

M E M O R A N D U M

DATE: November 28, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0048-SPHXA – Appeal Period Expired

The appeal period for the above-referenced case expired on November 27, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION & VARIANCE
(6328 Baltimore National Pike) *
1st Election District
1st Council District *
Mahe Properties, LLC
Legal Owner *
Mission Maryland, LLC
Lessee *
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2018-0048-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of Petitions for Special Hearing, Special Exception and Variance filed on behalf of Mahe Properties, LLC, legal owner, and Mission Maryland, LLC, lessee ("Petitioners").

The Petition for Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to approve a modified parking plan as shown on the attached site plan, modifying the following B.C.Z.R. §409 provisions: (a) to permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property; (b) to allow certain modifications to landscape manual standards, if deemed to be necessary; and (c) to allow a modified parking plan which does not separately identify a designated area for loading/unloading; and (2) If necessary, to confirm that the existing side and rear yard setbacks are permitted.

In addition, a Petition for Variance seeks: (1) to approve an existing awning enterprise sign with two (2) copy lines in lieu of the one (1) copy line permitted; (2) along the wall which faces Baltimore National Pike, to permit two (2) existing wall-mounted enterprise signs on the wall of a multi-tenant building without a separate exterior customer entrance, in lieu of the one (1) wall-

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Date

By

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mounted enterprise sign permitted with a separate exterior customer entrance; and (3) In the alternative to Special Hearing request number 2, if determined to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft., in lieu of the 30 ft. required.

Finally, a Petition for Special Exception was filed to approve the use and development of the subject property as a medical cannabis dispensary.

Appearing at the public hearing in support of the requests was Undrea Wright, Valerie Mae Wright, Scott Shank, Don Schaefer, Ken Wells and Honey Book. Lawrence E. Schmidt, Esq., represented the Petitioners. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). Neither agency opposed the requests.

The subject property is approximately 0.4923 acres in size and is zoned BR-AS. The property is improved with a two-story commercial building constructed in 1985. At present Caton Radio and a lawyer's office occupy the building. Petitioners propose to lease approximately 3,500 sq. ft. of the building on the first floor to operate a medical cannabis dispensary. Since the property is within the Baltimore National Pike commercial revitalization district (Petitioners' Exhibit 5) a special exception is required for the dispensary.

The petition for special hearing concerns off-street parking at the site, and will be discussed below. There is a second special hearing request related to the side and rear yard setbacks for the commercial building. Under the Regulations a 30 ft. setback is required, while the existing setbacks are approximately 29 ft. This is a condition which has existed since the building was constructed over 30 years ago, and the relief requested is *de minimis*. Finally, the variances concern existing

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10/26/17

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signage and the plan was revised (as required by the office of zoning review) to reflect that the roof-mounted Caton Radio sign will be removed.

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).

The property has an irregular shape and is therefore unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to retain the existing signage which has been in place for many years without complaint. 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 absence of community and/or County opposition. In addition, the variances concern existing signage at the site which is not excessive and does not create visual clutter.

Petitioners also presented an elevation of a proposed sign for the dispensary, which was admitted as Exhibit No. 10. The proposed sign does not contain any offensive or obtrusive text or pictures, and resembles the type of signage which would be found at a medical clinic or office.

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

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By

Sen

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.

Mr. Wells opined (via proffer) Petitioners satisfied the requirements of B.C.Z.R. §502.1, and I concur. He noted the proposed dispensary will be located in a commercial zone along a busy thoroughfare, and that the school nearest the site is over one mile away. Mr. Wells also testified there are no dwellings within the immediate vicinity of the proposed dispensary. In light of these facts, and aided by the presumption under Maryland law, I believe the petition for special exception should be granted.

The Office of People's Counsel submitted a letter dated October 6, 2017, a copy of which is in the case file. Mr. Zimmerman argued therein, and Petitioners' counsel did not disagree, that the dispensary use should be shown to further the goals of the revitalization district. The DOP's ZAC comment (which referenced Master Plan 2020) noted one of the goals of such districts is to "strengthen the existing base of small businesses and attract new and different uses." I believe the proposal here advances that goal, and as evidence of that fact Petitioners submitted letters of support from the adjacent liquor store, the Bob Evans Restaurant and Antwerpen automotive group, among others. Petitioners' Exhibit 9A-G.

Special Hearing

The special hearing request relates to three aspects of the parking regulations. First, Petitioners will provide 25 spaces, while as many as 33 may be required. Counsel noted the Regulations provide for a 5% reduction in the number of spaces required when the site is within 1,000 feet of an MTA bus stop (which this site is, as shown on Ex. No. 7) and a 10% reduction for properties in a commercial revitalization district. B.C.Z.R. §409.6.B.1. As such, I believe the

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By

required number of spaces would be 28 when the original total of 33 is reduced by 15% as permitted by §409.6. The requested modification in the number of spaces is modest, and I do not believe granting the request will have a detrimental impact upon neighboring properties.

The other parking modifications sought via special hearing relate to the lack of a designated loading zone and reduced landscaping requirements. As to the former, the dispensary operation will not have large trucks making deliveries (as would a grocery store or fast food restaurant, for example) and thus I do not believe a designated loading/unloading zone is required for this use. As for the latter request, Mr. Wells explained most of the site is covered by impervious surface, and it would be difficult and extremely expensive to comply with the Landscape Manual in all respects. Mr. Wells prepared a schematic landscape plan (Ex. 1B) showing several areas in which landscaping could be provided to soften the appearance of the site. I believe that would suffice, but I will leave the resolution of that issue to the County's landscape architect who has the expertise to determine what vegetation or screening would work best for this site.

THEREFORE, IT IS ORDERED this 26th day of **October, 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 a parking plan (as shown on the site plan admitted as Exhibit 1A) modifying the following B.C.Z.R. §409 provisions: (a) to permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property; (b) to allow certain modifications to landscape manual standards, if deemed to be necessary; and (c) to allow a modified parking plan which does not separately identify a designated area for loading/unloading; and (2) To confirm that the existing side and rear yard setbacks are permitted, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Exception to approve the use

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Date 10/26/17
By Sen

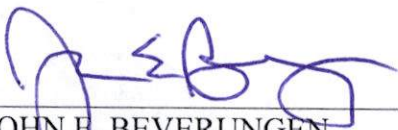
and development of the subject property as a medical cannabis dispensary, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking: (1) to approve an existing awning enterprise sign with two (2) copy lines in lieu of the one (1) copy line permitted; and (2) along the wall which faces Baltimore National Pike, to permit two (2) existing wall mounted enterprise signs on the wall of a multi-tenant building without a separate exterior customer entrance, in lieu of the one (1) wall-mounted enterprise sign permitted with a separate exterior customer entrance, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must comply with the ZAC comment submitted by the DOP, a copy of which is attached hereto and incorporated herein.
3. Petitioners must remove within 45 days of the date hereof the rooftop "Caton Radio" sign on the subject premises.
4. Petitioners must submit for approval by the DOP prior to issuance of permits elevation drawings of any signs proposed for the dispensary.

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:slm

ORDER RECEIVED FOR FILING
Date 10/26/17
By slm

AMENDED



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 6328 Baltimore National Pike

which is presently zoned BR AS

Deed References: 23901/00720

10 Digit Tax Account # 011400380 011400380

Property Owner(s) Printed Name(s) Mahe Properties, 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:

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

Please see attached.

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

Please see attached.

3. X a **Variance** from Section(s)

Please see attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee: Hunter Holliman, CEO

Authorized Representative of Mission Maryland, LLC

Name- Type or Print

Signature

5060 N. 40th St., Suite 120 Phoenix

AZ

Mailing Address

City

State

85018

Telephone # 415-572-6251

Email Address hunter@missionpartners.co

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson

MD

Mailing Address

City

State

21204

Telephone # (410) 821-0070

Email Address lschmidt@sgs-law.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners) Authorized Representative of

MEHDI KALPRESTANI Mahe Properties, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

8937 Mount Patapsco Ct

Ellicott City

MD

Mailing Address

City

State

21042

Zip Code

Telephone #

Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson

MD

Mailing Address

City

State

21204

Zip Code

Telephone #

Email Address

CASE NUMBER 2018-0048-SP4X4 Filing Date 8/10/17

Date 8/10/17 Do Not Schedule Dates: _____

Reviewer JS

By _____

REV. 10/4/11

ORDER RECEIVED FOR FILING

Date 10/26/17

ATTACHMENT TO PETITION FOR ZONING HEARING

6328 Baltimore National Pike

Special Exception Relief:

1. To approve the use and development of the subject property as a medical cannabis dispensary pursuant to BCZR § 4D-102.A.2.
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Special Hearing Relief:

1. To approve a modified parking plan as shown on the attached Site Plan pursuant to BCZR § 409.12.B, modifying the following BCZR § 409 provisions:
 - a. § 409.6.A of the BCZR to permit 23 spaces for certain mixed office, retail, and service garage uses proposed for the subject property, as more specifically described on the attached Site Plan;
 - b. § 409.8.A.1 of the BCZR to allow certain modifications to landscape manual standards, if determined to be necessary; and
 - c. § 409.11 of the BCZR to allow a modified parking plan which does not separately identify a designated area for loading/unloading.
2. If necessary, to confirm that the existing side and rear yard setbacks are permitted.
3. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Variance Relief:

1. From § 450.4 of the BCZR, Attachment 1.5(c), and § 450.5.B.1 of the BCZR, to approve an existing Awning Enterprise sign with two (2) copy lines in lieu of the one (1) copy line permitted.
2. Along the wall which faces Baltimore National Pike, to permit two (2) existing wall-mounted enterprise signs on the wall of a multi-tenant building without a separate exterior customer entrance, in lieu of the one (1) wall-mounted enterprise sign permitted with a separate exterior entrance under § 450.4 of the BCZR, Attachment 1.5(d).

3. In the alternative to Special Hearing request number 2, if determined to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft., in lieu of the 30 ft. required pursuant to BCZR § 238.2.
4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

kjWellsInc

Land Surveying, Site Planning & Landscape Architecture

Telephone: (410) 592-8800
Fax: (410) 817-4055
Email: kwells@kiwellsinc.com

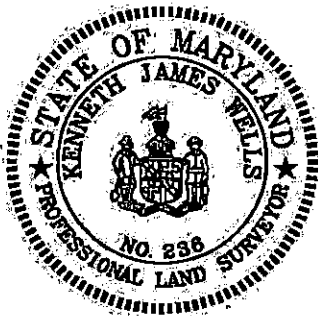
7403 New Cut Road
Kingsville, Md. 21087-1132

August 9, 2017

Zoning Description of 6328 Baltimore National Pike

Baltimore County
Maryland
1st Election District
1st Councilmanic District

Beginning at a point located of the northeast side of Baltimore National Pike (US Route 40) (150 feet wide) being 638 feet northwest from the centerline of North Rolling Road (width varies) thence 1) *with a line curving to the right having a radius of 3,744.72 feet and an arc length of 100.06 feet being subtended by a chord bearing and distance of North 72 degrees 43 minutes 41 seconds West 100.06 feet*, 2) *North 15 degrees 15 minutes 37 seconds East 249.00 feet*, 3) *South 71 degrees 57 minutes 22 seconds East 29.02 feet*, 4) *South 19 degrees 49 minutes 22 seconds East 123.55 feet*, 5) *South 15 degrees 15 minutes 37 seconds West 150.00* to the place of beginning as recorded in Liber 23901 folio 720. Containing 0.4923 acres.



Kenneth J. Wells

2018-0048-SPHYA

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/3/2017

Case Number: 2018-0048-SPHXA

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~
HUNTER HILLIMAN ~ MAHE PROPERTIES

Date of Hearing (Closing): OCTOBER 23, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
6328 BALTIMORE NATIONAL PIKE

The sign(s) were posted on: OCTOBER 3, 2017



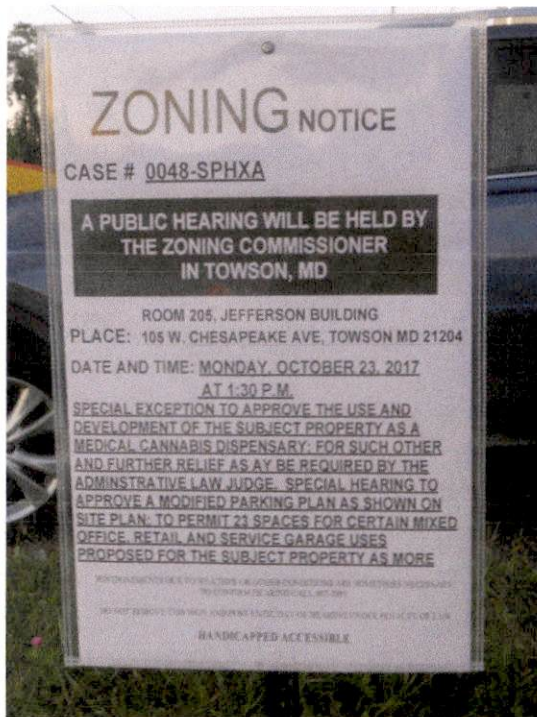
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

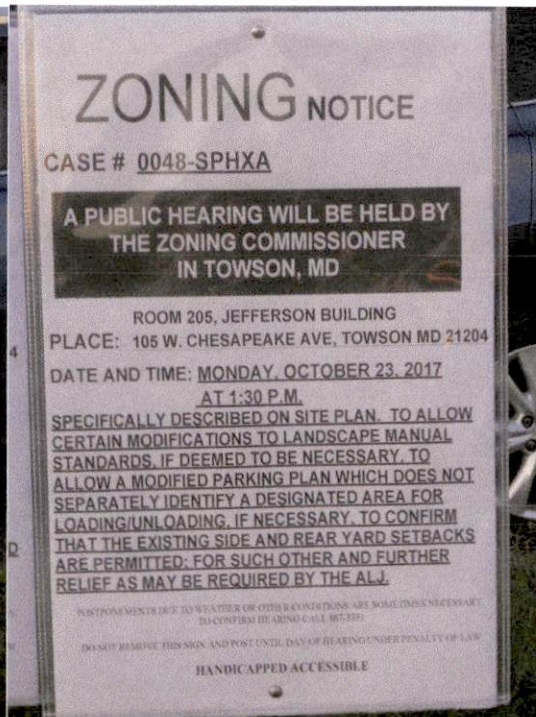
523 Penny Lane
(Street Address of Sign Poster)

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

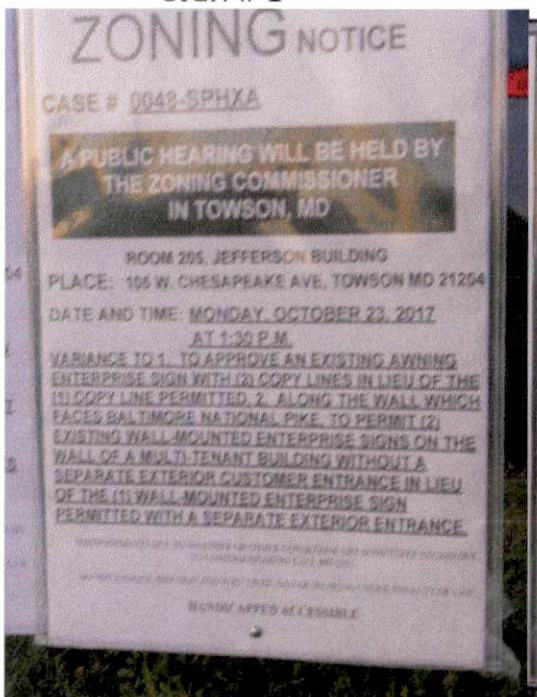
410 - 666 - 5366
(Telephone Number of Sign Poster)



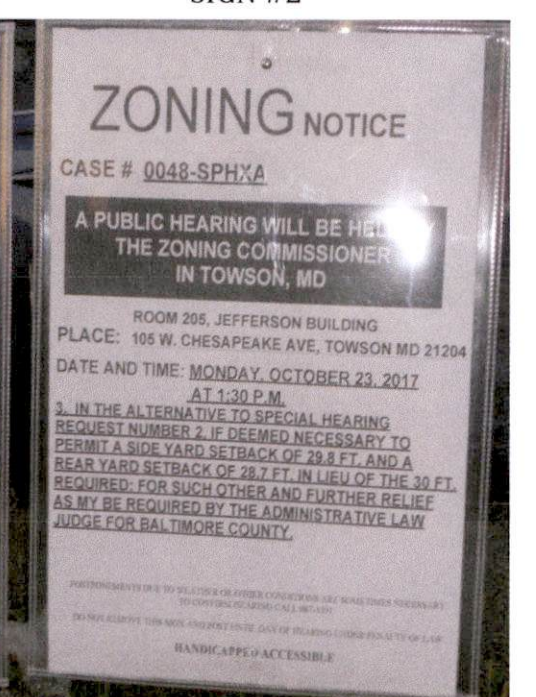
SIGN # 1



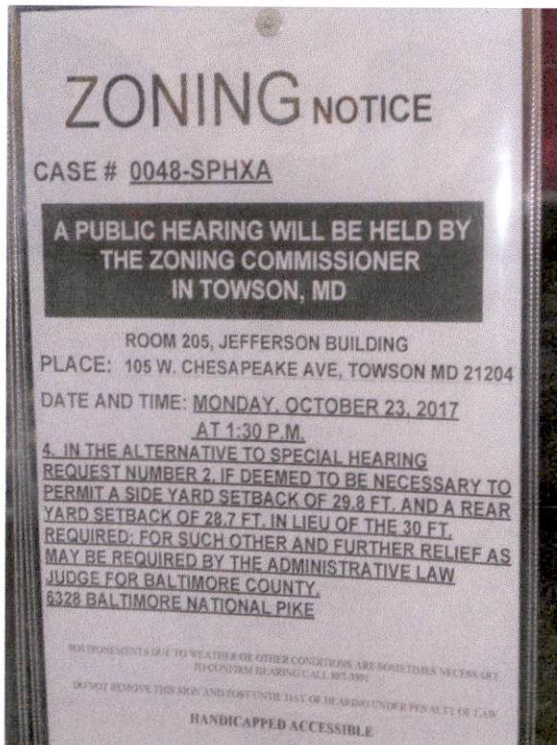
SIGN #2



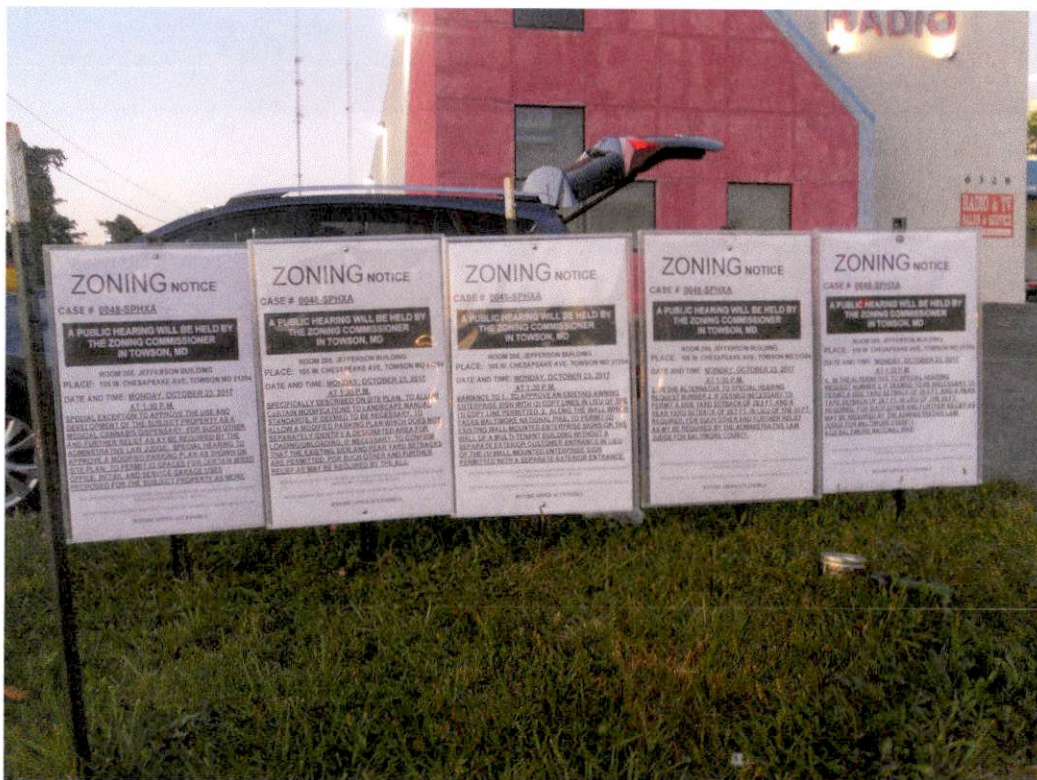
SIGN #3



SIGN #4



SIGN #5



CASE NUMBER 2018-0048-SPHXA ~ 6328 BALTIMORE NATIONAL PIKE

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/10/2017

Case Number: 2018-0048-SPHXA

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~ MISSION MARYLAND, LLC ~ MAHE PROPERTIES, LLC

Date of Hearing (Closing): SEPTEMBER 29, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
6328 BALTIMORE NATIONAL PIKE

The sign(s) were posted on: SEPTEMBER 7, 2017



SIGN #1

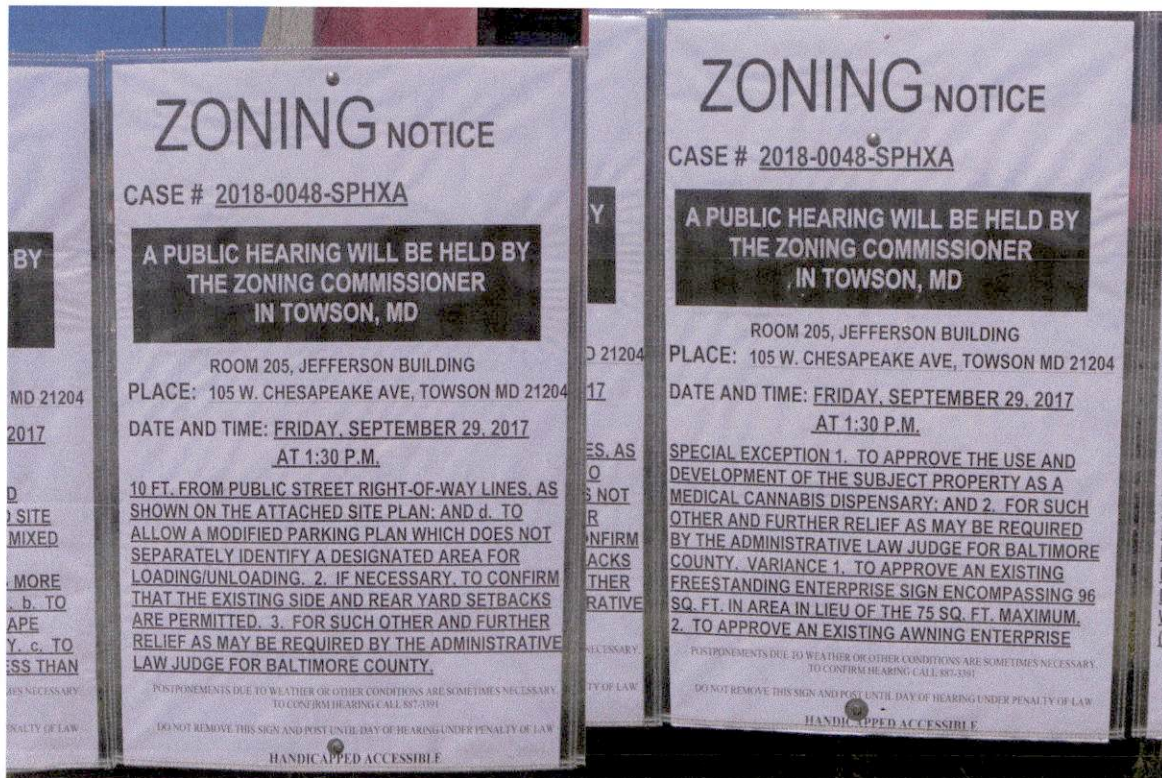
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

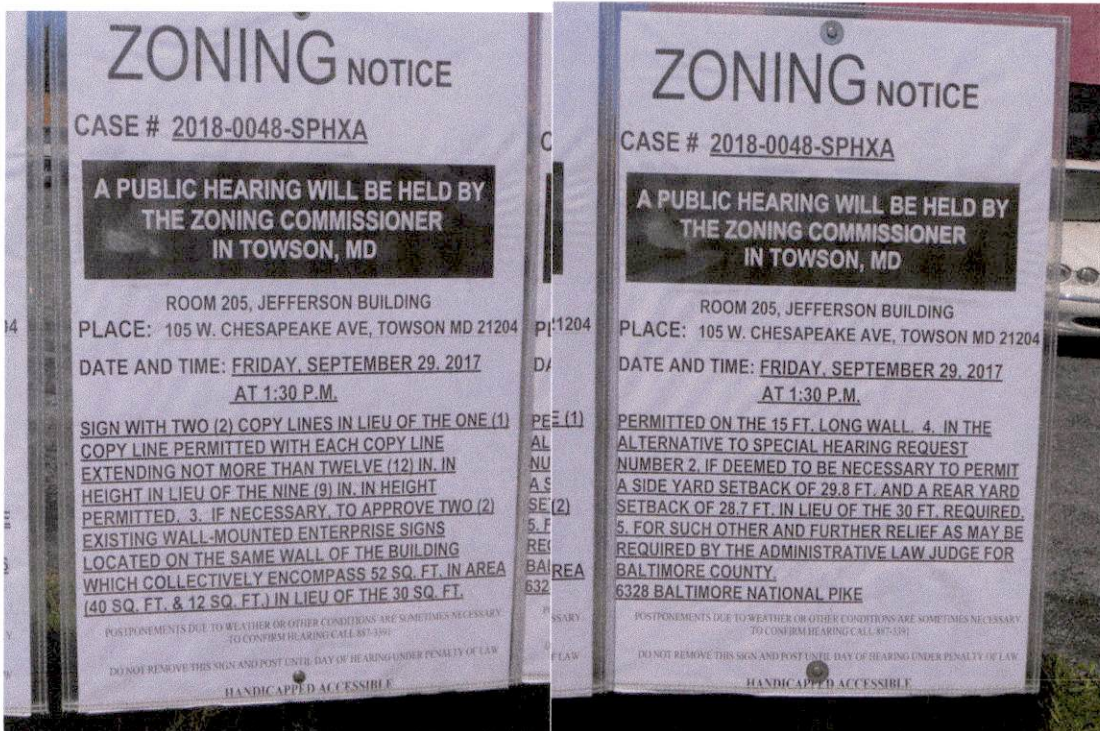
Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

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



SIGN #2

SIGN #3



SIGN #4

SIGN #5



GROUP PHOTO 6328 BALTIMORE NATIONAL PIKE



August 28, 2017

KEVIN KAMENETZ

County Executive

NOTICE OF ZONING HEARING

ARNOLD JABLON

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

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

CASE NUMBER: 2018-0048-SPHXA

6328 Baltimore National Pike

Northeast side of Baltimore National Pike, northwest of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: Mahe Properties, LLC

Contract Purchaser/Lessee: Mission Maryland, LLC

*Caton Radio
next to Mr. Tire.*

Special Hearing 1. To approve a modified parking plan as shown on the attached Site Plan a. To permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property, as more specifically described on the attached Site Plan. b. To allow certain modifications to landscape manual standards, if deemed to be necessary. c. To allow parking spaces to be located less than 10 ft. from public street right-of-way lines, as shown on the attached Site Plan; and d. To allow a modified parking plan which does not separately identify a designated area for loading/unloading. 2. If necessary, to confirm that the existing side and rear yard setbacks are permitted. 3. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County. Special Exception 1. To approve the use and development of the subject property as a medical cannabis dispensary; and 2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County. Variance 1. To approve an existing Freestanding Enterprise sign encompassing 96 sq. ft. in area in lieu of the 75 sq. ft. maximum. 2. To approve an existing Awning Enterprise sign with two (2) copy lines in lieu of the one (1) copy line permitted with each copy line extending not more than twelve (12) in. in height in lieu of the nine (9) in. in height permitted. 3. If necessary, to approve two (2) existing Wall-mounted Enterprise signs located on the same wall of the building which collectively encompass 52 sq. ft. in area (40 sq. ft. & 12 sq. ft.) in lieu of the 30 sq. ft. permitted on the 15 ft. long wall. 4. In the alternative to Special Hearing request number 2, if deemed to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required. 5. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Friday, September 29, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

[Signature]

Arnold Jablon
Director

AJ:kl

Handwritten calculations:
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2 1/50
5
1,050 750

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Mission Maryland, LLC, 5060 N. 40th Street, Ste. 120, Phoenix AZ 85018
Mahe Properties, LLC, 8937 Mount Patapsco Court, Ellicott City 21042

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 9, 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.

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
MICHAEL G. DEHAVEN
JASON T. VETTORI

MICHAEL H. BOWMAN
CHRISTOPHER W. COREY
MARIELA C. D'ALESSIO*
MELISSA L. ENGLISH
WILLIAM L. RODOWSKY
SARAH A. ZADROZNY
of counsel:
EUGENE A. ARBAUGH, JR.
DAVID T. LAMPTON
*Admitted in MD, FL, PA

August 31, 2017

Sent via Email and First Class Mail

Linda O'Keefe
523 Penny Lane
Hunt Valley, MD 21030
Luckylinda1954@yahoo.com

Re: 6328 Baltimore National Pike
Case No. 2018-0048-SPHXA

Dear Linda:

Enclosed please find a Notice of Zoning Hearing for the above referenced property. Please post the property **on or before Saturday, September 9, 2017**. Additionally, I have attached an aerial photo for the above referenced property for your convenient reference. Please forward to me the Certificate of Posting and your invoice as soon as this property is posted.

Should you have any questions or comments, please contact me. With kind regards, I remain

Very truly yours,



Alyssa F. Moyers
Paralegal

/ amf
Enclosure

CC: Lawrence E. Schmidt, Esquire
Christopher W. Corey, Esquire
Mission Maryland, LLC
Ken Wells, KJWells, Inc.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 12, 2017 Issue - Jeffersonian

Please forward billing to:
Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

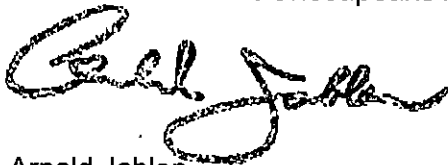
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0048-SPHXA

6328 Baltimore National Pike
NE/s Baltimore National Pike, 638 ft. NW of centerline with Rolling Road
1st Election District – 1st Councilmanic District
Legal Owners: Mahe Properties, LLC
Contract Purchaser/Lessee: Mission Maryland, LLC

Special Exception to approve the use and development of the subject property as a medical cannabis dispensary; for such other and further relief as may be required by the Administrative Law Judge. **Special Hearing** to approve a modified parking plan as shown on site plan; to permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property as more specifically described on site plan. To allow certain modifications to landscape manual standards, if deemed to be necessary; to allow a modified parking plan which does not separately identify a designated area for loading/unloading; if necessary, to confirm that the existing side and rear yard setbacks are permitted; for such other and further relief as may be required by the ALJ. **Variance** to 1. To approve an existing Awning Enterprise sign with (2) copy lines in lieu of the (1) copy line permitted. 2. Along the wall which faces Baltimore National Pike, to permit (2) existing wall-mounted enterprise signs on the wall of a multi-tenant building without a separate exterior customer entrance in lieu of the (1) wall-mounted enterprise sign permitted with a separate exterior entrance. 3. In the alternative to Special Hearing request number 2, if deemed to be necessary to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County. 4. In the alternative to Special Hearing request number 2, if deemed to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, November 2, 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.



October 2, 2017 KAMENETZ
County Executive

NEW NOTICE OF ZONING HEARING

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

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

CASE NUMBER: 2018-0048-SPHXA

6328 Baltimore National Pike

NE/s Baltimore National Pike, 638 ft. NW of centerline with Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: Mahe Properties, LLC

Contract Purchaser/Lessee: Mission Maryland, LLC

Special Exception to approve the use and development of the subject property as a medical cannabis dispensary; for such other and further relief as may be required by the Administrative Law Judge. **Special Hearing** to approve a modified parking plan as shown on site plan; to permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property as more specifically described on site plan. To allow certain modifications to landscape manual standards, if deemed to be necessary; to allow a modified parking plan which does not separately identify a designated area for loading/unloading; if necessary, to confirm that the existing side and rear yard setbacks are permitted; for such other and further relief as may be required by the ALJ. **Variance** to 1. To approve an existing Awning Enterprise sign with (2) copy lines in lieu of the (1) copy line permitted. 2. Along the wall which faces Baltimore National Pike, to permit (2) existing wall-mounted enterprise signs on the wall of a multi-tenant building without a separate exterior customer entrance in lieu of the (1) wall-mounted enterprise sign permitted with a separate exterior entrance. 3. In the alternative to Special Hearing request number 2, if deemed to be necessary to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County. 4. In the alternative to Special Hearing request number 2, if deemed to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, October 23, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Hunter Hilliman, 5060 N. 40th Street, Ste. 120, Phoenix AZ 58018
Mahe Properties, LLC, 8937 Mount Pataspc Ct., Ellicott City 21042

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 23, 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.



September 28, 2017
KEVIN KAMENETZ
County Executive

NOTICE OF ZONING HEARING

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

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

CASE NUMBER: 2018-0048-SPHXA

6328 Baltimore National Pike

NE/s Baltimore National Pike, 638 ft. NW of centerline with Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: Mahe Properties, LLC

Contract Purchaser/Lessee: Mission Maryland, LLC

Special Exception to approve the use and development of the subject property as a medical cannabis dispensary; for such other and further relief as may be required by the Administrative Law Judge. **Special Hearing** to approve a modified parking plan as shown on site plan; to permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property as more specifically described on site plan. To allow certain modifications to landscape manual standards, if deemed to be necessary; to allow a modified parking plan which does not separately identify a designated area for loading/unloading; if necessary, to confirm that the existing side and rear yard setbacks are permitted; for such other and further relief as may be required by the ALJ. **Variance** to 1. To approve an existing Awning Enterprise sign with (2) copy lines in lieu of the (1) copy line permitted. 2. Along the wall which faces Baltimore National Pike, to permit (2) existing wall-mounted enterprise signs on the wall of a multi-tenant building without a separate exterior customer entrance in lieu of the (1) wall-mounted enterprise sign permitted with a separate exterior entrance. 3. In the alternative to Special Hearing request number 2, if deemed to be necessary to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County. 4. In the alternative to Special Hearing request number 2, if deemed to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, November 2, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Hunter Hillman, 5060 N. 40th Street, Ste. 120, Phoenix AZ 58018
Mahe Properties, LLC, 8937 Mount Pataspco Ct., Ellicott City 21042

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 13, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 7, 2017 Issue - Jeffersonian

Please forward billing to:
Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

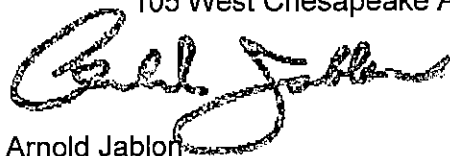
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0048-SPHXA

6328 Baltimore National Pike
Northeast side of Baltimore National Pike, northwest of Rolling Road
1st Election District – 1st Councilmanic District
Legal Owners: Mahe Properties, LLC
Contract Purchaser/Lessee: Mission Maryland, LLC

Special Hearing 1. To approve a modified parking plan as shown on the attached Site Plan a. To permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property, as more specifically described on the attached Site Plan. b. To allow certain modifications to landscape manual standards, if deemed to be necessary. c. To allow parking spaces to be located less than 10 ft. from public street right-of-way lines, as shown on the attached Site Plan; and d. To allow a modified parking plan which does not separately identify a designated area for loading/unloading. 2. If necessary, to confirm that the existing side and rear yard setbacks are permitted. 3. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County. Special Exception 1. To approve the use and development of the subject property as a medical cannabis dispensary; and 2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County. Variance 1. To approve an existing Freestanding Enterprise sign encompassing 96 sq. ft. in area in lieu of the 75 sq. ft. maximum. 2. To approve an existing Awning Enterprise sign with two (2) copy lines in lieu of the one (1) copy line permitted with each copy line extending not more than twelve (12) in. in height in lieu of the nine (9) in. in height permitted. 3. If necessary, to approve two (2) existing Wall-mounted Enterprise signs located on the same wall of the building which collectively encompass 52 sq. ft. in area (40 sq. ft. & 12 sq. ft.) in lieu of the 30 sq. ft. permitted on the 15 ft. long wall. 4. In the alternative to Special Hearing request number 2, if deemed to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required. 5. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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

**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: 2018-0048-SPHX4

Property Address: 6328 Baltimore National Pike

Property Description: _____

Legal Owners (Petitioners): Mahe Properties, LLC

Contract Purchaser/Lessee: Mission Maryland, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 7/9/2015

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

NO 157163

Date: 8/10/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		650				\$ 1700.00

Total: \$ 1200.00

Rec From: NAME PROPERTIES

For: 2018 0048-5PHXA

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRU
8/11/2017 8/10/2017 11:09:49 3
REG 0503 WALKIN CAM
>>RECEIPT # 736992 8/10/2017 DFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 157163
Recpt Tot \$1,200.00
\$1,200.00 CK \$1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION

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

№ 157254

Date: 9/18/17

Fund	Dept	Unit	Sub Unit	Rev. Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				250.00

Total: 250.00

Rec From: Smith, Gildlea & Schmitt LLC

For: 6328 Baltimore Veterans Pk

Resubmitted

2018-0048 SPHYA

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME BRN
 9/19/2017 9/18/2017 13:54:22 1
 REG WSD1 WALKIN LJR
 >>RECEIPT # 750514 9/18/2017 CFU
 Dept 5 528 ZONING VERIFICATION
 CR NO. 157254

Receipt Tot \$250.00
 \$250.00 CK \$0.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



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

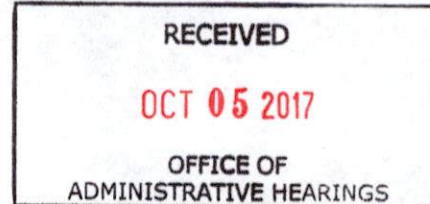
PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

October 6, 2017

HAND DELIVERED

John Beverungen, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204



Re: Mahe Properties, LLC
6328 Baltimore National Pike
Case No.: 2018-048-SPHXA
Hearing Date: November 2, 2017 @ 1:30 p.m.

Dear Judge Beverungen,

As you know, after enactment of enclosed Bill 61-15, there have arisen several petitions for zoning relief pertinent to medical cannabis dispensaries, either involving uses by right with variances or involving special exceptions. Two of the special exception cases have made their way to the County Board of Appeals (CBA): Temescal Wellness of Maryland, LLC and Compass, LLC. As the special exception depends on location in a Commercial Revitalization District, this emerging cluster of appellate cases led us to do research about this particular linkage. We recently communicated the results of our research to the CBA in these cases.

Because the present case is another in this line of special exceptions, we hope and trust you find it is helpful to provide you with our office's perspective.

Bill 61-15 is codified in BCZR Article 4D, Secs. 4D-101 to 4D-103. It 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 identifies the location of each CRD and lists contact persons. The location here is in the Baltimore National Pike District. The relevant map is enclosed. The DOP website 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.

Master Plan 2020 has a more detailed discussion, with a countywide map showing 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 documentation 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 petitioner should address the extent to which the proposed location fits, or should fit, the function or purpose of the Baltimore National Pike 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 saying that it should play an important role in the review and resolution.

Sincerely,



Peter Max Zimmerman

People's Counsel for Baltimore County

cc: Lawrence E. Schmidt, Esquire
Dennis Wertz, Department of Planning Contact Person

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

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 PURSUANT TO COMAR 10.62.01 TO 10.62.35.~~

(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 PURSUANT TO COMAR 10.62.01 TO 10.62.35.

(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 PURSUANT TO COMAR 10.62.01 TO 10.62.35.

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

3 §4D - 102. LOCATION OF MEDICAL CANNABIS DISPENSARIES.

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

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

11 2. A MEDICAL CANNABIS DISPENSARY IS PERMITTED ONLY BY
12 SPECIAL EXCEPTION IN A B.R., B.M., B.L., B.L.R., OR O-3 ZONE THAT IS LOCATED IN
13 A COMMERCIAL REVITALIZATION DISTRICT.

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

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

19 (A) A HOUSE OF WORSHIP;

20 (B) (I) WITHIN 500 FEET OF A PUBLIC OR PRIVATE ELEMENTARY
21 SCHOOL, MIDDLE SCHOOL, OR HIGH SCHOOL; OR

22 (C) A PUBLIC PARK OR PUBLIC RECREATIONAL FACILITY;

23 (D) A PUBLIC LIBRARY;

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

3 (F) A LOT ZONED RESIDENTIALLY OR DEVOTED PRIMARILY TO
4 RESIDENTIAL USE, OR

5 (G) WITHIN 2,500 FEET OF ANOTHER MEDICAL CANNABIS
6 DISPENSARY.

7 (C) ALL SETBACKS UNDER SUBSECTION (B) SHALL BE
8 MEASURED FROM THE NEAREST PROPERTY LINE OF THE MEDICAL CANNABIS
9 DISPENSARY USING A DIRECT LINE TO THE NEAREST PROPERTY LINE OF THE
10 SCHOOL OR OTHER DISPENSARY.

11 §4D - 103. LOCATION OF MEDICAL CANNABIS GROWER FACILITY AND
12 MEDICAL CANNABIS PROCESSOR FACILITY.

13 (A) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL
14 CANNABIS PROCESSOR FACILITY MAY BE LOCATED IN A R.C.2, S.E. OR M.L.I.M.
15 ZONE, BY RIGHT.

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

19 (C) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL
20 CANNABIS PROCESSOR FACILITY IS PERMITTED ONLY BY SPECIAL EXCEPTION IN A
21 M.L.I.M. ZONE LOCATED WITHIN THE CHESAPEAKE ENTERPRISE ZONE.

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

b05115.AMENDED.wpd

READ AND PASSED this 8th day of SEPTEMBER, 2015.

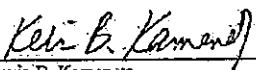
BY ORDER


Thomas J. Peddicord, Jr.
Secretary

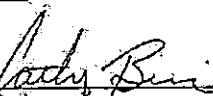
PRESENTED to the County Executive for his approval this 9th day of SEPTEMBER, 2015.


Thomas J. Peddicord, Jr.
Secretary

APPROVED AND ENACTED:

September 15, 2015

Kevin B. Kamenetz
County Executive

I HEREBY CERTIFY THAT BILL NO. 61-15 IS TRUE AND CORRECT AND TOOK
EFFECT ON September 21, 2015


Cathy Bevins
Chair, County Council



Baltimore County GOVERNMENT

[Executive](#) | [Council](#) | [Courts](#) | [Departments](#)

Apply	Pay	Report	Follow Up	Contact	Residents	Businesses	Visitors
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[Home](#) > [Departments](#) > [Planning](#) > [Publications and Maps](#) > [PDF Map Library](#)

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](#)
- [Cowenton-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



Baltimore County
GOVERNMENT

[Executive](#) | [Council](#) | [Courts](#) | [Departments](#)

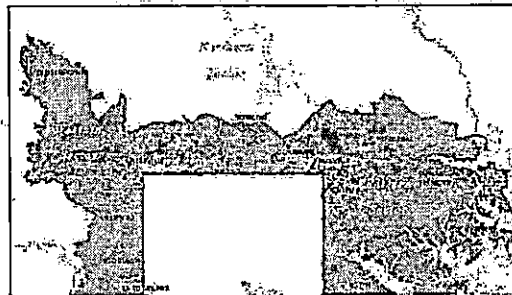
Apply	Pay	Report	Follow Up	Contact	Residents	Businesses	Visitors
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Commercial Revitalization Program

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
Covenant-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-Solters Point Map (PDF)	Krystle Patchak 410-887-3480 kpachak@baltimorecountymd.gov
North Point Map (PDF)	Tony Ambridge 410-887-3559 taambidge@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)	Ngona 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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Baltimore County Government

Historic Courthouse
400 Washington Avenue
Towson, Maryland 21204

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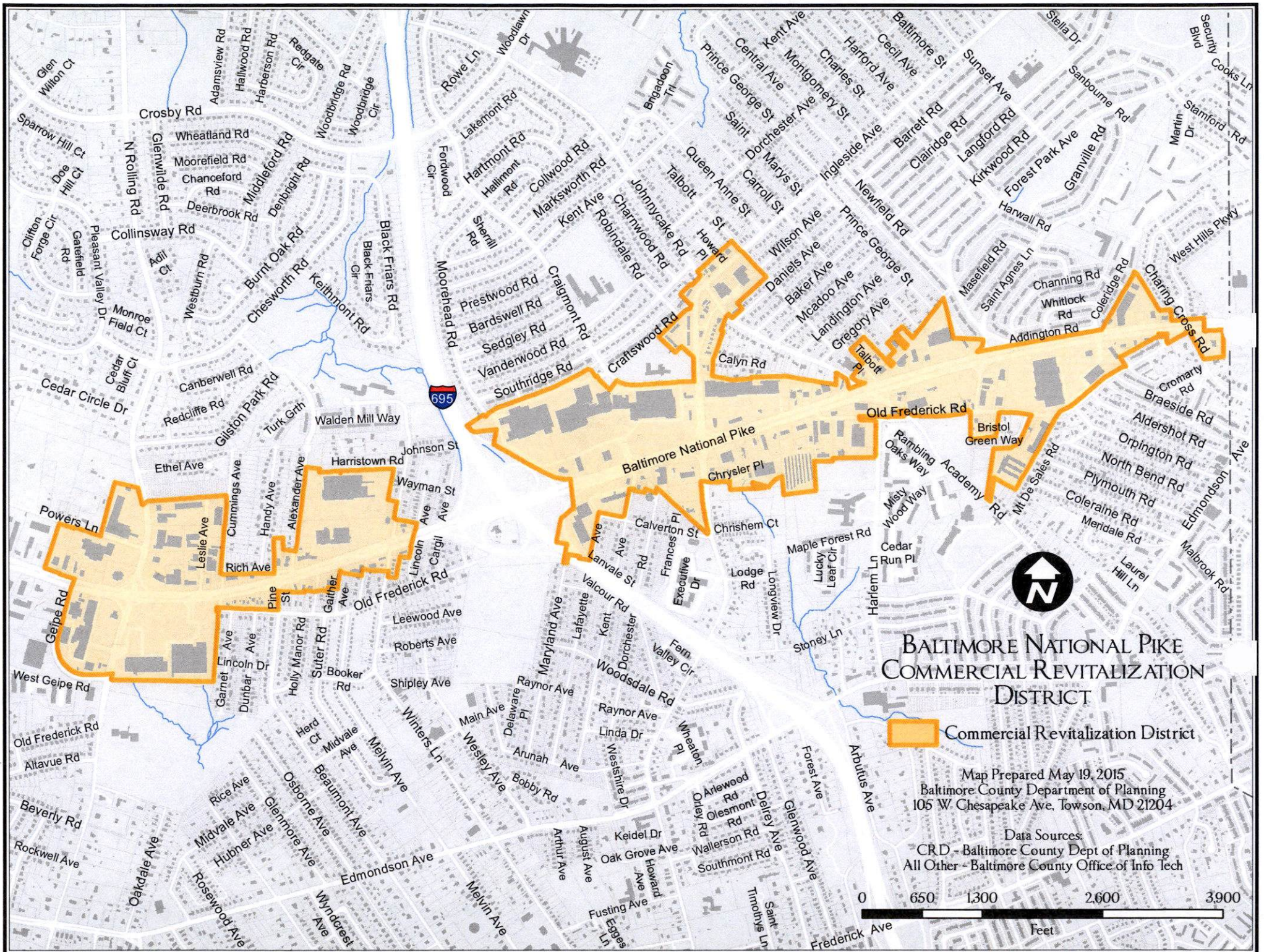
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Baltimore County, Maryland

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.

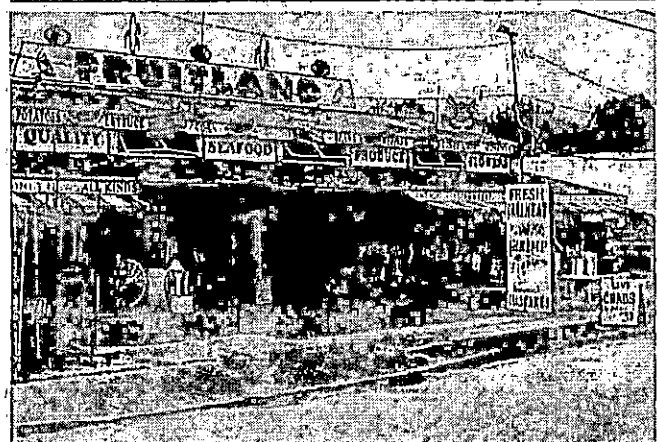
(2) Ensure that land use proposals contribute to a healthy balance of residential and non-residential uses and open space.

(3) Work proactively to promote employment-driven projects compatible with residential uses.

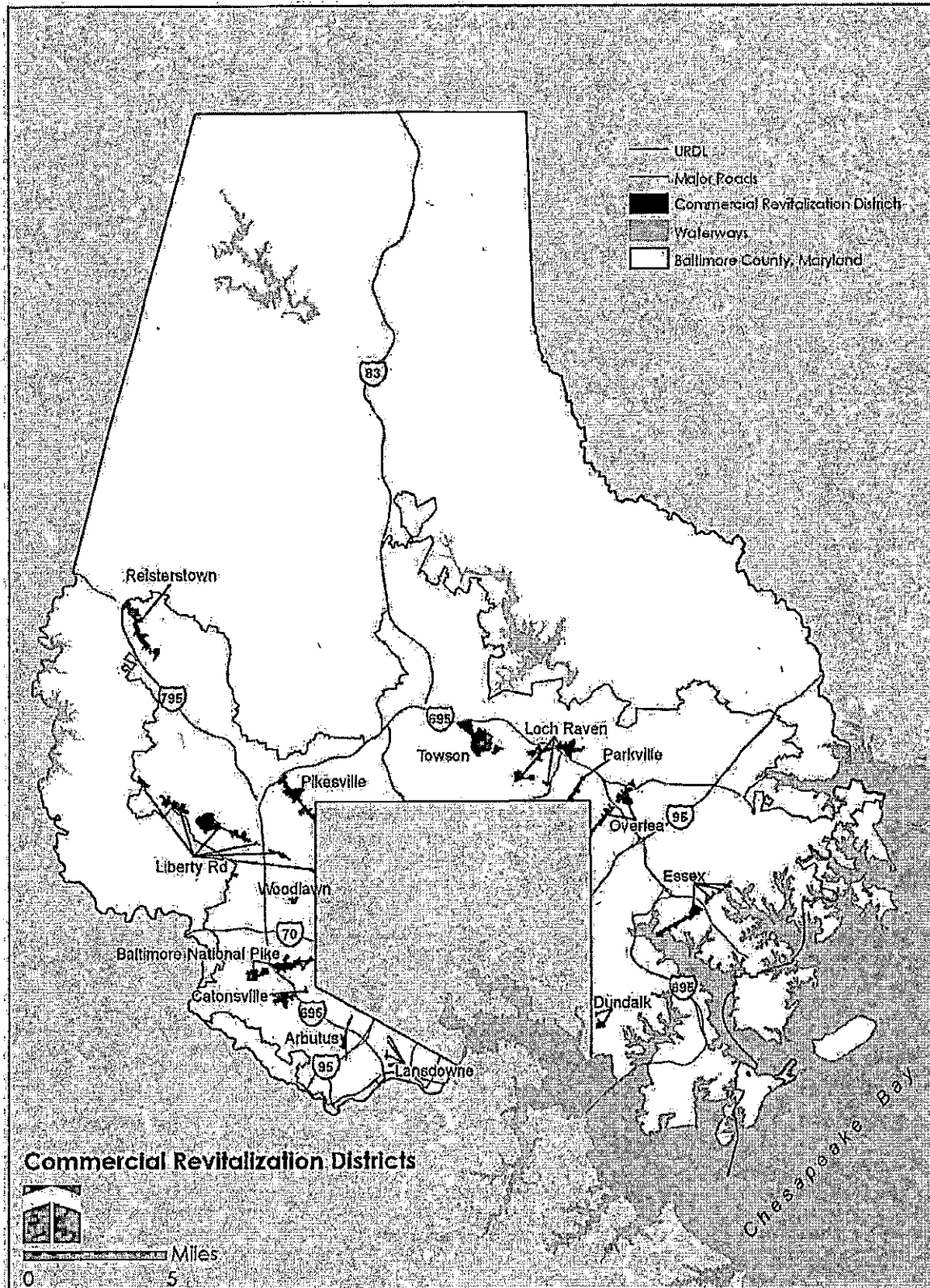
(4) Direct mixed-use development to Community Enhancement Areas.

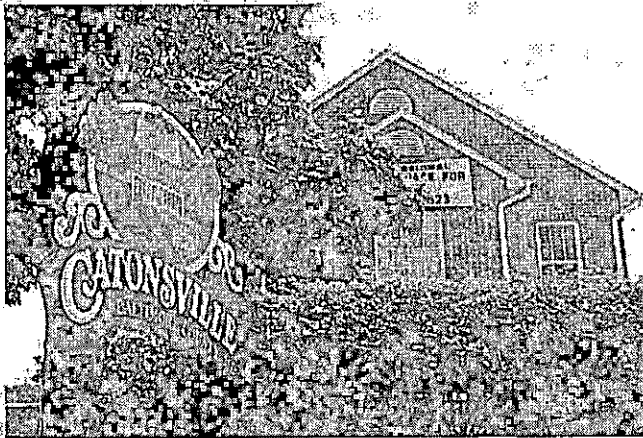
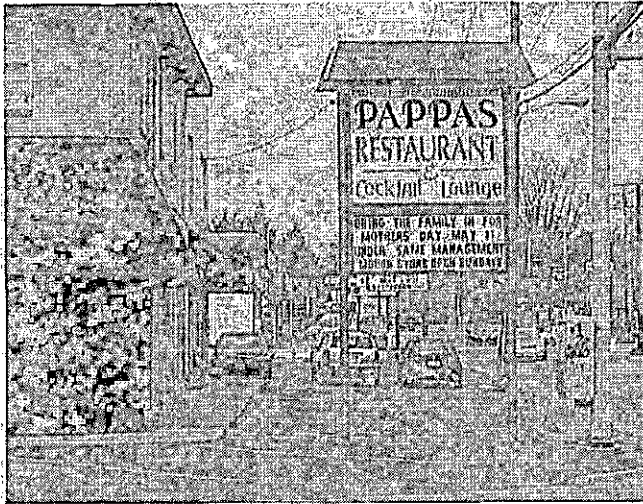
COMMERCIAL REVITALIZATION DISTRICTS

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.

ECONOMIC VITALITY

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.

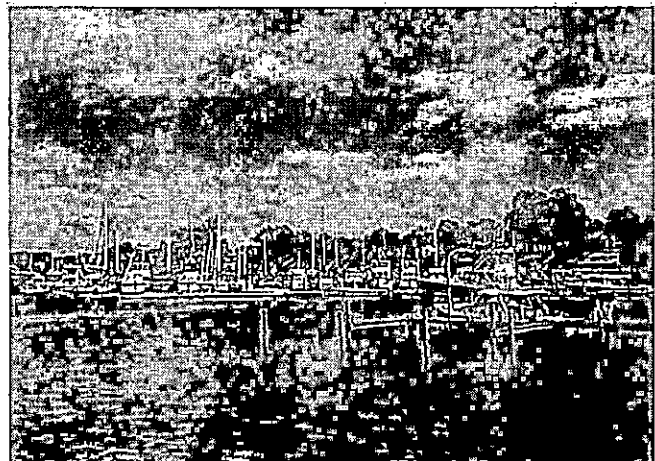
Baltimore County's 219 miles of Chesapeake Bay waterfront offer unrealized potential to enhance the visitor experience and quality of life for County residents. Over the past decade, eastern Baltimore County has seen over \$600 million in public and private investment. County initiatives have eliminated 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



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 & Bevin

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:

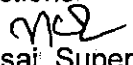
"(B) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL CANNABIS PROCESSOR FACILITY IS PERMITTED BY SPECIAL EXCEPTION IN A M.L.-I.M. ZONE LOCATED WITHIN THE CHESAPEAKE ENTERPRISE ZONE."

Proposed Amendments - Bill 61.15.crandell.bevins.wpd

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 2, 2017
Item No. 2018-0048-SPHXA

DATE: October 11, 2017

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

If Special Exception and Zoning Relief is granted, a Landscape Plan is required per the requirement of the Landscape Manual. Lighting Plans is also required.

The most northerly parking spot of the 3 parking spaces located along the northeast property line of the site, shall be eliminated, not enough back-up space is provided.

* * * * *

VKD: CEN
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 10/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-048 (amended)

INFORMATION:

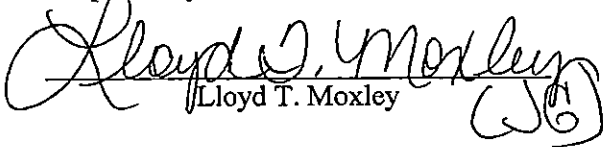
Property Address: 6328 Baltimore National Pike
Petitioner: Mahe Properties, LLC
Zoning: BR.-AS
Requested Action: Special Exception, Special Hearing, Variance

The Department has reviewed the amended petition for special exception to determine whether or not the Administrative Law Judge should approve a Medical Cannabis Dispensary and the petition for special hearing to approve a modified parking plan. The Department has also reviewed the petition for variance as listed on the attachment submitted in support of the amended petition.

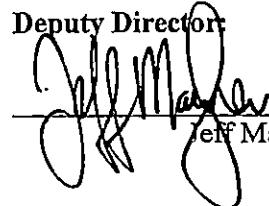
The amendments to the requested zoning relief does not cause the Department to alter its recommendations on the case made on 9/22/2017.

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

Prepared by:


Lloyd T. Moxley

Deputy Director:


Jeff Mayhew

AVA/KS/LTM/ka

c: Dennis Wertz
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Lawrence E. Schmidt, Smith, Gildea & Schmidt
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/22/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-048

INFORMATION:

Property Address: 6328 Baltimore National Pike

Petitioner: Mahe Properties, LLC

Zoning: BR.-AS

Requested Action: Special Exception, Special Hearing, Variance

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A site visit was conducted on 8/21/2017. The site is within the Baltimore National Pike Commercial Revitalization District.

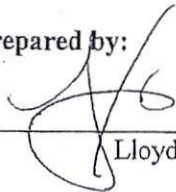
The Department has no objection to granting the petitioned zoning conditioned upon the following:

- A stated goal of the Baltimore County Master Plan 2020 (MP2020) is that commercial revitalization districts (CRD's) must strengthen the existing base of small businesses and attract new and different uses (MP2020 pg. 139). As a means to that end, MP2020 puts forth as a policy the improvement of the physical appearance of the business environment through various actions to include enforcement of the County Code. To meet the goals of the CRD and the MP2020, the Department finds the facades of the subject building have become weathered and need refurbished. The Department recommends all other code deficiencies, if existent, be addressed.
- There shall be no storage of damaged or disabled motor vehicles on-site or parking not directly associated with the commercial activities on-site.
- Submit a landscape and lighting plan to the Baltimore County Landscape Architect for approval prior to the issuance of any use and occupancy permits for the dispensary.
- Stripe the existing parking lot to delineate standard Baltimore County parking spaces as per the plan.
- If approved, petitioners shall provide written notification to the Department to the contact person listed below, upon the issuance of any use and occupancy permit associated with the dispensary.

ORDER RECEIVED FOR FILING
Date 10/26/17
By Sen

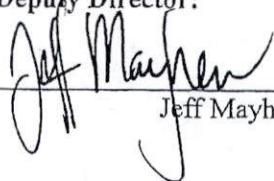
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Dennis Wertz

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Lawrence E. Schmidt, Smith, Gildea & Schmidt

Office of the Administrative Hearings

People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

10/26/17

By

Sen

Leonard Wasilewski

From: Lawrence Schmidt <lschmidt@sgs-law.com>
Sent: Tuesday, August 29, 2017 2:50 PM
To: Leonard Wasilewski
Cc: Dennis Wertz; Alyssa Moyers; Chris Corey; Ken Wells (kwells@kjwellsinc.com); Carl Richards Jr
Subject: RE: Mission Maryland Sign Photos (Case Number 2018-048)

9-29-17
11-2-17
130
AMENDED

Lenny: Following up our telephone conversation today, I will be sending to you a cover letter (with a revised plan) reflecting the changes to the signage for the above matter. I am copying Dennis Wertz in the Planning Office on this email as I will copy him on our submittal. I hope to have this submitted within seven days.

As we discussed, the relief will be changes as follows:

1. We will add a note that the roof mounted sign will be removed. (This was not stated on the initial plan)
2. The freestanding sign (per your interpretation) is a joint ID sign, not an enterprise sign, and therefore is permitted and no variance is needed. Thus, the previously requested variance is deleted.
3. The two signs on the "front wall", advertising Caton Auto, will remain but you have asked that the variance relief for those be re-worded.
4. The variance request as it relates to the awning signs will remain as is.

My cover letter will explain these changes. Additionally, we will amend the site plan to reflect this relief requested, as you have updated. I will submit the amended plan, with my letter. Finally, we will submit photos of all of the signs with the dimensions shown for each.

Again, I should have this to you by the middle of next week (September 6). And, as indicated above, I will copy Mr. Wertz with the entire submittal. I have also copied Carl Richards for his info with this email.

Thanks for your review of this and your input.

Larry Schmidt

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

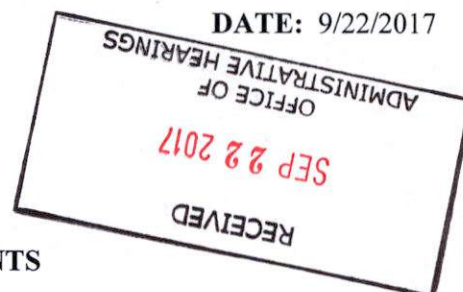
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BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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: 18-048



INFORMATION:

Property Address: 6328 Baltimore National Pike
Petitioner: Mahe Properties, LLC
Zoning: BR.-AS
Requested Action: Special Exception, Special Hearing, Variance

The Department has reviewed the petition for special exception to determine whether or not the Administrative Law Judge should approve a Medical Cannabis Dispensary and the petition for special hearing to approve a modified parking plan. The Department has also reviewed the petition for variance as listed on the attachment submitted in support of the petition.

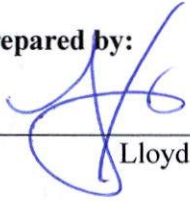
A site visit was conducted on 8/21/2017. The site is within the Baltimore National Pike Commercial Revitalization District.

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

- A stated goal of the Baltimore County Master Plan 2020 (MP2020) is that commercial revitalization districts (CRD's) must strengthen the existing base of small businesses and attract new and different uses (MP2020 pg. 139). As a means to that end, MP2020 puts forth as a policy the improvement of the physical appearance of the business environment through various actions to include enforcement of the County Code. To meet the goals of the CRD and the MP2020, the Department finds the facades of the subject building have become weathered and need refurbished. The Department recommends all other code deficiencies, if existent, be addressed.
- There shall be no storage of damaged or disabled motor vehicles on-site or parking not directly associated with the commercial activities on-site.
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- Stripe the existing parking lot to delineate standard Baltimore County parking spaces as per the plan.
- If approved, petitioners shall provide written notification to the Department to the contact person listed below, upon the issuance of any use and occupancy permit associated with the dispensary.

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

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Dennis Wertz

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Lawrence E. Schmidt, Smith, Gildea & Schmidt
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 27 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: September 27, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0048-SPHXA
Address 6328 Baltimore National Pike
(Mahe Properties, LLC Property)

Zoning Advisory Committee Meeting of **October 2, 2017**.

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

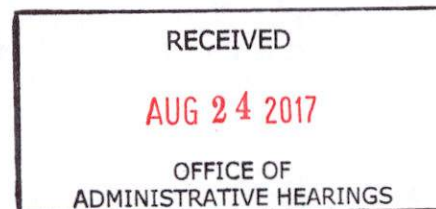
Reviewer: Steve Ford

Date: 9-27-2017

9-29

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: August 24, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0048-SPHXA
Address 6328 Baltimore National Pike
(Mahe Properties, LLC)

Zoning Advisory Committee Meeting of **August 21, 2017**.

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

Reviewer: Steve Ford Date: 8-24-2017

Sherry Nuffer

From: John E. Beverungen
Sent: Friday, September 29, 2017 12:16 PM
To: Sherry Nuffer
Subject: FW: Case no.: 2018-SPHXA

From: Arnold Jablon
Sent: Friday, September 29, 2017 12:09 PM
To: Lawrence Schmidt <lschmidt@sgs-law.com>; John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Carl Richards Jr <CRichards@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Alyssa Moyers <amoyers@sgs-law.com>
Subject: RE: Case no.: 2018-SPHXA

I agree. I want to know why notice was not sent to all parties? Kristen, please re-schedule immediately.

From: Lawrence Schmidt [<mailto:lschmidt@sgs-law.com>]
Sent: Friday, September 29, 2017 11:49 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Arnold Jablon <ajablon@baltimorecountymd.gov>; Carl Richards Jr <CRichards@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Alyssa Moyers <amoyers@sgs-law.com>
Subject: Case no.: 2018-SPHXA

All: I am sending this email to a number of individuals at Baltimore County as I am not sure who this should be directed to. Thus, if you are not the proper individual, please disregard.

I filed the above case sometime ago as a petition for special exception (medical cannabis dispensary in a revitalization district) special hearing (modified parking plan and to legitimize the location of an existing building) and variances (as to signage). After the plan was filed, accepted and assigned a case number; I was subsequently contacted by Lenny in the Zoning Office about the sign request. After meeting with him and at his request; I filed an amended petition. The amended petition did not change the special exception. The change was to the variance for signage. We did not add any variances, in fact we deleted two in that he determined that two of our sign variances were not needed. THEREFORE, NO ADDITIONAL RELIEF WAS REQUESTED.

The property has been posted and advertised. It is scheduled for hearing today at 1:30. I have witnesses coming in., some from out of town.

My paralegal called the Office of the ALJ about getting ZAC comments for this matter this morning and was advised (apparently quite by accident) that the case has been postponed. Apparently, because of the filing of the amendment.

I have never been notified of the postponement. No one called me, emailed me or wrote me. I have seen no new notice of hearing. As noted above, a postponement is not warranted in that no new relief has been requested. But to not have been told causes significant hardship.

I have been advised that ALJ Beverungen (having been advised some time ago that the matter is postponed) will not be in his office this afternoon. I am still planning to appear at 1:30 in that I suspect individuals (having seen the sign) will appear.

Respectfully, I ask that this matter be immediately reassigned a new date and it not merely be "put in the stack" and assigned a new date weeks or months from now. I appreciate that mistakes can be made and I am not throwing anyone "under the bus." But to unilaterally postpone a hearing without good cause and without notifying the applicant is no way to run a railroad.

Larry

Lawrence E. Schmidt | Partner

SMITH, GILDEA & SCHMIDT, LLC

600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070

lschmidt@sgs-law.com | www.sgs-law.com

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Sherry Nuffer

From: Lawrence Schmidt <lschmidt@sgs-law.com>
Sent: Friday, September 29, 2017 11:53 AM
To: John E. Beverungen
Cc: Debra Wiley; Sherry Nuffer; Alyssa Moyers
Subject: RE: Case No. 2018-0048-SPHXA

John: I just sent an email to you and others about this and then got your email that crossed in cyber space. I appreciate that you (and your office) had nothing to do with this and the foul up is in the Zoning Office. And I further understand (and recall from my days as ZC) that dealing with them can be a gigantic pain in the ass.

Although I think it wrong to pp the case, what really bothers me is that no one called and let me know.

But that is par for the course.

I am still coming over today and will tell anybody who shows that there was a foul up.

Again, thanks.

Larry

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

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From: John E. Beverungen [mailto:jbeverungen@baltimorecountymd.gov]
Sent: Friday, September 29, 2017 11:48 AM
To: Lawrence Schmidt
Cc: Debra Wiley; Sherry Nuffer
Subject: Case No. 2018-0048-SPHXA

Larry,

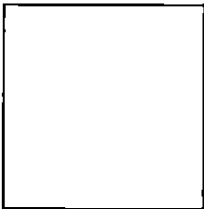
Deb Wiley filled me in on this situation. Apparently you and Lenny discussed and made revisions to the zoning requests in this case, and as a result, PAI informed Deb on 9-22 that the hearing was cancelled. The date was removed from our

weekly calendar, which I received on that same date, 9-22. Seeing the hearing was cancelled, I made plans for the afternoon, and am leaving the office shortly after 12.

I am sorry about the mix up, and don't know how it was you were not notified by PAI. Deb said that the hearing has been rescheduled for November 2 at 1:30, but of course you should confirm that with Kristen and make sure you get the posting and advertisement done.

John.

CONNECT WITH BALTIMORE COUNTY



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www.baltimorecountymd.gov

Sherry Nuffer

From: John E. Beverungen
Sent: Friday, September 29, 2017 11:48 AM
To: Lawrence Schmidt
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John.

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From: John E. Beverungen
Sent: Friday, September 29, 2017 12:24 PM
To: Sherry Nuffer
Subject: FW: Case no.: 2018-SPHXA

From: Kristen L Lewis
Sent: Friday, September 29, 2017 12:22 PM
To: Lawrence Schmidt <lschmidt@sgs-law.com>; John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Arnold Jablon <ajablon@baltimorecountymd.gov>; Carl Richards Jr <CRichards@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Alyssa Moyers <amoyers@sgs-law.com>
Subject: RE: Case no.: 2018-SPHXA

Good afternoon,

The hearing was postponed and moved to another date because based on the time frame the new advertisement and posting would have not met the requirements of the 20 day notification period. Based on your email to Carl and Lenny dated August 29th, you indicated you would submit these revisions and the incurred fee of \$250 by September 7th. These revisions did not however come into this office for circulation on the agenda until last Monday, September 18th, which would not have allowed enough time for the newspaper ad to reflect the amendments for 20 days prior to your original hearing date of today 9/29/17. Once November's availability for Judge Beverungen became available this week, a new notice went out yesterday with a new hearing date for this case, which is now set for November 2, 2017 at 1:30 p.m. If you have any further questions, please feel free to contact me. Thanks you,

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: Lawrence Schmidt [<mailto:lschmidt@sgs-law.com>]
Sent: Friday, September 29, 2017 11:49 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Arnold Jablon <ajablon@baltimorecountymd.gov>; Carl Richards Jr <CRichards@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Alyssa Moyers <amoyers@sgs-law.com>
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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 6, 2017

HAND DELIVERED

John Beverungen, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Mahe Properties, LLC
6328 Baltimore National Pike
Case No.: 2018-048-SPHXA
Hearing Date: November 2, 2017 @ 1:30 p.m.

Dear Judge Beverungen,

As you know, after enactment of enclosed Bill 61-15, there have arisen several petitions for zoning relief pertinent to medical cannabis dispensaries, either involving uses by right with variances or involving special exceptions. Two of the special exception cases have made their way to the County Board of Appeals (CBA): Temescal Wellness of Maryland, LLC and Compass, LLC. As the special exception depends on location in a Commercial Revitalization District, this emerging cluster of appellate cases led us to do research about this particular linkage. We recently communicated the results of our research to the CBA in these cases.

Because the present case is another in this line of special exceptions, we hope and trust you find it is helpful to provide you with our office's perspective.

Bill 61-15 is codified in BCZR Article 4D, Secs. 4D-101 to 4D-103. It 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 identifies the location of each CRD and lists contact persons. The location here is in the Baltimore National Pike District. The relevant map is enclosed. The DOP website 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. **(AS NEIGHBORS)**

Master Plan 2020 has a more detailed discussion, with a countywide map showing 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.

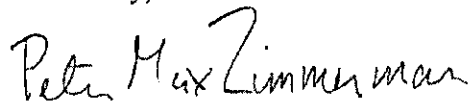
The legislative history of Bill 61-15 indicates that the CRD special exception came in as an amendment to the Bill as introduced, also enclosed. This is reflected in the Bill. We include the "Fiscal Note" to Bill 61-15, actually a short history summary. We also include the documentation for the amendment.

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 petitioner should address the extent to which the proposed location fits, or should fit, the function or purpose of the Baltimore National Pike 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 saying that it should play an important role in the review and resolution.

Sincerely,



Peter Max Zimmerman
People's Counsel for Baltimore County

cc: Lawrence E. Schmidt, Esquire
Dennis Wertz, Department of Planning Contact Person

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.

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

5 (B) "MEDICAL CANNABIS DISPENSARY" MEANS A PERSON OR ENTITY
6 LICENSED BY THE STATE THAT ACQUIRES, POSSESSES, TRANSFERS, SELLS,
7 DISPENSES, OR DISTRIBUTES PRODUCTS CONTAINING MEDICAL CANNABIS AND
8 RELATED SUPPLIES AND PRODUCTS AT A STATE-LICENSED DISPENSARY PURSUANT
9 TO COMAR 10.62.01 TO 10.62.35.

10 (C) "MEDICAL CANNABIS GROWER" MEANS A PERSON OR ENTITY
11 LICENSED BY THE STATE THAT CULTIVATES, MANUFACTURES, GROWS, PACKAGES,
12 OR DISTRIBUTES MEDICAL CANNABIS TO A LICENSED PROCESSOR OR A
13 REGISTERED INDEPENDENT TESTING LABORATORY PURSUANT TO COMAR 10.62.01
14 TO 10.62.35.

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

17 (E) "MEDICAL CANNABIS PROCESSOR" MEANS A PERSON OR ENTITY
18 LICENSED BY THE STATE THAT TRANSFORMS MEDICAL CANNABIS INTO ANOTHER
19 PRODUCT OR EXTRACT, AND PACKAGES AND LABELS MEDICAL CANNABIS AND
20 TRANSFERS ITS PRODUCT TO A LICENSED DISPENSARY PURSUANT TO COMAR
21 10.62.01 TO 10.62.35.

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

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.

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.(B) 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) (1) WITHIN 500 FEET OF A PUBLIC OR PRIVATE ELEMENTARY SCHOOL, MIDDLE SCHOOL, OR HIGH SCHOOL; OR

(C) A PUBLIC PARK OR PUBLIC RECREATIONAL FACILITY;

(D) A PUBLIC LIBRARY;

(D) 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) 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.

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

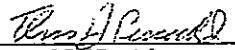
(C) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL CANNABIS PROCESSOR FACILITY IS PERMITTED ONLY BY SPECIAL EXCEPTION IN A M.L.-I.M. ZONE LOCATED WITHIN THE CHESAPEAKE ENTERPRISE ZONE.

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

206115.AMENDED.wpd

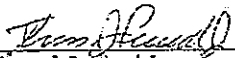
READ AND PASSED this 8th day of SEPTEMBER, 2015.

BY ORDER



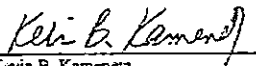
Thomas J. Peddicord, Jr.
Secretary

PRESENTED to the County Executive for his approval this 9th day of SEPTEMBER, 2015.



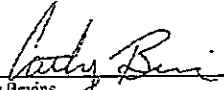
Thomas J. Peddicord, Jr.
Secretary

APPROVED AND ENACTED:

September 15, 2015 

Kevin B. Kamenev
County Executive

I HEREBY CERTIFY THAT BILL NO. 61-15 IS TRUE AND CORRECT AND TOOK
EFFECT ON September 21, 2015.



Cathy Bevins
Chair, County Council



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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](#)
- [Cowenton-Ebenezer](#)

- [Dundalk](#)
- [Essex](#)
- [Lansdowne](#)
- [Liberty Road \(East\)](#)
- [Liberty Road \(West\)](#)
- [Lech Raven](#)
- [Menitt-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 Pataasco](#)
- [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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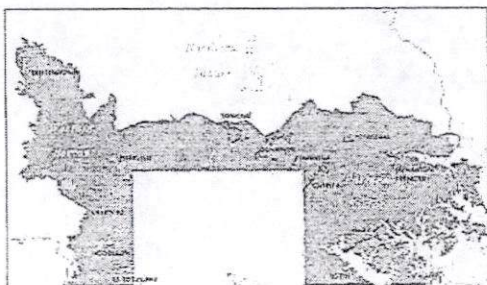
Apply	Pay	Report	Follow Up	Contact	Residents	Businesses	Visitors
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Commercial Revitalization Program

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: wsibinski@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 wsibinski@baltimorecountymd.gov
Reisterstown Map (PDF)	Bill Skibinski 410-887-3480 wsibinski@baltimorecountymd.gov
Woodlawn Map (PDF)	Dennis Wertz 410-887-3480 dwertz@baltimorecountymd.gov

Eastern Sector

Detailed Map	Staff Contact
Covington-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
Merrill-Sollers Point Map (PDF)	Krysia Patchak 410-887-3480 kpachak@baltimorecountymd.gov
North Point Map (PDF)	Tony Ambridge 410-887-3559 tambridge@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)	Ngene Seye-Diop 410-887-3480 nsseyediop@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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Baltimore County Government

Historic Courthouse
400 Washington Avenue
Towson, Maryland 21204

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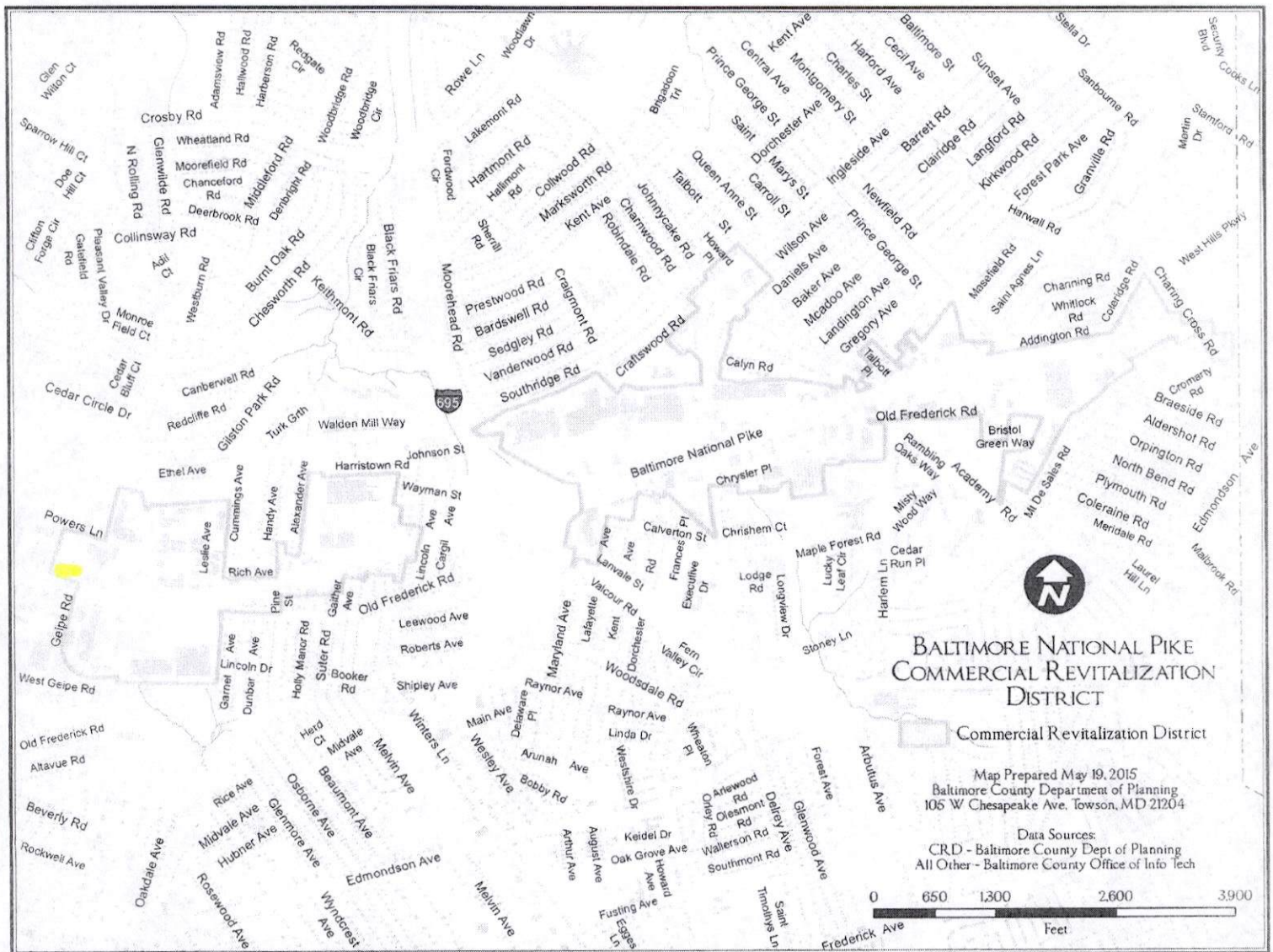
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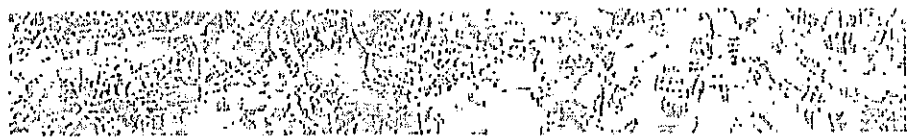
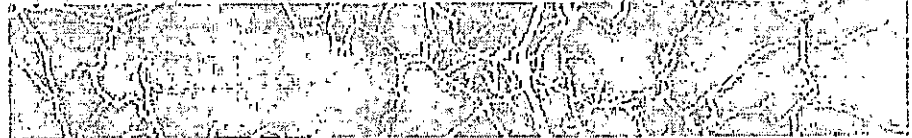
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Baltimore County, Maryland

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.

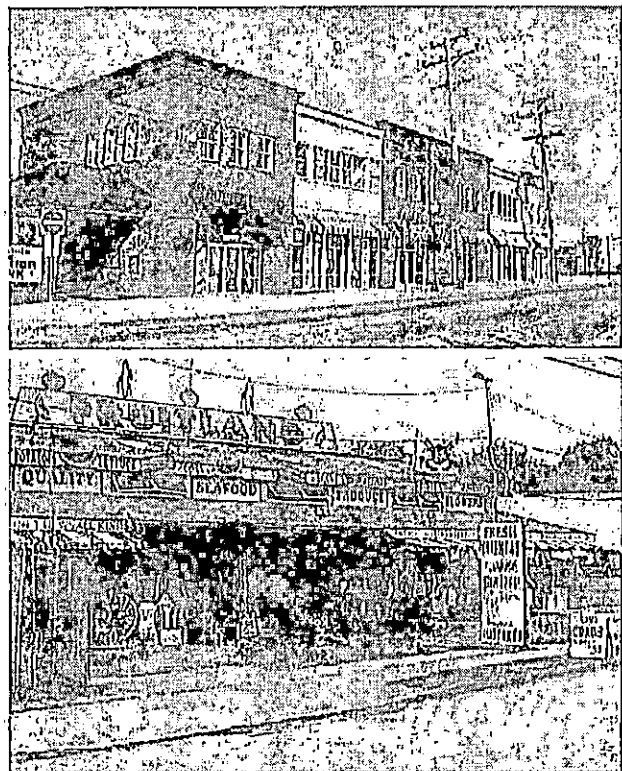
Policy: The County should maintain a healthy balance between residential and non-residential land uses inside the URDL.

Actions:

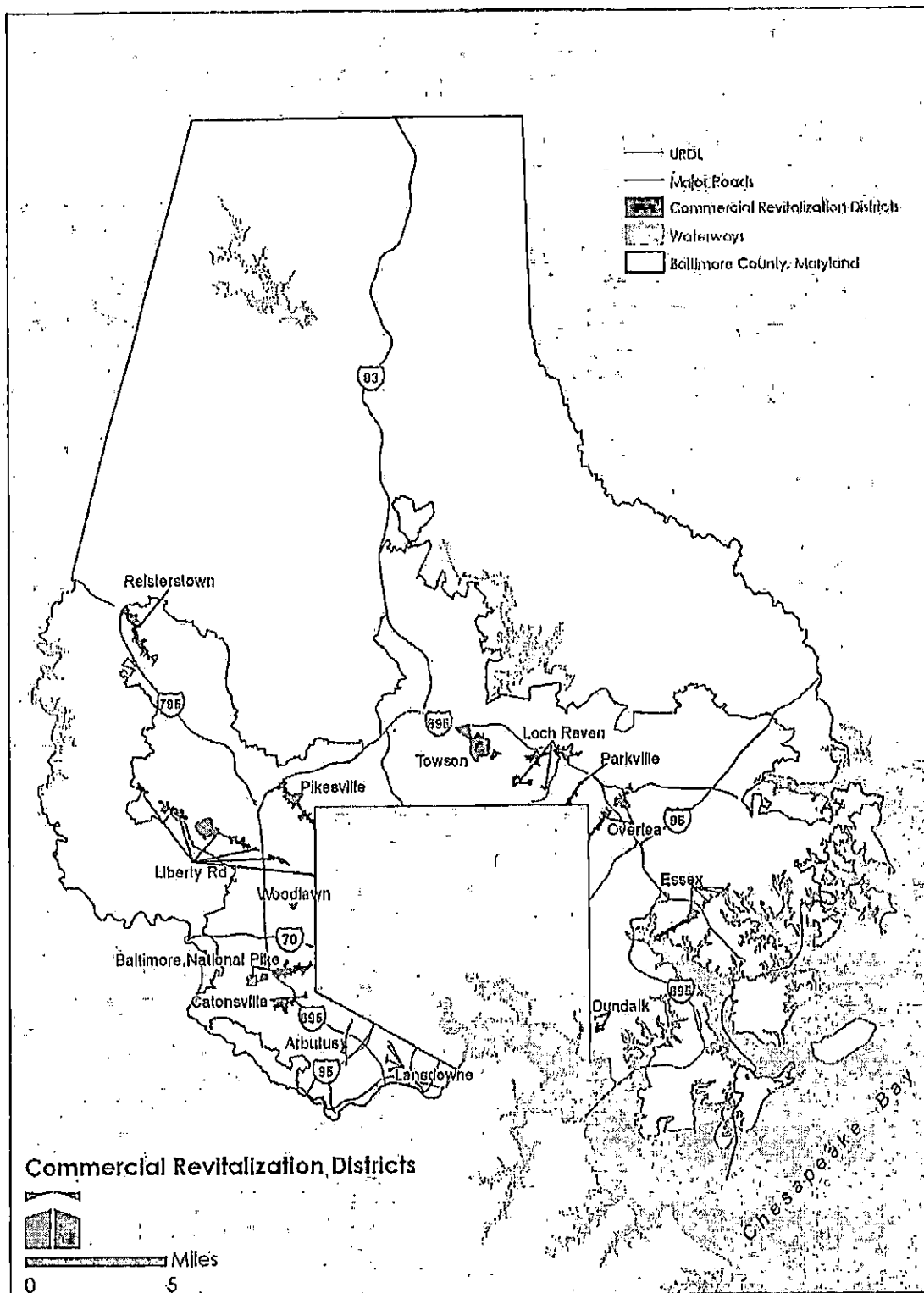
- (1) Consider encouraging zoning requests that promote mixed-use development.
- (2) Ensure that land use proposals contribute to a healthy balance of residential and non-residential uses and open space.
- (3) Work proactively to promote employment driven projects compatible with residential uses.
-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

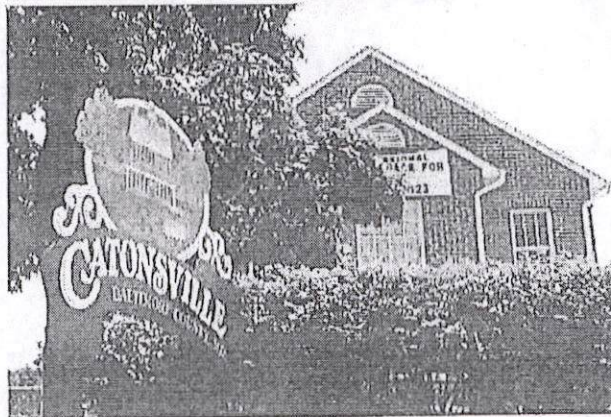
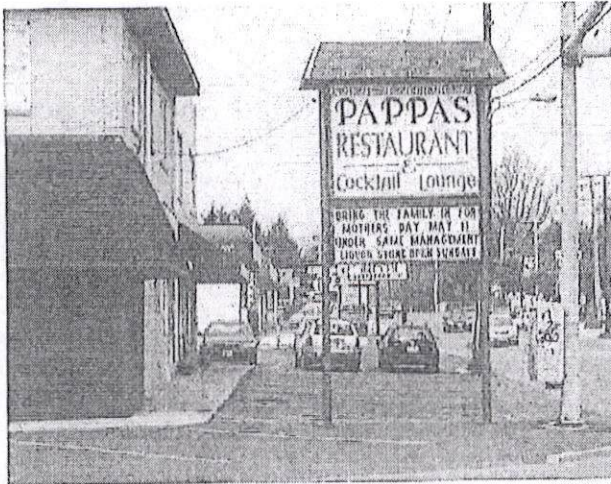
COMMERCIAL REVITALIZATION DISTRICTS

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 39 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.

PHARMACIES

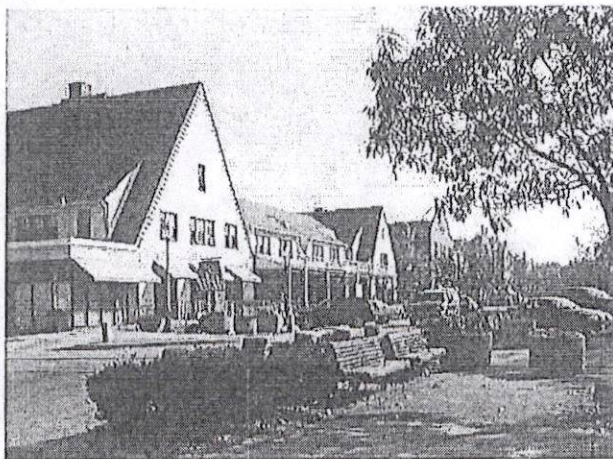
When compared to newer town centers that are trying to replicate the character and qualities of real downtowns, original town centers often have unique challenges. Redevelopment costs can be higher with land assemblage and parking; surrounding household incomes and densities may be more diverse; multiple 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.

ECONOMIC VITALITY

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.

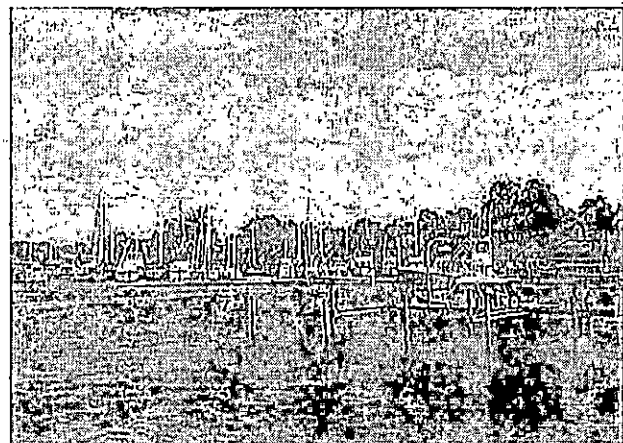
Baltimore County's 219 miles of Chesapeake Bay waterfront offer unrealized potential to enhance the visitor experience and quality of life for County residents. Over the past decade, eastern Baltimore County has seen over \$600 million in public and private investment. County initiatives have eliminated 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



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.

1 §4D - 103. LOCATION OF MEDICAL CANNABIS GROWER FACILITY AND
2 MEDICAL CANNABIS PROCESSOR FACILITY.

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

5 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the
6 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 "(I) 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.vpd

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."

Richards Jr

: Lawrence Schmidt <lschmidt@sgs-law.com>
: Tuesday, August 29, 2017 2:50 PM
Leonard Wasilewski
Dennis Wertz; Alyssa Moyers; Chris Corey; Ken Wells (kwells@kjwellsinc.com); Carl
Richards Jr
ject: RE: Mission Maryland Sign Photos (Case Number 2018-048)

AMENDED

any: Following up our telephone conversation today, I will be sending to you a cover letter
with a revised plan) reflecting the changes to the signage for the above matter. I am copying
Dennis Wertz in the Planning Office on this email as I will copy him on our submittal. I hope to
have this submitted within seven days.

As we discussed, the relief will be changes as follows:

1. We will add a note that the roof mounted sign will be removed. (This was not stated on the initial plan)
2. The freestanding sign (per your interpretation) is a joint ID sign, not an enterprise sign, and therefore is permitted and no variance is needed. Thus, the previously requested variance is deleted.
3. The two signs on the "front wall", advertising Caton Auto, will remain but you have asked that the variance relief for those be re-worded.
4. The variance request as it relates to the awning signs will remain as is.

My cover letter will explain these changes. Additionally, we will amend the site plan to reflect this relief requested, as you have updated. I will submit the amended plan, with my letter. Finally, we will submit photos of all of the signs with the dimensions shown for each.

Again, I should have this to you by the middle of next week (September 6). And, as indicated above, I will copy Mr. Wertz with the entire submittal. I have also copied Carl Richards for his info with this email.

Thanks for your review of this and your input.

Larry Schmidt

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

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CASE NAME Mission Maryland
CASE NUMBER 2018-48-SIPHA
DATE 10/23/17

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/22/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-048

INFORMATION:

Property Address: 6328 Baltimore National Pike
Petitioner: Mahe Properties, LLC
Zoning: BR.-AS
Requested Action: Special Exception, Special Hearing, Variance

The Department has reviewed the petition for special exception to determine whether or not the Administrative Law Judge should approve a Medical Cannabis Dispensary and the petition for special hearing to approve a modified parking plan. The Department has also reviewed the petition for variance as listed on the attachment submitted in support of the petition.

A site visit was conducted on 8/21/2017. The site is within the Baltimore National Pike Commercial Revitalization District.

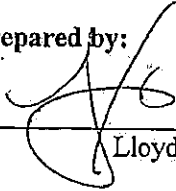
The Department has no objection to granting the petitioned zoning conditioned upon the following:

- A stated goal of the Baltimore County Master Plan 2020 (MP2020) is that commercial revitalization districts (CRD's) must strengthen the existing base of small businesses and attract new and different uses (MP2020 pg. 139). As a means to that end, MP2020 puts forth as a policy the improvement of the physical appearance of the business environment through various actions to include enforcement of the County Code. To meet the goals of the CRD and the MP2020, the Department finds the facades of the subject building have become weathered and need refurbished. The Department recommends all other code deficiencies, if existent, be addressed.
- There shall be no storage of damaged or disabled motor vehicles on-site or parking not directly associated with the commercial activities on-site.
- Submit a landscape and lighting plan to the Baltimore County Landscape Architect for approval prior to the issuance of any use and occupancy permits for the dispensary.
- Stripe the existing parking lot to delineate standard Baltimore County parking spaces as per the plan.
- If approved, petitioners shall provide written notification to the Department to the contact person listed below, upon the issuance of any use and occupancy permit associated with the dispensary.

Date: 9/22/2017
Subject: ZAC #18-048
Page 2

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

Prepared by:


Lloyd T. Moxley

Deputy Director:


Jeff Mayhew

AVA/KS/LTM/ka

c: Dennis Wertz

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Lawrence E. Schmidt, Smith, Gildea & Schmidt
Office of the Administrative Hearings
People's Counsel for Baltimore County

10-23-17
1:30 PM

Debra Wiley

From: Alyssa Moyers <amoyers@sgs-law.com>
Sent: Monday, October 23, 2017 3:44 PM
To: John E. Beverungen
Cc: Debra Wiley; Lawrence Schmidt
Subject: 2018-0048-SPHXA/6328 Baltimore National Pike
Attachments: Attachment to Petition for Zoning Relief (updated 9.18.17).docx



Judge Beverungen,

In accordance with your request, please see the attached document with the revised relief requested for this matter.

Thank you.

Alyssa Fiore Moyers | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
amoyers@sgs-law.com | www.sgs-law.com

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ATTACHMENT TO PETITION FOR ZONING HEARING

6328 Baltimore National Pike

Special Exception Relief:

1. To approve the use and development of the subject property as a medical cannabis dispensary pursuant to BCZR § 4D-102.A.2.
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Special Hearing Relief:

1. To approve a modified parking plan as shown on the attached Site Plan pursuant to BCZR § 409.12.B, modifying the following BCZR § 409 provisions:
 - a. § 409.6.A of the BCZR to permit 23 spaces for certain mixed office, retail, and service garage uses proposed for the subject property, as more specifically described on the attached Site Plan;
 - b. § 409.8.A.1 of the BCZR to allow certain modifications to landscape manual standards, if determined to be necessary; and
 - c. § 409.11 of the BCZR to allow a modified parking plan which does not separately identify a designated area for loading/unloading.
2. If necessary, to confirm that the existing side and rear yard setbacks are permitted.
3. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Variance Relief:

1. From § 450.4 of the BCZR, Attachment 1.5(c), and § 450.5.B.1 of the BCZR, to approve an existing Awning Enterprise sign with two (2) copy lines in lieu of the one (1) copy line permitted.
2. Along the wall which faces Baltimore National Pike, to permit two (2) existing wall-mounted enterprise signs on the wall of a multi-tenant building without a separate exterior customer entrance, in lieu of the one (1) wall-mounted enterprise sign permitted with a separate exterior entrance under § 450.4 of the BCZR, Attachment 1.5(d).



3. In the alternative to Special Hearing request number 2, if determined to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft., in lieu of the 30 ft. required pursuant to BCZR § 238.2.
4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.



Debra Wiley

From: Kathy Are
Sent: Friday, September 22, 2017 2:36 PM
To: Debra Wiley; Sherry Nuffer
Subject: Comments From Planning For ZAC case# 18-048
Attachments: 18-048.docx

Happy Friday!

Planning's comments for the above ZAC case are attached.

Kathy

Kathy Are
Baltimore County Department of Planning
Strategic Planning - Development Review Division
105 W Chesapeake Avenue Suite 101
Towson, MD 21204
410-887-3482
<http://www.baltimorecountymd.gov/>

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/22/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-048

INFORMATION:

Property Address: 6328 Baltimore National Pike
Petitioner: Mahe Properties, LLC
Zoning: BR.-AS
Requested Action: Special Exception, Special Hearing, Variance

The Department has reviewed the petition for special exception to determine whether or not the Administrative Law Judge should approve a Medical Cannabis Dispensary and the petition for special hearing to approve a modified parking plan. The Department has also reviewed the petition for variance as listed on the attachment submitted in support of the petition.

A site visit was conducted on 8/21/2017. The site is within the Baltimore National Pike Commercial Revitalization District.

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

- A stated goal of the Baltimore County Master Plan 2020 (MP2020) is that commercial revitalization districts (CRD's) must strengthen the existing base of small businesses and attract new and different uses (MP2020 pg. 139). As a means to that end, MP2020 puts forth as a policy the improvement of the physical appearance of the business environment through various actions to include enforcement of the County Code. To meet the goals of the CRD and the MP2020, the Department finds the facades of the subject building have become weathered and need refurbished. The Department recommends all other code deficiencies, if existent, be addressed.
- There shall be no storage of damaged or disabled motor vehicles on-site or parking not directly associated with the commercial activities on-site.
- Submit a landscape and lighting plan to the Baltimore County Landscape Architect for approval prior to the issuance of any use and occupancy permits for the dispensary.
- Stripe the existing parking lot to delineate standard Baltimore County parking spaces as per the plan.
- If approved, petitioners shall provide written notification to the Department to the contact person listed below, upon the issuance of any use and occupancy permit associated with the dispensary.

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

Prepared by:

Deputy Director:

Lloyd T. Moxley

Jeff Mayhew

AVA/KS/LTM/ka

c: Dennis Wertz

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Lawrence E. Schmidt, Smith, Gildea & Schmidt
Office of the Administrative Hearings
People's Counsel for Baltimore County

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

Comment

8/23

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

10/10

PLANNING
(if not received, date e-mail sent _____)

Comment

8/14

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

9/7/17

SIGN POSTING

Date:

10/3/17

by

O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0114000380			
Owner Information					
Owner Name:		MAHE PROPERTIES LLC		Use: COMMERCIAL	
Mailing Address:		8937 MOUNT PATAPSCO CT ELLICOTT CITY MD 21042-1856		Principal Residence: NO Deed Reference: /23901/ 00720	
Location & Structure Information					
Premises Address:		6328 BALTO NATL PIKE 0-0000		Legal Description: .4923 AC 6328 BALTO NATL PIKE NS 620 NW ROLLING RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0094	0023	0271		0000	2018
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1985	8690		21,444 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 01/01/2015	As of 07/01/2017	As of 07/01/2018	
Land:	509,100	509,100			
Improvements	510,400	510,400			
Total:	1,019,500	1,019,500	1,019,500		
Preferential Land:	0				
Transfer Information					
Seller: CATON RADIO AND TELEVISION		Date: 05/25/2006		Price: \$970,000	
Type: ARMS LENGTH IMPROVED		Deed1: /23901/ 00720		Deed2:	
Seller: NATIONAL CITY BK OF BALTIMORE		Date: 03/22/1982		Price: \$130,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06379/ 00656		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt:		Special Tax Recapture:			



KEVIN KAMENETZ
County Executive

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

October 19, 2017

Mahe Properties LLC
8937 Mount Patapsco Court
Ellicott City, MD 21042

RE: Case Number: 2018-0048 SPHXA, Address: 6328 Baltimore National Pike

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 10, 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
Mission Maryland, LLC, 5060 N 40th Street, Suite 120, Phoenix AZ 85018
Lawrence E Schmidt, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

Date: 8/14/17

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

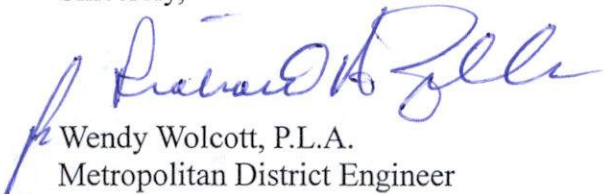
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/14/17. A field inspection and internal review reveals that an entrance onto US40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for SPHXA, Case Number 2018-0048.

*Special Exception Special Hearing Variance
Mahe Properties, LLC
6328 Baltimore National Pk
US 40.*

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

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
VKD
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For August 21, 2017
Item No. 2018-0048

DATE: August 23, 2017

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

If Special Exception and Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required. Suggest addressing deficiencies with respect to Landscape requirements

* * * * *

VKD: CEN
cc: file

10-23-17
1:30 PM

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 10/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-048 (amended)



INFORMATION:

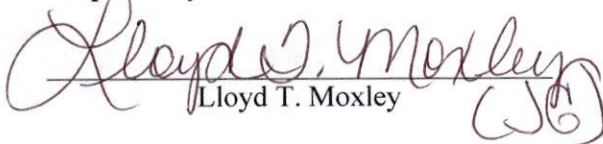
Property Address: 6328 Baltimore National Pike
Petitioner: Mahe Properties, LLC
Zoning: BR.-AS
Requested Action: Special Exception, Special Hearing, Variance

The Department has reviewed the amended petition for special exception to determine whether or not the Administrative Law Judge should approve a Medical Cannabis Dispensary and the petition for special hearing to approve a modified parking plan. The Department has also reviewed the petition for variance as listed on the attachment submitted in support of the amended petition.

The amendments to the requested zoning relief does not cause the Department to alter its recommendations on the case made on 9/22/2017.

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

Prepared by:


Lloyd T. Moxley

Deputy Director:


Jeff Mayhew

AVA/KS/LTM/ka

c: Dennis Wertz
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Lawrence E. Schmidt, Smith, Gildea & Schmidt
Office of the Administrative Hearings
People's Counsel for Baltimore County



RECEIVED
OCT 10 2017
COMMUNITARIAN SERVICES

10/10/17

[Handwritten signature]



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 5164698

Sold To:

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

Bill To:

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

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

Sep 07, 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: # 2018-0048-SPHXA
6328 Baltimore National Pike
Northeast side of Baltimore National Pike, northwest of Rolling Road
1st Election District 1st Councilmanic District
Legal Owner(s) Mahe Properties, LLC
Contract Purchaser/Lessee: Mission Maryland, LLC

Special Hearing 1. To approve a modified parking plan as shown on the attached Site Plan. a. To permit 23 spaces for certain mixed office, retail and service garage uses proposed for the subject property, as more specifically described on the attached Site Plan. b. To allow certain modifications to landscape manual standards, if deemed to be necessary. c. To allow parking spaces to be located less than 10 ft. from public street right-of-way lines, as shown on the attached Site Plan; and d. To allow a modified parking plan which does not separately identify a designated area for loading/unloading. 2. If necessary, to confirm that the existing side and rear yard setbacks are permitted. 3. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Special Exception: 1. To approve the use and development of the subject property as a medical cannabis dispensary; and 2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Variance 1. To approve an existing Freestanding Enterprise sign encompassing 96 sq. ft. in area in lieu of the 75 sq. ft. maximum. 2. To approve an existing Awning Enterprise sign with two (2) copy lines in lieu of the one (1) copy line permitted with each copy line extending not more than twelve (12) in. in height in lieu of the nine (9) in. in height permitted. 3. If necessary, to approve two (2) existing Wall-mounted Enterprise signs located on the same wall of the building which collectively encompass 52 sq. ft. in area (40 sq. ft. & 12 sq. ft.) in lieu of the 30 sq. ft. permitted on the 15 ft. long wall. 4. In the alternative to Special Hearing request number 2, if deemed to be necessary, to permit a side yard setback of 29.8 ft. and a rear yard setback of 28.7 ft. in lieu of the 30 ft. required. 5. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Friday, September 29, 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.

9/004 September 7

5164698

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

Case No.:

2018-0048-SPHXA

Exhibit Sheet - Continued

Petitioner/Developer

Protestants

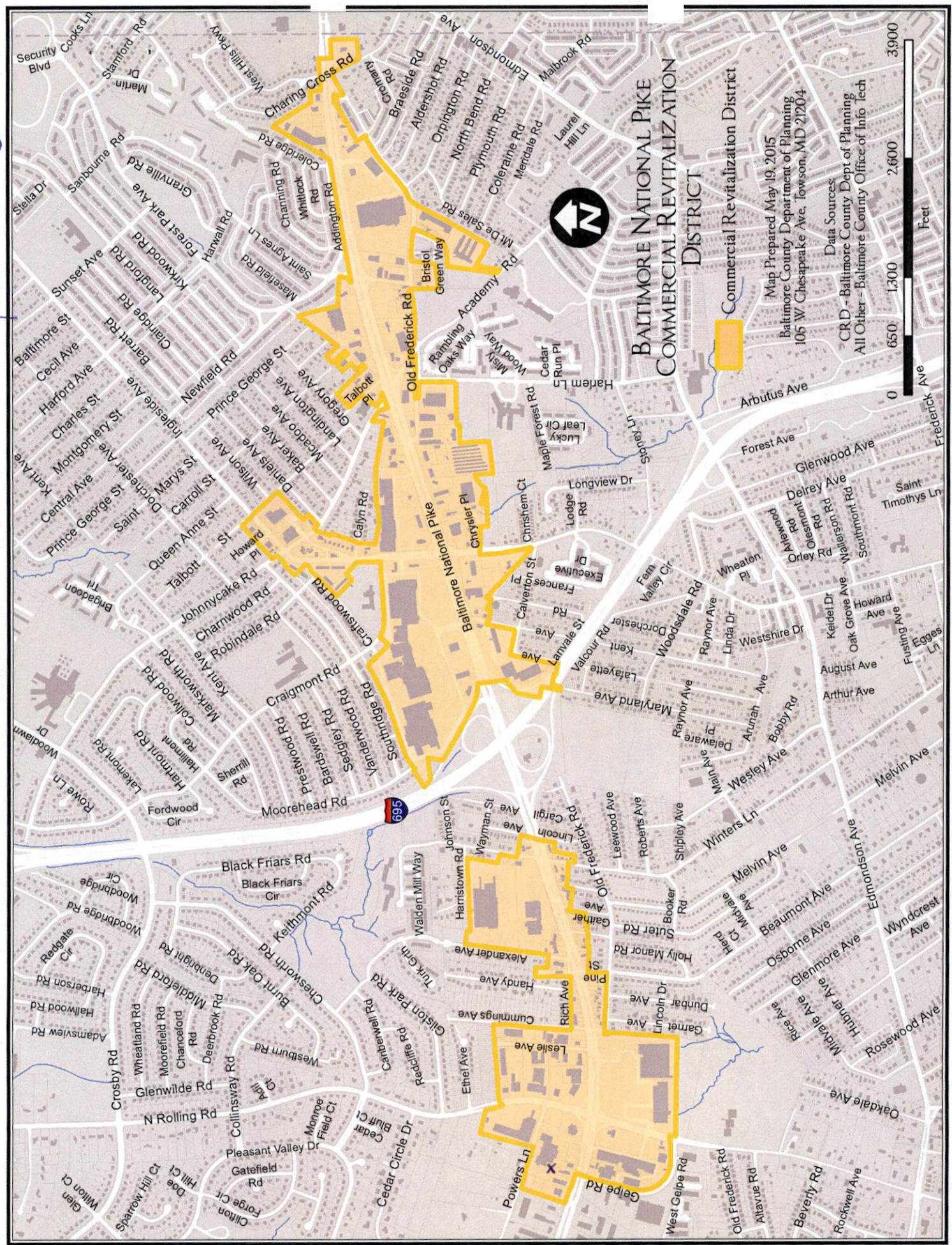
10-26-17
Sen

No. 13 1	1A - site plan 1B - schematic landscape plan	
No. 14 2	My Neighborhood aerial photo	
No. 15 3	" same "	
No. 16 4	" same "	
No. 17 5	Map Balto. Nat'l. Pike Revital. District	
No. 18 6	Map showing dispensaries operated by Pets.	
No. 19 7	MTA Bus Route map	
No. 20 8	A-Q photos	
No. 21 9	A-G letters of support	
No. 22 10	proposed sign elevation	
No. 23		
No. 24		

4/17/19

10/1/19

Plot Ex 5



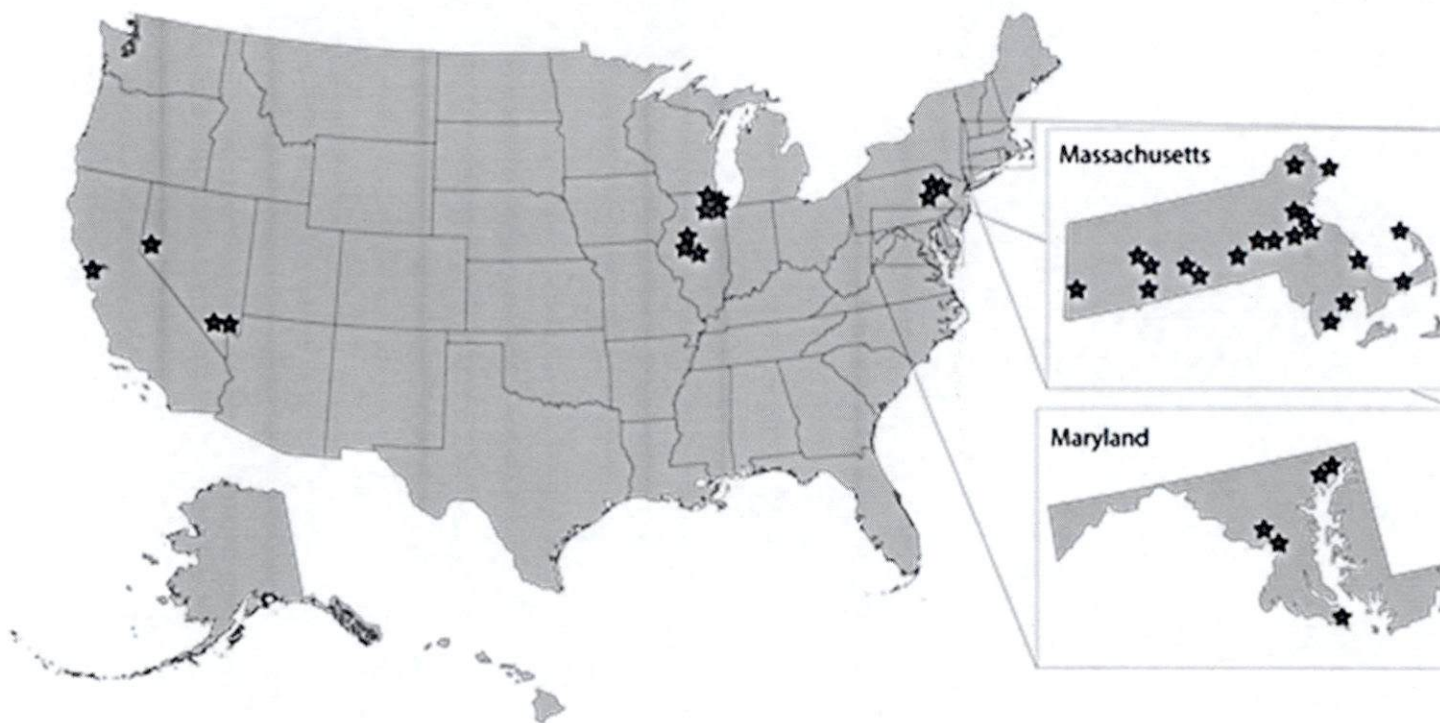
BALTIMORE NATIONAL PIKE COMMERCIAL REVITALIZATION DISTRICT

Commercial Revitalization District

Map Prepared May 19, 2015
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

Ref Ex 6

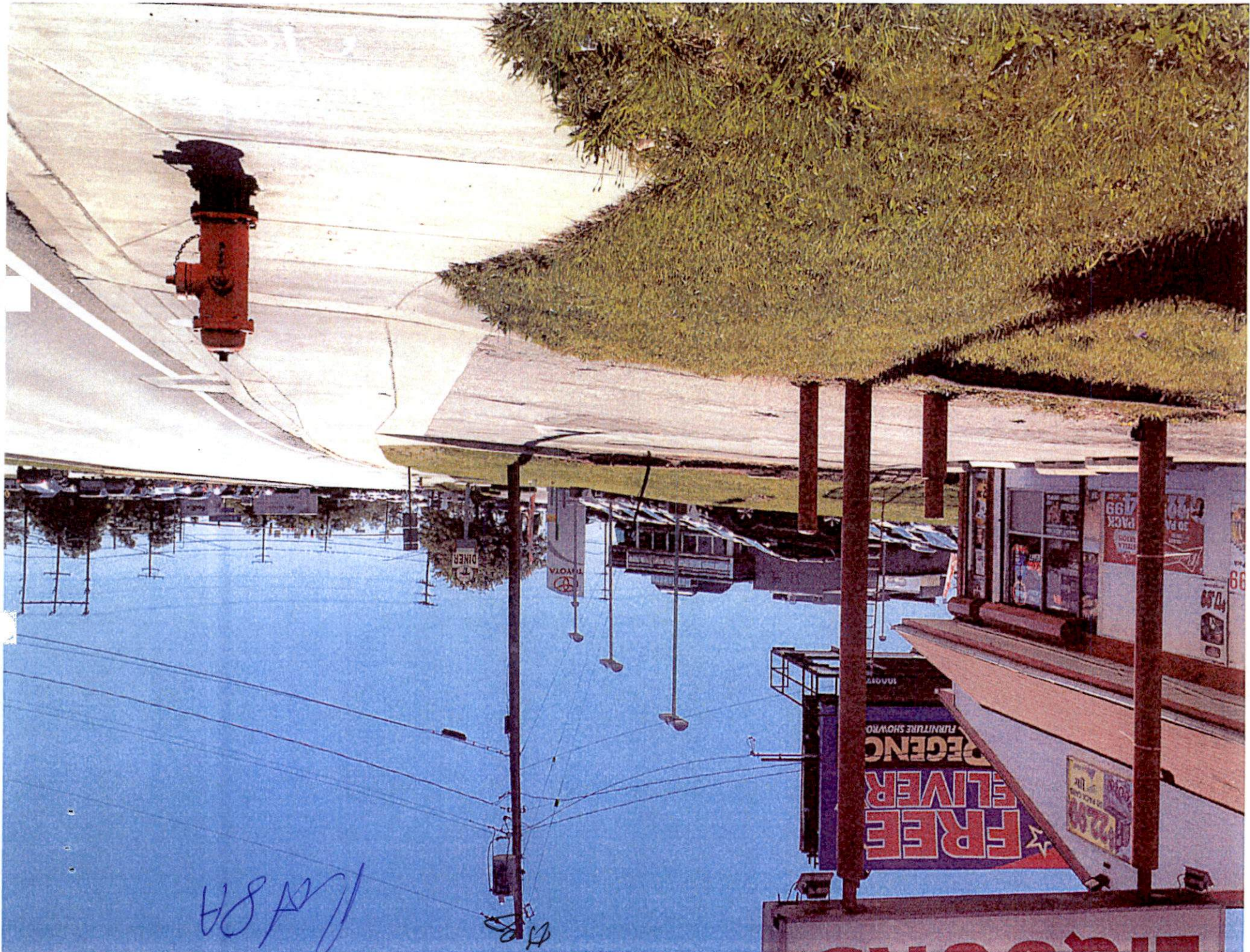


Dispensaries located in:

California:	1
Nevada:	3
Illinois:	7
Pennsylvania:	3
Maryland:	5
Massachusetts:	20

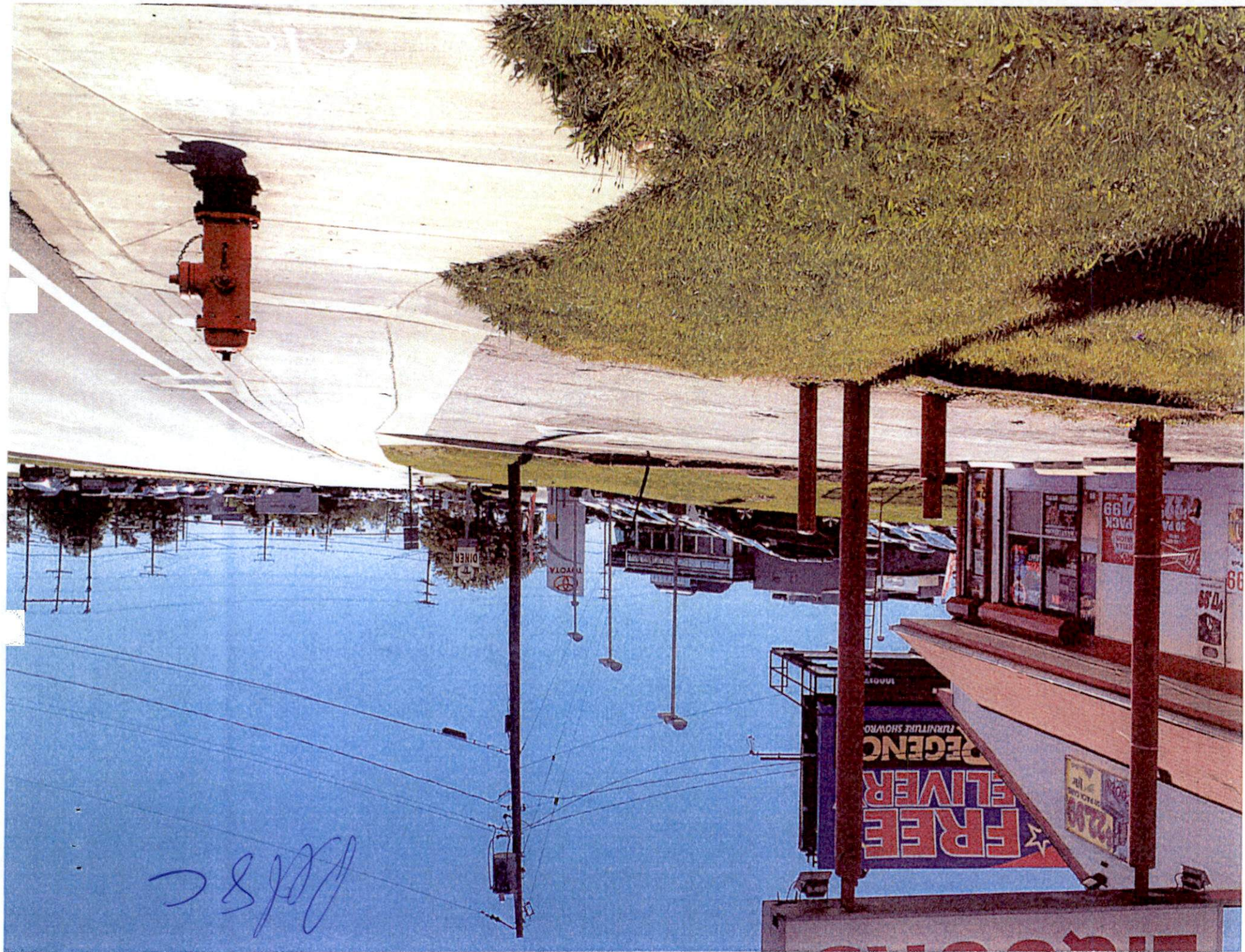
WEST LOS ANGELES

LA 8A



Ref 8 B





11/17/87

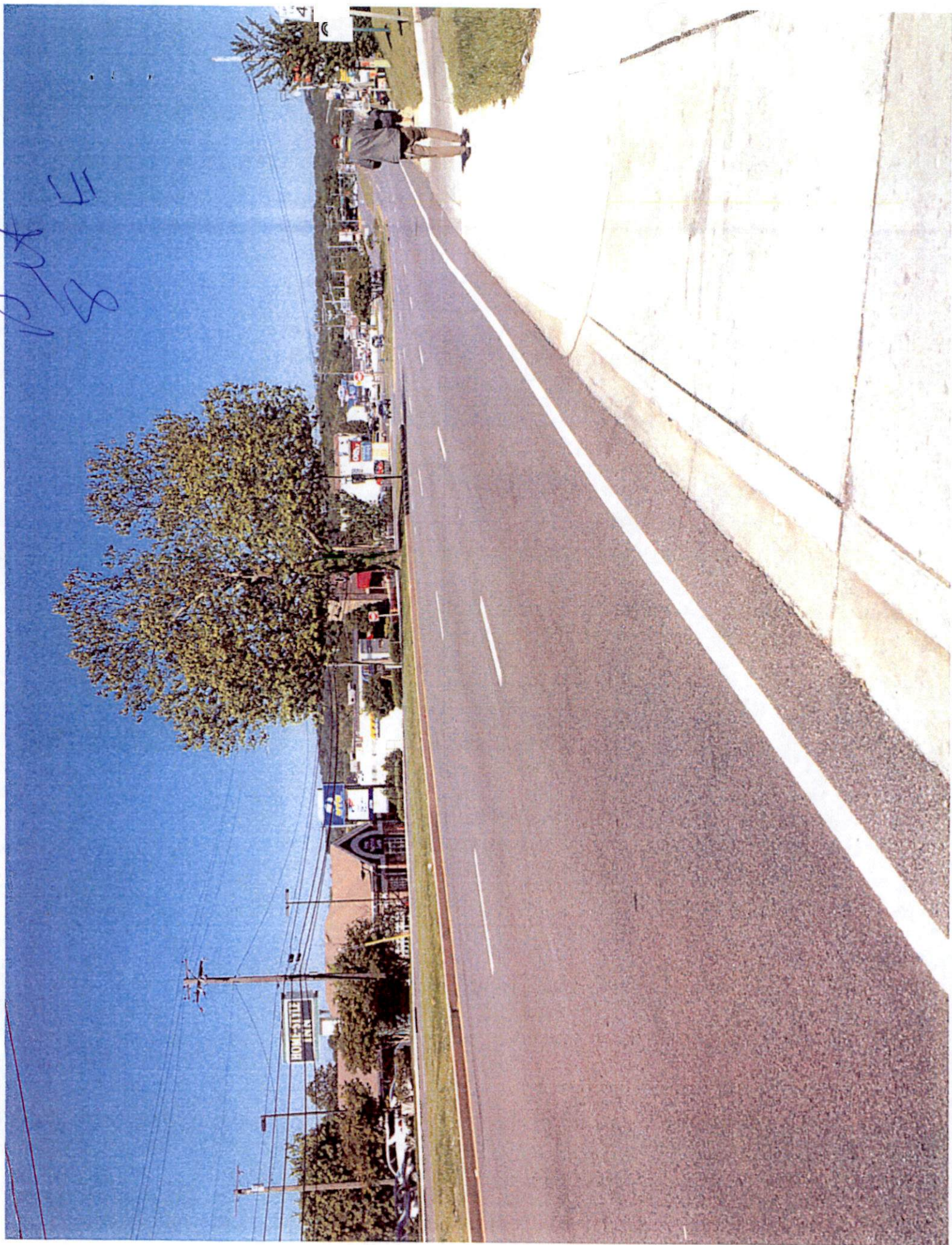
CAR AUDIO
RADIO & SPEEDOMETER
REPAIR
LAWYER

MR. TIRE
COMMERCIAL AUTO TIRE
BELTMOUNTED
OIL CHANGE \$9.99
WITH FRESH OIL
\$19.99

45

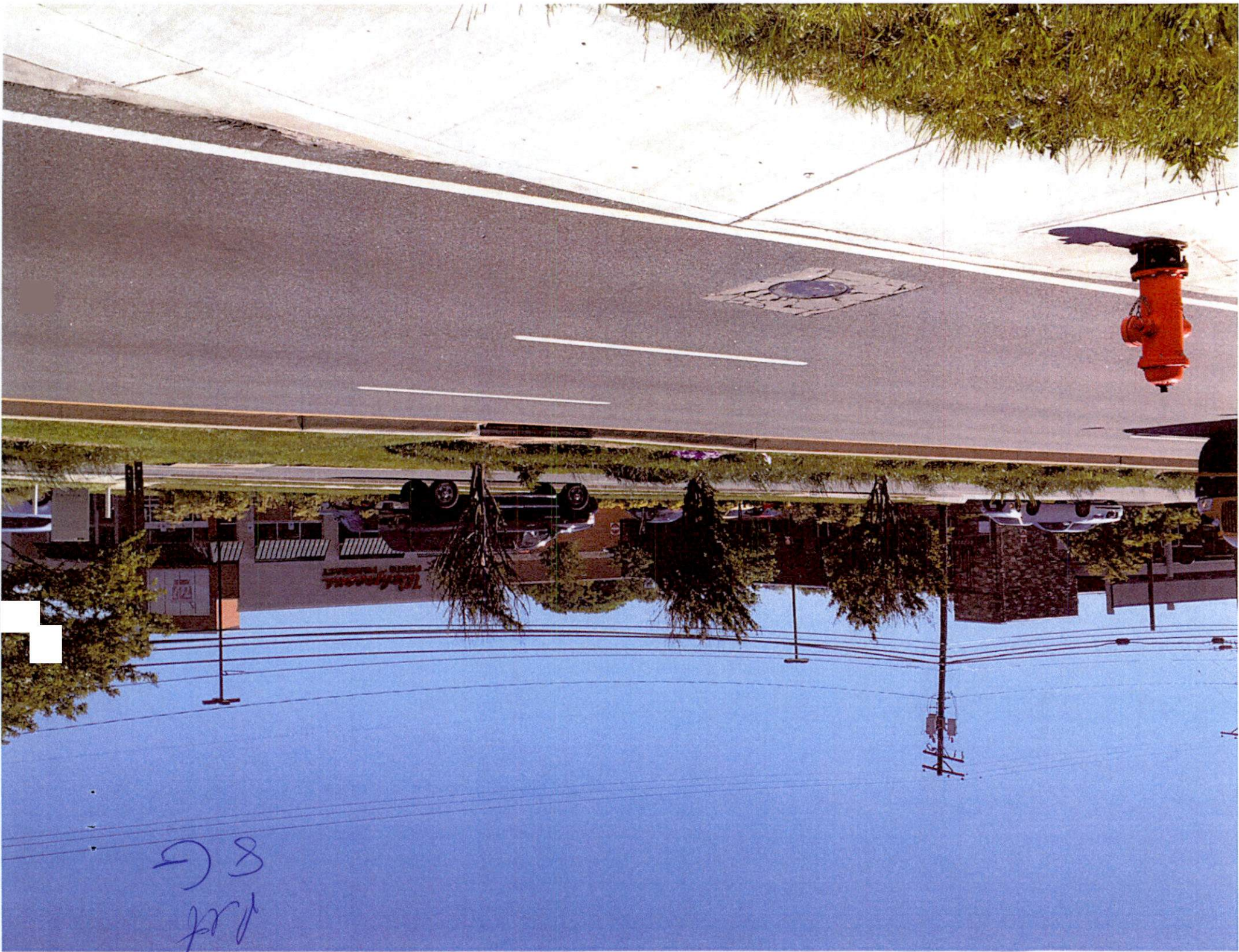


10/8/11



PK
8 F





8 G
frp



CATON RADIO

CATON
RADIO

lot 8 I

6 3 2 8

RADIO & TV
SALES & SERVICE
← CatonRadio.com

MICHELIN

AKES
TWEET
22



ATON RADIO

Pl 8 J

40 - WEST
DISCOUNT

LIQUORS

CAR F

RADIO & SE
RE

LAV

CATON RADIO
410-747-8667



Bf 8L

CATON RADIO

6 3 2 8

RADIO & TV
SALES & SERVICE
CatonRadio.com

LAW OFFICES



W 8th St

6 3 2 8

RADIO & TV
SALES & SERVICE

← CatonRadio.com

RA 8 N
LAW OFFICES



AK 810"



Ad 8 p



6 3 2 8

RADIO & TV
SALES & SERVICE
← CatonRadio.com

LAW OFFICES

LAW
OFFICES

PH8Q



40 West Discount Liquors

Gurjit Singh, Owner
6326 Baltimore National Pike
Catonsville MD 21228

2017-09-05

Pat No 9A

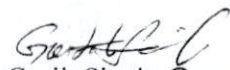
To Whom It May Concern:

I am writing to express my support for Mission Maryland's application to operate a Medical Marijuana facility in 6328 Baltimore National pike Catonsville 21228. As a member of our local business, community, I have gained an understanding of the mission, goals, and plans for the proposed facility. Based on this understanding, I enthusiastically endorse efforts to bring Mission Maryland's operations to my community. I am also authorizing employees and managers of Mission Maryland, LLC located at 6328 Baltimore National Pike to park in spaces in the rear of my parking lot behind the building.

As a local business owner, I would welcome Mission Maryland as a colleague in our local business community. I appreciate their commitment to providing a safe, professional, patient-focused environment that will contribute needed holistic health services to our community. I am encouraged by their commitment to be responsible in its dealings with patients, employees, lenders, and the community. I look forward to including Mission Maryland in the business community's efforts to support our residents through donations to and participation with local charities, community events, and nonprofits

Based on these factors, I want to reiterate my support for Mission Maryland application to operate a Registered Medical Marijuana facility in 6328 Baltimore National Pike Catonsville 21228. I hope that you will consider this endorsement during your evaluation of the application.

Sincerely,


Gurjit Singh, Owner



Charmayne Cherry, GM
6336 Baltimore National Pike
Catonsville, MD 21228

August 31st 2017

Ref 9B

To Whom It May Concern:

I am writing to give my authorization to allow employees and managers of Mission Maryland, LLC located at 6328 Baltimore National Pike to park in the designated spaces of my parking lot.

See Attachment A (parking lot diagram)

Sincerely,

A handwritten signature in black ink, appearing to be "Charmayne Cherry", written over a horizontal line.

Charmayne Cherry, GM

REBECCA
SNOW

Rebecca Snow, MS, LN, CNS, RH(AHG)
Nutritionist and Herbalist

www.rebeccasnow.com

Office: 443.840.7887

info@rebeccasnow.com

September 27, 2017

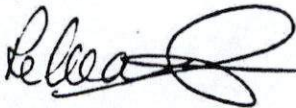
To Whom It May Concern:

I am writing to express my support for Mission Maryland's application to operate a Medical Marijuana facility in 6328 Baltimore National Pike Catonsville, MD 21218. As a member of our local business, community, I have gained an understanding of the mission, goals, and plans for the proposed facility. Based on this understanding, I enthusiastically endorse efforts to bring Mission's operations to my community.

As a local business owner, I would welcome Mission Maryland as a colleague in our local business community. I appreciate their commitment to providing a safe, professional, patient-focused environment that will contribute needed holistic health services to our community. I am encouraged by their commitment to be responsible in its dealings with patients, employees, lenders, and the community. I look forward to including Mission in the business community's efforts to support our residents through donations to and participation with local charities, community events, and nonprofits.

Based on these factors, I want to reiterate my support for Mission application to operate a Registered Medical Marijuana facility in 6328 Baltimore National Pike Catonsville, MD 21218. I hope that you will consider this endorsement during your evaluation of the application.

Sincerely,



Rebecca Snow, Owner

Ali Kalarestaghi Law Office
6328 Baltimore National Pike
Catonsville Md 21228

September 5th 2017

Let 9 D

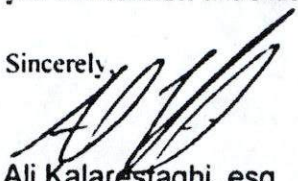
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Based on these factors, I want to reiterate my support for Mission Maryland application to operate a Registered Medical Marijuana facility in 6328 Baltimore National pike Catonsville 21228. I hope that you will consider this endorsement during your evaluation of the application.

Sincerely,


Ali Kalarestaghi, esq



Ad 9E

Larry Zwick, Owner
Peace Of Sunshine
2 Mellor Ave.
Catonsville, MD 21228

August 31, 2017

To Whom It May Concern:

I am writing to express my support for Mission Maryland's application to operate a Medical Marijuana facility in 6328 Baltimore National Pike Catonsville, MD 21218. As a member of our local business, community, I have gained an understanding of the mission, goals, and plans for the proposed facility. Based on this understanding, I enthusiastically endorse efforts to bring Mission's operations to my community.

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Based on these factors, I want to reiterate my support for Mission application to operate a Registered Medical Marijuana facility in 6328 Baltimore National Pike Catonsville, MD 21218. I hope that you will consider this endorsement during your evaluation of the application.

Sincerely,

Larry Zwick, Owner

9F

Avalon Yoga and Wellness Center

10 Winters Lane

Catonsville, MD 21228

September 29, 2017

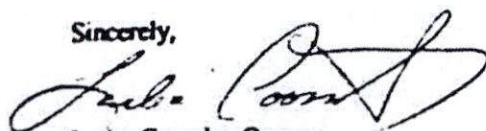
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Based on these factors, I want to reiterate my support for Mission application to operate a Registered Medical Marijuana facility in 6328 Baltimore National Pike Catonsville, MD 21218. I hope that you will consider this endorsement during your evaluation of the application.

Sincerely,



Leslie Coombs, Owner

ANTWERPEN

JackSays  .com

Put
9G

August 31, 2017

To Whom It May Concern:

I am writing to express my support for Mission Maryland's application to operate a Medical Marijuana facility in 6328 Baltimore National Pike Catonsville, MD 21218. As a member of our local business, community, I have gained an understanding of the mission, goals, and plans for the proposed facility. Based on this understanding, I enthusiastically endorse efforts to bring Mission's operations to my community.

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Based on these factors, I want to reiterate my support for Mission application to operate a Registered Medical Marijuana facility in 6328 Baltimore National Pike Catonsville, MD 21218. I hope that you will consider this endorsement during your evaluation of the application.

Sincerely,



Michael Antwerpen, Sec



12420 AUTO DRIVE • CLARKSVILLE, MARYLAND 21029

UOISS!W W

01/10



	PROP. PAINT STRIPED ISLANDS
	WALL LIGHT FIXTURES
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	UNKNOWN MANHOLE
	TELEPHONE MANHOLE
	CONDUIT BOX
	CLEAN OUT
	UTILITY POLE
	GUY WIRE
	LIGHT POLE
	GAS CAP
	WATER CAP
	WATER METER
	WATER VALVE
	FIRE HYDRANT



- 1) OWNER: MAHE PROPERTIES, LLC
- 2) OWNER'S ADDRESS: 8937 MOUNT PATAPSCO COURT
ELLCOTT CITY, MARYLAND 21042
- 3) PETITIONER: MISSION PARTNERS
- 4) OWNER'S TELEPHONE NO.: 606-C1G-0353
- 5) TAX ACCOUNT NUMBERS: 014000380
- 6) TAX MAP: 94 PARCELS: 271
- 7) DEED REFERENCE: 238011720
- 8) ZONING MAPS: 094C3
- 9) ZONING: BR-AS
- 10) GROSS AREA: 0.4923 ACRES
- 11) THE SUBJECT PROPERTY IS NOT LIE WITHIN THE CBCA.
- 12) THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A 100-YEAR FLOOD PLAIN.
- 13) PREVIOUS HEARINGS OR PERMITS: NONE
- 14) NO HISTORICALLY SIGNIFICANTLY STRUCTURES ON THE SUBJECT PROPERTY.
- 15) THE SUBJECT SITE IS SERVED BY PUBLIC WATER AND SEWER.
- 16) THE SUBJECT SITE DOES NOT LIE WITHIN A DEFICIENT BASIC SERVICE AREA.
- 17) AMENITY OPEN SPACE: NONE REQUIRED
- 18) F.A.R.:
MAXIMUM PERMITTED = 2.0
EXISTING AND PROPOSED = 8,800/21,445 = 0.41
- 19) THE SUBJECT PROPERTY IS LOCATED WITHIN THE BALTIMORE NATIONAL RURAL REVITALIZATION DISTRICT
- 20) EXISTING USES: OFFICE, SERVICE GARAGE.
- 21) PROPOSED USES: OFFICE, SERVICE GARAGE AND RETAIL.
- 22) PARKING:
REQUIRED:
OFFICE AREA:
MEDICAL CANNABIS: 4.350 SQ. FT./ 1,000 x 3.3 = 15 SPACES
CATON RADIO/ALUMINUM DISPENSARY: 3.500 SQ.FT. / 1,000 x 5 = 18 SPACES
CATON RADIO SERVICE GARAGE: 850 SQ. FT. W/ 1 SERVICE BAYS (TO BE DETERMINED BY ALJ)
- TOTAL REQUIRED PARKING: 33 SPACES
- BICYCLE RACKS: 2
PROVIDED: 25 PARKING SPACES (INCLUDES 2 SERVICE BAYS)
- 2 BICYCLE RACKS
- 23) ROOF TOP SPACE TO BE ABANDONED
- 24) THERE ARE NO PRIVATE OR PUBLIC ELEMENTARY, MIDDLE OR HIGH SCHOOLS WITHIN 500 FEET OF THE SUBJECT PROPERTY.
- 25) THERE ARE NO LICENSED MEDICAL CANNABIS DISPENSARY WITHIN 2,500 FEET OF THE SUBJECT PROPERTY.

SPECIAL EXCEPTION AREA NOTE:

THE AREA OF THE SPECIAL EXCEPTION REQUEST IS THE FIRST FLOOR OF THE EXISTING BUILDING (3,500 SQUARE FEET) AND EXCLUDES THE ENTIRE SECOND FLOOR AND THE TWO AUTOMOBILE SERVICE BAYS USED BY CATON RADIO. THE AREA OF THE SPECIAL EXCEPTION ALSO INCLUDES THAT PART OF THE PROPERTY WHERE PARKING IS PROVIDED FOR THE MEDICAL MARIJUANA DISPENSARY USE, AS DETERMINED BY THE ADMINISTRATIVE LAW JUDGE.

REQUESTS:

SPECIAL DECISION RELIEF:

1. TO APPROVE THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY AS A MEDICAL CANNABIS DISPENSARY PURSUANT TO BCZR § 4D-1.02.A.2; AND

2. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

SPECIAL HEARING RELIEF:

1. TO APPROVE A MODIFIED PARKING PLAN AS SHOWN ON THE ATTACHED SITE PLAN PURSUANT TO BCZR § 409.1.2.B, MODIFYING THE FOLLOWING BCZR § 409 PROVISIONS:

a. § 409.6.A. OF THE BCZR TO PERMIT 22 SPACES FOR THE OFFICE, RETAIL, AND SERVICE GARAGE USES PROPOSED FOR THE SUBJECT PROPERTY, AS SPECIFICALLY DESCRIBED ON THE ATTACHED SITE PLAN;

b. § 409.8.A.1 OF THE BCZR TO ALLOW CERTAIN MODIFICATIONS TO LANDSCAPE MANUAL STANDARDS, IF DETERMINED TO BE NECESSARY;

c. § 409.8.A.4 TO ALLOW PARKING SPACES TO BE LOCATED LESS THAN 10 FT. FROM PUBLIC STREET RIGHT-OF-WAY—LINES AS SHOWN ON THE ATTACHED SITE PLAN; AND

d. § 409.1.1 OF THE BCZR TO ALLOW A MODIFIED PARKING PLAN WHICH DOES NOT SEPARATELY IDENTIFY A DESIGNATED AREA FOR LOADING/UNLOADING.

2. IF NECESSARY, TO CONFIRM THAT THE EXISTING SIDE AND REAR YARD SETBACKS ARE PERMITTED.

3. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

VARIANCE RELIEF:

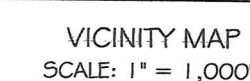
~~1. § 450.4 OF THE BCZR, ATTACHMENT 1-5(B)(V) TO APPROVE AN EXISTING FREESTANDING ENTERPRISE SIGN—ENCOMPASSING 96 SQ. FT. IN AREA IN LIEU OF THE 75 SQ. FT. MAXIMUM;~~

2. § 450.4 OF THE BCZR, ATTACHMENT 1-5(C), AND § 450.5.B.1 OF THE BCZR, TO APPROVE AN EXISTING AWNING ENTERPRISE SIGN WITH TWO (2) COPY LINES IN LIEU OF THE ONE (1) COPY LINE PERMITTED, WITH EACH COPY LINE—EXTENDING NOT MORE THAN TWELVE (12) INCHES IN HEIGHT IN LIEU OF THE NINE (9) INCHES IN HEIGHT PERMITTED;

3. ALONG THE WALL WHICH FACES BALTIMORE NATIONAL PKE, TO PERMIT TWO (2) EXISTING WALL-MOUNTED ENTERPRISE SIGNS ON THE WALL OF A MULTI-TENANT BUILDING WITHOUT A SEPARATE EXTERIOR CUSTOMER ENTRANCE, IN LIEU OF THE ONE (1) WALL-MOUNTED ENTERPRISE SIGN PERMITTED WITH A SEPARATE EXTERIOR ENTRANCE UNDER § 450.4 OF THE BCZR, ATTACHMENT 1.5(D);

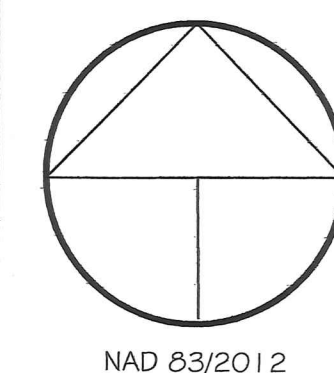
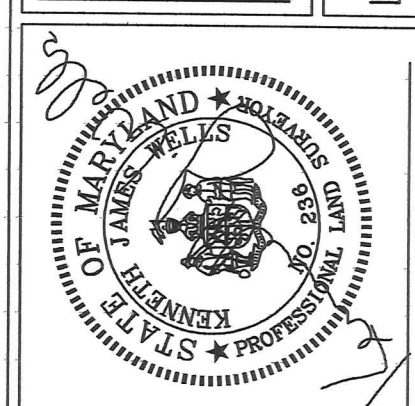
4. IN THE ALTERNATIVE TO SPECIAL HEARING REQUEST NUMBER 2, IF DETERMINED TO BE NECESSARY, TO PERMIT A SIDE YARD SETBACK OF 29.6 FT. AND A REAR YARD SETBACK OF 28.7 FT., IN LIEU OF THE 30 FT. REQUIRED PURSUANT TO BCZR § 238.2;

5. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.



kjWellsInc
7403 NEW CUT ROAD
KINGSVILLE, MARYLAND 21087
(410) 592-8800

and Surveying, Site Planning & Landscape Architecture

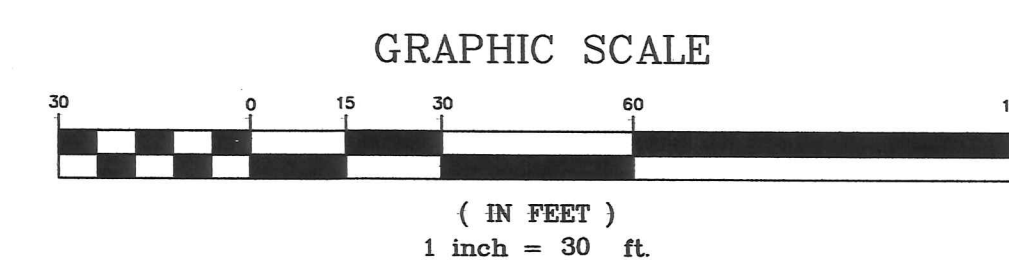


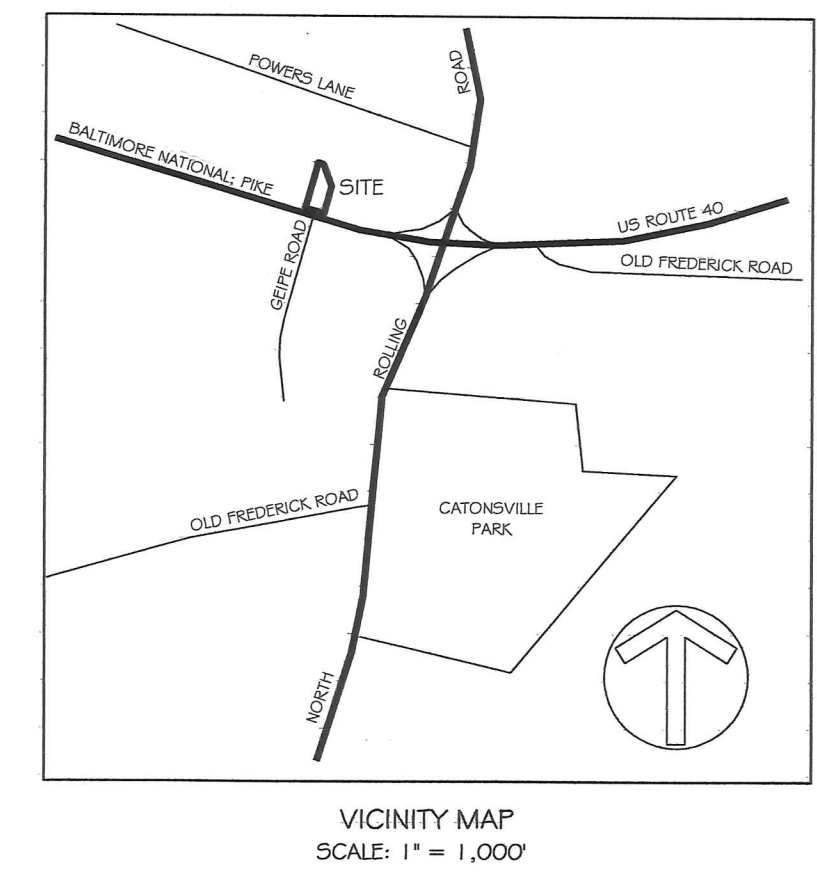
REVISIONS:	
NO.	DATE
1	9/13/2017
2	9/22/2017
3	9/29/2017

PLAN TO ACCOMPANY A
ZONING PETITION
6328 BALTIMORE NATIONAL PIKE

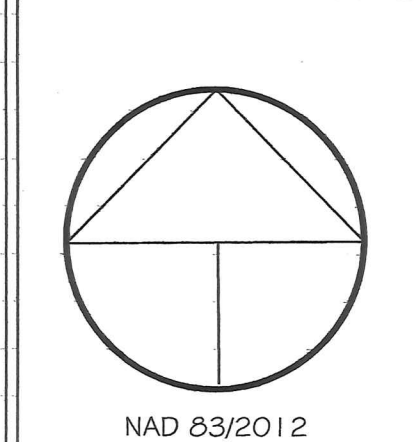
DRAWN BY: CAV/KJW
CHECKED BY: KJW
DATE: 5/22/2017
PROJECT NO.: 2017-018
SHEET 1 OF 1

Pet. No. 1A





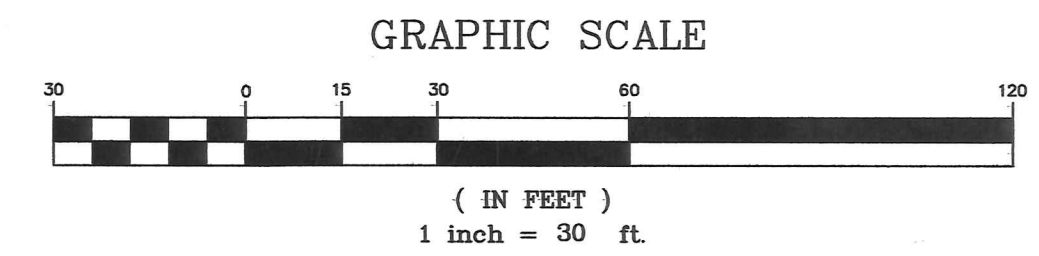
Land Surveying, Site Planning & Landscape Architecture



SCHEMATIC LANDSCAPE PLAN
6328 BALTIMORE NATIONAL PIKE
BALTIMORE COUNTY
MARYLAND
1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT

DRAWN BY: CAV/KJW
CHECKED BY: KJW
DATE: 5/22/2017
PROJECT NO.: 2017-018
SHEET 1 OF 1

RET. EX 12



Baltimore County - My Neighborhood

Pet Ex 2



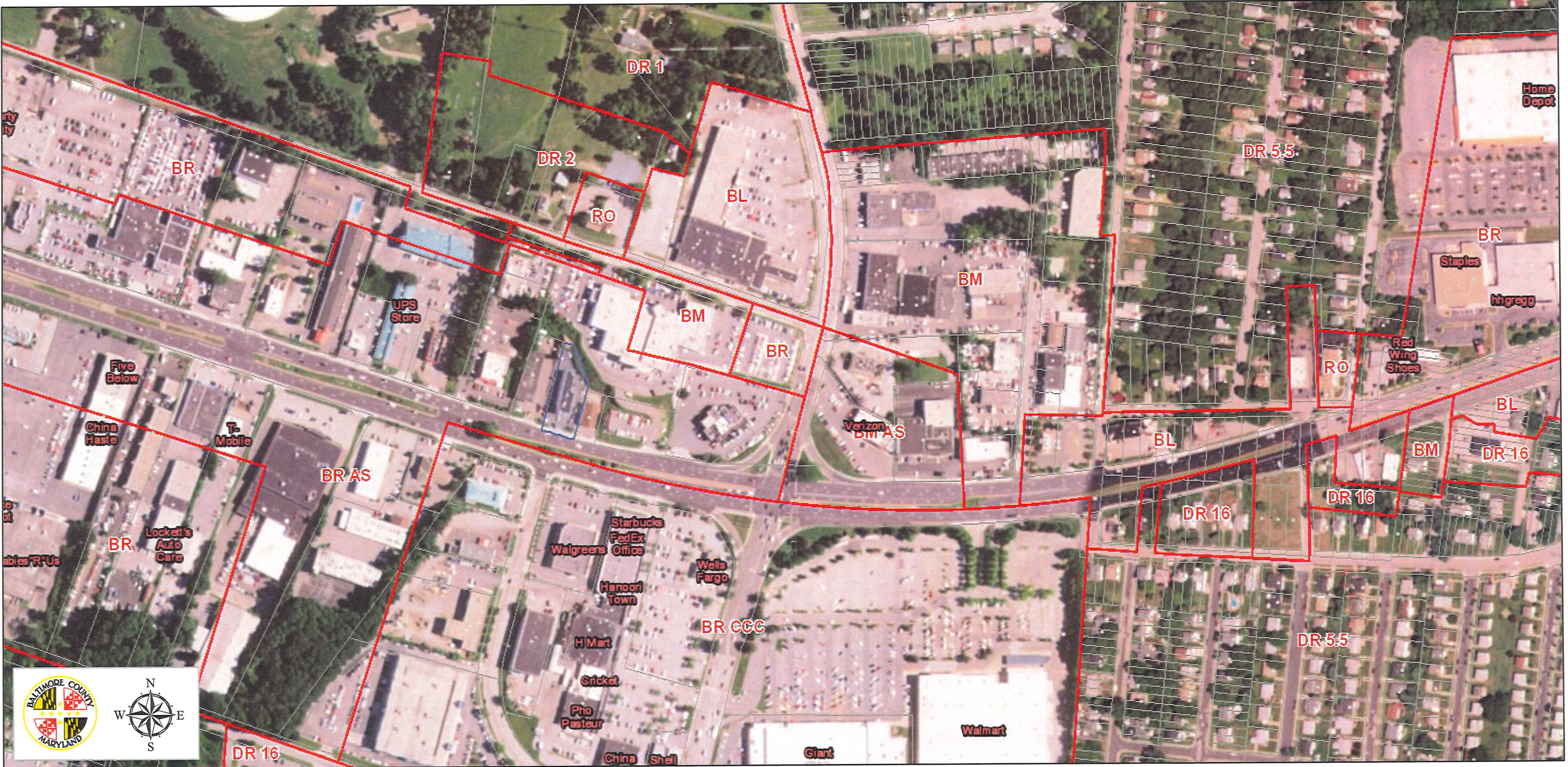
September 29, 2017

Legend

- House Numbers
- ▭ Zoning
- ▭ Property
- ▭ County Boundary

Baltimore County - My Neighborhood

Ref Ex 3



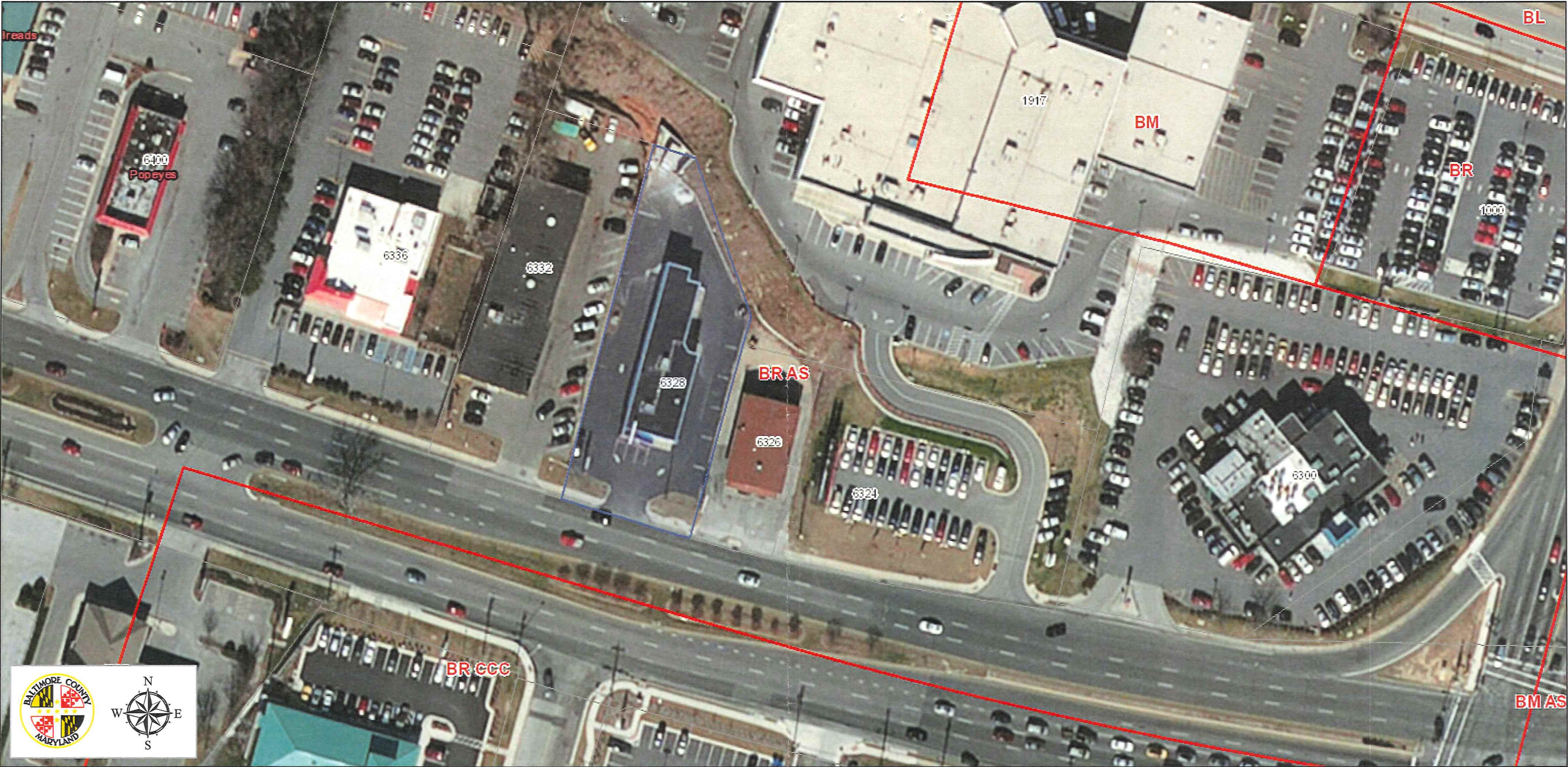
September 29, 2017

- Legend
- House Numbers
 - Zoning
 - Property
 - County Boundary

0 0.05 Miles
1 inch = 376 feet

Baltimore County - My Neighborhood

Pet 4



September 29, 2017

- Legend
- House Numbers
 - Zoning
 - Property
 - County Boundary

0 0.095 Miles
1 inch = 94 feet

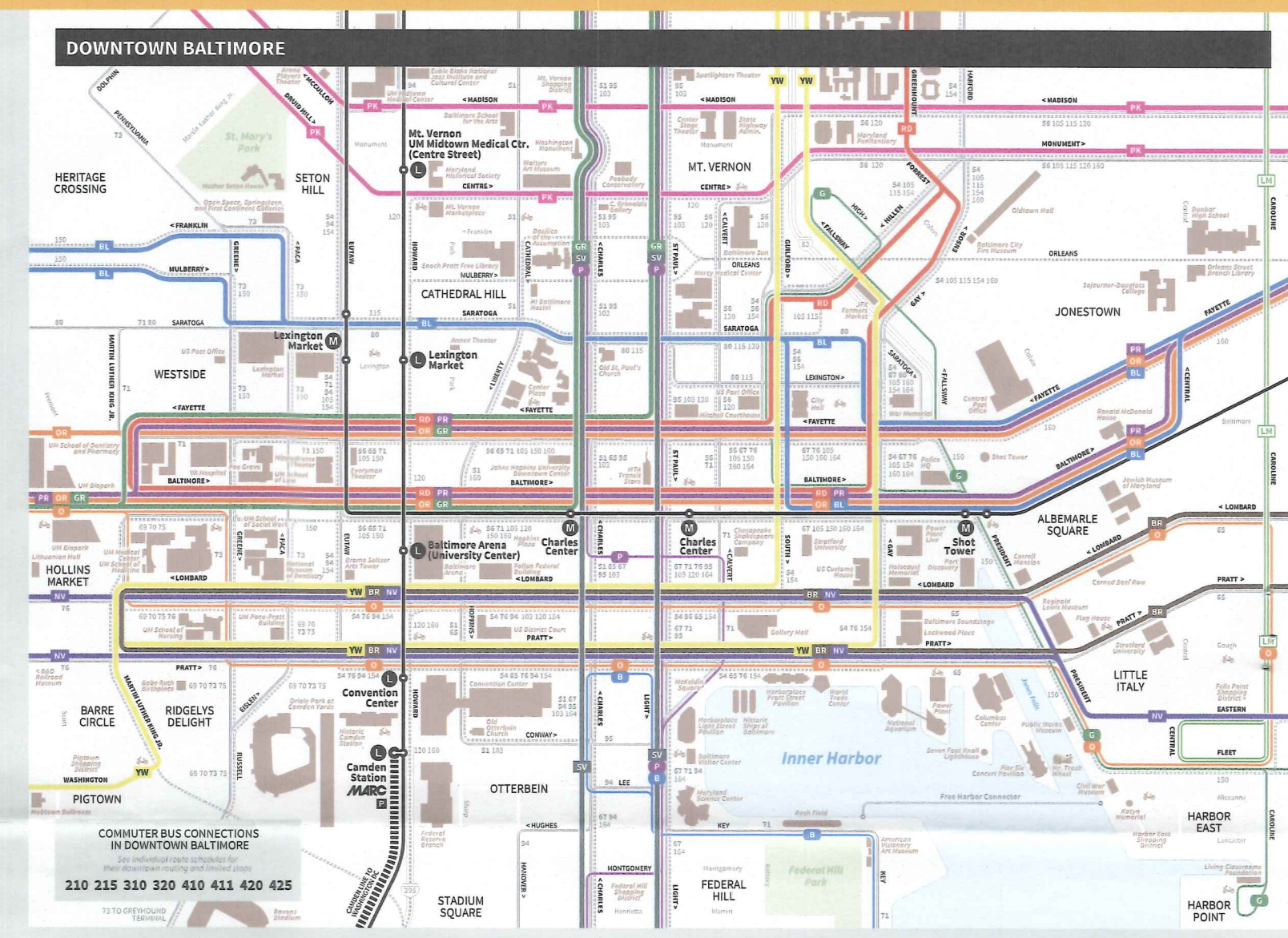
Re No 7



SYSTEM MAP



mta.maryland.gov
1-866-RIDE-MTA



ROUTE KEY AND LEGEND

CityLink Routes

- BR UM Medical Ctr to Overlies or White Marsh / Park & Ride
- RO UM Transit Center to Towson or Lutherville
- PK West Baltimore to Cedonia
- GR West Baltimore to Essex
- GO Wallbrook Junction to Beres or Canton Crossing
- YW Northwest Hospital to UMB or Patapsco
- LM Northwest Hospital to Druid Hill Park or Harbor East
- GR West Baltimore to Towson

LocalLink Routes

- 21 Woodberry to Canton Crossing
- 22 Mondawmin to Johns Hopkins Bayview
- 26 Mondawmin to South Baltimore Park & Ride
- 28 Rogers Avenue to Moravia
- 29 Mondawmin to CCBC Essex
- 30 Rogers Avenue to Rosedale Industrial Park
- 31 Sinal Hospital to Social Security or Security Square
- 32 Mt. Washington to Overlies
- 33 Greenspring Station or Falls Road to Westview
- 34 Towson to Essex
- 37 Old Court to UMB
- 38 Westgate to Poly and Western High Schools
- 39 Inner Harbor to Towson
- 41 Greenmount North to Stella Maris
- 42 North Avenue to Hillendale or Sheppard Pratt Hospital
- 54 State Center to Hillendale or Carney Park & Ride
- 56 Charles Center to White Marsh / Park & Ride
- 57 Belair-Edison Circulator
- 59 Whispering Woods to Moravia
- 62 Turner Station to CCBC Essex
- 63 Charles Center to CCBC Dundalk via Amazon
- 67 City Hall to Marley Neck via Brandon Woods
- 69 Patapsco to Jaspers Hole
- 70 Patapsco to Annapolis
- 71 Lexington Market to Patapsco
- 73 State Center to Patapsco
- 75 Patapsco to Annapolis or Parkway Center
- 76 City Hall to Southwest Park & Ride
- 77 West Baltimore to Catonsville
- 78 West Baltimore to CMS
- 79 Mondawmin to CMS
- 80 City Hall to Rogers Avenue
- 81 Milford Mill to Deer Park
- 82 Reisterstown Plaza to Park Circle (Monte Verde)
- 83 Mondawmin to Old Court
- 85 Penn-North to Milford Mill
- 87 Owings Mills to Glyndon
- 89 Rogers Avenue to Owings Mills or Redland Court
- 91 Mondawmin to Sinal Hospital
- 92 Pikesville Circulator
- 93 Towson to Hunt Valley
- 94 Sinal Hospital to Fort McHenry
- 95 Inner Harbor to Roland Park

Express BusLink Routes

- 102 White Marsh Park & Ride to Towson
- 103 Inner Harbor to Cromwell Bridge Park & Ride
- 104 Johns Hopkins Hospital to Cromwell Bridge Park & Ride
- 105 Lexington Market to Cedonia
- 106 Towson to Owings Mills
- 107 Old Court to BWI Airport
- 108 Lexington Market to Perry Hall
- 109 Charles Ctr. and Hopkins Hosp. to White Marsh P&R

Commuter Bus Routes

- 210 Baltimore to Jessup and Columbia
- 215 Baltimore to Annapolis and Kent Island
- 310 Baltimore to Jessup and Columbia
- 410 Baltimore to Annapolis and Kent Island
- 425 Baltimore to Annapolis and Kent Island

Other Routes and Services

- Metro SubwayLink and Light RailLink Lines:**
 - Owings Mills to Johns Hopkins Hospital
 - BWI Airport or Glen Burnie to Fairgrounds or Hunt Valley
 - Penn Station to Camden Station
 - Metro SubwayLink and Light RailLink Stations
- Free Charm City Circulator Routes:**
 - Purple: Johns Hopkins University to Federal Hill
 - Orange: Hollins Market to Harbor East
 - Green: City Hall to Johns Hopkins Hospital
 - Banner: Inner Harbor to Fort McHenry
- Free Harbor Connector Routes:**
 - American Visionary Art Museum to Harbor East
 - Locust Point to Broadway Market (Maritime Park)
 - Locust Point to Canton Waterfront Park
- MARC Train Lines:**
 - Penn Line: Perryville or Penn Station to Washington DC
 - Camden Line: Camden Station to Washington DC
 - MARC Train Stations
- Transfer Points:**
 - Terminating Route
 - Connecting Station
- Other Services:**
 - Baltimore Bike Share Locations
 - Park and Rides
 - Amtrak Stations

What do the Lines Mean?

- Solid Lines = Frequent Service**
 - Every 15 minutes or better from morning to evening on weekdays
 - All CityLink trunk routes; some LocalLink routes
- Hollow Lines = Standard Service**
 - Every 20 to 60 minutes daily, often with more frequent service during AM and PM peaks
 - Most LocalLink routes; some CityLink branch routes
- Dashed Lines = Limited Service**
 - Only during AM and PM peaks or specialized trips at other times
 - Most Express BusLink and Commuter Bus routes

What do the Colors and Numbers Mean?

- Color Lines = CityLink Routes**
 - CityLinks have colors instead of numbers.
 - They form a grid in central Baltimore and radiate out into the region on major streets.
- Gray Lines = LocalLink Routes**
 - LocalLinks do two different things:
 - Cross-town LocalLinks are numbered 20 through 49 and form rings around the city; the higher the route number, the further it is outside the city.
 - Radial LocalLinks are numbered 50 through 99 and run on minor streets between the CityLinks:
 - Routes in the 50s serve the northeast
 - Routes in the 70s serve the southeast
 - Routes in the 80s and 90s serve the northwest
- Dashed Lines = Express BusLink Routes**
 - Express BusLinks are numbered 100 through 199 and offer limited-stop service between outlying suburbs and downtown Baltimore.
 - They also form a ring on the Beltway to offer limited-stop suburbs-to-suburbs service!

CLICK ON A ROUTE NUMBER BELOW FOR ITS SCHEDULE!

Frequent Daily Service • 24 Hours

- Johns Hopkins Bayview to Westgate or CMS
- Mondawmin to Dundalk or Watersedge
- Johns Hopkins Hospital (IE Market) to Paradise or Catonsville
- Curtis Bay to Johns Hopkins or Morgan State Universities

Daily Service

Weekday Peak Service

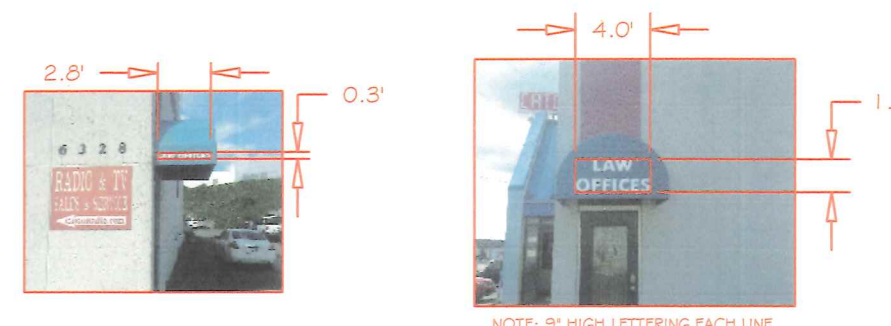
- Charles Center and Harbor East to Columbia
- State Center to Hillendale or Carney Park & Ride
- Charles Ctr. and Hopkins Hosp. to Essex or Whispering Woods
- City Hall to Riviera Beach
- Baltimore to Aberdeen and Havre de Grace



FREE STANDING SIDE
SCALE: 1" = 10'



WALL MOUNTED SIGNS
SCALE: 1" = 10'



AWING SIGN
SCALE: 1" = 10'

NOTE: 1/2" HIGH LETTERING EACH LINE

LEGEND:

- PROF. PAINT STRIPED ISLANDS
- WALL LIGHT FIXTURES
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- UNKNOWN MANHOLE
- TELEPHONE MANHOLE
- CONDUIT BOX
- CLEAN OUT
- UTILITY POLE
- GUY WIRE
- LIGHT POLE
- GAS CAP
- WATER CAP
- WATER METER
- WATER VALVE
- FIRE HYDRANT



SITE DATA:

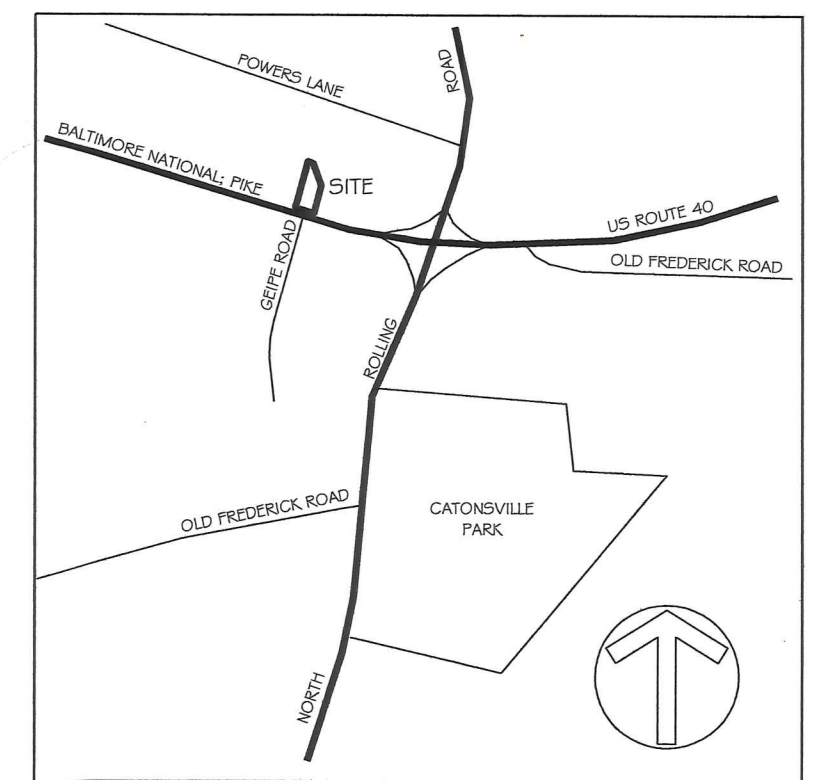
- 1) OWNER: MAHE PROPERTIES, LLC
- 2) OWNERS ADDRESS: 8937 MOUNT PATAPSCO COURT, ELICOTT CITY, MARYLAND 21042
- 3) PETITIONER: MISSION PARTNERS
- 4) OWNERS TELEPHONE NO.: 602-616-0353
- 5) TAX ACCOUNT NUMBERS: 014000300
- 6) TAX MAP: 94 PARCEL: 271
- 7) DEED REFERENCE: 23901/720
- 8) ZONING MAPS: 094C3
- 9) ZONING: DR-AS
- 10) GROSS AREA: 0.4923 ACRES
- 11) THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CBCA FLOOD PLAIN.
- 12) THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOOD PLAIN.
- 13) PREVIOUS HEARINGS OR PERMITS: NONE
- 14) NO HISTORICALLY SIGNIFICANT STRUCTURES ON THE SUBJECT PROPERTY.
- 15) THE SUBJECT SITE IS SERVED BY PUBLIC WATER AND SEWER.
- 16) THE SUBJECT SITE DOES NOT LIE WITHIN A DEFICIENT BASIC SERVICE AREA.
- 17) AMENITY OPEN SPACE: NONE REQUIRED
- 18) F.A.R.:
 - MAXIMUM PERMITTED = 2.0
 - EXISTING AND PROPOSED = 0.800/21.445 = 0.41
- 19) THE SUBJECT PROPERTY IS LOCATED WITHIN THE BALTIMORE NATIONAL PIKE REVITALIZATION DISTRICT
- 20) EXISTING USES: OFFICE, SERVICE GARAGE.
- 21) PROPOSED USES: OFFICE, SERVICE GARAGE AND RETAIL.
- 22) PARKING:
 - REQUIRED:
 - OFFICE AREA: CATON RADIO: 4,350 SQ. FT. / 1,000 x 3.3 = 15 SPACES
 - LAWYER: 1,550 SQ. FT. / 1,000 x 3.3 = 7 SPACES
 - RETAIL/MEDICAL CANNABIS DISPENSARY: 3,500 SQ. FT. / 1,000 x 5 = 18 SPACES
 - CATON RADIO SERVICE GARAGE: 650 SQ. FT. W/3 SERVICE BAYS (TO BE DETERMINED BY ALI)
 - TOTAL REQUIRED PARKING: 33 SPACES
 - BICYCLE RACKS: 2
 - PROVIDED: 25 PARKING SPACES (INCLUDES 2 SERVICE BAYS)
 - 2 BICYCLE RACKS
 - 23) ROOF TOP SIGN TO BE REMOVED.

SPECIAL EXCEPTION AREA NOTE:

THE AREA OF THE SPECIAL EXCEPTION REQUEST IS THE FIRST FLOOR OF THE EXISTING BUILDING (3,500 SQUARE FEET) AND EXCLUDES THE ENTIRE SECOND FLOOR AND THE TWO AUTOMOBILE SERVICE BAYS USED BY CATON RADIO. THE AREA OF THE SPECIAL EXCEPTION REQUEST ALSO INCLUDES THAT PART OF THE PROPERTY WHERE PARKING IS PROVIDED FOR THE MEDICAL MARIJUANA DISPENSARY USE, AS DETERMINED BY THE ADMINISTRATIVE LAW JUDGE.

REQUESTS:

- SPECIAL EXCEPTION RELIEF:
1. TO APPROVE THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY AS A MEDICAL CANNABIS DISPENSARY PURSUANT TO BCZR § 40-102.A.2; AND
 2. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
- SPECIAL HEARING RELIEF:
1. TO APPROVE A MODIFIED PARKING PLAN AS SHOWN ON THE ATTACHED SITE PLAN PURSUANT TO BCZR § 409.1.2.B, MODIFYING THE FOLLOWING BCZR § 409 PROVISIONS:
 - a. § 409.6.A OF THE BCZR TO PERMIT 23 SPACES FOR THE OFFICE, RETAIL, AND SERVICE GARAGE USES PROPOSED FOR THE SUBJECT PROPERTY, AS MORE SPECIFICALLY DESCRIBED ON THE ATTACHED SITE PLAN;
 - b. § 409.8.A.1 OF THE BCZR TO ALLOW CERTAIN MODIFICATIONS TO LANDSCAPE MANUAL STANDARDS, IF DETERMINED TO BE NECESSARY;
 - c. § 409.8.A.4 TO ALLOW PARKING SPACES TO BE LOCATED LESS THAN 10 FT. FROM PUBLIC STREET RIGHT-OF-WAY LINES, AS SHOWN ON THE ATTACHED SITE PLAN; AND
 - d. § 409.1.1 OF THE BCZR TO ALLOW A MODIFIED PARKING PLAN WHICH DOES NOT SEPARATELY IDENTIFY A DESIGNATED AREA FOR LOADING/UNLOADING.
 2. IF NECESSARY, TO CONFIRM THAT THE EXISTING SIDE AND REAR YARD SETBACKS ARE PERMITTED.
 3. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
- VARIANCE RELIEF:
1. § 450.4 OF THE BCZR, ATTACHMENT 1.5(B)(V) TO APPROVE AN EXISTING FREESTANDING ENTERPRISE SIGN ENCOMPASSING 96 SQ. FT. IN AREA IN LIEU OF THE 75 SQ. FT. MAXIMUM.
 2. § 450.4 OF THE BCZR, ATTACHMENT 1.5(C), AND § 450.5.B.1 OF THE BCZR TO APPROVE AN EXISTING AWNING ENTERPRISE SIGN WITH TWO (2) COPY LINES IN LIEU OF THE ONE (1) COPY LINE PERMITTED, WITH EACH COPY LINE EXTENDING NOT MORE THAN TWELVE (12) INCHES IN HEIGHT IN LIEU OF THE NINE (9) INCHES IN HEIGHT PERMITTED.
 3. ALONG THE WALL WHICH FACES BALTIMORE NATIONAL PIKE, TO PERMIT TWO (2) EXISTING WALL-MOUNTED ENTERPRISE SIGNS ON THE WALL OF A MULTI-TENANT BUILDING WITHOUT A SEPARATE EXTERIOR CUSTOMER ENTRANCE, IN LIEU OF THE ONE (1) WALL-MOUNTED ENTERPRISE SIGN PERMITTED WITH A SEPARATE EXTERIOR ENTRANCE UNDER § 450.4 OF THE BCZR, ATTACHMENT 1.5(D).
 4. IN THE ALTERNATIVE TO SPECIAL HEARING REQUEST NUMBER 2, IF DETERMINED TO BE NECESSARY, TO PERMIT A SIDE YARD SETBACK OF 29.6 FT. AND A REAR YARD SETBACK OF 28.7 FT., IN LIEU OF THE 30 FT. REQUIRED PURSUANT TO BCZR § 238.2.
 5. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.



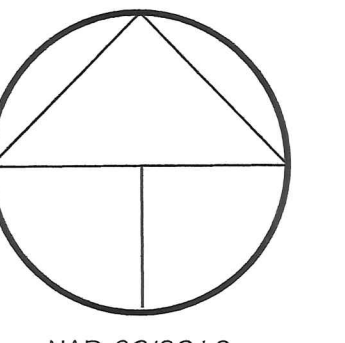
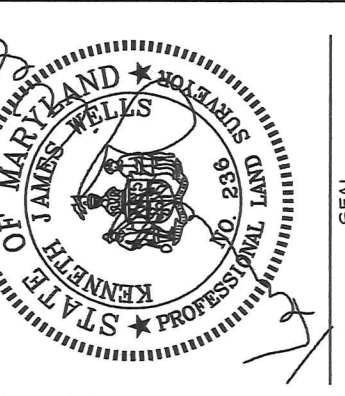
VICINITY MAP
SCALE: 1" = 1,000'

kjWellsInc

1403 NEW CUT ROAD
ELICOTT CITY, MD 21042
(410) 592-6800

Land Surveying, Site Planning & Landscape Architecture

LICENSE EXPIRATION DATE: 6/1/2017



REVISIONS:

NO.	DATE
1	9/13/2017

PLAN TO ACCOMPANY A
ZONING PETITION
6328 BALTIMORE NATIONAL PIKE
BALTIMORE COUNTY
MARYLAND
1ST ELECTION DISTRICT

DRAWN BY: CAV/KJW

CHECKED BY: KJW

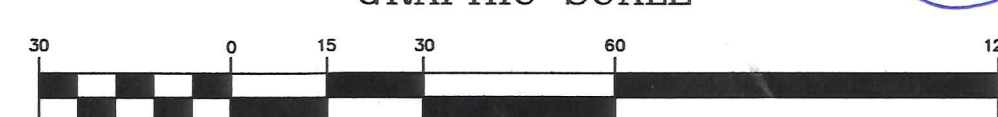
DATE: 5/22/2017

PROJECT NO.:

2017-018

SHEET 1 OF 1

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.