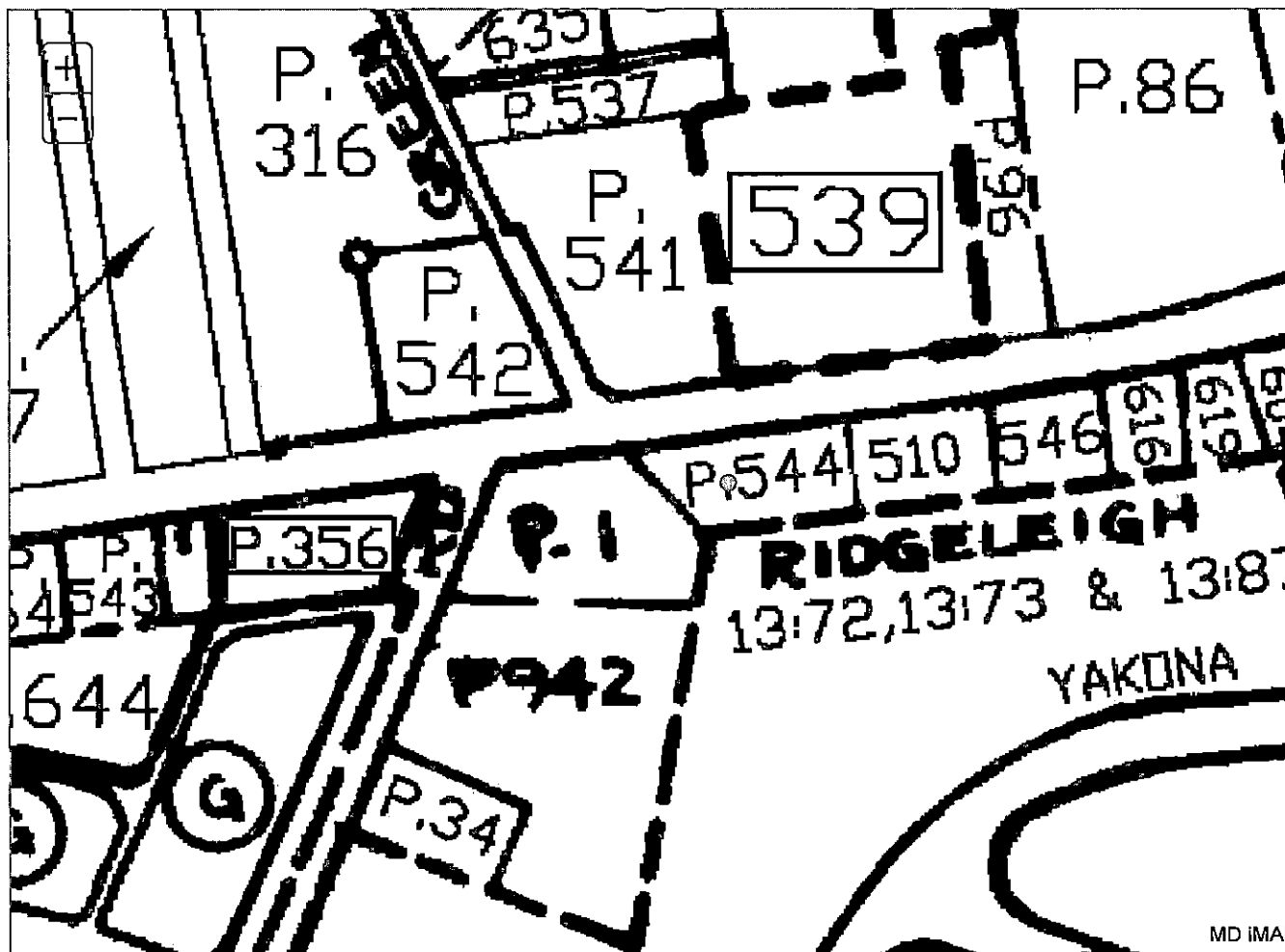
0913202800

0913202800

0913202800

0913202800

Baltimore County

New Search (<http://sd.dat.maryland.gov/RealProperty/>)District: **09** Account Number: **0902206930**

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>).

1:\JOPPA ROAD (#1609) 16139.dwg\AS SUBMITTED\VARIANCE EXHIBIT 2016-09-02 AS FILED.dwg, 9/28/2016 2:37:55 PM, JohnM, Arch D (landscape), 1:1



SYLVIA REICHER
1532 JOPPA RD
DEED: 07139/0504
TAX ACC. #: 0918101480
COMMERCIAL

1600 EAST JOPPA RD LLC.
1600 JOPPA RD
DEED: 22522/0280
TAX ACC. #: 1600001679
COMMERCIAL

WILLIAM H. LOREN & JOHN LEO WALER ET AL
1608 JOPPA RD
DEED: 27472/0432
TAX ACC. #: 2100007501
COMMERCIAL

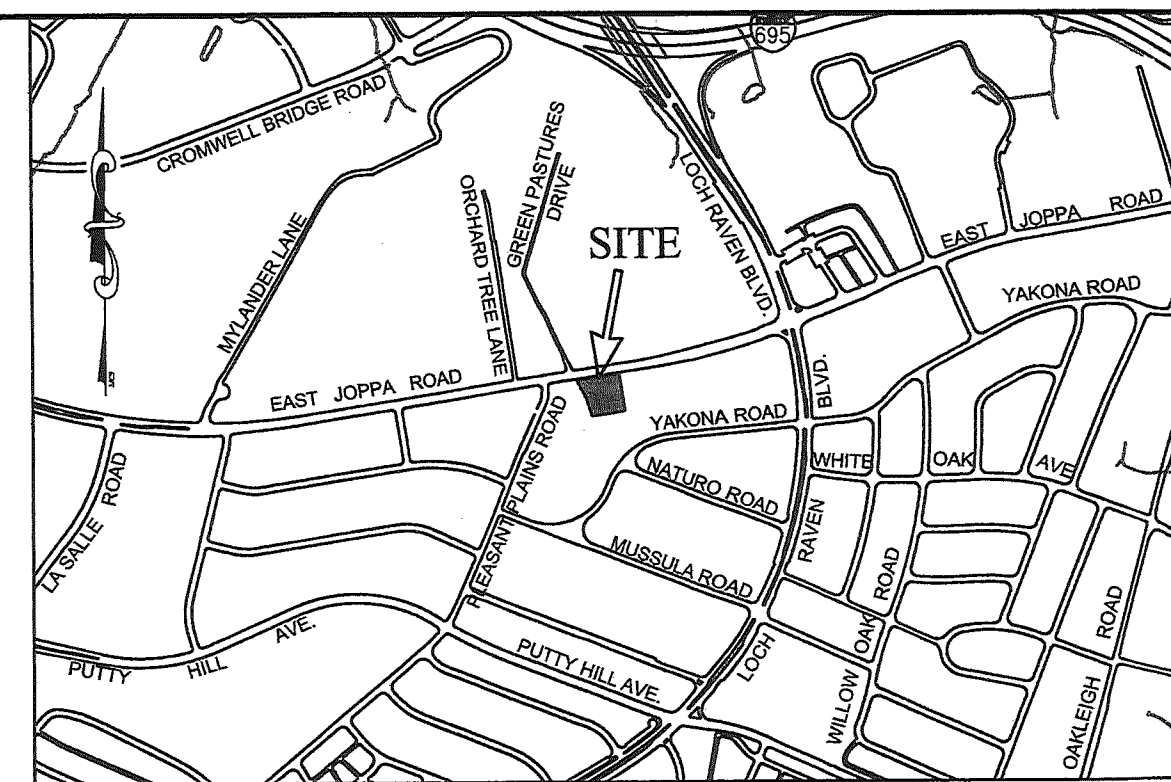
S&W MANAGEMENT INC.
1610 JOPPA RD
DEED: 21189/0198
TAX ACC. #: 2100007502
COMMERCIAL

HARBOR REALTY LLC
1601 JOPPA RD
DEED: 24518/0197
TAX ACC. #: 0901500151
COMMERCIAL

MD EYE CARE REAL ESTATE LLC.
8625 PLEASANT PLAINS RD
DEED: 30156/0234
TAX ACC. #: 0919780072
COMMERCIAL

NEIGHBORSPACE OF BALTIMORE COUNTY LLC.
1630 YAKONA RD
DEED: 37022/0378
TAX ACC. #: 2500013405
RESIDENTIAL

MARATHON-PETROLEUM COMPANY LP.
1613 JOPPA RD
DEED: 35465/0422
COMMERCIAL



VICINITY MAP
SCALE: 1"=1000'

PROPERTY INFORMATION

- OWNER: S AND S ENTERPRISES
PO BOX 440
COCKEYSVILLE, MD 21030
- TAX ACCOUNT #: 0902206930
- DEED REF.: 5351/211
- SITE AREA: 0.768 AC.± (33,443 S.F.±)
- EXISTING ZONING: BL, BL AS, DR 5.5
- PRIMARY STRUCTURE WAS BUILT IN 1961; 55 YEARS OLD
- PARKING DATA:
MEDICAL OFFICE = 4.5 P.S. PER 1,000 S.F. GROSS FLOOR AREA
OFFICE GROSS FLOOR AREA = 10,444 S.F.
OFFICE PARKING REQUIRED:
(4.5 P.S. x (10,444 S.F. / 1,000 S.F.)) = 47.0 P.S. = 47 P.S.
TOTAL PARKING REQUIRED: 47 P.S.
PARKING PROVIDED: 30 P.S.
F.A.R. ALLOWED: 3.00
F.A.R. PROPOSED: 0.31
- THE SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREA BASED ON THE 2016 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR.
- THIS SITE IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN WELL OR SEPTIC SYSTEMS LOCATED ON SITE.
- THIS SITE IS NOT AN HISTORIC SITE AND IS NOT LOCATED WITHIN AN HISTORIC DISTRICT.
- THERE ARE NO KNOWN ENDANGERED SPECIES, HABITATS, ARCHEOLOGICAL, OR CONTAMINATED AREAS LOCATED ON SITE.
- THIS SITE IS LOCATED IN THE LOCH RAVEN COMMERCIAL REVITALIZATION DISTRICT.

ZONING HISTORY

A PETITION FOR VARIANCE (CASE NO. 1968-0168-A) WAS APPROVED ON FEBRUARY 9, 1968 FOR #1609 E. JOPPA ROAD TO PERMIT A SIGN OF 224 SQUARE FEET INSTEAD OF THE REQUIRED 150 SQUARE FEET; AND TO PERMIT A SIGN HEIGHT OF 35 FEET INSTEAD OF THE REQUIRED 25 FEET.

A PETITION FOR VARIANCE (CASE NO. 1968-0222-A) WAS APPROVED ON APRIL 1, 1968 FOR #1609 E. JOPPA ROAD TO PERMIT PARKING SPACES TO HAVE ZERO FOOT SETBACKS ADJACENT TO STREET PROPERTY LINE INSTEAD OF THE REQUIRED 8 FEET.

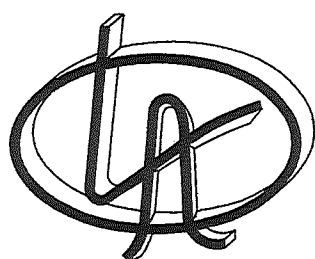
A PETITION FOR RECLASSIFICATION (CASE NO. 1952-2390) WAS APPROVED ON NOVEMBER 13, 1952 FOR #1609 E. JOPPA ROAD TO BE RECLASSIFIED FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE.

REQUESTED RELIEF

- VARIANCE FROM SEC. 409.6 A.2 TO PERMIT THE USE OF 30 PARKING SPACES FOR THE MEDICAL OFFICE/ CLINIC IN LIEU OF THE REQUIRED 47 PARKING SPACES (4.5 SPACES/1000 S.F.).
- SPECIAL HEARING TO PERMIT THE USE OF 7 PARKING SPACES IN A RESIDENTIAL ZONE (DR 5.5) FOR COMMERCIAL USE PURSUANT TO SEC. 409.8.B.

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. 16019, EXPIRATION DATE: 5/8/18.



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639



PLAN TO ACCOMPANY PETITION FOR
VARIANCE & SPECIAL HEARING
#1609 E. JOPPA ROAD

DISTRICT 9c5
SCALE: 1"=30'

BALTIMORE COUNTY, MD
SEPTEMBER 2, 2016

2017-0084-SPH4



SYLVIA REICHER
1532 JOPPA RD
DEED: 07139/0504
TAX ACC. #: 0918101480
COMMERCIAL

1600 EAST JOPPA RD LLC.
1600 JOPPA RD
DEED: 22522/0280
TAX ACC. #: 1600001679
COMMERCIAL

WILLIAM H. LOREN & JOHN LEO WALER ET AL
1608 JOPPA RD
DEED: 27472/0432
TAX ACC. #: 2100007501
COMMERCIAL

S&W MANAGEMENT INC.
1610 JOPPA RD
DEED: 21189/0198
TAX ACC. #: 2100007502
COMMERCIAL

HARBOR REALTY LLC
1601 JOPPA RD
DEED: 24518/0197
TAX ACC. #: 0901500151
COMMERCIAL

MD EYE CARE REAL ESTATE LLC.
8625 PLEASANT PLAINS RD
DEED: 30156/0234
TAX ACC. #: 0919780072
COMMERCIAL

NEIGHBORSPACE OF BALTIMORE COUNTY LLC.
1630 YAKONA RD
DEED: 37022/0378
TAX ACC. #: 2500013405
RESIDENTIAL



VICINITY MAP

SCALE: 1"=1000'

PROPERTY INFORMATION

- OWNER: S AND S ENTERPRISES
PO BOX 440
COCKEYSVILLE, MD 21030
- TAX ACCOUNT #: 0902206930
- DEED REF.: 5351/211
- SITE AREA: 0.768 AC.± (33,443 S.F.±)
- EXISTING ZONING: BL, BL AS, DR 5.5
- PRIMARY STRUCTURE WAS BUILT IN 1961; 55 YEARS OLD
- PARKING DATA:
MEDICAL OFFICE = 4.5 P.S. PER 1,000 S.F. GROSS FLOOR AREA
OFFICE GROSS FLOOR AREA = 10,444 S.F.
OFFICE PARKING REQUIRED:
(4.5 P.S. x (10,444 S.F. / 1,000 S.F.)) = 47.0 P.S. = 47 P.S.
TOTAL PARKING REQUIRED: 47 P.S.
PARKING PROVIDED: 30 P.S. 29 P.S.
F.A.R. ALLOWED: 3.00
F.A.R. PROPOSED: 0.31
- THE SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREA BASED ON THE 2016 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR.
- THIS SITE IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN WELL OR SEPTIC SYSTEMS LOCATED ON SITE.
- THIS SITE IS NOT AN HISTORIC SITE AND IS NOT LOCATED WITHIN AN HISTORIC DISTRICT.
- THERE ARE NO KNOWN ENDANGERED SPECIES, HABITATS, ARCHEOLOGICAL, OR CONTAMINATED AREAS LOCATED ON SITE.
- THIS SITE IS LOCATED IN THE LOCH RAVEN COMMERCIAL REVITALIZATION DISTRICT.

ZONING HISTORY

- A PETITION FOR VARIANCE (CASE NO. 1968-0168-A) WAS APPROVED ON FEBRUARY 9, 1968 FOR #1609 E. JOPPA ROAD TO PERMIT A SIGN OF 224 SQUARE FEET INSTEAD OF THE REQUIRED 150 SQUARE FEET; AND TO PERMIT A SIGN HEIGHT OF 35 FEET INSTEAD OF THE REQUIRED 25 FEET.
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REDLINED PLAN AS PRESENTED AT
HEARING (DECEMBER 8, 2016)

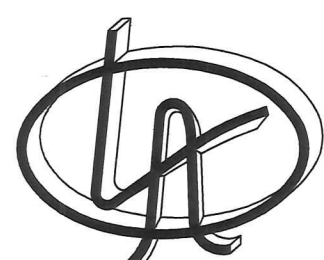
PLAN TO ACCOMPANY PETITION FOR
VARIANCE & SPECIAL HEARING
#1609 E. JOPPA ROAD

DISTRICT 9c5
SCALE: 1"=30'

BALTIMORE COUNTY, MD
SEPTEMBER 2, 2016

PROFESSIONAL CERTIFICATION

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AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE
STATE OF MARYLAND,
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PETITIONER'S
EXHIBIT NO. 1

MCS

Pl

AREA OF MACADAM REMOVAL -
TO BE VEGETATIVELY STABILIZED

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TO BE VEGETATIVELY STABILIZED

HARBOR REALTY LLC
1601 JOPPA RD
DEED: 24518/0197
TAX ACC. #: 0901500151
COMMERCIAL

USE IN COMMON WITH OTHERS OF AN EASEMENT
FOR INGRESS AND EGRESS TO AND FROM SUBJECT
PROPERTY TO PLEASANT PLAINS ROAD
(DEED: 5351/211)

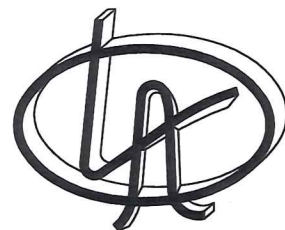
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RESIDENTIAL

MARATHON PETROLEUM COMPANY LP.
1613 JOPPA RD
DEED: 35465/0422
COMMERCIAL

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