MEMORANDUM

DATE: September 12, 2017

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2017-0351-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on September 11, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: VCase File

Office of Administrative Hearings

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE

AND VARIANCE
(9920, 9924 and 9926 York Road)) * OFFICE OF

8th Election District * ADMINISTRATIVE HEARINGS

Church Lane Shops, LLC * FOR BALTIMORE COUNTY

Legal Owner

Petitioner * Case No. 2017-0351-SPHA

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Church Lane Shops, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to approve an amendment to the site plan approved in Case No. 1992-0284-A; and (2) to approve the number and layout of the proposed off-street spaces on the subject property as indicated on the accompanying site plan. In the alternative, a Petition for Variance seeks: (1) approval of a total of 426 off-street parking spaces in lieu of the required 503 parking spaces; and (2) to permit parking spaces in a surface parking facility for a nonresidential use to be as close as 6 ft. from a public street right-of-way in lieu of the required 10 ft. A redline site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Landscape architect Matthew Bishop and professional engineer Joseph Caloggero appeared in support of the requests. David H. Karceski, Esq. and Adam Rosenblatt, Esq. represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A

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substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request.

The subject property (in its entirety) is 7.809 acres in size and zoned BR. The property is improved with a shopping center, and is located at the intersection of York and Cranbrook Roads in Cockeysville. This case involves a freestanding building on the site, which sits apart from the strip shopping center. The building is vacant and was last used as a bank. A Starbucks drive thru plans to open at the location, although zoning relief is required.

VARIANCES

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

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

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

This property is irregularly shaped and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to renovate and lease the vacant building for restaurant use. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition. Given the disposition of the variance petition, the special hearing request will be dismissed without prejudice.

THEREFORE, IT IS ORDERED this 11th day of August, 2017, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to approve an amendment to the site plan ORDER RECEIVED FOR FILING

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approved in Case No. 1992-0284-A; and (2) to approve the number and layout of the proposed off-street spaces on the subject property as indicated on the accompanying site plan, be and is hereby DISMISSED without Prejudice as MOOT.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to approve a total of 426 off-street parking spaces in lieu of the required 503 parking spaces; and (2) to permit parking spaces in a surface parking facility for a nonresidential use to be as close as 6 ft. from a public street right-of-way in lieu of the required 10 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

 Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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

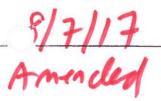
JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date____

Bv.





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 9920, 9924 and 9946 York Road which is presently zoned BR Deed References: See Attached Sheet 10 Digit Tax Account # See Attached Sheet Property Owner(s) Printed Name(s) Church Lane Shops LLC (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: a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve SEE ATTACHMENT No. 1 a Special Exception under the Zoning Regulations of Baltimore County to use the here n described prodect for ED AUG 0 9 2017 3. X a Variance from Section(s) OFFICE OF ADMINISTRATIVE HEARINGS SEE ATTACHMENT No. 2 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: 1 / 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/Lesses D FOR FILLING

Contract Purchaser/Lesses D FOR FILLIN Legal Owners (Petitioners): Church Lane Shops LLC, A Maryland Limited Liability Company By: Beverly Dobrochowski, Vice President Name #1 - Type or Print Name #2 - Type or Print Signature Date Signature #1 Signature #2 2800 Quarry Lake Drive, Suite 340, Baltimore, Maryland Mailing Addless City Mailing Address State City 21209 Zip Code Telephone # Email Address Zlp Code Telephone # Email Address Attorney for Politioner: Representative to be contacted: David H. ki, Esquire David H. Esquire Name- Type o Name -Signature Venable LLP ure Venable LLP 210 W. Pennsylvania Ave., Ste. 500 Towson MD 210 W. Pennsylvania Ave., Ste. 500 Towson MD Mailing Address State Mailing Address 21204 410-494-6285 dhkarceski@venable.com 21204 410-494-6285 dhkarceski@venable.com Zip Code Telephone # Email Address Zlp Code Telephone # Email Address CASE NUMBER Filing Date _ Do Not Schedule Dates: Reviewer REV. 10/4/11

017 -0351-5PHA

CHURCH LANE SHOPS, LLC 9920, 9924, AND 9946 YORK ROAD

<u>ATTACHMENT NO. 1</u> <u>PETITION FOR SPECIAL HEARING</u>

- 1) A Special Hearing pursuant to Section 500.7 of the B.C.Z.R. to determine whether the Zoning Commissioner should approve an amendment to the site plan approved in Case No. 1992-284-A.
- 2) A Special Hearing pursuant to Section 409.12.B of the B.C.Z.R. to approve the number and layout of the proposed off-street parking spaces on the subject property as indicated on the accompanying site plan.
- 3) Also, for such further relief as the Administrative Law Judge may require.

CHURCH LANE SHOPS, LLC 9920, 9924, AND 9946 YORK ROAD

ATTACHMENT NO. 2 PETITION FOR VARIANCE

- 1) A Variance from Section 409.6.A.2 of the B.C.Z.R. to allow a total of 426 off-street spaces in lieu of the required 502 parking spaces.
- 2) Also, for such further relief as the Administrative Law Judge may require.

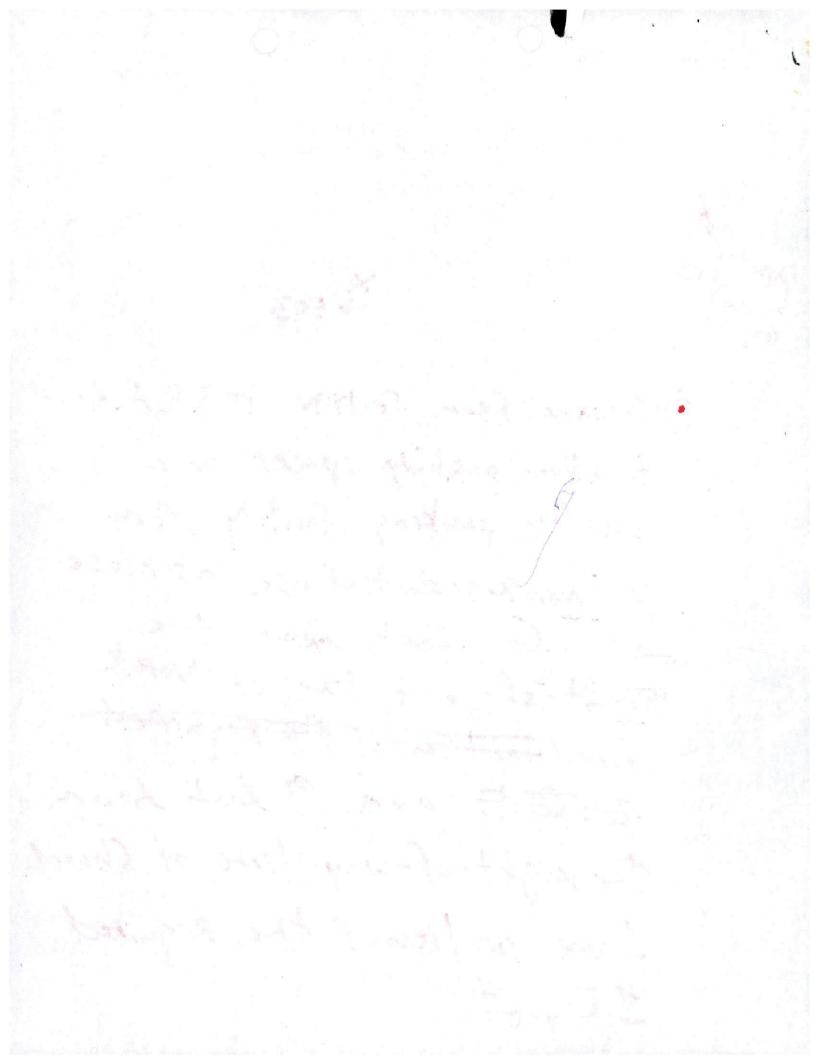
CHURCH LANE SHOPS, LLC 9920, 9924, AND 9946 YORK ROAD

ATTACHMENT NO. 2 PETITION FOR VARIANCE

A Variance from Section 409.6.A.2 of the B.C.Z.R. to allow a total of 426 off-street spaces in lieu of the required 502 parking spaces.

2) Also, for such further relief as the Administrative Law Judge may require.

3) VARIANCE FROM SectiON 409.8.A.4 to allow puplisty spaces in a surface ponking facility som a non residential use as close as 6 feet from pight-of-way line of York Rond in tien of the For Feet and 9 Leet from De right-of-way line of Church Lane in lien of the Required 10 feet.



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS



June 26, 2017

ZONING PROPERTY DESCRIPTION 9918-9926,9940,9946,9954-9958 and 9966-9978 YORK ROAD

Beginning at a point on the west side of York Road which is a 80' wide right of way, at the distance of 81.97' and bearing of S 11° 12'26" w of the centerline of Church Lane which is a 60' wide right of way. Thence the following courses and distances:

- 1) South 18° 55 '10" East 124.03'.
- 2) South 71° 13' 16" West 192.91'.
- 3) South 18° 46' 44" East 131.00'.
- 4) North 71° 13' 16" East 193.23'.
- 5) South 18° 55' 10" East 258.28'
- 6) South 64° 49' 07" West 174.23'.
- 7) South 05° 35' 43" West 31.30'.
- 8) South 87° 08' 23" West 63.95'.
- 9) North 18° 52' 37" West 165.00'.
- 10) South 87° 08' 23" West 242.32'.
- 11) South 81° 44' 18" West 64.92'.
- 12) South 70° 53' 31" West 138.60'.
- 13) North 00° 26' 47" West 619.23'.
- 14) South 83° 24' 07" East 308.53'.
- 15) North 06° 32' 04" East
- 16) South 83° 55' 50" East 75.01'.
- 17) South 06° 17' 57" West 138.82'.
- 18) South 83° 48' 30 ' East 55.92'.
- 19) North 05° 53' 05" East 38.27'.
- 20) North 74° 58' 05" East 70.18'.
- 21) South 15° 01' 55" East 3.00%
- 22) North 74° 58' 05" East 61.37' back to the point of beginning as recorded in deeds Liber 36592, Folio 420 and Liber 36592 Folio 4429, containing 314,189 square feet or 7.21 acres+/-

I certify that this description was either personally prepared by me or I was in responsible charge of its preparation. All of the surveying work reflected in said description complies with the requirements set forth in in Chapter 06.12 of the Minimum Standards of Practice for Professional Land Surveyors. OF MAN

Stephen J. Hall Professional Land Surveyor #21642

690 Fax. (410) 821-1748 1220-C East Joppa Road, Suite 505, Towson, Maryland 21286 Tel: (410) 821-1690



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 5078606

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 18, 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: # 2017-0351-SPHA
9920, 9924 8, 9946 York Road
West side of York Road, 82 ft. Northeast of Church Lane
8th Election District - 3rd Councilmanic District
Legal Owner(s) Church Lanes Shops, LLC
Special Hearing 1. To determine whether or not the
Administrative Law Judge should approve an amendment
to the site plan approved in Case # 1992-0284-A. 2. To
approve the number and layout of the proposed off-street
parking spaces on the subject property as indicated on the
accompanying site plan. 3. Also, for such further relief as the
Administrative Law Judge may require.
Variance 1. To allow a total of 426 off-street parking spaces
in lieu of the required 502 parking spaces. 2. Also, for such
further relief as the Administrative Law Judge may require.
Hearing: Monday, August 7, 2017 at 10:00 a.m. in Room
205, Jefferson Building, 105 West Chesapeake Avenue,
Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative

Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. JT 7/729 July 18

The Baltimore Sun Media Group

S. Wilkinson

Legal Advertising



	RE: Case No.:
	Petitioner/Developer:
	Church Lanes Shops, LLC
	August 7, 201' 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:	
	of perjury that the necessary sign(s) required by law were ted at:
9920, 9924 & 9946 York Road	
The sign(s) were posted on	July 18, 2017
	(Month, Day, Year)



Sincerely,

1//	July 18, 2017
(Signature of Sign Poster)	(Date)
SSG Robert Bla	nck
(Print Name))
1508 Leslie Ro	ad
(Address)	
Dundalk, Maryland	121222
(City, State, Zip C	Code)
(410) 282-794	0
(Telephone Num	her)



KEVIN KAMENETZ
County Executive

July 13, 2017

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

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: 2017-0351-SPHA

9920, 9924 & 9946 York Road West side of York Road, 82 ft. Northeast of Church Lane 8th Election District – 3rd Councilmanic District Legal Owners: Church Lanes Shops, LLC

Special Hearing 1. To determine whether or not the Administrative Law Judge should approve an amendment to the site plan approved in Case # 1992-0284-A. 2. To approve the number and layout of the proposed off-street parking spaces on the subject property as indicated on the accompanying site plan. 3. Also, for such further relief as the Administrative Law Judge may require. Variance 1. To allow a total of 426 off-street parking spaces in lieu of the required 502 parking spaces. 2. Also, for such further relief as the Administrative Law Judge may require.

Hearing: Monday, August 7, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon Director

AJ:ki

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204 Beverly Dobrochowski, 2800 Quarry Lake Dr., Ste. 340, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 18, 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.



PATUXENT PUBLISHING COMPANY TO:

Tuesday, July 18, 2017 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich Venable, LLP 210 W. Pennsylvania Avenue, Ste. 500 Towson, MD 21204

410-494-6200

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: 2017-0351-SPHA

9920, 9924 & 9946 York Road

West side of York Road, 82 ft. Northeast of Church Lane

8th Election District – 3rd Councilmanic District

Legal Owners: Church Lanes Shops, LLC

Special Hearing 1. To determine whether or not the Administrative Law Judge should approve an amendment to the site plan approved in Case # 1992-0284-A. 2. To approve the number and layout of the proposed off-street parking spaces on the subject property as indicated on the accompanying site plan. 3. Also, for such further relief as the Administrative Law Judge may require. Variance 1. To allow a total of 426 off-street parking spaces in lieu of the required 502 parking spaces. 2. Also, for such further relief as the Administrative Law Judge may require.

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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.

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2017-351-SPHA

ENTRY OF APPEARANCE

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

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Cank S Demlia

YUL 07 2017

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 7th day of July, 2017, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 2017-6351 - SPH A
Property Address: 9920, 9924 and 9946 York Road
Property Description: Southwest of the intersection of
Church Lane and York Road
Legal Owners (Petitioners): Church Lane Shops, LLC
Contract Purchaser/Lessee: N/A
PLEASE FORWARD ADVERTISING BILL TO: Name: Bac baca Luka senich
Company/Firm (if applicable): Venable LLP
Address: 210 W. Pennsylvania Ave.
Towson, MD 21204
Telephone Number: (410) 494 - 6200

*		A	PAID RECEIPT
	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE	Nº 154791	BUSINESS ACTUAL TIME DRU 6/29/2017 6/28/2017 09:29:20 3
•	MISCELLANEOUS CASH RECEIPT Date:	6/23/17	REG NSO3 NALKIN CAN >>RECEIPT # 730366 6/28/2017 OFLN
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KEVIN KAMENETZ County Executive

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

August 2, 2017

Church Lane Shops LLC Beverly Dobrochowski VP 2800 Ouarry Lake Drive Suite 340 Baltimore MD 21209

RE: Case Number: 2017-0351SPHA, Address: 9920, 9924, 9946 York Road

Dear Ms. Dobrochowski:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 28, 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.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel David H Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204





Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater

STATE HIGHWAY ADMINISTRATION

Date: 7/5/17

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 7/5/17. A field inspection and internal review reveals that an entrance onto 600 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for

Special Heaving Variance Churchbane Shaps, LLC 9920, 9924 29946 Verk Road.

7245

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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 MEMORANDUM

DATE: 8/2/2017

RECEIVED

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ADMINISTRATIVE HEARING

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: 17-351

INFORMATION:

Property Address: 9920, 9924, 9946 York Road

Petitioner:

Church Lane Shops, LLC, Beverly Dobrochowski, V.P.

Zoning:

BR

Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an amendment to the site plan approved in Zoning Case No. 1992-284-A and also the number and layout of the proposed off-street parking spaces on the subject property as indicated on the accompanying site plan. The Department also reviewed the petition for variance to allow 426 off-street parking spaces in lieu of the required 502 off-street parking spaces.

A site visit was conducted on July 10, 2017. The site is within the Hunt Valley/Timonium Master Plan area adopted into the Master Plan 2020 (MP 2020) on October 19, 1998 and features prominently on two main commercial corridors within the plan area. A stated goal of the MP 2020 is to "provide form and structure to the York Road corridor to improve its visual quality." (pg. 7). The plan refers elsewhere to the importance of addressing signage, architecture and landscaping to improve the visual quality of York Road (pg. 28). The Comprehensive Manual of Development Policies (CMDP) re-enforces the importance of good quality design to "provide an attractive, desirable environment in which to work, live and shop" (pg. 257).

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

The Petitioner has provided a revised site plan and a schematic landscape plan to the
Department received August 1, 2017. The revised plans show landscaping both on the York
Road frontage and within the site with amenity space located in front of the building. These
features are promoted within the Hunt Valley Timonium Master Plan. The Department
supports the requested variances based upon said site plan and schematic landscape plan.

Subject: ZAC #17-351

Page 2

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

Prepared by:

Lloyd T. Moxley

Division Chief:

Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott
 James Hermann, R.L.A., Department of Permits, Approvals and Inspections
 David H. Karceski, Esquire
 Office of the Administrative Hearings
 People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

JUL 1 0 2017

OFFICE OF ADMINISTRATIVE HEARINGS



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

July 10, 2017

SUBJECT:

DEPS Comment for Zoning Item

2017-0351-SPHA

Address

9920, 9924, 9946 York Road

(Church Lane Shops, LLC Property)

Zoning Advisory Committee Meeting of July 10, 2017.

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

Reviewer:

Steve Ford

Date: 7-10-2017

27.035

PFICE OF LINE HEARING





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:

July 10, 2017

SUBJECT:

DEPS Comment for Zoning Item

2017-0351-SPHA

Address

9920, 9924, 9946 York Road

(Church Lane Shops, LLC Property)

Zoning Advisory Committee Meeting of July 10, 2017.

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

Reviewer:

Steve Ford

Date: 7-10-2017



BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

DATE: 8/2/2017

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: 17-351

INFORMATION:

Property Address: 9920, 9924, 9946 York Road

Petitioner:

Church Lane Shops, LLC, Beverly Dobrochowski, V.P.

Zoning:

BR

Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an amendment to the site plan approved in Zoning Case No. 1992-284-A and also the number and layout of the proposed off-street parking spaces on the subject property as indicated on the accompanying site plan. The Department also reviewed the petition for variance to allow 426 off-street parking spaces in lieu of the required 502 off-street parking spaces.

A site visit was conducted on July 10, 2017. The site is within the Hunt Valley/Timonium Master Plan area adopted into the Master Plan 2020 (MP 2020) on October 19, 1998 and features prominently on two main commercial corridors within the plan area. A stated goal of the MP 2020 is to "provide form and structure to the York Road corridor to improve its visual quality." (pg. 7). The plan refers elsewhere to the importance of addressing signage, architecture and landscaping to improve the visual quality of York Road (pg. 28). The Comprehensive Manual of Development Policies (CMDP) re-enforces the importance of good quality design to "provide an attractive, desirable environment in which to work, live and shop" (pg. 257).

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

• The Petitioner has provided a revised site plan and a schematic landscape plan to the Department received August 1, 2017. The revised plans show landscaping both on the York Road frontage and within the site with amenity space located in front of the building. These features are promoted within the Hunt Valley Timonium Master Plan. The Department supports the requested variances based upon said site plan and schematic landscape plan.

Date: 8/2/2017

Subject: ZAC #17-351

Page 2

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

Prepared by:

Lloyd T. Moxley

Division Chief:

Kathy Schlabach

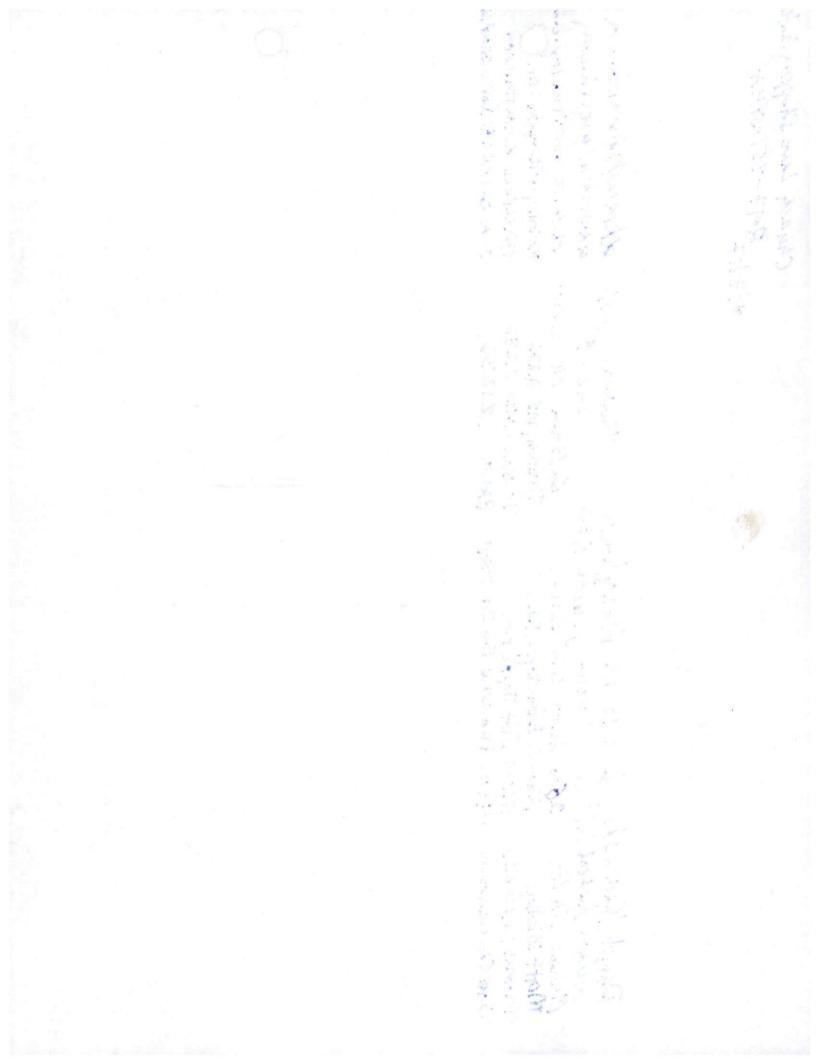
AVA/KS/LTM/ka

c: Wally Lippincott
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASEINAME			Shoppinglen	H
CASE NUMBER	2017	-351	-SPHA	
DATE 8/7	117			

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL		
Parid Karusk Adam Rosenbla Michael Stoltz Mott Bishop Momas Sheckells Doe Caloggeno		Be/6200 Mg 21201	AKARCESKI Brenasle. OM AROSEN BLATTE VETASLE. COM AS to 1/2 OMF: rea 1/4, com Mbishopommasta, com TSHELKEIS EMMASTA. COM TCALOGOCAS OTRAFFICGRAPA		
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CHECKLIST

Comment <u>Received</u>	Depar	tment		v	Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT (if not received, da				-
7/10	DEPS (if not received, da	te e-mail sent _)		TO COMMENT
	FIRE DEPARTME	INT			
8311	PLANNING (if not received, day	te e-mail sent _			no optendation
7/5/17	STATE HIGHWA	Y ADMINISTR	ATION		no obj
	TRAFFIC ENGINE	EERING			
, , , , , , , , , , , , , , , , , , ,	COMMUNITY AS	SOCIATION			
	ADJACENT PROP	ERTY OWNE	RS		*
ZONING VIOLATIO	DN (Cas	e No	,		
PRIOR ZONING	(Cas	e No		.3	
NEWSPAPER ADV	ERTISEMENT	Date:	4/18/17		
SIGN POSTING		Date:	7/18/17	· ·	by SSG Block
PEOPLE'S COUNSE		Yes TER Yes	No No		¥
Comments, if any:					· · · · · · · · · · · · · · · · · · ·

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	Vi	View GroundRent Redemption View GroundRent Registration							
Account Identifi	er:	District - 08 Account Number - 0805063572							
			Ow	ner Informatio	on				
Owner Name: CHURCH LANI		LANE SHO	E SHOPS LLC Use: Principal Residence:		COM NO	COMMERCIAL NO			
Mailing Address	:	INVESTO	ND FINANC PRS 0 LAKE DR		Deed Refer	епсе:	/3659	92/ 0042	0
		BALTIMO	RE MD 212	209-	•				
	_		Location 8	Structure Inf	ormation				
Premises Addre	ss:	9920 YOF 0-0000	₹K RD	I	Legal Desc	ription:	.506		D DWAY AV
Map: Grid:	Parcel:	: Sub District:	Subdivisi	on: Sectio	n: Bloc	k: Lot:	Asses Year:	sment	Plat No;
0051 0017	0418		0000				2017		Plat Ref:
Special Tax Ar	eas:			Town: Ad Valore Tax Class			N	ONE	
Primary Struct Built 1965	ture	Above Grade Area 3447	Living	Finished B Area	asement	Prop Area 22,04		L	County Jse 5
Stories Bas	ement	Type SHOPPING CE NEIGHBORHO		Exteri	or Full/l Bath	lalf	Garage	Last M Renov	
			Va	lue Informatio	n				
		Base Va	alue	Value		Phase-in	Assessme	ents	
				As of 01/01/201		As of 07/01/201	6	As of 07/01/2	2017
Land:		694,400		694,400					
Improvements		298,100		297,600					
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Seller: WOOD!	N PAUL 1	F.TR USTEF		e: 04/29/1986			Price: \$49	an 500	
Type: ARMS L		•	Dee	d1: /08110/ 0	0231	_	Deed2:		
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Partial Exempt Assessments:		Class			07/01/2016		07/01	/2017	
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Case No.: 2017-0351-SPHA

Exhibit Sheet

Petitioner/Developer

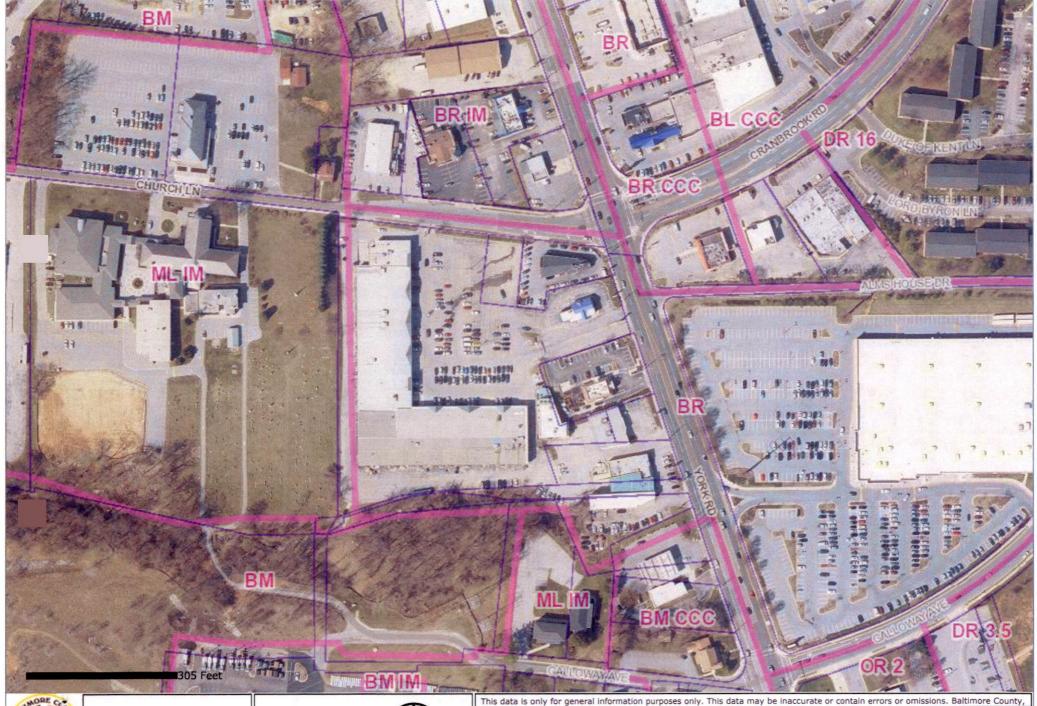
DD 12-17

Protestant

8-11-17 Den

No. 1	Plan (redlined)	
No. 2	aerial photo	
No. 3	Bishop CV	
No. 4	Caloggero CV	
No. 5	Photos of site	
No. 6	Landscape Plan	
No. 7	Elevation drawings	
No. 8	Traffic Group parkingshid	8
No. 9		
No. 10		
No. 11	,	
)		,
No. 12	- N	







My Neighborhood Map

Created By Baltimore County My Neighborhood

Maryland does not warrant the accuracy or reliability of limited to, all warranties, express or implied, of mercha disclaims all obligation and liability for damages, includ attorneys' and experts' fees, and court costs incurred a data.

PETITIONER'S EXHIBIT _2



MATTHEW A. BISHOP, PLA, LEED AP

Associate

PROJECT ASSIGNMENT:
Expert Witness, Landscape Architect

YEARS OF EXPERIENCE:

MRA:

11

Other Firms:

5

EDUCATION:

B.S. Landscape Architecture / 2001 / University of Connecticut M.S. Plant Science / 2005 / University

of Connecticut

ACTIVE REGISTRATION:

Landscape Architect: Maryland, 2006, #3365

L.E.E.D. Accredited Professional (2008)

PROFESSIONAL AFFILIATIONS:

Maryland Building Industry Association (MBIA), Baltimore County Chapter

QUALIFICATIONS:

Mr. Bishop is an Associate with MRA's Towson office. His experience includes a variety of projects ranging in scale from site specific to regional planning including streetscapes, neighborhood parks, mixeduse and residential development. The scope of Mr. Bishop's project involvement includes site analysis through construction documents; applications and permitting; graphic renderings; grading; and cost estimating. His experience also includes working with various government agencies, private interest groups, and project related consultants including: architects; civil engineers; traffic engineers; and City, State, and County environmental and planning agencies.

Sample projects managed by Mr. Bishop include the following:

Firestone Auto Care Center, Baltimore County, Maryland - Located in Perry Hall on the east side of Belair Road, this commercial auto care facility included 5,000 sf of service and retail space with associated parking, signage, and landscape improvements. Served as project manager in the preparation of all Baltimore County required plans including a Special Exception Plan, Development Plan, Grading Plan, Site Plan, ESC Plan, Utility Plans, and Landscape Plans. Served as expert witness at the Special Exception hearing.

Gunpowder Overlook, Baltimore County, Maryland – Located in Perry Hall on the east side of Belair Road, this residential community includes 48 single family detached residential homes with associated open space, stormwater management facilities, environmental conservation areas, public roads and utilities. Served as project manager in the preparation of Concept Plans, a Development Plan, a Pattern Book, and coordination of a Community Input Meeting. Provided expert witness testimony at the Administrative Law Judge Hearing.

5737 Allender Road, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 121 homes situated around an extensive network of community open spaces. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also provided expert witness testimony for a Variance hearing to reduce side and rear yard building setbacks.

Red Lion Farm, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 61 homes. Provided expert witness testimony for a variance hearing to reduce rear yard building setbacks.

Windlass Run, Baltimore County, Maryland - Located on the east side of Baltimore County south of White Marsh Boulevard this Planned Unit Development incorporates 424 homes situated around an extensive network of community open spaces including a clubhouse, pool, and children's play equipment. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also designed and prepared detailed landscape architecture related design products including Active Open Space areas, Passive Open Space areas, Entry features, and Club house/pool area.

Towson Manor, Towson, Maryland - Located south of downtown Towson, on the east side of York Road, this Planned Unit Development incorporates 109 townhouses and an assisted living facility on ±8.22 acres. The project is a redevelopment of an existing single family residential community which had fallen into disrepair. Served as project



MATTHEW A. BISHOP, PLA, LEED AP-Page 2 of 2

landscape architect in the design and preparation of Baltimore County required Concept Plan, Development Plan, Pattern Book, Final Development Plan, Grading Plan, Landscape Plan / Cost Estimates, and Stormwater Management Plan. Also designed and prepared landscape construction drawings for a highly visible centrally located Bio-Retention facility that will be used not only as a functional stormwater treatment facility but also as a visually appealing community open space. The design incorporated native plant species chosen for both functional and aesthetic qualities while also meeting the strict specifications of Baltimore County DEPS and the Maryland Stormwater Design Manual



JOSEPH J. CALOGGERO, P.E., PTOE, PTP Vice President



"A Leader in Sustainable Transportation Solutions"

Joe Caloggero is a professional Traffic Engineer who brings almost 30 years of both technical and academic experience to The Traffic Group, Inc. His responsibilities include, but are not limited to, various traffic engineering and managerial tasks in the areas of traffic impact analysis, traffic safety studies, and transportation planning. He has managed over 500 Land Development Projects and has testified as an expert witness for various projects in many different jurisdictions.

Previously, Mr. Caloggero served as a Traffic Engineer for Parsons Brinckerhoff Quade & Douglas, Inc. and the Maryland State Highway Administration. During his career, he has performed various traffic engineering tasks, including traffic signal design, highway and intersection capacity analysis, maintenance and protection of traffic design, and transportation planning.

Job History

2000 - Present

Vice President - The Traffic Group, Inc.

1998 - 2000

Traffic Engineer

Parsons, Brinckerhoff, Quade & Douglas, Inc.

1993 - 1998

Traffic Engineer

Maryland State Highway Administration

Educational Background

 Bachelor of Science in Civil Engineering West Virginia University, Dec. 1991

Affiliations

- Certified Professional Transportation Planner (PTP)
- Certified Professional Traffic Operations Engineer (PTOE)
- Registered Professional Engineer (P.E.) Florida, Hawaii, Maryland, New Jersey, South Carolina, Virginia, and West Virginia
- Institute of Transportation Engineers (I.T.E.)
- The Maryland Association of Engineers
- County Engineers' Association of Maryland (CEAM)

Publications

- Co-author, "Positive Guidance in Maryland—Guidelines and Case Studies," Maryland State Highway Administration Document, July 1997.
- Co-author, "Highway Agency Tort Liability and Risk Management Relative to Pedestrian Facilities," Proceedings of Conference on Risk Management and Tort Liability, Pennsylvania State University, April 1993.

Places where Mr. Caloggero has testified as an expert witness

DELAWARE

• Kent County, DE – Regional Planning Commission

MARYLAND

- Baltimore County Zoning Commissioner, Board of Appeals
- Calvert County Board of Appeals
- Carroll County Board of Zoning Appeals, Planning and Zoning Commission
- Charles County Board of Appeals
- City of Brunswick Mayor and Council
- City of Frederick Planning Commission, Board of Appeals
- City of Hagerstown Planning Commission, Mayor & City Council City of Rockville – Board of Appeals
- Frederick County Planning Commission, Board of Appeals, Board of County Commissioners
- Howard County Hearing Examiner, Board of Appeals
- Montgomery County Hearing Examiner, Planning Board
- Prince George's County Hearing Examiner, Planning Board
- St. Mary's County County Commissioners, Planning Commission
- Town of La Plata Planning Commission
- Town of Mount Airy Board of Zoning Appeals
- Town of Rising Sun Planning Commission
- Town of Taneytown Planning Commission
- Town of Thurmont Planning Commission
- · Town of Walkersville Board of Appeals

VIRGINIA

- City of Manassas, VA Planning Commission
- Town of Front Royal, VA Planning Commission, Town Council

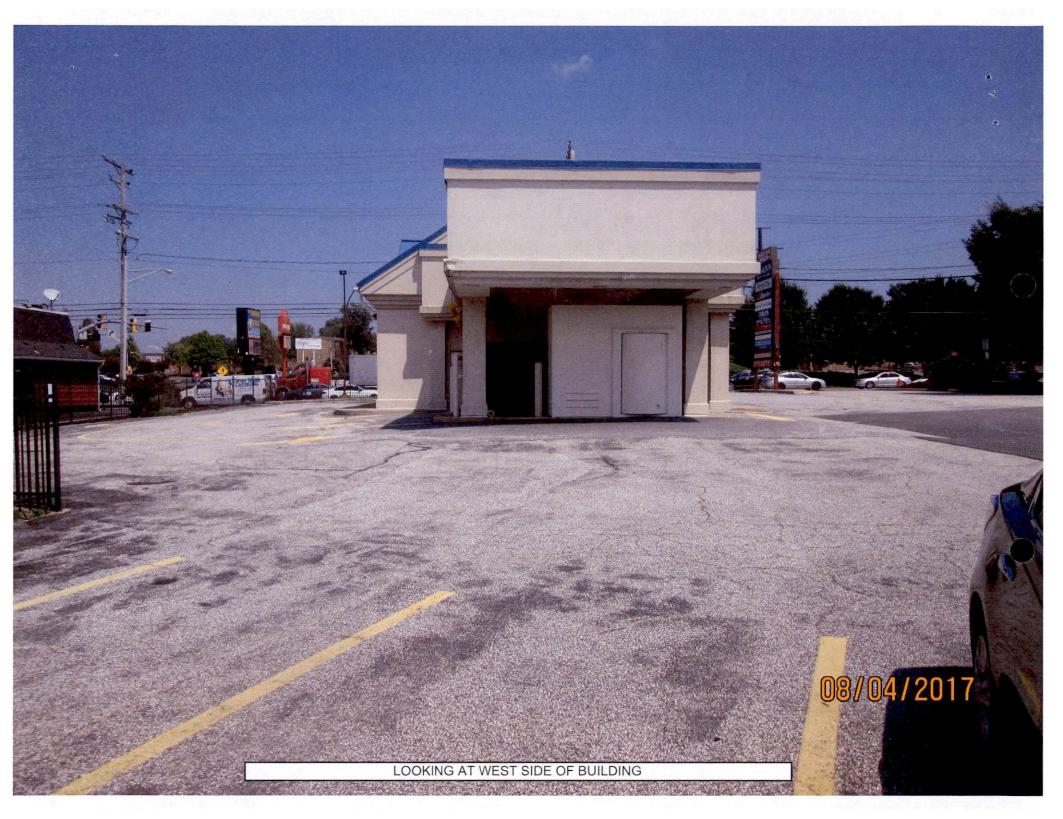
The Traffic Group, Inc. ♦ 9900 Franklin Square Drive ♦ Suite H ♦ Baltimore, Maryland 21236 410-931-6600 ♦ Fax: 410-931-6601 ♦ www.trafficgroup.com

(2/17)





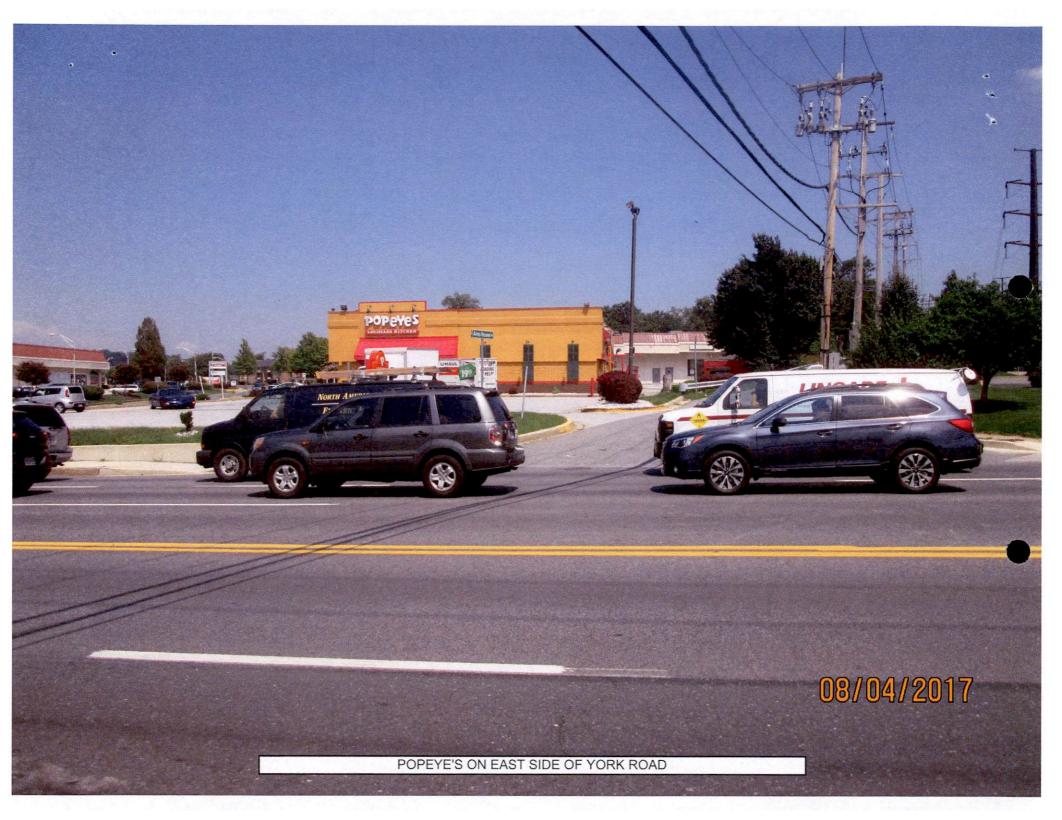














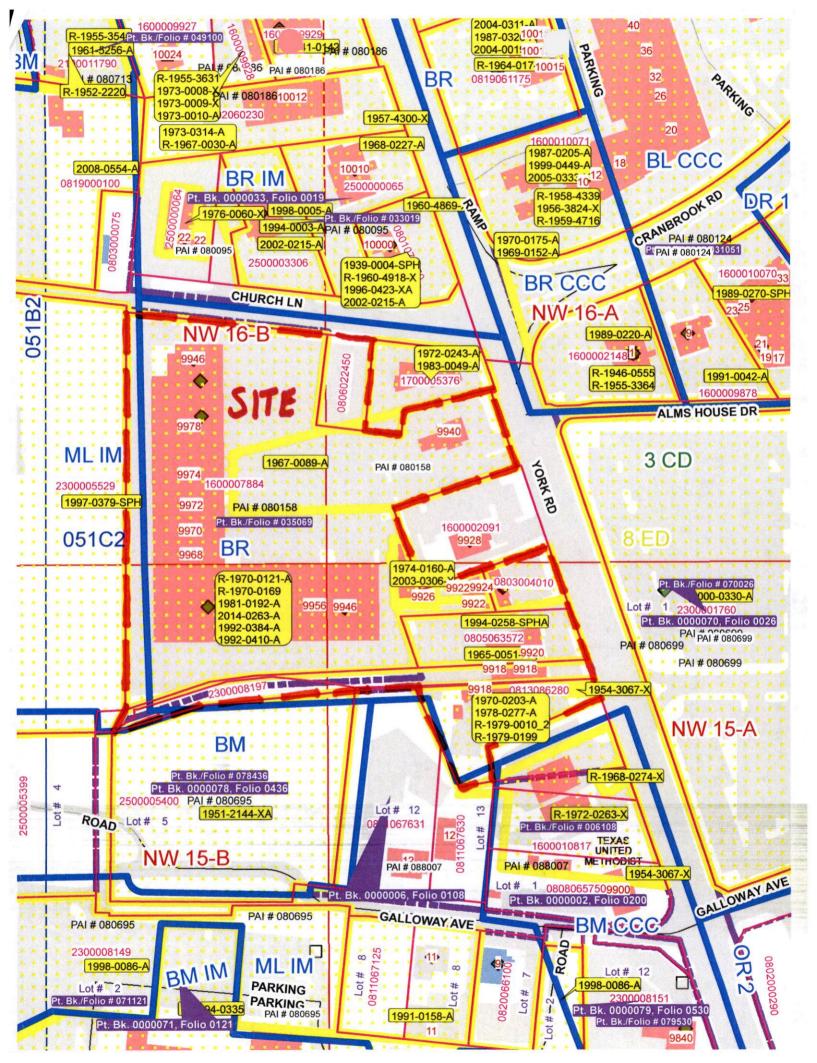


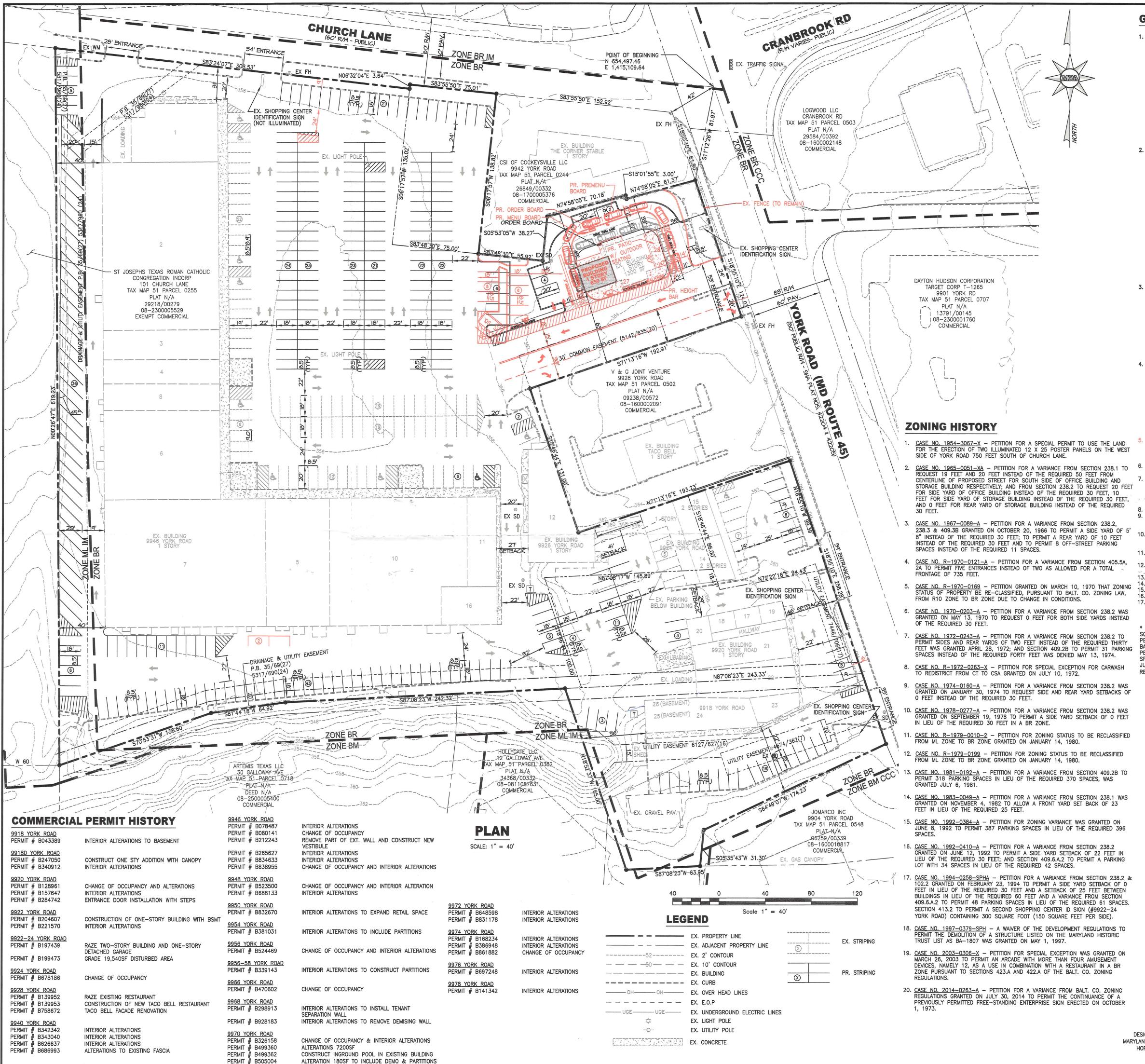
The Traffic Group, Inc. 9900 Franklin Square Drive, Suite H Baltimore, Maryland 21236 (800) 583-8411 www.trafficgroup.com



Location: Church Lane County: Baltimore County, Maryland Lot: Church Lane Shopping Center Start Date: July 27, 2017 # of Spaces Available: 426

Data	Canal Time	# of Veh	
Date	Start Time		
7/27/2017	7:00	33	
7/27/2017	7:30	38	
7/27/2017	8:00	47	
7/27/2017	8:30	52	
7/27/2017	9:00	59	(T. T. C.)
7/27/2017	16:00	153	TO 10
7/27/2017	16:30	164	
7/27/2017	17:00	17	
7/27/2017	17:30	183	100 miles
7/27/2017	18:00	186	TO 10
7/28/2017	7:00	31	
7/28/2017	7:30	40	
7/28/2017	8:00	48	
7/28/2017	8:30	57	
7/28/2017	9:00	66	
7/28/2017	16:00	61	365
7/28/2017	16:30	63	363
7/28/2017	17:00	77	349
7/28/2017	17:30	73	353
7/28/2017	18:00	76	350
7/29/2017	11:00	126	300
7/29/2017	11:30	123	2 304
7/29/2017	12:00	126	300
7/29/2017	12:30	128	3 298
7/29/2017	13:00	124	302
7/29/2017	13:30	104	4 322
7/29/2017	14:00	102	2 324
7/29/2017	14:30	114	4 312
7/29/2017	15:00	119	307
		Average Vehicles P	arked 95
		Minimum Vehicles P	arked 31
		Maximum Vehicles P	arked 186





GENERAL NOTES

SITE DATA: GROSS AREA: 7.809 AC.± (340,150.8 SF ±) NET AREA: 7.213 AC± (314,189.3 SF ±) EXISTING ZONING: ELECTION DISTRICT: COUNCILMANIC DISTRICT CENSUS TRACT: WATERSHED: LOCH RAVEN RESERVOIR ZONING MAP TAX MAP: MAP 51 GRID 17 PARCEL:

0247, 0246, 0254, 0418, 0528 TAX ACCOUNT NUMBERS: 08-1600007884, 08-0806022450, 08-0803004010, 08-0805063572, 08-0813086280 36592 / 00429

COMMERCIAL, RETAIL, RESTAURANT EX. LAND USE: PROP. LAND USE: COMMERCIAL, RETAIL, RESTAURANT

BR ZONE SETBACK REQUIREMENTS: FRONT YARD: REQUIRED: 25' FROM BUILDING TO PROPERTY LINE

50' FROM BUILDING TO STREET CENTER LINE **EXISTING:** PROPOSED: SIDE YARD: REQUIRED: EXISTING: PROPOSED: REAR YARD: REQUIRED: EXISTING: PROPOSED:

F.A.R. PERMITTED: F.A.R. PROVIDED: 0.32

ML IM ZONE SETBACK REQUIREMENTS: FRONT YARD:

50' FROM STREET CENTER LINE, EXCEPT 50 FEET FROM FRONT PROPERTY LINE IF ON DUAL

= 7 SPACES

SIDE YARD: REAR YARD: F.A.R. PERMITTED: 2.0

PARKING TABULATION: THIS SHOPPING CENTER, WITH 100,565 SF OF GROSS LEASABLE AREA. IS PARKED AT 5 SPACES PER 1,000 SF. PER SECTION 409.6.A.2. OF THE BALTIMORE COUNTY ZONING REGULATIONS.

100,565 SF @ 5 SPACES PER 1,000 SF = 503 SPACES PROPOSED: STANDARD (8.5'x18') = 415 SPACES HANDICAP (8.0'x18') = 11 SPACES = 426 SPACES* DRIVE THROUGH STACKING SPACES

= 9 SPACES THERE ARE NO 100-YEAR F.E.M.A. FLOODPLAINS ON THIS SITE (F.E.M.A. PANEL NO. 240010 0235 F). ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS. EXISTING SHOPPING CENTER IDENTIFICATION SIGNS ARE ILLUMINATED EXCEPT FOR

REQUIRED (WITH 5 BEHIND ORDER BOARD)

THE ONE AT CHURCH LANE ENTRANCE. THE MAXIMUM BUILDING HEIGHT FOR BR ZONE IS 40 FEET. BUILDING CONSTRUCTION SHALL COMPLY WITH BUILDING CODE AND REQUIREMENTS.

THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.

* THE TOTAL AREA OF THE SHOPPING CENTER EXCEEDS 100,000 SQUARE FEET, THEREFORE THE PARKING RATE FOR THIS SITE IS 5

BALTIMORE COUNTY CODE. A VARIANCE WILL BE REQUIRED TO

PERMIT 426 PARKING SPACES IN LIEU OF THE REQUIRED 503

SPACES. A PETITION FOR ZONING VARIANCE WAS GRANTED ON

REQUIRED 396 SPACES (CASE NO. 1992-384-A).

JUNE 8, 1992 TO PERMIT 387 PARKING SPACES IN LIEU OF THE

THERE ARE NO HISTORIC BUILDINGS ON SITE.

JACK'S SHOE REPAIR.

DESIGN & DRAWING BASED ON

MARYLAND COORDINATE SYSTEM (MCS):

HORIZONTAL NAD 83 (1991)

VERTICAL NAVD 88

SIGNAGE WILL CONFORM TO BALTIMORE COUNTY ZONING CODE.

SECTION 450. OR ANY PRIOR RELIEF GRANTED THERE FROM, OR A

THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.

PROPOSED PARKING IN THE ML-IM ZONE WILL BE UTILIZED BY PIZZA HUT, CARLO'S ITALIAN BISTRO, DISALVO SALON, PHOENIX SALON AND

THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.

VARIANCE WILL BE REQUESTED. 11. SCREENING & LANDSCAPING SHALL COMPLY WITH THE BALTIMORE 4. CASE NO. R-1970-0121-A - PETITION FOR A VARIANCE FROM SECTION 405.5A, 'LANDSCAPE MANUAL UNLESS OTHERWISE NOTEL TO OUR KNOWLEDGE THERE ARE NO KNOWN EXISTING WELLS AND 2A TO PERMIT FIVE ENTRANCES INSTEAD OF TWO AS ALLOWED FOR A TOTAL SEPTIC SYSTEMS ON THE PROPERTY

CASE NO. R-1970-0169 - PETITION GRANTED ON MARCH 10, 1970 THAT ZONING STATUS OF PROPERTY BE RE-CLASSIFIED, PURSUANT TO BALT. CO. ZONING LAW, FROM R10 ZONE TO BR ZONE DUE TO CHANGE IN CONDITIONS.

6. <u>CASE NO. 1970-0203-A</u> - PETITION FOR A VARIANCE FROM SECTION 238.2 WAS GRANTED ON MAY 13, 1970 TO REQUEST 0 FEET FOR BOTH SIDE YARDS INSTEAD OF THE REQUIRED 30 FEET.

CASE NO. 1972-0243-A - PETITION FOR A VARIANCE FROM SECTION 238.2 TO PERMIT SIDES AND REAR YARDS OF TWO FEET INSTEAD OF THE REQUIRED THIRTY PER 1000 SQUARE FEET AS PER SECTION 409.6.A.2 OF THE FEET WAS GRANTED APRIL 28, 1972; AND SECTION 409.2B TO PERMIT 31 PARKING SPACES INSTEAD OF THE REQUIRED FORTY FEET WAS DENIED MAY 13, 1974.

CASE NO. $R-1972-0263-\chi$ - PETITION FOR SPECIAL EXCEPTION FOR CARWASH TO REDISTRICT FROM CT TO CSA GRANTED ON JULY 10, 1972. CASE NO. 1974-0160-A - PETITION FOR A VARIANCE FROM SECTION 238.2 WAS GRANTED ON JANUARY 30, 1974 TO REQUEST SIDE AND REAR YARD SETBACKS OF

O FEET INSTEAD OF THE REQUIRED 30 FEET.). <u>CASE NO. 1978-0277-A</u> - PETITION FOR A VARIANCE FROM SECTION 238.2 WAS GRANTED ON SEPTEMBER 19, 1978 TO PERMIT A SIDE YARD SETBACK OF 0 FEET

CASE NO. R-1979-0010-2 - PETITION FOR ZONING STATUS TO BE RECLASSIFIED FROM ML ZONE TO BR ZONE GRANTED ON JANUARY 14, 1980.

12. <u>CASE NO. R-1979-0199</u> - PETITION FOR ZONING STATUS TO BE RECLASSIFIED FROM ML ZONE TO BR ZONE GRANTED ON JANUARY 14, 1980.

3. <u>CASE NO. 1981-0192-A</u> - PETITION FOR A VARIANCE FROM SECTION 409.2B TO PERMIT 318 PARKING SPACES IN LIEU OF THE REQUIRED 370 SPACES, WAS

14. <u>CASE NO. 1983-0049-A</u> - PETITION FOR A VARIANCE FROM SECTION 238.1 WAS GRANTED ON NOVEMBER 4, 1982 TO ALLOW A FRONT YARD SET BACK OF 23 FEET IN LIEU OF THE REQUIRED 25 FEET.

15. <u>CASE NO. 1992-0384-A</u> - PETITION FOR ZONING VARIANCE WAS GRANTED ON JUNE 8, 1992 TO PERMIT 387 PARKING SPACES IN LIEU OF THE REQUIRED 396

16. <u>CASE NO. 1992-0410-A</u> - PETITION FOR A VARIANCE FROM SECTION 238.2 GRANTED ON JUNE 12, 1992 TO PERMIT A SIDE YARD SETBACK OF 22 FEET IN LIEU OF THE REQUIRED 30 FEET; AND SECTION 409.6.A.2 TO PERMIT A PARKING LOT WITH 34 SPACES IN LIEU OF THE REQUIRED 42 SPACES.

17. <u>CASE NO. 1994-0258-SPHA</u> - PETITION FOR A VARIANCE FROM SECTION 238.2 & 102.2 GRANTED ON FEBRUARY 23, 1994 TO PERMIT A SIDE YARD SETBACK OF 0 FEET IN LIEU OF THE REQUIRED 30 FEET AND A SETBACK OF 25 FEET BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60 FEET AND A VARIANCE FROM SECTION 409.6.A.2 TO PERMIT 48 PARKING SPACES IN LIEU OF THE REQUIRED 61 SPACES. SECTION 413.2 TO PERMIT A SECOND SHOPPING CENTER ID SIGN (#9922-24 YORK ROAD) CONTAINING 300 SQUARE FOOT (150 SQUARE FEET PER SIDE).

18. <u>CASE NO. 1997-0379-SPH</u> - A WAIVER OF THE DEVELOPMENT REGULATIONS TO PERMIT THE DEMOLITION OF A STRUCTURE LISTED ON THE MARYLAND HISTORIC TRUST LIST AS BA-1807 WAS GRANTED ON MAY 1, 1997.

19. <u>CASE NO. 2003-0306-X</u> - PETITION FOR SPECIAL EXCEPTION WAS GRANTED ON MARCH 26, 2003 TO PERMIT AN ARCADE WITH MORE THAN FOUR AMUSEMENT DEVICES, NAMELY 12, AS A USE IN COMBINATION WITH A RESTAURANT IN A BR ZONE PURSUANT TO SECTIONS 423.A AND 422.A OF THE BALT. CO. ZONING

20. <u>CASE NO. 2014-0263-A</u> - PETITION FOR A VARIANCE FROM BALT. CO. ZONING REGULATIONS GRANTED ON JULY 30, 2014 TO PERMIT THE CONTINUANCE OF A PREVIOUSLY PERMITTED FREE-STANDING ENTERPRISE SIGN ERECTED ON OCTOBER

CHURCH LN.

VICINITY MAP

SCALE: 1" = 500**BENCHMARKS**

N 6048410 ELEV. 363.572 E 581887

BOLT IN PIPE AT 'E' EDGE CONCRETE WALK AT SEAM N 6024179

ELEV. 365.528 E 566084 SET 3/4" IRON BAR AT BACK EDGE OF CURB ON NORTH SIDE OF ALMSHOUSE LANE & EAST SIDE OF YORK ROAD

PARKING TABULATIONS

STORE	TENANT	GROSS S.F.	
1	PIZZA HUT	3,625 SF	
2	JOANN FABRICS	14,600 SF	
3	KUMON LEARNING PROGRAM	2,530 SF	
4	MOVING COMPANY DANCE CENTER	6,160 SF	
5	MOVING COMPANY DANCE CENTER	2,100 SF	
6	KIDS FIRST SWIM SCHOOL	7,200 SF	
7	TUESDAY MORNING	8,850 SF	
8	TRUBEAUTY	2,400 SF	
9	VACANT-GENERAL RETAIL	6,500 SF	
10	PARTY CITY	12,500 SF	
11	SISTERS CLEANERS	2,000 SF	
12	CARLO'S ITALIAN BISTRO	5,100 SF	
13	SLEEPY'S	4,600 SF	
14	DISALVO SALON	1,450 SF	
15	ABC DRIVING SCHOOL	1,150 SF	
16	PHOENIX SALON	1,200 SF	
17	JACK'S SHOE REPAIR	400 SF	
18	NINA'S TAILORING	200 SF 2,500 SF	
19	NEERAN'S AUTO REFINISHING		
20	VACANT-GENERAL OFFICE	1,000 SF	
21	ACE CASH EXPRESS INC	1,500 SF	
22	R & R AUTOMOTIVE	3,400 SF	
23	MEINEKE	2,100 SF	
24	HANZON AUTOMOTIVE	1,350 SF	
25	VACANT-GENERAL RETAIL	2,700 SF	
26	VACANT-GENERAL RETAIL	1,200 SF	
27	VACANT BUILDING W/ ADDITION	1,950 SF	
28	PR. PATIO WITH OUTDOOR SEATING	300 SF	
TOTAL PA	RKING REQUIRED = 503* SPACES	100,565 SF	
TOTAL PA	RKING PROVIDED = 426 SPACES		

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 34479, EXPIRATION DATE: 06/21/2018

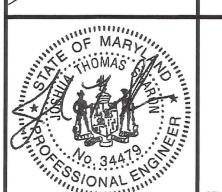
OWNER/DEVELOPER

CHURCH LANE SHOPS LLC 2800 QUARRY LAKE DRIVE, SUITE 340 BALTIMORE, MD 21209 ATTN: BEVERLY DOBROCHOWSKI PHONE: (410)-308-0700



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD, SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX (410) 821-1748



CHURCH LANE SHOPPING CENTER 9918-9926, 9940, 9946, 9954-9958, 9966-9978 YORK ROAD

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PLAN TO ACCOMPANY PETITION FOR

SPECIAL HEARING AND VARIANCE REQUEST

8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND 3RD COUNCILMANIC DISTRICT

And the second s			
DATE	REVISIONS	JOB NO.:	19097x01
25/2017	REVISED PR. DRIVE THROUGH LAYOUT	SCALE:	1" = 40'
		DATE:	08/04/2017
	PETITIONER'S EXHIBIT	DRAWN BY:	DTP
		DESIGN BY:	THS
		REVIEW BY:	THS

2017-0351-SPHA



ELEVATION

PETITIONER'S EXHIBIT _____

28, 2017

Wall Paint - SW7018 DOVETAIL Roof Paint - SW6991 BLACK MAGIC CHURCH LANE * FOR ILLUSTRATIVE CURRY ARCHITECTS
PURIOSES ONLY



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ELEVATION

CHURCH LANE

CURRY ARCHITECTS

July 28, 2017



ELEVATION

July 28, 2017

GIC CHURCH LANE

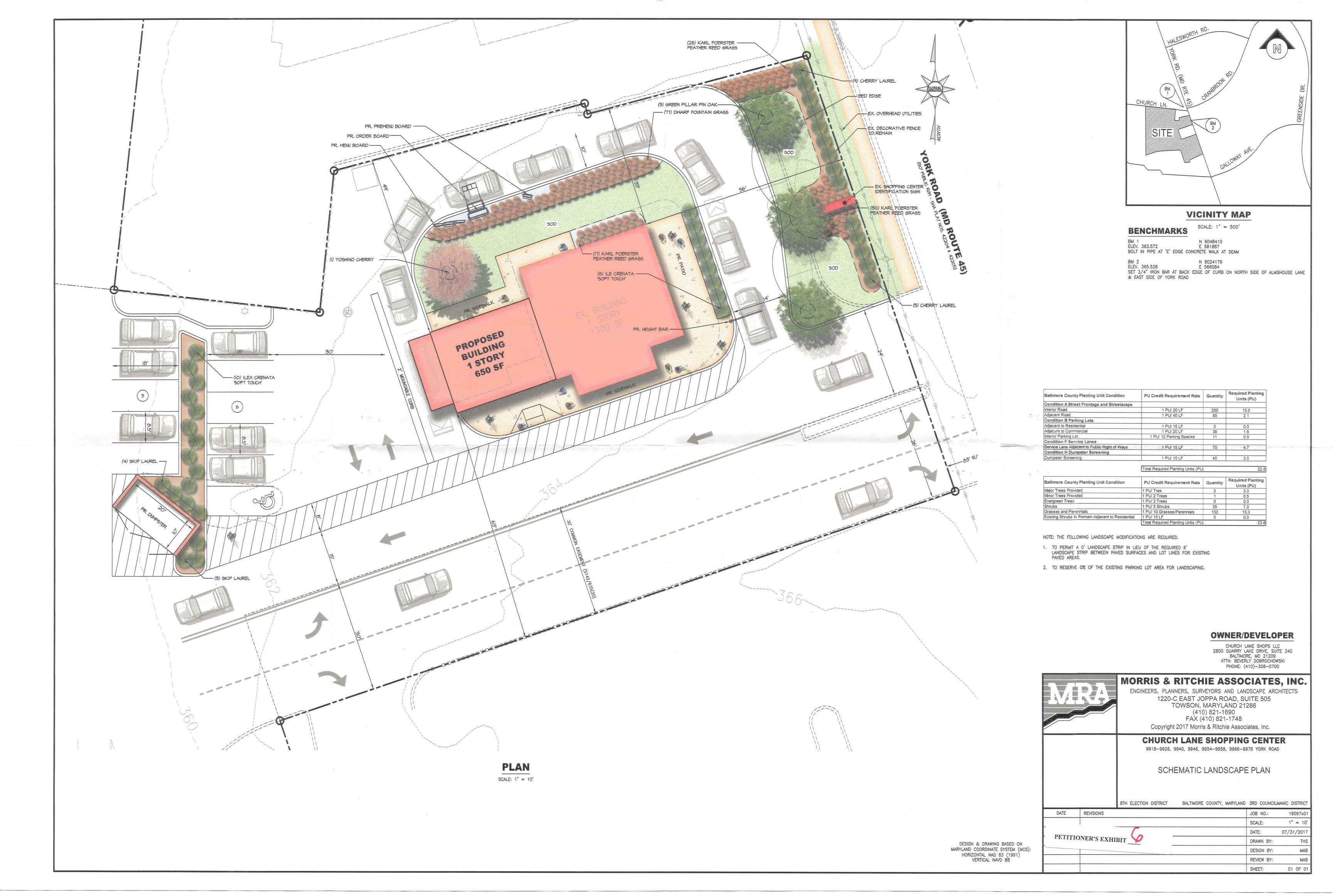


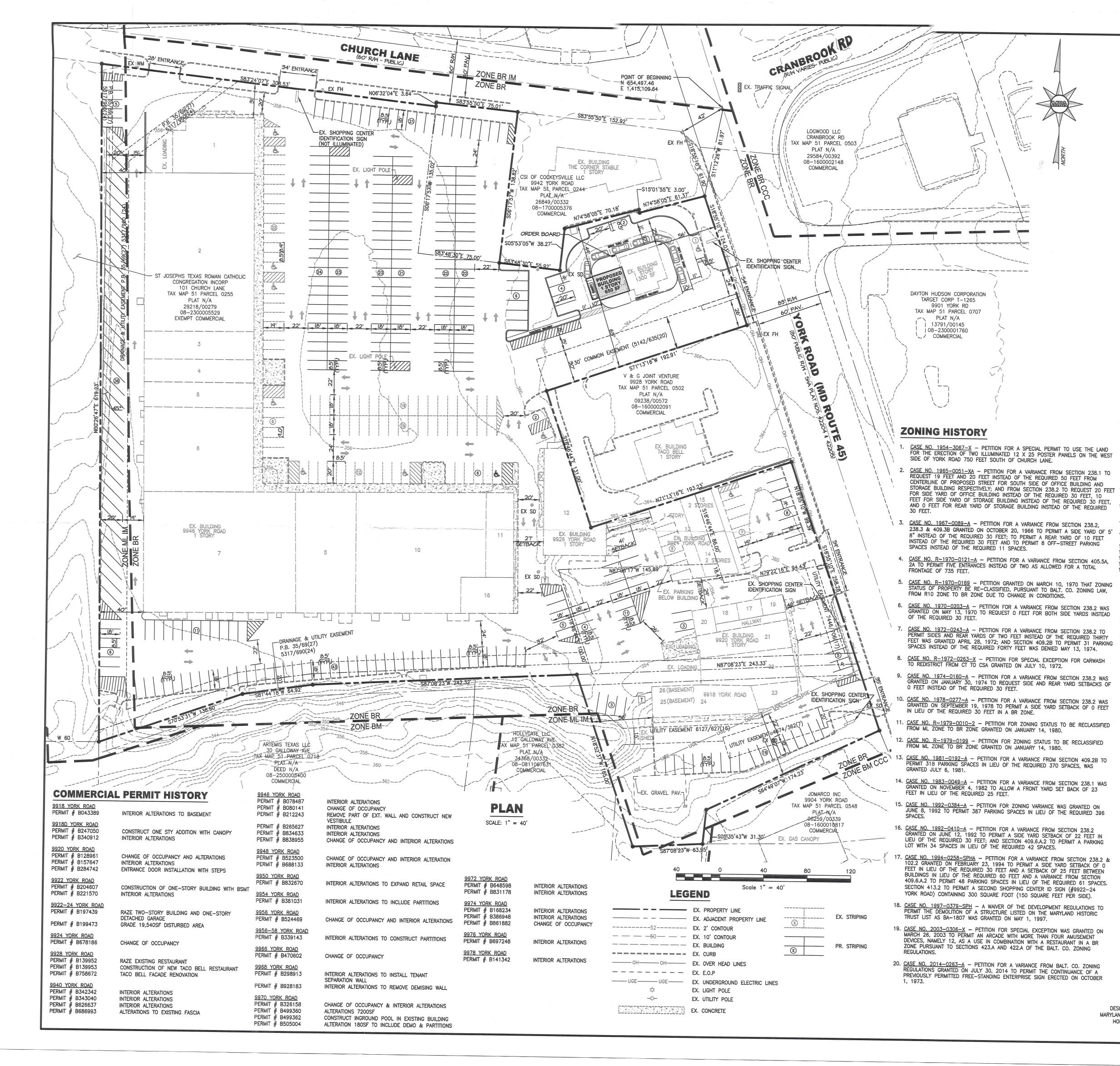
ELEVATION

July 28, 2017

Wall Paint - SW7018 DOVETAIL Roof Paint - SW6991 BLACK MAGIC

CHURCH LANE





GENERAL NOTES

1. SITE DATA: GROSS AREA: 7.809 AC.± (340,150.8 SF ±) NET AREA: 7.213 AC± (314,189.3 SF ±) EXISTING ZONING: ELECTION DISTRICT: COUNCILMANIC DISTRICT: CENSUS TRACT: WATERSHED: LOCH RAVEN RESERVOIR ZONING MAP:

TAX MAP: MAP 51 GRID 17 0247, 0246, 0254, 0418, 0528 TAX ACCOUNT NUMBERS: 08-1600007884, 08-0806022450. 08-0803004010, 08-0805063572, 08-0813086280 DEED: 36592 / 00429

COMMERCIAL, RETAIL, RESTAURANT

PROP. LAND USE: COMMERCIAL, RETAIL, RESTAURANT 2. BR ZONE SETBACK REQUIREMENTS:

EX. LAND USE:

FRONT YARD: REQUIRED: 25' FROM BUILDING TO PROPERTY LINE 50' FROM BUILDING TO STREET CENTER LINE PROPOSED: SIDE YARD: REQUIRED: **EXISTING:** PROPOSED: REAR YARD: REQUIRED: EXISTING: PROPOSED: F.A.R. PERMITTED: F.A.R. PROVIDED:

3. ML IM ZONE SETBACK REQUIREMENTS:

FRONT YARD: 50' FROM STREET CENTER LINE, EXCEPT 50 FEET FROM FRONT PROPERTY LINE IF ON DUAL SIDE YARD:

REAR YARD: F.A.R. PERMITTED: 2.0

PARKING TABULATION: THIS SHOPPING CENTER, WITH 100,265 SF OF GROSS LEASABLE AREA IS PARKED AT 5 SPACES PER 1,000 SF. PER SECTION 409.6.A.2. OF THE BALTIMORE COUNTY ZONING REGULATIONS.

100,265 SF @ 5 SPACES PER 1,000 SF = 502 SPACES PROPOSED: STANDARD (8.5'x18') = 415 SPACES HANDICAP (8.0'x18') = 11 SPACES = 426 SPACES* THERE ARE NO 100-YEAR F.E.M.A. FLOODPLAINS ON THIS SITE

ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA

SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS. EXISTING SHOPPING CENTER IDENTIFICATION SIGNS ARE ILLUMINATED EXCEPT FOR THE ONE AT CHURCH LANE ENTRANCE. THE MAXIMUM BUILDING HEIGHT FOR BR 70NF IS 40 FFFT BUILDING CONSTRUCTION SHALL COMPLY WITH BUILDING CODE AND FIRE CODE REQUIREMENTS.

THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.

SIGNAGE WILL CONFORM TO BALTIMORE COUNTY ZONING CODE. SECTION 450, OR ANY PRIOR RELIEF GRANTED THERE FROM, OR A VARIANCE WILL BE REQUESTED. SCREENING & LANDSCAPING SHALL COMPLY WITH THE BALTIMORE 238.3 & 409.3B GRANTED ON OCTOBER 20, 1966 TO PERMIT A SIDE YARD OF 5'
11. TO OUR KNOWLEDGE THERE ARE NO KNOWN EXISTING WELLS AND SEPTIC SYS, EMS ON THE PROPERTY. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER. THERE ARE NO HISTORIC BUILDINGS ON SITE.

(F.E.M.A. PANEL NO. 240010 0235 F).

THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS. PROPOSED PARKING IN THE ML-IM ZONE WILL BE UTILIZED BY PIZZA HUT, CARLO'S ITALIAN BISTRO, DISALVO SALON, PHOENIX SALON AND

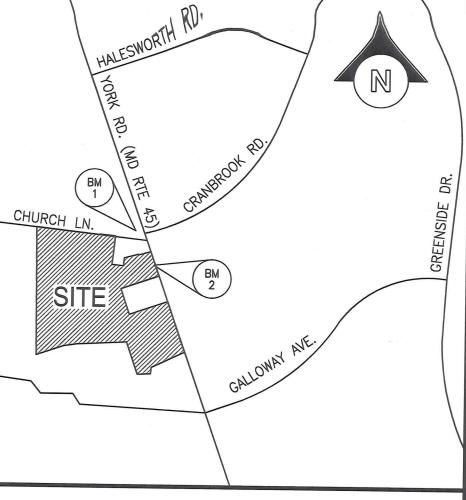
DESIGN & DRAWING BASED ON

MARYLAND COORDINATE SYSTEM (MCS):

HORIZONTAL NAD 83 (1991)

VERTICAL NAVD 88

* THE TOTAL AREA OF THE SHOPPING CENTER EXCEEDS 100,000 SQUARE FEET, THEREFORE THE PARKING RATE FOR THIS SITE IS 5 PER 1000 SQUARE FEET AS PER SECTION 409.6.A.2 OF THE BALTIMORE COUNTY CODE. A VARIANCE WILL BE REQUIRED TO PERMIT 426 PARKING SPACES IN LIEU OF THE REQUIRED 500 SPACES. A PETITION FOR ZONING VARIANCE WAS GRANTED ON JUNE 8, 1992 TO PERMIT 387 PARKING SPACES IN LIEU OF THE REQUIRED 396 SPACES (CASE NO. 1992-384-A).



VICINITY MAP

SCALE: 1" = 500'**BENCHMARKS**

ELEV. 363.572 E 581887 BOLT IN PIPE AT 'E' EDGE CONCRETE WALK AT SEAM

N 6024179 F 566084

SET 3/4" IRON BAR AT BACK EDGE OF CURB ON NORTH SIDE OF ALMSHOUSE LANE & EAST SIDE OF YORK ROAD

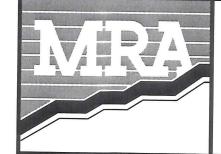
STORE	TENANT	GROSS S.F.	
1	PIZZA HUT	3,625 SF	
2	JOANN FABRICS	14,600 SF	
3	KUMON LEARNING PROGRAM	2,530 SF	
4	MOVING COMPANY DANCE CENTER	6,160 SF	
5	MOVING COMPANY DANCE CENTER	2,100 SF	
6	KIDS FIRST SWIM SCHOOL	7,200 SF	
7	TUESDAY MORNING	8,850 SF	
8	TRUBEAUTY	2,400 SF	
9	VACANT—GENERAL RETAIL	6,500 SF	
10	PARTY CITY	12,500 SF	
11	SISTERS CLEANERS	2,000 SF	
12	CARLO'S ITALIAN BISTRO	5,100 SF	
13	SLEEPY'S	4,600 SF	
14	DISALVO SALON	1,450 SF	
15	ABC DRIVING SCHOOL	1,150 SF	
16	PHOENIX SALON	1,200 SF	
17	JACK'S SHOE REPAIR	400 SF	
18	NINA'S TAILORING	200 SF	
19	NEERAN'S AUTO REFINISHING	2,500 SF	
20	VACANT-GENERAL OFFICE	1,000 SF	
21	ACE CASH EXPRESS INC	1,500 SF	
22	R & R AUTOMOTIVE	3,400 SF	
23	MEINEKE	2,100 SF	
24	HANZON AUTOMOTIVE	1,350 SF	
25	VACANT-GENERAL RETAIL	2,700 SF	
26	VACANT-GENERAL RETAIL	1,200 SF	
27	VACANT BUILDING W/ ADDITION	1,950 SF	
OTAL PARKING REQUIRED = 502* SPACES 100,265 SF			

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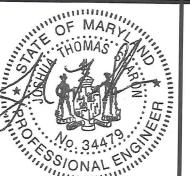
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