

IN RE: **PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE**
(1631 E. Joppa Road)
9th Election District
5th Council District
1631 E. Joppa Road, LLC
Owner
Entourage Development, LLC
Contract Purchaser
Petitioners

* BEFORE THE
* COUNTY BOARD
* OF APPEALS FOR
* BALTIMORE COUNTY
* **Case No.: 2017-0188-SPHXA**
*

* * * * *

NOTICE OF DISMISSAL OF APPEAL
TO COUNTY BOARD OF APPEALS

RIDGELY MANOR COMMUNITY ASSOCIATION, DALE CASSIDY, PRESIDENT, 654 Yakona Rd., Towson, MD 21286; RIDGELEIGH COMMUNITY ASSOCIATION, WILLIAM DEYSHER, PRESIDENT, P.O. Box 9851, Towson, MD 21284; ASSOCIATES OF LOCH RAVEN VILLAGE, P.O. Box 9721, Loch Raven, MD 21284, NICHOLAS LINEHAN, PRESIDENT; GREEN TOWSON ALLIANCE, PRESIDENT, BETH MILLER, 523 Murdock Road, Towson, MD 21204; and individuals SUSAN BACON, 1676 Yakona Road, Towson, MD 21286; PAUL SCHINING, 1684 Yakona Road, Towson, MD 21286; DALE CASSIDY, 654 Yakona Rd., Towson, MD 21286; NICHOLAS LINEHAN, 1546 Cottage Lane, Towson, MD 21286, Appellants by their attorney, *J. Carroll Holzer, Esquire*, herewith Dismiss their Appeal to the County Board of Appeals filed with the Administrative Law Judge on Friday, May 5, 2017 in the above-captioned matter on this the 9th day of May, 2017 on the **PETITION FOR SPECIAL HEARING ONLY. Dismissal applies to ALL APPELLANTS in the instant matter.**



Respectfully submitted,



J. CARROLL HOLZER, Esquire

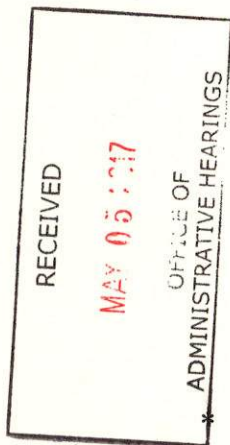
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of May, 2017, a copy of the foregoing Dismissal of Appeal to the County Board of Appeals was mailed, postage, pre-paid to: Jason T. Vettori, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for the Developer; and HAND DELIVERED to the Board of Appeals, 105 West Chesapeake Ave., Suite 203, Towson, MD 21204; Office of Administrative Hearings, 105 W. Chesapeake Ave., Towson, MD 21204; and People's Counsel for Baltimore County, 105 West Chesapeake Ave., Suite 204, Towson, MD 21204.



J. CARROLL HOLZER, Esquire



**IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE**

(1631 E. Joppa Road)
9th Election District
5th Council District
1631 E. Joppa Road, LLC
Owner
Entourage Development, LLC
Contract Purchaser
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE
* HEARINGS
* **Case No.: 2017-0188-SPHXA**

* * * * *
NOTICE OF APPEAL TO COUNTY BOARD OF APPEALS

RIDGELY MANOR COMMUNITY ASSOCIATION, DALE CASSIDY, PRESIDENT, 654 Yakona Rd., Towson, MD 21286; RIDGELEIGH COMMUNITY ASSOCIATION, WILLIAM DEYSHER, PRESIDENT, P.O. Box 9851, Towson, MD 21284; ASSOCIATES OF LOCH RAVEN VILLAGE, P.O. Box 9721, Loch Raven, MD 21284, NICHOLAS LINEHAN, PRESIDENT; GREEN TOWSON ALLIANCE, PRESIDENT, BETH MILLER, 523 Murdock Road, Towson, MD 21204; and individuals SUSAN BACON, 1676 Yakona Road, Towson, MD 21286; PAUL SCHINING, 1684 Yakona Road, Towson, MD 21286; DALE CASSIDY, 654 Yakona Rd., Towson, MD 21286; NICHOLAS LINEHAN, 1546 Cottage Lane, Towson, MD 21286, Appellants by their attorney, *J. Carroll Holzer, Esquire*, being aggrieved by the Decision of Administrative Law Judge's Opinion and Order on Petitions for Special Hearing, Special Exception and Variance, in the above-captioned matter dated April 5, 2017 and attached hereto, file this appeal to the Board of Appeals on the **PETITION FOR SPECIAL HEARING ONLY.**

Filed concurrently with this Appeal is Appellants' check made payable to Baltimore County to cover the costs of Appeal.

Respectfully submitted,



J. CARROLL HOLZER, Esquire

Holzer & Lee

508 Fairmount Avenue

Towson, Maryland 21286

410-825-6961

Attorney for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of May, 2017, a copy of the foregoing Notice of Appeal was mailed, postage, pre-paid to: Jason T. Vettori, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for the Developer; Board of Appeals, 105 West Chesapeake Ave., Suite 203, Towson, MD 21204; and People's Counsel for Baltimore County, 105 West Chesapeake Ave., Suite 204, Towson, MD 21204.



J. CARROLL HOLZER, Esquire

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION & VARIANCE
(1631 E. Joppa Road) *
9th Election District
5th Council District *
1631 E. Joppa Road, LLC *
Legal Owner *
Entourage Development, LLC. *
Contract Purchaser *
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2017-0188-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of Petitions for Special Hearing, Special Exception and Variance filed on behalf of 1631 E. Joppa Road, LLC, legal owner and Entourage Development, LLC, contract purchaser ("Petitioners").

The Petition for Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R"): (1) For confirmation that the approvals in Case Nos. 1957-4166-X, 1960-4992-X, 1960-5076, 1962-5697-A and 1962-5876-A authorize the revised site layout; and (2) In the alternative, a modified parking plan pursuant to Section 409.12.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") modifying sections: (a) 409.6.A.2 of the B.C.Z.R. to permit 44 parking spaces in lieu of the required 53 spaces; (b) 409.8.A.1 of the B.C.Z.R. to permit a modification of the landscape strip requirements to allow in lieu of the required 10 ft. strip and a 6 ft. strip between paved surfaces and lot/ lease lines adjacent to commercial uses or zones: (1) 0 ft. strip along the east side yard; (2) 0 ft. strip along the west side yard; (3) 7 ft. strip along the front yard; and (4) 6 ft. strip along the rear yard; (c) To permit a parking space in a surface parking facility for a non-residential use to be located 7 ft. from the right-of-way line of a public street in lieu of the required 10 ft. setback; (d) To permit the use of land in a residential zone for parking

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facilities to meet the requirements of Section 409.6; and (e) To allow the loading and unloading of materials to take place during non-business hours.

A Petition for Variance seeks to permit a 0 ft. buffer and 0 ft. setback in lieu of the required 50 ft. buffer and 75 ft. setback in a Residential Transition Area (RTA). Finally, a Petition for Special Exception seeks to approve a drive-in restaurant.

Appearing at the public hearing in support of the requests was Tom Behrle, Paul Smith and professional engineer John Demos. Jason T. Vettori, Esq. represented Petitioners. Several members of the community (represented by J. Carroll Holzer, Esq.) opposed the requests. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). Neither agency opposed the requests.

The subject property is approximately 0.9 acres in size and is zoned BL & DR 5.5. The site is located near the intersection of Joppa Road and Loch Raven Blvd., and for over 60 years Baynesville Electronics operated their store at the property. The store, a community institution, closed its doors in 2016. The owners entered into a contract of sale with Entourage Development, which would operate a Sonic fast food restaurant at the property. To do so certain zoning relief is required, although most of the requests in the petition are necessary.

The community opposes the project, and believes the change from a commercial use to a fast food use will prove deleterious to the neighborhood. Neighbors expressed concern with noise, trash and congested traffic conditions along Joppa Road. In addition, the neighbors indicated several fast food outlets are located near the subject property, and that the Sonic proposal was simply "more of the same."

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Certain legislative provisions (i.e., Bill Nos. 36-13 and 79-15, Petitioners' Exhibit Nos. 19 & 20) influence the outcome in this case. First, the site is located within the Loch Raven Commercial Revitalization District. Petitioners' Exhibit No. 12. As such, the project is exempt from the Basic Services mapping standards. At present, the Joppa Road/Loch Raven Blvd. intersection is rated at a level-of-service "F" which (but for Bill 79-15) would prohibit development at the subject property. In addition, Bill 36-13 provides that business parking in a residential zone is exempt from the RTA setback requirements when the property is located in a commercial revitalization district. That same legislation permits such parking "by right if there is an existing parking facility."

Variances

The variances requested in the petition seek relief from the RTA setback and buffer requirements. Since the property is within a revitalization district, such variances are not required. As such, this aspect of the petition will be dismissed without prejudice.

Special Exception

The petition for special exception seeks to use the property for a "drive-in restaurant." That term is defined as a "retail outlet where food or beverages are sold to a substantial extent for consumption by customers in cars." B.C.Z.R. §101.1. This is an antiquated definition enacted in 1967, when the "outlets" for dining were much different than those available today. Nonetheless, I do not believe the proposed Sonic qualifies as a "drive-in restaurant."

Mr. Behrle testified the store will have only 8 drive-in "stalls," which he believed would account for only about 10% of the Sonic's revenue. In my opinion, 10% does not constitute a "substantial extent" of the Sonic's customers or revenue. The Sonic (like McDonald's or any other

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fast food restaurant) does more than 60% of its business at the drive-thru window, according to Mr. Behrle. I believe the Sonic is properly characterized as a “fast-food restaurant” which, pursuant to legislation enacted in 1993, is a business principally involved in the sale of “ready-to-consume food and beverages in disposable containers.” B.C.Z.R. §101.1. The same definition provides that such food and beverages are “consumed on the premises of the restaurant or within a motor vehicle on or off the premises.” This more accurately describes the proposed Sonic, which as a fast-food restaurant is permitted by right in the BL zone. As such the petition for special exception will be dismissed without prejudice.

Special Hearing

The petition for special hearing primarily concerns a “modified parking plan” as authorized by B.C.Z.R. §409.12. But for the most part the individual requests enumerated therein are not needed in this case. The first request concerns a reduction in the number of parking spaces required for a drive-in restaurant. As filed, the petition and site plan indicate 44 spaces would be provided, although Mr. Demos noted relocation of the dumpster (at the community’s request) resulted in the loss of 2 additional spaces. As noted above, I do not believe the proposed Sonic is a drive-in restaurant; as such, Petitioners do not need to provide 53 spaces. Instead, as a fast food restaurant, B.C.Z.R. §409 requires 16 spaces per 1,000 square ft. of building space. Here, the building is 2,625 square feet, so only 42 spaces is required. Since 42 spaces will be provided, this request is unnecessary.

The second request seeks a modification of the landscape strip requirements imposed by the Landscape Manual, as incorporated by B.C.Z.R. §409.8.A.1. The modifications would primarily reduce the buffers on the east and west side of the site, which adjoin other commercial uses. While a 6 ft. strip is sought in the rear yard (in lieu of 10 ft.), the order below will require

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By Sen

installation of a 10 ft. high fence, which should provide an adequate buffer for the adjoining homes.

The third request seeks approval for a 7 ft. parking space setback (in lieu of 10 ft.) from the right-of-way of a public street. These spaces would be adjacent to Joppa Road. I do not believe the reduced setback would have a negative impact upon the community, especially since Petitioners will be required to install a vegetative buffer in this area which will improve the appearance of the site and screen the parking lot from Joppa Road.

The fourth special hearing request seeks approval for business parking in a residential zone. As noted above, Bill 36-13 permits such parking "by right if there is an existing parking facility." Petitioners submitted a site plan from a 1991 building addition project at Baynesville Electronics (Petitioners' Ex. No. 1), which shows customer parking in the DR 5.5 portion of the site. As such, this request is unnecessary.

The final special hearing request seeks to permit loading and unloading of materials to take place during non-business hours. Mr. Behrle stressed that carriers prefer to make deliveries and empty the dumpsters when customers and vehicles are not present. But several members of the community described being awakened by trash haulers and delivery trucks servicing the fast food restaurants along Joppa Road. While Mr. Behrle indicated he could not control when Sonic made deliveries to the store, Mr. Smith (one of the former owners of Baynesville Electronics) testified he could specify when the trash hauler emptied the dumpster at the business. While I believe Petitioners should have some latitude, this is a quality of life issue for the adjacent residential community, and the order below will contain specific restrictions in this regard.

ORDER RECEIVED FOR FILING

Date

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THEREFORE, IT IS ORDERED this 5th day of April, **2017**, 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 approve a modified parking plan pursuant to Section 409.12.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") modifying sections: (A) 409.8.A.1 of the B.C.Z.R. to permit a modification of the landscape strip requirements to allow in lieu of the required 10 ft. strip and a 6 ft. strip between paved surfaces and lot/ lease lines adjacent to commercial uses or zones: (a) 0 ft. strip along the east side yard; (b) 0 ft. strip along the west side yard; (c) 7 ft. strip along the front yard; and (d) 6 ft. strip along the rear yard; (2) To permit a parking space in a surface parking facility for a non-residential use to be located 7 ft. from the right-of-way line of a public street in lieu of the required 10 ft. setback; and (3) To allow the loading and unloading of materials to take place during non-business hours (subject to the restrictions below), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Exception to approve a drive-in restaurant be and is hereby DISMISSED without prejudice.

IT IS FURTHER ORDERED that the Petition for Variance to permit a 0 ft. buffer and 0 ft. setback in lieu of the required 50 ft. buffer and 75 ft. setback in a Residential Transition Area (RTA), be and is hereby DISMISSED without prejudice.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must install along the entire rear property boundary adjoining the residential properties on Yakona Road a fence no less than 10 ft. in height.

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Date

4/5/17

By

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3. Petitioners must provide a "heavy Class A screen" along the rear boundary of the site (subject to the modification granted above), as determined in the sole discretion of the Baltimore County landscape architect.
4. Petitioners must provide a dumpster enclosure constructed of suitable materials, as determined in the sole discretion of the Baltimore County landscape architect.
5. Petitioners must to the extent possible preserve the existing oak trees at the rear of the property.
6. Petitioners must install at the exit onto Joppa Road a "No Left Turn" sign.
7. No business parking or commercial activity of any sort shall be permitted within the green shaded area at the rear of the site as shown on the site plan admitted as Petitioners' Exhibit 3.
8. Deliveries and/or trash removal at the site shall take place only between the hours of 7 a.m.-12 a.m. (midnight).

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:slh

ORDER RECEIVED FOR FILING

Date 4/5/17

By slh



KEVIN KAMENETZ
County Executive

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

April 5, 2017

Jason T. Vettori, Esq.
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

J. Carroll Holzer, Esq.
508 Fairmount Avenue
Towson, Maryland 21286

RE: Petitions for Special Hearing, Special Exception and Variance
Case No. 2017-0188-SPHXA
Property: 1631 E. Joppa Road

Dear Counsel:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



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 1631 East Joppa Road

which is presently zoned BL & DR 5.5

Deed References: 13602/00536

10 Digit Tax Account # [] [] [] [] [] [] [] [] [] []

Property Owner(s) Printed Name(s) 1631 East Joppa Road, 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

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)

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:

Tom Behrle, Entourage Development, LLC

Name- Type or Print

Signature

PO Box 439 Hunt Valley MD

Mailing Address City State

21030 443-756-2623 tombehrle@comcast.net

Zip Code Telephone # Email Address

Attorney for Petitioner:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

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

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

John J. Smith, Jr., Authorized Representative 1631 E. Joppa Road LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1631 E. Joppa Road Towson MD

Mailing Address City State

21286 410-823-0082 baynesvilleelectronics@comcast.net

Zip Code Telephone # Email Address

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

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

Zip Code Telephone # Email Address

CASE NUMBER 2017-0188-SPHX-A Filing Date 1/17/2017

Date 4/5/17 Do Not Schedule Dates: Reviewer [Signature]

By [Signature] REV. 10/4/11

*bentley @ 7 email

ATTACHMENT TO PETITION FOR ZONING HEARING

*1631 East Joppa Road
Case No.: 2017-0188-SPHXA*

Special Hearing relief to approve:

1. A request for confirmation that the approvals in Case Nos. 1957-4166-X, 1960-4992-X, 1960-5076-A, 1962-5697-A and 1962-5876-A authorize the revised site layout; and
2. In the alternative, a modified parking plan pursuant to Section 409.12.B of the Baltimore County Zoning Regulations ("BCZR") modifying sections:
 - a. 409.6.A.2 of the BCZR to permit 44 parking spaces in lieu of the required 53 spaces; and
 - b. 409.8.A.1 of the BCZR to permit a modification of the landscape strip requirements to allow, in lieu of the required 10 foot strip and 6 foot strip between paved surfaces and lot/lease lines adjacent to commercial uses or zones, a:
 1. 0 foot strip along the east side yard;
 2. 0 foot strip along the west side yard;
 3. 7 foot strip along the front yard;
 4. 6 foot strip along the rear yard; and
 - c. 409.8.A.4 of the BCZR to permit a parking space in a surface parking facility for a nonresidential use to be located 7' from the right-of-way line of a public street in lieu of the required 10' setback; and
 - d. 409.8.B.1 of the BCZR to permit the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6; and
 - e. 409.11 of the BCZR to allow the loading and unloading of materials to take place during non-business hours; and
3. For such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County.

Special Exception relief to approve:

1. A drive-in restaurant under Section 230.3 of the BCZR; and
2. For such other and further relief as may be deemed necessary by the ALJ for Baltimore County.

Variance from section(s):

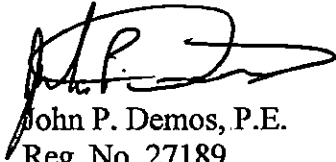
1. 1B01.1.B.1.e(5) of the BCZR to permit a 0' buffer and 0' setback in lieu of the required 50' buffer and 75' setback in a Residential Transition Area; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

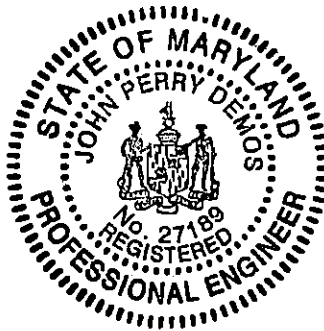
ZONING PROPERTY DESCRIPTION

ZONING PROPERTY DESCRIPTION FOR: 1631 EAST JOPPA ROAD

Beginning at a point on the south side of East Joppa Road at the northeastern most property corner of said property which is 155' wide; and at a distance of 239' west of the centerline of Loch Raven Boulevard which is 85'± wide.

Being Lots #7, 8 and 9, and inclusive of the 10' strip between Lots 8 & 9 in the subdivision of The Bartha Property as recorded in Baltimore County Plat Book #8, Folio #34, containing 0.906 Acres ±. Located in the 9th Election District and 5th Council District.


John P. Demos, P.E.
Reg. No. 27189
Professional Engineer



2017-0188-SP4X

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

No. 141442

Date: 1/17/17

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
1/17/2017 1/17/2017 09:28:25 3

WS03 WALKIN CWN
RECEIPT # 712559 1/17/2017 OFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 141442

Recpt Tot \$1,000.00
\$1,000.00 CK \$0.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
007	806	000		6150						1000.00

Total: 1000.00

Rec From: Smith, G. Lee & Schmidt

For: 1631 E Sopra Rd

2017-0188-SPH

DISTRIBUTION

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

PLEASE PRESS HARD!!!

CASHIER'S
VALIDATION

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

№ 143331

Date:

5/5/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6150				265.00

Total:

265.00

Rec
From:

J. Carroll Holzer, P.A

For:

2017-0188-SPHYA CK# 8987

1631 Joppa Rd

Appeal Special hearing only

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/08/2017 5/05/2017 14:32:26

REG WSD3 WALKIN CAN

>>RECEIPT # 725204 5/05/2017 OFL

Dept: 5 528 ZONING VERIFICATION

CR NO. 143331

Recpt Tot \$265.00

\$265.00 CK \$1.00 CA

Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



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 4818885

Sold To:

Smith Gildea & Schmidt LLC - CU00433777
600 Washington Ave Ste 200
TOWSON, MD 21204

Bill To:

Smith Gildea & Schmidt LLC - CU00433777
600 Washington Ave Ste 200
TOWSON, MD 21204

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

Mar 09, 2017

The Baltimore Sun Media Group

By S. Wilderman

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: # 2017-0188-SPHX

1631 East Joppa Road
S/s East Joppa Road, west of Loch Raven Boulevard
9th Election District - 5th Councilmanic District
Legal Owner(s) 1631 E. Joppa Road, LLC, John Smith, Jr.
Authorized Rep.
Contract Purchaser/Lessee: Entourage Development, LLC,
Tom Behrle

SPECIAL HEARING: 1. For confirmation that the approvals in Case Nos. 1957-4166-X, 1960-4992-X, 1960-5076, 1962-5697-A and 1962-5876-A authorize the revised site layout; and 2. In the alternative, a modified parking plan pursuant to Section 409.12.B of the Baltimore County Zoning Regulations modifying sections: a. 409.6.A.2 of the BCZR to permit 44 parking spaces in lieu of the required 53 spaces; and b. 409.8.A.1 of the BCZR to permit a modification of the landscape strip requirements to allow in lieu of the required 10 ft. strip and a 6 ft. strip between paved surfaces and lot/lease lines adjacent to commercial uses or zones, a: 1. 0 ft. strip along the east side yard. 2. 0 ft. strip along the west side yard. 3. 7 ft. strip along the front yard. 4. 6 ft. strip along the rear yard; and c. To permit a parking space in a surface parking facility for a non-residential use to be located 7 ft. from the right-of-way line of a public street in lieu of the required 10 ft. setback; and d. to permit the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6; and e. To allow the loading and unloading of materials to take place during non-business hours; and 3. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

SPECIAL EXCEPTION: 1. To approve a drive-in restaurant, 2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Friday, March 31, 2017 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.

3/059 March 9

4818885

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/13/2017

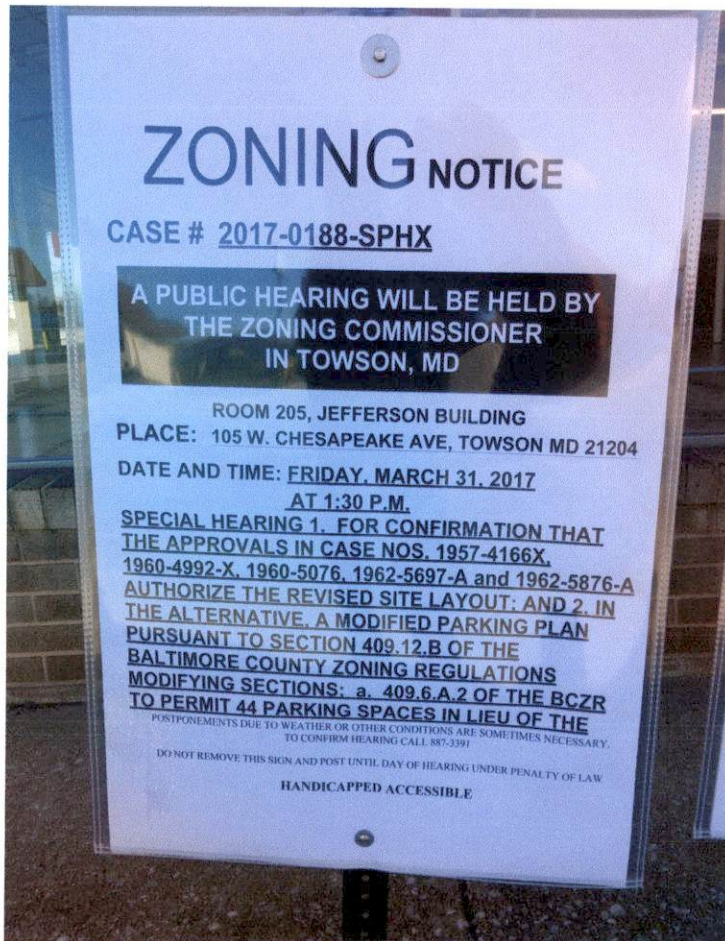
Case Number: 2017-0188-SPHX

Petitioner / Developer: JASON, VETTORI, ESQ. ~ TOM BEHRLE~
JOHN J. SMITH

Date of Hearing (Closing): MARCH 31, 2017

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:
1631 EAST JOPPA ROAD

The sign(s) were posted on: MARCH 11, 2017



Sign #1

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

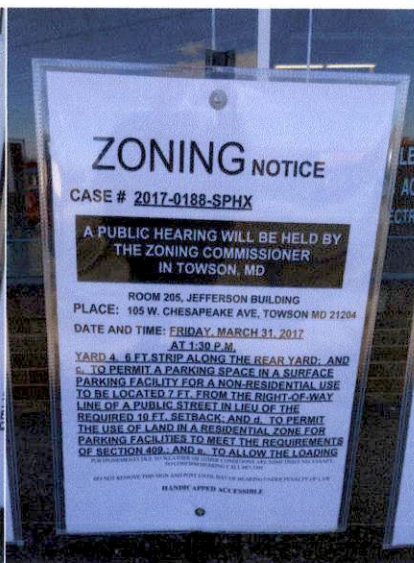
523 Penny Lane
(Street Address of Sign Poster)

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

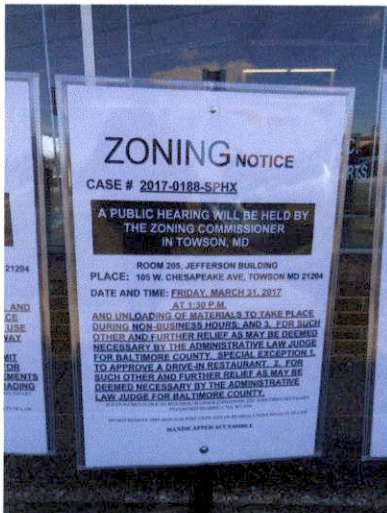
410 - 666 - 5366
(Telephone Number of Sign Poster)



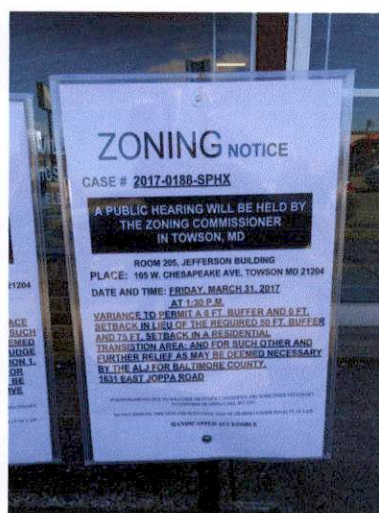
Sign #2



Sign #3



Sign #4



Sign #5



1631 East Joppa Rd.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2017-0188-SPHX
Petitioner: 1631 E. JOPPA ROAD LLC
Address or Location: 1631 E. JOPPA RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JASON T. VETTORI
Address: 600 WASHINGTON AVE, STE. 200
TOWSON, MD 21204
Telephone Number: (410) 821-0070

KRISTIN - please send - E

fax back.

THX

THE BALTIMORE SUN
MEDIA GROUP

501 N. Calvert Street
Baltimore, MD 21202
Legal Advertising
Fax: 410-332-6446
E-mail: Legals@Patuxent.com

Susan Wilkinson 410-332-6132
Ellen Harris 410-332-6157
Kathy Conahan 410-332-6406
Pam Masley 410-332-6284
Sue Thomas 410-332-6657
Joanne Wernick 410-332-6295

VERIFICATION OF CANCELLATION

TO: Kristin Lewis Bar Co Zoning

RE: Ad No. _____

Invoice No. _____

Run Dates: _____

Property No. 2017-0188-SPHXAmount Owed: ØThe above ad was tentatively canceled on 2.6.17

Please verify this cancellation by signing below and faxing this form back to us.

Your written verification is necessary in order to stop charges on this ad.

Signature Kristin LewisCompany PAT - Zoning

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 9, 2017 Issue - Jeffersonian

Please forward billing to:

Jason Vettori
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: 2017-0188-SPHX

131 East Joppa Road

S/s East Joppa Road, west of Loch Raven Boulevard

9th Election District – 5th Councilmanic District

Legal Owners: 1631 E. Joppa Road, LLC, John Smith, Jr. Authorized Rep.

Contract Purchaser/Lessee: Entourage Development, LLC, Tom Behrle

Special Hearing 1. For confirmation that the approvals in Case Nos. 1957-4166-X, 1960-4992-X, 1960-5076, 1962-5697-A and 1962-5876-A authorize the revised site layout; and 2. In the alternative, a modified parking plan pursuant to Section 409.12.B of the Baltimore County Zoning Regulations modifying sections: a. 409.6.A.2 of the BCZR to permit 44 parking spaces in lieu of the required 53 spaces; and b. 409.8.A.1 of the BCZR to permit a modification of the landscape strip requirements to allow in lieu of the required 10 ft. strip and a 6 ft. strip between paved surfaces and lot/ lease lines adjacent to commercial uses or zones, a: 1. 0 ft. strip along the east side yard. 2. 0 ft. strip along the west side yard. 3. 7 ft. strip along the front yard. 4. 6 ft. strip along the rear yard; and c. To permit a parking space in a surface parking facility for a non-residential use to be located 7 ft. from the right-of-way line of a public street in lieu of the required 10 ft. setback; and d. To permit the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6; and e. To allow the loading and unloading of materials to take place during non-business hours; and 3. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception 1. To approve a drive-in restaurant. 2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Friday, March 3, 2017 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.



February 6, 2017
KEVIN KAMENETZ
County Executive

NOTICE OF ZONING HEARING

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

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Hearing: Friday, March 3, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204
Tom Behrle, P.O. Box 439, Hunt Valley 21030
John J. Smith, Jr., 1631 E. Joppa Road, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 11, 2017.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
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Zoning Review | County Office Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

Handwritten notes:
Huntington
5/3-10/1/17

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 9, 2017 Issue - Jeffersonian

Please forward billing to:

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

410-821-0070

NOTICE OF ZONING HEARING

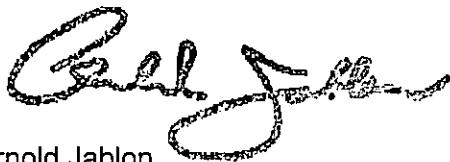
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CASE NUMBER: 2017-0188-SPHX

1631 East Joppa Road
S/s East Joppa Road, west of Loch Raven Boulevard
9th Election District – 5th Councilmanic District
Legal Owners: 1631 E. Joppa Road, LLC, John Smith, Jr. Authorized Rep.
Contract Purchaser/Lessee: Entourage Development, LLC, Tom Behrle

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Hearing: Friday, March 31, 2017 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.
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February 28, 2017
KEVIN KAMENETZ
County Executive

NOTICE OF ZONING HEARING

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

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: 2017-0188-SPHX

1631 East Joppa Road
S/s East Joppa Road, west of Loch Raven Boulevard
9th Election District – 5th Councilmanic District
Legal Owners: 1631 E. Joppa Road, LLC, John Smith, Jr. Authorized Rep.
Contract Purchaser/Lessee: Entourage Development, LLC, Tom Behrle

Special Hearing 1. For confirmation that the approvals in Case Nos. 1957-4166-X, 1960-4992-X, 1960-5076, 1962-5697-A and 1962-5876-A authorize the revised site layout; and 2. In the alternative, a modified parking plan pursuant to Section 409.12.B of the Baltimore County Zoning Regulations modifying sections: a. 409.6.A.2 of the BCZR to permit 44 parking spaces in lieu of the required 53 spaces; and b. 409.8.A.1 of the BCZR to permit a modification of the landscape strip requirements to allow in lieu of the required 10 ft. strip and a 6 ft. strip between paved surfaces and lot/ lease lines adjacent to commercial uses or zones, a: 1. 0 ft. strip along the east side yard. 2. 0 ft. strip along the west side yard. 3. 7 ft. strip along the front yard. 4. 6 ft. strip along the rear yard; and c. To permit a parking space in a surface parking facility for a non-residential use to be located 7 ft. from the right-of-way line of a public street in lieu of the required 10 ft. setback; and d. To permit the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6; and e. To allow the loading and unloading of materials to take place during non-business hours; and 3. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Special Exception 1. To approve a drive-in restaurant. 2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. **Variance** to permit a 0 ft. buffer and 0 ft. setback in lieu of the required 50 ft. buffer and 75 ft. setback in a Residential Transition Area; and for such other and further relief as may be deemed necessary by the ALJ for Baltimore County.

Hearing: Friday, March 31, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204
Tom Behrle, P.O. Box 439, Hunt Valley 21030
John J. Smith, Jr., 1631 E. Joppa Road, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 11, 2017.**
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Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

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

March 23, 2017

1631 E Joppa Road LLC
John J Smith
1631 E Joppa Road
Towson MD 21286

RE: Case Number: 2017-0188 SPHXA, Address: 1631 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 January 17, 2017. 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
Tom Behrle, Entourage Development LLC, P O Box 439, Hunt Valley MD 21030
Jason T Vettori, 600 Washington Avenue, Suite 200, Towson MD 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 3/24/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-188

INFORMATION:

Property Address: 1631 E Joppa Road
Petitioner: John J. Smith
Zoning: BL, DR 5.5
Requested Action: Special Hearing, Special Exception, Variance

The Department of Planning has reviewed the petition for special hearing to determine whether the Administrative Law Judge should confirm that approvals in prior zoning cases as identified on the petition authorizes the revised site layout or, in the alternative, approve a modified parking plan to permit 44 parking spaces in lieu of the required 53, to permit a modification of the landscape strip requirements between paved surfaces and lot/lease lines adjacent to commercial uses, to permit a parking space to be 7 feet from the right of way line of a public street in lieu of the required 10 feet, to permit the use of land in a residential zone for parking facilities and to allow for the loading and unloading of materials to take place during non-business hours. The Department reviewed the petition for special exception to use the property for a drive-in restaurant and the petition for a variance to permit a 0' buffer and 0' setback in lieu of the required 50' and 75' respectively in a residential transition area.

A site visit was conducted on March 17, 2017. The site is located on the in the Loch Raven Design Review Area and the Loch Raven Commercial Revitalization Area.

The plan for development of the subject property, being the cause of the petitioned zoning relief, is subject to the review of the Baltimore County Design Review Panel (DRP).

The DRP, established through the Baltimore County Code (BCC), shall act in an advisory and consulting capacity in order to encourage design excellence. The nine panel members are appointed by the Baltimore County Executive and are subject to confirmation by the Baltimore County Council. These nine individuals, who by profession or by experience are knowledgeable in matters of design, are charged with applying the assessment objectives established in BCC§ 32-4-203 (a)(c) to all development located within a Design Review Area. The Administrative Law Judge may impose the recommendation of the DRP as a condition of approval for any development plan.

The DRP reviewed the project on Wednesday, March 8, 2017. The DRP approved the project with the following conditions:

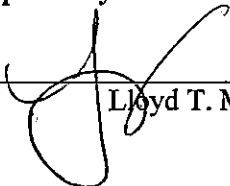
- Any plan submitted to the Baltimore County Landscape Architect for approval shall:
 - Propose a landscape design that provides open space, decorative metal fencing and screening to include continuous evergreen hedge along the Joppa Road frontage.
 - Include extensive landscape plantings along the east side of the property.
 - Include extensive plantings on the south side of the property in a more naturalized design.
 - Redesign the parking lot layout so that the landscaped island is situated further back.
- The proposed metal eave shall utilize clear anodized aluminum.
- Efforts shall be made to preserve the existing oak trees at the rear of the property.
- Work with the residents on the placement of the rear fencing.
- Investigate relocating the dumpster to the southeast side of the property away from adjacent residences.
- The dumpster enclosure shall be made of materials matching that of the proposed building.
- Eliminate the roof and changeable copy signage on the pole sign.

The Department of Planning affirms the determinations and conditions of the DRP and incorporates them into these Zoning Advisory Committee Comments. The Department has no objection to granting the petitioned zoning relief conditioned upon the inclusion of the above DRP conditions within any decision and order of the Administrative Law Judge approving said relief and further upon the following:

- Loading and unloading shall be limited to business hours to minimize impacts on the adjacent residences.

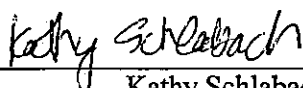
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

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
Jason T. Vettori, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: March 30, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0188-SPHXA
Address 1631 E. Joppa Road
(1631 E. Joppa Road, LLC Property)

Zoning Advisory Committee Meeting of **April 3, 2017**.

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

Reviewer: Steve Ford Date: 3-30-17

TO cc CR

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 April 3, 2017
Item No. 2017-0188

DATE: April 5, 2017

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

We have no further comments.

* * * * *

DAK:CEN
cc:file
ZAC-ITEM NO 17-0188-04032017.doc

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



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

Date: 2/22/17

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. 2017-0188-SPH & A

Special Hearing Special Exception Variance
1631 E. Joppa Road, LLC, John J. Smith
1631 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,

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

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

WW/RAZ

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



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

Date: 1/30/17

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

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1631 E. Joppa Road, LLC, John F. Smith
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Wendy Wolcott, PLA
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

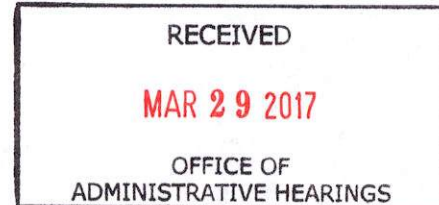
INTER-OFFICE MEMORANDUM

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

DATE: 3/24/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-188



INFORMATION:

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Petitioner: John J. Smith
Zoning: BL, DR 5.5
Requested Action: Special Hearing, Special Exception, Variance

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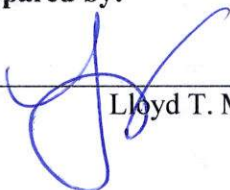
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 - Include extensive landscape plantings along the east side of the property.
 - Include extensive plantings on the south side of the property in a more naturalized design.
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- Efforts shall be made to preserve the existing oak trees at the rear of the property.
- Work with the residents on the placement of the rear fencing.
- Investigate relocating the dumpster to the southeast side of the property away from adjacent residences.
- The dumpster enclosure shall be made of materials matching that of the proposed building.
- Eliminate the roof and changeable copy signage on the pole sign.

The Department of Planning affirms the determinations and conditions of the DRP and incorporates them into these Zoning Advisory Committee Comments. The Department has no objection to granting the petitioned zoning relief conditioned upon the inclusion of the above DRP conditions within any decision and order of the Administrative Law Judge approving said relief and further upon the following:

- Loading and unloading shall be limited to business hours to minimize impacts on the adjacent residences.

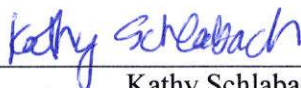
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

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
Jason T. Vettori, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

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 January 30, 2017
Item No. 2017-0188

DATE: January 31, 2017

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

If Zoning Relief is granted, Lighting and Landscape Plans are required per the requirements of the Landscape Manual.

As discussed with the Engineer and attorney, the traffic flow around the angled parking spaces should be reversed to minimize conflicts at the Joppa Road entrance. The angled parking spaces should be reversed accordingly.

* * * * *

DAK:CEN
cc:file
ZAC-ITEM NO 17-0188-01302017.doc

RECEIVED

FEB 28 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

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 February 20, 2017
Item No. 2017-0188

DATE: February 23, 2017

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

In addition to the original Landscape comments – If RTA Variances are granted, a heavy Class A screen will be required at the rear of the commercial property/use to screen adjacent residential property and uses.

* * * * *

DAK:CEN
cc:file
ZAC-ITEM NO 17-0188-02272017.doc

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 February 20, 2017
Item No. 2017-0188 Revised

DATE: March 6, 2017

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

In addition to the original Landscape comments – If RTA Variances are granted, a heavy Class A screen will be required at the rear of the commercial property/use to screen adjacent residential property and uses.

A revised plan, which was not dated as such, was submitted to our office. The revised plan shows onsite traffic flowing in a counter-clockwise direction. This plan is acceptable.

* * * * *

DAK:CEN
cc:file
ZAC-ITEM NO 17-0188revised-02272017.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: January 24, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0188-SPHX
Address 1631 E. Joppa Road
(1631 E. Joppa Road, LLC Property)

Zoning Advisory Committee Meeting of **January 30, 2017**.

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

Reviewer: Steve Ford Date: 1-24-2017

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: March 30, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0188-SPHXA
Address 1631 E. Joppa Road
(1631 E. Joppa Road, LLC Property)

Zoning Advisory Committee Meeting of **April 3, 2017**.

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

Reviewer: Steve Ford Date: 3-30-17

RECEIVED

ADMINISTRATIVE SERVICES
OFFICE OF THE
ATTORNEY GENERAL

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
1631 East Joppa Road; S/S E. Joppa Road,	*	OF ADMINSTRATIVE
239' W of c/line Loch Raven Blvd		
9 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): 1631 E. Joppa Road, LLC		
Contract Purchaser: Entourage Development, LLC*		BALTIMORE COUNTY
by Tom Behrle		
Petitioner(s)	*	2017-188-SPHX

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

JAN 27 2017

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of January, 2017, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: May 12, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0188-SPHXA- Appeal Period Expired

The appeal period for the above-referenced case expired on May 5, 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

Carl Richards Jr

From: Arnold Jablon
Sent: Wednesday, March 15, 2017 5:13 PM
To: Ellen Kobler; Carl Richards Jr
Subject: RE: Sonic Towson Hearing Information

Carl, send her a copy of the petition.

Done 3/16/17 WCR

From: Ellen Kobler
Sent: Wednesday, March 15, 2017 4:44 PM
To: Carl Richards Jr <CRichards@baltimorecountymd.gov>
Cc: Arnold Jablon <ajablon@baltimorecountymd.gov>
Subject: FW: Sonic Towson Hearing Information

Hi Carl,

Do you have details on what the hearing will address for this property? Jan said there are variance requests for changing the width of a landscaping strip, amount of parking and maybe a special exemption for a drive-through window and maybe some other items.

Thanks,
Ellen

From: Jan Cook
Sent: Wednesday, March 15, 2017 3:54 PM
To: Ellen Kobler <ekobler@baltimorecountymd.gov>
Subject: Sonic Towson Hearing Information

Ellen,

Please see attached. Zoning would be able to clarify questions concerning the requests stated in the document.

Also, information on the hearing:

<http://www.baltimorecountymd.gov/MeetingsandEvents/pdmevents/event/03/31/2017/L-5th%20Council%20District/T-Meeting%20or%20Hearing/K-zoning/K-hearings/K-1631/K-e/K-joppa/K-rd/K-loch/K-raven/K-blvd/K-john/K-smith/K-entourage/K-development/K-tom/K-behrle/K-20170188spha/zoning-hearings-1631-e-joppa-road>

Thank you.

Jan M. Cook
Development Manager

*Baltimore County Government
Department of Permits, Approvals and Inspections
111 W. Chesapeake Avenue, Room 123
Towson, Maryland 21204
[410-887-3321](tel:410-887-3321) office*

MEETINGS AND EVENTS

Aging

Board of Appeals

Development and Zoning Hearings

District 1

District 2

District 3

District 4

District 5

District 6

District 7

Economic and Workforce
Development

Business Events

Job Seeker Events

Environmental Protection

Ethics Commission

[Back](#)

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Zoning Hearings - 1631 E. Joppa Road

Date/Time:

Fri. Mar 31, 2017 1:30pm - 3:30pm

Location:

5th Council District

Details:

Case Number: 2017-0188-SPHX

Location: Southside of East Joppa Road, west of Loch Raven Boulevard

9th Election District

Legal Owners: 1631 E. Joppa Road, LLC, John Smith

Contract Purchaser: Entourage Development, LLC, Tom Behrle

Please contact Zoning Review Office for details regarding petitions filed for Special Hearing, Special Exception and Variance.

Hearing Location: Jefferson Building, 105 W. Chesapeake Avenue, Room 205, Towson 21204

Contact:

PAI 410-887-3391

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 - 2200020786			
Owner Information					
Owner Name:	1631 E JOPPA ROAD LLC		Use:	COMMERCIAL	
Mailing Address:	1631 E JOPPA RD TOWSON MD 21286-2122		Principal Residence:	NO	
			Deed Reference:	/13602/ 00536	
Location & Structure Information					
Premises Address:		1631 E JOPPA RD 0-0000		Legal Description:	.57 AC PRT LTS 8,9 1631 E JOPPA RD SS BARTHA PLAT
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0070	0017	0262		0000	8 2017 0008/0034
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
1945	5750			24,907 SF	06
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		RETAIL STORE			
Value Information					
	Base Value		Value As of 01/01/2017	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:	424,500		424,500		
Improvements	254,300		253,600		
Total:	678,800		678,100	678,800	678,100
Preferential Land:	0				0
Transfer Information					
Seller: SMITH JOHN J,JR SMITH RICHARD F		Date: 03/17/1999		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /13602/ 00536		Deed2:	
Seller: SMITH JOHN JULIAN,SR		Date: 12/07/1998		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /13352/ 00088		Deed2:	
Seller: SMITH JOHN J		Date: 08/17/1994		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /10709/ 00325		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		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

2017-0188-SPHX

1 inch = 40 feet

CASE NAME 2017-0188-SPKX4
CASE NUMBER 1631 E. JOHNS RD.
DATE 3/31/17

[illegible]

[illegible][illegible][illegible]

1947

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DATE _____

3-31-2017

[illegible]

3-31-17

Case No.:

2017 - 0188

Exhibit Sheet

4-5-17
Sen

Petitioner/Developer

Protestants

No. 1	1991 Plan to Accompany Office for Bayneville Elect.	3-31-2017 letter Assoc. of Loch Raven Village
No. 2	Contract of Sale 1963	
No. 3	Revised site plan dated 2-7-17	
No. 4	"Revised plan exhibit" dated 3/29/17	
No. 5	"Revised plan two exhibit" dated 3/29/17	
No. 6	Original site plan dated 1-16-17	
No. 7	"Revised" plan	
No. 8	DRP Minutes	
No. 9	Elevations of signage	
No. 10	DDP as comments to DRP.	
No. 11	DEMOS CV	
No. 12	Loch Raven Revital. District Map	

Case No.:

2017-0188

Exhibit Sheet - Continued

Petitioner/Developer

Protestants

No. 13	2016 Basic Services Map	
No. 14	Level of service definitions	
No. 15	2016 Transport. Final Report	
No. 16	2017 Basic Sucs. report	
No. 17	2017 Basic Sucs. Map - Not yet approved by County Council	
No. 18	BCZR - Art. 4 Growth Mgmt.	
No. 19	Bill 79-15.	
No. 20	Bill 36-13	
No. 21	BCZR § 409.8	
No. 22	BCZR § 409.8 1B01	
No. 23	BCZR § 409.11	
No. 24	Drive in restaurant def.	
No. 25	"Fast Food" restaurant def.	

LIBER 4 | 30 PAGE 4 | 0
Standard Contract of Sale

Approved by Real Estate Board of Greater Baltimore

REC. No. 1
 As Amended 8/1/61.

This Agreement of Sale, made this 15 day of March
 nineteen hundred and Sixty-Three - - - , between STANLEY A. BLUMBERG, WILLIAM
TAFT FELOMAN and HELEN B. FELOMAN, his wife, - - - - - Seller, and
JOHN J. SMITH, SR. and MARY E. SMITH, his wife, - - - - - Buyer.

Witness that the said Seller does hereby bargain and sell unto the said Buyer, and the latter
 does hereby purchase from the former the following described property, situate and lying in Ninth
 Election District of Baltimore County, State of Maryland, to the rear of
 1631 E. Joppa Road, Towson 4, Maryland, containing 2,306 square feet of
 land as described on the attached sheet, in fee simple. The said parcel
 is a part of that property described in Deed dated March 13, 1953 and
 recorded among the Land Records of Baltimore County in Liber G.L.S. No.
 2261 folio 236, from Better Housing Corporation to Stanley A. Blumberg, et al.

at and for the price of FIFTY CENTS (\$.50) per square foot or ONE THOUSAND ONE
HUNDRED FIFTY-THREE - - - - - Dollars (\$1,153.00)

of which ONE HUNDRED SEVENTY-FIVE - - - - - Dollars (\$175.00)

have been paid prior to the signing hereof, and the balance to be paid as follows: In six (6)
equal installments of One Hundred Sixty-Three Dollars (\$163.00), the first
of which shall be paid sixty (60) days from the date hereof and successive
installments due each sixty (60) days thereafter until paid in full within
one (1) year from the date hereof.

The property under examination may be subject to restrictions of
 record which limit the property to residential use.

AND upon payment as above provided of the unpaid purchase money, a deed for the property containing covenants
 of special warranty and further assurance shall be executed at the Buyer's expense by the Seller, which shall convey the
 property to the Buyer. Title to be good and marketable, free of liens and encumbrances except as specified herein
 and except the said occupancy restrictions of public record which are generally applicable to properties in the immediate
 neighborhood or the subdivision in which the property is located, and publicly recorded easements for public utilities and
 any other easements which may be observed by an inspection of the property.

~~Except for the taxes, including Metropolitan District charges for sewer and water, if any, and all other~~
 public charges, on an annual basis, against the premises shall be apportioned as of date of settlement, at which time possession
 shall be given; and the said parties hereto hereby bind themselves, their heirs, executors and administrators and assigns, for
 the faithful performance of this agreement.

The herein described property is to be held at the risk of the Seller except as to damages arising from accidental fire or
 other insurable casualty until legal title has passed or possession given; it is also understood and agreed that the Seller shall
 immediately have all of the insurance policies on the property so endorsed as to protect all parties hereto, as their interests
 may appear, and continue said insurance in force during the life of this Contract.

This Contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall
 be bound by any terms, conditions or representations not herein written; time being of the essence of this Agreement. Cost
 of all documentary stamps, required by law, recording tax and transfer tax, where required by law, shall be divided equally
 between the parties hereto.

Seller hereby agrees to pay commission on this sale, in accordance with the Standard Schedule of Commissions of the
 Real Estate Board of Greater Baltimore, to NONE.

Witness the hands and seals of the parties hereto the day and year first above written.

<u>[Signature]</u> WITNESS - AS TO SELLER'S SIGNATURE S. M. Almond	<u>[Signature]</u> WITNESS - AS TO BUYER'S SIGNATURE John J. Smith, Sr.	(SEAL)
<u>[Signature]</u> WITNESS - AS TO SELLER'S SIGNATURE S. M. Almond	<u>[Signature]</u> WITNESS - AS TO BUYER'S SIGNATURE Mary E. Smith	(SEAL)

PETITIONER'S

EXHIBIT NO. 2

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: March 28, 2017

FROM: Andrea Van Arsdale, Director
Department of Planning

SUBJECT: Design Review Panel – Individual Minutes

PROJECT NAME: Sonic Drive-in, 1631 East Joppa Road

PROJECT: DRP # 589

PROJECT TYPE: Commercial Loch Raven-Baynesville DRP Area

MEETING DATE: March 8, 2017

DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:

David Martin, Mitch Kellman, Cecily Bedwell, Matt D'Amico, Julie Kirsh

PROJECT DESCRIPTION:

The project consists of a 2,625 square foot Sonic Drive-in, which will replace the existing Baynesville Electronics building. The new building will be oriented similar to the existing building entering and exiting on East Joppa Road. The proposed building materials include vertical corrugated metal paneling, stone veneer, metal canopies and coping, and window glazing. Landscaping is proposed along the East Joppa Road frontage and around the proposed building as well as the rear of the property to screen the adjacent residential uses.

Tom Behrle, representing Entourage Development LLC gave the presentation. He outlined the project proposal, which is to knockdown 60% of the existing building and replace it with a smaller Sonic Drive-in building. Also included is a drive-thru lane and designated drive-in serving stations. Mr. Behrle indicated that a portion of the existing structure and signs will be repurposed. He stated that they are looking to create an indoor patio area, where a large garage type door can be opened in warm weather to create a semi-outdoor dining experience. All the mechanical equipment on the roof is to be screened. Mr. Behrle also stated that they will provide an 8' high trash enclosure as well as a fence surrounding the property. They have reached out to the Loch Raven Community and have consulted with the County on circulation issues.

There were several speakers who signed up to voice their concerns:

PETITIONER' S

EXHIBIT NO. 8

Subject: Minutes (Design Review Panel)

Project name: 1631 East Joppa Road (Sonic)

Project #: DRP 589

- Mr. Dale Cassidy was concerned with trash, rats and the smell of the dumpster. Mr. Cassidy also stated that he was concerned with the headlights shining into homes at night and indicated that any proposed fencing/screening should mitigate any potential impacts of noise and lights to the adjacent residential community.
- Ms. Mandy Step, president of the Ridgely Manor Association wanted to ensure that the project was sensitive to the new park, which is close to the site and that any negative impacts were mitigated. Ms. Step would also like to see the existing green space buffer stay intact and the trees preserved and a wall instead of fencing for screening, which she indicated would be more effective.
- Ms. Sue Bacon, resident at 1676 Yakona Road indicated that she was concerned that the proposed dumpster location is too close to her property boundary. Ms. Bacon was also concerned with headlights shining into the adjacent homes as well as the noise from the drive-thru speaker at night.
- Ms. Barbara Hopkins, a representative from Neighbor Space stated that she would like to see as much vegetation as possible maintained and also sees stormwater management as a problem.
- Mr. Bruce Knott, representing the Loch Raven Village Association stated that neither the use nor design meets the purpose of the regulations and does not help the image or revitalization of the community.
- Mr. Bill Deisher, president of the Ridgeleigh Community Association indicated that the association had not seen a landscape plan and was concerned that poor sight distance hindered people from making a left on to Joppa Road.

During the testimony from the speakers, the Chairman explained that the role of the DRP is to only address design issues and that land use and zoning issues were to be decided by the Administrative Law Judge.

DESIGN REVIEW PANEL COMMENTS:

Chairman David Martin opened up the floor to the panel members for discussion.

Ms. Cecily Bedwell inquired if there was a crosswalk from the building to the canopy area. Mr. Bill Feinburg, representing Sonic, replied that there is a walkway connection and bicycle rack. Ms. Bedwell also inquired if there are up-lit and down-lit sconces and if they will be positioned under the canopy. Mr. Feinburg replied that the LED accent lights will all be located under the canopy except for the one in the front of the building which will be located in front of the white aluminum eave. Ms. Bedwell also asked if the drive-thru had an external intercom system. Mr. Feinburg stated that they were proposing an external intercom system with a screen with menu board and that they will be able to control the volume.

Ms. Julie Kirsch indicated that there appeared to be opportunities to add more landscaping to the east and west sides of the project. Mr. Behrle replied that the proposed landscaping meets the requirements of the County.

Mr. Matt D'Amico indicated that the roof top signage was not permitted by the County. Mr. D'Amico also stated that he would like to see landscaping and fencing on Joppa Road as well as the east side of the property. He also asked that the applicant consider circulation safety and that efforts should be made to relocate the dumpster to the southeast side of the property.

Subject: Minutes (Design Review Panel)

Project name: 1631 East Joppa Road (Sonic)

Project #: DRP 589

Chairman Martin indicated that he would like to see decorative metal fencing and evergreen hedges along the frontage of the property and the large oak trees in the rear preserved.

DISPOSITION:

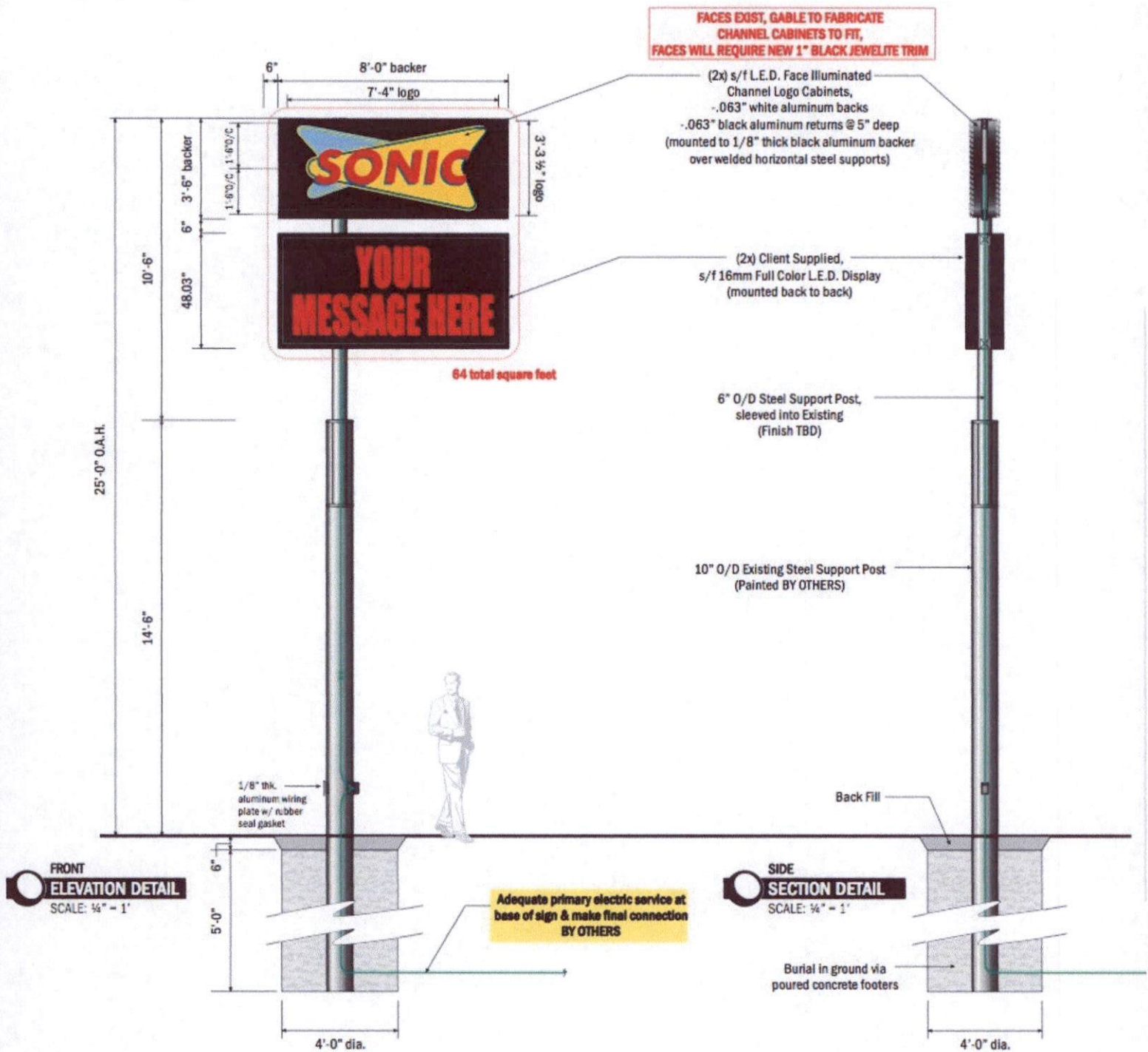
Ms. Bedwell made a motion to approve the plan with the following conditions:

1. Add more plantings on the east side of property where there is room to do so and more naturalized plantings on the south side.
2. Change metal eave material to a clear anodized aluminum.
3. Provide open space, landscape design, street screening with continuous adequate hedge, with low fencing along Joppa Road.
4. The dumpster screening materials should match the materials of the proposed building.
5. Eliminate the roof sign and changeable copy signage on the pole sign.
6. Pull back the landscape island in the parking lot
7. Work with residents on the placement of the rear fencing.
8. Investigate moving the dumpster to an alternate location, away from the residential homes.

The motion was seconded by Ms. Kirsch and approved by acclamation at 8:05 p.m.

JGN:File

c: DRP members in attendance
Jason Vettori, Smith Gildea and Schmidt



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PETITIONER'S

EXHIBIT NO. 9

**Baltimore County, Maryland
Design Review Panel
Department of Planning Comments**

TO: David Martin, Chair
Baltimore County Design Review Panel

VIA: Jenifer Nugent
Department of Planning

FROM: Andrea Van Arsdale, Director
Department of Planning

MEETING DATE: March 7, 2017

PROJECT NAME: Sonic Drive-In, 1631 East Joppa Road

LOCATION: Loch Raven-Baynesville, 5th Council District

DRP NO.: 589

PLAN REVIEW AND ANALYSIS SUMMARY:

Project Description:

The existing 6,600 sf Baynesville Electronics building is being proposed to be replaced with a smaller, 2,625 sf building. The smaller footprint will be similarly oriented on the site with the drive thru lane entering off of East Joppa Road, around the back of the proposed building and exiting back out onto Joppa Road.

The proposed building will be constructed of materials to include vertical corrugated metal paneling, stone veneer, metal canopies and coping and window glazing. The roof line at the front is intended to give a nod to the previous structure with its overhang and canopy columns.

Landscaping is proposed along the East Joppa Road frontage and around the proposed building as well as at the rear of the property to screen the residential uses adjacent to the commercial site.

Approval Requested:

The applicant is requesting approval of the Development Plan for the project by the DRP. The applicant has also filed a zoning request for special hearing relief for the number of required parking spaces, setback relief for landscaping requirements between property lines, and commercial parking in a residential zone. Special exception relief is also being requested for the drive-in restaurant as well as variances for 0' buffer and setback in lieu of the required 50' buffer and 75' setback in a Residential Transition Area.

PETITIONER' S

EXHIBIT NO. 10

1. *Comprehensive Manual of Development Policies* (Division III, Section A, Commercial Corridors, Main Street, and Division VI, Section F, Amenity Open Space).
2. *Baltimore County Landscape Manual*
3. *Baltimore County Master Plan 2020*

SITE DESIGN

The site design intent consists of:

- Maintaining the existing entrance off of East Joppa Road.
- New landscaping being proposed around the new building and within the proposed parking lot and along Joppa Road.
- New parking configuration to accommodate the new building and associated drive-thru system.

Recommendation: Staff recommends approval of site design intent, subject to the following conditions and as required by the Design Review Panel:

1. More landscaping should be incorporated within the parking lot, specifically along the eastern and western property lines.

ARCHITECTURAL DESIGN, FORM AND IMAGE

- The applicant proposes to construct a 2,625 sf Sonic drive-thru restaurant.
- The proposed materials for the Sonic includes vertical corrugated metal paneling, stone veneer, metal canopies and coping and window glazing.

Recommendation: Staff recommends approval of the architectural design, form and image subject to the recommendations of the Design Review Panel.

OPEN SPACE AND LANDSCAPE DESIGN

In the Commercial Corridors section of the CMDP under the Main Street category, open space should be used to create a sense of entry to the Main Street.

The applicant is proposing the following:

- Existing sidewalk along East Joppa Road to remain.
- New landscaping along Joppa Road as well as within the site around the building and at the rear of the property.

Recommendation: Staff recommends approval of the open space elements subject to the following conditions and as required by the Design Review Panel:

1. The Baltimore County Landscape Manual and the CMDP Commercial Corridors section recommend that when parking is adjacent to a public right-of-way a screen wall should be used in conjunction with landscape screening. This should be applied to this project for the six spaces directly along Joppa Road.
2. The dumpster enclosure materials shall match the proposed building's materials and not constructed solely of white vinyl materials.
3. More landscaping should be incorporated within the parking lot, specifically along the eastern and western property lines.

STREETS, PARKING, AND CIRCULATION

A. Pedestrian Circulation

- This site is located in a high vehicular traffic area. The applicant should address the pedestrian traffic and provide amenities within the site.

Recommendation: Staff recommends approval of the pedestrian elements subject to the following conditions and as required by the Design Review Panel:

1. The pedestrian crossing across the drive thru lane is not an optimal location for safety and circulation reasons.

B. Vehicular Circulation

- Vehicular entry is shown to be located off of East Joppa Road from the existing entrance.
- Parking is proposed on site with relief being requested for the number of spaces required.

Recommendation: Staff recommends approval of the streets, parking and circulation subject to the following conditions and as required by the Design Review Panel:

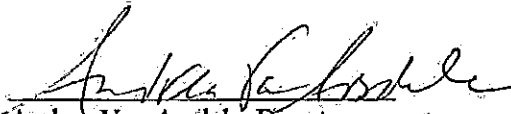
1. The applicant should explain how the vehicular circulation patterns do not create conflicts with pedestrian movements and parking operations.
2. Staff does not support the loading variance request during off hours since the loading is located at the rear of the property closest to the residential homes.

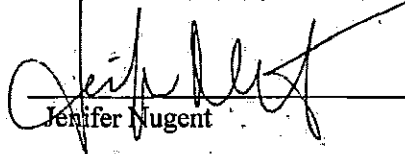
SIGNAGE AND LIGHTING

- Signage is proposed on the new building.
- Lighting is provided in the parking lot for safety and evening visibility.

Recommendation: Staff recommends approval of the signage and lighting subject to the site design recommendations and as required by the Design Review Panel.

1. The monument pole sign with changeable copy should be reconsidered so as not to contribute to the already cluttered and abundant signage along this corridor of Joppa Road.
2. The roof sign should be eliminated as roof top signs are not permitted per the BCZR.
3. All lighting shall be designed so as not to spill into the adjacent property and should be clearly indicated as such on the site and landscape plans.


Andrea Van Arsdale, Director


Jennifer Nugent

AVA: ks : jgn

C : Jason Vettori, Gildea, Smith and Schmidt
Tom Behrle, Entourage Development, LLC

JOHN P. DEMOS, P.E., L.S.

4901 Picker Drive
Pylesville, MD 21132
Phone: 443-324-1641

Education:

- West Virginia Institute of Technology
Associate in Science, Civil Engineering Technology, 1994
- West Virginia Institute of Technology
Bachelor of Science, Engineering Technology / Surveying, 1995

Licenses and Registrations:

- Professional Engineer License No. 056089 – Pennsylvania - 2001
- Professional Engineer License No. 27189 – Maryland - 2001
- Professional Engineer License No. 037254 – Virginia – 2001
- Professional Engineer License No. 13283 – Delaware – 2003
- Professional Land Surveyor License No. 21327 – Maryland - 2009

Experience Summary:

State Line Engineering, LLC (March 2007 to Present) concurrent with Ground Tek, Inc

- **President**
Responsibilities include the planning, design and preparation of plans associated with residential and commercial development. Aspects of design include; site plans, zoning plans stormwater management plans, grading / sediment and erosion control plans, road and storm drain plans, water and sewer plans, residential and commercial entrance plans, landscape plans, perform extensive hydrology and hydraulic calculations for storm drainage, stormwater management and flood studies. The design of house plans, minor additions, and performance of limited structural analyses. Perform boundary survey work, topographic surveys, and survey computations as they relate to construction and utility stakeout and prepare legal descriptions. Have testified as an expert witness in several zoning cases before the Baltimore County Administrative Law Judge and other jurisdictions. Directly work with clients directly to identify and implement their objectives in a timely manner, while meeting budgetary goals.

As the executive in the company I have also been responsible for marketing, procurement, and accounting, which has given me a valuable understanding of the managerial aspects of running a company.

Ground Tek, Inc. (March 2004 to December 2004 / March 2007 to Present)

- **Project Engineer**
Responsibilities include the design of structures, assessment of existing structures, Inspection of footings, foundations and slabs for residential and commercial structures.

PETITIONER'S

EXHIBIT NO.

11



PETITIONER'S

EXHIBIT NO.

12

LOCH RAVEN
COMMERCIAL REVITALIZATION
DISTRICT

Commercial Revitalization District

Map Prepared May 10, 2016
Baltimore County Department of Planning
105 W Chesapeake Ave, Towson, MD 21204

Data Sources:
CRD - Baltimore County Dept of Planning
All Other - Baltimore County Office of Info Tech

0 600 1200 2400 3600
Feet

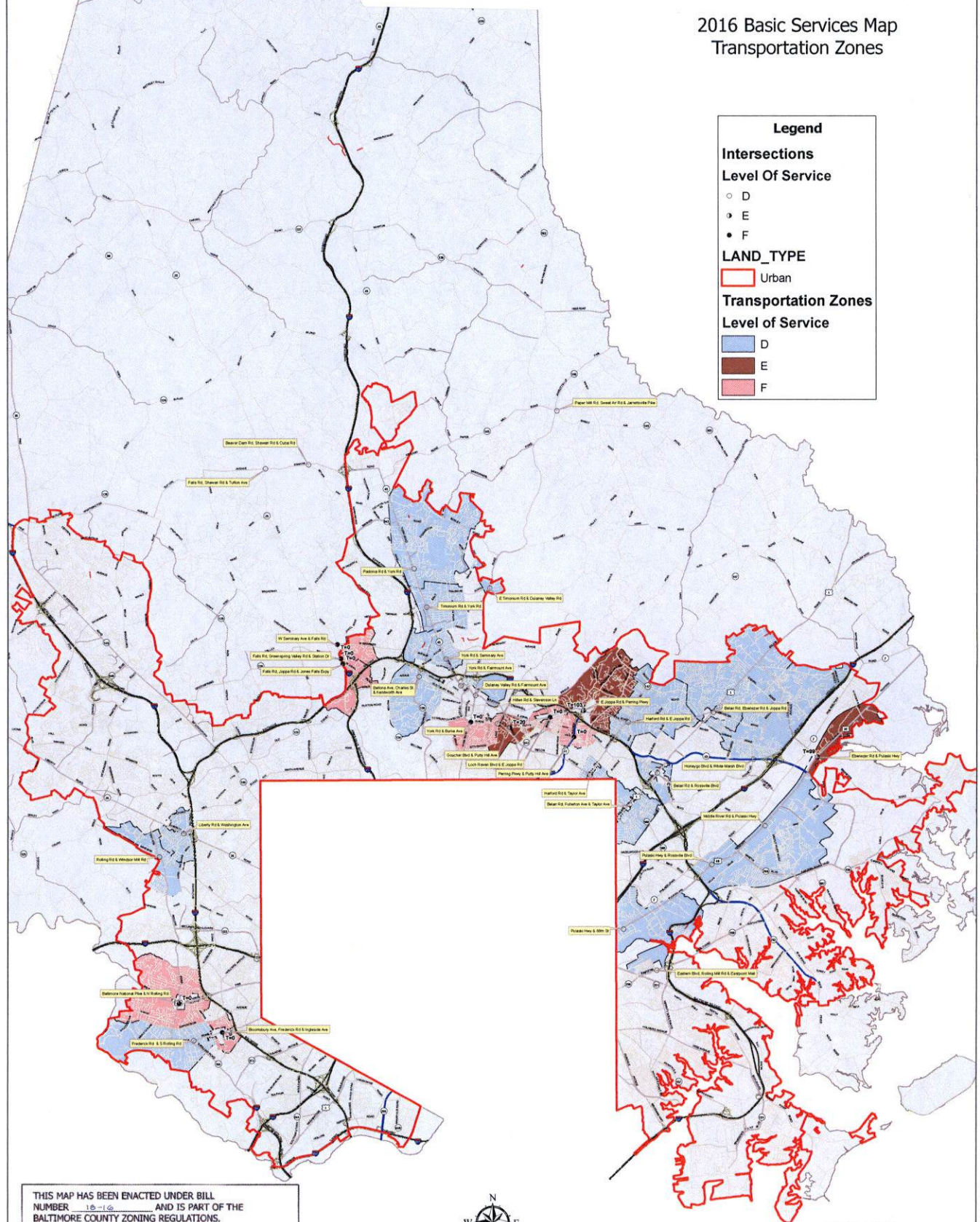
PETITIONER'S

EXHIBIT NO. 13



Department of Public Works

2016 Basic Services Map Transportation Zones



Legend

Intersections

Level Of Service

- D
- E
- F

LAND_TYPE

- Urban

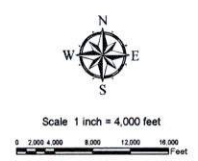
Transportation Zones

Level of Service

- D
- E
- F

THIS MAP HAS BEEN ENACTED UNDER BILL NUMBER 10-10 AND IS PART OF THE BALTIMORE COUNTY ZONING REGULATIONS, 1955, AS AMENDED BY THE BILL ADOPTED May 19, 2016. EFFECTIVE May 19, 2016.

Rich A. Howard
COUNTY COUNCIL OF BALTIMORE COUNTY



Feature Class Production Dates

Transportation Zones	2016
Intersections	2016
Urban Rural Demarcation Line	2012
Roads	2016
County Boundary	2008

Produced by the Baltimore County Department of Public Works
North American Datum 1983 NAD83, U.S. Survey Foot
Published June 3, 2016

LEVEL-OF-SERVICE DEFINITIONS

The level-of-service of an intersection is determined by analyzing each approach individually. A computation is made of each approach to determine its "load factor" during both the morning and afternoon peak hours. The "load factor" is determined by recording the number of "loaded cycles" on each approach during the two-hour study periods in the morning and afternoon.

A cycle of the signal is the period that encompasses one green indication. During each cycle of the traffic signal, an observer determines which vehicle is the last vehicle stopped in the queue at the time the signal turns green. If that last vehicle does not get through the intersection during that one green indication, the cycle is recorded as being "loaded". This continues through an entire two-hour study period, with each approach of the intersection being independently evaluated. After the study is complete, each approach is studied to determine the particular 60-minute period that had the highest percentage of cycles which were "loaded". Thus each approach is given a separate maximum percentage of "loaded cycles", and this percentage is called the "load factor". The "load factor" can range from 0% to 100%. If an approach had a "load factor" of 40%, it would mean that during 40% of the cycles (in the most congested 60-minute period on that approach) all of the vehicles stopped in line for the signal when it changed green did not get through that signal on that one green indication. (If there were 25 vehicles in the queue at the time the signal changed green and the last, or 25th, vehicle was the only vehicle that did not get through the intersection, the cycle would still be recorded as a "loaded cycle" even though 96% of the vehicles got through the intersection on one green indication.)

The "load factor" for the intersection is determined by looking at the approach with the highest "load factor" in the morning and the same in the afternoon. The highest "load factor" for the morning and afternoon is then used to determine the Level-of-Service. In timing signals, it is the intent to try and equalize the "load factor" on each approach to be as equal as possible so that no one approach is being more delayed than the other. Therefore, if an intersection was evaluated and determined to have a load factor on one approach of 15% and on the cross-street approach of 60%, the signal would first be retimed to try and equalize them and then the intersection would be restudied.

The Level-of-Service is determined by using the following chart with the "load factor" (LF) for the intersection as computed above:

Level-of-Service

A	LF = 0%
B	LF = 1% - 10%
C	LF = 11% - 30%
D	LF = 31% - 70%
E	LF = 71% - 85%
F	LF = 86% - 100%

PETITIONER'S

EXHIBIT NO. 14

In Baltimore County, the level-of-service can regulate the issuance of building permits for non-industrial development in urban areas determined to have a significant influence on a particular intersection. Areas around a level-of-service "F" intersection would have a moratorium on building permits for non-industrial development, with some very limited exceptions. Areas around a level-of-service "E" intersection, would be allowed to have a limited number of building permits issued. Level-of-Service "D" intersections do not control issuance of building permits, but their areas are identified on Baltimore County's Basic Services Transportation Maps to identify the deficiency. The purpose in identifying such "D" intersections is to provide notice to the public that the intersection has the potential of going to an "E" or "F" and also to cause the County to identify such deficiencies and try to work toward correcting them and lessen the congestion before it reaches a very serious problem. The Level-of-Service does not in any way evaluate the safety aspects of an intersection but is strictly a congestion measure.

**BALTIMORE COUNTY, MARYLAND
BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING
INTER-OFFICE CORRESPONDENCE**

DATE: January 21, 2016

TO: Ed Adams, Jr., Director
Department of Public Works

FROM: Greg Carski, Bureau Chief
Bureau of Traffic Engineering and Transportation Planning

SUBJECT: 2016 Basic Service Map – Transportation: Final Report

Our bureau has restudied all of the intersections currently on the Basic Services Map for 2015 as well as continued the update of all other signalized intersections. Based on these studies over the past year, we are recommending the following changes to the Transportation Map for 2016:

ADDITIONS:

Belair Rd (US 1) / Rossville Blvd
Pulaski Hwy (US 40) / Rossville Blvd

LEVEL-OF-SERVICE

D from C
D from C

CHANGES:

Goucher Blvd / Putty Hill Ave
Joppa Rd E / Perring Pkwy (MD 41)
Pulaski Hwy (US 40) / 66th Street

D to E
D to E
F to D

With the changes above, there are eight "F" level intersections and three "E" level intersections that are being proposed on the 2016 Basic Service Transportation Map that would control development. These intersections are:

Baltimore Nat'l Pike (US 40) / Rolling Rd N	LOS = F
Bloomsbury Ave / Frederick Rd (MD 144) / Ingleside Ave	LOS = F
Burke Ave / Burke Ave W / York Rd (MD 45)	LOS = F
Falls Rd (MD 25) / Seminary Ave W (MD 131)	LOS = F
Falls Rd (MD 25) / Joppa Rd W	LOS = F
Falls Rd (MD 25) / Greenspring Valley Rd (MD 130)	LOS = F
Joppa Rd / Loch Raven Blvd (MD 542)	LOS = F
Perring Pkwy (MD 41) / Putty Hill Ave	LOS = F
Ebenezer Rd / Pulaski Hwy (US 40)	LOS = E
Goucher Blvd / Putty Hill Ave	LOS = E
Joppa Rd E / Perring Pkwy (MD 41)	LOS = E

PETITIONER' S

EXHIBIT NO. 15

The intersections of Belair Rd/ Rossville Blvd, and Pulaski Hwy / Rossville Blvd went from LOS C to D. Even with timing adjustments from MDSHA, the LOS was not able to be improved. Due to increased traffic volumes in the area, capacity of these intersections is being pressed during certain times of the day for a significant duration.

The intersections of Goucher Blvd / Putty Hill, and Joppa Rd / Perring Pkwy went from LOS D to E due to increased traffic volumes in the area. The timings were analyzed it was determined that the current timings best serve the intersection. MDSHA is aware of the increased congestion at Joppa Rd / Perring Pkwy, and are looking into modifying timings along the Joppa Rd corridor, but we would expect any improvements to be limited.

Pulaski Hwy / 66th Street was upgraded from "F" to "D". Several observations of this intersection this year has shown it running at a LOS service "D". Looking at past years with similar volumes to our latest count, we suspect the change in LOS can be attributed to signal timings improvements by MDSHA.

The intersections of Hillen Rd / Stevenson Ln, Honeygo Blvd / White Marsh Blvd and Joppa Rd E/ Loch Raven Blvd were not studied in 2015 due to current construction and will be evaluated in 2016 once construction has completed.

Commuter sheds for the intersections noted above have been updated and will be shown on the 2016 Basic Services Map.

Enclosed is a list of the current D, E, and F intersections for your use. Should you have any questions in regard to the Basic Services Transportation Map for 2016, please contact me at ext. 3554.

Sig#	Prev Date	Prev L	Curr Date	Curr L	Time	1st Rd Name	2nd Rd Name	3rd Rd Name	Notes
S0284	3/10/14 F		10/07/15 F			Baltimore Nat'l Pik	Rolling Rd N		
C0712	9/18/14 D		9/02/15 D			Beaver Dam Rd	Cuba Rd	Shawan Rd	
S0564	3/11/14 D		8/25/15 D			Belair Rd	Ebenezer Rd	Joppa Rd	
S0619	3/31/14 D		10/15/15 D			Belair Rd	Fullerton Ave	Taylor Ave	
S2325	8/23/12 C		10/08/15 D			Belair Rd	Rossville Blvd		
S1594	4/22/14 D		10/14/15 D			Bellona Ave	Charles St	Kenilworth Dr	
C4270	4/28/14 F		10/13/15 F			Bloomsbury Ave	Frederick Rd	Ingleside Ave	
S4270	4/01/14 F		10/20/15 F			Burke Ave	Burke Ave W	York Rd	
S1927	9/02/14 D		1/05/16 D			Dulaney Valley Rd	Fairmount Ave		
S2294	4/24/14 D		5/18/15 D			Dulaney Valley Rd	Timonium Rd E		
S0616	4/07/14 D		3/24/15 D			Eastern Ave	Rolling Mill Rd	Eastpoint Mall	
S0605	5/06/14 E		5/20/15 E			Ebenezer Rd	Pulaski Hwy		
S3981	6/12/14 D		4/23/15 D			Fairmount Ave	York Rd		
S0268	9/10/14 F		10/21/15 F			Falls Rd	Greenspring Valley	Station Dr	
S0271	9/10/14 F		10/21/15 F			Falls Rd	Jones Falls Expwy	Joppa Rd W	
S2231	9/10/14 F		10/21/15 F			Falls Rd	Seminary Ave W		
S0428	5/07/14 D		5/19/15 D			Falls Rd	Shawan Rd	Tuften Ave	
S3356	9/08/14 D		9/15/15 D			Frederick Rd	Rolling Rd S		
C0036	5/22/14 D		9/01/15 E			Goucher Blvd	Putty Hill Ave		
S3016	4/08/14 D		10/06/15 D			Harford Rd	Joppa Rd E		
S2167	4/02/14 D		8/26/15 D			Harford Rd	Taylor Ave		
S0591	4/09/13 D		5/27/14 D			Hillen Rd	Stevenson Ln		Construction
S2512	3/24/10 D		4/27/11 D			Honeygo Blvd	White Marsh Blvd		Construction
S0917	5/16/13 D		8/24/15 D			Jarrettsville Pike	Paper Mill Rd	Sweet Air Rd	
S2015	4/12/13 F		4/10/14 F			Joppa Rd E	Loch Raven Blvd		
S4320	5/08/14 D		5/06/15 E			Joppa Rd E	Perring Pkwy		Construction
S1911	3/24/14 D		9/08/15 D			Liberty Rd	Washington Ave		
S0628	5/12/14 D		5/20/15 D			Middle River Rd	Pulaski Hwy		
S4310	3/27/14 D		9/23/15 D			Padonia Rd E/W	York Rd		
S0852	5/21/14 F		9/09/15 F			Perring Pkwy	Putty Hill Ave		
S0889	4/23/14 F		1/04/16 D			Pulaski Hwy	66th St		
S0885	6/27/12 C		10/19/15 D			Pulaski Hwy	Rossville Blvd		
C0220	5/13/14 D		9/14/15 D			Rolling Rd	Windsor Mill Rd		

Sig#	Prev Date	Prev L	Curr Date	Curr L	Time	1st Rd Name	2nd Rd Name	3rd Rd Name	Notes
S1580	5/14/14	D	1/05/16	D		Seminary Ave E/W	York Rd		
S3008	5/20/14	D	9/24/15	D		Timonium Rd E/W	York Rd		

**BALTIMORE COUNTY, MARYLAND
BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING
INTER-OFFICE CORRESPONDENCE**

DATE: January 19, 2017

TO: Steve Walsh, Director
Department of Public Works

FROM: Greg Carski, Bureau Chief 
Bureau of Traffic Engineering and Transportation Planning

SUBJECT: 2017 Basic Service Map – Transportation: Final Report

Our bureau has restudied all of the intersections currently on the Basic Services Map for 2016 as well as continued the update of all other signalized intersections. Based on these studies over the past year, we are recommending the following changes to the Transportation Map for 2017:

CHANGES:

Baltimore Nat'l Pike (US 40)/ Rolling Rd N	F to D
Ebenezer Rd / Pulaski Hwy	E to F
Joppa Rd E / Loch Raven Blvd	F to D

With the changes above, there are seven "F" level intersections and two "E" level intersections that are being proposed on the 2017 Basic Service Transportation Map that would control development. These intersections are:

Bloomsbury Ave / Frederick Rd / Ingleside Ave	LOS = F
Burke Ave / Burke Ave W / York Rd (MD 45)	LOS = F
Falls Rd (MD 25) / Seminary Ave W (MD 131)	LOS = F
Falls Rd (MD 25) / Joppa Rd W / Jones Falls Expwy	LOS = F
Falls Rd (MD 25) / Greenspring Valley Rd (MD 130)	LOS = F
Ebenezer Rd / Pulaski Hwy (US 40)	LOS = F
Perring Pkwy / Putty Hill Ave	LOS = F
Joppa Rd E / Perring Pkwy (MD 41)	LOS = E
Goucher Blvd / Putty Hill Ave	LOS = E

Baltimore National Pike / Rolling Rd N and Joppa Rd E / Loch Raven Blvd were showing progress earlier this year going from an "F" to a "D". Follow-up verification counts

PETITIONER'S

EXHIBIT NO. 16

confirmed that the intersection improved from "F" to "D". We suspect that MDSHA improved the signal timing and coordination at these two intersections.

The intersection of Ebenezer Rd / Pulaski Hwy went from LOS E to F. Even with timing adjustments from MDSHA, the LOS was not able to be improved. Due to increased traffic volumes in the area, the capacity of this intersections is being pressed during certain times of the day for a significant duration.

Commuter sheds for the intersections noted above have been updated and are shown on the 2017 Basic Services Map.

Enclosed is a list of the current D, E, and F intersections for your use. Should you have any questions in regard to the Basic Services Transportation Map for 2017, please contact me at ext. 3554.

Sig#	Prev Date	Prev LOS	Curr Date	Curr LOS	Time	1st Rd Name	2nd Rd Name	3rd Rd Name	Notes
S0284	10/7/2015	F	4/6/2016	D		Baltimore Nat'l Pike	Rolling Rd N		
C0712	9/2/2015	D	3/15/2016	D		Beaver Dam Rd	Cuba Rd	Shawan Rd	
S0564	8/25/2015	D	3/8/2016	D		Belair Rd	Ebenezer Rd	Joppa Rd	
S0619	10/15/2015	D	4/5/2016	D		Belair Rd	Fullerton Ave	Taylor Ave	
S2325	10/8/2015	D	3/1/2016	D		Belair Rd	Rossville Blvd		
S1594	10/14/2015	D	5/12/2016	D		Bellona Ave	Charles St	Kenilworth Dr	
C4270	10/13/2015	F	4/11/2016	F		Bloomsbury Ave	Frederick Rd	Ingleside Ave	
	10/20/2015	F	4/25/2016	F		Burke Ave	Burke Ave W	York Rd	
S1927	9/2/2014	D	5/9/2016	D		Dulaney Valley Rd	Fairmount Ave		
S2294	5/18/2015	D	3/9/2016	D		Dulaney Valley Rd	Timonium Rd E		
S0616	3/24/2015	D	2/8/2016	D		Eastern Ave	Rolling Mill Rd	Eastpoint Mall	
S0605	5/21/2015	E	2/25/2016	F		Ebenezer Rd	Pulaski Hwy		
S3981	4/22/2015	D	3/7/2016	D		Fairmount Ave	York Rd		
S0268	10/21/2015	F	4/20/2016	F		Falls Rd	Greenspring Valley Rd	Station Dr	
S2231	10/21/2015	F	5/24/2016	F		Falls Rd	Seminary Ave W		
S0428	5/19/2015	D	3/14/2016	D		Falls Rd	Shawan Rd	Tuften Ave	
S0271	10/21/2015	F	4/20/2016	F		Falls Rd (S/B)	Falls Rd (E/B)	Jones Falls Expwy	
S3356	9/15/2015	D	4/12/2016	D		Frederick Rd	Rolling Rd S		
C0036	9/1/2015	E	3/23/2016	E		Goucher Blvd	Putty Hill Ave		
S3016	4/8/2014	D	10/6/2015	D		Harford Rd	Joppa Rd E		Construction
S2167	8/26/2015	D	4/7/2016	D		Harford Rd	Taylor Ave		
C0591	4/9/2013	D	5/27/2014	D		Hillen Rd	Stevenson Ln		Construction
S2512	4/27/2011	D	4/19/2016	D		Honeygo Blvd	White Marsh Blvd		
S0917	8/24/2015	D	5/5/2016	D		Jarrettsville Pike	Paper Mill Rd	Sweet Air Rd	
S2015	4/10/2014	F	4/21/2016	D		Joppa Rd E	Loch Raven Blvd		
S4320	5/6/2015	E	4/14/2016	E		Joppa Rd E	Perring Pkwy		
S1911	9/8/2015	D	4/18/2016	D		Liberty Rd	Washington Ave		
S0628	5/20/2015	D	3/24/2016	D		Middle River Rd	Pulaski Hwy		
S4310	9/23/2015	D	3/16/2016	D		Padonia Rd E/W	York Rd		
S0852	9/9/2015	F	3/22/2016	F		Perring Pkwy	Putty Hill Ave		
S0889	10/22/2015	D	3/3/2016	D		Pulaski Hwy	66th St		
S0885	10/19/2015	D	3/10/2016	D		Pulaski Hwy	Rossville Blvd		
C0220	9/14/2015	D	4/13/2016	D		Rolling Rd	Windsor Mill Rd		

S1580	1/5/2016	D	3/17/2016	D	Seminary Ave E/W	York Rd
S3008	9/24/2015	D	3/21/2016	D	Timonium Rd E/W	York Rd

PETITIONER'S

EXHIBIT NO. 17



Department of Public Works

2017 Basic Services Map Transportation Zones

DRAFT

Legend

Intersections

Level Of Service

- D
- ◐ E
- F

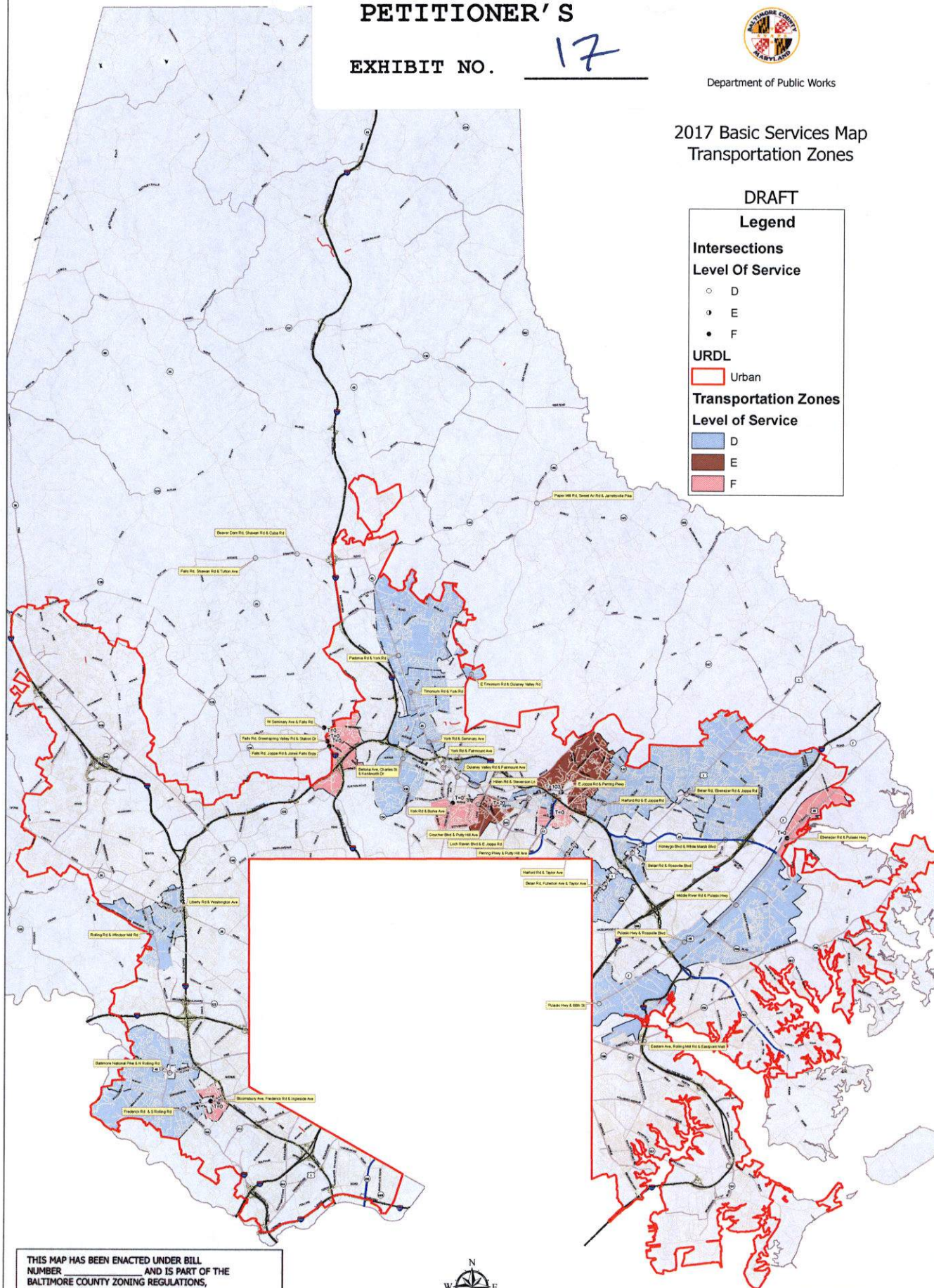
URDL

Urban

Transportation Zones

Level Of Service

- D
- E
- F



THIS MAP HAS BEEN ENACTED UNDER BILL
NUMBER _____ AND IS PART OF THE
BALTIMORE COUNTY ZONING REGULATIONS,
1955, AS AMENDED BY THE BILL ADOPTED
_____ EFFECTIVE _____

COUNTY COUNCIL OF BALTIMORE COUNTY



Scale 1 inch = 4,000 feet

0 2,000 4,000 8,000 12,000 16,000 Feet

Feature Class Production Dates
Transportation Zones 2017
Intersections 2017
Urban/Rural Demarcation Line 2012
Roads 2017
County Boundary 2008

Produced by the Baltimore County Department of Public Works
North American Datum 1983 NAD83, U.S. Survey Feet
Published January 10, 2017

PETITIONER'S

EXHIBIT NO.

18

Baltimore County, MD
Friday, March 31, 2017

ARTICLE 4A. Growth Management

SECTION 4A02. Basic Services Maps

§ 4A02.4. Basic services mapping standards.

- A. Generally. The standards contained herein are intended to form the basis for the delineation of areas on the Basic Services Maps as well as for the evaluation of development applications in accordance with the requirements of this article.
- B. Water supply standards.
 - 1. Intent. The water supply standards and maps are intended to regulate nonindustrial development where there are serious deficiencies in the public water supply system, as evidenced by county tests of water flows from a substantial sample of fire hydrants.
 - 2. Standard. Residual water pressure at the public fire hydrant nearest the site of the proposed nonindustrial development must meet the standards established by the National Board of Fire Underwriters fire flow test.
 - 3. Exception. This subsection does not apply to any development that will not be served by a public water supply system.
- C. Sewerage standards.
 - 1. Intent. The sewerage standards and maps are intended to regulate nonindustrial development where it has been determined that the county's share of public sewerage capacity is substantially less than the capacity necessary both to serve already established uses and to serve new uses likely to be established pursuant to this legislation.
 - 2. Determination of reserve capacity. The county's share of public sewerage capacity must be capable of serving already established uses and new uses likely to be established under the provisions of this legislation.
 - 3. Maximum level of nonindustrial development. The maximum level of nonindustrial development per sewerage area shall not be greater than that capable of being provided with available sewerage capacity based on the following:
 - a. The county's share of the maximum reserve capacity of the sewerage in the area on the effective date of mapping of the area minus the daily quantity of sewerage from any industrial buildings for which construction permits are expected to be issued between that date and the time the "basic services" map is next revised, in millions of gallons of sewerage per day; and
 - b. The maximum level of nonindustrial development allowable in the district as determined based on the following assumptions:

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 16

Bill No. 79-15

Mr. Tom Quirk, Councilman

By the County Council, October 5, 2015

A BILL
ENTITLED

AN ACT concerning

Basic Services Maps

FOR the purpose of exempting any development in a Commercial Revitalization District from the Basic Services mapping standards providing for the application of the Act; and generally relating to the Basic Services Maps.

BY repealing and re-enacting, with amendments
Section 4A02.4.E.1.
Baltimore County Zoning Regulations

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:
3 §4A02.4. Basic services mapping standards.

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.

PETITIONER' S

EXHIBIT NO. 19

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2013, Legislative Day No. 9

Bill No. 36-13

Mr. Tom Quirk, Councilman

By the County Council, May 6, 2013

A BILL
ENTITLED

AN ACT concerning

Parking in Commercial Revitalization Districts

FOR the purpose of providing an exception to residential transition area restrictions; authorizing certain parking under certain circumstances in residential zones in certain commercial revitalization districts; providing for a transit adjustment in certain commercial revitalization districts; and generally relating to parking in commercial revitalization districts.

By adding

Sections 1B01.1.B.1.g.(17) and 409.8.B.3.

Baltimore County Zoning Regulations

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.

PETITIONER' S

EXHIBIT NO. 20

PETITIONER'S

EXHIBIT NO.

21

Baltimore County, MD
Friday, March 31, 2017

ARTICLE 4. Special Regulations

SECTION 409. Off-Street Parking and Loading

§ 409.8. Design standards.

- A. Requirements for parking facilities in all zones. All off-street parking facilities shall be subject to the following requirements:
1. Design, screening and landscaping. Design, screening and landscaping shall be provided in accordance with the Landscape Manual and all other manuals adopted pursuant to § 32-4-404 of the Baltimore County Code.
[Bill No. 137-2004]
 2. Surface. A durable and dustless surface shall be provided and shall be properly drained so as not to create any undesirable conditions.
 3. Lighting. Any fixture used to illuminate any parking facility shall be so arranged as to reflect the light away from residential lots and public streets. Light standards shall be protected from vehicular traffic by curbing or landscaping.
 4. Distance to street line. No parking space in a surface parking facility for a nonresidential use shall be closer than 10 feet to the right-of-way line of a public street, excluding vehicle overhang.
[Bill No. 49-2016]
 5. Dead ends. All dead-end aisles shall be designed to provide sufficient backup area for the end parking spaces.
 6. All parking spaces must be striped. Striping shall be maintained so as to remain visible.
- B. Business or industrial parking in residential zones.
1. Upon application, the Zoning Commissioner may issue a use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6, under the following procedure:
 - a. On the property in question, notice of the application for the use permit shall be conspicuously posted for a period of 15 days following the filing of the application.
 - b. Within the fifteen-day posting period, any interested person may file a formal request for a public hearing with the Zoning Commissioner in accordance with Section 500.7.
 - c. If a formal request for a public hearing is not filed, the Zoning Commissioner, without a public hearing, may grant a use permit for parking in a residential zone if the proposed use meets all the requirements of Section 409.8.B.2. The use permit may be issued with such conditions or restrictions as determined appropriate by the Zoning Commissioner

PETITIONER'S

EXHIBIT NO.

22

Baltimore County, MD
Friday, March 31, 2017

ARTICLE 1B. Density Residential (D.R.) Zones

SECTION 1Bo1. Regulations With Respect to D.R. Zones in General

§ 1Bo1.1. General use regulations in D.R. Zones.

- A. Uses permitted as of right. The following uses only are permitted as of right in D.R. Zones of all classifications, subject to the restrictions hereinafter prescribed.

[Bill No. 2-1992]

1. Dwellings as provided herein and as provided in Section 430 and subject to Section 402:
 - a. In all D.R. Zones: single-family detached, semidetached or duplex dwellings.
 - b. In all D.R. Zones: alternative site-design dwellings, subject to findings of compatibility pursuant to § 32-4-402 and the hearing officer's hearing under Article 32, Title 4, Subtitle 2 of the Baltimore County Code, and as provided for in the Comprehensive Manual of Development Policies.
[Bill No. 137-2004]
 - c. In D.R.5.5 Zones, subject to findings of compatibility by the hearing officer: group houses and multifamily buildings.
[Bill No. 85-1997]
 - d. In D.R.10.5 and D.R.16 Zones: group houses and multifamily buildings.
[Bill No. 85-1997]^[1]
[1] *Editor's Note: Former Section 1Bo1.1.A.1.e which followed, regarding elderly housing and assisted-living facilities, was repealed by Bill No. 19-2004.*
2. Trailers or mobile homes (Section 415).
[Bill No. 27-2015]
3. Churches, other buildings for religious worship or other religious institutions.
4. Aboveground electrical-power, telephone, telegraph lines, except aboveground electrical power lines having a capacity of 35 kilovolts or more; pole-mounted transformers or transformer banks.
5. Other cables; conduits; gas, water or sewer mains; or storm-drain systems, all underground.
6. Excavations, uncontrolled (as defined in Section 101).
7. Farms, produce stand in association with a farm, or limited-acreage wholesale flower farms (see Section 404).
[Bill No. 41-1992]

PETITIONER'S

EXHIBIT NO.

23

Baltimore County, MD

Friday, March 31, 2017

ARTICLE 4. Special Regulations

SECTION 409. Off-Street Parking and Loading

§ 409.10. Requirements for drive-through facilities.

- A. For uses with drive-through facilities, stacking spaces for vehicles waiting to complete a transaction shall be provided in addition to the parking spaces required by Section 409.6. Each stacking space shall be at least 20 feet in length. The stacking space requirement shall not include the space next to the transaction station. The following are the minimum number of required stacking spaces by type use:

Use	Required Stacking Spaces
Automotive service station	As required in Section 405
Bank	5 for the first station, plus 2 for each additional station
Car wash	As required in Section 419
Restaurant, fast food	7 per station, 5 of which must be behind the order board [Bill No. 110-1993]
Restaurant, fast food, drive-through only	Single drive-through lane: 10 if walkup window is provided; 12 if there is no walkup window [Bill No. 110-1993] Double drive-through lane: 16 with no less than 5 stacking spaces per lane if walkup window is provided; 20 with no less than 5 per lane if there is no walkup window. [Bill No. 110-1993]
Other uses	As determined by the Zoning Commissioner

- B. The drive-through lane shall be distinctly marked by special striping or pavement markings and shall not block entry to or exit from off-street parking spaces otherwise required on the site. The drive-through lane may not cross the principal pedestrian access to the facility, except that, in the case of a drive-through only restaurant with two drive-through lanes, the drive-through lanes are permitted to cross the pedestrian access if a painted crosswalk in association with warning signs for pedestrians and motorists is provided. The crosswalk may not be located between vehicle stacking spaces.
[Bill No. 110-1993]

§ 409.11. Off-street loading.

For any building used for commercial or industrial purposes, adequate space for off-street parking to accommodate the loading and unloading of materials shall be provided, consistent with the size and proposed use of the building. Such space, whether inside or outside a building, shall be in addition to

DRIVE-IN RESTAURANT

A retail outlet where food or beverages are sold to a substantial extent for consumption by customers in parked motor vehicles.

[Bill No. 40-1967]

PETITIONER' S

EXHIBIT NO.

~~23~~ 24

RESTAURANT, FAST-FOOD

An establishment whose principal business is to sell ready-to-consume food and beverages in disposable containers and which is not a drive-in restaurant. A fast-food restaurant has some or all of the following characteristics:

- A. Prepackaged frozen, chilled or sealed food and meals are cooked in advance for immediate sale.
- B. Food and beverages are ordered over the counter or by motorists from within their vehicles.
- C. Food and beverages are consumed on the premises of the restaurant or within a motor vehicle on or off the premises.

[Bill No. 110-1993]

PETITIONER'S

EXHIBIT NO. 25

Associates of Loch Raven Village, Inc.

Post Office Box 9721
Towson, Maryland 21284

March 31, 2017

Administrative Law Judge
Baltimore County Office of Administrative Hearings

Re: Testimony On Behalf of the Associates of Loch Raven Village, Inc.
Case No.: 2017-0188-SPHX; Hearing March 31, 2017

Your Honor:

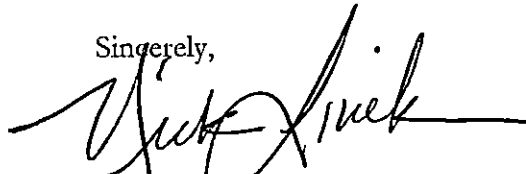
Please be advised that the Associates of Loch Raven Village, Inc. ("ALRV") is the community association for the Loch Raven Village neighborhood, which consists of approximately 1,500 homes. ALRV is located close to the property at issue and the property is within the Loch Raven-Baynesville Revitalization District. Loch Raven Village is also a member of the Loch Raven Community Council.

Bruce Knauff, a member of the Board of Directors of ALRV, is authorized to testify on behalf of ALRV with respect to the proposed Sonic-Baynesville project. Mr. Knauff is authorized to testify in a manner consistent with the positions approved pursuant to votes taken by the ALRV Board on February 8, 2017 and March 8, 2017, and as previously authorized for Mr. Knauff at the Design Review Panel hearing in this matter on March 8, 2017.

Minutes relating to ALRV's March 8 vote and discussion have not yet been drafted. Consistent with the Board's practice, the minutes will be drafted, forwarded and reviewed in advance of our next meeting (April 12) with any edits taking place prior to or at the meeting, followed by a vote to approve. ALRV's Bylaws permit voting by email when necessary. To do so, there needs to be an approval to proceed by email vote and also approval of the Motion. On March 21-22, an email vote occurred that permitted the Board to vote on a motion by email and the substance of that motion, which further authorized ALRV to join with neighboring communities in opposing the project at the March 31, 2017 hearing. These Motions are identified on the April 12 Agenda and will be in the formal record following that meeting.

Please be advised that the ALRV President abstained from the votes described above. As a result, the undersigned signs this letter on behalf of ALRV.

Sincerely,



Nick Linehan

Vice-President of the Associates of Loch Raven
Village, Inc.

Protestant #1



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

5/18/17
JD WCR
S
RECEIVED

MAY 17 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

May 17, 2017

Jason T. Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, Maryland 21286

RE: In the Matter of: *1631 E. Joppa Road, LLC – Legal Owner*
Entourage Development, LLC – Contract Purchaser/Petitioner
Case No.: 17-188-SPHXA

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review** filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Sunny Cannington Ham

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Duplicate Original Cover Letter
Enclosure

c: Dale Cassidy, President/Ridgely Manor Community Association
William Deysher, President/Ridgeleigh Community Association
Nicholas Linehan, President/Associates of Loch Raven Village
Beth Miller, President/Green Towson Alliance
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

Susan Bacon
Paul Schining
Dale Cassidy
Nicholas Linehan
Office of People's Counsel

IN THE MATTER OF	*	BEFORE THE
1631 E. JOPPA ROAD, LLC-LEGAL OWNERS	*	BOARD OF APPEALS
AND ENTOURAGE DEVELOPMENT, LLC -		
PETITIONERS FOR SPECIAL HEARING, SPECIAL	*	OF
EXCEPTION AND VARIANCE FOR THE PROPERTY	*	
LOCATED AT 1631 E. JOPPA ROAD	*	BALTIMORE COUNTY
9 TH ELECTION DISTRICT	*	
5 TH COUNCILMANIC DISTRICT	*	CASE NO. 17-188-SPHXA

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by J. Carroll Holzer, Esquire on behalf of Ridgely Manor Community Association, Dale Cassidy, President; Ridgeleigh Community Association, William Deysher, President; Associations of Loch Raven Village, Nicholas Linehan, President; Green Towson Alliance, Beth Miller, President; and individuals Susan Bacon, Paul Schining, Dale Cassidy, Nicholas Linehan, Protestants/Appellants, from a final decision of the Administrative Law Judge dated April 5, 2017, in which the requested zoning relief was granted with conditions.

WHEREAS, the Board is in receipt of a letter of voluntary withdrawal of appeal filed on May 9, 2017, by J. Carroll Holzer, Esquire on behalf of the above named Protestants/Appellants (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Petitioner /Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of May 9, 2017,

IT IS ORDERED this 17th day of May, 2017 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 17-188-SPHXA, be and the same is hereby **DISMISSED**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Andrew M. Belt, Chairman

IN RE: PETITIONS FOR SPECIAL HEARING,	*	BEFORE THE
SPECIAL EXCEPTION & VARIANCE	*	COUNTY BOARD
(1631 E. Joppa Road)	*	OF APPEALS FOR
9 th Election District	*	BALTIMORE COUNTY
5 th Council District	*	Case No.: 2017-0188-SPHXA
1631 E. Joppa Road, LLC	*	
Owner	*	
Entourage Development, LLC	*	
Contract Purchaser	*	
Petitioners	*	

* * * * *

NOTICE OF DISMISSAL OF APPEAL
TO COUNTY BOARD OF APPEALS

RIDGELY MANOR COMMUNITY ASSOCIATION, DALE CASSIDY, PRESIDENT, 654 Yakona Rd., Towson, MD 21286; RIDGELEIGH COMMUNITY ASSOCIATION, WILLIAM DEYSHER, PRESIDENT, P.O. Box 9851, Towson, MD 21284; ASSOCIATES OF LOCH RAVEN VILLAGE, P.O. Box 9721, Loch Raven, MD 21284, NICHOLAS LINEHAN, PRESIDENT; GREEN TOWSON ALLIANCE, PRESIDENT, BETH MILLER, 523 Murdock Road, Towson, MD 21204; and individuals SUSAN BACON, 1676 Yakona Road, Towson, MD 21286; PAUL SCHINING, 1684 Yakona Road, Towson, MD 21286; DALE CASSIDY, 654 Yakona Rd., Towson, MD 21286; NICHOLAS LINEHAN, 1546 Cottage Lane, Towson, MD 21286, Appellants by their attorney, *J. Carroll Holzer, Esquire*, herewith Dismiss their Appeal to the County Board of Appeals filed with the Administrative Law Judge on Friday, May 5, 2017 in the above-captioned matter on this the 9th day of May, 2017 on the PETITION FOR SPECIAL HEARING ONLY. Dismissal applies to ALL APPELLANTS in the instant matter.



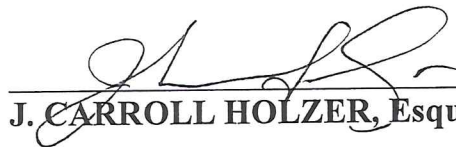
Respectfully submitted,



J. CARROLL HOLZER, Esquire
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of May, 2017, a copy of the foregoing Dismissal of Appeal to the County Board of Appeals was mailed, postage, pre-paid to: Jason T. Vettori, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for the Developer; and **HAND DELIVERED** to the Board of Appeals, 105 West Chesapeake Ave., Suite 203, Towson, MD 21204; Office of Administrative Hearings, 105 W. Chesapeake Ave., Towson, MD 21204; and People's Counsel for Baltimore County, 105 West Chesapeake Ave., Suite 204, Towson, MD 21204.

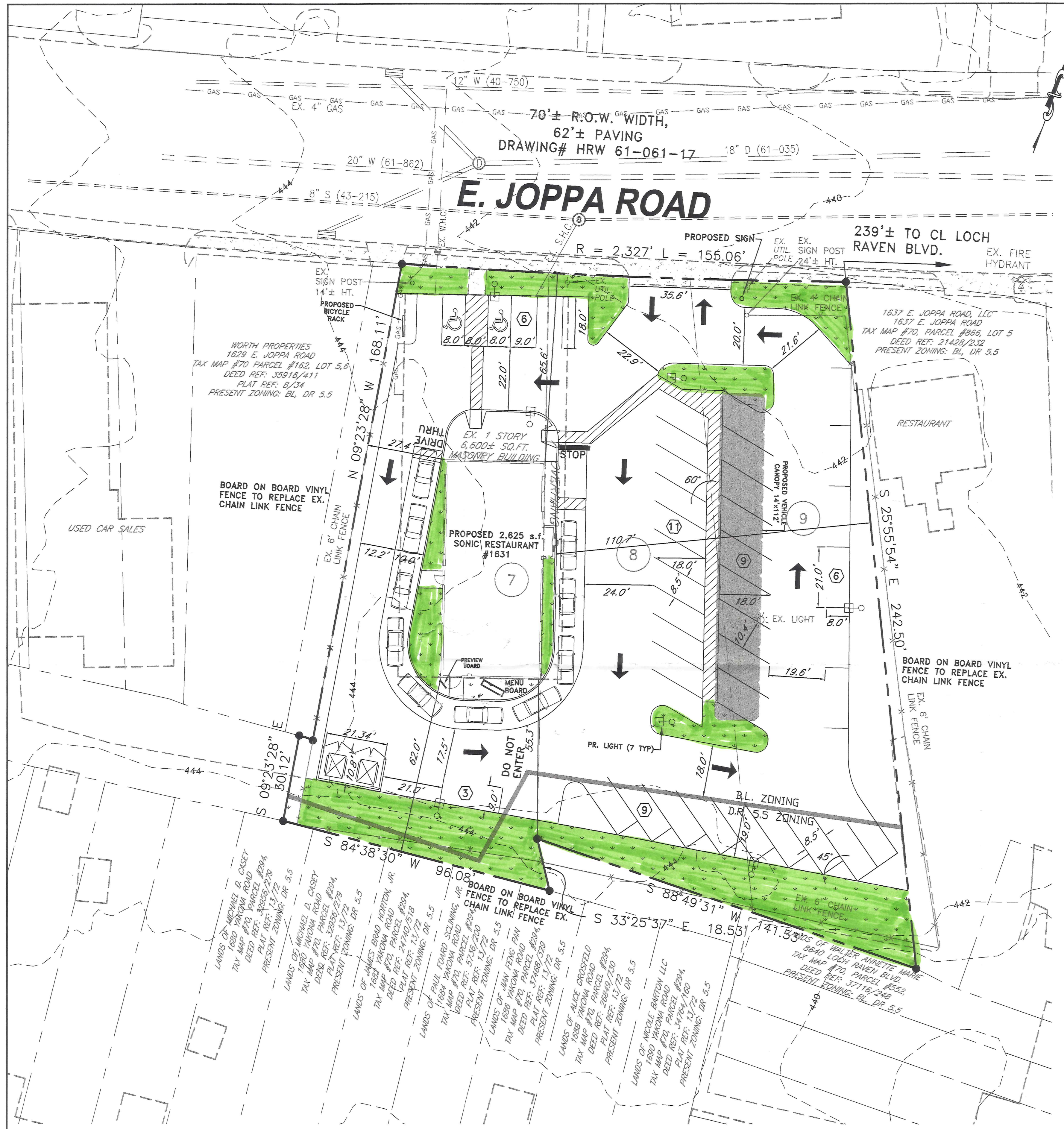


J. CARROLL HOLZER, Esquire

COORDINATES	
N	E
A	36,223.0100 14,567.9200
B	36,199.4513 14,468.4445
C	36,179.4399 14,421.0707
D	36,176.7311 14,421.5447
E	36,011.1367 14,450.5184
F	36,026.3010 14,557.2292
G	36,010.4632 14,616.8072
H	36,222.1436 14,511.3351
I	35,990.9917 14,549.4679
J	35,900.6616 14,451.3010
K	36,010.5509 14,446.1095

NOTE: BEARINGS & DISTANCES ARE CORRECTED ACCORDING TO THE MANSUET RIGHT OF WAY PLAT 66-085-6

1) ELECTION DISTRICT #9, PRECINCT #16
CENSUS TRACT #4912.01, BLOCK 515 B,
COUNCILMANIC DISTRICT #4
2) FLOOR AREA RATIO CALCULATIONS:
EXISTING - 102' 50" x 5100' / (15,254,119 + 8,604,053) = 5100' / 23,858,172 = 0.1235 - 100 = 12.35%
41,294,647.4' / 0.1235 = 33,437,366.4' / 0.1235 = 270,821,429.4' / 0.1235 = 2,193,696,437.7' / 0.1235 = 17,766,854,552.4' / 0.1235 = 143,857,121,878.9' / 0.1235 = 1,165,320,986,881.1' / 0.1235 = 9,435,773,238,461.7' / 0.1235 = 76,419,466,312,384.6' / 0.1235 = 618,700,000,000,000.0' / 0.1235 = 5,012,121,651,991,159.0' / 0.1235 = 40,617,777,279,931,672.0' / 0.1235 = 329,200,000,000,000,000.0' / 0.1235 = 2,666,666,666,666,666,666.6' / 0.1235 = 21,555,555,555,555,555,555.5' / 0.1235 = 174,444,444,444,444,444,444.4' / 0.1235 = 1,411,111,111,111,111,111,111.1' / 0.1235 = 11,388,888,888,888,888,888,888.8' / 0.1235 = 92,777,777,777,777,777,777,777.7' / 0.1235 = 750,000,000,000,000,000,000,000.0' / 0.1235 = 6,078,361,016,745,468,965,567,881.7' / 0.1235 = 49,212,647,647,647,647,647,647.6' / 0.1235 = 397,701,261,158,741,317,171,717.1' / 0.1235 = 3,222,647,647,647,647,647,647.6' / 0.1235 = 25,781,261,158,741,317,171,717.1' / 0.1235 = 206,261,158,741,317,171,717.1' / 0.1235 = 1,670,126,115,874,131,717,171.1' / 0.1235 = 13,561,016,745,468,965,567,881.7' / 0.1235 = 108,496,131,717,171,717.1' / 0.1235 = 867,969,131,717,171.1' / 0.1235 = 6,941,755,101,674,546,896,556.7' / 0.1235 = 55,555,555,555,555,555,555.5' / 0.1235 = 444,444,444,444,444,444,444.4' / 0.1235 = 3,555,555,555,555,555,555,555.5' / 0.1235 = 28,444,444,444,444,444,444,444.4' / 0.1235 = 227,777,777,777,777,777,777,777.7' / 0.1235 = 1,822,222,222,222,222,222,222,222.2' / 0.1235 = 14,577,777,777,777,777,777,777.7' / 0.1235 = 116,622,222,222,222,222,222,222.2' / 0.1235 = 933,000,000,000,000,000,000,000.0' / 0.1235 = 7,528,361,016,745,468,965,567,881.7' / 0.1235 = 60,222,647,647,647,647,647,647.6' / 0.1235 = 481,777,777,777,777,777,777,777.7' / 0.1235 = 3,854,444,444,444,444,444,444,444.4' / 0.1235 = 30,833,333,333,333,333,333,333.3' / 0.1235 = 246,666,666,666,666,666,666,666.6' / 0.1235 = 1,973,333,333,333,333,333,333,333.3' / 0.1235 = 15,787,777,777,777,777,777,777.7' / 0.1235 = 126,300,000,000,000,000,000,000.0' / 0.1235 = 1,018,400,000,000,000,000,000,000.0' / 0.1235 = 8,267,200,000,000,000,000,000,000.0' / 0.1235 = 66,137,600,000,000,000,000,000,000.0' / 0.1235 = 529,100,800,000,000,000,000,000,000.0' / 0.1235 = 4,232,806,400,000,000,000,000,000,000.0' / 0.1235 = 33,862,923,200,000,000,000,000,000,000.0' / 0.1235 = 270,903,385,600,000,000,000,000,000,000.0' / 0.1235 = 2,167,226,284,800,000,000,000,000,000,000.0' / 0.1235 = 17,338,610,278,400,000,000,000,000,000,000.0' / 0.1235 = 138,708,882,227,200,000,000,000,000,000,000.0' / 0.1235 = 1,109,671,057,817,600,000,000,000,000,000,000.0' / 0.1235 = 8,957,368,463,340,800,000,000,000,000,000,000.0' / 0.1235 = 71,658,939,706,726,400,000,000,000,000,000,000.0' / 0.1235 = 573,271,117,653,811,200,000,000,000,000,000,000.0' / 0.1235 = 4,586,169,421,230,492,800,000,000,000,000,000,000.0' / 0.1235 = 36,689,353,778,447,942,400,000,000,000,000,000,000.0' / 0.1235 = 293,515,030,227,583,539,200,000,000,000,000,000,000.0' / 0.1235 = 2,368,120,246,620,670,711,360,000,000,000,000,000,000.0' / 0.1235 = 18,945,602,013,565,360,892,800,000,000,000,000,000,000.0' / 0.1235 = 151,564,816,108,522,943,103,040,000,000,000,000,000,000.0' / 0.1235 = 1,212,518,529,668,182,742,424,320,000,000,000,000,000,000.0' / 0.1235 = 9,700,146,397,345,461,779,387,360,000,000,000,000,000,000.0' / 0.1235 = 77,601,171,114,755,342,227,103,360,000,000,000,000,000,000.0' / 0.1235 = 620,809,369,118,042,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 4,966,475,752,944,341,902,222,101,059,200,000,000,000,000,000.0' / 0.1235 = 39,731,810,023,555,352,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 317,854,480,188,442,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 2,542,835,841,507,542,702,222,101,059,200,000,000,000,000,000.0' / 0.1235 = 20,342,686,728,067,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 162,741,493,824,546,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 1,301,931,990,598,837,902,222,101,059,200,000,000,000,000,000.0' / 0.1235 = 10,415,455,926,391,031,377,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 83,323,647,811,128,262,222,101,059,200,000,000,000,000,000.0' / 0.1235 = 666,589,182,489,026,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 5,332,713,460,711,417,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 42,661,715,685,697,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 341,293,725,485,586,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 2,730,350,003,884,693,902,222,101,059,200,000,000,000,000,000.0' / 0.1235 = 21,842,800,310,271,152,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 174,742,402,486,169,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 1,397,939,219,889,758,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 11,183,513,559,100,657,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 89,468,108,472,805,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 715,744,867,782,442,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 5,726,759,022,267,542,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 45,814,072,178,147,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 366,512,577,425,178,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 2,932,100,619,401,425,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 23,456,805,555,210,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 187,642,463,640,160,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 1,501,139,709,516,081,336,177,761,640,463,360,000,000,000,000.0' / 0.1235 = 12,009,112,716,128,657,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 96,072,901,729,029,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 768,583,213,832,233,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 6,148,665,710,657,870,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 49,189,325,685,269,600,000,000,000,000,000,000,000,000.0' / 0.1235 = 393,514,605,482,156,800,000,000,000,000,000,000,000,000.0' / 0.1235 = 3,148,117,243,857,734,400,000,000,000,000,000,000,000,000.0' / 0.1235 = 25,185,337,950,861,152,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 201,482,703,606,889,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 1,611,861,629,271,115,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 12,894,893,034,169,139,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 103,159,144,273,353,152,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 825,273,154,186,825,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 6,594,185,533,734,606,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 52,753,484,270,673,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 421,827,874,165,386,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 3,374,622,993,323,093,902,222,101,059,200,000,000,000,000,000.0' / 0.1235 = 26,997,003,946,583,539,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 215,976,031,572,668,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 1,727,808,252,182,134,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 13,822,666,176,170,673,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 110,581,329,410,169,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 884,650,635,281,353,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 7,077,205,082,256,825,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 56,617,640,658,130,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 452,941,125,264,961,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 3,623,529,002,123,969,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 29,068,232,170,157,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 232,545,857,361,261,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 1,860,366,858,089,009,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 14,882,934,864,712,073,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 119,063,478,917,696,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 952,507,831,341,570,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 7,620,062,650,732,553,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 61,164,509,205,808,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 489,316,073,646,465,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 3,914,529,789,173,325,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 31,316,238,261,786,139,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 250,530,706,094,289,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 1,996,245,648,755,431,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 15,970,765,189,634,653,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 127,766,121,517,077,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 1,022,129,052,136,221,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 8,177,024,416,897,770,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 65,416,195,335,181,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 523,329,562,681,453,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 4,186,636,501,461,221,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 33,493,084,011,297,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 267,944,672,090,377,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 2,143,557,376,720,302,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 17,148,459,013,565,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 137,187,672,108,522,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 1,097,501,376,868,182,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 8,780,011,014,945,461,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 69,840,088,119,563,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 558,720,704,956,510,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 4,469,765,639,652,081,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 35,758,125,117,214,653,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 286,065,000,937,717,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 2,288,520,007,502,139,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 18,308,160,060,017,139,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 146,465,280,480,137,737,777,626,240,000,000,000,000,000,000.0' / 0.1235 = 1,171,722,243,841,101,336,177,761,640,463,360,000,000,000,000,000.0' / 0.1235 = 9,373,777,950,728,809,222,101,059,200,000,000,000,000,000,000.0' / 0.1235 = 75,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 600,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 4,800,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 38,400,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 307,200,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 2,457,600,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 19,660,800,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 157,286,400,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 1,258,291,200,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 10,066,329,600,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 80,530,636,800,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 644,245,094,400,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 5,153,960,755,200,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 41,231,684,416,000,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 329,853,475,328,000,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 2,638,827,802,624,000,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 21,110,622,621,792,000,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 168,885,061,054,336,000,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 1,351,080,488,435,468,800,000,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 10,808,643,107,555,742,400,000,000,000,000,000,000,000,000,000,000,000,000,000,000.0' / 0.1235 = 86,469,144,860,439,539,200,000,000,000,000,000,000,0



SITE PLAN

SCALE: 1" = 20'



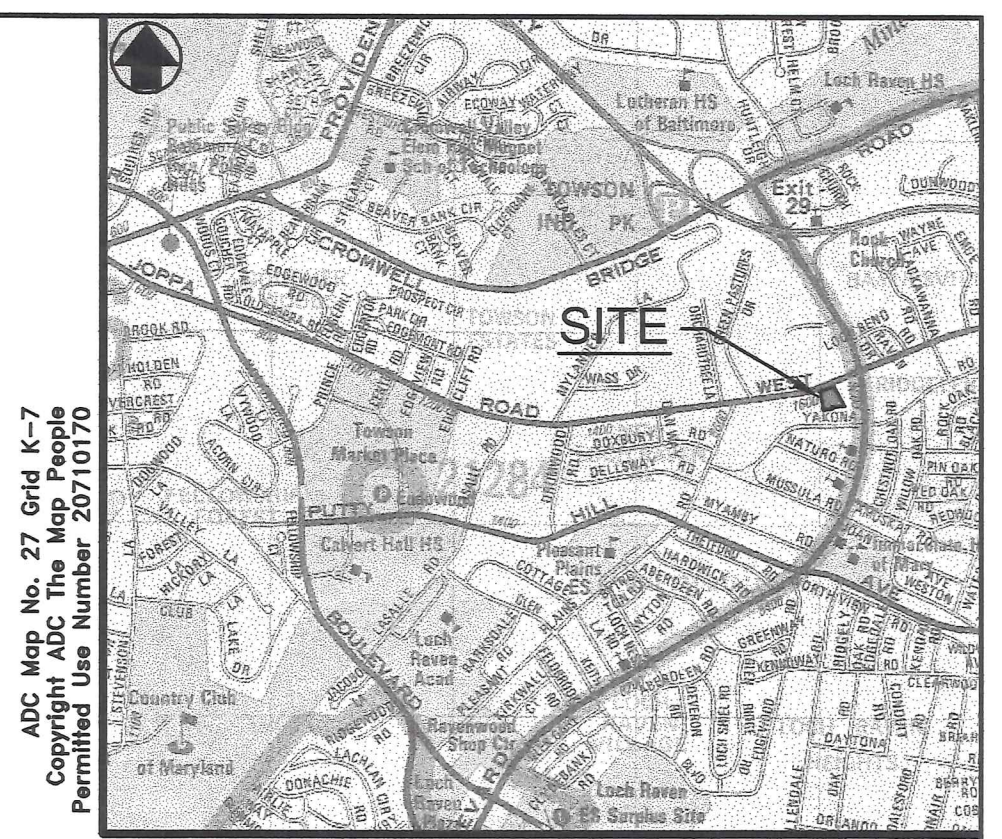
NOTES:

1. THE EXISTING PHYSICAL FEATURES DEPICTED ON THIS PLAN WERE GENERATED FROM BOTH FIELD OBSERVATIONS AND BALTIMORE COUNTY GIS. THIS PLAN SHOULD NOT BE RELIED UPON AS A FINAL CONSTRUCTION DRAWING.

2. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE PLAT REFERENCED BY THE PROPERTY DATA. THE EXACT LOCATION SHOULD NOT BE RELIED UPON FOR ESTABLISHMENT OF THE PROPERTY LINES. A BOUNDARY SURVEY SHOULD BE PERFORMED TO IDENTIFY THE EXACT BOUNDARY LOCATION.

SITE NOTES

- OWNER:
1631 E. JOPPA ROAD, LLC
1631 E. JOPPA ROAD
TOWSON, MARYLAND 21286
410-823-0082
- CONTRACT PURCHASER / APPLICANT:
ENTOURAGE DEVELOPMENT, LLC
P.O. BOX 439
HUNT VALLEY, MARYLAND 21030
CONTACT: TOM BEHRLE
443-756-2623
- ADDRESS OF SITE: 1631 E. JOPPA ROAD
- TAX MAP #70, GRID #17, PARCEL #262, LOT 7, 8 & 9
- DEED REFERENCE: 13602/536
- PLAT REFERENCE: 8/34
- ELECTION DISTRICT: 9TH
- COUNCILMANIC DISTRICT: 5TH
- TAX ACCOUNT #2200020786, 2200020785
- CENSUS TRACT: 491201
- SITE AREA: 0.906 Ac. or 39,486 Sq.Ft.
- ZONING MAP #60C1
- EXISTING ZONING: SPLIT ZONED
BL (BUSINESS, LOCAL)
DR5.5 (RESIDENTIAL)
SETBACKS: FRONT = 10'
SIDE = INTERIOR 0',
REAR = 20'
- PROPOSED ZONING: NO CHANGE
- EXISTING USE: RETAIL STORE (BAYNESVILLE ELECTRONICS)
- PROPOSED USE: FAST FOOD RESTAURANT
1-STORY DRIVE-IN RESTAURANT W/DRIVE THRU
- F.A.R. = 2,625/39,486 = 0.07
- PARKING:
REQUIRED: 20 PER 1,000 S.F. = 54 SPACES
PROVIDED: 45 SPACES, 43 STD. AND 2 HANDICAP
- DELIVERIES FOR THE USE WILL BE DURING OFF HOURS.
- THERE ARE NO CRITICAL AREAS IN THE SITE BOUNDARY.
- THERE ARE NO WETLANDS LOCATED IN THE SITE BOUNDARY.
- THERE ARE NO HISTORIC FEATURES ON THE SITE NOR IS THE SITE ITSELF HISTORIC.
- ANY SIGNS SHALL CONFORM TO BCZR REQUIREMENTS.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
- ALL DRIVEWAYS AND PARKING AISLES WILL HAVE A MACADAM SURFACE & SHALL COMPLY WITH SECTION 409 OF THE BCZR. ALL PARKING AREAS WILL BE PERMANENTLY STRIPED.
- UTILITIES: PUBLIC WATER & PUBLIC SEWER.
- THE SITE IS LOCATED IN A FAILED BASIC SERVICES AREA FOR TRANSPORTATION BUT IT IS EXEMPT UNDER BCZR SECTION 4A02.4.E.1.1.
- PREVIOUS BUILDING PERMITS: UNKNOWN
- PREVIOUS ZONING CASES: R-1944-0380, 1960-4992-X, 1960-5076-A, 1962-5697-A, 1962-5876-A
- WATERSHED: GUNPOWDER FALLS
- SUBWERSHED: 8
- SITE IS NOT LOCATED WITHIN THE 100-YR RIVERINE FLOODPLAIN.



LOCATION MAP

SCALE: 1" = 2000'

SPECIAL HEARING RELIEF TO APPROVE:

1. A REQUEST FOR CONFIRMATION THAT THE APPROVALS IN CASE NOS. 1957-4166-X, 1960-4992-X, 1960-5076-A, 1962-5697-A AND 1962-5876-A AUTHORIZE THE REVISED SITE LAYOUT; AND

2. IN THE ALTERNATIVE, A MODIFIED PARKING PLAN PURSUANT TO SECTION 409.12.B OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR") MODIFYING SECTIONS:

- 409.6.A.2 OF THE BCZR TO PERMIT 44 PARKING SPACES IN LIEU OF THE REQUIRED 53 SPACES; AND
- 409.8.A.1 OF THE BCZR TO PERMIT A MODIFICATION OF THE LANDSCAPE STRIP REQUIREMENTS TO ALLOW, IN LIEU OF THE REQUIRED 10 FOOT STRIP AND 6 FOOT STRIP BETWEEN PAVED SURFACES AND LOT/LEASE LINES ADJACENT TO COMMERCIAL USES OR ZONES, A:
 - 0 FOOT STRIP ALONG THE EAST SIDE YARD;
 - 0 FOOT STRIP ALONG THE WEST SIDE YARD;
 - 7 FOOT STRIP ALONG THE FRONT YARD;
 - 6 FOOT STRIP ALONG THE REAR YARD; AND
- 409.8.A.4 OF THE BCZR TO PERMIT A PARKING SPACE IN A SURFACE PARKING FACILITY FOR A NONRESIDENTIAL USE TO BE LOCATED 7' FROM THE RIGHT-OF-WAY LINE OF A PUBLIC STREET IN LIEU OF THE REQUIRED 10' SETBACK; AND
- 409.8.B.1 OF THE BCZR TO PERMIT THE USE OF LAND IN A RESIDENTIAL ZONE FOR PARKING FACILITIES TO MEET THE REQUIREMENTS OF SECTION 409.6; AND
- 409.11 OF THE BCZR TO ALLOW THE LOADING AND UNLOADING OF MATERIALS TO TAKE PLACE DURING NON-BUSINESS HOURS; AND

3. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE ("ALJ") FOR BALTIMORE COUNTY.

SPECIAL EXCEPTION RELIEF TO APPROVE:

- A DRIVE-IN RESTAURANT UNDER SECTION 230.3 OF THE BCZR; AND
- FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ALJ FOR BALTIMORE COUNTY.

VARIANCE FROM SECTION(S):

- 1B01.1.B.1.E(5) OF THE BCZR TO PERMIT A 0' BUFFER AND 0' SETBACK IN LIEU OF THE REQUIRED 50' BUFFER AND 75' SETBACK IN A RESIDENTIAL TRANSITION AREA; AND
- FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

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. 27189, EXPIRATION DATE: 03/26/18.

John P. Demos

2/16/2017

Date

MCS



State Line Engineering, LLC

4901 Picker Drive
Pylesville, Maryland 21132
Phone: 443-324-1641
Fax: 410-452-0111

REVISED PLAN TO ACCOMPANY PETITION FOR ZONING HEARING CASE# 2017-0188-SPHXA



TOWSON

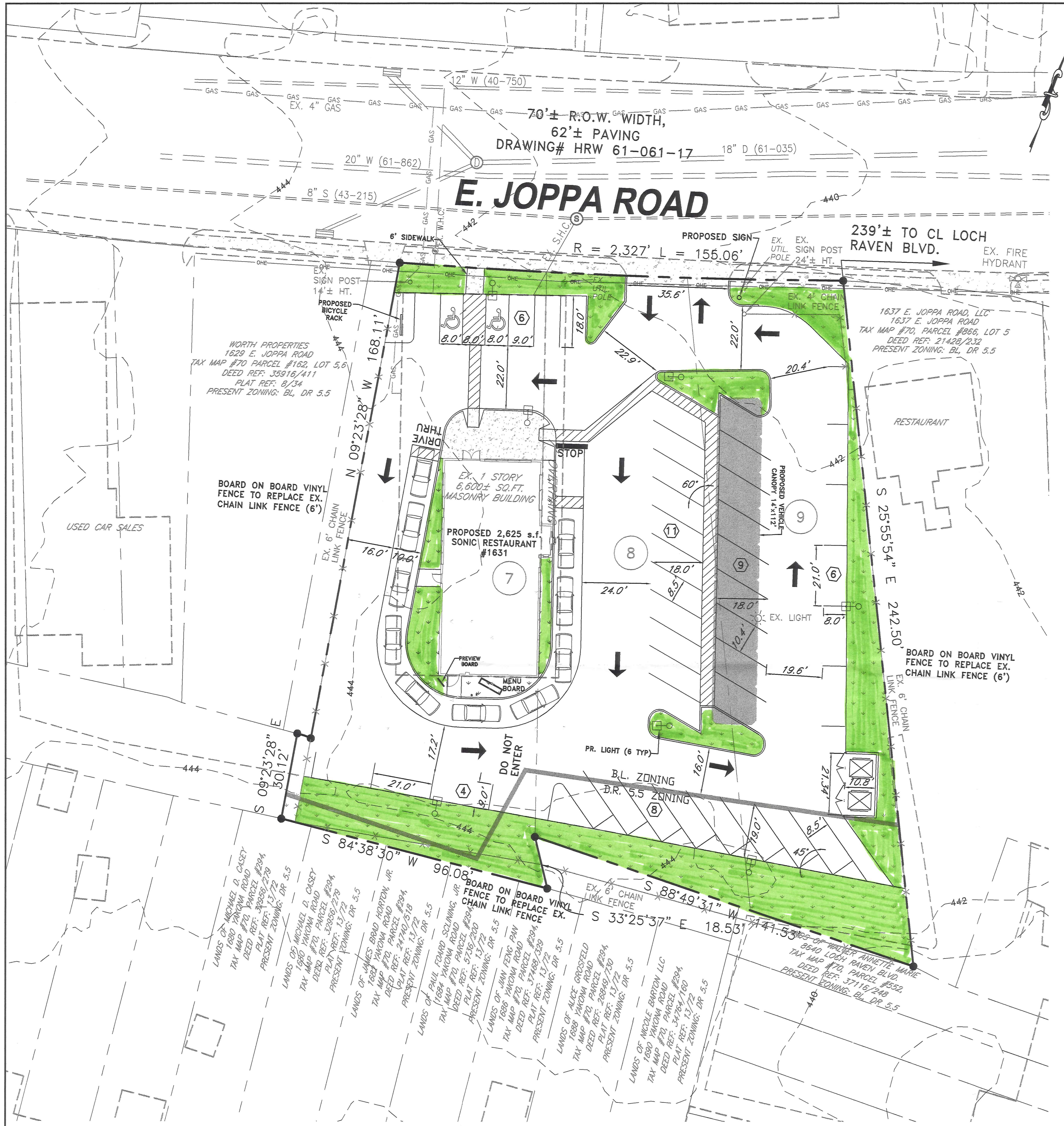
PETITIONER'S

EXHIBIT NO. 3

DEED REF: 13602 FOLIO 536;
TAX ACCOUNT NO.: 2200020786, 2200020785;
TAX MAP 70; GRID 17; PARCEL 262, LOT 8;
COUNCILMANIC DISTRICT 5
KEY SHEET: NNW POSITION SHEET: 37NE10

9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	JPD	JPD	AS SHOWN
	DATE:	JOB NO.:	SHEET NO.:
	2/7/17	16011	1 OF 1



SITE PLAN

SCALE: 1" = 20'



NOTES:

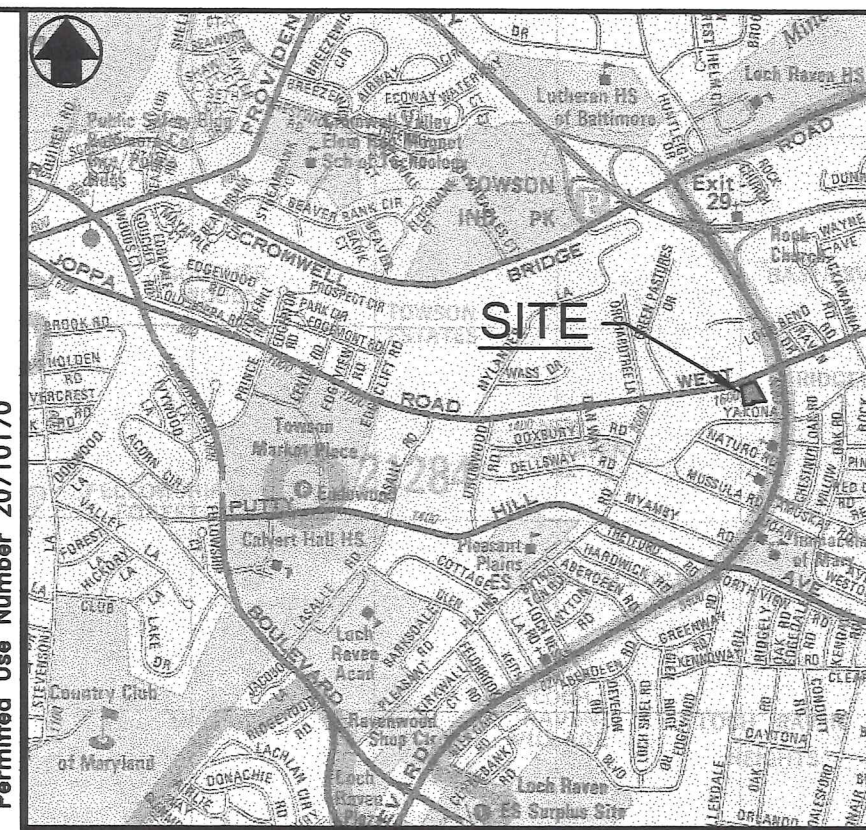
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SITE NOTES

1. OWNER:
1631 E. JOPPA ROAD, LLC
1631 E. JOPPA ROAD
TOWSON, MARYLAND 21286
410-823-0082
2. CONTRACT PURCHASER / APPLICANT:
ENTOURAGE DEVELOPMENT, LLC
P.O. BOX 439
HUNT VALLEY, MARYLAND 21030
CONTACT: TOM BEHRLE
443-756-2623
3. ADDRESS OF SITE: 1631 E. JOPPA ROAD
4. TAX MAP #70, GRID #17, PARCEL #262, LOT 7, 8 & 9
5. DEED REFERENCE: 13602/536
6. PLAT REFERENCE: 8/34
7. ELECTION DISTRICT: 9TH
8. COUNCILMANIC DISTRICT: 5TH
9. TAX ACCOUNT #2200020786, 2200020785
10. CENSUS TRACT: 491201
11. SITE AREA: 0.906 Ac. or 39,486 Sq.Ft.
12. ZONING MAP #60C1
13. EXISTING ZONING: SPLIT ZONED
BL (BUSINESS, LOCAL)
DR5.5 (RESIDENTIAL)
SETBACKS: FRONT = 10'
SIDE = INTERIOR 0',
REAR = 20'
14. PROPOSED ZONING: NO CHANGE
15. EXISTING USE: RETAIL STORE (BAYNESVILLE ELECTRONICS)
16. PROPOSED USE: FAST FOOD RESTAURANT
1-STORY DRIVE-IN RESTAURANT W/DRIVE THRU
17. F.A.R. = 2,625/39,486 = 0.07
18. PARKING:
REQUIRED: 20 PER 1,000 S.F. = 54 SPACES
PROVIDED: 44 SPACES, 42 STD. AND 2 HANDICAP
DELIVERIES FOR THE USE WILL BE DURING OFF HOURS.
THERE ARE NO CRITICAL AREAS IN THE SITE BOUNDARY.
THERE ARE NO WETLANDS LOCATED IN THE SITE BOUNDARY.
THERE ARE NO HISTORIC FEATURES ON THE SITE NOR IS THE SITE ITSELF HISTORIC.
23. ANY SIGNS SHALL CONFORM TO BCZR REQUIREMENTS.
24. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
25. ALL DRIVEWAYS AND PARKING AISLES WILL HAVE A MACADAM SURFACE & SHALL COMPLY WITH SECTION 409 OF THE BCZR. ALL PARKING AREAS WILL BE PERMANENTLY STRIPED.
26. UTILITIES: PUBLIC WATER & PUBLIC SEWER.
27. THE SITE IS LOCATED IN A FAILED BASIC SERVICES AREA FOR TRANSPORTATION BUT IT IS EXEMPT UNDER BCZR SECTION 4A02.4.E.1.1.
28. PREVIOUS BUILDING PERMITS: UNKNOWN
29. PREVIOUS ZONING CASES: R-1944-0380, 1960-4992-X, 1960-5076-A, 1962-5697-A, 1962-5876-A
30. WATERSHED: GUNPOWDER FALLS
31. SUBSEWERSHED: 8
32. SITE IS NOT LOCATED WITHIN THE 100-YR RIVERINE FLOODPLAIN.

CHANGES

- 1) RELOCATED DUMPSTER TO EAST SIDE OF SITE AND RECONFIGURE PARKING.
- 2) LANDSCAPE AREA SHOWN ON THE EAST SIDE.
- 3) LANDSCAPE ISLAND HAS BEEN MOVED BACK TWO FEET, AND DECREASING THE REAR DRIVE AISLE BACK TO 18' TO 16'
- 4) OFF-STREET PARKING REDUCED TO 44 TOTAL.



LOCATION MAP

SCALE: 1" = 2000'

SPECIAL HEARING RELIEF TO APPROVE:

1. A REQUEST FOR CONFIRMATION THAT THE APPROVALS IN CASE NOS. 1957-4166-X, 1960-4992-X, 1960-5076-A, 1962-5697-A AND 1962-5876-A AUTHORIZE THE REVISED SITE LAYOUT; AND
2. IN THE ALTERNATIVE, A MODIFIED PARKING PLAN PURSUANT TO SECTION 409.12.B OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR") MODIFYING SECTIONS:
 - a. 409.6.A.2 OF THE BCZR TO PERMIT 44 PARKING SPACES IN LIEU OF THE REQUIRED 53 SPACES; AND
 - b. 409.8.A.1 OF THE BCZR TO PERMIT A MODIFICATION OF THE LANDSCAPE STRIP REQUIREMENTS TO ALLOW, IN LIEU OF THE REQUIRED 10 FOOT STRIP AND 6 FOOT STRIP BETWEEN PAVED SURFACES AND LOT/LEASE LINES ADJACENT TO COMMERCIAL USES OR ZONES, A:
 1. 0 FOOT STRIP ALONG THE EAST SIDE YARD;
 2. 0 FOOT STRIP ALONG THE WEST SIDE YARD;
 3. 7 FOOT STRIP ALONG THE FRONT YARD;
 4. 6 FOOT STRIP ALONG THE REAR YARD; AND
 - c. 409.8.A.4 OF THE BCZR TO PERMIT A PARKING SPACE IN A SURFACE PARKING FACILITY FOR A NONRESIDENTIAL USE TO BE LOCATED 7' FROM THE RIGHT-OF-WAY LINE OF A PUBLIC STREET IN LIEU OF THE REQUIRED 10' SETBACK; AND
 - d. 409.8.B.1 OF THE BCZR TO PERMIT THE USE OF LAND IN A RESIDENTIAL ZONE FOR PARKING FACILITIES TO MEET THE REQUIREMENTS OF SECTION 409.6; AND
 - e. 409.11 OF THE BCZR TO ALLOW THE LOADING AND UNLOADING OF MATERIALS TO TAKE PLACE DURING NON-BUSINESS HOURS; AND
3. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE ("ALJ") FOR BALTIMORE COUNTY.

SPECIAL EXCEPTION RELIEF TO APPROVE:

1. A DRIVE-IN RESTAURANT UNDER SECTION 230.3 OF THE BCZR; AND
2. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ALJ FOR BALTIMORE COUNTY.

VARIANCE FROM SECTION(S):

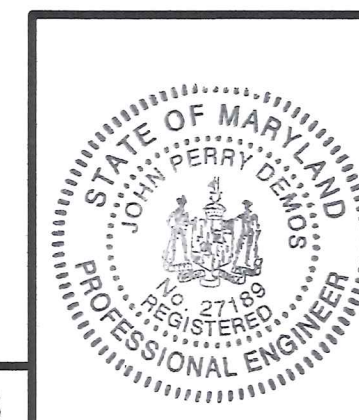
1. 1801.1.B.1.E(5) OF THE BCZR TO PERMIT A 0' BUFFER AND 0' SETBACK IN LIEU OF THE REQUIRED 50' BUFFER AND 75' SETBACK IN A RESIDENTIAL TRANSITION AREA; AND
2. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

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. 27189, EXPIRATION DATE: 03/28/18.

John P. Demos 3/29/17
Date

MCS



State Line Engineering, LLC

4901 Picker Drive
Pylesville, Maryland 21132
Phone: 443-324-1641
Fax: 410-452-0111

REVISED PLAN EXHIBIT FOR
ZONING HEARING CASE# 2017-0188-SPHXA



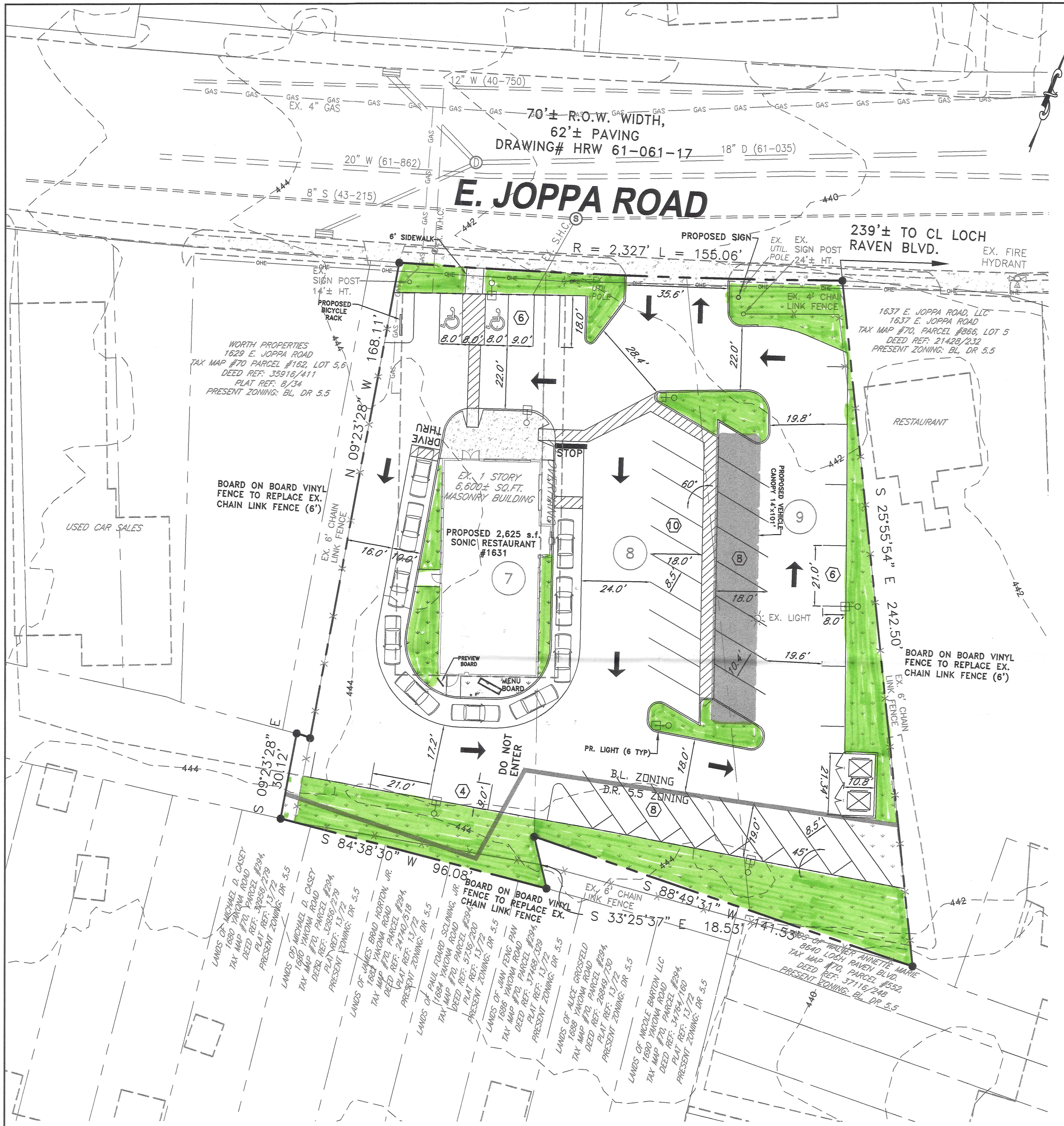
TOWSON

DEED REF: 13602 FOLIO 536
TAX ACCOUNT NO.: 2200020786, 2200020785;
TAX MAP #70; GRID 17; PARCEL 262, LOT 8;
COUNCILMANIC DISTRICT 5

KEY SHEET: NNN POSITION SHEET: 37NE10

9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	JPD	JPD	AS SHOWN
	DATE:	JOB NO.:	SHEET NO.:
	3/29/17	16011	1 OF 1



SITE PLAN

SCALE: 1" = 20'

NOTES:

1. THE EXISTING PHYSICAL FEATURES DEPICTED ON THIS PLAN WERE GENERATED FROM BOTH FIELD OBSERVATIONS AND BALTIMORE COUNTY GIS. THIS PLAN SHOULD NOT BE RELIED UPON AS A FINAL CONSTRUCTION DRAWING.

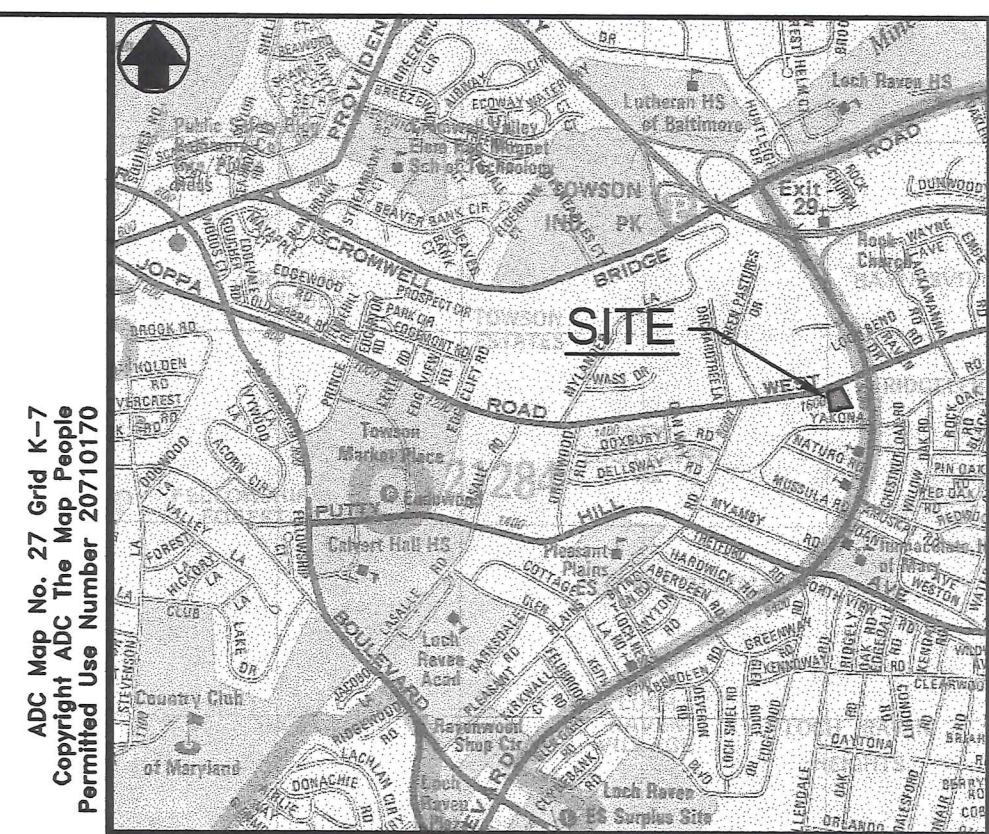
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SITE NOTES

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410-823-0082
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ENTOURAGE DEVELOPMENT, LLC
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HUNT VALLEY, MARYLAND 21030
CONTACT: TOM BEHRLE
443-756-2623
- ADDRESS OF SITE: 1631 E. JOPPA ROAD
- TAX MAP #70, GRID #17, PARCEL #262, LOT 7, 8 & 9
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- PLAT REFERENCE: 8/34
- ELECTION DISTRICT: 9TH
- COUNCILMANIC DISTRICT: 5TH
- TAX ACCOUNT #2200020786, 2200020785
- CENSUS TRACT: 491201
- SITE AREA: 0.906 Ac. or 39,486 Sq.Ft.
- ZONING MAP #60C1
- EXISTING ZONING: SPLIT ZONED
BL (BUSINESS, LOCAL)
DR5.5 (RESIDENTIAL)
SETBACKS: FRONT = 10'
SIDE = INTERIOR 0',
REAR = 20'
- PROPOSED ZONING: NO CHANGE
- EXISTING USE: RETAIL STORE (BAYNESVILLE ELECTRONICS)
- PROPOSED USE: FAST FOOD RESTAURANT
1-STORY DRIVE-IN RESTAURANT W/DRIVE THRU
- F.A.R. = 2,625/39,486 = 0.07
- PARKING:
REQUIRED: 20 PER 1,000 S.F. = 54 SPACES
PROVIDED: 42 SPACES, 40 STD. AND 2 HANDICAP
- DELIVERIES FOR THE USE WILL BE DURING OFF HOURS.
- THERE ARE NO CRITICAL AREAS IN THE SITE BOUNDARY.
- THERE ARE NO WETLANDS LOCATED IN THE SITE BOUNDARY.
- THERE ARE NO HISTORIC FEATURES ON THE SITE NOR IS THE SITE ITSELF HISTORIC.
- ANY SIGNS SHALL CONFORM TO BCZR REQUIREMENTS.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
- ALL DRIVEWAYS AND PARKING AISLES WILL HAVE A MACADAM SURFACE & SHALL COMPLY WITH SECTION 409 OF THE BCZR. ALL PARKING AREAS WILL BE PERMANENTLY STRIPED.
- UTILITIES: PUBLIC WATER & PUBLIC SEWER.
- THE SITE IS LOCATED IN A FAILED BASIC SERVICES AREA FOR TRANSPORTATION BUT IT IS EXEMPT UNDER BCZR SECTION 4A02.4.E.1.1.
- PREVIOUS BUILDING PERMITS: UNKNOWN
- PREVIOUS ZONING CASES: R-1944-0380, 1960-4992-X, 1960-5076-A, 1962-5697-A, 1962-5876-A
- WATERSHED: GUNPOWDER FALLS
- SUBSEWERSHED: 8
- SITE IS NOT LOCATED WITHIN THE 100-YR RIVERINE FLOODPLAIN.

CHANGES

- RELOCATED DUMPSTER TO EAST SIDE OF SITE AND RECONFIGURE PARKING.
- LANDSCAPE AREA SHOWN ON THE EAST SIDE.
- LANDSCAPE ISLAND HAS BEEN MOVED BACK ONE, PARKING BAY THUS INCREASING THE FRONT LANDSCAPE AREA, BOTH ISLANDS AND INCREASING THE REAR DRIVE AISLE BACK TO 18'.
- OFF-STREET PARKING REDUCED TO 42 TOTAL.



LOCATION MAP

SCALE: 1" = 2000'

SPECIAL HEARING RELIEF TO APPROVE:

- A REQUEST FOR CONFIRMATION THAT THE APPROVALS IN CASE NOS. 1957-4166-X, 1960-4992-X, 1960-5076-A, 1962-5697-A AND 1962-5876-A AUTHORIZE THE REVISED SITE LAYOUT; AND
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SPECIAL EXCEPTION RELIEF TO APPROVE:

- A DRIVE-IN RESTAURANT UNDER SECTION 230.3 OF THE BCZR; AND
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VARIANCE FROM SECTION(S):

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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. 27189, EXPIRATION DATE: 05/28/18.

John P. Demos
Date: 3/29/17

MCS



State Line Engineering, LLC

4901 Picker Drive
Pylesville, Maryland 21132
Phone: 443-324-1641
Fax: 410-452-0111

REVISED PLAN TWO EXHIBIT FOR
ZONING HEARING CASE# 2017-0188-SPHXA



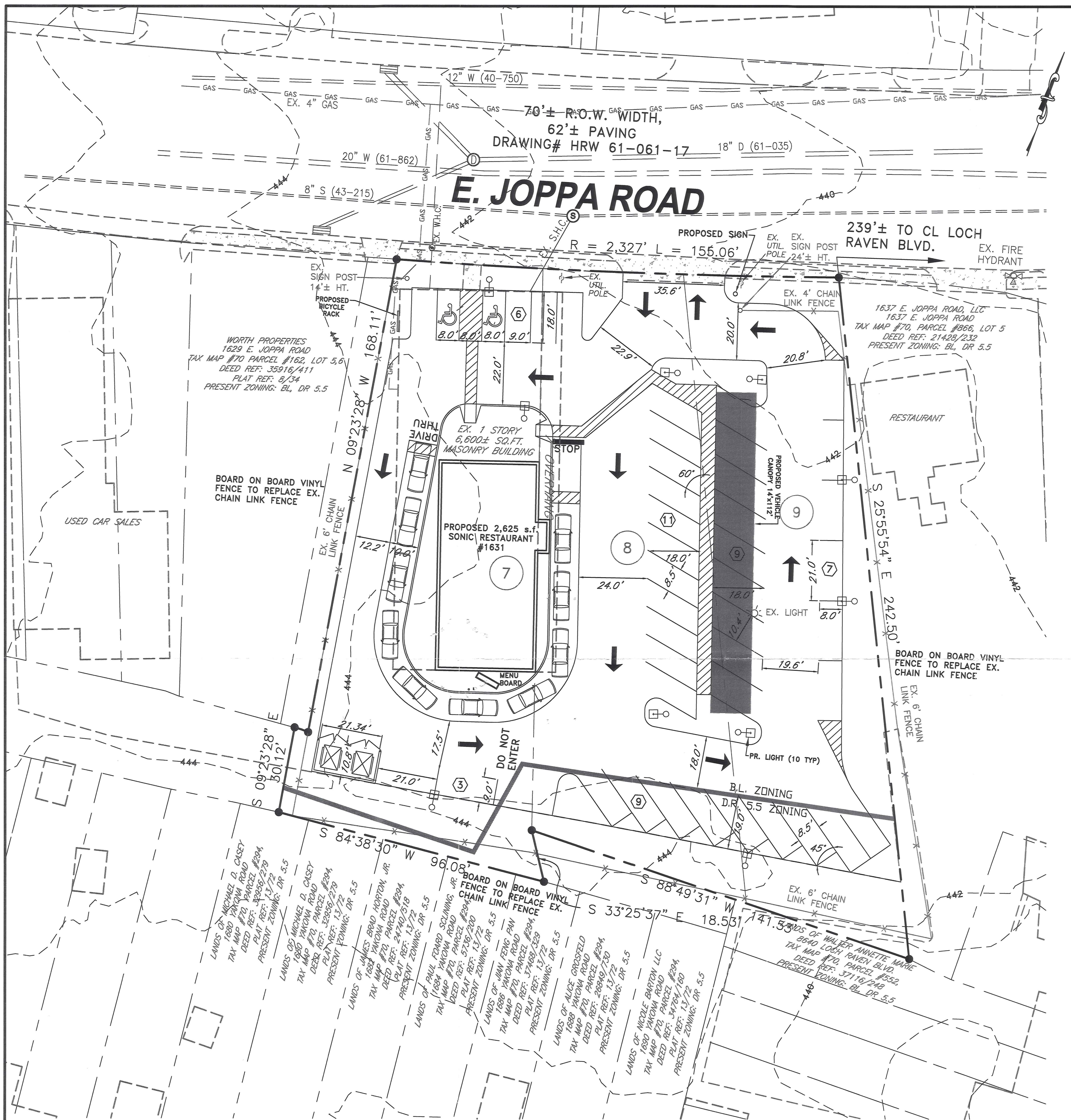
TOWSON

DEED REF: 13602 FOLIO 536;
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TAX MAP 70; GRID 17; PARCEL 262, LOT 8;
COUNCILMANIC DISTRICT 5

KEY SHEET: NNW POSITION SHEET: 37NE10

9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	JPD	JPD	AS SHOWN
	DATE:	JOB NO.:	SHEET NO.:
	3/29/17	18011	1 OF 1



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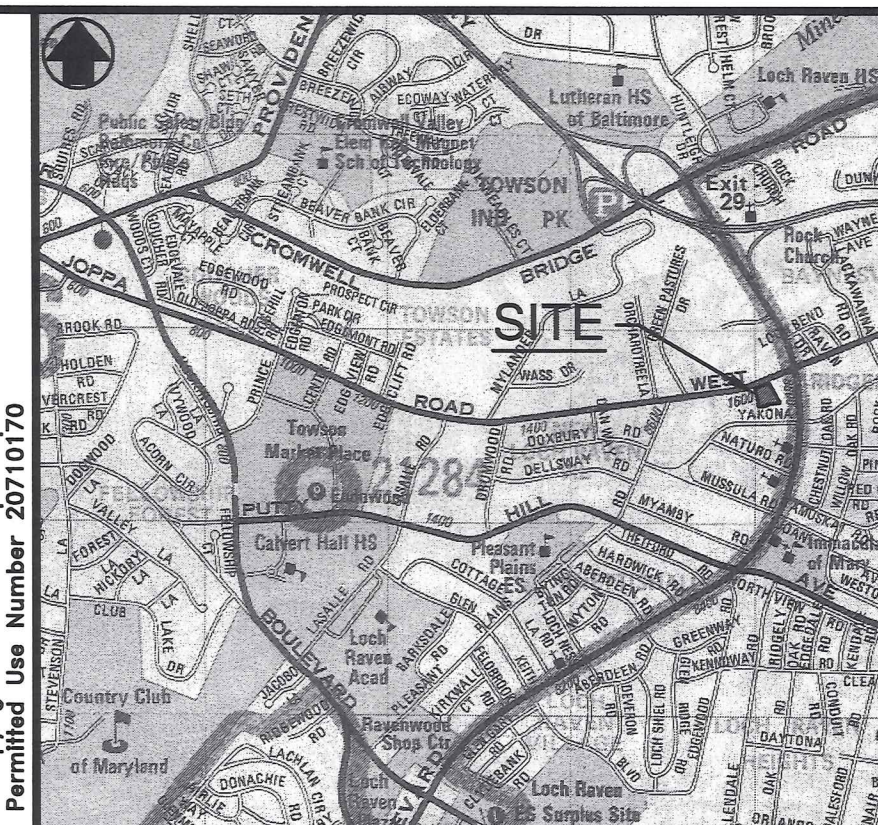
SITE PLAN

SCALE: 1" = 20'



SITE NOTES

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410-823-0082
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32. SITE IS NOT LOCATED WITHIN THE 100-YR RIVERINE FLOODPLAIN.



LOCATION MAP

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PROFESSIONAL CERTIFICATION

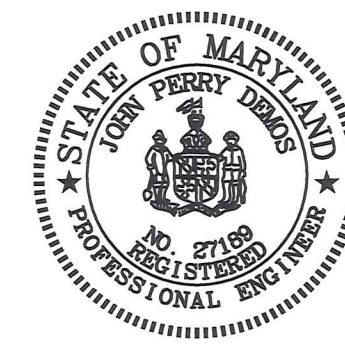
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John P. Demos

2/16/2017

Date

MCS



State Line Engineering, LLC

4901 Picker Drive
Pylesville, Maryland 21132
Phone: 443-324-1641
Fax: 410-452-0111

REVISED PLAN TO ACCOMPANY PETITION FOR ZONING HEARING CASE# 2017-0188-SPHXA



TOWSON

DEED REF: 13602 FOLIO 536;
TAX ACCOUNT NO.: 2200020786, 2200020785;
TAX MAP 70; GRID 17; PARCEL 262, LOT 8;
COUNCILMANIC DISTRICT 5
KEY SHEET: NNW POSITION SHEET: 37NE10

9TH ELECTION DISTRICT			BALTIMORE COUNTY, MARYLAND		
REVISIONS			DRAWN BY:	DESIGNED BY:	SCALE:
			JPD	JPD	AS SHOWN
			DATE:	JOB NO.:	SHEET NO.:
			2/7/17	16011	1 OF 1