

5/16/18

IN THE MATTER OF
COMPASS, LLC-LEGAL OWNERS
5512 EBENEZER ROAD, LLC – CONTRACT
PURCHASER AND PETITIONERS FOR SPECIAL
EXCEPTION ON THE PROPERTY LOCATED AT
5512 EBENEZER ROAD
11TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 17-292-X

* * * * *

ORDER OF DISMISSAL

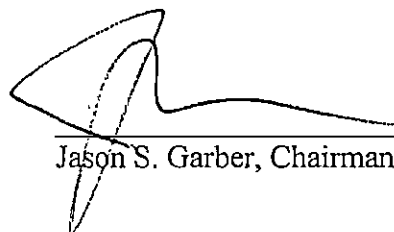
This matter comes to the Board of Appeals by way of an appeal filed by Patricia Malone, Esquire and Adam Rosenblatt, Esquire on behalf of 5512 Ebenezer road, LLC, Petitioners and Appellants, from a final decision of the Administrative Law Judge dated August 4, 2017, in which the requested zoning relief was denied.

WHEREAS, the Board is in receipt of a letter of voluntary withdrawal of appeal filed on April 17, 2018, by Patricia Malone, Esquire on behalf of Petitioners/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WHEREAS, said Petitioner /Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of April 17, 2018,

IT IS ORDERED this 16th day of May, 2018 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 17-292-X be and the same is hereby **DISMISSED with prejudice.**

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Jason S. Garber, Chairman

Patricia A. Malone
Counsel

t 410.494.6206
f 410.821.0147
pamalone@venable.com

HAND-DELIVERED

April 17, 2018

Krysundra "Sunny" Cannington, Administrator
Baltimore County Board of Appeals
The Jefferson Building
105 W. Chesapeake Avenue, Room 203
Towson, Maryland 21204

Re: In re: Petition for Special Exception
Case No. 2017-0292-X
Property: 5512 Ebenezer Road

Dear Ms. Cannington:

By way of this letter, I am formally dismissing the appeal in the above-referenced matter. If you have any questions, please feel free to contact me.

Very truly yours,



Patricia A. Malone

cc: Ms. Shannon Hexter
David S. Sellman, Esq.





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

May 16, 2018

Patricia A. Malone, Esquire
Adam M. Rosenblatt, Esquire
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Re: *In the Matter of: Compass, LLC – Legal Owner*
5512 Ebenezer Road, LLC – Contract Purchaser
Case No.: 17-292-X

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,

A handwritten signature in cursive script, reading "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure

c: Timothy Battaglia, Member/Compass, LLC
Gregory Rochlin, Member/5512 Ebenezer Road, LLC
Keith Randlett
Devin Crum
Office of People's Counsel
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

8/8/17



**IN RE: PETITION FOR SPECIAL
EXCEPTION**

(5512 Ebenezer Road)

**11th Election District
6th Councilmanic District**

**Compass, LLC, *Legal Owner*
5512 Ebenezer Road, LLC,
*Contract Purchaser***

* **BEFORE THE**
* **OFFICE OF**
* **ADMINISTRATIVE HEARINGS**
* **FOR BALTIMORE COUNTY**

* **Case No. 2017-0292-X**

*

* * * * *

NOTICE OF APPEAL

Appellant 5512 Ebenezer Road, LLC, by Patricia A. Malone and Adam M. Rosenblatt with Venable LLP, its attorneys, in accordance with Section 32-3-401 of the Baltimore County Code, files this Notice of Appeal from the final decision of the Administrative Law Judge ("ALJ") denying Appellant's Petition for Special Exception as outlined in the Administrative Law Judge's Opinion and Order, dated August 4, 2017, which is attached hereto and incorporated herein as Exhibit A.

1. In compliance with Rule 3(a) of the Rules of Practice and Procedure of County Board of Appeals, Appellant states its name and address for the record:

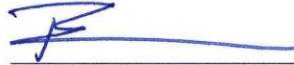
5512 Ebenezer Road, LLC

Principal Office:
3626 Anton Farm Road
Baltimore, Maryland 21208

Resident Agent:
David S. Sellman
The Cooperage
2201 Old Court Road
Baltimore, Maryland 21208

2. Appellant files concurrently with this Notice of Appeal a check made payable to Baltimore County to cover the costs of the appeal.

Respectfully submitted



Patricia A. Malone
Adam M. Rosenblatt
Venable, LLP
210 W. Pennsylvania Avenue
Suite 500
Towson, Maryland 21204
(410) 494-6200
Attorneys for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 2017, a copy of the foregoing NOTICE OF APPEAL was mailed to: Keith Randlett, 8902 Cowenton Avenue, Perry Hall, Maryland 21128; and Devin Crum, 513 Eastern Boulevard, Essex, Maryland 21221.



Patricia A. Malone

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
(5512 Ebenezer Road)		
11 th Election District	*	OFFICE OF
6 th Council District		
Compass, LLC	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
5512 Ebenezer Road, LLC	*	FOR BALTIMORE COUNTY
<i>Contract Purchaser</i>		
Petitioners	*	Case No. 2017-0292-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Exception filed on behalf of Compass, LLC, legal owner, and 5512 Ebenezer Road, LLC, contract purchaser ("Petitioners"). The Special Exception was filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") to use the herein described property for a medical cannabis dispensary.

Shannon Hexter and registered landscape architect David Martin appeared in support of the petition. Patricia A. Malone, Esq. represented the Petitioners. Two area residents opposed the request. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request, but indicated landscaping and lighting plans should be provided:

The subject property is approximately 33,068 square feet and is zoned BL. The property is situated at the intersection of Red Lion and Ebenezer Roads, and is improved with a one-story commercial building. A guitar and music store was most recently operated at the site, and Petitioners propose to operate a medical cannabis dispensary. Since the property is located within the Cowenton-Ebenezer Commercial Revitalization District (Petitioners' Exhibit 2), a special exception is required for the use. B.C.Z.R. §4D-102.A.2.

EXHIBIT A

Patricia A. Malone
Counsel

t 410.494.6206
f 410.821.0147
pamalone@venable.com

August 8, 2017

Andrew M. Belt, Chairman
Baltimore County Board of Appeals
The Jefferson Building
105 W. Chesapeake Avenue, Room 203
Towson, Maryland 21204

Re: In re: Petition for Special Exception
Case No. 2017-0292-X
Property: 5512 Ebenezer Road



Dear Chairman Belt:

With this letter, I am enclosing a copy of a Notice of Appeal, which was filed today with the Office of Administrative Hearings in the above-referenced case. I am writing to ask that the hearing in this matter be scheduled for the soonest available date.

This case involves zoning relief requested for a medical cannabis dispensary. The Maryland Medical Cannabis Commission has given pre-approval to my client to open a dispensary in the 7th Legislative District of Maryland, which district includes portions of Baltimore and Harford Counties. The 5512 Ebenezer Road property is located within the 7th Legislative District. The property's location within a County-designated Commercial Revitalization District, however, requires that a special exception be obtained for this use.

The reason for my requesting priority in scheduling is because my client only has until December 9, 2017, to secure a premises, bring the premises up to applicable standards, and open the dispensary or risk losing its pre-approval status.

I appreciate your consideration of my request.

Very truly yours,

Patricia A. Malone

cc: Krysundra L. Cannington, Administrator
Keith Randlett
Devin Crum

8/4/17

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
(5512 Ebenezer Road)		
11 th Election District	*	OFFICE OF
6 th Council District		
Compass, LLC	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
5512 Ebenezer Road, LLC	*	FOR BALTIMORE COUNTY
<i>Contract Purchaser</i>		
Petitioners	*	Case No. 2017-0292-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Exception filed on behalf of Compass, LLC, legal owner, and 5512 Ebenezer Road, LLC, contract purchaser ("Petitioners"). The Special Exception was filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") to use the herein described property for a medical cannabis dispensary.

Shannon Hexter and registered landscape architect David Martin appeared in support of the petition. Patricia A. Malone, Esq. represented the Petitioners. Two area residents opposed the request. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request, but indicated landscaping and lighting plans should be provided.

The subject property is approximately 33,068 square feet and is zoned BL. The property is situated at the intersection of Red Lion and Ebenezer Roads, and is improved with a one-story commercial building. A guitar and music store was most recently operated at the site, and Petitioners propose to operate a medical cannabis dispensary. Since the property is located within the Cowenton-Ebenezer Commercial Revitalization District (Petitioners' Exhibit 2), a special exception is required for the use. B.C.Z.R. §4D-102.A.2.

ORDER RECEIVED FOR FILING

Date 8/4/17
By Sen

Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

In this case, the special exception standards were primarily addressed by David Martin, a landscape architect accepted as an expert. Mr. Martin described in detail the site plan and the improvements proposed, which in his opinion would dramatically improve ingress and egress from the site. In terms of its impact on the community, Mr. Martin opined that the medical cannabis dispensary would have less of an impact than would other uses permitted by right in the BL zone. The witness indicated a medical clinic (*see* B.C.Z.R. §230.1.A.9) is permitted by right and would have a greater impact (in terms of traffic, etc.) than the proposed dispensary.

While I do not dispute the validity or accuracy of this testimony, it is insufficient as a matter of law to sustain the applicant's burden under the above case-law. In *Gowl v. Atlantic Richfield Co.*, 27 Md. App. 410 (1975), the court of special appeals held it was proper, in considering a petition for special exception, to compare the negative impacts of the proposed use with other uses permitted by right in the zone. *Id.* at 417. In *Schultz v. Pritts*, 291 Md. 1 (1981) the court of appeals held "the standard articulated in *Gowl* is inappropriate," and indicated the applicable test is the one set forth above, as recently articulated in *Attar*.

ORDER RECEIVED FOR FILING

Date 8/4/17
By Sen

THEREFORE, IT IS ORDERED this 4th day of **August, 2017**, by this Administrative Law Judge, that the Petition for Special Exception to use the herein described property for a medical cannabis dispensary, be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 8/4/17

By slh



KEVIN KAMENETZ
County Executive

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

August 4, 2017

Patricia Malone, Esq.
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: Petition for Special Exception
Case No. 2017-0292-X
Property: 5512 Ebenezer Road

Dear Mrs. Malone:

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:sln
Enclosure

c: Devin Crum, 513 Eastern Blvd., Essex, Maryland 21221
Keith Randlett, 8902 Cowenton Avenue, Perry Hall, Maryland 21128



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 5512 Ebenezer Road and Red Lion Road which is presently zoned BL
Deed References: 16278/665 10 Digit Tax Account # 1 1 1 8 0 5 0 1 9 2;
Property Owner(s) Printed Name(s) Compass, LLC 1 1 1 8 0 5 0 1 9 1

(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. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for a medical cannabis dispensary, pursuant to BCZR Sections 4D-102.A.2 and 502.1.
3. a **Variance** from Section(s)

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:

SEE ATTACHMENT TO PETITION

Name- Type or Print _____
Signature _____
Date _____
Mailing Address _____ City _____ State _____
By _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Patricia A. Malone, Esq.

A. Neill Thupari, Esq.

Name- Type or Print _____

Signature _____
210 W. Pennsylvania Avenue, Suite 500, Towson, MD
Mailing Address _____ City _____ State _____
21204 / (410) 494-6200 / pamalone@venable.com
Zip Code _____ Telephone # _____ Email Address anthupari@venable.com

Legal Owners (Petitioners):

Timothy Battaglia, Member /
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
5512 Ebenezer Road, White Marsh, MD
Mailing Address _____ City _____ State _____
21162-1712 (443) 506-6050
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Patricia A. Malone, Esq.

A. Neill Thupari, Esq.

Name - Type or Print _____

Signature _____
210 W. Pennsylvania Avenue, Suite 500, Towson, MD
Mailing Address _____ City _____ State _____
21204 / (410) 494-6200 / pamalone@venable.com
Zip Code _____ Telephone # _____ Email Address anthupari@venable.com

CASE NUMBER 2017-0292-X Filing Date 5/1/17

Do Not Schedule Dates: _____ Reviewer g

REV. 10/4/11

2017-0292-X

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COMPASS, LLC

5512 EBENEZER ROAD
RED LION ROAD

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

Contract ~~Lessee:~~ Purchaser:

5512 Ebenezer Road, LLC
P.O. Box 195
Stevenson, Maryland 21208
Telephone: (410) 365-4081

By:


Gregory Rochlin

Title: Member

REVISED

MARTIN

MARTIN
&
PHILLIPS

PHILLIPS

&

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

ZONING DESCRIPTION

July 6, 2017

COMPASS LLC (Legal Owner)
5512 Ebenezer Road
Baltimore, MD 21162
Election District 11
Councilmanic District 6

Beginning for the description of Parcels 0334 & 1003 on tax map 72 in Baltimore County, at the centerline intersections of Ebenezer Road having a variable right of way and MD. Route 40 (Pulaski Highway) 150' wide thence N 45° 45' 56" W 184.62' feet more or less to a point of beginning at the southeastern most corner of the subject address,

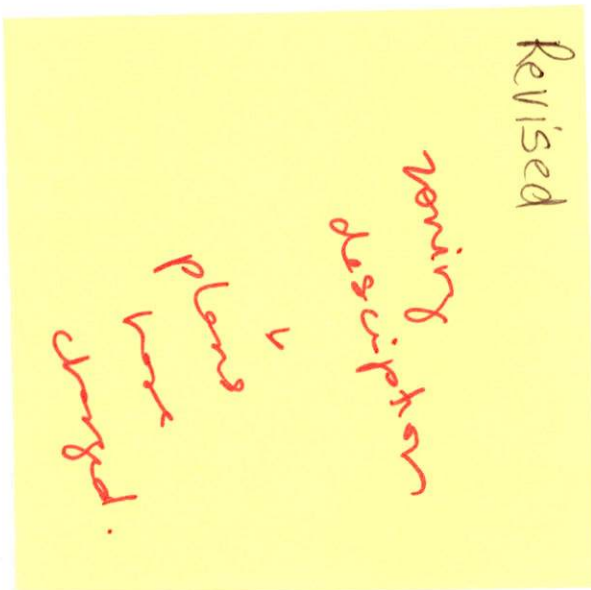
Thence the following courses:

- 1) N34° 00' 06" W, 117.04', more or less, thence
- 2) N48° 22' 09" E, 153.31' more or less, thence
- 3) N35° 54' 32" W, 138.40' more or less, thence
- 4) N27° 36' 31" E, 38.31' more or less, thence
- 5) S38° 33' 49" E, 249.93' more or less, thence
- 6) S43° 17' 10" W, 205.91' more or less, back to the point of beginning

Containing 33,068 Square Feet or .653 Acres of area more or less.

The above bearings are based on the Maryland State Coordinate System (NAD83/91).

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.



321.8444, TOLL FREE: 866.395.8595
FAX: 410.321.1175

2017-0292X

MARTIN

MARTIN
&
PHILLIPS

PHILLIPS

&

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

ZONING DESCRIPTION

April 24, 2017

COMPASS LLC (Legal Owner)
5512 Ebenezer Road
Baltimore, MD 21162
Election District 11
Councilmanic District 6

Beginning for the description of Parcel 334 on tax map 72 in Baltimore County, at the centerline intersections of Ebenezer Road having a variable right of way and MD. Route 40 (Pulaski Highway) 150' wide thence N 45° 45' 56" W 184.62' feet more or less to a point of beginning at the southeastern most corner of the subject address,

Thence the following courses:

- 1) N34° 00' 06" W, 117.04', more or less, thence
- 2) N48° 22' 09" E, 122.94' more or less, thence
- 3) S45° 40' 06" E, 103.82', more or less, thence
- 4) S43° 17' 10" W, 146.36' more or less, back to the point of beginning

Containing 14,749.42 Square Feet or .3386 Acres of area more or less.

The above bearings are based on the Maryland State Coordinate System (NAD83/91).

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.



TELEPHONE: 410.321.8444, TOLL FREE: 866.395.8595
FAX: 410.321.1175

2017-292-X

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

NO 154875

Date: 7/10/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	206	000		1150				250.00

Total: 250.00

Rec From: Vonabk

For: 2017-0292-X Division
5512 T. Benozzi Rd

DISTRIBUTION

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

PAID RECEIPT

MISCELLANEOUS ALIEN TIME 000
 7/10/2017 7/10/2017 10:17:57 3
 001 0000 000000 100
 RECEIPT NO 903016 7/10/2017 0010
 REP 1 1 100 7/10/2017 VERIFICATION
 10 00 154875
 Receipt Tot \$250.00
 150.00 07 1.00 10
 Software Company, Inc. 1/1/17

**CASHIER'S
 VALIDATION**

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

No 153050

Date: 5/1/17

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Dept	Obj	BS Acct	Amount
201	806	000		10150					500.00

Total: 500.00

Rec From: Venable

For: 5512 Ebenezer RD
2017-0292-X

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME
5/01/2017 5/01/2017 09:39:07
REG 0503 WALKIN CASH
>>RECEIPT # 724338 5/01/2017 U-LP
Dept 5 528 ZONING VERIFICATION
CR NO. 153050
Receipt Tot 1500.00
\$500.00 CR 1.00 CR
Baltimore County, Maryland

CASHIER'S
VALIDATION

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

Nº 143338

Date:

8/8/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	000		6150				385.00

Total:

385.00

Rec
From:

Venable

For:

5512 Cheney Rd

2017-0292-X

CK# 4166184

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DR
8/08/2017 8/08/2017 11:10:51 2

REG WSO2 WALKIN JEE

>>RECEIPT # 020526 8/08/2017 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 143338

Recpt Tot \$385.00

\$385.00 CK \$1.00 CA

Baltimore County, Maryland

**CASHIER'S
VALIDATION**

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

1. This screen allows you to search the Real Property database and display property records.
2. Click **here** for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

CERTIFICATE OF POSTING

2017-0292-X

RE: Case No.: _____

Petitioner/Developer: _____

**Timothy Battaglia, Member
Gregory Rochlin**

July 31, 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: _____

5512 Ebenezer Road

July 11, 2017

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



Sincerely,

July 11, 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)

ZONING NOTICE

CASE # 2017-0292-X

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. TOWSON MD 21204
DATE AND TIME: Monday, July 31, 2017 at 1:30 p.m.

REQUEST: Special Exception to use
herein described property for a
medical cannabis dispensary.

THIS NOTICE IS TO BE DISPLAYED IN A CONSPICUOUS LOCATION ON THE PROPERTY FOR A PERIOD OF 14 DAYS PRIOR TO THE HEARING. IT SHALL BE REMOVED IMMEDIATELY UPON THE HEARING DATE.

IT IS THE POLICY OF THE ZONING COMMISSIONER TO PROVIDE A PUBLIC HEARING FOR ALL APPLICANTS.

HANDICAPPED ACCESSIBLE



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 5059447

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:

Jul 11, 2017

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: # 2017-0292-X
5512 Ebenezer Road
S/corner of Ebenezer Road and Red Lion Road
11th Election District - 6th Councilmanic District
Legal Owner(s) Timothy Battaglia, Member
Contract Purchaser/Lessee: Gregory Rochlin

Special Exception: to use herein described property for a medical cannabis dispensary.

Hearing: Monday, July 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.

JT 7/638 July 11 5059 447

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

**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: 2017-0292-X

Property Address: 5512 EBENEZER RD + RED LION RD.

Property Description: S CORNER OF EBENEZER RD & RED LION RD

Legal Owners (Petitioners): TIMOTHY BATTAGLIA

Contract Purchaser/Lessee: 5512 EBENEZER ROAD LLC, GREGORY ROCKLIN

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 6, 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

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: 2017-0292-X

5512 Ebenezer Road

S/corner of Ebenezer Road and Red Lion Road

11th Election District – 6th Councilmanic District

Legal Owners: Timothy Battaglia, Member

Contract Purchaser/Lessee: Gregory Rochlin

Special Exception to use herein described property for a medical cannabis dispensary.

Hearing: Friday, July 28, 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.
- (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*

June 5, 2017

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: 2017-0292-X

5512 Ebenezer Road

S/corner of Ebenezer Road and Red Lion Road

11th Election District – 6th Councilmanic District

Legal Owners: Timothy Battaglia, Member

Contract Purchaser/Lessee: Gregory Rochlin

Special Exception to use herein described property for a medical cannabis dispensary.

Hearing: Friday, July 28, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Patricia Malone/Neil Thupari, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Timothy Battaglia, 5512 Ebenezer Road, White Marsh 21162
Gregory Rochlin, 5512 Ebenezer Road, P.O. Box 195, Stevenson 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 8, 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.



KEVIN KAMENETZ
County Executive

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

June 13, 2017

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2017-0292-X

5512 Ebenezer Road

S/corner of Ebenezer Road and Red Lion Road

11th Election District – 6th Councilmanic District

Legal Owners: Timothy Battaglia, Member

Contract Purchaser/Lessee: Gregory Rochlin

Special Exception to use herein described property for a medical cannabis dispensary.

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



Arnold Jablon
Director

AJ:kl

C: Patricia Malone/Neil Thupari, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Timothy Battaglia, 5512 Ebenezer Road, White Marsh 21162
Gregory Rochlin, 5512 Ebenezer Road, P.O. Box 195, Stevenson 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 11, 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.

Patricia A. Malone
Counsel

t 410.494.6206
f 410.821.0147
pamalone@venable.com

August 8, 2017

Andrew M. Belt, Chairman
Baltimore County Board of Appeals
The Jefferson Building
105 W. Chesapeake Avenue, Room 203
Towson, Maryland 21204



Re: In re: Petition for Special Exception
Case No. 2017-0292-X
Property: 5512 Ebenezer Road

Dear Chairman Belt:

With this letter, I am enclosing a copy of a Notice of Appeal, which was filed today with the Office of Administrative Hearings in the above-referenced case. I am writing to ask that the hearing in this matter be scheduled for the soonest available date.

This case involves zoning relief requested for a medical cannabis dispensary. The Maryland Medical Cannabis Commission has given pre-approval to my client to open a dispensary in the 7th Legislative District of Maryland, which district includes portions of Baltimore and Harford Counties. The 5512 Ebenezer Road property is located within the 7th Legislative District. The property's location within a County-designated Commercial Revitalization District, however, requires that a special exception be obtained for this use.

The reason for my requesting priority in scheduling is because my client only has until December 9, 2017, to secure a premises, bring the premises up to applicable standards, and open the dispensary or risk losing its pre-approval status.

I appreciate your consideration of my request.

Very truly yours,

Patricia A. Malone

cc: Krysundra L. Cannington, Administrator
Keith Randlett
Devin Crum



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

August 15, 2017

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Compass, LLC – Legal Owners
5512 Ebenezer Road, LLC – Contract Purchaser
17-292-X 5512 Ebenezer Road
11th Election District; 6th Councilmanic District

Re: Petition for Special Exception to use the subject property for a medical cannabis dispensary.

8/4/17 Opinion and Order issued by the Administrative Law Judge wherein the requested relief was DENIED.

ASSIGNED FOR: **SEPTEMBER 14, 2017, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

NEW! Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits (including video and PowerPoint) with the Board unless otherwise requested.

NEW! Projection equipment for digital exhibits is available by request. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington, Administrator

c: Counsel for Legal Owners and Contract Purchaser

Legal Owner
Contract Purchaser

: Patricia Malone, Esquire
Adam Rosenblatt, Esquire
: Compass, LLC
: 5512 Ebenezer Road, LLC

Keith Randlett
Devin Crum/East County Times

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



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

September 8, 2017

Patricia Malone, Esquire
Adam Rosenblatt, Esquire
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Re: In the Matter of: Compass, LLC – Legal Owner
5512 Ebenezer Road, LLC – Contract Purchaser
Case No: 17-292-X

Dear Ms. Malone:

Please be advised I have just been informed of a scheduling conflict in which we do not have a panel of three Board members available for the hearing scheduled on Thursday, September 14, 2017. Enclosed, please find a Notice of Postponement.

Please contact this office upon your receipt of this letter to discuss rescheduling.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script that reads "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

Enclosure: Notice of Postponement



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

September 8, 2017

NOTICE OF POSTPONEMENT

IN THE MATTER OF:

17-292-X

Compass, LLC – Legal Owners
5512 Ebenezer Road, LLC – Contract Purchaser
5512 Ebenezer Road
11th Election District; 6th Councilmanic District

Re: Petition for Special Exception to use the subject property for a medical cannabis dispensary.

8/4/17 Opinion and Order issued by the Administrative Law Judge wherein the requested relief was DENIED.

This matter was assigned for Thursday, September 14, 2017 and has been postponed. It will be rescheduled to a later date.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

NEW! Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits (including video and PowerPoint) with the Board unless otherwise requested.

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For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington, Administrator

c: Counsel for Legal Owners and Contract Purchaser

Legal Owner
Contract Purchaser

: Patricia Malone, Esquire
Adam Rosenblatt, Esquire
: Compass, LLC
: 5512 Ebenezer Road, LLC

Keith Randlett
Devin Crum/East County Times

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

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

July 27, 2017

Timothy Battaglia
5512 Ebenezer Road
White Marsh MD 21162-1712

RE: Case Number: 2017-0292 X, Address: 5512 Ebenezer Road and Red Lion Road

Dear Mr. Battaglia:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 1, 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
Patricia A Malone, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Date: 5/15/17

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. 2017-0292-X -

*Special Exception
Timothy Ballaglia
5512 Ebenezer and Red Lion Roads*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



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

WW/RAZ

Date: 7/17/17

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

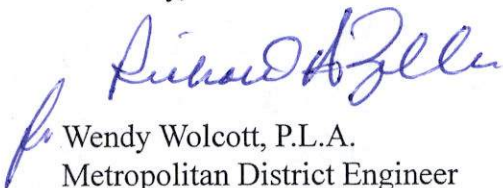
Dear Ms. Lewis:

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. 2017-0292-X

*Special Exception
Compass, LLC
5512 Ebenezer Road*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: May 17, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0292-X
Address 5512 Ebenezer Road
(Ballaglia Property)

Zoning Advisory Committee Meeting of **May 22, 2017**

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

Reviewer: Steve Ford Date: 5-17-2017

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 31, 2017

FROM: *MCD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 22, 2017
Item No. 2017-0291, 0292, 0294, 0296, 0299, 0300, 0301 and 0303

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

VKD: CEN
cc: file
G:\DevPlanRev\ZAC -No Comments\ZAC05222017.doc

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: 17-292



INFORMATION:

Property Address: 5512 Ebenezer Road
Petitioner: Compass, LLC
Zoning: BL
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a medical cannabis dispensary.

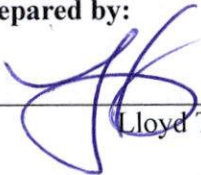
The site is located in the Cowenton-Ebenezer Commercial Revitalization District. Multiple site visits were conducted by the Department. The Department had initial concerns regarding site parking and landscaping. Subsequent to a meeting with representatives of the petitioner, the petitioner has successfully addressed those concerns as reflected on the revised site plan received by this Department dated July 14, 2017.

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

- Submit for approval a Landscape Plan to the Baltimore County Landscape Architect detailing the proposed landscape areas shown on the revised site plan. Said plan will indicate how the proposed dumpster area will meet the requirements of Condition H of the Baltimore County Landscape Manual.
- If an entrance is to remain on the building façade facing Ebenezer Road, ensure adequate access via a sidewalk meeting all county and ADA requirements.
- Provide signage details to the contact person listed below at the time of any sign permit application.

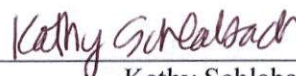
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Ngone Seye Diop
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Patricia A. Malone, Esquire
Neill Thupari, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: May 1, 2017
TO: Administrative Law Judge
FROM: Gary Hucik
SUBJECT: Case 2017-0292-X
5512 Ebenezer Road

A petition was filed by Neil Thupari the attorney representing the owner of 5512 Ebenezer. It is the opinion of this office that use of the property and parking calculation of this property should be same as a retail (5 parking spaces per 1000).



KEVIN KAMENETZ
County Executive

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

August 10, 2017

Patricia A. Malone, Esq.
Adam M. Rosenblatt, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: **APPEAL TO BOARD OF APPEALS**
Case No. 2017-0292-X
Location: 5512 Ebenezer Road



Dear Counsel:

Please be advised that an appeal of the above-referenced case was filed in this Office on August 8, 2017. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the word "Sincerely,".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:slm

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Devin Crum, 513 Eastern Blvd., Essex, MD 21221
Keith Randlett, 8902 Cowenton Avenue, Perry Hall, MD 21128

APPEAL

**Petition for Special Exception
(5512 Ebenezer Road)
11th Election District – 6th Councilmanic District
Legal Owner: Compass, LLC
Case No. 2017-0292-X**

Petition for Special Exception (May 1, 2016)

Zoning Description of Property (Revised)

Zoning Description of Property (Old)

Notice of Zoning Hearing (June 13, 2017)

Certificate of Publication (June 11, 2017)

Certificate of Posting (June 11, 2017) by SSG Robert Black

Entry of Appearance by People's Counsel (May 16, 2017)

Petitioner(s) Sign-in Sheet – 1 page

Citizen(s) Sign-in Sheet – 1 page

Zoning Advisory Committee Comments

Petitioner(s) Exhibits -

1. Revised site plan
2. Map-Comm-Revital.District
3. My neighborhood Map
4. Hexter resume
5. Goswami resume
6. Bio. Sketch Tien
7. Photos
8. Martin-CV

Protestants' Exhibits –

1. N/A

Miscellaneous – Inter-office Memorandum from Gary Hucik

Administrative Law Judge Order and Letter (DENIED, August 4, 2017)

Notice of Appeal – August 8, 2017 by Patricia A. Malone, Esq.



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

December 7, 2017

Patricia A. Malone, Esquire
Adam M. Rosenblatt, Esquire
Venable, LLP
210 W. Pennsylvania Avenue, Ste 500
Towson, Maryland 21204

Re: In the Matter of: Compass, LLC
Case No.: 17-292-X

Dear Counsel:

The above referenced matter, was scheduled to be heard on September 14, 2017 and was postponed.

The purpose of this letter is to request the current status and to determine if the matter needs to be set in for a hearing.

Thanking you in advance for your time and assistance in this matter. Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington

Krysundra "Sunny" Cannington
Administrator

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
5512 Ebenezer Road; S corner of Ebenezer *
and Red Lion Roads * OF ADMINISTRATIVE
11th Election & 6th Councilmanic Districts *
Legal Owner: Timothy Ballaglia * HEARINGS FOR
Contract Purchaser: Compass. LLC *
by Gregory Rochlin * BALTIMORE COUNTY
Petitioner(s) *
2017-292-X

* * * * *

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
MAY 16 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 16th day of May, 2017, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire & A. Neill Thupari, 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



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

October 4, 2017

HAND DELIVERED

Andrew Belt, Chairman
Board of Appeals of Baltimore County
105 West Chesapeake Avenue, Suite 203
Towson, Maryland 21204

Re: Compass, LLC
5512 Ebenezer Road
Case No.: 2017-292-X



Dear Chairman Belt,

This is one of several cases coming to the County Board of Appeals (CBA) relating to medical cannabis dispensaries. It is one of two involving the special exception category, discussed further below. The other is Temescal Wellness Case No. 17-281-X.

In the wake of State legislative activity, the County Council enacted enclosed Bill 61-15, codified in BCZR Article 4D, Secs. 4D-101 to 4D-103. This governs medical various cannabis facilities: dispensaries, grower facilities, and processor facilities.

A dispensary is allowed by right in specified Business Zones and the O-3 Zone. It is allowed by special exception in those zones where located in a Commercial Revitalization District (CRD). BCZR Sec. 4D-102.A. The question arises as to the meaning and implementation of the CRD dimension. This may be the only special exception use legislatively linked to CRDs, thus a matter of interpretive first impression.

The enclosed Department of Planning (DOP) website provides the location of each CRD and a list of contact persons. The location here is in the Cowenton-Ebenezer Revitalization District. The relevant map is enclosed. The DOP website also includes a brief discussion of CRD purpose, focusing on the "front door" of established communities offering shopping and entertainment experiences for family owned businesses and national retail chains.

Andrew Belt, Chairman

October 4, 2017

Page 2

Master Plan 2020 includes a more detailed discussion, along with a countywide map delineating the CRD locations. Pages 137-41, also enclosed. The CRDs are in the older commercial main street hubs. The plan is that to remain viable in the wake of suburban retail spread, they must capitalize on their downtowns, strengthen existing small businesses, and attract new and different uses. Each district is unique, so that revitalization must address the particular characteristics. The goal is to attract quality, synergistic uses, including downtown housing, theaters and other entertainment uses, and institutional uses to support the commercial uses. There follow a series of recommended policies and actions.

The legislative history of Bill 61-15 indicates that the CRD special exception came in as an amendment to the Bill as introduced, also enclosed. This is reflected in the Bill. We include the "Fiscal Note" to Bill 61-15, actually a short history summary. We also include the source for the amendment.

The Bill initially had a number of restrictive setbacks from other uses. These were pared down in the enacted Bill to designated setbacks from schools (500 feet) and other dispensaries (2500 feet). BCZR Sec. 4D-102.B.

Having considered the matter, we respectfully suggest the parties be prepared to address the extent to which the proposed location fits, or should fit, the function or purpose of the Cowenton-Ebenezer Revitalization District here. Otherwise stated, given the Master Plan description and DOP interpretation, is the location compatible with the CRD or are there particular problematic adverse impacts along the lines of settled special exception standards? Schultz. v. Pritts 291 Md. 1 (1981); People's Counsel v. Loyola College 406 Md. 54 (2008); Attar v. DMS Tollgate 451 Md. 272 (2017).

Our office is not at this time taking a preliminary position as to the merits of the issue. We are stressing that the parties should address it and the CBA should resolve it.

Thank you.

Sincerely,



Peter Max Zimmerman

People's Counsel for Baltimore County

cc: Patricia Malone, Esquire
Keith Randlett, 8902 Cowenton Avenue, Perry Hall, Maryland 21128
Devin Crum, 513 Eastern Boulevard, Essex, Maryland 21221

Baltimore County, MD
Wednesday, October 4, 2017

ARTICLE 4D. Medical Cannabis Facilities

[Bill No. 61-2015.]

§ 4D-101. Definitions.

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

MEDICAL CANNABIS DISPENSARY

A person or entity licensed by the state that acquires, possesses, transfers, sells, dispenses, or distributes products containing medical cannabis and related supplies and products pursuant to COMAR 10.62.01 to 10.62.35.

MEDICAL CANNABIS GROWER

A person or entity licensed by the state that cultivates, manufactures, grows, packages, or distributes medical cannabis to a licensed processor or a registered independent testing laboratory pursuant to COMAR 10.62.01 to 10.62.35.

MEDICAL CANNABIS GROWER FACILITY

A location or facility at which a licensed medical cannabis grower operates.

MEDICAL CANNABIS PROCESSOR

A person or entity licensed by the state that transforms medical cannabis into another product or extract, and packages and labels medical cannabis and transfers its product to a licensed dispensary pursuant to COMAR 10.62.01 to 10.62.35.

MEDICAL CANNABIS PROCESSOR FACILITY

A facility at which a licensed medical cannabis processor operates.

§ 4D-102. Location of medical cannabis dispensaries.

A. Permitted areas.

1. A medical cannabis dispensary is permitted in the B.R., B.M., B.L., B.L.R., and O-3 Zones by right.
2. A medical cannabis dispensary is permitted only by special exception in a B.R., B.M., B.L., B.L.R., or O-3 Zone that is located in a Commercial Revitalization District.

B. A medical cannabis dispensary may not be located:

1. Within 500 feet of a public or private elementary school, middle school, or high school; or
2. Within 2,500 feet of another medical cannabis dispensary.

C.

All setbacks under Subsection B shall be measured from the nearest property line of the medical cannabis dispensary using a direct line to the nearest property line of the school or other dispensary.

§ 4D-103. Location of medical cannabis grower facility and medical cannabis processor facility; co-location of dispensary.

- A. A medical cannabis grower facility or a medical cannabis processor facility may be located in an R.C.2., S.E. or M.L.-I.M. Zone by right.
- B. A medical cannabis grower facility or a medical cannabis processor facility may be located in an R.C. 7 or R.C. 8 Zone by special exception only.
- C. A medical cannabis grower facility or a medical cannabis processor facility is permitted only by special exception in an M.L.-I.M. Zone located within the Chesapeake Enterprise Zone.
- D. A person or entity that is licensed as both a medical cannabis grower and a medical cannabis processor may operate a licensed medical cannabis dispensary at its growing and processing facility located in an M.L.-I.M. Zone, subject to the requirements of COMAR 10.62.01 to 10.62.35.
[Bill No. 83-2015]

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 13

Bill No. 61-15

Councilmembers Almond & Marks

By the County Council, August 3, 2015

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations - Medical Cannabis

FOR the purpose of permitting State-licensed medical cannabis growing, processing, and distribution facilities in certain zones under certain conditions; defining terms; providing certain limitations and conditions on the location of facilities; and generally relating to the location of State-licensed medical cannabis facilities.

BY adding
Article 4D: Medical Cannabis Facilities
Sections 4D-101 to 4D-103
Baltimore County Zoning Regulations

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

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.

ARTICLE 4D. MEDICAL CANNABIS FACILITIES

§4D - 101. DEFINITIONS.

(A) AS USED IN THIS ARTICLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) "MEDICAL CANNABIS DISPENSARY" MEANS A PERSON OR ENTITY LICENSED BY THE STATE THAT ACQUIRES, POSSESSES, TRANSFERS, SELLS, DISPENSES, OR DISTRIBUTES PRODUCTS CONTAINING MEDICAL CANNABIS AND RELATED SUPPLIES AND PRODUCTS AT A STATE-LICENSED DISPENSARY.

(C) "MEDICAL CANNABIS GROWER" MEANS A PERSON OR ENTITY LICENSED BY THE STATE THAT CULTIVATES, MANUFACTURES, GROWS, PACKAGES, OR DISTRIBUTES MEDICAL CANNABIS TO A LICENSED PROCESSOR, OR A REGISTERED INDEPENDENT TESTING LABORATORY.

(D) "MEDICAL CANNABIS GROWER FACILITY" MEANS A LOCATION OR FACILITY AT WHICH A LICENSED MEDICAL CANNABIS GROWER OPERATES.

(E) "MEDICAL CANNABIS PROCESSOR" MEANS A PERSON OR ENTITY LICENSED BY THE STATE THAT TRANSFORMS MEDICAL CANNABIS INTO ANOTHER PRODUCT OR EXTRACT, AND PACKAGES AND LABELS MEDICAL CANNABIS AND TRANSFERS ITS PRODUCT TO A LICENSED DISPENSARY.

(F) "MEDICAL CANNABIS PROCESSOR FACILITY" MEANS A FACILITY AT WHICH A LICENSED MEDICAL CANNABIS PROCESSOR OPERATES.

§4D - 102. LOCATION OF MEDICAL CANNABIS DISPENSARIES.

A. MEDICAL CANNABIS DISPENSARY IS PERMITTED IN THE OR-2 AND B.M. ZONES, BY RIGHT, AS A PRINCIPAL USE LEGALLY AFFILIATED WITH A HEALTH CARE AND SURGERY CENTER.

B. A MEDICAL CANNABIS DISPENSARY IS PERMITTED IN THE B.R., B.M., B.L., B.L.R., O.T., OR-1, OR-2, O-3, M.L., M.R., M.L.R., AND M.H. ZONES BY RIGHT, AS A PRINCIPAL USE LEGALLY AFFILIATED WITH A STATE-LICENSED MEDICAL CLINIC.

C. 1. A MEDICAL CANNABIS DISPENSARY IS PERMITTED IN THE B.L., OR-1, OR-2, M.L., AND M.R. ZONES, BY RIGHT, AS A PRINCIPAL USE LEGALLY AFFILIATED WITH A MEDICAL CLINIC.

2. A MEDICAL CANNABIS DISPENSARY USE IN COMBINATION WITH A MEDICAL CLINIC MAY NOT BE LOCATED WITHIN 1,000 FEET OF:

(A) A HOUSE OF WORSHIP;

(B) A PUBLIC OR PRIVATE SCHOOL;

(C) A PUBLIC PARK OR PUBLIC RECREATIONAL FACILITY;

(D) A PUBLIC LIBRARY;

(E) A CHILD CARE HOME, CHILD CARE INSTITUTION OR FAMILY DAY CARE HOME LICENSED OR REGISTERED UNDER MARYLAND LAW.

(F) A LOT ZONED RESIDENTIALLY OR DEVOTED PRIMARILY TO RESIDENTIAL USE; OR

(G) WITH 2,500 FEET OF ANOTHER MEDICAL CANNABIS DISPENSARY.

§4D - 103. LOCATION OF MEDICAL CANNABIS GROWER FACILITY AND
MEDICAL CANNABIS PROCESSOR FACILITY.

A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL CANNABIS
PROCESSOR FACILITY MAY BE LOCATED IN A S.E. OR M.L.I.M. ZONE, BY RIGHT.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the
affirmative vote of five members of the County Council, shall take effect on September 21, 2015.

b06115.wpd

Bill 61-15

Council District(s) All

Councilmembers Almond & Marks

Zoning Regulations – Medical Cannabis

Bill 61-15 will permit state-licensed medical cannabis facilities in certain zones of the County. The need for the bill is driven by state legislative action that decriminalized the use or possession of marijuana and authorized the use of marijuana for medical purposes.

Chapter 158 of the Acts of the Maryland General Assembly of 2013 reclassified the use or possession of less than 10 grams of marijuana from a criminal offense to a civil offense, subject to a fine ranging from a maximum of \$100 to \$500, depending on the number of violations. The bill established requirements for (1) the issuance of citations; (2) the appearance in court if the offender is younger than age 21, or after three or more violations; and (3) the adjudication of the offense in District Court.

Chapter 403 of the Acts of the Maryland General Assembly of 2013 authorized the investigational use of marijuana for medical purposes through research programs operated by academic medical centers in the state. The Act also established the Natalie M. LaPrade Medical Marijuana Commission, as an independent commission within the Maryland Department of Health and Mental Hygiene. The Commission initially was established to (1) develop requests for applications for academic medical centers to operate programs in the state; (2) approve or deny initial and renewal program applications; and (3) monitor and oversee programs approved for operation.

Due to lack of interest among academic medical centers to participate in the program and pressure from patient advocates to make medical marijuana available beyond only those patients participating in a research study, legislation was introduced in 2014 to expand the medical marijuana program. Chapters 240 and 256 of the Acts of the Maryland General Assembly of 2014 expanded the state's medical marijuana program to allow qualifying patients to obtain medical marijuana from persons other than academic medical centers.

Enactment of Chapters 240 and 256 not only expanded the commission's duties but also increased public interest in the commission, particularly among patient advocates and individuals interested in becoming growers or establishing dispensaries.

HB 490 of the Acts of the Maryland General Assembly of 2015 renamed the Natalie M. LaPrade Medical Marijuana Commission and Fund to be the Natalie M. LaPrade Medical Cannabis Commission and Fund; altered the purpose and membership of the commission; and replaced references to "medical marijuana" with "medical cannabis." The bill replaced the Commission's authority to approve academic medical centers to operate programs, and established requirements for licensure or registration of persons who will grow, process, or dispense medical cannabis. A person may concurrently be licensed as a grower, a dispensary, or a processor.

The state program now allows for the approval, licensing, and registration of growers, dispensaries, and grower and dispenser agents. The program establishes a framework to certify physicians and qualifying patients (and their caregivers) to provide qualifying patients with medical cannabis legally under state law. The Commission has issued proposed regulations. The Commission may be prepared to begin accepting license applications as early as next month.

Against this background, Bill 61-15 was introduced on August 3 to regulate the location of state-licensed medical cannabis growing, processing, and dispensing facilities. None of these uses is currently defined or regulated by the Baltimore County Zoning Regulations.

The bill defines a medical cannabis dispensary, a medical cannabis grower facility, and a medical cannabis processor facility. Each of these is defined in relation to the state licensing process. As the state regulations are finalized, it may be necessary to amend the definitions to more closely conform to the state concept.

A medical cannabis dispensary is permitted by right in certain zones where medical facilities are permitted, specifically a health care and surgery center, or a state-licensed medical clinic, or a "medical clinic" (a term that is undefined in the Zoning Regulations). The dispensary must have a legal affiliation with the medical facility. The sponsors will likely propose an amendment to remove from the bill the legal affiliation requirement. Although there is a logical reason to require such a link, it is unlikely to be successful as a practical matter.

Since 1996, 23 states and Washington, D.C. have passed laws allowing marijuana to be used for a variety of medical conditions. But these state marijuana laws do not change the fact that using marijuana continues to be an offense under federal law. Although it would seem that hospitals and other medical facilities may be the logical choice for dispensing medical cannabis, it is doubtful that any will do so at the risk of losing federal funding or violating Medicare/Medicaid rules. Until the federal government is willing to get out of the way of the implementation of state cannabis laws, the logical choice may not be the practical one.

Bill 61-15 also proposes to restrict the location of a dispensary within 1,000 feet of a:

- House of worship;
- Public or private school;
- Public park or public recreational facility;
- Public library;
- Child care home, child care institution or family day care home licensed or registered under Maryland law;
- Lot zoned residentially or devoted primarily to residential use; or
- Within 2,500 feet of another medical cannabis dispensary.

Again, the sponsors will propose amendments to eliminate most if not all of these proximity restrictions. It is felt that the security requirements imposed on a licensee by the state regulations will adequately address the safety and security concerns at a dispensary location.

With these amendments, Bill 61-15 will permit a dispensary, by right, in the business zones of the County, subject to appropriate parking and signage requirements.

Bill 61-15 also permits a medical cannabis grower or processor facility in the County's S.E. or M.L.- I.M. Zones by right.

Additional amendments may be proposed to the bill.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 61-15 will take effect on September 21, 2015.

PROPOSED AMENDMENTS TO BILL 61-15
Councilwoman Almond

1. On page 2, in line 8, strike "AT A STATE-LICENSED DISPENSARY" and substitute "PURSUANT TO COMAR 10.62.01 TO 10.62.35"

2. On page 2, in lines 12 and 18, insert in each instance before the period "PURSUANT TO COMAR 10.62.01 TO 10.62.35"

3. On page 3, strike lines 2 through 4; in line 5, strike "B" and substitute "A"; in line 6, strike "O.T., OR-1, OR-2, O-3, M.L., M.R., M.L.R., AND M.H." and substitute "AND O-3"; in the same line strike ", AS A" and substitute a period; and strike lines 7 through 10.

4. On page 3, in line 11, strike "2" and substitute "B", and strike "USE IN COMBINATION WITH"; in line 12, strike "A MEDICAL CLINIC", and strike "WITHIN 1,000 FEET OF"; strike line 13; in line 14, strike "(B)" and substitute "(I) WITHIN 500 FEET OF"; and after "PRIVATE", insert "ELEMENTARY SCHOOL, MIDDLE SCHOOL, OR HIGH"; after the semicolon, insert "OR"; and strike lines 15 through 20; in line 21, strike "(G) WITH" and substitute "(II) WITHIN"

5. On page 3, after line 22, insert:

"C. ALL SETBACKS UNDER SUBSECTION B. SHALL BE MEASURED FROM THE NEAREST PROPERTY LINE OF THE MEDICAL CANNABIS DISPENSARY USING A DIRECT LINE TO THE NEAREST PROPERTY LINE OF THE SCHOOL OR OTHER DISPENSARY."

PROPOSED AMENDMENTS TO BILL 61-15
Councilmembers Bevins, Crandell & Marks

On page 3, in line 5, after "B.", insert "1."; after line 7, insert "2. A MEDICAL CANNABIS DISPENSARY IS PERMITTED BY SPECIAL EXCEPTION IN A B.R., B.M., B.L., B.L.R., OR O-3 ZONE THAT IS LOCATED IN A COMMERCIAL REVITALIZATION DISTRICT."

Proposed Amendments - Bill 61.15.bevins.crandell.marks.wpd

PROPOSED AMENDMENT TO BILL 61-15
Councilmembers Kach & Jones

1. On page 4, in line 3, before the sentence beginning with "A MEDICAL CANNABIS", insert "(A)", and in line 4, after "LOCATED IN A", insert "R.C.2.", and after line 4, insert the following"

“(B) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL CANNABIS PROCESSOR FACILITY MAY BE LOCATED IN A R.C.7 OR R.C.8 ZONE, BY SPECIAL EXCEPTION ONLY.”

PROPOSED AMENDMENTS TO BILL 61-15
Councilmembers Crandell & Bevins

On page 4, in line 3, before the sentence beginning with "A MEDICAL CANNABIS", insert "(A)", and in line 4, after "LOCATED IN A", insert "R.C.2.", and after line 4, insert the following:

"(B) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL CANNABIS PROCESSOR FACILITY IS PERMITTED BY SPECIAL EXCEPTION IN A M.L.-I.M. ZONE LOCATED WITHIN THE CHESAPEAKE ENTERPRISE ZONE."



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PDF Map Library

Listed below are standard planning maps created in PDF format to facilitate easy online viewing and downloading. All maps open in a new window.

Neighborhood Response Team Sectors

Countywide Sectors

A map of the Baltimore County Neighborhood Response Team (NRT) Sectors. Provides contact information for each sector. (8.5 by 11 inches)

Commercial Revitalization Districts

Countywide Commercial Revitalization Districts

A map of the Baltimore County Commercial Revitalization Districts. Commercial Revitalization Districts are established to provide a range of services aimed at maintaining the health and vitality of the neighborhood commercial areas. (24 by 36 inches)

Detailed Area Maps (8.5 by 11 inches):

- [Arbutus](#)
- [Baltimore National Pike](#)
- [Catonsville](#)
- [Cawenton-Ebenezer](#)

- [Dundalk](#)
- [Essex](#)
- [Lansdowne](#)
- [Liberty Road \(East\)](#)
- [Liberty Road \(West\)](#)
- [Loch Raven](#)
- [Merritt-Sollers Point](#)
- [North Point](#)
- [Overlea](#)
- [Parkville](#)
- [Perry Hall](#)
- [Pikesville](#)
- [Reisterstown](#)
- [Towson](#)
- [Woodlawn](#)

Sustainable Communities

Detailed maps of Baltimore County Sustainable Communities. Sustainable Communities seek to conserve resources; provide green spaces and parks for recreation and agriculture; offer many options for transportation; use natural and cultural resources wisely for future generations and consider the social and economic needs of all residents.(8.5 by 11 inches)

- [Catonsville and Patapsco](#)
- [Greater Dundalk and Sparrows Point](#)
- [Hillendale, Parkville and Overlea](#)
- [Northwest Gateways](#)
- [Pulaski Highway Redevelopment Area](#)
- [Reisterstown Main Street](#)
- [Towson](#)

Historic

[Maryland Inventory of Historic Properties, Landmarks and Baltimore County Historic Districts](#)



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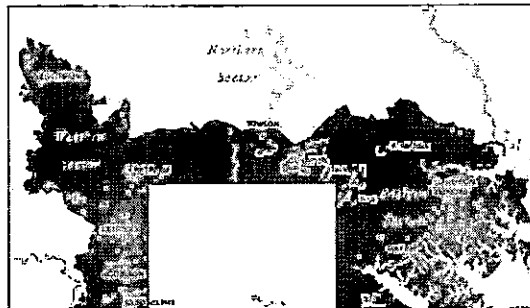
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Commercial Revitalization Program

Baltimore County's 18 officially designated Commercial Revitalization Districts are the "front doors" to our desired established communities. They offer a shopping and entertainment experience where family owned business and national retail chains are neighbors. Each district is staffed by a planner who works closely with the business and property owners, business associations and the local communities to provide a range of services aimed at maintaining the health and vitality of our neighborhood commercial areas.

Visit [MyNeighborhood](#) to see if your business is located in a Commercial Revitalization District. In MyNeighborhood, select the "Economic" tab. The Commercial Revitalization Districts are highlighted in red.



Resources Available*

Architect-On-Call
Architect-On-Call offers up to 10 free hours of professional architectural design services to businesses 



improving the exteriors of their buildings. After an initial site visit and meeting, the architect prepares a digital

rendering of the building with design recommendations and a rough cost estimate. The service is free when improvements are certified as complete within six months. [Download an application.](#) (PDF)

Architect-On-Call Contact: Amy Mantay

Phone: 410-887-3480

Email: amantay@baltimorecountymd.gov

Building Improvement Loan Program (BILP)

A \$30,000 interest-free loan which can be used for exterior improvements such as awnings, landscaping, and signage. This loan can be combined with the other economic development incentives for larger projects. Some minor interior and equipment improvements may also be financed. [Download an application.](#) (PDF)

BILP Contact: Ngone Seye-Diop, Commercial Revitalization Specialist

Phone: 410-887-3480

Email: nseyediop@baltimorecountymd.gov

Commercial Revitalization Tax Credit

For larger projects, this benefit provides a five-year real property tax credit if physical improvements increase the assessed property value by \$100,000 or more. A 10-year credit is available if improvement costs exceed \$10 million.

Note: Applicants must apply within 120 days of completed project in order to receive credit for the next tax year. [Download an application.](#) (PDF)

Tax Credit Contact: Ngone Seye-Diop, Commercial Revitalization Specialist

Phone: 410-887-3480

Email: nseyediop@baltimorecountymd.gov

Commercial Revitalization Action Grant (CRAG)

A \$10,000 grant awarded annually to business associations for projects that benefit the

overall Commercial Revitalization Districts. Examples include: holiday lighting, welcome signs, website development, street trees, security cameras, farmers markets and more.

CRAG Contact: Bill Skibinski, Commercial Revitalization Specialist

Phone: 410-887-3480

Email: wskibinski@baltimorecountymd.gov

***Note:** All applicants are required to meet with staff prior to submitting applications.

Commercial Revitalization Districts and Staff Contacts

Development projects within some Commercial Revitalization Districts may be subject to review and approval by the Design Review Panel. The commercial Design Review Areas include Arbutus, Catonsville, Essex, Loch Raven, Perry Hall, Pikesville and Towson.

Western Sector

Detailed Map	Staff Contact
Arbutus Map (PDF)	Dennis Wertz 410-887-3480 dwertz@baltimorecountymd.gov
Baltimore National Pike Map (PDF)	Dennis Wertz 410-887-3480 dwertz@baltimorecountymd.gov
Catonsville Map (PDF)	Dennis Wertz 410-887-3480 dwertz@baltimorecountymd.gov
Lansdowne Map (PDF)	Dennis Wertz 410-887-3480 dwertz@baltimorecountymd.gov

Liberty Road Map—East (PDF) Liberty Road Map—West (PDF)	Dennis Wertz 410-887-3480 dwertz@baltimorecountymd.gov
Pikesville Map (PDF)	Bill Skibinski 410-887-3480 wskibinski@baltimorecountymd.gov
Reisterstown Map (PDF)	Bill Skibinski 410-887-3480 wskibinski@baltimorecountymd.gov
Woodlawn Map (PDF)	Dennis Wertz 410-887-3480 dwertz@baltimorecountymd.gov

Eastern Sector

Detailed Map	Staff Contact
Cowellton-Ebenezer Map (PDF)	Ngone Seye-Diop 410-887-3480 nseyediop@baltimorecountymd.gov
Dundalk Map (PDF)	Tony Ambridge 410-887-3559 tambridge@baltimorecountymd.gov
Essex Map (PDF)	Ngone Seye-Diop 410-887-3480 nseyediop@baltimorecountymd.gov
Loch Raven Map (PDF)	

	Laurie Hay 410-887-3480 lhay@baltimorecountymd.gov
Merritt-Sollers Point Map (PDF)	Krystle Patchak 410-887-3480 kpachak@baltimorecountymd.gov
North Point Map (PDF)	Tony Ambridge 410-887-3559 taambridge@baltimorecountymd.gov
Overlea Map (PDF)	Laurie Hay 410-887-3480 lhay@baltimorecountymd.gov
Parkville Map (PDF)	Laurie Hay 410-887-3480 lhay@baltimorecountymd.gov
Perry Hall Map (PDF)	Ngone Seye-Diop 410-887-3480 nseyediop@baltimorecountymd.gov
Towson Map (PDF)	Laurie Hay 410-887-3480 lhay@baltimorecountymd.gov

Agency Partners

- [Baltimore County Chamber of Commerce](#)
- [Baltimore County Council](#)
- [Baltimore County Department of Economic and Workforce Development](#)
- [Baltimore County Landmarks Preservation Commission](#)
- [Baltimore County Revenue Authority](#)



- [Baltimore County Small Business Resource Center](#)
- [Maryland Department of Housing and Community Development](#)
- [Maryland Department of Transportation](#)

Business Association Partners

- [Greater Arbutus Business Association](#)
- [Chesapeake Gateway Chamber of Commerce](#)
- [Greater Catonsville Chamber of Commerce](#)
- [Dundalk Chamber of Commerce](#)
- [Liberty Road Business Association](#)
- [Overlea-Fullerton Business and Professional Association](#)
- [Parkville-Carney Business Association](#)
- [Perry Hall White Marsh Business Association](#)
- [Pikesville Chamber of Commerce](#)
- [Reisterstown-Owings Mills-Glyndon Chamber of Commerce](#)
- [Security Woodlawn Business Association](#)
- [Towson Chamber of Commerce](#)

Revised August 29, 2017

DEPARTMENT OF PLANNING



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Towson, Maryland 21204

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Baltimore County, Maryland

MASTER PLAN 2020



Policy: *Maintain zoning appropriate for major employment on infrastructure-served land with good access.*

Actions:

- (1) Recommend that the County Council evaluate rezoning and PUD proposals that convert M or OT zoned land to residential or retail use to consider the long-term effects on the economy.
- (2) Ensure that adequate land and structures remain available to accommodate new and expanding primary employers not suited for mixed-use environments.
- (3) Consider ways to guide new employment opportunities to quality mixed-use development.
- (4) Preserve the County's limited deep-water access for industrial uses.
- (5) Consider amending the BCZR to limit the amount of residential development permitted in the OT zoning classification.

LAND USE BALANCE

A fiscally strong jurisdiction must maintain a healthy balance between residential and non-residential land uses. Different types of land use have variant effects on a county's finances. Some land uses contribute more in tax revenue than they consume in public services, such as schools, police and fire services. Some land uses consume more services than they pay for directly through property taxes. A balanced economy is needed to provide a healthy place to live, work and play. A strong employment sector: industrial, office, and commercial, provide jobs and tax revenue. A diverse choice of housing is essential to providing a qualified work force to fuel the employment sector.

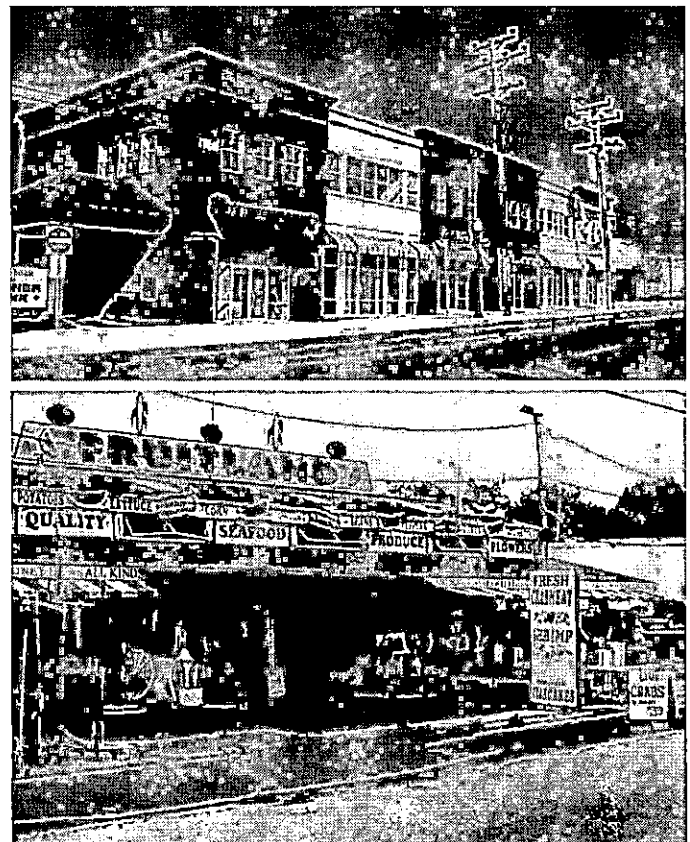
Policy: *The County should maintain a healthy balance between residential and non-residential land uses inside the URDL.*

Actions:

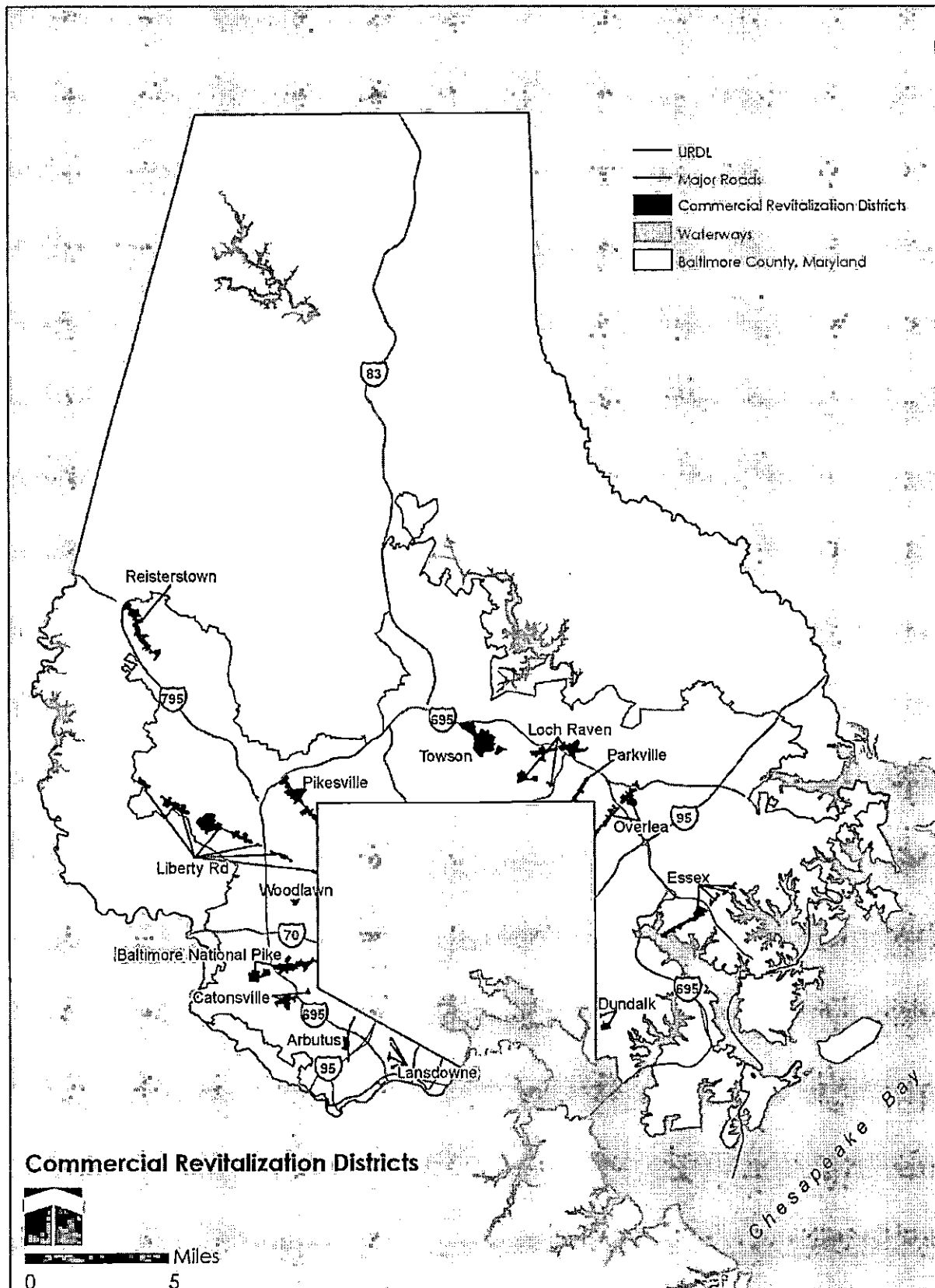
- (1) Consider encouraging zoning requests that promote mixed-use development.
- (2) Ensure that land use proposals contribute to a healthy balance of residential and non-residential uses and open space.
- (3) Work proactively to promote employment driven projects compatible with residential uses.
- (4) Direct mixed-use development to Community Enhancement Areas.

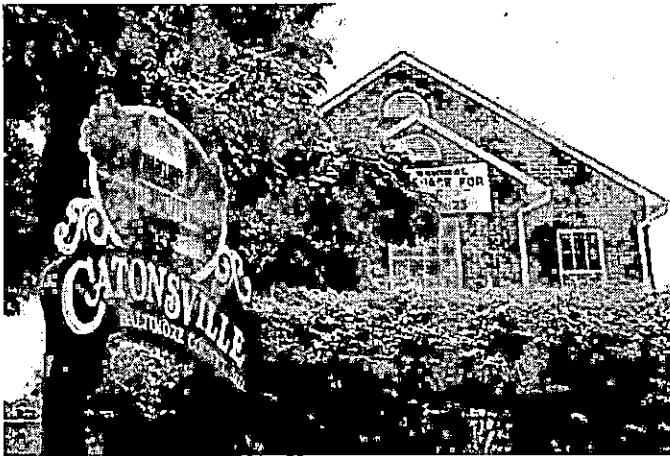
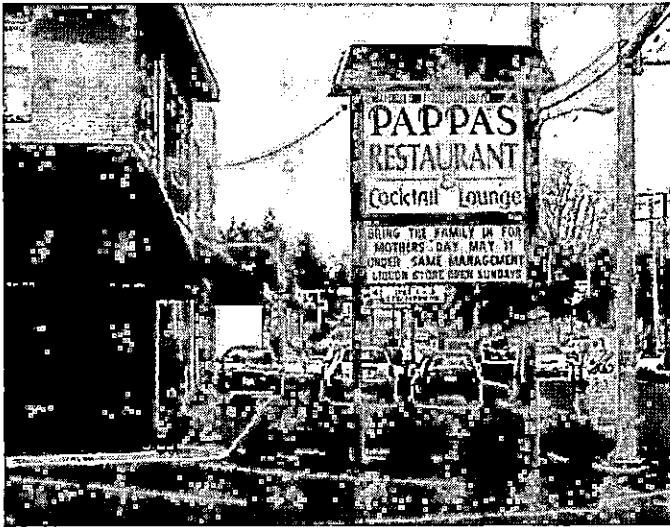
COMMERCIAL REVITALIZATION DISTRICTS

Baltimore County has 14 officially designated Commercial Revitalization Districts (CRDs). These areas were once the commercial hubs of the County's older beltway communities and offered a range of retail, service, and entertainment uses. However, beginning in the 1960s and 70s, changes



Map 35 Commercial Revitalization Districts





in demographics and retail shopping preferences fundamentally altered the role of these main street commercial centers. As people became more dependant upon the automobile, they moved farther out preferring the greater range of retail choices and convenient free parking over smaller mom and pop neighborhood shops along older commercial main streets. This trend continues. Most suburbanites patronize full service grocery stores, big and junior box retailers (e.g. Target, Wal-Mart, Pet Smart, Best Buy), chain specialty shops, and national restaurants.

To remain viable, the CRDs must differentiate themselves by capitalizing upon their downtown development patterns, strengthening the existing base of small businesses, and attracting new and different uses. Each district is unique with its own set of attributes and liabilities and revitalization efforts must be tailored to address these differences. Successful revitalization in smaller districts is built upon a series of small complementary successes and larger districts

may benefit from key redevelopment projects that restructure the local economy. Attaining a sufficient and balanced mix of quality uses is an important goal that should be accompanied with creating a safe, attractive, and walkable environment. Another goal is using creative marketing of the districts to businesses and customers.

The most successful downtowns have a mix of synergistic uses that support each other. Downtown housing and office uses have residents and employees that patronize retail shops, restaurants, and service uses such as hair salons, banks, and dry cleaners. Theaters and other entertainment uses are destinations that draw customers into the downtown, who then also patronize restaurants and bars before and after a movie or performance. Institutional uses, supply a high number of patrons and employees for retail and restaurants, and students for downtown housing.

When compared to newer town centers that are trying to replicate the character and qualities of real downtowns, original town centers often have unique challenges. Redevelopment costs can be higher with land assemblage and parking; surrounding household incomes and densities may be more diverse; multiple owners have different perspectives; and the infrastructure may be aging and outdated. Jurisdictions must have an extensive toolbox of incentives to retain and attract the mix of uses needed to keep a CRD healthy. The County has a range of incentives that can be tailored to individual project needs, including: low interest loans, tax credits, and specialized grants, key infrastructure improvements such as parking garages, sewer expansions, and road realignments and improvements, sale of publicly owned land, demolition of obsolete structures, permitting process assistance, flexible zoning, and liquor licensing.

Policy: Retain and attract quality retail, office, service, residential, entertainment, and institutional uses that create well balanced and economically vital mixed-use.

Actions:

- (1) Use targeted public investment to encourage private reinvestment.
- (2) Identify redevelopment/revitalization opportunities in the CRDs and establish a process to determine land use and development goals of the area.
- (3) Conduct specialized analyses of properties and redevelopment proposals.
- (4) Utilize the Consultant on Call Program to provide expedited professional studies on market feasibility.
- (5) Continue familiarization tours to provide education about the County's CRDs and community enhancement areas to upgrade and expand the types of uses, improve poorly managed properties and marginal businesses, and fill vacancies.
- (6) Promote the increased use of the Small Business Resource Center that provides free technical, financial, and marketing assistance.
- (7) Study the use of mixed-use codes in designated community enhancement areas.
- (8) Periodically review the range and scope of incentives to maximize their effectiveness.



The districts, like community enhancement areas, should be the “front door” to the residential neighborhoods, and help establish the overall image of a community. The appearance of the CRD is important to the business and residential communities, and is both a private and public responsibility. The government, primarily through streetscape programs, is generally responsible for the streets, sidewalks, medians, and sometimes alleys. Individual property owners are responsible for a building’s façades, and any private parking lots. Improvements should focus on views from the public areas. A commercial center or corridor with attractive curb appeal and stable and desirable uses may encourage people to invest in the community.

Policy: Improve the appearance and walkability of the Districts.

Actions:

- (1) Continue to promote the Architect on Call Program that provides free professional design advice for business or property owners seeking to improve the exterior of their building and/or lot.
- (2) Promote the Building Investment Loan Program that provides zero percent loans for exterior and interior improvements through annual mailings to property and business owners, the business organizations, specialized advertising, and “word of mouth” examples.
- (3) Promote walkability and enhance the attractiveness of older village centers through implementation of streetscape programs managed by the Baltimore County Office of Community Conservation.
- (4) Develop streetscape design around a Complete Streets Program.
- (5) Continue beautification-landscaping partnerships with business organizations.
- (6) Enforce the County code and fund the Commercial Revitalization Action grants for programs to improve the physical appearance of the business environment.

Studies consistently show that when customers buy from an independent, locally owned business, over two thirds of the money spent stays in the community and is used for purchases from other local businesses. These businesses create more jobs locally, and often provide better wages and benefits than nationwide chains. Owners frequently live in the community where their business is located.

Policy: Market Commercial Districts to potential businesses and patrons.

Actions:

(1) Media campaigns including radio, television, print advertising and social media marketing will be developed and utilized during the winter holiday and spring shopping seasons.

(2) Continue to provide design support in promoting community events and districts through the use of Designer On Call, a resource that offers design services for

local initiatives involving the ReDiscover Your Neighborhood Downtown branding.

(3) Maximize partnership with the Baltimore County Revenue Authority to provide convenient parking opportunities.

(4) Promote the County's CRDs and CEAs at regional and national conferences.

(5) Update district profiles and county websites to attract businesses to the districts.

(6) Participate in statewide organizations and programs that promote the revitalization of downtowns across Maryland.

(7) Continue neighborhood promotional campaigns to encourage consumers to shop and eat in locally owned businesses.

TOURISM

Visitors to Baltimore County added \$1.97 billion to the local economy in 2008, according to a study by IHS Global Insight. The study reports that the County's tourism industry supported almost 20,000 jobs, \$545 million in wages, and contributed \$15 million in hotel, amusement and admission taxes.

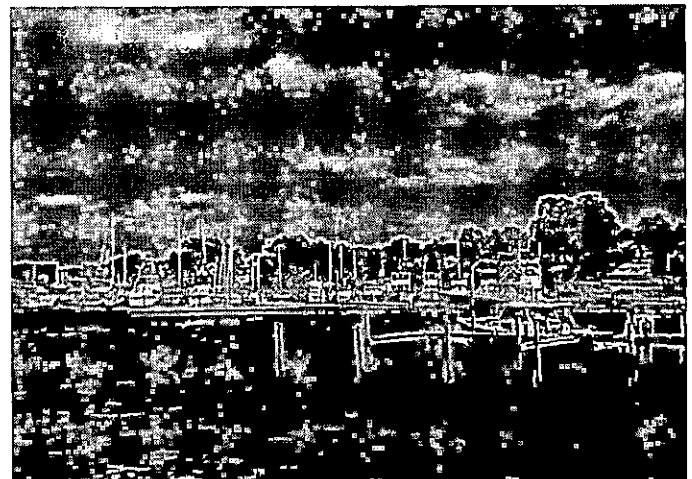
Baltimore County's 219 miles of Chesapeake Bay waterfront offer unrealized potential to enhance the visitor experience and quality of life for County residents. Over the past decade, eastern Baltimore County has seen over \$600 million in public and private investment. County initiatives have eliminated many aging, blighted apartment complexes, replacing them with open space and hundreds of modern single family and townhomes. Many of the County's 90 marinas and yacht clubs have made significant improvements to their facilities, with waterfront restaurants and a water taxi service adding to eastern Baltimore County's amenities.

Policy: Increase visibility and access to visitor destinations in Baltimore County.

Actions:

(1) Explore methods to unify the waterfront as a regional destination.

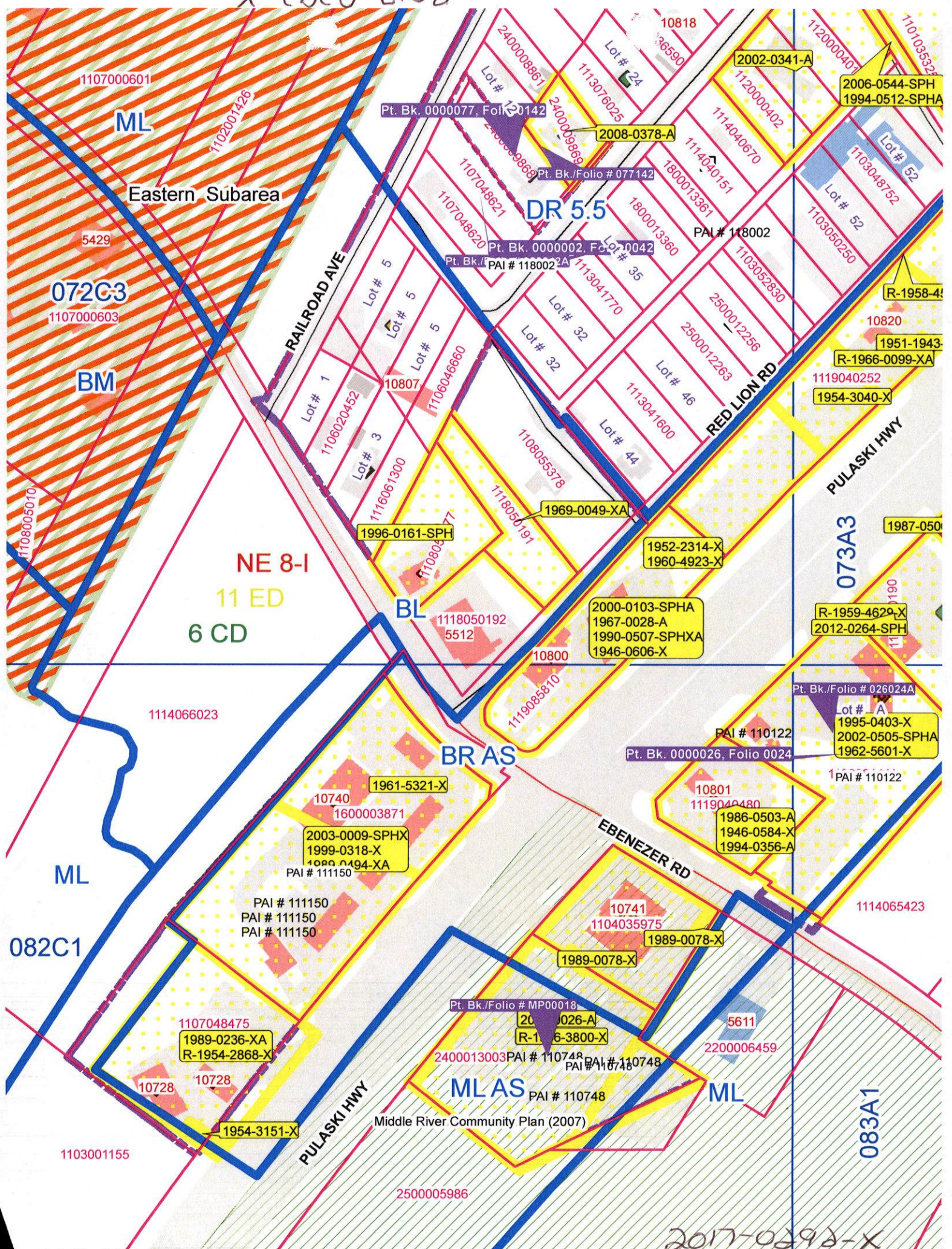
(2) Further develop the County's network of bike and walking trails to connect parks, waterfront amenities, and nature centers with

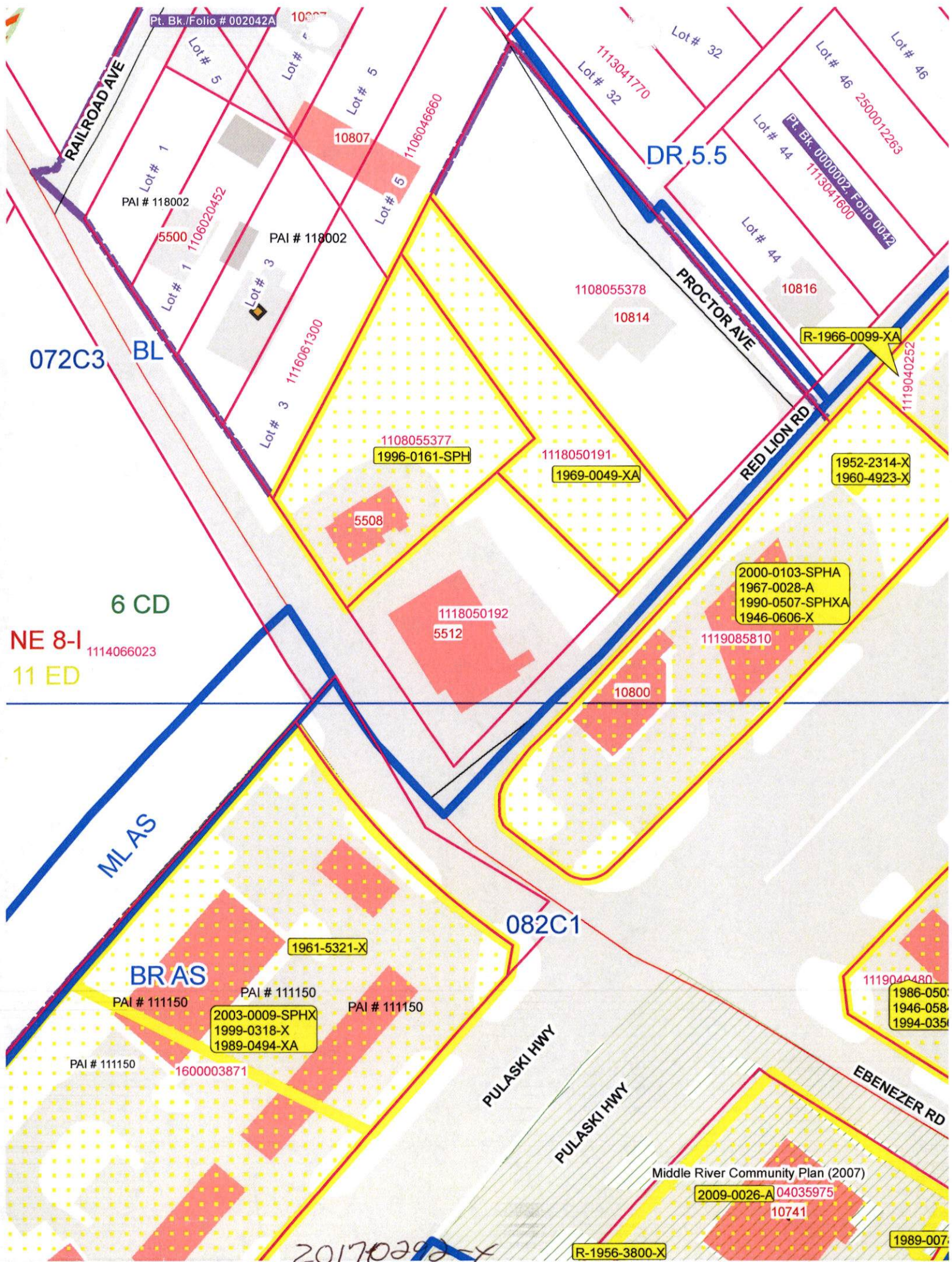


Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 11 Account Number - 1118050192							
Owner Information									
Owner Name:		COMPASS LLC			Use:		COMMERCIAL		
Mailing Address:		5512 EBENEZER RD WHITE MARSH MD 21162-1712			Principal Residence:		NO		
					Deed Reference:		/16278/ 00665		
Location & Structure Information									
Premises Address:		5512 EBENEZER RD 0-0000			Legal Description:		LT NES COWENTON RD 5512 EBENEZER RD NE COR RED LION RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0072	0024	0334		0000				2016	Plat Ref:
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
		4462				16,291 SF		06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
		RETAIL STORE							
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2016		07/01/2016		07/01/2017	
Land:		230,300		230,300					
Improvements		224,700		237,900					
Total:		455,000		468,200		459,400		463,800	
Preferential Land:		0						0	
Transfer Information									
Seller: EAVES AUTO PARTS INC				Date: 04/04/2002		Price: \$250,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /16278/ 00665		Deed2:			
Seller: ROHE PETER L				Date: 06/08/1978		Price: \$75,000			
Type: ARMS LENGTH IMPROVED				Deed1: /05894/ 00418		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:				NONE					
Homestead Application Information									
Homestead Application Status: No Application									





CASE NAME _____
CASE NUMBER 2017-0292-X
DATE 7-31-2017

[illegible]

CASE NAME _____
CASE NUMBER 2017-292-X
DATE 7-31-2017

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: May 1, 2017
TO: Administrative Law Judge
FROM: Gary Hucik
SUBJECT: Case 2017-0292-X
5512 Ebenezer Road

A petition was filed by Neil Thupari the attorney representing the owner of 5512 Ebenezer. It is the opinion of this office that use of the property and parking calculation of this property should be same as a retail (5 parking spaces per 1000).

Case No.: 2017-0292-X

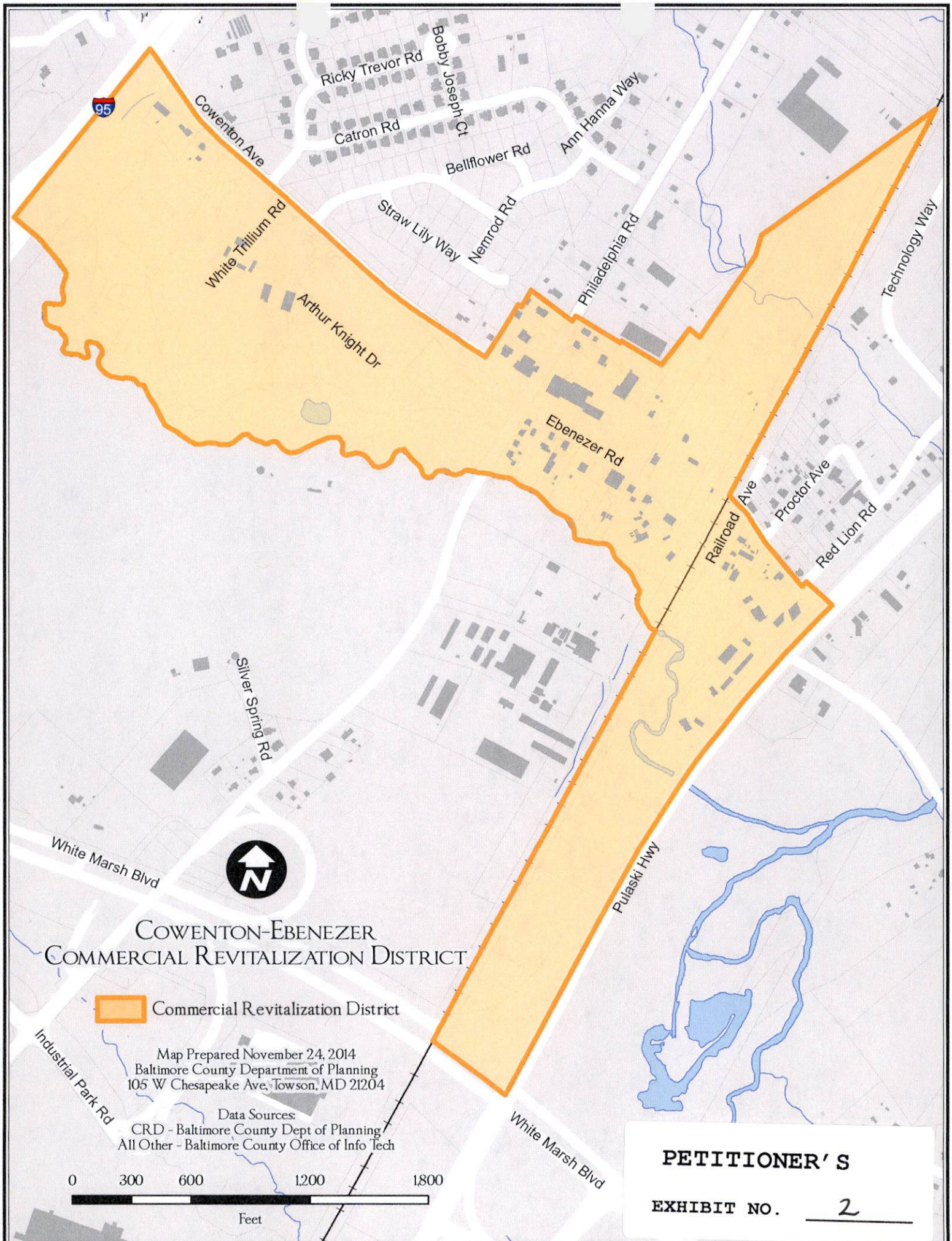
Exhibit Sheet

8-4-17
sen

Petitioner/Developer

Protestant

No. 1	Revised site plan	
No. 2	Map - Comm. Revital. District	
No. 3	My Neighborhood Map	
No. 4	Hexter resume	
No. 5	Goswami resume	
No. 6	Bio. Sketch Tien	
No. 7	Photos	
No. 8	Martin cv	
No. 9		
No. 10		
No. 11		
No. 12		



95

Cowenton Ave

Ricky Trevor Rd

Catron Rd

Bobby Joseph Ct

Bellflower Rd

Ann Hanna Way

White Trillium Rd

Straw Lily Way

Nemrod Rd

Philadelphia Rd

Arthur Knight Dr

Ebenezer Rd

Railroad Ave

Proctor Ave

Red Lion Rd

Technology Way

Silver Spring Rd

White Marsh Blvd



Pulaski Hwy

White Marsh Blvd

Industrial Park Rd

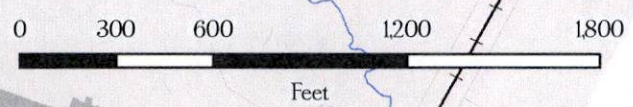
COWENTON-EBENEZER COMMERCIAL REVITALIZATION DISTRICT



Commercial Revitalization District

Map Prepared November 24, 2014
Baltimore County Department of Planning
105 W Chesapeake Ave, Towson, MD 21204

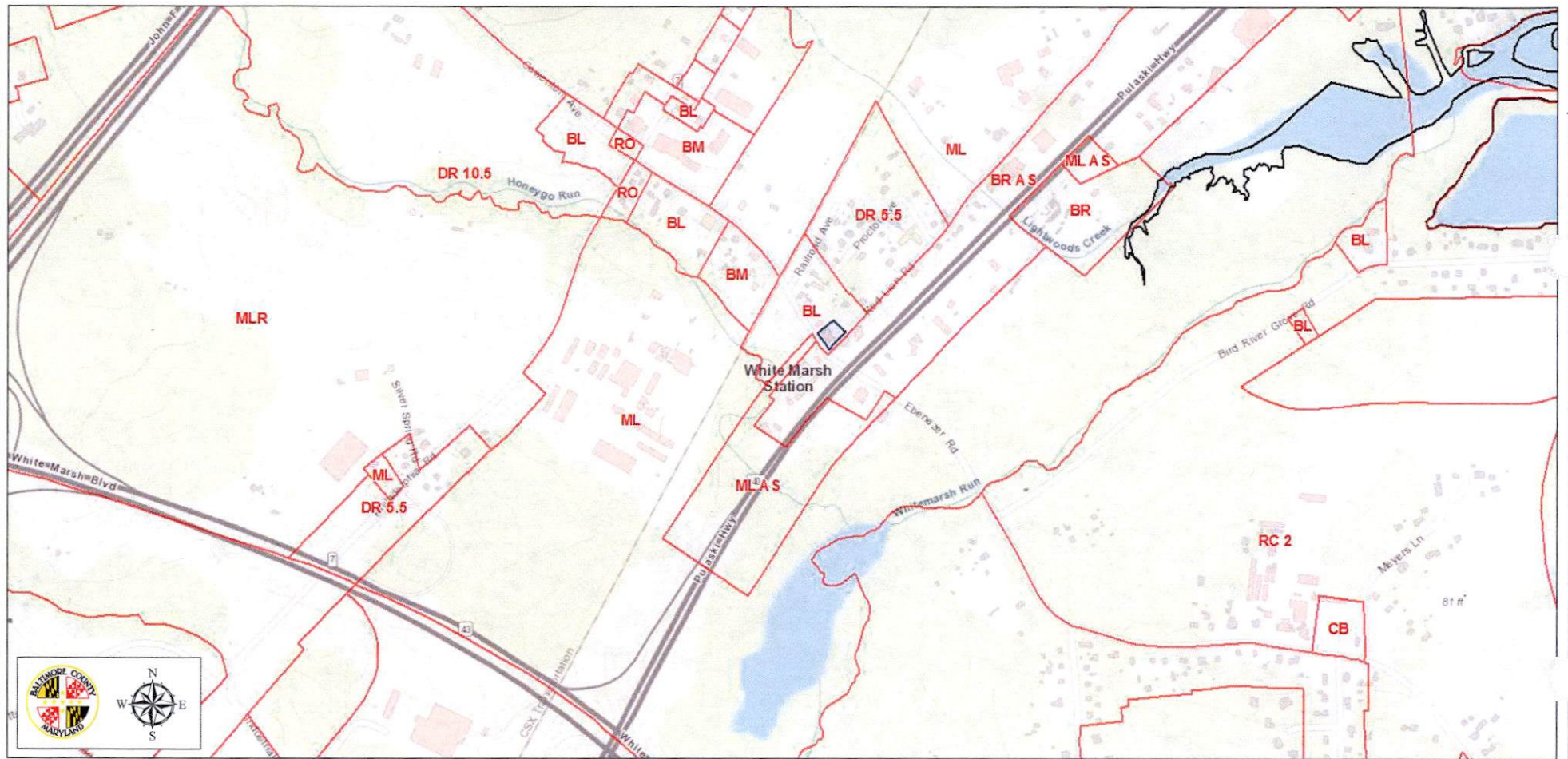
Data Sources:
CRD - Baltimore County Dept of Planning
All Other - Baltimore County Office of Info Tech



PETITIONER'S

EXHIBIT NO. 2

Baltimore County - My Neighborhood



July 31, 2017

Legend

Zoning

County Boundary

0 500
Meters
1 inch = 752 feet

Baltimore County GIS - Web Application
Baltimore County, VITA, Esri, HERE, Garmin, INCREMENTAL

PETITIONER'S

EXHIBIT NO. 3

Shannon M. Hexter (Chilcote)

464 Cedar Haven Rd. Arnold, MD 21012 • 717-360-2850 • shexter@rocketmail.com

EDUCATION

Johns Hopkins University

Baltimore, MD

Masters of Business Administration - Interdisciplinary track, May 2014

Appalachian State University

Boone, NC

Master of Science in Exercise Science, Aug 2004

The Pennsylvania State University

University Park, PA

Bachelor of Science in Kinesiology, May 2002

EMPLOYMENT

Ilera Healthcare, LLC

Co-founder / Clinical Manager & Research Liaison

- One of the twelve teams selected for the medical marijuana license in Pennsylvania (out of 258 applicants)
- Sole property owner of the facility's location – responsible for land improvements
- Assisting in the extensive permitting process for the Pennsylvania Department of Environmental Protection Agency
- Responsible for developing relationships and monitoring research efforts with local universities and institutions

Chesapeake Health Sciences, Baltimore, MD

Co-founder / Director of Patient Care Services, Sept 2014 – Current

- Assembled a team of medical professionals and business leaders to apply for medical cannabis licenses in Maryland
- Awarded a pre-approval for a dispensary license
- Currently assisting in setting up all aspects relating to the dispensary retail operations, strictly adhering to state regulations
- Providing clinical expertise to develop the patient education and physician outreach programs

Johns Hopkins University, Baltimore, MD

Clinical Exercise Physiologist, Dec 2007 – May 2012

- 2007 & 2008 - worked primarily in phase II and phase III cardiac rehabilitation
- Assisted in studies measuring physiological changes following pacemaker implantation in patients with diastolic congestive heart failure
- Generated individualized clinical workout regimens for high-risk cardiovascular research participants and peripheral artery disease patients based on their performance during maximal exercise testing
- 2008 to 2014 – worked exclusively in research
- Study coordinator duties – recruitment, scheduling and consenting of research participants
- Responsible for the design, demonstration, and supervision of exercise intervention programs
- Performed physiological testing procedures during pre-and-post lifestyle intervention phases of research studies; testing parameters included: resting metabolic rate, vascular function testing, DEXA scans, VO2 max testing, and strength assessments
- Managed research database

Harbor-UCLA, Torrance, CA

Exercise Physiologist and Pulmonary Specialist, September 2006 – June 2007

- Responsible for maintaining and calibrating all equipment in the cardiorespiratory lab
- Lab coordinator – scheduled all activities performed in the lab
- Clinical research physiologist for all pulmonary and cardiovascular patient/participant exercise studies
- Performed pulmonary function testing (PFTs)

PETITIONER' S

EXHIBIT NO.

4

Aaditya Goswami
Chief Executive Officer
Medical Decision Logic, Inc.

Aaditya Goswami is the Chief Executive Officer for Medical Decision Logic, Inc. (mdlogix). Trained as a mechanical and aerospace engineer at the University of Maryland, Mr. Goswami has enjoyed a successful career in delivering large-scale systems integration projects to enterprise-level clients in key market sectors in the public and private domains. He has held leadership positions in several companies, including ECS, Inc., Softline, Inc., KPMG Consulting, and EDS, Inc. Mr. Goswami researched and developed the best-fit information technology solutions for business process management in various domains, led the development of enterprise technology solutions for Application Delivery and Management Infrastructure (ADMI) at KPMG, and managed the deployment of Enterprise Resource Planning and Customer Relationship Management such as SAP, PeopleSoft and Oracle for several large clients.

Medical Decision Logic, Inc. (mdlogix)

2003-present

Role: CEO of a company that provides information technology solutions to the health care industry, including to the following clients:

- Johns Hopkins University
 - Developed the Clinical Research Management System (CRMS) for Johns Hopkins Medical Institutions. CRMS is now the mdlogix flagship product, used for managing the entire process of conducting clinical research.
 - Developed a product for automation of workflow for the Office of Policy Coordination.
 - Developed the IRB review process management portal.
 - Developed the Analysis services system for the clinical research dean's office.
- United States Department of Defense and Veterans Administration
 - CRMS is currently being deployed to the US DoD and the Veterans Administration for management of TBI and other clinical research studies.
- Maine Institute for Human Genetics and Health
 - Uses CRMS to conduct one of the largest cancer research studies sponsored by the DoD to understand the genetic and epigenetic effects on the high prevalence of cancer in Maine.
- Other clients include Tennessee Oncology, Autism Speaks (via the Kennedy Krieger Institute), Children's Hospital of Philadelphia, Children's Hospital Association, and several health care clinics.

Electronic Data Systems (EDS)

2002-2003

Role: Client Executive

- Involved in pursuit and delivery sides of the deal
- Served as Subject Matter Expert on information technology for the health care industry
- Partnered with other pursuit and delivery executives to formulate solutions for health care industry clients
- Engaged new health care clients in the southeast resulting in engagement with Johns Hopkins University collaborated to build new technology solutions that became the de-facto industry standard.

PETITIONER'S

EXHIBIT NO. 5

BIOGRAPHICAL SKETCH				
NAME Allen Y. Tien		POSITION TITLE President and Director of Applied Research		
Commons ID: ALLENTIENPI				
EDUCATION <i>(Begin with baccalaureate or other initial professional education, such as nursing, and include postdoctoral training.)</i>				
INSTITUTION AND LOCATION		DEGREE	YEAR CONFERRED	FIELD OF STUDY
Ohio State University		BA	1976	Biochemistry
OSU College of Medicine		MD	1982	Medicine
Johns Hopkins School of Public Health		MHS	1988	Biostatistics

A. Personal Statement

My strategic approach to contribute to health and care is to enhance and expand the development and application of health science informatics and information technologies. Our software implementation approach is user-centered to assure usability and utility, and designed to enable continuous data, information, and scientific knowledge (DISK) based improvements, organized as software user roles, rules, and workflows.

To lead and contribute to these areas of applied research and development, I have a combination of training, knowledge, and expertise that spans biostatistics, psychiatric epidemiology, clinical research, developmental neuroscience, public mental health research, computer science, and software engineering. I have been developing health information technologies since 1987. Some of the potential of my contributions stems from an interdisciplinary conceptual framework, starting with a decade (1986-1997) of work in two distinct areas of health research: 1) public mental health epidemiology, prevention, and services, and 2) clinical neuroscience. During that period (at Johns Hopkins), I initiated and fostered a multi-level integrative model for teaching students about the range of etiologic factors and interacting developmental processes for mental disorders.

In the following years (1998-present), I made a transition from academic health research and teaching to entrepreneur, founding Medical Decision Logic, Inc. ("mdlogix") with long-term visionary involvement in software purpose, architecture development, interface design, evaluation, and evolution. At the same time, I continue with intellectual interaction and contributions in the role of Adjunct Associate Professor in the Division of Health Science Informatics (DHSI) at the Johns Hopkins School of Medicine, participation with the ongoing informatics and multi-level scientific conceptualization, grant preparation, and technology considerations with mdlogix partners and clients, and with ongoing service to the NIH community with peer review panels.

In several ways, the work carried out at mdlogix provides a foundation for health system innovation. These are: 1) experience addressing complex informatics challenges with Small Business Innovation Research (SBIR) support; 2) learning about the market barriers to technology-based products for health research and practice; 3) engagement as a partner and vendor with leading academic medical centers; 4) focus on a platform and process model with creation of a state-of-the-art-leading product system (mdlogix CRMS) and health science-based web technology platform (mdlogix HSPF); and 5) collaborations and partnerships for business growth and sustainability.

B. Positions and Honors

Positions and Employment

1982-1983 Internship at the Texas Research Institute of Mental Sciences, Texas Medical Center, Houston, Texas.
1983-1986 Psychiatry Residency at the State University of New York at Stony Brook
1986-1988 Postdoctoral Fellowship in Psychiatric Epidemiology, Department of Mental Hygiene, Johns Hopkins
1986-1990 Attending Physician, North Charles Hospital Geriatric Med-Psych Unit
1988-1996 Assistant Professor, Dept. of Mental Hygiene, Johns Hopkins School of Hygiene and Public Health
1988-1996 Assistant Professor (joint), Dept. of Psychiatry, Johns Hopkins School of Medicine
1996-1997 Associate Professor, Dept. of Mental Hygiene, Johns Hopkins School of Hygiene and Public Health
1996-1997 Associate Professor (joint), Dept. of Psychiatry, Johns Hopkins School of Medicine
1997- Founder, President, and Director of Applied Research, Medical Decision Logic, Inc. ("mdlogix")
2004- Adjunct Associate Professor, Division of Health Science Informatics, Johns Hopkins School Medicine
2014- Acting Chief Science Officer, Realm of Caring
2015- Chief Science Officer, John. W Brick Mental Health Foundation

Other Experiences and Professional Memberships

1991-1998 International Society for the Systems Sciences

PETITIONER'S

EXHIBIT NO. 6



PETITIONER' S

EXHIBIT NO. 1









MARTIN

MARTIN
&
PHILLIPS

&

PHILLIPS

DESIGN ASSOCIATES, INC.

LAND PLANNING, CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, DEVELOPMENT CONSULTING, ZONING
222 BOSLEY AVENUE, SUITE B1, TOWSON, MARYLAND 21204

CURRICULUM VITAE
DAVID L. MARTIN, L.A.

Martin & Phillips Design Associates, Inc., Principal
Director of Land Planning / Landscape Architecture

Professional Registration: Landscape Architect
Maryland - No. 776
Pennsylvania - No. 573-E

Education:

The Pennsylvania State University
Bachelor of Science Landscape Architecture - 1971

Professional Affiliations:

American Society of Landscape Architects, Member
Urban Land Institute, Member

Boards:

Baltimore County, Design Review Panel

PETITIONER' S

EXHIBIT NO. 8

Professional practice includes 46 years of land planning, landscape architecture, comprehensive zoning, PUD master planning, site planning, and expert witness testimony regarding land use and zoning issues. Mr. Martin has been practicing in the Greater Baltimore Metropolitan region since 1987 and has been qualified as an expert in land planning, site planning, and zoning cases in Anne Arundel County, Baltimore County, Howard County, Harford County, Cecil County, Bel Air, Aberdeen, Havre de Grace, Perryville, Port Deposit and Federal District Court of Baltimore.

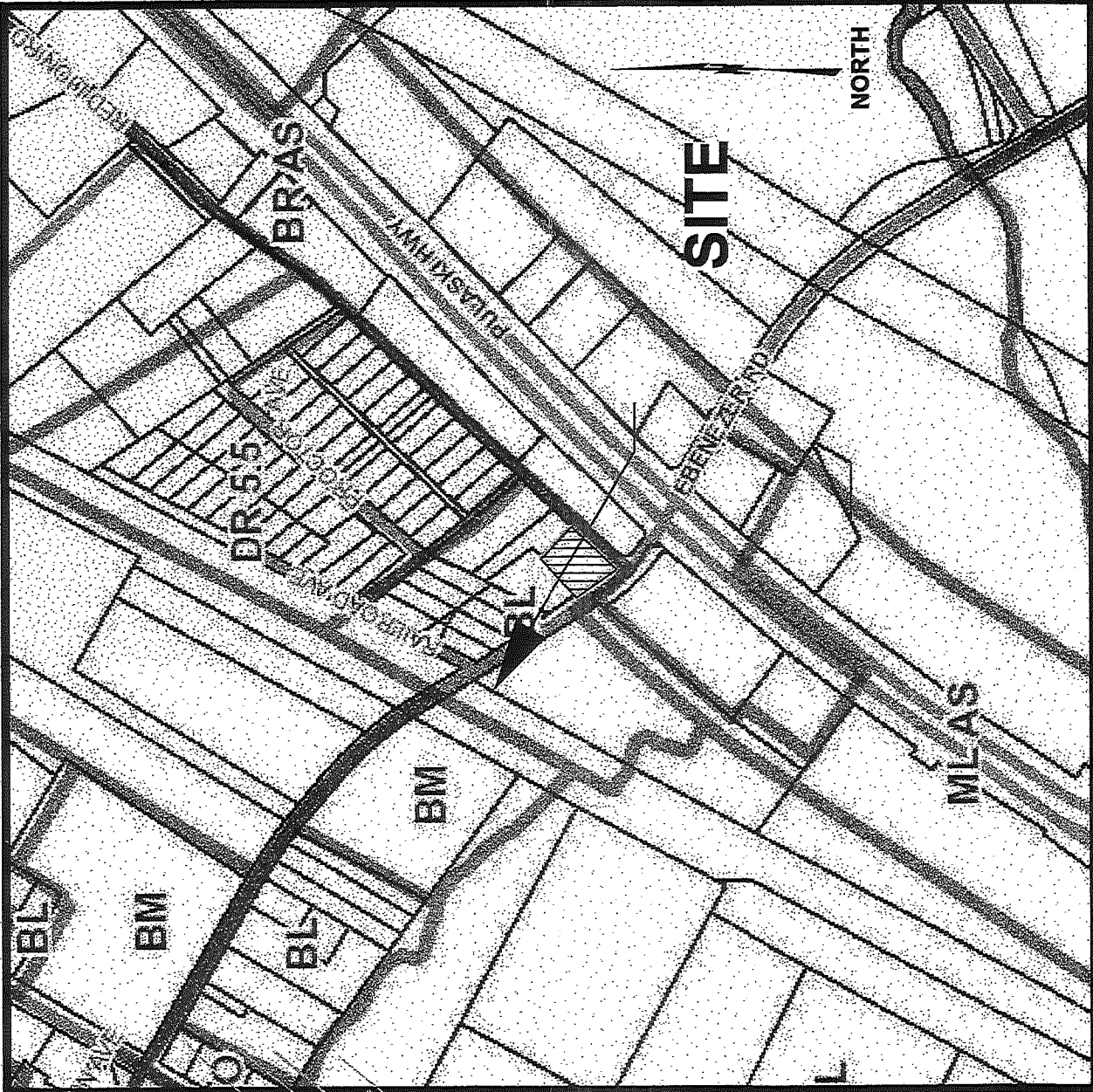
Prior to his relocation to Maryland, Mr. Martin practiced landscape architecture and land planning in Pennsylvania, Florida, Massachusetts, Alabama, The Commonwealth of the Bahamas and Jamaica.

As President of Martin & Phillips Design Associates, Inc. Mr. Martin supervises community planning, site development, subdivision development plans, and master planning efforts. He also offers zoning testimony and interpretation on land planning issues before zoning commissioners, boards of appeals, planning commissions, and elected bodies. Mr. Martin facilitates community input meetings, and presents Development Plans in Baltimore County and oversees the preparation of special exception and variance plan requests. He also directs the design of parks, amenity features, lighting plans and landscape plans associated with residential, commercial and institutional projects.

Significant projects include Developments of Regional Impact (DRI) in the State of Florida including; Palm Coast, Florida - 10,000 acre master plan, Beverly Hills, Florida - 6,500 acre master plan, and Doral Park, Florida - 2000 acre master plan. Representative local projects include: Hollywoods, Monmouth Meadows, Greenbriar, Bainbridge Development, Forge Landing, Owings Mills Commerce Center, The Avenue at Whitmarsh, Cedar Lane Farms P.U.D., Westwicke, Beaverbrook, Biddison Property, Bridle Ridge, Green Spring Station, Home Depot of Owings Mills, Bel Air and Timonium, Ashland Market Place, Powell Property, and Baker Property, Highlands Corporate Park, Preston Gateway North Industrial Park, Catholic Charities Senior Housing at the Village Crossroads, Brandywine PUD and the Chapel Springs Senior Housing PUD.

Mr. Martin has prepared numerous comprehensive-zoning petitions in Baltimore County in every CZMP cycle since 1992 and has a thorough understanding of the principles of Euclidean zoning and their application throughout the Baltimore Metro region. He also served on an ad-hoc committee that authored the Service Employment (SE) Zone of Baltimore County and the Public Affairs Committee for NAIOP. He has extensive experience dealing with all of the Baltimore Regional Area County's development regulations.

TELEPHONE: 410.321.8444, TOLL FREE: 866.395.8595
FAX: 410.321.1175



VICINITY MAP
SCALE 1" = 1000'

- PROPERTY LINE
EX. BUILDING
EDGE OF PAVING
ZONING LINE
EX. CONTOURS
EX. 100' FOREST BUFFERS
EX. TREE LINE
EX. STREAM
COMMERCIAL
REVITALIZATION
ZONE

GENERAL NOTES:

1. LEGAL OWNER: COMPASS, LLC
2. ADDRESS: 5512 EBENEZER ROAD, WHITE MARSH, MD 21162-1712
3. TAX ID #1118855182; TAX MAP 72, PARCEL 0534
4. DEED REF. 1, 16273, 16985
5. 5512 EBENEZER ROAD, LLC
6. P.O. BOX 180, WHITE MARSH, MD 21162-0180
7. 4. STEVENSON, MD 21153
8. CHESAPEAKE HEALTH SCIENCES, LLC
9. P.O. BOX 180, WHITE MARSH, MD 21162-0180
10. TOTAL AREA FOR SITE: 1.23 AC ± (133,483 S.F.)
11. ZONING: BR (BUSINESS, LOCAL)
12. PRESENT USE: RETAIL MUSIC STORE & VACANT
13. ELECTION DISTRICT: 11
14. COUNCILMANIC DISTRICT: 6
15. LEGISLATIVE DISTRICT: 7
16. WATERSHED: BRD RIVER
17. SUBWATERSHED: HOME GARDEN
18. BUILDING AREA: 4462 SF ± (8,310 SQ. FT.)
19. THERE ARE 28 SPACES PROVIDED FOR PARKING
20. THERE ARE 100 YEAR FLOOD PLANS ON THE PROPERTY
21. DRAINAGE IS TO THE BRD RIVER
22. FLOOR AREA: 4462 SF ± (8,310 SQ. FT.)
23. NO NEW BUILDINGS ARE PROPOSED. SITE WORK PROPOSED IS TO EXISTING BUILDING
24. ALL SIGNAGE WILL COMPLY WITH SECTION 409 OF THE B.C.Z.R.
25. THE PROPERTY IS UNDER CONTRACT OF SALE. THE LEGAL OWNER IS NOT LOCATED WITHIN A DEFICIENT AREA FOR WATER, SEWER, OR TRANSPORTATION PER THE 2017 BASIC SERVICES MAP.
26. REZONING DISTRICT: 11
27. ON HIGH SCHOOL WITHIN 500' OF THE SUBJECT PROPERTY.
28. OF A GRADING PERMIT.

Revision

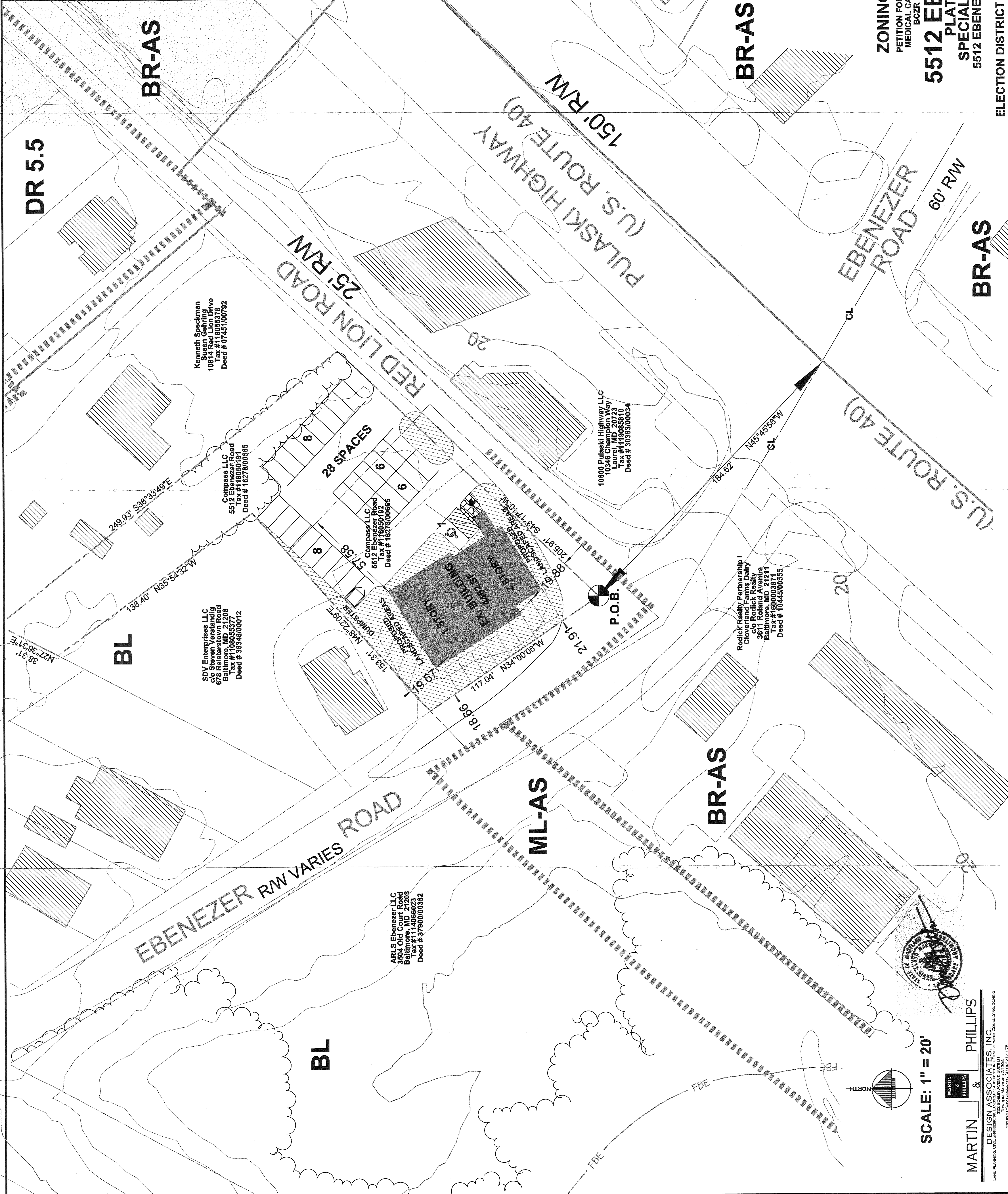
ZONING RELIEF REQUEST
PETITION FOR SPECIAL EXCEPTION TO APPROVE A
MEDICAL CANNABIS DISPENSARY PURSUANT TO
BCZR SECTIONS 40-102.A.2 AND 502.1

5512 EBENEZER ROAD
PLAT TO ACCOMPANY A
SPECIAL EXCEPTION REQUEST
5512 EBENEZER ROAD, WHITEMARSH, MD

ELECTION DISTRICT 11 COUNCILMANIC DISTRICT 6

2017-0292-X

Per. Ex. 1



SCALE: 1" = 20'

MARTIN & PHILLIPS
DESIGN ASSOCIATES, INC.
LAND PLANNING, CIVIL ENGINEERING, ARCHITECTURAL, ENVIRONMENTAL, AND DEVELOPMENT CONSULTING, ZONING

222 BELLEVUE AVENUE, SUITE 100
BALTIMORE, MD 21202-1178
TEL: 410-528-1444 FAX: 410-528-1178