

M E M O R A N D U M

DATE: January 18, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0074-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on January 17, 2018. 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 *
AND VARIANCE**

(1402, 1406, 1408 York Road) *
9th Election District *
3rd Council District *

1402 York Road, LLC *
Legal Owner *
Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2018-0074-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of 1402 York Road, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to determine that the Petitioner's proposed use qualifies as a "limited-acreage wholesale flower farm" as defined in Section 101.1 of the B.C.Z.R.; and/or, in the alternative; (2) to permit a "farm" as defined in Section 101.1 of the B.C.Z.R. to be located on 0.964 acres of land in lieu of the required 3 acres.

A Petition for Variance seeks: (1) to permit an 8 ft. in height, black vinyl-coated chain-link fence as detailed on the "Plat to Accompany for Special Hearing & Zoning Variance"; and (2) an amendment, to the extent necessary, to the previously approved Special Exception in Case No. 87-180-SPHXA dated November 6, 1986 to permit roadway and fence as detailed on the "Plat to Accompany Petitions for Special Hearing & Zoning Variance." A site plan was marked and accepted into evidence as Petitioner's Exhibit 2.

Karyn Harris, professional surveyor Geoffrey Schultz and landscape architect Stuart Ortel appeared in support of the requests. Michael Wyatt, Esq. represented the Petitioner. Several citizens attended the hearing to obtain additional information regarding the requests.

ORDER RECEIVED FOR FILING

Date 12-18-17

By 190

The petition was advertised and posted as required by the Baltimore County Zoning Regulations (B.C.Z.R.). Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP), the Bureau of Development Plans Review (DPR) and the Department of Environmental Protection and Sustainability (DEPS). None of the reviewing agencies opposed the requests.

SPECIAL HEARING

This case involves three separate parcels of land along York Road in Lutherville. The properties are split-zoned RO and DR 5.5. 1402 York Rd. is improved with a commercial building which serves as the headquarters for Sage Dining Services. 1406 York Rd. is improved with a single-family dwelling which is currently used as an insurance brokerage. 1408 York Rd. is unimproved, and it is this lot which is the subject of the hearing.

Karyn Harris testified she has been employed with Sage for 17+ years. She explained Sage provides food service management for private schools and colleges nationwide. There are approximately 60 employees at the headquarters at 1402 York Road. Ms. Harris testified Sage employs executive chefs who prepare meals in house for consumption on-site by Sage employees. Many times the meal preparations are videotaped and provided to company clients as "webinars."

Petitioner proposes to install on the unimproved parcel numerous raised planting beds to grow vegetables, fruits and flowers. Ms. Harris testified the chefs on staff would use the fruits and vegetables to prepare meals, all of which would be consumed on-site by Sage employees. As noted above, the chefs may videotape their cooking demonstrations so that clients (i.e., private schools and colleges) can learn how to prepare the dishes. A greenhouse, shed and barn would be constructed on the 1408 York Rd. parcel, and would be used in conjunction with the farm. There would be no third-party sales of food or produce.

ORDER RECEIVED FOR FILING

Date 12-18-17

By 1907

The petition for special hearing seeks a determination the use is either a "limited acreage wholesale flower farm" or a "farm." Under the Regulations, those terms are mutually exclusive; i.e., both uses could not exist at the same time. In my opinion the operation described constitutes a "farm," even though it does not fit precisely within the definition provided in B.C.Z.R. §101. This site is just under one acre, while the Regulations require three acres for a farm. In other respects I believe the proposed operation qualifies, since "agricultural uses" (found in the definition of "farm" in B.C.Z.R. §101.1) will take place on site. Perhaps this is best described as a farmette, which I believe is nonetheless a farm. That use is permitted by right in the RO & DR 5.5 zones.

THEREFORE, IT IS ORDERED this 18th day of **December, 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.") to permit a "farm" as defined in Section 101.1 of the B.C.Z.R. (for "associated agricultural uses" only and not commercial agriculture) to be located on 0.964 acres of land in lieu of the required three (3) acres; and (2) to permit an amendment of the special exception granted in Case No. 97-180-SPHXA, to reflect the relief granted herein, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for waiver to permit an 8 ft. in height, black vinyl-coated chain-link fence as detailed on the "Plat to Accompany Petitions for Special Hearing & Zoning Variance," be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 12-18-17

3

By PW

3. No structure on the unimproved parcel to be used in connection with the farm may exceed 25 ft. in height.
4. No retail sales or raising of livestock and/or poultry shall be permitted.
5. The subject property shall not be used as a catering facility.
6. Petitioner must comply with the DEPS ZAC comment, a copy of which is attached and incorporated herein.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 12-18-17

By kw



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 1402, 1406 and 1408 York Road

which is presently zoned RO & PR5.5

Deed References: _____

10 Digit Tax Account # 0913201580

Property Owner(s) Printed Name(s) _____

0919580050

1402 York Road, LLC

0905000900

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

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

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

See attached "Exhibit 1"

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

3. ☒ **a Variance** from Section(s)

See attached "Exhibit 1"

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:

Name- Type or Print _____

Signature _____

Mailing Address _____

City _____

State _____

Zip Code _____

Telephone # _____

Email Address _____

Legal Owners (Petitioners):

1402 York Rd, LLC

Name #1 - Type or Print _____

Name #2 - Type or Print _____

Signature #1 _____

Signature #2 _____

C/O Sage Dining Services Inc.

Attn: Karyn Harris, Authorized Agent

Mailing Address _____

City _____

State _____

Zip Code _____

Telephone # _____

Email Address _____

21093

Attorney for Petitioner:

Michael Wyatt, Esquire

Name- Type or Print _____

Signature _____

1447 York Road, Suite 800 Lutherville, MD

Mailing Address _____

City _____

State _____

21093 410-825-2255 x 110

mwyatt@hwklawgroup.com

Zip Code _____

Telephone # _____

Email Address _____

Representative to be contacted:

Name - Type or Print _____

Signature _____

Mailing Address _____

City _____

State _____

Zip Code _____

Telephone # _____

Email Address _____

CASE NUMBER 2018-0074-SAH

Filing Date 9, 6, 2017

Do Not Schedule Dates: _____

Reviewer JNP

Date 12-18-17

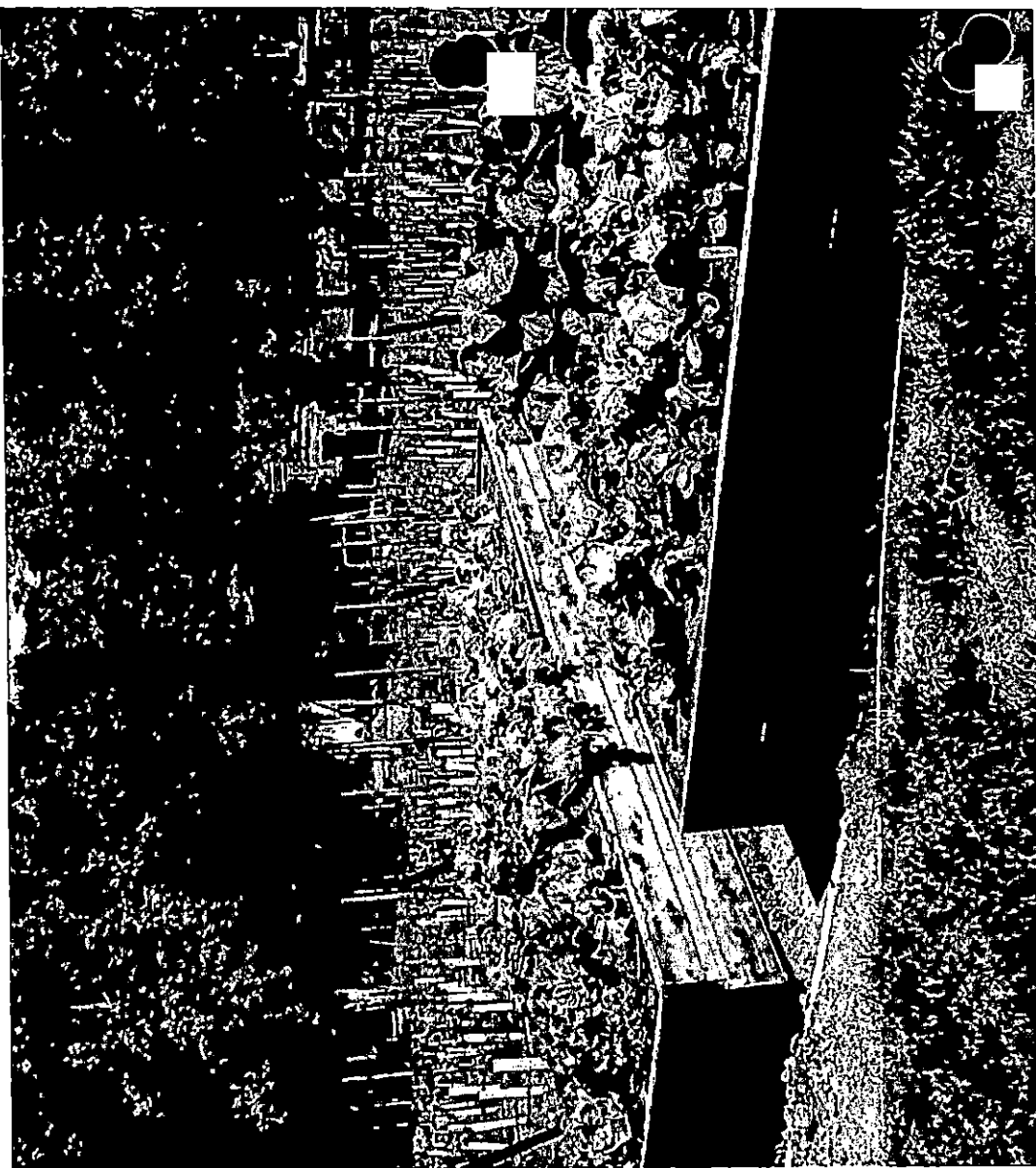
REV. 10/4/11

Rv _____

EXHIBIT 1

Specific Relief Requested

1. A Special Hearing is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to determine that Petitioner's proposed use qualifies as a "limited-acreage wholesale flower farm" as defined in Section 101.1 BCZR; and/or, in the alternative,
2. A ~~variance~~ ^{Special Hearing} is requested ~~pursuant to Section 307 BCZR~~ to permit a "farm" as defined in Section 101.1 BCZR to be located on 0.964 acres of land in lieu of the required 3 acres.
3. A waiver or ~~approval~~ ^{variance} is requested to permit an 8 foot in height, black vinyl-coated chain-link fence as detailed on the "Plat to Accompany for Special Hearing & Zoning Variance", ~~pursuant to Section 3111.0, Building Code or Section 427.1.B, BCZR.~~
4. An amendment, to the extent necessary, to the previously approved Special Exception in Case No: 87-180-XSPHA dated November 6, 1986 to permit roadway and fence as detailed on the "Plat to Accompany for Special Hearing & Zoning Variance".



RAISED BEDS sample for
FLOWERS AND VEGETABLES

CERTIFICATE OF POSTING

2018-0174-SPHA

RE: Case No.:

Petitioner/Developer:

1402 York Road, LLC

December 11, 2017

Date of Hearing/Closing:

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

1402, 1406 & 1408 York Road

November 21, 2017

The sign(s) were posted on

(Month, Day, Year)

Sincerely,

November 21, 2017

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ZONING NOTICE

CASE # 2018-0074-SPHA

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Monday, December 11, 2017 at 1:30 p.m.

REQUEST: Special Hearing to determine that the Petitioner's proposed uses qualifies as a "limited-acreage wholesale flower farm" as defined in Section 101.1 BCZR; and/or in the alternative, to permit a "farm" as defined in Section 101.1 BCZR to be located on 0.964 acres of land in lieu of the required 3 acres. Variance to permit an 8 ft. in

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2018-0074-SPHA (Continued)

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Monday, December 11, 2017 at 1:30 p.m.

REQUEST: height black, vinyl-coated chain-link fence as detailed on the "Plat to accompany for Special Hearing and Variance". An amendment, to the extent necessary, to the previously approved Special Exception in Case No. 87-180-XSPHA dated November 6, 1986 to permit roadway and fence as detailed on the "Plat to accompany for Special Hearing and Variance."

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY

TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



KEVIN KAMENETZ
County Executive

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

October 20, 2017

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2018-0074-SPHA

1402, 1406 & 1408 York Road
SW/s York Road at corner of the SE/s of Westbury Road
9th Election District – 3rd Councilmanic District
Legal Owners: 1402 York Road, LLC

Special Hearing to determine that the Petitioner's proposed uses qualifies as a "limited-acreage wholesale flower farm" as defined in Section 101.1 BCZR; and/or in the alternative, to permit a "farm" as defined in Section 101.1 BCZR to be located on 0.964 acres of land in lieu of the required 3 acres. **Variance** to permit an 8 ft. in height black, vinyl-coated chain-link fence as detailed on the "Plat to accompany for Special Hearing and Variance". An amendment, to the extent necessary, to the previously approved Special Exception in Case No. 87-180-XSPHA dated November 6, 1986 to permit roadway and fence as detailed on the "Plat to accompany for Special Hearing and Variance".

Hearing: Monday, December 11, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Michael Wyatt, 1447 York Road, Ste. 800, Lutherville 21093
Karyn Harris, Sage Dining Services, Inc., 1402 York Road, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 21, 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
Tuesday, November 21, 2017 Issue - Jeffersonian

Please forward billing to:

Michael Wyatt
HWK Law Group, LLC
1447 York Road
Lutherville, MD 21093

410-825-2255 ext. 110

NOTICE OF ZONING HEARING

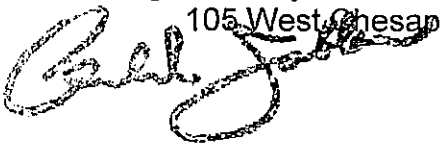
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0074-SPHA

1402, 1406 & 1408 York Road
SW/s York Road at corner of the SE/s of Westbury Road
9th Election District – 3rd Councilmanic District
Legal Owners: 1402 York Road, LLC

Special Hearing to determine that the Petitioner's proposed uses qualifies as a "limited-acreage wholesale flower farm" as defined in Section 101.1 BCZR; and/or in the alternative, to permit a "farm" as defined in Section 101.1 BCZR to be located on 0.964 acres of land in lieu of the required 3 acres. **Variance** to permit an 8 ft. in height black, vinyl-coated chain-link fence as detailed on the "Plat to accompany for Special Hearing and Variance". An amendment, to the extent necessary, to the previously approved Special Exception in Case No. 87-180-XSPHA dated November 6, 1986 to permit roadway and fence as detailed on the "Plat to accompany for Special Hearing and Variance".

Hearing: Monday, December 11, 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE * OF ADMINISTRATIVE
1402, 1406 & 1408 York Road; SW/S of York *
Road at the corner of SE/S of Westbury Road *
9th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): 1402 York Road, LLC by *
Karyn Harris * BALTIMORE COUNTY
Petitioner(s) *
2018-074-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

SEP 14 2017

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of September, 2017, a copy of the foregoing Entry of Appearance was mailed to Michael Wyatt, Esquire, 1447 York Road, Suite 800, Lutherville, Maryland 21093, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The 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: 2018-0074-SPHA
Property Address: 1402, 1406 & 1408 York Road
Property Description: SW/s of York Road @ corner of SE/s of Westbury Road
Legal Owners (Petitioners): 1402 York Rd, LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael T. Wyatt
Company/Firm (if applicable): HWK Law Group, LLC
Address: 1447 York Road, Suite 800
Lutherville MD 21093
Telephone Number: 410 825 2255 Ex. 110

Kristen L Lewis

From: Michael Wyatt <mwyatt@hwklawgroup.com>
Sent: Tuesday, September 26, 2017 12:00 PM
To: Kristen L Lewis
Cc: Karyn Harris <karyn@sagedining.com> (karyn@sagedining.com); 'kls50@aol.com'; gschultz@polarisl.com
Subject: 1402 York Road LLC-Case No: 2018-074-SPHA

Kristen: Following up on scheduling, it looks like most days are not good through November 24. The following week appears open.

In terms of December, the 4th through the 8th is not available. December 25 through the 29th is also not good.

Please let me know when you are able to schedule this.

Thank you.

Michael T. Wyatt, Esquire
HWK Law Group
The Galleria Towers
1447 York Road
Suite 800
Lutherville, MD 21093
(410) 825-2255 (Ext. 110) *office*
(888) 856-3668 *fax*



www.hwklawgroup.com

LEGAL NOTICE

Unless expressly stated otherwise, this e-mail is intended to be confidential and may be privileged. It is intended for the addressees only. Access to this e-mail by anyone except addressees is unauthorized. If you are not an addressee, any disclosure or copying of the contents of this email or any action taken (or not taken) in reliance on it is unauthorized and may be unlawful. If you are not an addressee, please inform the sender immediately. E-mail communications may be intercepted or inadvertently misdirected. While the American Bar Association deems e-mail a valid and authorized form of communication between attorneys and clients, absolute secrecy, confidentiality, and security (of this e-mail message and any attachments thereto) cannot be assured. The relationship of attorney/client shall not be, and is not, established solely as a result of the transmission of this e-mail. Absent a written engagement letter signed by HWK Law Group, no attorney/client relationship shall be deemed to, nor shall, exist and any belief that information or documents provided by this e-mail are privileged is mistaken, unwarranted and incorrect. Additionally, nothing in this email communication constitutes any federal or state tax advice (including attachments), and nothing in this message is intended to, or may, be used (a) to avoid any penalty that may be imposed under the internal revenue code or (b) to promote, market or recommend to another party any tax-related matter or transaction. This disclosure is provided on all outbound e-mails to assure compliance with standards of professional tax practice, pursuant to which certain advice must satisfy requirements as to form and substance.

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

NO 157191

Date:

9/6/2017

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				1000.00

Total: 1000.00

Rec From: Michael L Snyder, ~~cash~~

For: 1402, 1406 & 1408 York Road
2018-0074- SPHA (1402 York Rd, LLC)

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
9/08/2017 9/06/2017 11:11:05 2
REG #302 WALKIN JEE
>>RECEIPT # 026965 9/06/2017 OFLN
Dept 5 520 ZONING VERIFICATION
CR NO. 157191
Recpt Tot \$1,000.00
\$1,000.00 CR \$0.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

December 6, 2017

1402 York Road LLC
Karyn Harris
1402 York Road
Lutherville MD 21093

RE: Case Number: 2018-0074 SPHA, Address: 1402, 1406 and 1408 York Road

Dear Ms. Harris:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 6, 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
Michael Wyatt, Esquire, 1447 York Road, Suite 800, Lutherville MD 21093

 MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 9/14/17

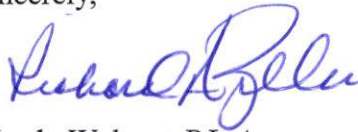
Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

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 9/12/17. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for *Special Hearing, Variance* Case Number 2018-0074-SPHA
1402 York Road LLC, Karyn Harris
1402, 1406, 1408 York Road.
MD45

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

cc: *Polaris Land Consultants / 10 Gerard Avenue, Timonium, MD
Suite 101,*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 11/21/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-074



INFORMATION:

Property Address: 1402, 1406 and 1408 York Road
Petitioner: 1402 York Road LLC
Zoning: RO & DR 5.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) will approve the proposed use as a limited acreage wholesale flower farm, or in the alternative, to permit a farm as defined in 101.1 BCZR to be located on 0.964 acres in lieu of 3 acres and to amend the previously approved special exception in zoning case no. 87-180- XSPHA. The Department has also reviewed the petition for variance to permit an 8 foot high black vinyl coated fence as listed on the attachment submitted in support of the petition.

A site visit was conducted on September 26, 2017. The site is located within the Impact Area of the Hunt Valley/Timonium Master Plan and the Towson Community Plan adopted as Master Plan amendments on October 19, 1998 and February 3, 1992 respectively. The Towson Community Plan designates the location as York Road Commercial Corridor (page 16) and indicates the area "should be designated as a gateway corridor(s) and incorporate landscaping and design treatment." The plan calls for a continuity of setbacks, buffers and landscaping along the corridor.

The Department finds the proposal has the potential to be an attractive and interesting use to the community and has the potential to improve the visual quality of York Road.

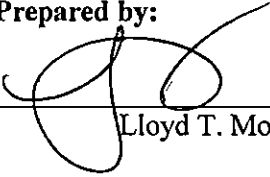
The Department does not oppose granting the petitioned zoning relief conditioned upon the following:

- The Department recommends that restrictions be placed in any Order granting zoning relief that there will be no retail sales or raising of livestock or poultry and that the property will not be used as a catering facility.
- The Department recommends that language be placed in any Order granting zoning relief for a "limited acreage wholesale flower farm" or "farm" use defining said use as "associated agricultural uses" and not as an "agriculture, commercial" use as defined in BCZR 101.1.
- The Department recommends that the site plan be revised to reflect the various setbacks shown in the landscape plan titled Sage House Garden Master Plan, dated May 1, 2017 and submitted in support of the petition. Such a landscape design should provide openings in the proposed hedge along York Road in order to make it less like a wall and to provide opportunity for pedestrians and drivers to see through to the garden.

Date: 11/21/2017
Subject: ZAC #
Page 2

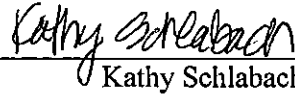
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

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

12-11

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: September 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0074-SPHA
Address 1402,1406,1408 York Road
(1402 York Road, LLC Property)

Zoning Advisory Committee Meeting of **September 18 2017**.

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

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

Additional Comments:

EIR will not approve any permit or development plan without an approved forest stand delineation (FSD) and forest conservation plan. The FSD may be the simplified version.

Reviewer: Glenn Shaffer Date: Sept. 12, 2017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: VKD
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 18, 2017
Item No. 2018-0074-SPHA

DATE: September 27, 2017

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

If Special Hearing and Zoning relief is granted, a landscape Plan is required per the requirements of the landscape manual. A Lighting Plan is also required.

* * * * *

VKD: CEN
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 11/21/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-074

INFORMATION:

Property Address: 1402, 1406 and 1408 York Road
Petitioner: 1402 York Road LLC
Zoning: RO & DR 5.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) will approve the proposed use as a limited acreage wholesale flower farm, or in the alternative, to permit a farm as defined in 101.1 BCZR to be located on 0.964 acres in lieu of 3 acres and to amend the previously approved special exception in zoning case no. 87-180- XSPHA. The Department has also reviewed the petition for variance to permit an 8 foot high black vinyl coated fence as listed on the attachment submitted in support of the petition.

A site visit was conducted on September 26, 2017. The site is located within the Impact Area of the Hunt Valley/Timonium Master Plan and the Towson Community Plan adopted as Master Plan amendments on October 19, 1998 and February 3, 1992 respectively. The Towson Community Plan designates the location as York Road Commercial Corridor (page 16) and indicates the area "should be designated as a gateway corridor(s) and incorporate landscaping and design treatment." The plan calls for a continuity of setbacks, buffers and landscaping along the corridor.

The Department finds the proposal has the potential to be an attractive and interesting use to the community and has the potential to improve the visual quality of York Road.

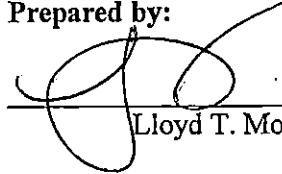
The Department does not oppose granting the petitioned zoning relief conditioned upon the following:

- The Department recommends that restrictions be placed in any Order granting zoning relief that there will be no retail sales or raising of livestock or poultry and that the property will not be used as a catering facility.
- The Department recommends that language be placed in any Order granting zoning relief for a "limited acreage wholesale flower farm" or "farm" use defining said use as "associated agricultural uses" and not as an "agriculture, commercial" use as defined in BCZR 101.1.
- The Department recommends that the site plan be revised to reflect the various setbacks shown in the landscape plan titled Sage House Garden Master Plan, dated May 1, 2017 and submitted in support of the petition. Such a landscape design should provide openings in the proposed hedge along York Road in order to make it less like a wall and to provide opportunity for pedestrians and drivers to see through to the garden.

Date: 11/21/2017
Subject: ZAC #
Page 2

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0074-SPHA
Address 1402,1406,1408 York Road
(1402 York Road, LLC Property)

Zoning Advisory Committee Meeting of **September 18 2017**.

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

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

Additional Comments:

EIR will not approve any permit or development plan without an approved forest stand delineation (FSD) and forest conservation plan. The FSD may be the simplified version.

Reviewer: Glenn Shaffer Date: Sept. 12, 2017

CASE NAME 2018-0074-SPHA ↗
CASE NUMBER 1402 York Road, LLC ↗
DATE 12/11/17

[illegible]

CASE NAME 4402, 06 & 08 York Road
CASE NUMBER 2018-0074
DATE Dec 11, 2017

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

9/27

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

Comment

9/26

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

Comment

11/28

FIRE DEPARTMENT
PLANNING
(if not received, date e-mail sent _____)not opposed
w/ comments

9/14

STATE HIGHWAY ADMINISTRATION

no objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 11/21/17

by SSG Black

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 - 09 Account Number - 0913201580							
Owner Information									
Owner Name:		1402 YORK ROAD LLC			Use:		COMMERCIAL		
Mailing Address:		4 EAST BISHOPS RD BALTIMORE MD 21218-			Principal Residence:		NO		
					Deed Reference:		/38033/ 00021		
Location & Structure Information									
Premises Address:		1408 YORK RD LUTHERVILLE 21093-			Legal Description:		.5416 AC RIDGELY LAND CO		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0061	0019	0253		0000			13	2017	Plat Ref:
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
						23,595 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of	As of		As of		
				01/01/2017	07/01/2017		07/01/2018		
Land:			89,800	452,700					
Improvements			0	0					
Total:			89,800	452,700	210,767		331,733		
Preferential Land:			0				0		
Transfer Information									
Seller: MANSFIELD FRANCES N				Date: 09/20/2016		Price: \$626,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /38033/ 00021		Deed2:			
Seller: G MANSFIELD RES USE-CI				Date: 05/24/1990		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /01383/ 00267		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		0.00 0.00			
Tax Exempt:				Special Tax Recapture:					
Exempt Class:				NONE					
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									



10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
(410) 252-4444 (o)
(410) 252-4493 (f)
www.polarisl.com

Zoning Description of
Property of
1402 York Road, LLC
9th Election District
3rd Councilmanic District
Baltimore County, MD



Beginning at a point on the West Side of York Road (80 foot wide right-of-way), at the distance of 583 feet North of the center of Othoridge Road, thence running 1) N 83° 08' 21" W 463.35 feet, thence 2) N 07° 02' 52" E 203.76 feet to the South Side of Westbury Road, thence running along the South Side of Westbury Road 3) by a curve to the left with a radius of 212.43 feet and an arc length of 64.72 feet, 4) N 68° 05' 52" E 226.00 feet and 5) S 66° 38' 26" E 28.25 feet to the West Side of York Road, thence running along the West Side of York Road, 6) S 21° 35' 08" E 339.61 feet to the point of beginning.

Containing 106,262 sf or 2.439 acres of land being known as 1402, 1406, and 1408 York Road as recorded in Deeds Liber 38033 Folio 21, Liber 31200 Folio 403, and Liber 30585 Folio 275.

Saving and excepting therefrom all that real property previously being the subject of and approved for Special Exception in Baltimore County Zoning Case No. 87-180-XSPHA.



10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
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Containing 106,262 sf or 2.439 acres of land being known as 1402, 1406, and 1408 York Road as recorded in Deeds Liber 38033 Folio 21, Liber 31200 Folio 403, and Liber 30585 Folio 275.

Saving and excepting therefrom all that real property previously being the subject of and approved for Special Exception in Baltimore County Zoning Case No. 87-180-XSPHA.

IN RE:

1402 YORK ROAD, LLC

1402-1046 York Road

Lutherville, Maryland 21093

*
*
*
*
*
*

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

OF BALTIMORE COUNTY

Case No: 2018-0074-SPHA

* * * * *

PETITIONER'S HEARING EXHIBITS

15W
1-18-18

12-18-17
15W

12/11 -
1:30
PM

Case No.: 2018-0074-SPHA - 1402, 1406, 1408 York Rd.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

IN RE:	*	BEFORE THE
1402 YORK ROAD, LLC	*	OFFICE OF
	*	ADMINISTRATIVE HEARINGS
1402-1046 York Road	*	OF BALTIMORE COUNTY
Lutherville, Maryland 21093	*	Case No: 2018-0074-SPHA
* * * * *	* *	* * * * *

TABLE OF CONTENTS

1. Resolutions: Sage Dining Services, Inc. and 1402 York Road, LLC
2. Polaris Land Consultants Plat dated 8/30/2017
3. Sage House Farm Concept Plan
4. Sage House Building Photos
5. Illustrative Garden and Fence Photos

**RESOLUTION OF DIRECTORS/SHAREHOLDERS
OF
SAGE DINING SERVICES, INC.**

THE UNDERSIGNED, constituting all of the Directors/Shareholders of SAGE DINING SERVICES, Inc. a Maryland corporation ("Company"), do hereby acknowledge, consent to, approve, certify and resolve the following:

BE IT RESOLVED: that the Company owns or operates on real property located at 1402-1406 York Road which is the subject of a Petition for Special Hearing captioned 1402, 1406, and 1408 York Road, Case No: 2018-0074-SPHA ("Petition") before the Office of Administrative Hearings of Baltimore County and the Company is in favor of the zoning relief in form substantially similar to that which has been presented to and approved by the Members prior to the date of this Resolution in the Petition filed and scheduled for a hearing on December 11, 2017; and be it

FURTHER RESOLVED: that Karyn Harris, as Director of Administration of the Company, shall be, and hereby is authorized and directed to appear on behalf of and testify, execute and deliver, in the name of and on behalf of the Company, at the hearing on the Petition and any other instruments, documents, assignments, agreements or certificates as may be now or hereafter required, in the judgment of Karyn Harris, as Director of Administration of the Company, to effectuate the purposes set forth in the Petition, and all such instruments, documents, assignments, agreements and certificates to contain such terms, covenants and conditions as may be approved by Karyn Harris, as Director of Administration of the Company, whose execution and delivery thereof on behalf of the Company, to be conclusive evidence of approval by the Company.

This Resolution may be executed in counterparts, each of which shall be deemed an original and when taken together, shall constitute one and the same instrument. Signatures to this Resolution delivered by facsimile or other electronic means shall be deemed original signatures.

[signature page follows]

IN WITNESS WHEREOF, the Directors/Shareholders have caused this instrument to be properly executed as of the 6 day of December 2017.

WITNESS:

DIRECTORS/SHAREHOLDERS:

Lauren Harris

Francine Rodriguez

Lauren Harris

C. Rodriguez

**RESOLUTION OF MEMBERS
OF
1402 YORK ROAD, LLC**

THE UNDERSIGNED, constituting all of the members of 1402 YORK ROAD, LLC, a Maryland limited liability company ("Company"), do hereby acknowledge, consent to, approve, certify and resolve the following:

BE IT RESOLVED: that the Company owns or operates on real property located at 1402-1406 York Road which is the subject of a Petition for Special Hearing captioned 1402, 1406, and 1408 York Road, Case No: 2018-0074-SPHA ("Petition") before the Office of Administrative Hearings of Baltimore County and the Company is in favor of the zoning relief in form substantially similar to that which has been presented to and approved by the Members prior to the date of this Resolution in the Petition filed and scheduled for a hearing on December 11, 2017; and be it

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[signature page follows]

IN WITNESS WHEREOF, the Members have caused this instrument to be properly executed as of the 6 day of December 2017.

WITNESS:

Georg Harris

Georg Harris

MEMBERS:

Francois Rodriguez

Cy Rodriguez

EXHIBIT 2

POLARIS LAND CONSULTANTS

PLAT DATED 8/30/2017



PERIMETER SCREENING



STRUCTURES



FARMING

SAGE
DINING SERVICES®

Sage House Farm CONCEPT PLAN

STONE HILL DESIGN ASSOCIATES, LANDSCAPE ARCHITECTS



1402
SAGE
HOUSE

FDC

FDC

40







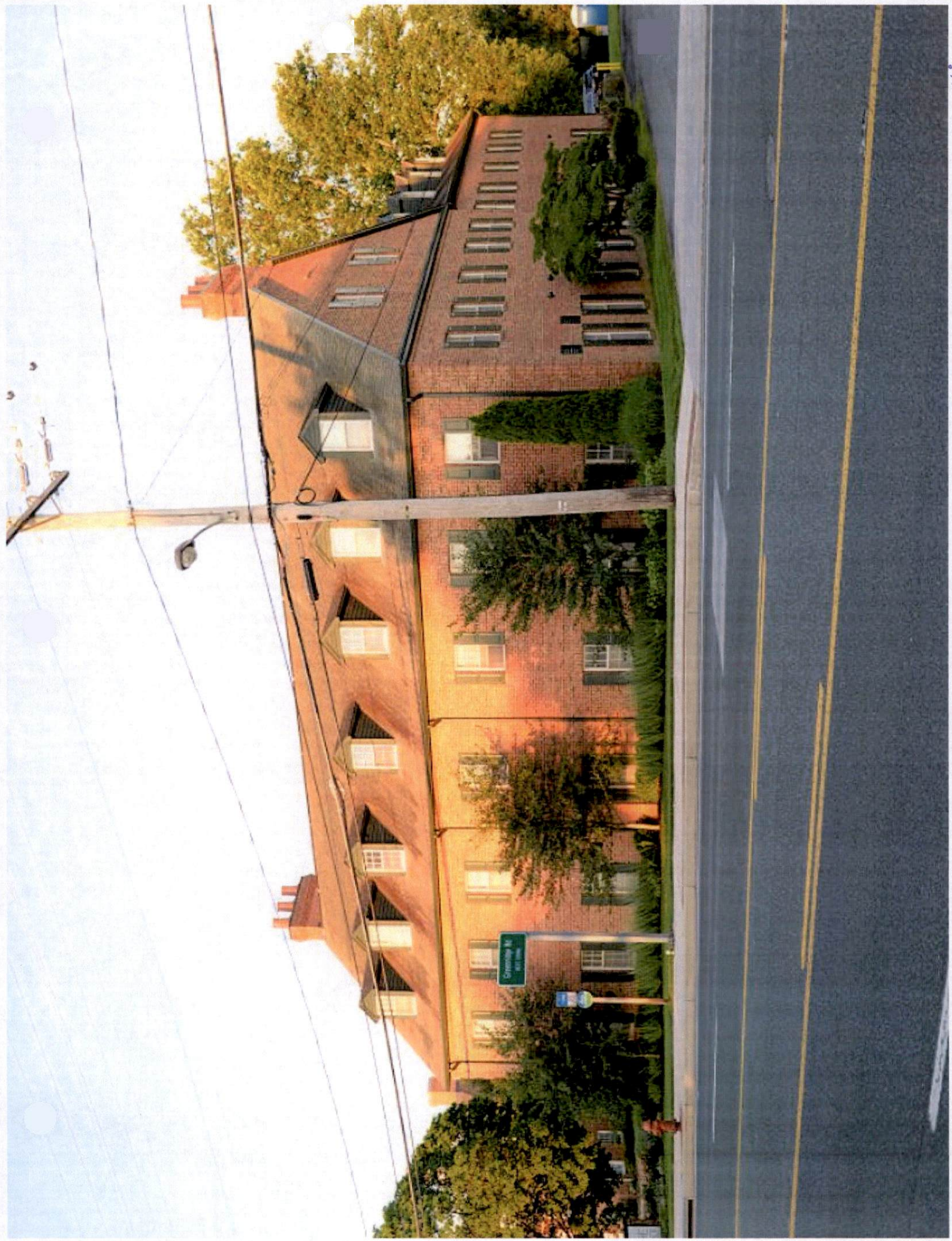




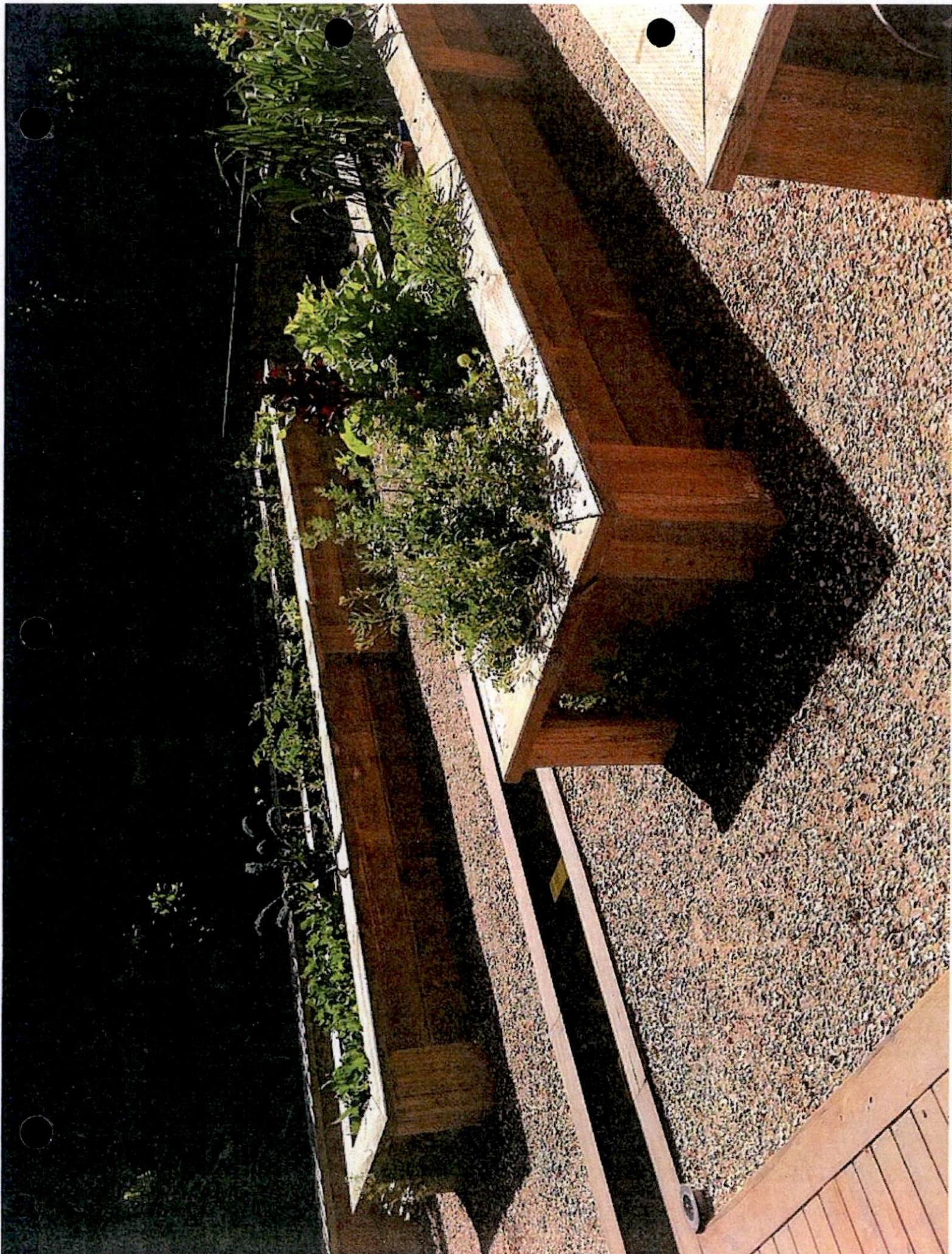




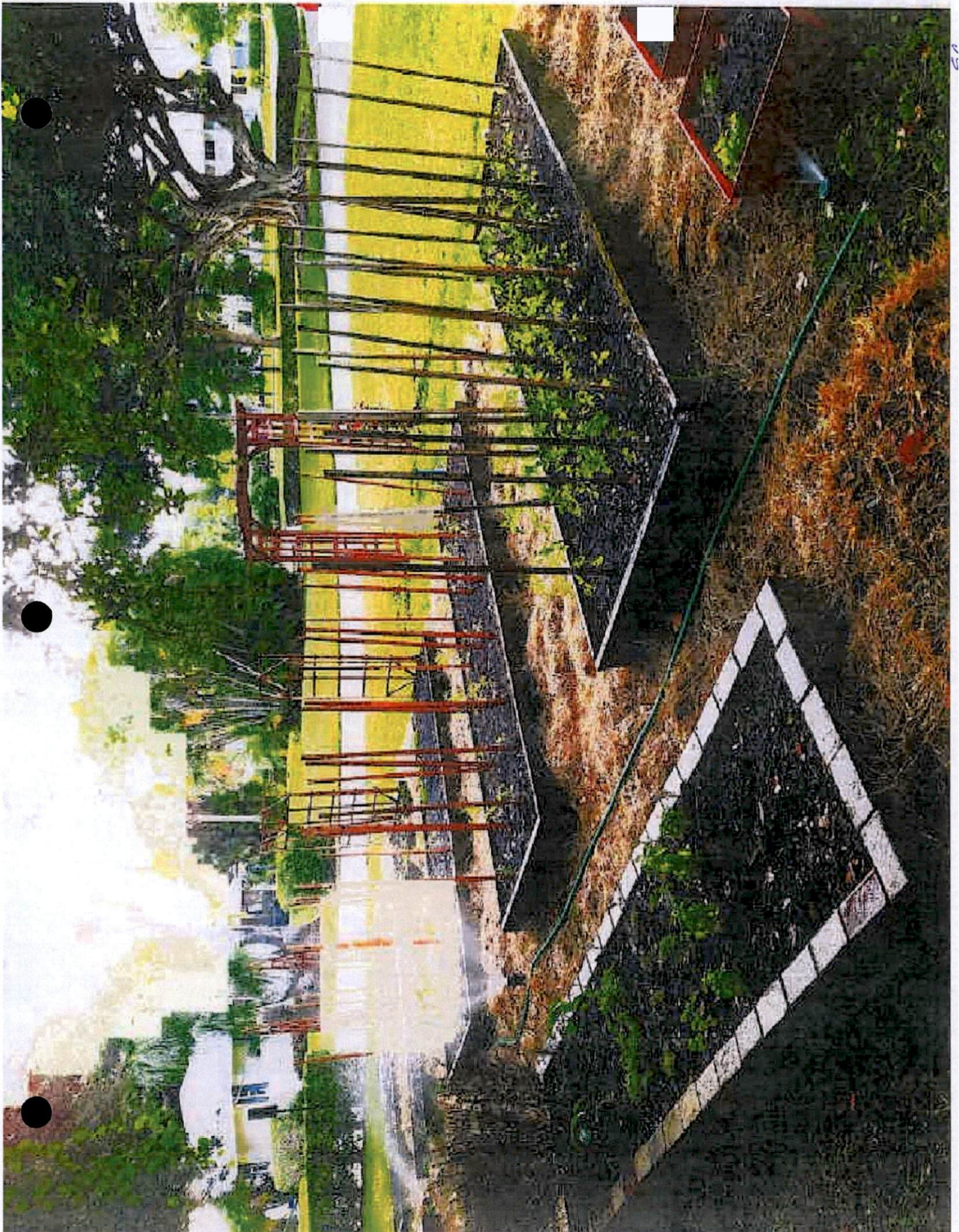


















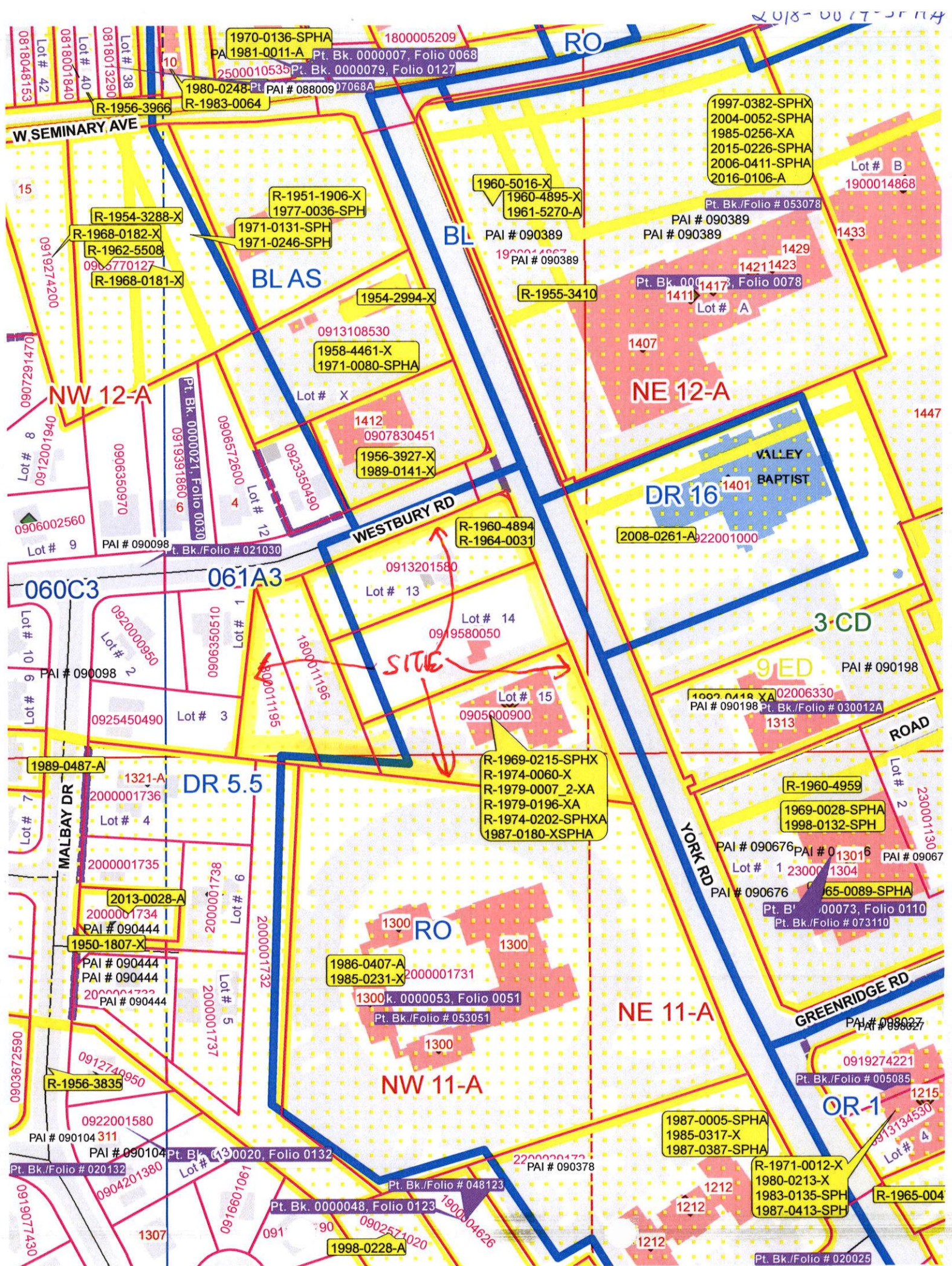










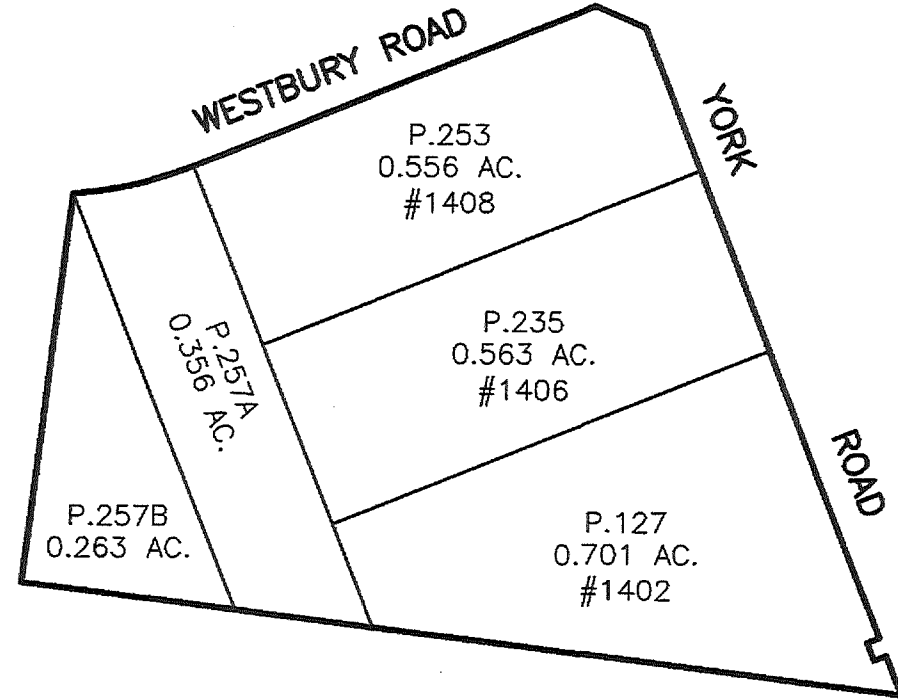


NOTES:

1. THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN
2. THIS PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA
3. THIS PROPERTY IS NOT HISTORIC
4. THERE ARE NO KNOWN ACTIVE ZONING VIOLATIONS ON THIS PROPERTY
5. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER
6. THE TYPICAL NON-HANDICAPPED PARKING SPACE SIZE IS 8 1/2 X 18 FEET
7. THERE ARE NO STREAMS OR WETLANDS ON THIS PROPERTY
8. ZONING MAP No. 061A3
9. HEIGHTS OF ALL PROPOSED BUILDING WILL BE LESS THAN 35 FEET

SITE TABULATION:

EXISTING ZONING	RO & DR 5.5
GROSS AREA	DR 5.5 34,138 SF = 0.784 AC RO 92,647 SF = 2.127 AC TOTAL 126,785 SF = 1.921 AC
NET AREA	DR 5.5 31,842 SF = 0.731 AC RO 74,420 SF = 1.708 AC TOTAL 106,262 SF = 2.439 AC
BUILDING FLOOR AREAS & USES	
BUILDING A (GENERAL OFFICE)	
1ST FLOOR	7,114 SF
2ND FLOOR	7,114 SF
3RD FLOOR	4,485 SF
TOTAL	18,713 SF
BUILDING B (GENERAL OFFICE)	
1ST FLOOR	960 SF
2ND FLOOR	235 SF
TOTAL	1,195 SF
TOTAL FLOOR AREA (OFFICE):	19,908 SF
OFFICE PARKING REQUIRED:	(19,908/1000 X 3.3) = 66 SPACES
FARM PARKING REQUIRED:	1 SPACE PER EMPLOYEE = 2 SPACES
TOTAL PARKING REQUIRED:	68 SPACES
PARKING PROVIDED:	68 SPACES
HANDICAP SPACES REQUIRED:	3 SPACES
HANDICAP SPACES PROVIDED:	4 SPACES
INTERIOR AREA OF PARKING LOT:	21,319 SF
AMENITY OPEN SPACE REQUIRED:	(21,319 X 0.07) = 1,492 SF
AMENITY OPEN SPACE PROVIDED:	1,686 SF
MAXIMUM FLOOR AREA RATIO ALLOWED:	33%
FLOOR AREA RATIO PROPOSED:	(19,908 SF / 92,647 SF) = 21.5%
MAXIMUM LOT SIZE PERMITTED (RO ZONE):	2 AC
ACTUAL LOT SIZE (NET AREA OF RO):	1.708 AC
MAXIMUM ALLOWED BUILDING HEIGHT:	35 FEET
ACTUAL HEIGHT BUILDING A:	44 FEET
ACTUAL HEIGHT BUILDING B:	30 FEET
MINIMUM REQUIRED FARM AREA:	3.0 AC
PROPOSED FARM AREA:	0.964 AC



PARCEL CONFIGURATION

BALTIMORE COUNTY TAX MAP 61 - GRID 19
OWNER: 1402 YORK ROAD LLC

PARCEL 253 - TAX ACCOUNT No.: 09-13-201580
DEED REFERENCE: 38033/21

PARCEL 235 - TAX ACCOUNT No.: 09-19-580050
DEED REFERENCE: 31200/403

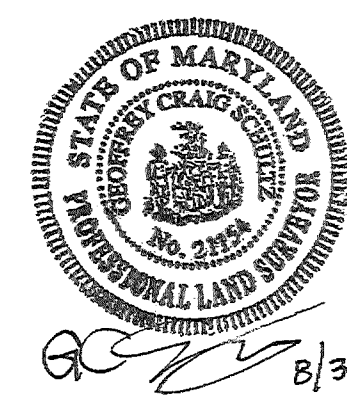
PARCEL 127 - TAX ACCOUNT No.: 09-05-000900
DEED REFERENCE: 30585/275 (PARCEL 1)

PARCEL 257A - TAX ACCOUNT No.: 18-00-011196
DEED REFERENCE: 30585/275 (PARCEL 2)

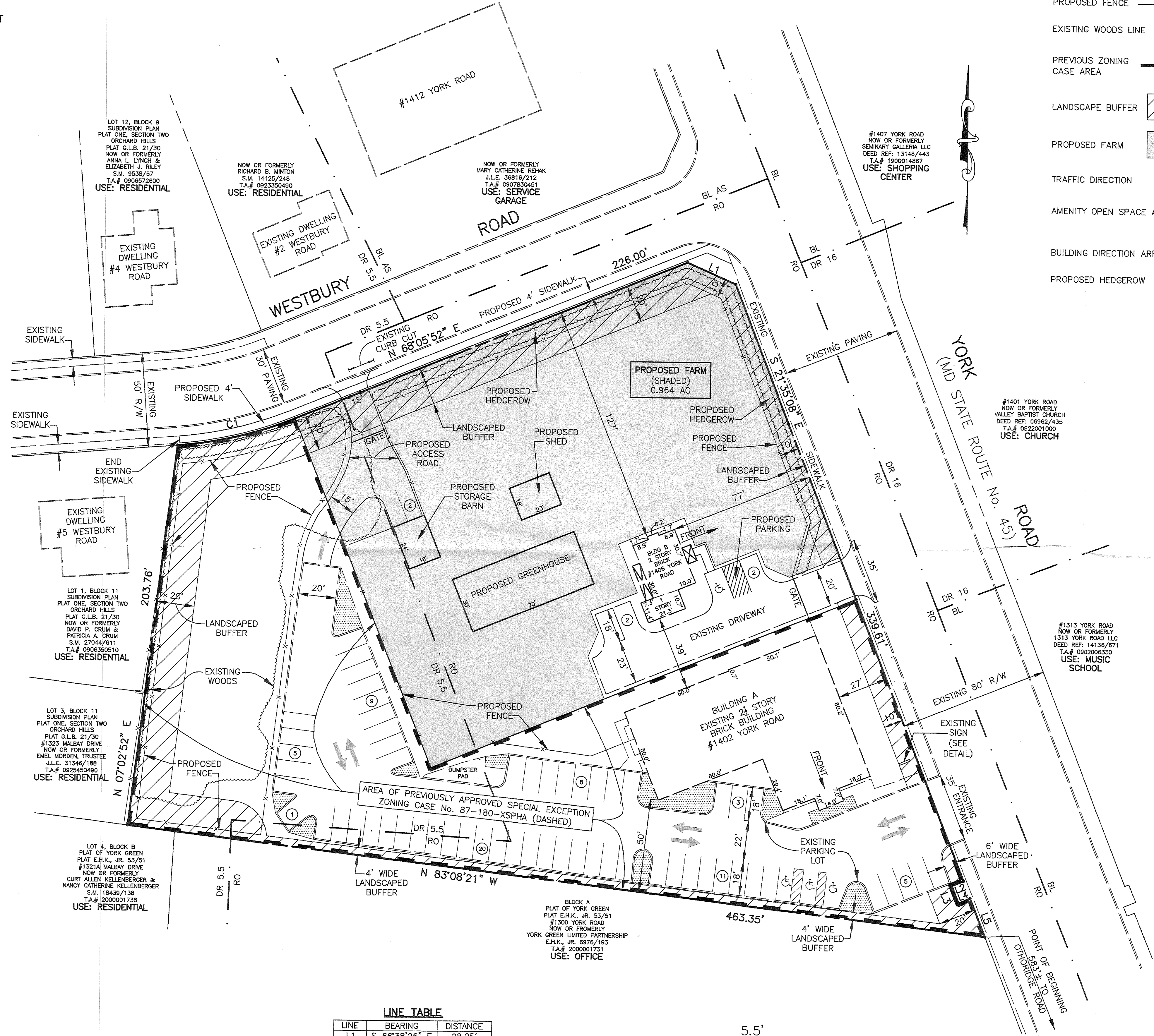
PARCEL 257B - TAX ACCOUNT No.: 18-00-011195
DEED REFERENCE: 30585/275 (PARCEL 3)



10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLANDCONSULTANTS.COM

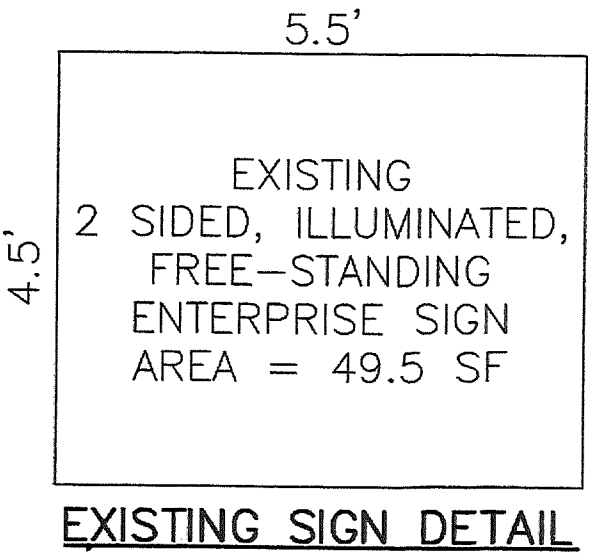


8/30/17

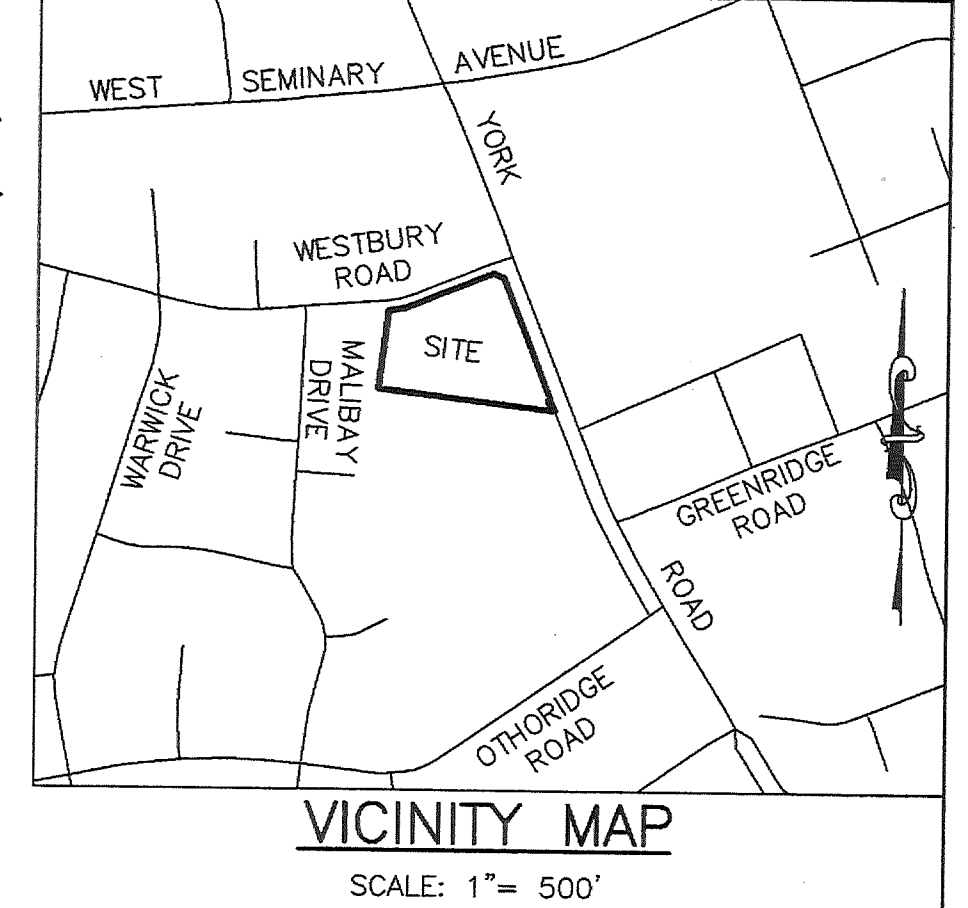


LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 66°38'26" E	28.25'
L2	S 68°07'59" W	6.77'
L3	S 21°52'20" E	10.00'
L4	N 68°07'59" E	6.72'
L5	S 21°35'08" E	21.80'

CURVE TABLE						
CURVE	ARC	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	64.72'	212.43'	17°27'22"	32.61'	N 76°49'33" E	64.47'



- LEGEND**
- PROPERTY LINE
 - ZONING LINE DR 5.5 RO
 - EXISTING CURB
 - PROPOSED FENCE
 - EXISTING WOODS LINE
 - PREVIOUS ZONING CASE AREA
 - LANDSCAPE BUFFER
 - PROPOSED FARM
 - TRAFFIC DIRECTION
 - AMENITY OPEN SPACE AREA
 - BUILDING DIRECTION ARROW FRONT
 - PROPOSED HEDGEROW



PREVIOUS ZONING HEARING:

(SEE PLAN VIEW FOR DELINEATED AREA OF PREVIOUS ZONING HEARING)

CASE No.: 87-180-XSPHA
DATE OF ORDER: NOVEMBER 6, 1986
ORDER: (SEE ORDER)

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of November, 1986, that the Petition for Special Exception for a Class B office building in an R-O Zone; a use permit for parking in a residential zone and, as such, the Petition for Special Hearing; and the Petition for Zoning Variance to permit a double-faced, free-standing, illuminated sign totaling 49 1/2 square feet in lieu of the permitted 8 square foot sign attached to a building be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Restrictive Covenant Agreement dated October 31, 1986 shall be adopted and made a part of this Order in its entirety.

[Signature]
Zoning Commissioner of Baltimore County

PLAT TO ACCOMPANY
PETITIONS FOR
SPECIAL HEARING & ZONING VARIANCE
PROPERTY OF

1402 YORK ROAD, LLC

9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 30'

3RD COUNCILMANIC DISTRICT
DATE: JULY 22, 2017

OWNER INFO

1402 YORK ROAD, LLC
C/O SAGE DINING SERVICES, INC
#1402 YORK ROAD
LUTHERVILLE, MD 21093
410-339-3950

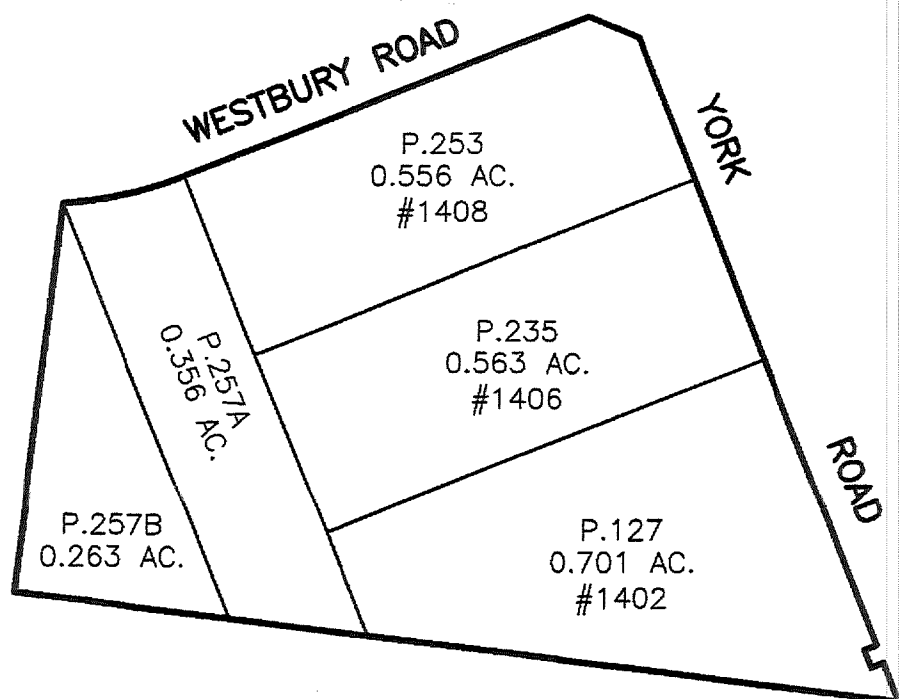
2018-0074-SPH

NOTES:

- THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN
- THIS PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA
- THIS PROPERTY IS NOT HISTORIC
- THERE ARE NO KNOWN ACTIVE ZONING VIOLATIONS ON THIS PROPERTY
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER
- THE TYPICAL NON-HANDICAPPED PARKING SPACE SIZE IS 8 1/2 X 18 FEET
- THERE ARE NO STREAMS OR WETLANDS ON THIS PROPERTY
- ZONING MAP No. 061A3
- HEIGHTS OF ALL PROPOSED BUILDING WILL BE LESS THAN 35 FEET

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GROSS AREA	DR 5.5 34,138 SF = 0.784 AC RO 92,647 SF = 2.127 AC TOTAL 126,785 SF = 2.921 AC
NET AREA	DR 5.5 31,842 SF = 0.731 AC RO 74,420 SF = 1.708 AC TOTAL 106,262 SF = 2.439 AC
BUILDING FLOOR AREAS & USES	
BUILDING A (GENERAL OFFICE)	
1ST FLOOR	7,114 SF
2ND FLOOR	7,114 SF
3RD FLOOR	4,485 SF
TOTAL	18,713 SF
BUILDING B (GENERAL OFFICE)	
1ST FLOOR	960 SF
2ND FLOOR	235 SF
TOTAL	1,195 SF
TOTAL FLOOR AREA (OFFICE):	19,908 SF
OFFICE PARKING REQUIRED:	(19,908/1000 X 3.3) = 66 SPACES
FARM PARKING REQUIRED:	1 SPACE PER EMPLOYEE = 2 SPACES
TOTAL PARKING REQUIRED:	68 SPACES
PARKING PROVIDED:	68 SPACES
HANDICAP SPACES REQUIRED:	3 SPACES
HANDICAP SPACES PROVIDED:	4 SPACES
INTERIOR AREA OF PARKING LOT:	21,319 SF
AMENITY OPEN SPACE REQUIRED:	(21,319 X 0.07) = 1,492 SF
AMENITY OPEN SPACE PROVIDED:	1,686 SF
MAXIMUM FLOOR AREA RATIO ALLOWED:	33%
FLOOR AREA RATIO PROPOSED:	(19,908 SF / 92,647 SF) = 21.5%
MAXIMUM LOT SIZE PERMITTED (RO ZONE):	2 AC
ACTUAL LOT SIZE (NET AREA OF RO):	1.708 AC
MAXIMUM ALLOWED BUILDING HEIGHT:	35 FEET
ACTUAL HEIGHT BUILDING A:	44 FEET
ACTUAL HEIGHT BUILDING B:	30 FEET
MINIMUM REQUIRED FARM AREA:	3.0 AC
PROPOSED FARM AREA:	0.964 AC



PARCEL CONFIGURATION

BALTIMORE COUNTY TAX MAP 61 - GRID 19	OWNER: 1402 YORK ROAD LLC
PARCEL 253 - TAX ACCOUNT No.: 09-13-201580	DEED REFERENCE: 38033/21
PARCEL 235 - TAX ACCOUNT No.: 09-19-580050	DEED REFERENCE: 31200/403
PARCEL 127 - TAX ACCOUNT No.: 09-05-000900	DEED REFERENCE: 30585/275 (PARCEL 1)
PARCEL 257A - TAX ACCOUNT No.: 18-00-011196	DEED REFERENCE: 30585/275 (PARCEL 2)
PARCEL 257B - TAX ACCOUNT No.: 18-00-011195	DEED REFERENCE: 30585/275 (PARCEL 3)

Polaris
LAND CONSULTANTS

10 GERARD AVENUE
SUITE 101
TIMONUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLANDCONSULTANTS.COM



8/30/17

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 68°38'28" E	28.25'
L2	S 68°07'59" W	6.77'
L3	S 21°52'20" E	10.00'
L4	N 68°07'59" E	6.72'
L5	S 21°35'08" E	21.80'

CURVE TABLE

CURVE	ARC	RADIUS	DELTA	TANGENT	CHORD	BEARING	CHORD
C1	64.72'	212.43'	17°27'22"	32.61'	N 76°49'33" E	64.47'	64.47'

EXISTING
2 SIDED, ILLUMINATED,
FREE-STANDING
ENTERPRISE SIGN
AREA = 49.5 SF

EXISTING SIGN DETAIL

LEGEND

PROPERTY LINE	---
ZONING LINE	DR 5.5 RO
EXISTING CURB	---
PROPOSED FENCE	-x-x-
EXISTING WOODS LINE	~~~~~
PREVIOUS ZONING CASE AREA	---
LANDSCAPE BUFFER	///
PROPOSED FARM	---
TRAFFIC DIRECTION	→
AMENITY OPEN SPACE AREA	...
BUILDING DIRECTION ARROW	FRONT
PROPOSED HEDGEROW	~~~~~



VICINITY MAP

SCALE: 1" = 500'

PREVIOUS ZONING HEARING:

(SEE PLAN VIEW FOR DELINEATED AREA OF PREVIOUS ZONING HEARING)
CASE No.: 87-180-XSPHA
DATE OF ORDER: NOVEMBER 6, 1986
ORDER: (SEE ORDER)

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of November, 1986, that the Petition for Special Exception for a Class B office building in an R-O Zone; a use permit for parking in a residential zone and, as such, the Petition for Special Hearing; and the Petition for Zoning Variance to permit a double-faced, free-standing, illuminated sign totaling 49 1/2 square feet in lieu of the permitted 8 square foot sign attached to a building be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- The Restrictive Covenant Agreement dated October 31, 1986 shall be adopted and made a part of this Order in its entirety.

[Signature]
Zoning Commissioner of
Baltimore County

PLAT TO ACCOMPANY
PETITIONS FOR
SPECIAL HEARING & ZONING VARIANCE
PROPERTY OF

1402 YORK ROAD, LLC

9TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 30' DATE: JULY 22, 2017

OWNER INFO

1402 YORK ROAD, LLC
C/O SAGE DINING SERVICES, INC
#1402 YORK ROAD
LUTHERVILLE, MD 21093
410-339-3950

PETITIONER'S

EXHIBIT NO. 2

1. THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN
2. THIS PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA
3. THIS PROPERTY IS NOT HISTORIC
4. THERE ARE NO KNOWN ACTIVE ZONING VIOLATIONS ON THIS PROPERTY
5. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER
6. THE TYPICAL NON-HANDICAPPED PARKING SPACE SIZE IS 8 1/2 x 18 FEET
7. THERE ARE NO STREAMS OR WETLANDS ON THIS PROPERTY
8. ZONING MAP NO. 14-3
9. HEIGHTS OF ALL PROPOSED BUILDING WILL BE LESS THAN 35 FEET

EXISTING ZONING	RO & DR 5.5
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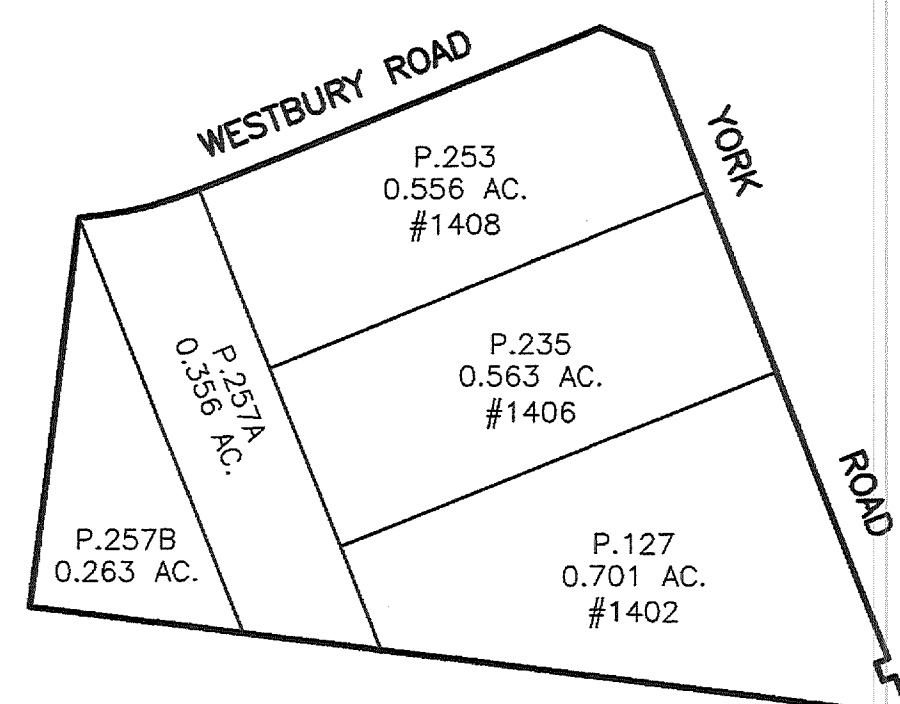
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OWNER: 1402 YORK ROAD LLC

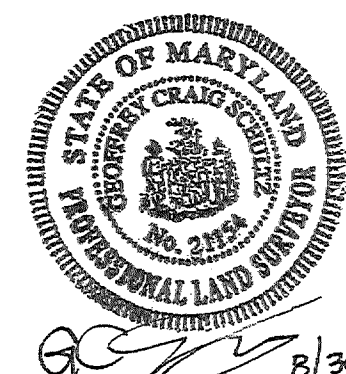
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PROPERTY LINE _____

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PROPOSED FENCE _____ x _____ x _____

EXISTING WOODS LINE _____

PREVIOUS ZONING CASE AREA _____

LANDSCAPE BUFFER

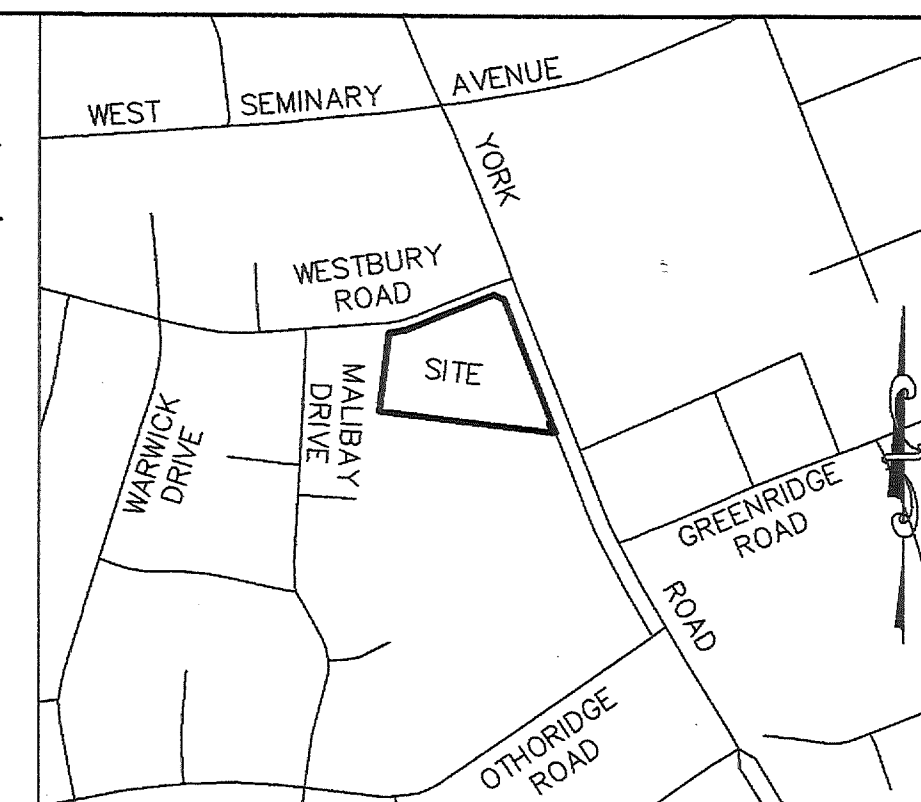
PROPOSED FARM

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SCALE: 1"= 500'

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