

David H. Karceski

t 410.494.6825
f 410.821.0147
dkarceski@venable.com

May 8, 2018

W. Carl Richards Jr.
Zoning Review Office
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Re: 4703-4709 Wilkins Avenue
Case No. 2017-0218-SPHA
Request for Spirit and Intent Letter

Dear Mr. Richards:

This firm represents J.C. Bar Properties, Inc. contract purchaser of the above-referenced property located in the Arbutus area (the "Property"). Our client is redeveloping the Property with a CVS store, and obtained zoning relief from the Administrative Law Judge (the "ALJ") on April 26, 2017 for redevelopment of the Property. I am attaching a copy of the ALJ's order (the "2017 Order") and site plan approval in the case for your review.

As the 2017 Order explains, the ALJ confirmed by special hearing that the number of stacking spaces required for the CVS drive-thru lane is two (2) stacking spaces. The ALJ also granted a parking variance to permit a total of 58 off-street parking spaces in lieu of the required 74 parking spaces. After the 2017 Order was issued, our client determined that a smaller CVS store is appropriate for the Property. I am attaching a redlined site plan reflecting the smaller store building (9,656 square feet instead of 13,195 square feet) and other related changes to the site (the "Redlined Plan"). We are seeking confirmation that the Redlined Plan is within the spirit and intent of the relief granted in the 2017 Order and will not require any additional zoning relief.

With respect to the parking variance, the reduction in size of the proposed CVS store building decreases the number of off-street parking spaces required from 74 spaces to 49 spaces. As the Redlined Plan shows, 51 spaces will be provided on the Property. Accordingly, the Redlined Plan does not require any additional relief related to the number of parking spaces.

With respect to the special hearing petition, while the size of the proposed CVS store will be reduced, the same number of stacking spaces approved in the 2017 Order will be provided on

W. Carl Richards, Jr.
May 8, 2018
Page 2

the Property. Accordingly, we are seeking confirmation that no additional zoning relief is needed for the stacking spaces, as shown on the Redlined Plan.

If you are in agreement that the Redlined Plan is within the spirit and intent of the relief granted in the 2017 Order and will not require any additional zoning relief, please countersign this letter below. With this letter, I have enclosed a check in the amount of \$150.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your review. If you require any additional information in order to complete your review, please feel free to contact me.

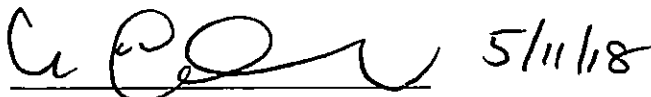
Thank you for your time and consideration.

Very truly yours,



David H. Karceski
Enclosures

AGREED AND ACCEPTED:



W. Carl Richards, Jr., Supervisor
Zoning Review Bureau

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(4703-4709 Wilkens Avenue) *

13th Election District

1st Council District *

Westland Gardens Co., *et al.*

Legal Owners *

J. C. Bar Properties, Inc. *Contract Purchaser*

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2017-0218-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Westland Gardens Co., *et al.*, legal owners and J.C. Bar Properties, Inc., contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve 2 stacking spaces for the drive through facility for a drug store (not including the space next to the transaction window), pursuant to B.C.Z.R. §409.10.A. In addition, a Petition for Variance seeks to allow 58 off street parking spaces in lieu of the required 74 parking spaces. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Andrew Stine, Carl Wilson and Joe Eisenhaner appeared in support of the requests. David H. Karceski, Esq. represented the contract purchaser. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Environmental Protection and Sustainability (DEPS). Neither agency opposed the requests.

The subject property is approximately 1.97 acres in size and zoned BL. The property (comprised of 22 individual lots) is improved with several dwellings which will be razed. The property

ORDER RECEIVED FOR FILING

Date

4/26/17

By

Sen

was zoned for residential use until 2016, at which point it was rezoned to BL during the comprehensive zoning process. Petitioners propose to construct a CVS pharmacy at the site. A pharmacy is permitted by right in the zone, although Petitioners require variance and special hearing relief to construct the proposed improvements.

SPECIAL HEARING

The special hearing seeks to approve 2 stacking spaces for a drive-through pharmacy window. The Regulations are silent concerning the number of stacking spaces required for a drive-through pharmacy, which is a relatively recent phenomenon. CVS representatives indicated 2 spaces would be sufficient, and a similar request was approved in a previous zoning case involving a CVS pharmacy on Joppa Road. See Case No. 2016-0110-SPHA. As such, the special hearing request will be granted.

VARIANCES

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

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

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

Petitioners have met this test. The property is irregularly shaped and there is a significant (i.e., 14 ft.) elevation change across the site. As such the property is unique. Petitioners would experience practical difficulty if the regulations were strictly interpreted because they would be unable to operate the new business at the location. Finally, as demonstrated by the lack of County and/or community opposition, I do not believe granting the requests would have a detrimental impact upon the community.

THEREFORE, IT IS ORDERED this 26th 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

ORDER RECEIVED FOR FILING

Date 4/26/17
By Sen 2

Regulations ("B.C.Z.R) to approve 2 stacking spaces for the drive-through facility for a drug store (not including the space next to the transaction window), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the petition for variance to allow 58 off street parking spaces in lieu of the required 74 parking spaces, be and is hereby GRANTED.

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

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

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 4/26/17
By sln



KEVIN KAMENETZ
County Executive

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

April 26, 2017

David H. Karceski, Esq.
Venable
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Case No. 2017-0218-SPHA
Property: 4703-4709 Wilkens Avenue

Dear Mr. Karceski:

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,


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 SEE ATTACHED SHEET

which is presently zoned BL

Deed References: SEE ATTACHED SHEET

10 Digit Tax Account # SEE ATTACHED SHEET

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

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

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

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

SEE ATTACHED SHEET

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

3. X a Variance from Section(s)

SEE ATTACHED SHEET

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:

J.C. Bar Properties, Inc.

Jason A. Mitchell, Esq., Executive Vice President & General Counsel

Name- Type or Print

Signature

415 Fallow Field Road, Suite 301, Camp Hill, PA

Mailing Address City State

17011 / (717) 761-7801

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address City State

21204 / 410-494-6285

Zip Code Telephone # Email Address dhkarceski@venable.com

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address City State

21204 / 410-494-6285

Zip Code Telephone # Email Address dhkarceski@venable.com

CASE NUMBER 2017-0218-SPHA Filing Date 2/15/17

Do Not Schedule Dates:

Reviewer AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 4/26/17

By Sen

2017-218-SPHA

Sold - 05/18 - 2644

71215

7

ROBERT L. MAUPIN & YVONNE D. MAUPIN

4707 WILKENS AVENUE

ATTACHMENT

TO PETITION FOR SPECIAL HEARING AND VARIANCE

4707 WILKENS AVENUE

TAX ACCOUNT #1600005489

DEED REF. 29526-497

Legal Owners (Petitioners):

Robert L. Maupin & Yvonne D. Maupin

4707 Wilkens Avenue

Catonsville, MD 21228-3647

Phone: _____

By: Robert L. Maupin
Robert L. Maupin

By: Yvonne D. Maupin
Yvonne D. Maupin

ST. STEPHEN LUTHERAN CHURCH

4709 WILKENS AVENUE

ATTACHMENT

TO PETITION FOR SPECIAL HEARING AND VARIANCE

**4709 WILKENS AVENUE
TAX ACCOUNT #1600005437
DEED REF. 7995-638**

Legal Owners (Petitioners):

St. Stephen Lutheran Church
901 Courtney Road
Baltimore, MD 21227
Phone: 410. 242-0422

By: John R. Scatelli

Title: Pastor

**BROADLEAF PROPERTIES LLC
MAIDEN CHOICE LANE (NO STREET ADDRESS)**

**WESTLAND GARDENS COMPANY INC.
WILKENS AVENUE (NO STREET ADDRESS)**

**JOHN C. HUYNH
4703 WILKENS AVENUE**

**JOANNE M. HELMERT
4705 WILKENS AVENUE**

**ROBERT L. MAUPIN & YVONNE D. MAUPIN
4707 WILKENS AVENUE**

**ST. STEPHEN LUTHERAN CHURCH
4709 WILKENS AVENUE**

ATTACHMENT TO PETITION FOR SPECIAL HEARING

Special Hearing to approve 2 stacking spaces for the drive-through facility for a drug store (not including the space next to the transaction window), pursuant to Section 409.10.A of the B.C.Z.R.

**BROADLEAF PROPERTIES LLC
MAIDEN CHOICE LANE (NO STREET ADDRESS)**

**WESTLAND GARDENS COMPANY INC.
WILKENS AVENUE (NO STREET ADDRESS)**

**JOHN C. HUYNH
4703 WILKENS AVENUE**

**JOANNE M. HELMERT
4705 WILKENS AVENUE**

**ROBERT L. MAUPIN & YVONNE D. MAUPIN
4707 WILKENS AVENUE**

**ST. STEPHEN LUTHERAN CHURCH
4709 WILKENS AVENUE**

ATTACHMENT TO PETITION FOR VARIANCE

Variance from Section 409.6 of the B.C.Z.R. to allow 58 off-street parking spaces in lieu of the required 74 parking spaces.



ZONING DESCRIPTION
13TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

**TAX MAP 101, PARCEL 1111
LOTS 1, 2 AND 3**
THE LAND OF
WESTLAND GARDENS COMPANY, INC.
LIBER 1795 FOLIO 476

**TAX MAP 101, PARCEL 1111
LOTS 4 AND 5**
THE LAND OF
JOHN C. HUYNH
LIBER 31422 FOLIO 173

**TAX MAP 101, PARCEL 1111
LOTS 6 AND 7**
THE LAND OF
JOANNE M. HELMERT
LIBER 14314 FOLIO 173

**TAX MAP 101, PARCEL 1111
LOTS 8, 9, AND 10**
THE LAND OF
ROBERT L. AND YVONNE D. MAUPIN
LIBER 29526 FOLIO 497

**TAX MAP 101, PARCEL 1111
LOTS 11 AND 12**
THE LAND OF
ST. STEPHEN LUTHERN CHURCH
LIBER 7995 FOLIO 638

**TAX MAP 101, PARCEL 1111
LOTS 13-22**
THE LAND OF
BROADLEAF PROPERTIES LLC
LIBER 29639 FOLIO 319

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LIMITS OF WILKENS AVENUE (MD ROUTE 372) (VARIABLE WIDTH RIGHT-OF-WAY), WHICH IS 233.37' FEET WEST OF THE INTERSECTION OF SAID WILKENS AVENUE (MD ROUTE 372) AND MAIDEN CHOICE LANE (VARIABLE WIDTH RIGHT-OF-WAY), THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LIMITS AND WITH THE DIVISION LINE BETWEEN THE 1ST AVENUE RIGHT-OF-WAY ON THE WEST AND THE LAND OF ST. STEPHEN LUTHERN CHURCH (LIBER 7995 FOLIO 638) ON THE EAST;

1. NORTH 66 DEGREES -27 MINUTES- 04 SECONDS EAST, 233.37 FEET TO A POINT, THENCE;
2. CONTINUING 17.00 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 64 DEGREES -55 MINUTES- 57 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES- 04 MINUTES- 58 SECONDS WEST, 16.10 FEET TO A POINT, THENCE
3. CONTINUING SOUTH 48 DEGREES- 36 MINUTES -59 SECONDS EAST, 125.23 FEET TO A POINT, THENCE;
4. CONTINUING SOUTH 48 DEGREES -36 MINUTES- 59 SECONDS EAST, 101.24 FEET TO A POINT, THENCE;
5. CONTINUING SOUTH 42 DEGREES -57 MINUTES- 07 SECONDS WEST, 324.81 FEET TO A POINT, THENCE;
6. CONTINUING NORTH 52 DEGREES- 32 MINUTES- 25 SECONDS WEST, 92.94 FEET TO A POINT, THENCE;
7. CONTINUING NORTH 23 DEGREES -32 MINUTES- 56 SECONDS WEST, 262.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 85,895 SQUARE FEET OR 1.97 ACRES.



[Handwritten signature]

AH50-8123-006

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

Nº 150304

Date:

2/15/17

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
2/16/2017 2/15/2017 11:15:45 1

REG WSD1 MALKIN LJR
>>RECEIPT # 707764 2/15/2017 DFLN
Dept 5 528 ZONING VERIFICATION
CK NO. 150304

Recpt Tot \$1,000.00
\$1,000.00 CK \$.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	6000		6150				\$1,000

Total:

\$1,000

Rec From:

VENERBLE LLP

For:

WILKENS AVE E, MAIDEN CHOICE

LN

2017-0218-SPHA

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

2017-0218-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Robert & Yvonne Maupin, St. Stephen Lutheran Church,
Westland Gardens Co., John Huynh, Joanne Helmert
J.C. Bar Properties, Inc

April 21, 2017

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

Wilkins Avenue and Maiden Choice Lane

March 30, 2017

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



Sincerely,

March 30, 2017

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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 4860342

Sold To:

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

Bill To:

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

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

Mar 30, 2017

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

NOTICE OF ZONING HEARING

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

Case: # 2017-0218-SPHA

Wilkins Avenue
S/W corner of Wilkins Avenue and Maiden Choice Lane
13th Election District - 1st Councilmanic District
Legal Owner(s) Robert & Yvonne Maupin, St. Stephen Lutheran Church, Westland Gardens Co., John Huynh, Joanne Helmer

Contract Purchaser(s): J.C. Bar Properties, Inc.

SPECIAL HEARING: to approve 2 stacking spaces for the drive-through facility for a drug store (not including the space next to the transaction window).

VARIANCE: to allow 58 off-street parking spaces in lieu of the required 74 parking spaces.

Hearing: Friday, April 21, 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 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.

3/209 March 30 4860342



KEVIN KAMENETZ
County Executive

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

March 22, 2017

CORRECTED 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: 2017-0218-SPHA

Wilkens Avenue

S/w corner of Wilkens Avenue and Maiden Choice Lane

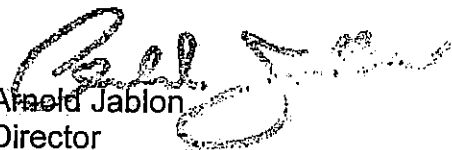
13th Election District – 1st Councilmanic District

Legal Owners: Robert & Yvonne Maupin, St. Stephen Lutheran Church, Westland Gardens Co., John Huynh, Joanne Helmert

Contract Purchaser: J.C. Bar Properties, Inc.

Special Hearing to approve 2 stacking spaces for the drive-through facility for a drug store (not including the space next to the transaction window). Variance to allow 58 off-street parking spaces in lieu of the required 74 parking spaces.

Hearing: Friday, April 21, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Jason Mitchell, 415 Fallow Field, Ste. 301, Camp Hill PA 17011

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 31, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 30, 2017 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

410-494-6200

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

NOTICE OF ZONING HEARING

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CASE NUMBER: 2017-0218-SPHA

Wilkens Avenue

S/w corner of Wilkens Avenue and Maiden Choice Lane

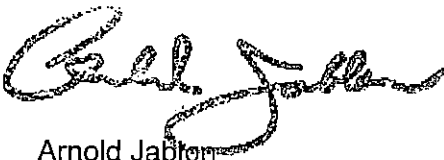
13th Election District – 1st Councilmanic District

Legal Owners: Robert & Yvonne Maupin, St. Stephen Lutheran Church, Westland Gardens Co., John Huynh, Joanne Helmert

Contract Purchaser: J.C. Bar Properties, Inc.

Special Hearing to approve 2 stacking spaces for the drive-through facility for a drug store (not including the space next to the transaction window). Variance to allow 58 off-street parking spaces in lieu of the required 74 parking spaces.

Hearing: Friday, April 21, 2017 at a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

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

March 22, 2017

NOTICE OF ZONING HEARING

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CASE NUMBER: 2017-0218-SPHA

Wilkens Avenue

S/w corner of Wilkens Avenue and Maiden Choice Lane

13th Election District – 1st Councilmanic District

Legal Owners: Robert & Yvonne Maupin, St. Stephen Lutheran Church, Westland Gardens Co., John Huynh, Joanne Helmert

Contract Purchaser: J.C. Bar Properties, Inc.

Special Hearing to approve 2 stacking spaces for the drive-through facility for a drug store (not including the space next to the transaction window). Variance to allow 58 off-street parking spaces in lieu of the required 74 parking spaces.

Hearing: Friday, April 21, 2017 at a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a circular stamp that partially obscures the signature.

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Jason Mitchell, 415 Fallow Field, Ste. 301, Camp Hill PA 17011

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 31, 2017.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2017-0218-SPHA
Property Address: Wilkens Ave. + Maiden Choice Lane
Property Description: _____

Legal Owners (Petitioners): Broadleaf Properties, LLC, et al.
Contract Purchaser/Lessee: J.C. Bar Properties, Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich
Company/Firm (if applicable): Venable LLP
Address: 210 W. Pennsylvania Ave.
Suite 500
Towson, MD 21204
Telephone Number: (410) 494-6200

Revised 7/9/2015

William W. & Thomas Chase Lane

Grandfather, William W. Chase Lane
222 E. Poplar Street, St. Louis, Mo.

Robert Chase Lane
Wm. W. Chase Lane
212 W. Washington St.
St. Louis, Mo.
June 20, 1907
Chase Lane
212 W. Washington St.
St. Louis, Mo.



KEVIN KAMENETZ
County Executive

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

April 12, 2017

Robert L & Yvonne D Maupin
4707 Wilkens Avenue
Catonsville MD 21228-3647

St Stephen Lutheran Church
901 Courtney Road
Baltimore MD 21227

RE: Case-Number: 2017-0218 SPHA, Address: Wilkens Avenue

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 February 15, 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
J C Bar Properties Inc., Jason A Mitchell, Esquire, 415 Fallow Field Road, Suite 301, Camp Hill, PA 17011
David H Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/4/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-218

INFORMATION:

Property Address: 4703, 4705, 4707, 4709 Wilkens Avenue
Petitioner: J.C. Bar Properties, Inc.
Zoning: BL
Requested Action: Special Hearing, Variance

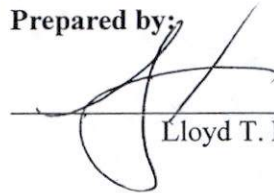
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve 2 stacking spaces for the drive-through facility for a drug store (not including the space next to the transaction window) and the petition for a variance to permit 58 off-street parking spaces in lieu of the required 74 spaces.

A site visit was conducted on March 21, 2017. The site is proposed for future commercial retail use and was the subject of 2016 CZMP Issue 1-015 wherein it was rezoned from DR-5.5 to BL.

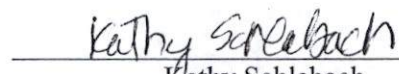
The Department of Planning has no objections to granting the petitioned zoning relief.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED
MAY 01 2017



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 3/20/17

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 3/20/17. A field inspection and internal review reveals that an entrance onto MD372 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2017-0218-SPHA

*Special Hearing Variance
The Westland Gardens Company
Robert Mastropieri, Joanne M. Helmer
Wilkins Avenue.*

The applicant must contact the State Highway Administration to obtain an entrance permit. Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA
Metropolitan District Engineer
Baltimore & Harford Counties

WW/RAZ

cc: Mr. Michael Pasquariello, Utility Engineer, SHA

Maryland Department of Transportation
State Highway Administration

320 West Warren Road, Hunt Valley, MD 21030
410.229.2300 | TTY 800.735.2258 | roads.maryland.gov

My telephone number/toll-free number is 866.998.0367

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-218



INFORMATION:

Property Address: 4703, 4705, 4707, 4709 Wilkens Avenue
Petitioner: J.C. Bar Properties, Inc.
Zoning: BL
Requested Action: Special Hearing, Variance

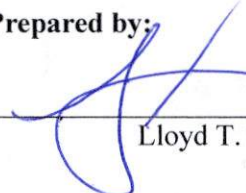
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A site visit was conducted on March 21, 2017. The site is proposed for future commercial retail use and was the subject of 2016 CZMP Issue 1-015 wherein it was rezoned from DR-5.5 to BL.

The Department of Planning has no objections to granting the petitioned zoning relief.

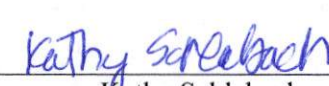
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
David H. Karceski, Esquire
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 17, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0218-SPHA
Address Wilkens Avenue
(Westland Gardens Co. Property)

Zoning Advisory Committee Meeting of **March 20, 2017**.

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

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Prior to issuance of any permits, a forest stand delineation, forest conservation worksheet and forest conservation plan must be submitted and approved.

Reviewer: J. Russo

Date: March 15, 2017

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 20, 2017
Item No. 2017-0218

DATE: March 21, 2017

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

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

* * * * *

DAK:CEN
cc:file
ZAC-ITEM NO 17-02018-03202017.doc

MEMORANDUM

DATE: May 30, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0218-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on May 26, 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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
Wilkins Avenue; SW Corner of Wilkins * OF ADMINISTRATIVE
Avenue & Maiden Choice Lane *
13th Election & 1st Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Westland Gardens Co, Robert * BALTIMORE COUNTY
Mastropieri, Joanne Helmert and more *
Contract Purchaser(s): JC Bar Properties, Inc *
Petitioner(s) * 2017-218-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

MAR 20 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 20th day of March, 2017, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 West Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 13 Account Number - 1600005489								
Owner Information										
Owner Name:		MAUPIN ROBERT L MAUPIN YVONNE D				Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		4707 WILKENS AVE BALTIMORE MD 21228-3647				Deed Reference:		/29526/ 00497		
Location & Structure Information										
Premises Address:		4707 WILKENS AVE BALTIMORE 21228-3647				Legal Description:		LT 8-9-10 4707 WILKENS AVE WILKENS TERRACE		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0101	0017	1111		0000	A		8	2016	Plat Ref: 0007/0173	
Special Tax Areas:					Town: NONE					
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use		
1930		1,503 SF				11,250 SF		04		
Stories	Basement	Type	Exterior		Full/Half Bath	Garage	Last Major Renovation			
1 1/2	YES	STANDARD UNIT	ASBESTOS SHINGLE		1 full					
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2016		07/01/2016		07/01/2017	
Land:			70,300		70,300					
Improvements			77,800		102,700					
Total:			148,100		173,000		156,400		164,700	
Preferential Land:			0						0	
Transfer Information										
Seller: MAUPIN ELMER ROBERT				Date: 06/02/2010				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /29526/ 00497				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2016		07/01/2017				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		HOMEOWNERS TAX CREDIT								
Homestead Application Information										
Homestead Application Status: Approved 09/25/2012										



Maiden Choice Lane and Wilkens Avenue

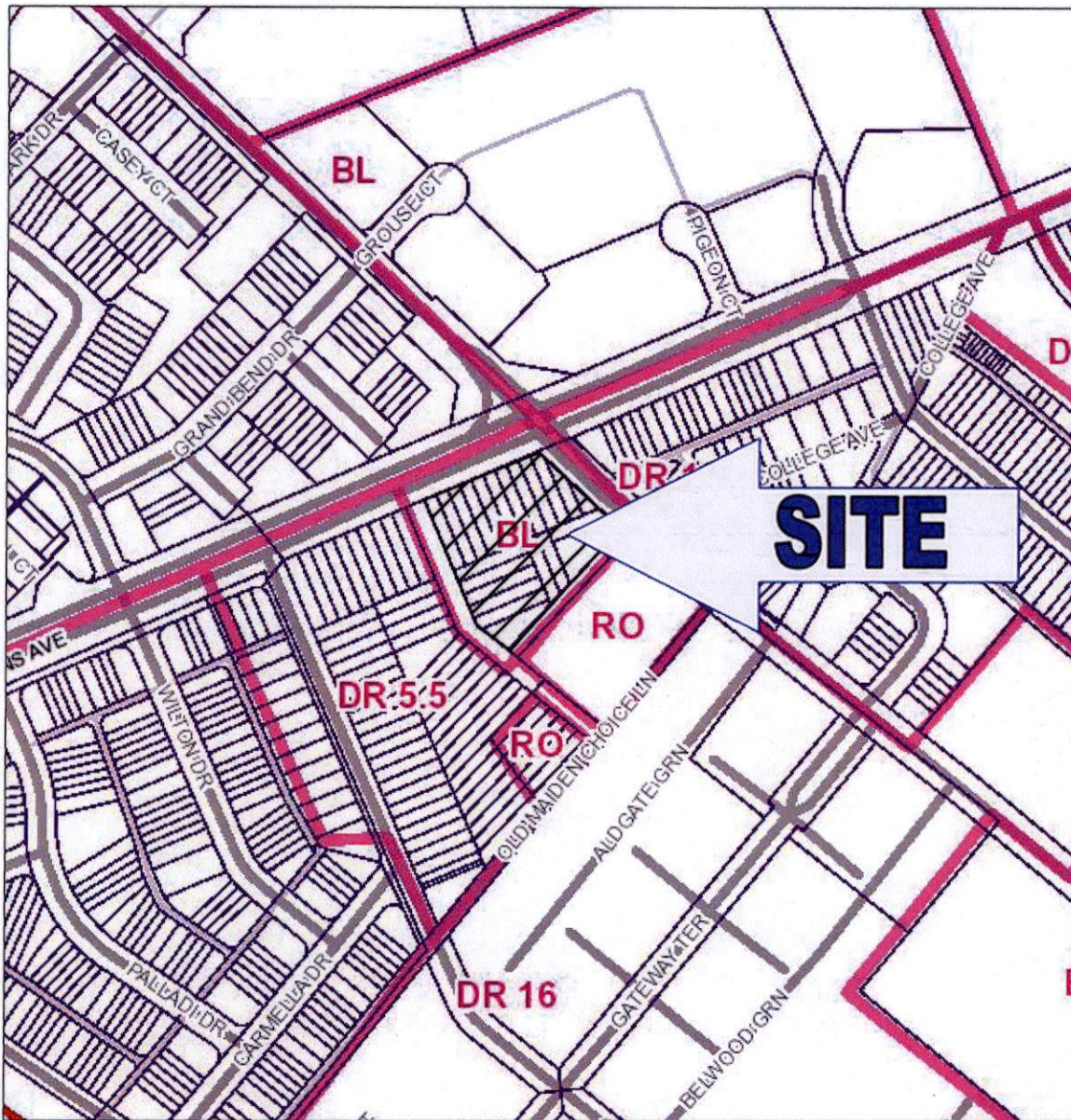
Created By
Baltimore County
My Neighborhood



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

Printed 2/15/2017

2017-0218-SDHA



ZONING MAP

BALTIMORE COUNTY MY NEIGHBORHOOD TOOL
NOT TO SCALE

2017-0218-SPHA

CASE NAME JC Bar Properties, Inc.
CASE NUMBER # 2017-218-SAP
DATE 4/21/17

[illegible]

4/21
11 Am

Case No.: 2017-0218-SPHA - Wieraw Ave.

Exhibit Sheet

Petitioner/Developer

5-30-17
W

Protestants

Sen
4-26-17

No. 1	site plan	
No. 2	Stine resume	
No. 3	illustrative plan	
No. 4	CZMP Log	
No. 5	Aerial zoning map	
No. 6	Aerial photo	
No. 7	Elevations	
No. 8	Wilson CV	
No. 9		
No. 10		
No. 11		
No. 12		



RESUME

Andrew G. Stine, P.E.
Project Manager

EDUCATION:

Bachelor of Science in Civil Engineering, Bucknell University, Lewisburg, PA

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, Review Boards, Hearing Examiners, and related municipal entities in Maryland.

EXPERIENCE:

Currently serves as a Project Manager in Bohler Engineering's Towson, Maryland Office. Experience includes fifteen (15) years within the industry and nearly ten (10) years of design and project management with Bohler. Primarily responsible for client and project management for various commercial and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, lighting photometric studies/design, signage compliance, landscape design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes, banks, and other related projects in various municipalities within Maryland.

BALTIMORE COUNTY PROJECTS OF NOTE:

- Multiple Quick Serve Restaurants (Chick-fil-A, Sonic)
- Multiple Fuel Service Station Projects (SMO, Wawa)
- Multiple Pharmacy Projects (CVS)
- Multiple Bank Projects (PNC Bank, Baltimore County Savings Bank)
- Sparrows Point

PROFESSIONAL AFFILIATIONS:

- Maryland Professional Engineer #37687
- National Association of Industrial & Office Properties (NAIOP) Developing Leaders
- Maryland Building Industry Association (MBIA) Baltimore Chapter

PETITIONER'S EXHIBIT **2**

BALTIMORE COUNTY

2016 Comprehensive Zoning Map Process Final Log of Issues

Adopted August 30, 2016



PETITIONER'S EXHIBIT

4



Baltimore County 2016 Comprehensive Zoning Map Process Log of Issues - District 1

September 13, 2016

Issue Number 1-013		Petitioner Jalil Saberian		Location 6118 Old Frederick Rd					
Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendations		Planning Board Recommendations		County Council Decision	
DR 5.5	0.26	BL	0.18	DR 5.5	0.26	DR 5.5	0.26	DR 5.5	0.26
	0.26	DR 16	0.08		0.26		0.26		0.26
			0.26						

Comments

Issue Number 1-014		Petitioner Lorraine Marie Parsons		Location 1600 Frederick Rd					
Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendations		Planning Board Recommendations		County Council Decision	
DR 3.5	1.63	BL	1.55	BL	0.16	BL	0.21	DR 3.5	1.63
		DR 16	0.07	DR 16	0.07	DR 16	0.07		
				DR 3.5	1.39	DR 3.5	1.35		

Comments

Issue Number		1-015		Petitioner		JC BAR Properties, Inc		Location		4703 - 4709 Wilkens Ave	
Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendations		Planning Board Recommendations		County Council Decision			
DR 5.5	2.95	BL	3.00	BL	3.00	BL	3.00	BL	3.00		
RO	0.05										
	3.00		3.00		3.00		3.00		3.00		

Comments



CARL WILSON, P.E., PTOE
Senior Project Manager



Merging Innovation and Excellence®

"A Leader in Sustainable Transportation Solutions"

Carl Wilson is a professional traffic engineer who brings over 18 years of technical experience to The Traffic Group, Inc. His responsibilities with the firm include, but are not limited to, various traffic engineering and managerial tasks in the areas of traffic impact analysis, traffic safety studies, transportation planning, access/entrance permit coordination, and proposal preparation.

Mr. Wilson has managed projects throughout the State of Maryland and neighboring jurisdictions. Clients include many public entities such as the Maryland State Highway Administration and numerous private sector clients. Scopes of projects under Mr. Wilson's direction vary from analyses at a single intersection upward to the preparation of Interstate Access Point Approvals (IAPA), which involve study at numerous interchanges along a freeway corridor. Upon completion of traffic studies, Mr. Wilson is involved in the conceptual design of road improvements. In addition, he oversees the preparation of Traffic Signal Design Plans, Signing and Marking Plans, and Maintenance of Traffic (MOT) Plans that may be required.

Job History

2004 - Present

Senior Project Manager - The Traffic Group, Inc.

1999 - 2004

Traffic Engineer - Jacobs Civil, Inc.

Educational Background

- **Bachelor of Science in Civil Engineering**
University of Maryland, College Park
- **Master of Engineering**
University of Maryland, College Park

Affiliations

- Registered Professional Engineer (P.E.) – MD #29931
- Registered Professional Engineer (P.E.) – DE #15150
- Registered Professional Engineer (P.E.) – D.C. #901716
- Professional Traffic Operations Engineer (PTOE) - #1568
- LEED Green Associate - 10360613
- Associate Member, Institute of Transportation Engineers (ITE)
- American Society of Civil Engineers (ASCE)

Examples of places where Mr. Wilson has testified as an expert witness

MARYLAND

- Baltimore County - Zoning Hearing Examiner
- Baltimore County - Planning Board
- Calvert County - Planning Commission
- Carroll County - Board of Zoning Appeals

- Carroll County - Planning & Zoning Commission
- Howard County - Planning Board
- Montgomery County – Planning Board
- Montgomery County – Hearing Examiner
- Town of North East – Mayor & Town Commissioners
- Town of North East – Planning Commission
- Prince George's County - Zoning Hearing Examiner
- Rockville - Board of Appeals
- Rockville - Planning Commission
- Saint Mary's County - Planning Commission

DELAWARE

- Georgetown - Mayor & Town Council
- Georgetown - Planning Commission
- Middletown - Mayor & Town Council
- Middletown - Planning & Zoning Commission
- Sussex County - County Council
- Sussex County - Planning & Zoning Commission
- Superior Court of Delaware in and for Sussex County

WEST VIRGINIA

- Berkeley County - Planning Commission

Representative List of Mr. Wilson's Projects:

Residential

- Dellospidale Property – Anne Arundel County, MD
- The Estuary – Sussex County, DE
- Greenhill Farm Estates – Kent County, DE
- Homeland Property – Prince George's County, MD
- Weitz Manor – Baltimore County, MD

The Traffic Group, Inc. ☎ 9900 Franklin Square Drive ☎ Suite H ☎ Baltimore, Maryland 21236
410-931-6600 ☎ Fax: 410-931-6601 ☎ www.trafficgroup.com

(1/17)



ILLUSTRATIVE PLAN

MD121512

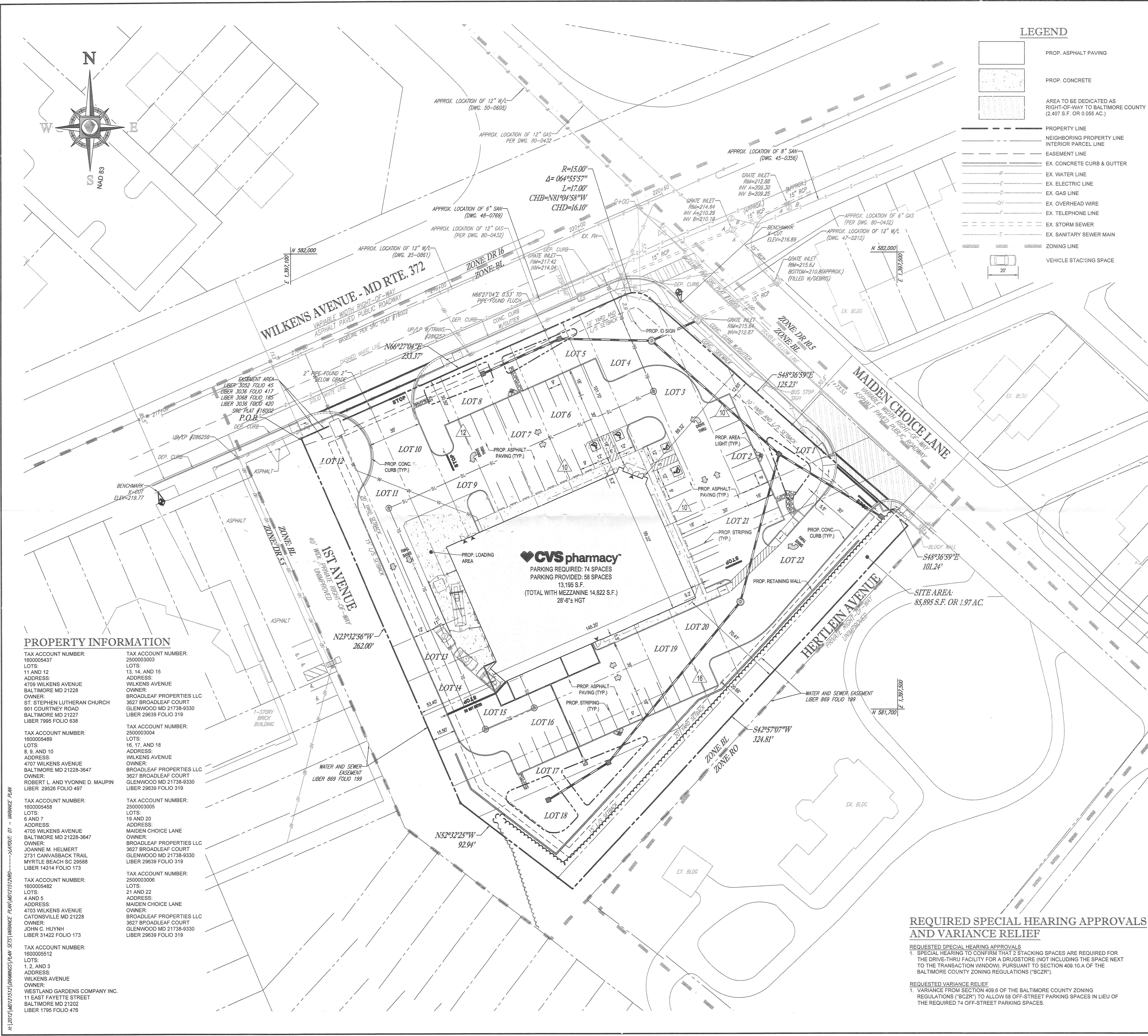
04/20/17

CVS ARBUTUS
BALTIMORE COUNTY, MARYLAND



BOHLER
ENGINEERING

PETITIONER'S EXHIBIT 3



PROPERTY INFORMATION

TAX ACCOUNT NUMBER: 1600005437
LOTS: 11 AND 12
ADDRESS: 4709 WILKENS AVENUE
BALTIMORE MD 21228
OWNER: ST. STEPHEN LUTHERAN CHURCH
901 COURTNEY ROAD
BALTIMORE MD 21227
LIBER 7995 FOLIO 638

TAX ACCOUNT NUMBER: 1600005489
LOTS: 8, 9, AND 10
ADDRESS: 4707 WILKENS AVENUE
BALTIMORE MD 21228-3647
OWNER: ROBERT L. AND YVONNE D. MAUPIN
LIBER 29526 FOLIO 487

TAX ACCOUNT NUMBER: 1600005458
LOTS: 6 AND 7
ADDRESS: 4705 WILKENS AVENUE
BALTIMORE MD 21228-3647
OWNER: JOANNE M. HELMERT
2731 CANVASBACK TRAIL
MYRTLE BEACH SC 29586
LIBER 14314 FOLIO 173

TAX ACCOUNT NUMBER: 1600005512
LOTS: 1, 2, AND 3
ADDRESS: WILKENS AVENUE
OWNER: WESTLAND GARDENS COMPANY INC.
11 EAST FAYETTE STREET
BALTIMORE MD 21202
LIBER 1795 FOLIO 476

TAX ACCOUNT NUMBER: 2500003003
LOTS: 13, 14, AND 15
ADDRESS: WILKENS AVENUE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 318

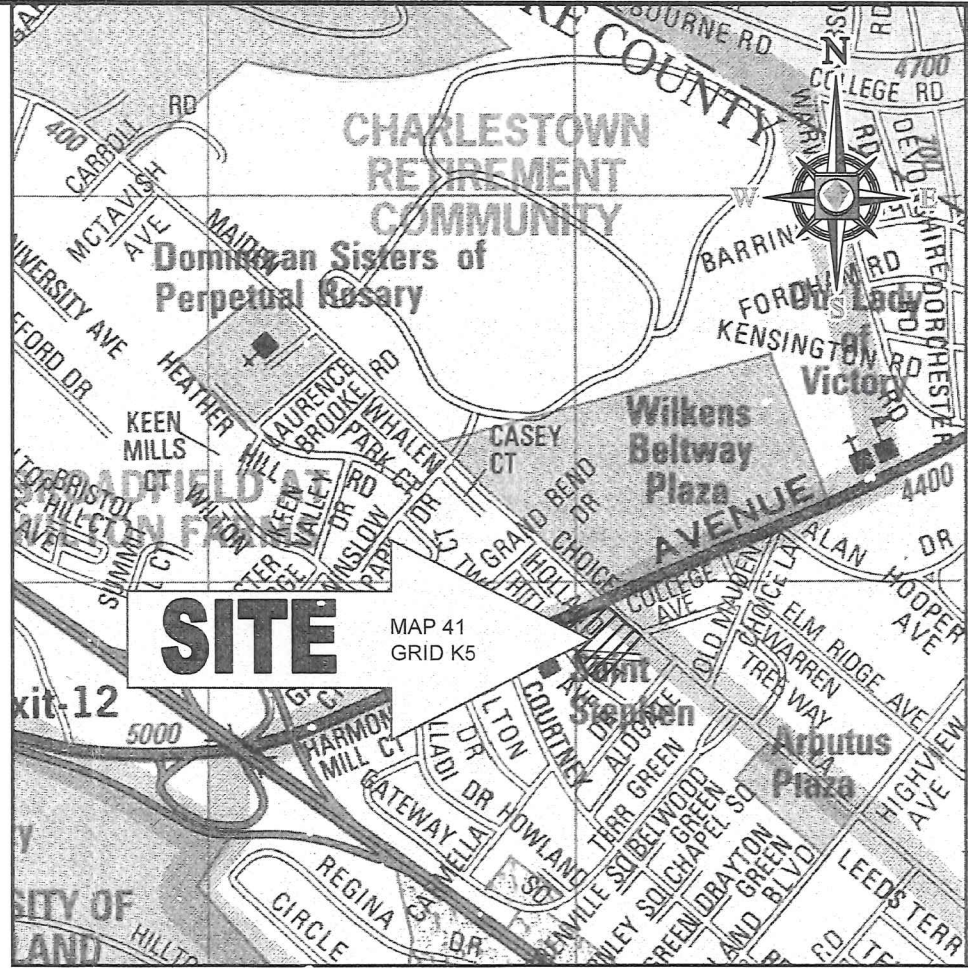
TAX ACCOUNT NUMBER: 2500003004
LOTS: 16, 17, AND 18
ADDRESS: WILKENS AVENUE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 319

TAX ACCOUNT NUMBER: 2500003005
LOTS: 19 AND 20
ADDRESS: MAIDEN CHOICE LANE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 319

TAX ACCOUNT NUMBER: 2500003006
LOTS: 21 AND 22
ADDRESS: MAIDEN CHOICE LANE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 319

LEGEND

- PROP. ASPHALT PAVING
- PROP. CONCRETE
- AREA TO BE DEDICATED AS RIGHT-OF-WAY TO BALTIMORE COUNTY (2,407 S.F. OR 0.055 AC.)
- PROPERTY LINE
- NEIGHBORING PROPERTY LINE
- INTERIOR PARCEL LINE
- EASEMENT LINE
- EX. CONCRETE CURB & GUTTER
- EX. WATER LINE
- EX. ELECTRIC LINE
- EX. GAS LINE
- EX. OVERHEAD WIRE
- EX. TELEPHONE LINE
- EX. STORM SEWER
- EX. SANITARY SEWER MAIN
- ZONING LINE
- VEHICLE STACKING SPACE



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

SITE NOTES

- THIS PLAN IS BASED ON AN ALTA/SPS LAND TITLE SURVEY PREPARED BY BOHLER ENGINEERING, ENTITLED "ALTA/SPS LAND TITLE SURVEY, CVS/PHARMACY, WILKENS AVENUE/MD RTE. 372 AND MAIDEN CHOICE LANE, BALTIMORE COUNTY, MARYLAND," JOB NO. SD121512, DATED 02/29/16 AND BALTIMORE COUNTY GIS.
- PROPERTY LOCATION: SOUTHWEST CORNER OF WILKENS AVENUE AND MAIDEN CHOICE LANE
- SITE AREA: 85,895 S.F. ± OR 1.97 AC. ±
- ELECTION DISTRICT: 13
- COUNCILMANIC DISTRICT: 1
- GIS TILE: 101C2
- GROWTH TIER: 1 (SERVED BY PUBLIC SEWER AND INSIDE URDL)
- TAX MAP: 101
GRID: 17
PARCEL: 1111
LOTS: 1 - 22
CENSUS TRACT: 430900
- EXISTING USE: RESIDENTIAL
PROPOSED USE: PHARMACY
- ZONE: BL
- ZONING HISTORY:
R-1983-0019
A PETITION FOR ZONING RECLASSIFICATION FROM A D.R. 5.5 ZONE TO A RO ZONE WAS GRANTED ON AUGUST 12, 1982.
- 1985-0276-A
A PETITION FOR VARIANCE FROM AREA AND HEIGHT REGULATIONS TO PERMIT A SIDE YARD SETBACK OF 0 FEET FROM THE SIDE LOT LINE AND 20 FEET FROM THE CENTERLINE OF THE STREET INSTEAD OF THE REQUIRED 30 FEET FROM THE SIDE LOT LINE AND 55 FEET FROM THE CENTERLINE OF THE STREET WAS GRANTED ON APRIL 12, 1985.
- THE PROPERTY IS LOCATED IN OTHER AREAS ZONE K (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, UNINCORPORATED AREAS, PANEL 389 OF 580", MAP NUMBER 2400100386F, MAP REVISED SEPTEMBER 26, 2006.
- THE SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- SIGNAGE ON THE SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450.
- LANDSCAPING ON THE SITE SHALL CONFORM WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

BULK REQUIREMENTS

BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT YARD (NORTH)	10'	101.70'
FRONT YARD (EAST)	10'	89.32'
REAR YARD (SOUTH)	20'	79.41'
SIDE YARD (WEST)	20'	53.40'
LANDSCAPE SETBACKS	REQUIRED	PROVIDED
FRONT (NORTH)	10'	30.50'
FRONT (EAST)	10'	12.65'
REAR (SOUTH)	15'	20.68'
SIDE (WEST)	15'	15.50'
HEIGHT REQUIREMENTS	40' PERMITTED UNCONDITIONALLY	28.5'

PARKING CALCULATIONS

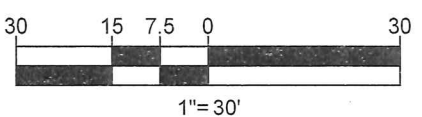
GROSS SITE AREA	85,895 S.F.
GROSS FLOOR AREA	14,822 S.F.
FLOOR AREA RATIO	0.17
RETAIL - GENERAL PARKING REQUIREMENTS	5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
PARKING REQUIRED	74 SPACES
PARKING PROVIDED	58 SPACES

REQUIRED SPECIAL HEARING APPROVALS AND VARIANCE RELIEF

REQUESTED SPECIAL HEARING APPROVALS
1. SPECIAL HEARING TO CONFIRM THAT 2 STACKING SPACES ARE REQUIRED FOR THE DRIVE-THRU FACILITY FOR A DRUGSTORE (NOT INCLUDING THE SPACE NEXT TO THE TRANSACTION WINDOW), PURSUANT TO SECTION 408.10.A OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR").

REQUESTED VARIANCE RELIEF:
1. VARIANCE FROM SECTION 408.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR") TO ALLOW 58 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 74 OFF-STREET PARKING SPACES.

PETITIONER'S EXHIBIT



CVS
pharmacy

13K RL BUMPOUT

STORE NUMBER:

WILKENS AVE AND MAIDEN CHOICE LN
ARBUS, BALTIMORE COUNTY, MD

PROJECT TYPE:

DEAL TYPE:

CS PROJECT NUMBER:

ARCHITECT OF RECORD

BOHLER
ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

DEVELOPER

J.C. BAR DEVELOPMENT, LLC

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

ANDREW G. STINE

PROFESSIONAL ENGINEER

MARYLAND LICENSE NO. 37807
PROFESSIONAL CERTIFICATION
ANDREW G. STINE, 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. 37807, EXPIRATION DATE: 7/31/17

REVISIONS

REV:	DATE:	COMMENT:	BY:

CHECKED BY:

JJU

DRAWN BY:

RJM

DATE:

02/15/17

JOB NUMBER:

MD121512

TITLE:

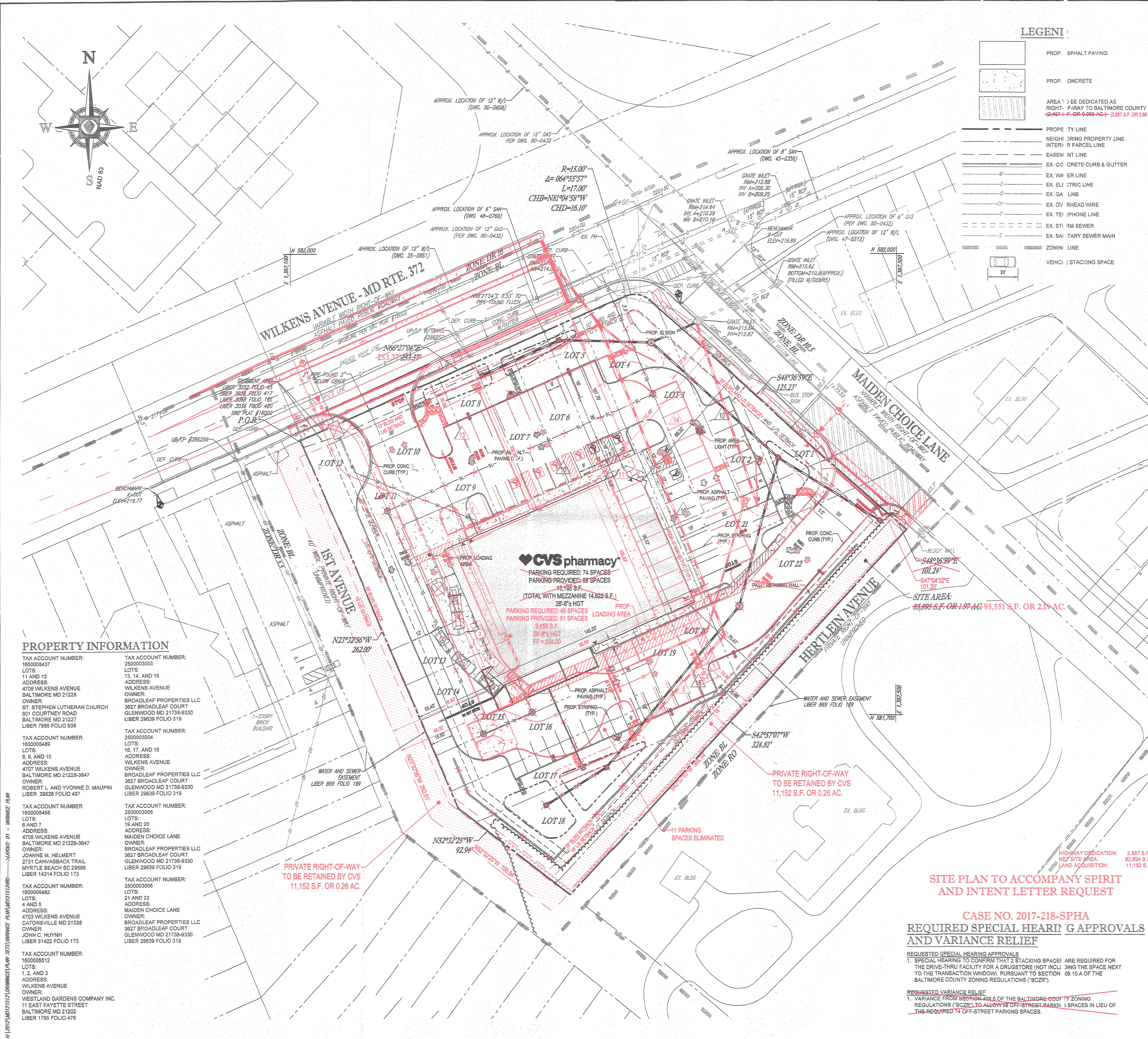
PLAN TO ACCOMPANY
VARIANCE REQUEST

SHEET NUMBER:

1

COMMENTS:

NOT FOR CONSTRUCTION



PROPERTY INFORMATION

TAX ACCOUNT NUMBER: 1600005437
LOTS: 11 AND 12
ADDRESS: 4709 WILKINS AVENUE
BALTIMORE MD 21228
OWNER: ST. STEPHEN LUTHERAN CHURCH
901 COURTNEY ROAD
BALTIMORE MD 21227
LIBER 7956 FOLIO 538

TAX ACCOUNT NUMBER: 1600005489
LOTS: 8, 9, AND 10
ADDRESS: 4707 WILKINS AVENUE
BALTIMORE MD 21228-3647
OWNER: ROBERT L. AND YVONNE D. MAUPIN
LIBER 29528 FOLIO 497

TAX ACCOUNT NUMBER: 1600005468
LOTS: 6 AND 7
ADDRESS: 4705 WILKINS AVENUE
BALTIMORE MD 21228-3647
OWNER: JOANNE M. HELMERT
2731 CANVASBACK TRAIL
MYRTLE BEACH SC 29588
LIBER 14314 FOLIO 173

TAX ACCOUNT NUMBER: 1600005482
LOTS: 4 AND 5
ADDRESS: 4703 WILKINS AVENUE
BALTIMORE MD 21228
OWNER: CATONSVILLE MD 21228
BALTIMORE MD 21202
LIBER 1795 FOLIO 476

TAX ACCOUNT NUMBER: 2500003003
LOTS: 13, 14, AND 15
ADDRESS: WILKINS AVENUE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29539 FOLIO 319

TAX ACCOUNT NUMBER: 2500003004
LOTS: 16, 17, AND 18
ADDRESS: WILKINS AVENUE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29539 FOLIO 319

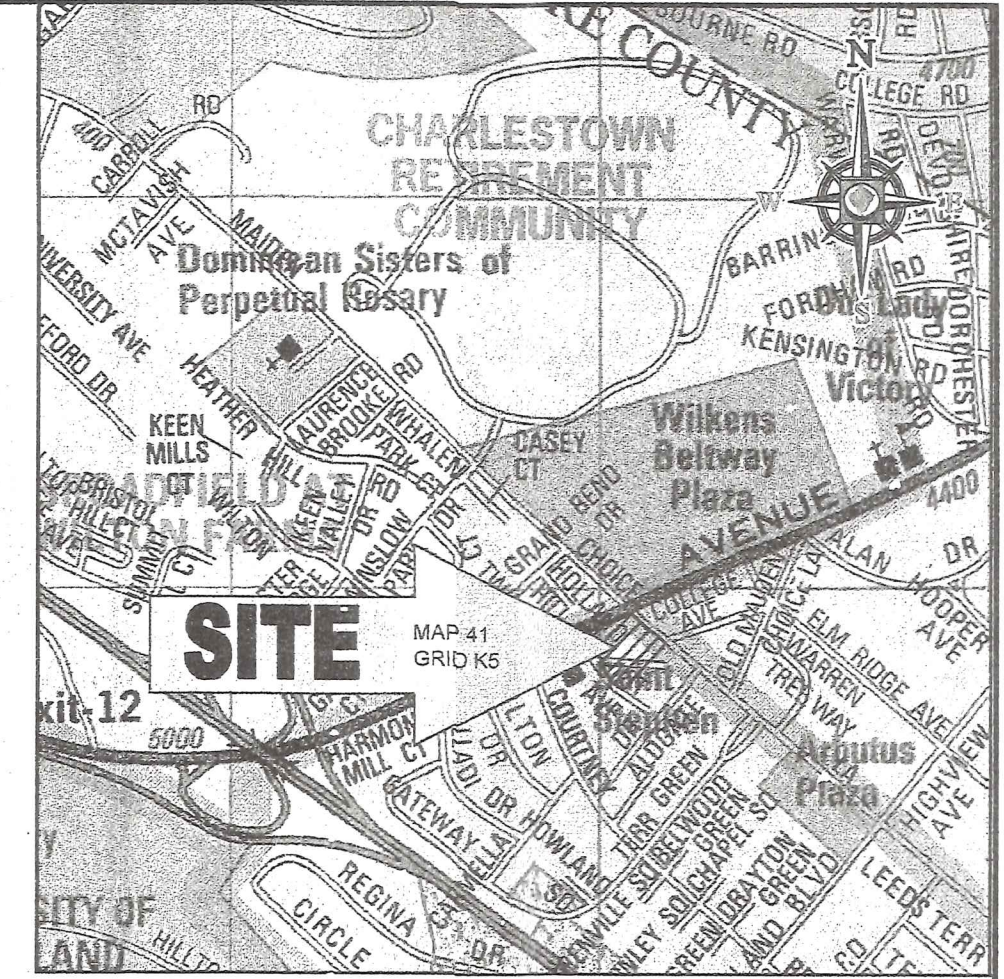
TAX ACCOUNT NUMBER: 2500003005
LOTS: 19 AND 20
ADDRESS: MAIDEN CHOICE LANE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29539 FOLIO 319

TAX ACCOUNT NUMBER: 2500003006
LOTS: 21 AND 22
ADDRESS: MAIDEN CHOICE LANE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29539 FOLIO 319

TAX ACCOUNT NUMBER: 1600005512
LOTS: 1, 2, AND 3
ADDRESS: WILKINS AVENUE
OWNER: WESTLAND GARDENS COMPANY INC.
11 EAST FAYETTE STREET
BALTIMORE MD 21202
LIBER 1795 FOLIO 476

LEGEND

- PROP. ASPHALT PAVING
- PROP. CONCRETE
- AREA TO BE DEDICATED AS RIGHT-OF-WAY TO BALTIMORE COUNTY (2,857 S.F. OR 0.065 AC.)
- PROPE. TV LINE
- NEIGHBORING PROPERTY LINE
- INTERIOR PARCEL LINE
- EASEMENT LINE
- EX. CONCRETE CURB & GUTTER
- EX. WARE LINE
- EX. ELI. STRIC LINE
- EX. GA. LINE
- EX. OV. RHEAD WIRE
- EX. TELEPHONE LINE
- EX. ST. RM SEWER
- EX. SANITARY SEWER MAIN
- ZONING LINE
- VEHICLE STACKING SPACE



LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602163-5
SCALE: 1"=1000'

SITE NOTES

- THIS PLAN IS BASED ON AN ALTANSPS LAND TITLE SURVEY PREPARED BY BOHLER ENGINEERING, ENTITLED "ALTANSPS LAND TITLE SURVEY, CVS PHARMACY, WILKINS AVENUE-MD RTE. 372 AND MAIDEN CHOICE LANE, BALTIMORE COUNTY, MARYLAND," JOB NO. SD121512, DATED 02/28/16 AND BALTIMORE COUNTY GIS.
- PROPERTY LOCATION: SOUTHWEST CORNER OF WILKINS AVENUE AND MAIDEN CHOICE LANE
- SITE AREA: 85,895 S.F. OR 1.97 AC. ± 95,551 S.F. OR 2.19 AC.
- ELECTION DISTRICT: 13
- COUNCILMANIC DISTRICT: 1
- GIS TILE: 101C2
- GROWTH TIER: 1 (SERVED BY PUBLIC SEWER AND INSIDE URDL)
- TAX MAP: 101
GRID: 17
PARCEL: 1111
LOTS: 1-22
CENSUS TRACT: 430900
- EXISTING USE: RESIDENTIAL
PROPOSED USE: PHARMACY
- ZONE: BL
- ZONING HISTORY:
R-1983-0019
A PETITION FOR ZONING RECLASSIFICATION FROM A D.R. 5.5 ZONE TO A RO ZONE WAS GRANTED ON AUGUST 12, 1982.
- 1983-0278-A
A PETITION FOR VARIANCE FROM AREA AND HEIGHT REGULATIONS TO PERMIT A SIDE YARD SETBACK OF 0 FEET FROM THE SIDE LOT LINE AND 20 FEET FROM THE CENTERLINE OF THE STREET INSTEAD OF THE REQUIRED 30 FEET FROM THE SIDE LOT LINE AND 55 FEET FROM THE CENTERLINE OF THE STREET WAS GRANTED ON APRIL 12, 1985.
- THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER MAP ENTITLED "FIRM FLOOD INSURANCE RATE MAP-BALTIMORE COUNTY, MARYLAND AND UNINCORPORATED AREAS, PANEL 359 OF 580", MAP NUMBER 2400100389F, MAP REVISED SEPTEMBER 26, 2008.
- THE SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- SIGNAGE ON THE SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450.
- LANDSCAPING ON THE SITE SHALL CONFORM WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

BULK REQUIREMENTS

BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT YARD (NORTH)	10'	104'-70' 102.50'
FRONT YARD (EAST)	10'	86'-92' 112.48'
REAR YARD (SOUTH)	20'	78'-44' 74.99'
SIDE YARD (WEST)	20'	63'-40' 69.60'
LANDSCAPE SETBACKS	REQUIRED	PROVIDED
FRONT (NORTH)	10'	98'-50' 30.00' ±
FRONT (EAST)	10'	12'-66' 27.16' ±
REAR (SOUTH)	15'	20'-66' 23.68' ±
SIDE (WEST)	15'	16'-60' 48.00'
HEIGHT REQUIREMENTS	40' PERMITTED UNCONDITIONALLY	28.5' ±

PARKING CALCULATIONS

GROSS SITE AREA	85,895 S.F. 95,551 S.F.
GROSS FLOOR AREA	44,829 S.F. 9,658 S.F.
FLOOR AREA RATIO	0.52 0.10
RETAIL - GENERAL PARKING REQUIREMENTS	5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
PARKING REQUIRED	74 SPACES 49 SPACES
PARKING PROVIDED	58 SPACES 41 SPACES

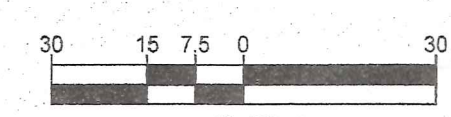
SITE PLAN TO ACCOMPANY SPIRIT AND INTENT LETTER REQUEST

CASE NO. 2017-218-SPHA
REQUIRED SPECIAL HEARTING APPROVALS
AND VARIANCE RELIEF

REQUESTED SPECIAL HEARING APPROVALS
1. SPECIAL HEARING TO CONFIRM THAT 2 STACKING SPACES ARE REQUIRED FOR THE DRIVE-THRU FACILITY FOR A DRUGSTORE (NOT INCLUDING THE SPACE NEXT TO THE TRANSACTION WINDOW), PURSUANT TO SECTION 09.10.A OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR").

REQUESTED VARIANCE RELIEF
1. VARIANCE FROM SECTION 409.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR") TO ALLOW 58 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 74 OFF-STREET PARKING SPACES.

PETITIONER'S EXHIBIT



CVS
pharmacy

13K RL BUMP-OUT

STORE NUMBER:

WILKINS AVE AND MAIDEN CHOICE LN
ARbutus, BALTIMORE COUNTY, MD

PROJECT TYPE:

DEAL TYPE:

CS PROJECT NUMBER:

ARCHITECT OF RECORD

BOHLER
ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

DEVELOPER

J.C. BAR DEVELOPMENT, LLC

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

ANDREW G. STINE

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 3907
PROFESSIONAL CERTIFICATION
ANDREW G. STINE, 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. 3907, EXPIRATION DATE: 7/31/19

REVISIONS

REV.	DATE	COMMENT	BY
1	11/30/17	REVISED BUILDING AND SITE LAYOUT	AGS
2	04/27/18	REVISED SITE LAYOUT	AGS

CHECKED BY: JUJ

DRAWN BY: RJM

DATE: 02/15/17

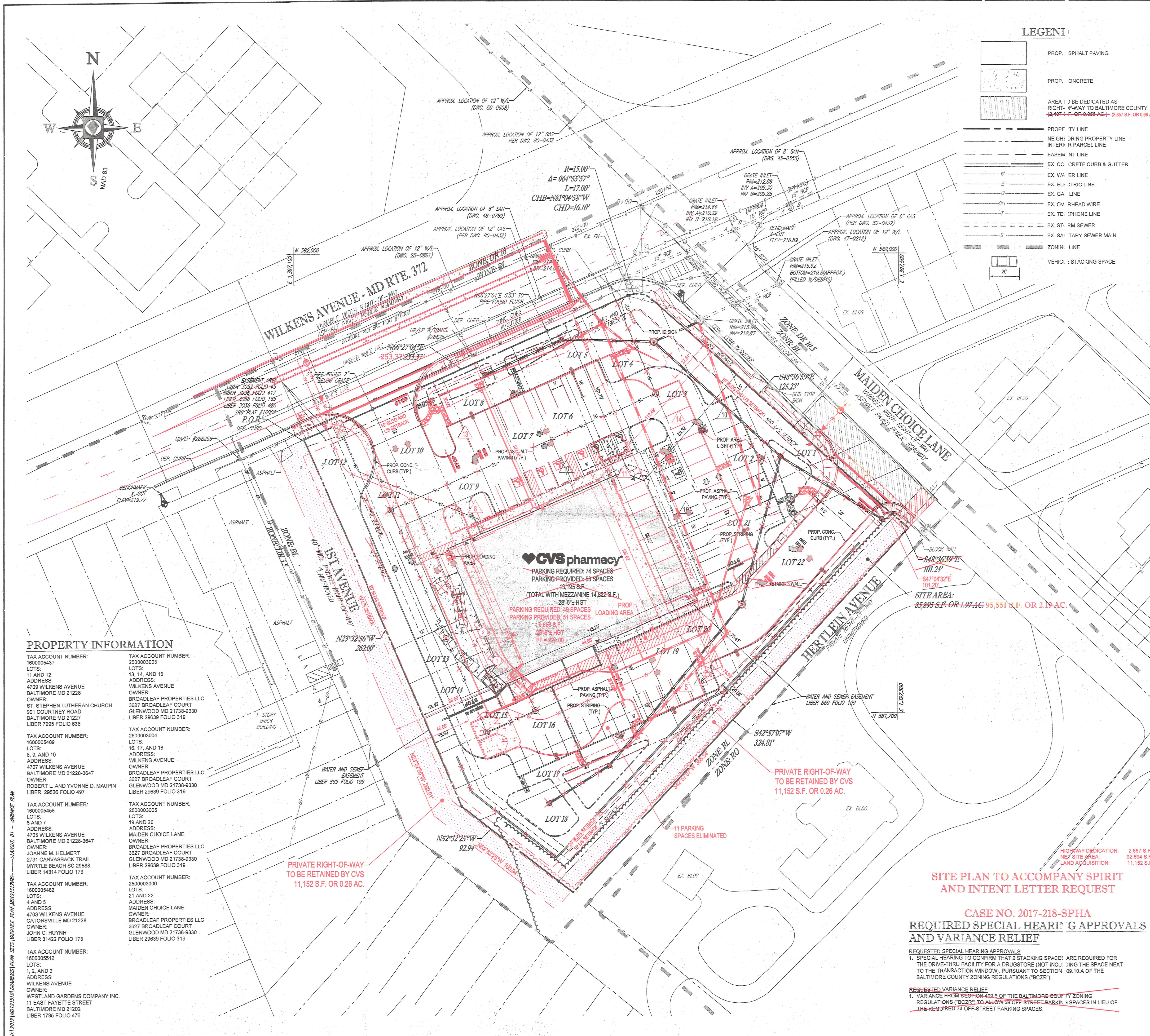
JOB NUMBER: MD121512

TITLE:
PLAN TO ACCOMPANY
VARIANCE REQUEST

SHEET NUMBER: 1

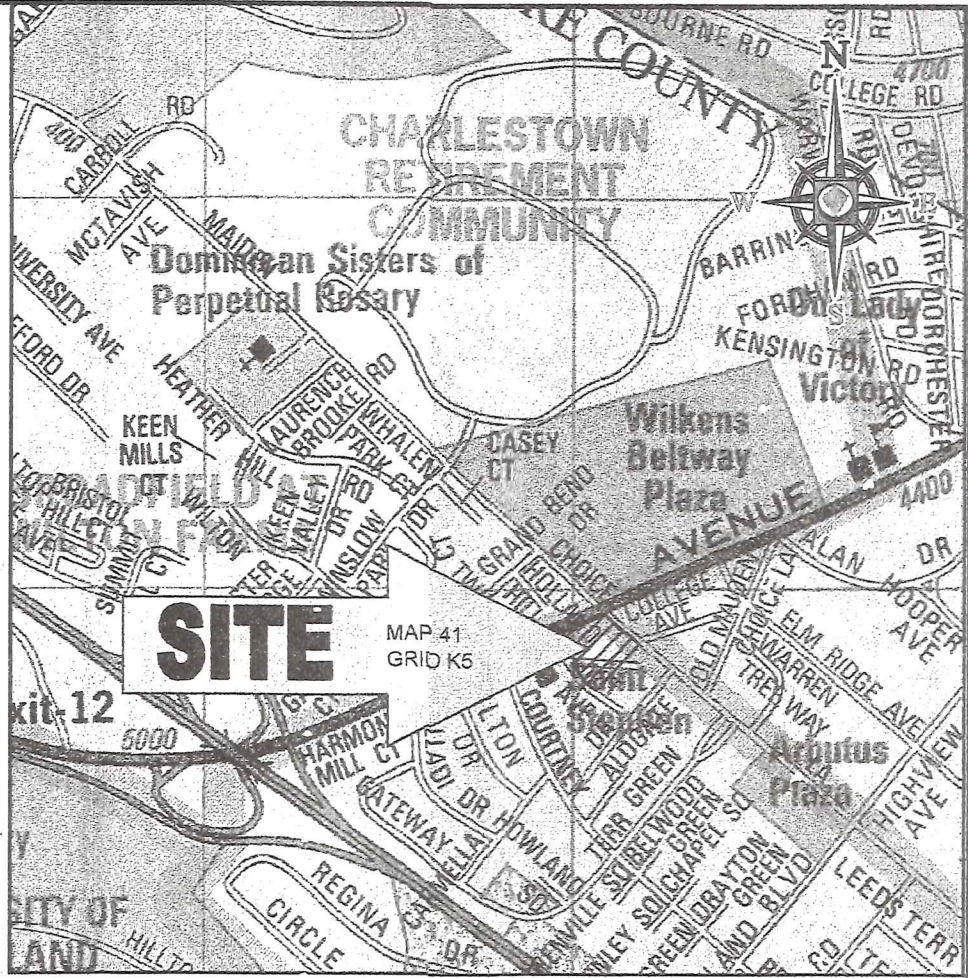
COMMENTS:
NOT FOR CONSTRUCTION

SITE PLAN ACCOMPANIED 5/8/18 SPIRIT & INTENT LETTER



LEGEN

- PROP. SPHALT PAVING
- PROP. ONCRETE
- AREA 1 TO BE DEDICATED AS RIGHT-OF-WAY TO BALTIMORE COUNTY (2,407 S.F. OR 0.055 AC) (2,857 S.F. OR 0.065 AC)
- PROPE TY LINE
- NEIGH DRING PROPERTY LINE
- INTER R PARCEL LINE
- EASEM NT LINE
- EX. CO CRETE CURB & GUTTER
- EX. WA ER LINE
- EX. ELI TRIC LINE
- EX. GA LINE
- EX. OV RHEAD WIRE
- EX. TEI PHONE LINE
- EX. STI RM SEWER
- EX. SAI TARY SEWER MAIN
- ZONINI LINE
- VEHIC I STACKING SPACE



COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602193-5
SCALE: 1"=100'

SITE NOTES

- THIS PLAN IS BASED ON AN ALTAINSPS LAND TITLE SURVEY PREPARED BY BOHLER ENGINEERING, ENTITLED "ALTAINSPS LAND TITLE SURVEY: CVSPHARMACY, WILKENS AVENUE-MD RTE. 372 AND MAIDEN CHOICE LANE, BALTIMORE COUNTY, MARYLAND," JOB NO. 8D121512, DATED 02/29/16 AND BALTIMORE COUNTY GIS.
- PROPERTY LOCATION: SOUTHWEST CORNER OF WILKENS AVENUE AND MAIDEN CHOICE LANE
- SITE AREA: 86,895 S.F. OR 1.97 AC ± 95,551 S.F. OR 2.19 AC.
- ELECTION DISTRICT: 13
- COUNCILMANIC DISTRICT: 1
- GIS TILE: 101C2
- GROWTH TIER: 1 (SERVED BY PUBLIC SEWER AND INSIDE URDL)
- TAX MAP: 101 GRID: 17 PARCEL: 1111 LOTS: 1-22 CENSUS TRACT: 430900
- EXISTING USE: RESIDENTIAL PROPOSED USE: PHARMACY
- ZONING HISTORY: R-1983-0019 A PETITION FOR ZONING RECLASSIFICATION FROM A D.R. 5.5 ZONE TO A RO ZONE WAS GRANTED ON AUGUST 12, 1982.
- 1985-0278-A A PETITION FOR VARIANCE FROM AREA AND HEIGHT REGULATIONS TO PERMIT A SIDE YARD SETBACK OF 0 FEET FROM THE SIDE LOT LINE AND 20 FEET FROM THE CENTERLINE OF THE STREET INSTEAD OF THE REQUIRED 30 FEET FROM THE SIDE LOT LINE AND 55 FEET FROM THE CENTERLINE OF THE STREET WAS GRANTED ON APRIL 12, 1985.
- THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND AND UNINCORPORATED AREAS, PANEL 389 OF 580", MAP NUMBER 2400100389F, MAP REVISED SEPTEMBER 28, 2008.
- THE SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- SIGNAGE ON THE SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450.
- LANDSCAPING ON THE SITE SHALL CONFORM WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

BULK REQUIREMENTS		
BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT YARD (NORTH)	10'	104'-70" 102'-50"
FRONT YARD (EAST)	10'	88'-92" 112'-49"
REAR YARD (SOUTH)	20'	78'-44" 74'-99"
SIDE YARD (WEST)	20'	68'-40" 86'-80"
LANDSCAPE SETBACKS	REQUIRED	PROVIDED
FRONT (NORTH)	10'	88'-99" 30'-00"
FRONT (EAST)	10'	12'-66" 27'-16"
REAR (SOUTH)	15'	20'-66" 23'-66"
SIDE (WEST)	15'	16'-66" 48'-00"
HEIGHT REQUIREMENTS	40' PERMITTED UNCONDITIONALLY	28'-5"

PARKING CALCULATIONS		
GROSS SITE AREA	86,895 S.F.	95,551 S.F.
GROSS FLOOR AREA	44,822 S.F.	9,859 S.F.
FLOOR AREA RATIO	0.47	0.10
RETAIL - GENERAL PARKING REQUIREMENTS	5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA	
PARKING REQUIRED	74 SPACES	48 SPACES
PARKING PROVIDED	50 SPACES	61 SPACES

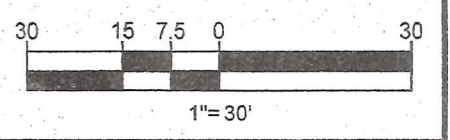
SITE PLAN TO ACCOMPANY SPIRIT AND INTENT LETTER REQUEST

CASE NO. 2017-218-SPHA
REQUIRED SPECIAL HEARING APPROVALS
AND VARIANCE RELIEF

REQUESTED SPECIAL HEARING APPROVALS
1. SPECIAL HEARING TO CONFIRM THAT 2 STACKING SPACES ARE REQUIRED FOR THE DRIVE-THRU FACILITY FOR A DRUGSTORE (NOT INCL. UNGING THE SPACE NEXT TO THE TRANSACTION WINDOW), PURSUANT TO SECTION 09.10.A OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR").

REQUESTED VARIANCE RELIEF
1. VARIANCE FROM SECTION 400.8 OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR") TO ALLOW 58 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 74 OFF-STREET PARKING SPACES.

PETITIONER'S EXHIBIT



PROPERTY INFORMATION

- TAX ACCOUNT NUMBER: 1600005437
LOTS: 11 AND 12
ADDRESS: 4709 WILKENS AVENUE
BALTIMORE MD 21228
OWNER: ST. STEPHEN LUTHERAN CHURCH
901 COURTNEY ROAD
BALTIMORE MD 21227
LIBER 7995 FOLIO 638
- TAX ACCOUNT NUMBER: 1600005489
LOTS: 8, 9, AND 10
ADDRESS: 4707 WILKENS AVENUE
BALTIMORE MD 21228-3647
OWNER: ROBERT L. AND YVONNE D. MAUPIN
LIBER 2952 FOLIO 497
- TAX ACCOUNT NUMBER: 1600005458
LOTS: 6 AND 7
ADDRESS: 4705 WILKENS AVENUE
BALTIMORE MD 21228-3647
OWNER: JOANNE M. HELMERT
2731 CANVASBACK TRAIL
MYRTLE BEACH SC 29588
LIBER 14314 FOLIO 173
- TAX ACCOUNT NUMBER: 1600005482
LOTS: 4 AND 5
ADDRESS: 4703 WILKENS AVENUE
CATONSVILLE MD 21228
OWNER: JOHN C. HUYNH
LIBER 31422 FOLIO 173
- TAX ACCOUNT NUMBER: 2500003003
LOTS: 13, 14, AND 15
ADDRESS: WILKENS AVENUE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 319
- TAX ACCOUNT NUMBER: 2500003004
LOTS: 16, 17, AND 18
ADDRESS: WILKENS AVENUE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 319
- TAX ACCOUNT NUMBER: 2500003006
LOTS: 19 AND 20
ADDRESS: MAIDEN CHOICE LANE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 319
- TAX ACCOUNT NUMBER: 2500003008
LOTS: 21 AND 22
ADDRESS: MAIDEN CHOICE LANE
OWNER: BROADLEAF PROPERTIES LLC
3627 BROADLEAF COURT
GLENWOOD MD 21738-9330
LIBER 29639 FOLIO 319
- TAX ACCOUNT NUMBER: 2500005512
LOTS: 1, 2, AND 3
ADDRESS: WILKENS AVENUE
OWNER: WESTLAND GARDENS COMPANY INC.
11 EAST FAYETTE STREET
BALTIMORE MD 21202
LIBER 1795 FOLIO 476



13K RL BUMPOUT

STORE NUMBER:

WILKENS AVE AND MAIDEN CHOICE LN
ARBUS, BALTIMORE COUNTY, MD

PROJECT TYPE:

DEAL TYPE:

CS PROJECT NUMBER:

ARCHITECT OF RECORD



301 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

DEVELOPER

J.C. BAR DEVELOPMENT, LLC

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

ANDREW G. STINE

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 2707
PROFESSIONAL CERTIFICATION
ANDREW G. STINE, 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. 37687, EXPIRATION DATE: 7/31/19

REVISIONS

REV.	DATE	COMMENT	BY
1	11/30/17	REVISED BUILDING SETBACKS TO WHITE LAYOUT	AGS
2	04/27/18	REVISED SITE LAYOUT	AGS

CHECKED BY:

JJU

DRAWN BY:

RJM

DATE:

02/15/17

JOB NUMBER:

MD121512

TITLE:

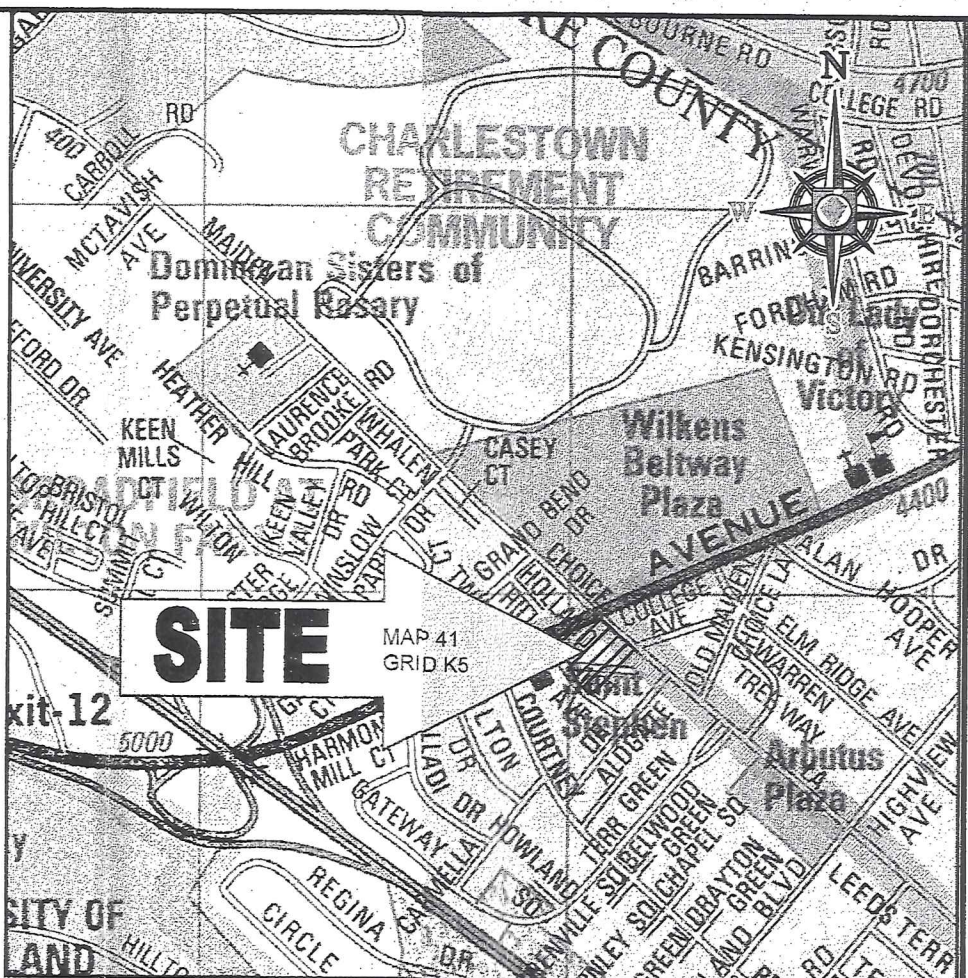
PLAN TO ACCOMPANY
VARIANCE REQUEST

SHEET NUMBER:

1

COMMENTS:

NOT FOR CONSTRUCTION



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

1. THIS PLAN IS BASED ON AN ALTAN/SPS LAND TITLE SURVEY PREPARED BY BOHLER ENGINEERING, ENTITLED "ALTAN/SPS LAND TITLE SURVEY: CUSPASHAN/PA, WILKENS AVENUE-MD RTE. 372 AND MAIDEN CHOICE LANE, BALTIMORE COUNTY, MARYLAND," JOB NO. SD121512, DATED 02/28/16 AND BALTIMORE COUNTY GIS.
2. PROPERTY LOCATION:
SOUTHWEST CORNER OF WILKENS AVENUE AND MAIDEN CHOICE LANE
3. SITE AREA:
85,895 S.F. OR 1.97 AC.±
4. ELECTION DISTRICT: 13
5. COUNCILMANIC DISTRICT: 1
6. GIS TILE: 101C2
7. GROWTH TIER: 1 (SERVED BY PUBLIC SEWER AND INSIDE URLD)
8. TAX MAP: 101
GRID: 17
PARCEL: 1111
LOTS: 1 - 22
CENSUS TRACT: 43080
9. EXISTING USE: RESIDENTIAL
PROPOSED USE: PHARMACY
10. ZONE: BL
11. ZONING HISTORY:
R-1983-0219
A PETITION FOR ZONING RECLASSIFICATION FROM A D.R. 5.5 ZONE TO A R7 ZONE WAS GRANTED ON AUGUST 12, 1982.

1985-0278-A
A PETITION FOR VARIANCE FROM AREA AND HEIGHT REGULATIONS TO PERMIT A SIDE YARD SETBACK OF 5 FEET FROM THE SIDE LOT LINE AND 20 FEET FROM THE SIDE LOT LINE TO THE STREET INSTEAD OF THE REQUIRED 30 FEET FROM THE SIDE LOT LINE AND 55 FEET FROM THE CENTERLINE OF THE STREET WAS GRANTED ON APRIL 12, 1985.
12. THE PROPERTY IS LOCATED IN OTHER AREAS' ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, UNINCORPORATED AREAS, PANEL 359 OF 589", MAP NUMBER 240010339SF, MAP REVISED SEPTEMBER 26, 2008.
13. THE SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER.
14. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
15. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
16. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
17. SIGNAGE ON THE SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450.
18. LANDSCAPING ON THE SITE SHALL CONFORM WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS.
19. THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
20. THERE ARE NO HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

BULK REQUIREMENTS		
BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT YARD (NORTH)	10'	101.70'
FRONT YARD (EAST)	10'	89.32'
REAR YARD (SOUTH)	20'	70.41'
SIDE YARD (WEST)	20'	53.40'
LANDSCAPE SETBACKS	REQUIRED	PROVIDED
FRONT (NORTH)	10'	30.50'
FRONT (EAST)	10'	12.65'
REAR (SOUTH)	15'	20.68'
SIDE (WEST)	15'	15.50'
HEIGHT REQUIREMENTS	40' PERMITTED UNCONDITIONALLY	28.5 ±

PARKING CALCULATIONS	
GROSS SITE AREA	85,895 S.F.
GROSS FLOOR AREA	14,822 S.F.
FLOOR AREA RATIO	0.17
RETAIL - GENERAL PARKING REQUIREMENTS	5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
PARKING REQUIRED	74 SPACES
PARKING PROVIDED	58 SPACES

1. SPECIAL HEARING TO CONFIRM THAT 2 STACKING SPACES ARE REQUIRED FOR THE DRIVE-THRU FACILITY FOR A DRUGSTORE (NOT INCLUDING THE SPACE NEXT TO THE TRANSACTION WINDOW). PURSUANT TO SECTION 409.10.A OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR").

THE REQUIRED 74 OFF-STREET PARKING SPACES.

NOT FOR CONSTRUCTION

CVS
pharmacy

13K RL BUMPOUT

STORE NUMBER:

WILKENS AVE AND MAIDEN CHOICE LN
ARBUTUS, BALTIMORE COUNTY, MD

PROJECT TYPE:

DEAL TYPE:

CS PROJECT NUMBER:

ARCHITECT OF RECORD

BOHLER
ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

DEVELOPER

J.C. BAR DEVELOPMENT, LLC

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

REVISIONS

REV: DATE: COMMENT: BY:

CHECKED BY: MJG

DRAWN BY: DML

DATE: 04/17/17

JOB NUMBER: MD121512

TITLE:

ZONING MAP EXHIBIT

SHEET NUMBER:

1

COMMENTS:
NOT FOR CONSTRUCTION



BALTIMORE COUNTY ZONING

PETITIONER'S EXHIBIT

5



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4



5



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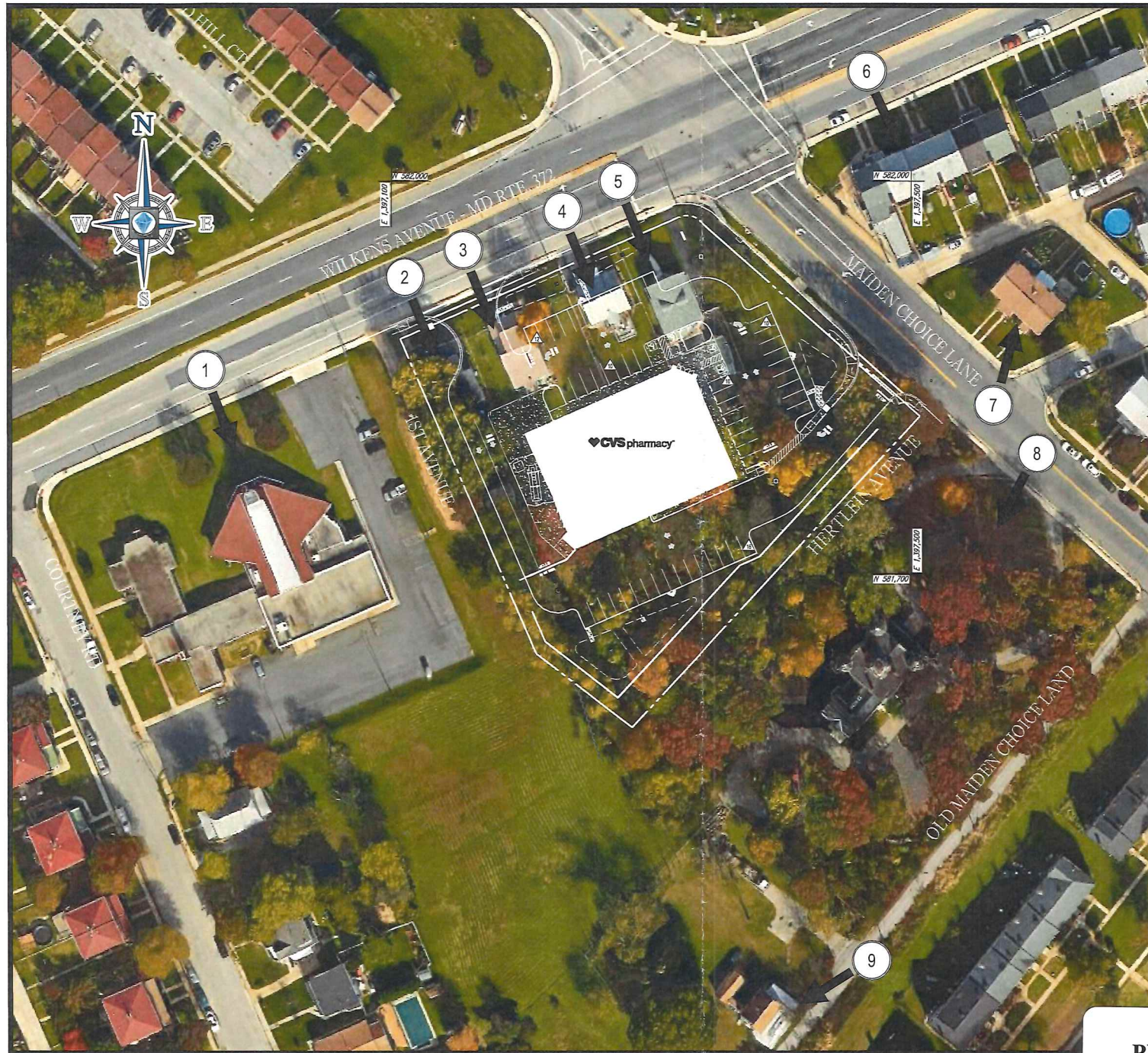
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2



1



PETITIONER'S EXHIBIT



CVS
pharmacy

13K RL BUMP-OUT

STORE NUMBER:

WILKENS AVE AND MAIDEN CHOICE LN
ARBUTUS, BALTIMORE COUNTY, MD

PROJECT TYPE:

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REVISIONS

REV.	DATE	COMMENT	BY

CHECKED BY: M/J

DRAWN BY: DML

DATE: 04/17/17

JOB NUMBER: MD121512

TITLE:

PHOTO EXHIBIT

SHEET NUMBER:

1

COMMENTS:
NOT FOR CONSTRUCTION



EAST ELEVATION (MAIDEN CHOICE LN.)

SCALE: 1/8"



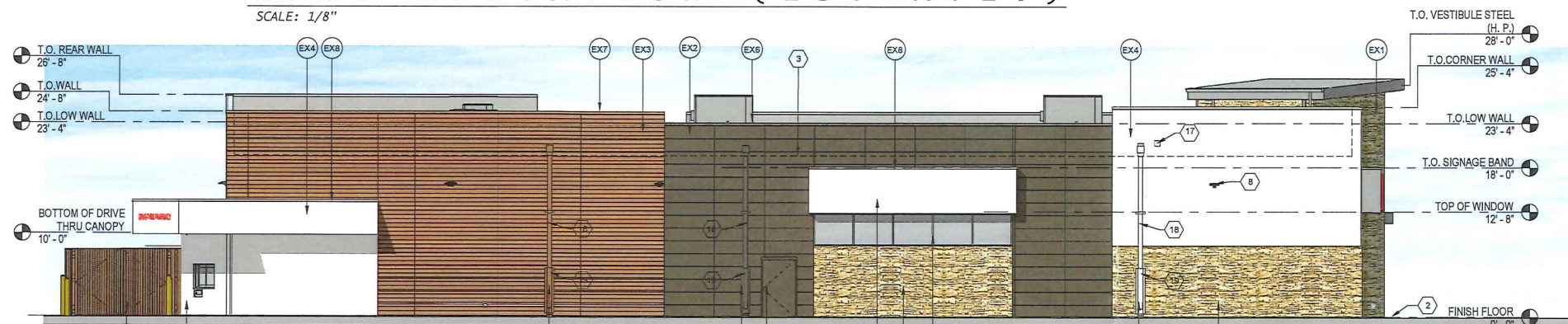
NORTH ELEVATION (WILKENS AVE.)

SCALE: 1/8"



WEST ELEVATION (1ST AVE.)

SCALE: 1/8"



SOUTH ELEVATION (HERTLEIN AVE.)

SCALE: 1/8"

EXTERIOR MATERIAL SCHEDULE			
Material Mark	Material Manufacturer	Material Description	Sealant Color
EX1	NICHIHA	STACKED STONE KURASTONE, COLOR: DESERT, FINISH: TEXTURED, SIZE: 6" X 25-5/8" FLASHING AND PARAPET CAP PAINTED IN FIELD TO MATCH - XP4	
EX2	NICHIHA	ILLUMINATION SERIES, COLOR: BENJAMIN MOORE NORTH CREEK BROWN 1001, FINISH: SMOOTH, SIZE: 18" X 6-0" FLASHING AND PARAPET CAP PAINTED IN FIELD TO MATCH - XP1	
EX3	NICHIHA	VINTAGEWOOD, COLOR: CEDAR, FINISH: TEXTURED, SIZE: 18" X 10-0"	
EX4	STO	STO LOTUSAN SYSTEM, 191 STOLT, LOTUSAN 1.5, COLOR, 9433 80 STO WHITE RED, SIZE: 6" X 25-5/8" FLASHING AND PARAPET CAP PAINTED IN FIELD TO MATCH - XP3	
EX5		ANODIZED ALUMINUM COPING/FLASHING	
EX6	FIRESTONE	METAL ROOF EDGE, COLOR: PAINT, BM 1001 (4B) NORTH CREEK BROWN, FINISH: SATIN	
EX7	FIRESTONE	METAL ROOF EDGE, COLOR: PAINT MATCH SHERWIN WILLIAMS BAKED COOKIE SW9088	
EX8	FIRESTONE	METAL ROOF EDGE, COLOR: PAINT TO MATCH STO 9433 80 WHITE	
EX9	RE-SPECIFICATIONS	PLASTIC TO MATCH OSHA YELLOW	
XP1	BENJAMIN MOORE	PAINT, BM 1001 (4B) NORTH CREEK BROWN, FINISH: SATIN	
XP3	STO	PAINT, MATCH 9433 80 STO WHITE, FINISH: SATIN	
XP4	SHERWIN WILLIAMS	PAINT, SW 7731 San Antonio Sage, FINISH: SATIN	

EXTERIOR KEYED NOTES	
#	Notes
1	DOWNSPOUT NOZZLE
2	APPROXIMATE FINISHED GRADE, RE: CIVIL
3	ROOF LINE, TYP.
4	RE: SIGNAGE PACKAGE
5	LIGHT FIXTURE, RE: ELEC.
6	STORE HOURS PLAQUE
7	RAINHOOD
8	EXTERIOR WALL PACK LIGHT, RE: ELEC.
9	LINE OF RTU BEYOND
10	BOLLARD
11	CEDAR PLANK TRASH ENCLOSURE
12	NOT USED
13	DRIVE THRU DOWNSPOUT
14	NOT USED
15	NOT USED
16	PHARMACY ADVERTISING DISPLAY BOARD
17	OVERFLOW SCUPPER
18	DOWNSPOUT
19	DOWNSPOUT GUARD
20	NOT USED
21	NOT USED
22	NOT USED
23	NOT USED

CVS 10588 CS 077490 ARBUTUS, MD WILKENS AVE. & MAIDEN CHOICE LN



PETITIONER'S EXHIBIT

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01.13.2017