MEMORANDUM

DATE:

October 7, 2020

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2020-0074-A - Appeal Period Expired

The appeal period for the above-referenced cases expired on October 6, 2020. 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.'

/dlw

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(1730 York Road)

8th Election District

3rd Council District

Wells Fargo Bank, N.A.

* HEARINGS FOR

* BALTIMORE COUNTY

Petitioner

* CASE NO. 2020-0074-A

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Wells Fargo Bank, N.A., legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from § 409.6.A.2 of the Baltimore County Zoning Regulations ("BCZR") to allow a total of 12 off-street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces and 6-off street parking spaces in lieu of the required 26 parking spaces for commercial uses other than a standard restaurant, as depicted on the alternative site plans filed in the case. In addition Petitioner seeks a variance from BCZR § 409.8.A.4 to allow parking spaces in a surface parking facility as close as 8 ft. to the right-of-way line of a public street in lieu of the required 10 ft. Site plans were marked and admitted as Petitioner's Exhibit 1A and 1B.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The contract purchaser, Michael Albo, of the local development firm Maryland Financial Investors, appeared in support of the Petition. Josh Sharon, P.E., the engineer who prepared the site plans, also attended the hearing. Based on his credentials and experience he was accepted as an expert in land development, engineering, and the BCZR. David Karceski, Esq. appeared and represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Zoning Advisory

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Date_	9-4-2020	-
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Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS") and from the Department of Planning ("DOP"). Neither agency opposed the requested relief.

The site is approximately .62 acres in size and zoned BL-CCC. Mr. Karceski explained that the structure on the site previously housed a bank. The site has been vacant for approximately four years. The contract purchaser, Maryland Financial Investors, own numerous other properties along the York Road corridor and elsewhere in the County. They are committed to revitalizing the property and securing appropriate tenants. Mr. Karceski explained that they have filed alternative site plans because they are not yet sure what type of business or businesses will be moving in.

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).

As Mr. Karceski explained, the site in question is unique in several ways. First, it is irregularly shaped and has numerous "pinch points" that limit the number of feasible parking spaces. In addition, the existing building is sited closer to York Road than most others in the vicinity. It is therefore unique. Petitioner and the contract purchaser will experience practical difficulty and hardship if the variance relief is denied because they will be unable to redevelop the property. Based on the record evidence I find that the requested relief can be granted within the spirit and intent of the BCZR and without causing harm to the public health, safety and welfare. The testimony and exhibits establish that there is more than adequate parking in the surrounding shopping center parking lots, and there is an easement in favor of the Petitioner which allows them

Date___9-4-2020

3v 9

public.

THEREFORE, IT IS ORDERED, this 4th day of September, 2020, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from the BCZR pursuant to § 409.6.A.2 to allow a total of 12 off-street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces; and, alternatively, to allow 6-off street parking spaces in lieu of the required 26 parking spaces for commercial uses other than a standard restaurant, as listed on the site plans filed in the case; and to allow parking spaces in a surface parking facility 8 ft. from the right-of-way line of a public street in lieu of the required 10 ft. be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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.
- Prior to the issuance of permits Petitioner must comply with paragraph 2 of the ZAC comments submitted by DOP, a copy of which is attached hereto and made a part. hereof.1

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

Managing Administrative Law Judge

for Baltimore County

PMM/dlm

Date 9-4-2020	
•	

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¹ This opinion and Order takes no position on the DEPS comments concerning the need for a Development Review Committee meeting to determine plan process prior to the issuance of ORDER STELLES OF CONSTRUCTION REUNITS.

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

Office of Administrative Law of Baltimore County for the property located at:

Deed References: 11111 - 206 10 Digit Tax Account #	s presently zoned <u>BL-CC</u> 0805074402	0,00
Property Owner(s) Printed Name(s) First Fidelity Bank (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:		
2 a Special Exception under the Zoning Regulations of for	Baltimore County to use the	ne herein described property
3. X a Variance from Section(s) SEE ATTA	CHMENT No. 1	
of the zoning regulations of Baltimore County, to the zonin (Indicate below your hardship or practical difficulty or you need additional space, you may add an attachme	indicate below "10 BE I	, for the following reasons: PRESENTED AT HEARING". If
TO BE PRESENTE	ED AT HEARING	
Property is to be posted and advertised as prescribed by the Zohling regular, or we, agree to pay expenses of above petition(s), advertising, posting, earnd restrictions of Baltimore County adopted pursuant to the zoning law for Legal Owner(s) Affirmation: I/we do so solemnly declare and affirm, un which is the subject of this / these Petition(s). Contract Purchaser/Lessee:	r Baltimore County	/ We are the legal owner(s) of the property
	See Attachment No	. 3
Name - Type or Print	Name #1 – Type or Print	Name #2 - Type or Print
Signature CEIVED 200	Signature #1	Signature #2
See Attachment No. 2 Name – Type or Print Signature Mailing Address Talantage # Email Address	Mailing Address Cit	y State
Zip Coule Telephone # Email Address	Zip Code Telepho	one # Email Address
Attorney for Petitioner: (For Contract Purchaser)	Representative to be co	ntacted:
David Karceski, Esquire	David Karceski, Esquire	
Name - Type or Print	Name – Type of Print	
Signature 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland Mailing Address City State	Signature 210 W. Pennsylvania Aven Mailing Address	ue, Suite 500, Towson, Maryland City State
21204/ 410-494-6285dhkarceski@Venable.comZip CodeTelephone #Email Address	21204 / 410-494-620 Zip Code Telepho	
CASE MUMPER 20-MULA Filling Date 3 9,20		Reviewer

REV. 10/4/11

PETITION FOR VARIANCE 1730 York Road Attachment No. 1

- 1. Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a total of 14 off-street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces and 6 off-street parking spaces in lieu of the required 20 parking spaces for commercial uses other than a standard restaurant, as listed on the site plan filed in the case.
 - 2. Variance from Section 409.8.A.4 of the B.C.Z.R. to allow parking spaces in a surface parking facility as close as 8 feet to the right-of-way line of a public street in lieu of the required 10 feet.

PETITION FOR VARIANCE 1730 York Road Attachment No. 2

Contract Purchaser:

MFR Realty, Inc., a Maryland Corporation

By:

Beverly Dobrochowski, Vice President

2800 Quarry Lake Drive, Suite 340 Baltimore, Maryland 21209 (410) 308-0700

PETITION FOR VARIANCE 1730 York Road Attachment No. 3

Legal Owner:

Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, National Association, formerly known as First Union National Bank, formerly known as First Fidelity Bank, Nation Association

By:

Robert S. Pardon, Vice President – Real Estate
Transaction Manager Retail Group – Mid Atlantic,
Wells Fargo-Corporate Properties Group
4340 Innslake Drive – 1st Floor
Mail Code R3458-012
Glen Allen, VA 23060
(804) 398-7889

robert.s.pardon@wellsfargo.com

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS



December 10, 2019

ZONING DESCRIPTION FOR 1730 YORK ROAD

Beginning for the same at a point on the west side of York Road, 66 feet wide, and in the southeasterly corner of Parcel 1, as shown on the "Plat Showing Property of Giant Food, Inc." in deed between Giant Food Properties, Inc. and Clark F. Mackenzie, John A. Luetkemeyer, Jr. and Harold Grant Hathaway, Joint Ventures, dated April 1, 1968 and recorded among the land records of Baltimore county in Liber 4862, Folio 087; said point of beginning being also situate at the beginning of the first line of the same land which by deed dated October 30, 1968 and recorded in liber 4934, folio 351 was conveyed by Harold Grant Hathaway, et al. to the Equitable Trust Company; thence leaving York Road and binding along the outlines of said deed the following three courses and distances:

- 1) North 86°26'23" West 149.35' to a 1/2" rod and cap found;
- 2) North 20°17'08" West 134.15' to a 1/2" rod and cap found;
- 3) North 74°39'52" East 137.18' to a "x" mark set;
- 4) Thence binding thereon, South 20°15'47" East 182.69 feet to the place of beginning.

Containing 21,646.62 square feet or 0.4969 acres of land, more or less, being located in the 8th Election District and 3rd Councilmanic District of Baltimore County, Maryland.

I certify that this description was either personally prepared by me or I was in responsible charge of its preparation.



1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

MORRIS & RITCHIE ASSOCIATES, INC.

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- 1) North 86°26'23" West 149.35' to a ½" rod and cap found;
- 2) North 20°17'08" West 134.15' to a ½" rod and cap found:
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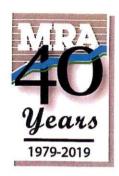


1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

2020-0074-A

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS. AND LANDSCAPE ARCHITECTS



December 10, 2019

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2020-0074-A

(703) 674-0161 (984) 200-2103

(302) 326-2200

	2020-0074-A
	RE: Case No.:
	Petitioner/Developer:
	Wells Fargo Bank, N.A.
	MFR Reality, Inc.
	September 3, 2020 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 posted conspicuously on the property located	f perjury that the necessary sign(s) required by law were dat:
1730 York Road SIGN 1	
	August 14, 2020
The sign(s) were posted on	(Month, Day, Year)
	Sincerely, August 14, 2020
•	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
CASE # 2020-0074-A A PUBLIC HEARING WILL BE HELD BY	(Print Name)
THE ADMINISTRATIVE LAW JUDGE IN TOWSON, MD.	(z.meriame)
Hearing: Thursday, September 3, 2020 at 10:00 a.m.	1508 Leslie Road
For information on how to participate in the hearing please go to www.baltimorrecounty.ori.gov/adminhearings. You will be asked to provide your contact information and the case number provided	(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

	2020-0074-A RE: Case No.:
	Petitioner/Developer:
	Wells Fargo Bank, N.A. MFR Reality, Inc.
	September 3, 2020 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
This letter is to certify under the penalties of posted conspicuously on the property located	perjury that the necessary sign(s) required by law were at:
1730 York Road SIGN 2	
The sign(s) were posted on	August 14, 2020
	(Month, Day, Year)
Si	ncerely
	August 14, 2020
ZONING	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW MISSES	(Print Name)
Hearing: Ihursday, September 3, 2020 at 10:00 a.m.	1508 Leslie Road
For information on how to participate in the hearing please go to www.battimprecountry disportant internation and the case You will be asked to provide your contact information and the case You will be asked to provide your contact information and the case mumber provided above; You may also call 410-887-3868, ext. 0. REQUEST: You will be asked to REQUEST: You will be REQUEST	(Address)
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PRINTED THE CONTROL OF THE CONTROL O	(City, State, Zip Code)
14/202	(410) 282-7940
	(Talanhana Numban)

	2020-0203-A
	RE: Case No.:
	Petitioner/Developer:
	Brian Hamilton
	August 31, 2020 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
This letter is to certify under the penalties posted conspicuously on the property locat	of perjury that the necessary sign(s) required by law were led at:
1027 Marshane Road SIG	N 1
The sign(s) were posted on	August 16, 2020
	(Month, Day, Year)
	Sincerely, August 16, 2020
	(Signature of Sign Poster) (Date)
ZONING NOTICE	(Sales)

		2020-0203-A
	RE: Case No.:	
	Petitioner/Developer:	
		Brian Hamilton
	Date of Hearing/Closing:	August 31, 2020
Baltimore County Departmen Permits, Approvals and Inspe County Office Building, Roon 111 West Chesapeake Avenue Fowson, Maryland 21204	ctions 1 111	
Attn: Kristen Lewis:		
Ladies and Gentlemen:		
	the penalties of perjury that the necessary sign(s) reporty located at:	
027 Marshane Road	SIGN 2	
The sign(s) were posted on	August 16, 2020	
ine sign(s) were posted on	(Month, Day, Year)	



(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

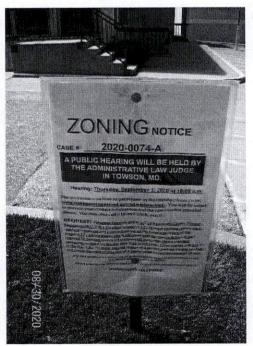
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

	2020-0074-A
	RE: Case No.:
	Petitioner/Developer:
	Wells Fargo Bank, N.A. MFR Reality, Inc.
	September 3, 2020 Date of Hearing/Closing:
Baltimore County Department of	
Permits, Approvals and Inspections County Office Building, Room 111	RECEIVED
111 West Chesapeake Avenue Towson, Maryland 21204	AUG 3 1 2020
Attn: Kristen Lewis:	OFFICE OF ADMINISTRATIVE HEARING
Ladies and Gentlemen:	
This letter is to certify under the penalties of per posted conspicuously on the property located at:	jury that the necessary sign(s) required by law were
1730 York Road SIGN 1 R	Recertification
And Section 1997 to 19	gust 14, 2020
The sign(s) were posted on(N	Month, Day, Year)

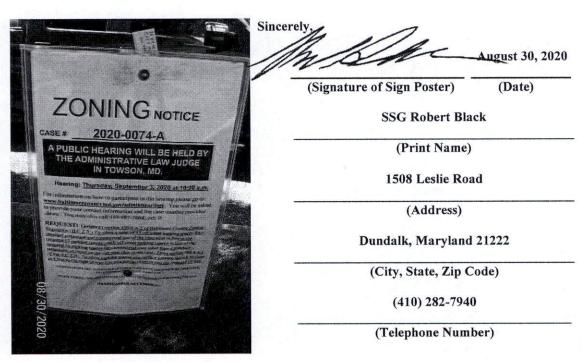


ely	August 30, 2020
	(Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
_	(Telephone Number)

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September 1985 Septem

	2020-00/4-A
	RE: Case No.:
	Petitioner/Developer:
	Wells Fargo Bank, N.A.
	MFR Reality, Inc.
	September 3, 2020
	Date of Hearing/Closing:
Baltimore County Department of	
Permits, Approvals and Inspections County Office Building, Room 111	RECEIVED
111 West Chesapeake Avenue	AUG 0 1 2020
Towson, Maryland 21204	AUG 3 1 2020
Attn: Kristen Lewis:	OFFICE OF ADMINISTRATIVE HEARINGS
Ladies and Gentlemen:	
	ies of perjury that the necessary sign(s) required by law were cated at:
1730 York Road SIGN	2 Recertification
The sign(s) were posted on	August 14, 2020
The sign(s) were posted on	(Month, Day, Year)



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JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director Department of Permits, Approvals & Inspections

August 11, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0074-A

1730 York Road

W/side of York Road, southeast of West Ridgley Road

8th Election District - 3rd Councilmanic District

Legal Owners: Wells Fargo Bank, N.A. Contract Purchaser: MFR Realty, Inc.

Variance (section 409.6.A.2 of the Baltimore County Zoning Regulation (B.C.Z.R.) To allow a total of 12 off street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces and 6 off street parking spaces in lieu of the required 26 parking spaces for commercial uses other than a standard restaurant, as listed on the site plan filed in the case. From section 409.8.A.4 of the B.C.Z.R. To allow parking spaces in a surface parking facility as close as 8 feet to the right of way line of a public street in lieu of the required 10 feet.

Hearing: Thursday, September 3, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Beverly Dobrochowski, 2800 Quarry Lake Drive, Ste. 340, Baltimore 21209
Robert Pardon, 4340 Insslake Drive, 1st Fl., Mail code R3458-012, Glen Allen VA 23060

NOTE: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 14, 2020

CE... IFICATE OF POST...G

К	2020-0074-A RE: Case No.:
	Petitioner/Developer:
•	Wells Fargo Bank, N.A. MFR Reality, Inc.
	September 3, 2020 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
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1730 York Road SIGN 1	
	August 14, 2020
The sign(s) were posted on	(Month, Day, Year)
	Sincerely,
	August 14, 2020
ZONING	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE	(Print Name)
Hearing: Thursday, Soptember 3, 2020 at 10,00 n.m.	1508 Leslie Road
To confidentation on how in Articlement in the location phases (10). The same of Himmore countried generalizable for the State of the Article Article State of the Article State	(Address)
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A Section of the Company of the Comp	(City, State, Zip Code)
	(410) 282 7040

(Telephone Number)

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Attn: Kristen Lewis:	
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1730 York Road SIGN 2	•
	gust 14, 2020
The sign(s) were posted on(M	Ionth, Day, Year)
Since	rely
	August 14, 2020
	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
CASE 2020-0074-A APUBLICHEARING WILL BE HELD BY	(Print Name)
Hearing: Thursday, September 3, 2020 5t 50 00 5mm	1508 Leslie Road
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MODES: descriptioning of 20 AS	Dundalk, Maryland 21222
The second of th	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

The Daily Record

200 St. Paul Place Suite 2480 Baltimore, Maryland 21202 1 (443) 524-8100 www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

8/14/2020

Order #:

11908822

Case #:

2020-0074-A

Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0074-A

Darlene Miller, Public Notice Coordinator (Representative Signature)

NOTICE OF ZONING HEARING

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1730 York Road

W/side of York Road, southeast of West Ridgley Road

8th Election District - 3rd Councilmante District Legal Owners: Wells Fargo Bank, N.A. Contract Purchaser, MFR Realty, Inc.

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www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director Department of Permits, Approvals & Inspections

August 11, 2020

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CASE NUMBER: 2020-0074-A

1730 York Road

W/side of York Road, southeast of West Ridgley Road

8th Election District - 3rd Councilmanic District

Legal Owners: Wells Fargo Bank, N.A. Contract Purchaser: MFR Realty, Inc.

Variance (section 409.6.A.2 of the Baltimore County Zoning Regulation (B.C.Z.R.) To allow a total of 12 off street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces and 6 off street parking spaces in lieu of the required 26 parking spaces for commercial uses other than a standard restaurant, as listed on the site plan filed in the case. From section 409.8.A.4 of the B.C.Z.R. To allow parking spaces in a surface parking facility as close as 8 feet to the right of way line of a public street in lieu of the required 10 feet.

Hearing: Thursday, September 3, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204 Beverly Dobrochowski, 2800 Quarry Lake Drive, Ste. 340, Baltimore 21209 Robert Pardon, 4340 Insslake Drive, 1st Fl., Mail code R3458-012, Glen Allen VA 23060

NOTE: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 14, 2020

TO: THE DAILY RECORD

Friday, August 14, 2020 - Issue

Please forward billing to:

Barbara Lukasevich Venable. LLP 210 W. Pennsylvania Avenue, Ste. 500 Baltimore, MD 21204 410-494-6279

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0074-A

1730 York Road

W/side of York Road, southeast of West Ridgley Road

8th Election District - 3rd Councilmanic District

Legal Owners: Wells Fargo Bank, N.A. Contract Purchaser: MFR Realty, Inc.

Variance (section 409.6.A.2 of the Baltimore County Zoning Regulation (B.C.Z.R.) To allow a total of 12 off street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces and 6 off street parking spaces in lieu of the required 26 parking spaces for commercial uses other than a standard restaurant, as listed on the site plan filed in the case. From section 409.8.A.4 of the B.C.Z.R. To allow parking spaces in a surface parking facility as close as 8 feet to the right of way line of a public street in lieu of the required 10 feet.

Hearing: Thursday, September 3, 2020 at 10:00 a.m.

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Michael Mallinoff

A Mun

Director of Permits, Approvals and Inspections for Baltimore County

- RE: PETITION FOR VARIANCE
 1730 York Road; W/S York Road, SE 540'
 to c/line of West Ridgely Road
 8th Election & 3rd Councilmanic Districts
 Legal Owner(s): First Fidelity Bank
 Contract Purchaser(s) MFR Realty, Inc.
 Petitioner(s)
- BEFORE THE OFFICE
- * OF ADMINSTRATIVE
- * HEARINGS FOR
- * BALTIMORE COUNTY
- * 2020-074-A

ENTRY OF APPEARANCE

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

RECEIVED

MAR 17 2020

Reten Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 17th day of March, 2020, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W, Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zunmerman

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:Zozo - 0074-A
Property Address: 1730 Yo-# RJ.
Property Description:
Toperty Description.
_egal Owners (Petitioners):
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Company/Firm (if applicable): Ueneble LLP
Address: 200 W. Pennsylvenia de.
Site 500
Touran, MD ZIZO4
Telephone Number: <u> </u>



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director

Department of Permits,

Approvals & Inspections

August 24, 2020

David Karceski, 210 W. Pennsylvania Ave Suite 500 Towson MD 21204

RE: Case Number: 2020-0074-A, 1730 York Road

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 March 09, 2020. 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.

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR/kl

Enclosures

e: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Hon, Paul M. Mayhew; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

March 17, 2020

SUBJECT:

DEPS Comment for Zoning Item

2020-0074-A

Address

1730 York Road

(First Fidelity Bank Property)

Zoning Advisory Committee Meeting of March 23, 2020.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
 - 1. This project will require presentation to the Development Review Committee (DRC) for determination of plan process prior to issuance of any permits for Grading or Construction.

Reviewer:

Steve Ford

Date: 6/22/2020 Subject: ZAC # 20-074

Page 2

The Ridgely Shopping Center has a variety of uses with Mercy Medical being the closest to this site. The building has been vacant for a while and continuing to have a vacant building at that location is not desirable. The petitioner indicated there was sufficient parking in the shopping center.

One of the action items of the Hunt Valley Timonium Master Plan is to "improve the visual quality of York Road" (Page 28). The Plan calls out the "discordant architecture" on York Road (Page 28). The Department has sought to have new buildings utilize brick or use elements that address the adjacent buildings.

The Department supports the requested variance with the following conditions:

- 1. Petitioner provide an overall parking calculation plan for the Ridgely Shopping Center including the proposed new uses for this site, and
- 2. Petitioner revises the architecture for the building to incorporate materials and/or colors similar to that of the Ridgely Shopping Center (specifically Mercy Medical) and surrounding development in conformance with the desired objectives of the Hunt Valley/Timonium Master Plan.

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

Prepared by:

Krystle Patchak

Division Chief:

Jenifer G. Nuvent

CPG/JGN/kma/

c: Wally Lippincott
David Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Michael D. Mallinoff

DATE: 6/22/2020

RECEIVED

JUN 2 2 2020

OFFICE OF

ADMINISTRATIVE HEARINGS

Director, Department of Permits, Approvals and Inspections

FROM:

C. Pete Gutwald

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 20-074

INFORMATION:

Property Address:

1730 York Road

Petitioner:

MFR Realty, Inc. & Wells Fargo Bank

Zoning:

BL-CCC BL

Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

- 1. A Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to allow a total of 12 off-street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces and 6 off-street parking spaces in lieu of the required 26 parking spaces for commercial uses other than a standard restaurant
- 2. A Variance from Section 409.8.A.4 of the BCZR to allow parking spaces in a surface parking facility as close as 8 feet to the ROW line of a public street in lieu of the required 10 feet.

A site visit was conducted on March 18, 2020. The site area is slightly less than ½ an acre and is currently developed with a one-story structure with an attached canopy on the south providing three drive through lanes. The access to these drive through lanes is through the Ridgely Shopping Center exiting onto York Road. The access on York Road also provides ingress through the front of the site to parking in the Ridgely Shopping Center. The site sits in the southern portion of the Ridgely Shopping Center that includes the Mercy Personal Physicians at Lutherville immediately adjacent and then a number of retail uses in the shopping center.

The Hunt Valley Timonium Master Plan (HV/T Plan) was adopted by the County Council October 19, 1998. Although it is several years old, its objectives have been included in the 2020 Baltimore Master Plan. The HV/T Plan addresses traffic and congestion issues on Page 3, promotes addressing form and structure to improve visual quality on Page 7, development strategies to reduce traffic impacts on Page 28, and finally discordant architecture on Page 28.

The request is asking for a variance of 18 spaces in lieu of 83 spaces on a heavily congested corridor, however, the petitioner advises that parking will be accommodated by the shopping center. The plan provides for access off York Road at the shopping center and directly off York Road and circulates the traffic around the back of the building by movement through the shopping center.



TO:

Hon. Paul M. Mayhew; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

March 17, 2020

SUBJECT:

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(First Fidelity Bank Property)

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Reviewer:

Steve Ford



Larry Hogan Governor Boyd K. Rutherford Lt. Governor Gregory Slater Secretary Tim Smith, P.E. Acting Administrator

April 7, 2020

Ms. Kristen Lewis Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 109 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review the site plan to accompany the petition for a variance on the subject property. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the submittal listed below and is pleased to respond.

1730 York Road
Site Plan Review for Variance
Case No. 2020-0074-A
SHA Tracking No. 17APBA003XX
MD 45 (west side) 675' south of Ridgely Road
Mile Post 4.27
Baltimore County

The plan proposes to convert the existing one way out only entrance on MD 45 to a two-way entrance. This existing entrance is only 18' wide which does not meet the minimum width criteria for a two-way commercial entrance. An access permit would be required for the proposed modification to the existing entrance on MD 45 to this site.

Before providing specific comments regarding the requirements for the entrance, the MDOT SHA requests the opportunity to review a traffic impact study (TIS) to determine the traffic impacts to the surrounding road network, and whether or not to allow the modification of this entrance to full movement. The requested TIS may be submitted to the MDOT SHA through the Salesforce electronic portal for our review, or via email to rezeler@mdot.maryland.gov. Please utilize the above SHA Tracking number when making this submittal.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (x2332) or by email at (<u>rzeller@mdot.maryland.gov</u>).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Hendy Wolcott

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Michael D. Mallinoff

DATE: 6/22/2020

RECEIVED

JUN 2 2 2020

OFFICE OF

ADMINISTRATIVE HEARINGS

Director, Department of Permits, Approvals and Inspections

FROM:

C. Pete Gutwald

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 20-074

INFORMATION:

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Petitioner:

MFR Realty, Inc. & Wells Fargo Bank

Zoning:

BL-CCC BL

Requested Action:

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Ву	60

Date: 6/22/2020 Subject: ZAC # 20-074

Page 2

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

Prepared by:

Kuth Kha

Krystle Patchak

Division Chief:

Jenifer G. Nugent

CPG/JGN/kma/

c: Wally Lippincott
David Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

Date 9-4-2020

By

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: March 10, 2020

4- 2ª

TO: Paul Mayhew, Managing Administrative Law Judge

Office of Administrative Hearings

FROM: Gary Hucik, Planner II, Zoning Review Office

Department of Permits, Approvals & Inspections

SUBJECT: Notification Regarding Zoning Case # 2020-0074-A

The date of March 9, 2020 an Administrative Variance petition filing was held with Property Owner's (Petitioner's) Attorney and Surveyor. At that meeting, I advised the attorney and surveyor that total parking calculations need to reflect total number of spaces for all uses verses the total number of spaces provided. The attorney chose not to file this zoning case petition in that manner, and therefore, the Zoning Review Office is of the opinion that this is an incomplete and incorrect petition filing.

Kristen L Lewis

From:

Karceski, David H. < DKarceski@Venable.com>

Sent:

Tuesday, August 11, 2020 12:43 PM

To: Cc:

Kristen L Lewis Robinson, Drew

Subject:

RE: 1730 York (case # 2020-74-A)

CAUTION: This message from DKarceski@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Josh Sharon Mike Albo Sarah Baum **Thomas Sheckells** Nicole reedy **Drew Robinson** David Karceski

Thank you

Sent with BlackBerry Work (www.blackberry.com)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Date: Tuesday, Aug 11, 2020, 12:40 PM

To: Karceski, David H. < DKarceski@Venable.com> Cc: Robinson, Drew < CARobinson @Venable.com>

Subject: RE: 1730 York (case # 2020-74-A)

Caution: External Email

David, We need actual names associated with the emails for the webex database.

Kristen Lewis PAI - Zoning Review 410-887-3391

From: Karceski, David H. [mailto:DKarceski@Venable.com]

Sent: Tuesday, August 11, 2020 12:24 PM

To: Kristen L Lewis <klewis@baltimorecountymd.gov> Cc: Robinson, Drew < CARobinson@Venable.com>

Subject: 1730 York (case # 2020-74-A)

CAUTION: This message from DKarceski@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Kristen

Here are the email addresses for the Webex invite for the hearing

Sarah@mfimanagement.com
Malbo@mfimanagement.com
Jsharon@mragta.com
Nreedy@mragta.com
Tsheckells@mragta.com
Carobinson@venable.com

Thank you David

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COVID-19

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Kristen L Lewis

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Karceski, David H. < DKarceski@Venable.com>

Sent:

Tuesday, August 11, 2020 12:43 PM

To: Cc: Kristen L Lewis Robinson, Drew

Subject:

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Josh Sharon
Mike Albo
Sarah Baum
Thomas Sheckells
Nicole reedy
Drew Robinson
David Karceski

Thank you

Sent with BlackBerry Work (www.blackberry.com)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Date: Tuesday, Aug 11, 2020, 12:40 PM

To: Karceski, David H. <<u>DKarceski@Venable.com</u>>
Cc: Robinson, Drew <<u>CARobinson@Venable.com</u>>
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To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Robinson, Drew <CARobinson@Venable.com>

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Kristen

Here are the email addresses for the Webex invite for the hearing

Sarah@mfimanagement.com Malbo@mfimanagement.com Isharon@mragta.com Nreedy@mragta.com Tsheckells@mragta.com Carobinson@venable.com

Thank you David

Sent with BlackBerry Work (www.blackberry.com)

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8/11/2020 **Event Information**

Event Information

Event: Type:

Zoning Hearing - 1730 York Road

Listed Event

Event address for attendees:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ea5f014911aa18916fb7fb0d7c551ad04

Event address for panelists:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e767c616fa1721427f4cf69724742fab9

Date and time:

Thursday, September 3, 2020 10:00 am Eastern Daylight Time (New York, GMT-04:00)

1 hour

Duration: Description:

Zoning Hearing

Case No: 2020-0074-A Address: 1730 York Road

Owner(s): Wells Fargo Bank, N.A.

Event number:

160 001 3275

Event password: Host key:

1234 139251

Alternate Host:

Debra Wiley, Henry Ayakwah, Paul Mayhew

Panelist Info:

Panelist password:

Panelist numeric password:

591409

Video Address:

1600013275@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Audio conference:

US Toll

+1-415-655-0001

Show all global call-in numbers Access code: 160 001 3275

Maximum number of registrants:

Destination address after event:

Host image;

Attendee list available for viewing by: Host, presenter and panelists only

Event material:

None Νo

10000

Post-event survey: Email configured:

Pending, Approved, Rejected

Registration Information

Registration ID required:

No

Password required:

Password:

No

Approval required: Nο No

Custom registration form: After registration, go to URL:

Manage Registrations

Delete Event

Edit Event

Start Ever

You can st

event by c Start Now.

Start

Send Eve

You can se

emails by Send Ema

Send I

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Subject: Web seminar scheduled: Zoning Hearing - 1730 York Road

Location: https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?

MTID=e80c97919dfecafffedb342c8311a8871

Start: Thu 9/3/2020 10:00 AM

End: Thu 9/3/2020 11:00 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: webex

CAUTION: This message from messenger@webex.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 160 001 3275

Thursday, September 3, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e80c97919dfecafffedb342c8311a Event address for panelists:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ece112436ac8a97742fd35454fe⁻



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1600013275@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 591409

ı.	· 'If you are a host, click here to view host information: https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ef6b300859bb8734d80042c12ef0e2c31							
	·							
	Need help? Go to http://help.webex.com							

From: Michael Albo <malbo@mfirealty.com>

Sent: Tuesday, August 11, 2020 1:18 PM

To: Donna Mignon

Subject: Accepted: Invitation to join Web seminar as a panelist: Zoning Hearing - 1730 York

Road

CAUTION: This message from malbo@mfirealty.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

1

From: Sheckells, Thomas <TSheckells@mragta.com>

Sent: Monday, August 17, 2020 3:50 PM

To: Donna Mignon

Subject: Declined: Invitation to join Web seminar as a panelist: Zoning Hearing - 1730 York Road

CAUTION: This message from TSheckells@mragta.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Vorder-



Support/Oppose/

CHECKLIST

Comment Received	Conditions/ Comments/ No Comment		
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)		
3/17	DEPS (if not received, date e-mail sent)	Comment	
	FIRE DEPARTMENT		
4/22	PLANNING (if not received, date e-mail sent)	Comment	
	STATE HIGHWAY ADMINISTRATION		
S	TRAFFIC ENGINEERING		
	COMMUNITY ASSOCIATION		
	ADJACENT PROPERTY OWNERS		
ZONING VIOLAT	TON (Case No		
PRIOR ZONING	(Case No.		
NEWSPAPER AD	VERTISEMENT Date:	_	
SIGN POSTING (1st) Date: \$14\20	by 59t-Black	
SIGN POSTING (2	2 nd) Date: 8,30,20	by	
	SEL APPEARANCE Yes No C		
Comments, if any:			

From: Robinson, Drew <CARobinson@Venable.com>

Sent: Wednesday, September 2, 2020 2:24 PM

To: Donna Mignon

Subject: Case No. 2020-74-A 10AM 9/3

CAUTION: This message from CARobinson@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna.

If you haven't heard enough from me at this point I'm sure this email will push you over the edge...

Two of our speakers for our hearing tomorrow need the invitation (re)sent. I don't think David included Mark on the original request email, and Mike Albo cannot locate his invitation. Could you please send the invitations again? Here is their information:

Mark Keeley <u>mkeeley@traffic-concepts.com</u> Michael Albo malbo@mfirealty.com

I sent an email to all of our speakers asking them to check for the invite, which led to this email. I know the rule is that speakers must be requested well in advance, but our clients and witnesses have either lost the invite email or didn't properly save it to begin with. I apologize for the extra work and grief we've caused you and your office, and will try to alert our witnesses in advance to save the invites for our next case.

Thanks again. Hopefully I can leave you alone for the rest of the week!

Shamefully,

Drew

C. Andrew Robinson, Esq. | Venable LLP t 410.494.6279 | f 410.821.0147 | m 443.600.0302 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CARobinson@Venable.com | www.Venable.com

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

From:

Donna Mignon

Sent:

Monday, August 31, 2020 9:17 AM

To:

'Karceski, David H.'; 'Robinson, Drew'

Subject:

1730 York Road Case No: 2020-0074-A

Good Morning,

Just a reminder that the hearing is coming up on September 3, 2020 at 10:00 a.m.

Please email any exhibits you wish to present at the hearing to <u>admininstrativehearings@baltimorecountymd.gov</u> 48 hours prior to the hearing date.

Thank you and have a great day.

Donna Mignon, Legal Assistant Baltimore County Office of Administrative Hearings 105 West Chesapeake Avenue, Suite 103 Towson, Maryland 21204 410-887-3868

Debra Wiley

From:

SGT ROBERT BLACK <1opie@comcast.net>

Sent:

Sunday, August 30, 2020 10:52 PM

To:

CARobinson@Venable.com; DKarceski@Venable.com; Administrative Hearings

Subject:

Recertification's For 2020-0074-A

Attachments:

Re-Cert 1 2020-0074-A.doc; Re-Cert 2 2020-0074-A.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 1730 York Road. Thanks.

RECEIVED

AUG 3 1 2020

OFFICE OF ADMINISTRATIVE HEARINGS

RECEIVED

Real Property Data Search

Search Result for BALTIMORE COUNTY

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ZAC AGENDA

Case Number: 2020-0074-A
Existng Use: COMMERCIAL F

Reviewer: Gary Hucik
Proposed Use: COMMERCIAL

Type: VARIANCE

Legal Owner: First Fidelity Bank

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No Flood Plain: No Historic: No Election Dist: 8 Council Dist: 3

Property Address: 1730 YORK RD

Location: West side of York Road South East 540' to the center line West Ridgely Road.

Existing Zoning: BL, BL-CCC

Area: .62 AC

Proposed Zoning:

VARIANCE:

From section 409.6.A.2 of the Baltimore County Zoning Regulation (B.C.Z.R.) To allow a total of 12 off street parking spaces for a standard restaurant and commercial use of the basement in lieu of the required 57 parking spaces and 6 off street parking spaces in lieu of the required 26 parking spaces for commercial uses other than a standard restaurant, as listed on the site plan filed in the case.

From section 409.8.A.4 of the B.C.Z.R. To allow parking spaces in a surface parking facility as close as 8 feet to the right of way line of a public street in lieu of the required 10 feet.

Attorney: David H. Karceski

Prior Zoning Cases: R-1955-3307-X; R-1965-0304-X

Concurrent Cases: None Violation Cases: None

Closing Date:

Miscellaneous Notes:

From:

Sheckells, Thomas <TSheckells@mragta.com>

Sent:

Monday, August 17, 2020 3:50 PM

To:

Donna Mignon

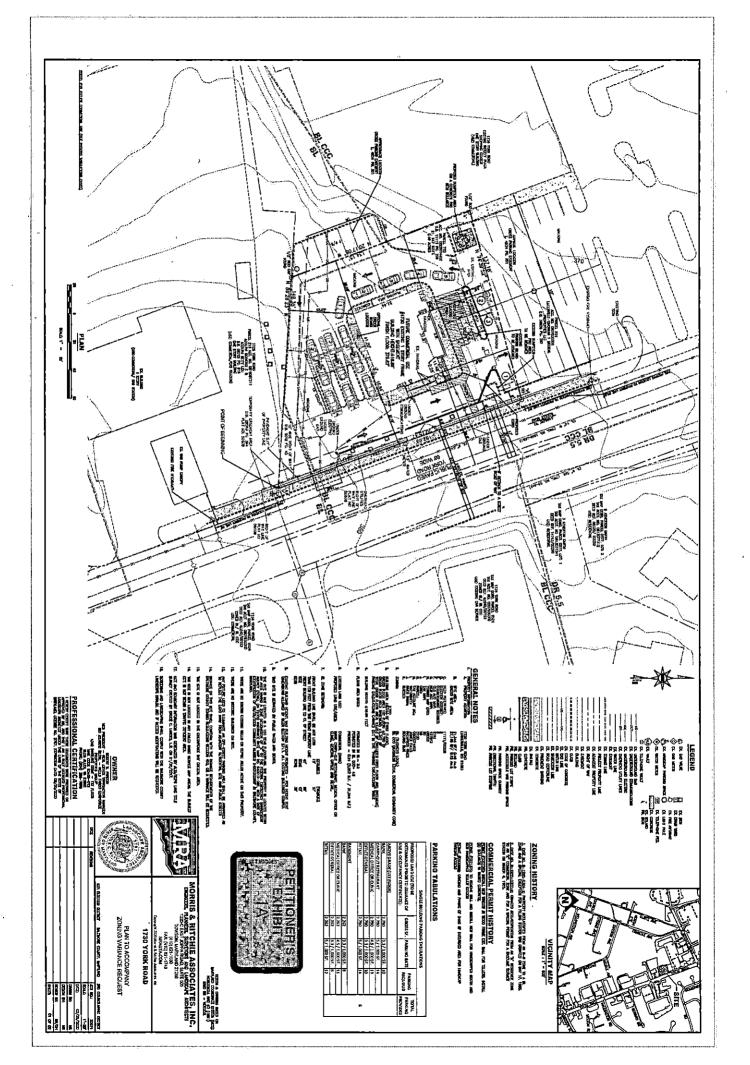
Subject:

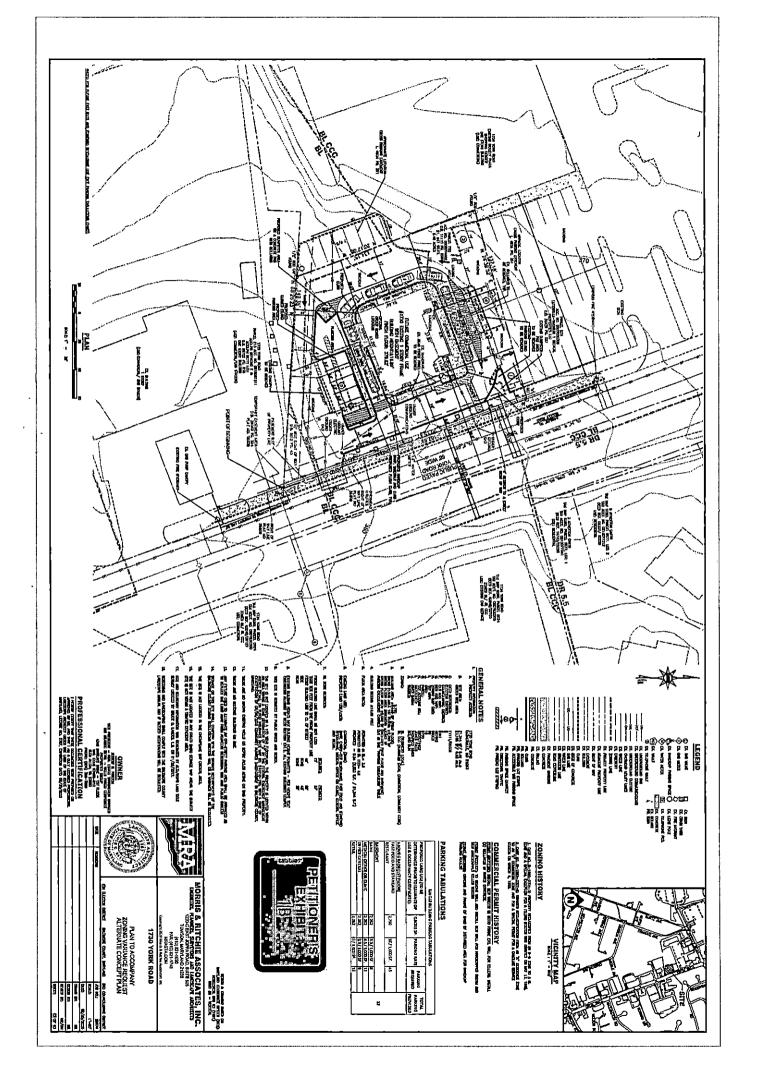
Declined: Invitation to join Web seminar as a panelist: Zoning Hearing - 1730 York Road

CAUTION: This message from TSheckells@mragta.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Ms. Kristen Lewis 1730 York Road Case 2020-0074-A SHA Tracking No. 17APBA003XX April 7, 2020 Page 2

Morris & Ritchie Associates, Inc. / 1220-C East Joppa Road, Suite 505, Towson, MD 21286
 Mid Atlantic Retail – Wells Fargo Corporate Property Group c/o Mr. Robert S. Pardon 4340 Innslake Drive, 1st Floor, Glen Allen, VA 23060
 Ms. Vanessa Braddy, MDOT SHA District 4 Traffic
 Mr. John Vananzo, MDOT SHA District 4 Utilities
 Mr. Wil Clark, MDOT SHA District 4 Maintenance







JOSHUA T. SHARON P.E, L.S.I.T, LEED AP BD+C.

Project Assignment:

Principal

Years of Experience:

MRA:

14

Education:

B.S., Civil Engineering, University of Maryland, 2005

Active Registrations:

Professional Engineer - Maryland,

Land Surveyor in Training-Maryland,

LEED Accredited Professional,

Professional Affiliations:

American Society of Civil Engineers

National Society of Professional Engineers

Maryland Society of Professional Engineers

Recognitions:

2009 Consultant of the Year by the Baltimore County Soil Conservation District



Qualifications:

Mr. Sharon is a Principal with Morris & Ritchie Associates, Inc.'s Towson office. Mr. Sharon has a comprehensive background in the civil engineering field. He has worked with Morris & Ritchie Associates on a variety of projects located in Baltimore City, Baltimore County, Anne Arundel County, Harford County, Garrett County and Frederick County.

Mr. Sharon has extensive experience in the design and development of an assortment of site development projects including single-family residential communities, multi-tenant neighborhoods, commercial properties, retail centers, hospitality buildings and telecommunication sites. He has extensive knowledge of the procedures for processing permits and developments through Baltimore County and other jurisdictions.

As a Principal in MRA's Towson office, Mr. Sharon is responsible for engineering design of development projects, day-to-day management of client services and preparation of construction documents.

Mr. Sharon has extensive design experience that includes site layout and design, grading, earthwork analysis, storm drain and utility design, hydrology and hydraulic analysis and design, erosion and sediment control design, culvert analysis and design, roadway design and stormwater management design for both commercial lots and residential subdivision projects.

Mr. Sharon is experienced in developing alternatives analysis to evaluate cost effective design options, and solving design problems with severe site constraints.

Examples of Mr. Sharon's project experience include:



Mixed Use:

1 Light Street, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of the construction of the 28-storey mixed use building with apartments, office, and retail uses, in the downtown business district.

5601 Eastern Avenue aka Yard 56, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of the redevelopment PUD project with retail, restaurants, fitness and grocery store, hotel and apartment uses.

CPC Falls Road aka Bluestem, Baltimore County, Maryland - Civil Project Engineer for engineering design of the proposed 6-acre redevelopment project with retail, office, restaurants, and 152 apartments adjacent to Lake Roland Park.

Martin's Landing and The Runway at Martin's Landing, Baltimore County, Maryland - Civil Project Engineer for site planning engineering design of the proposed 60-acre redevelopment project with retail, office, restaurants, recreational and apartments, on the former Middle River Depot campus adjacent to Martin's State Airport.

Crown, Cork & Seal, Baltimore City, Maryland - Civil Project Engineer for engineering design of the proposed redevelopment project with proposed uses to include retail, restaurants, wellness, grocery, hotel and other residential uses.

Shopping Centers:

6300 York Road, Baltimore City, Maryland - Civil Project Engineer for engineering design of an inline-retail addition project to a successful shopping center.

801 Goucher Boulevard, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design for redevelopment of a 14.5-acre shopping center containing over 157,000 s.f. of retail space.

725 Butler Road, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design of a commercial center consisting of historic buildings and new construction. Project work included the first pervious concrete stormwater management design solution in Baltimore County.

Martin Plaza, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design for redevelopment of the 25-acre shopping center for two large box retail anchors, pad sites, and drive-thru restaurants.

Magothy Gateway, Anne Arundel County, Maryland - Civil Project Engineer for site planning and engineering design for redevelopment of the 17-acre shopping center with retail, restaurant, bank and service uses.



Apartments:

10 Light Street, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of the conversion of the 10 Light Street building from office to 430 residential apartments.

1517 Eutaw Place, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of the 4-storey apartment building redevelopment project.

Hotels:

Riparius Lot #1, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design of an 88 room Holiday Inn Express located on an undeveloped parcel hindered by grade changes, environmental constraints and requiring an underground stormwater management facility to meet local and state regulations.

Residential Projects:

Allender Road, Baltimore County, Maryland - Civil Project Engineer on team designing a 173-unit single-family home community located on Allender Road with stormwater management challenges including dual design discharge points.

Meadowvale, Baltimore County, Maryland - Civil Project Engineer engineering design team for Phase 1 of a 103-unit single family community located in an area of severe grade changes and limited by existing drainage patterns and environmental constraints.

The Preserve at Windlass Run, Baltimore County, Maryland - Civil Project Engineer on engineering design team for a 412-unit development mixed with single family and town homes located off of White Marsh Boulevard, surround by environmentally sensitive areas and requiring seven stormwater management facilities.

Foundry Station, Baltimore County, Maryland - Civil Project Engineer on engineering design team for a 185 townhome unit re-development project of the former Seagram's Brewing company in Dundalk, MD in cooperation with Maryland Department of the Environments Response Action Plan (RAP).

The Courts of Hidden Waters, Baltimore County, Maryland - Civil Project Engineer on engineering design team for a 24 single family unit project along Old Court Road in the Greenspring area.

Williams Fields, Baltimore County, Maryland - Civil Project Engineer on engineering design team for a 20 single family unit project along Philadelphia Road in the Honeygo area.

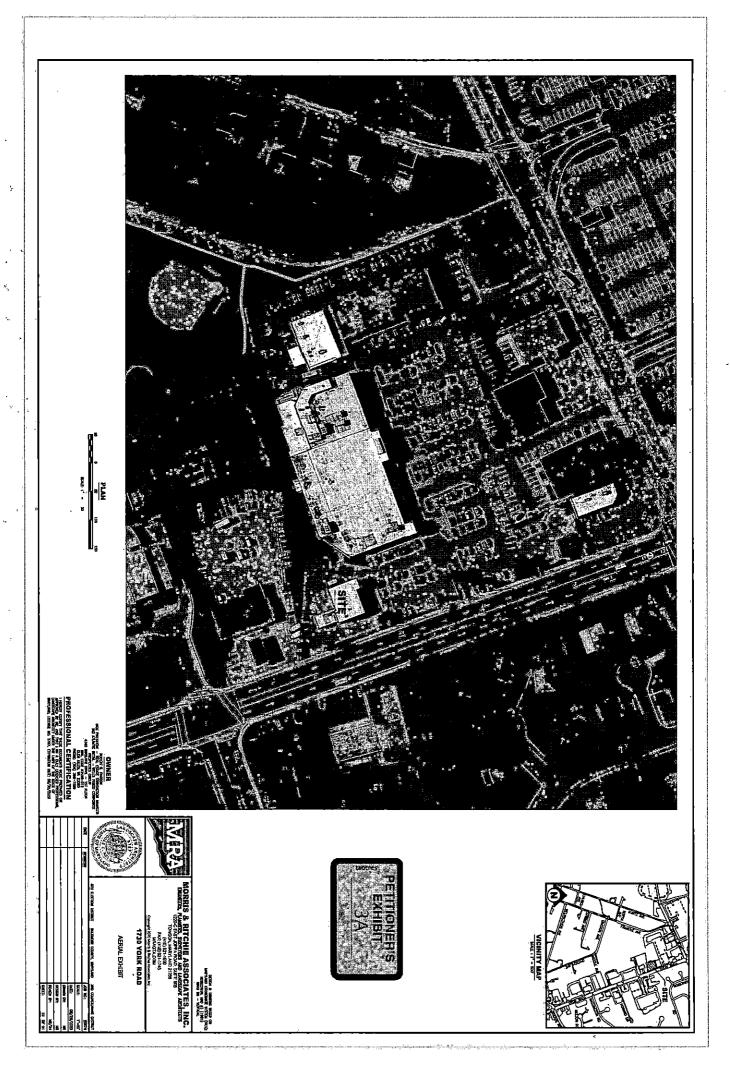
1001 Rutland, Baltimore City, Maryland - Civil Project Engineer on for site planning and engineering design of a 34 unit townhome project on the new (2018) Baltimore City Eager Square Park.

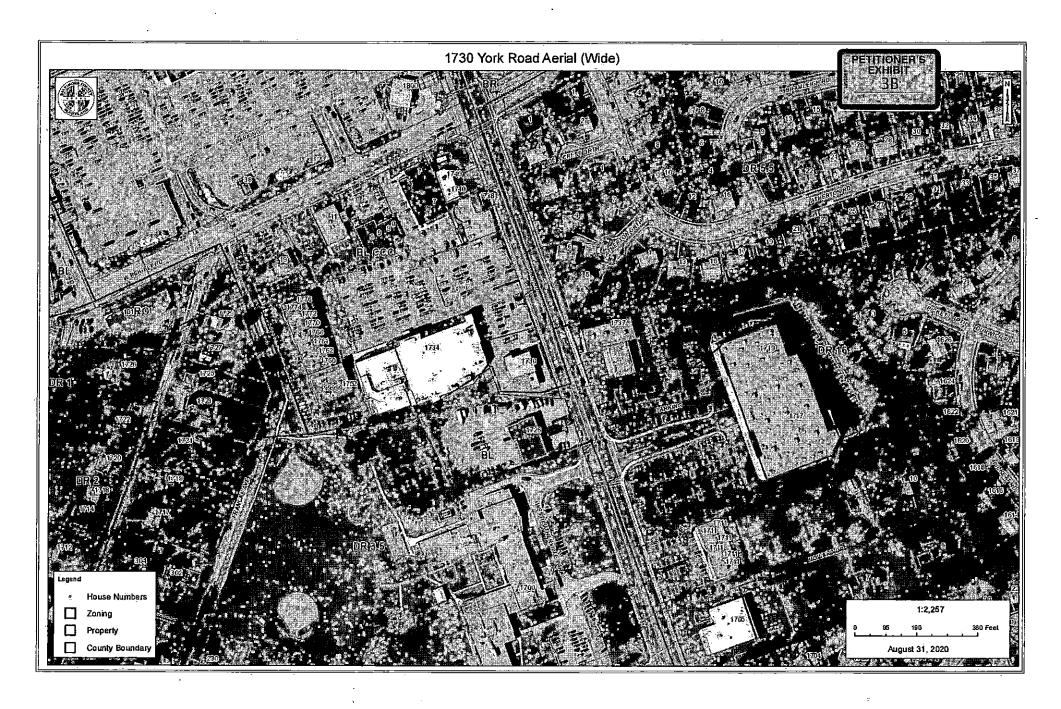
1800 North Castle Street, Baltimore City, Maryland - Civil Project Engineer on for site planning and engineering design of a 62 unit townhome project in the East Baltimore area near Johns Hopkins hospital.

Service Projects:

Royal Farms Store #008, #232, #266, #302, Baltimore County, Maryland - Civil Project Engineer on team designing multiple fuel service with convenience stores throughout the Baltimore County region.

Wawa Fuel and Convenience Stores, Baltimore County, Maryland - Civil Project Engineer on team designing multiple fuel service with convenience stores throughout the Baltimore County region.









VICINITY MAP

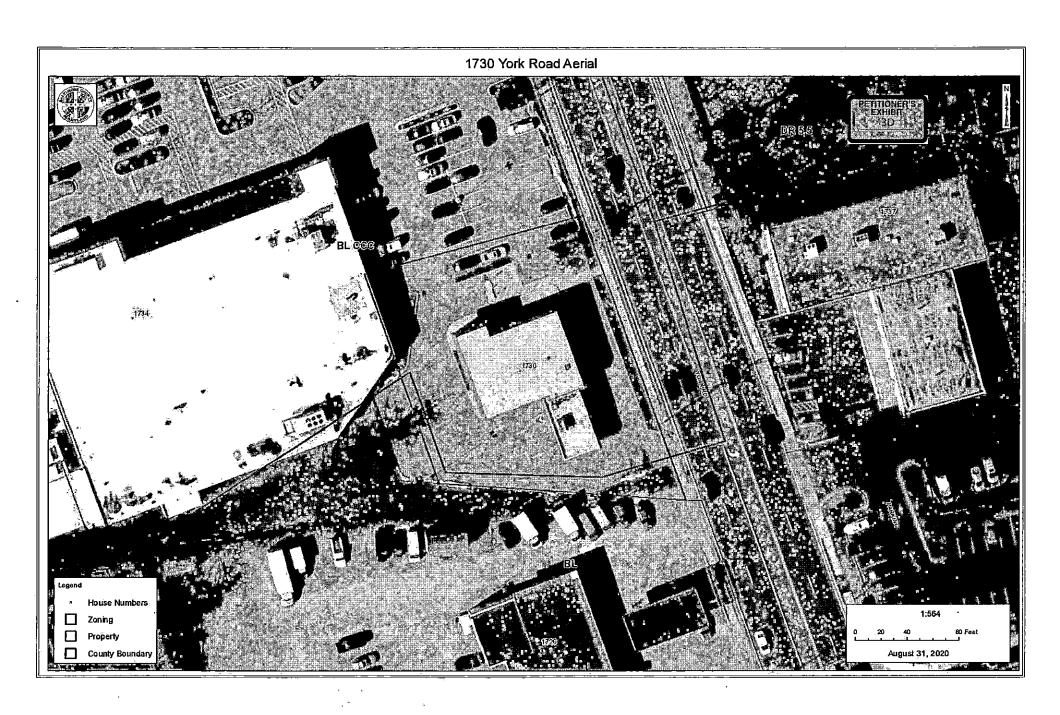


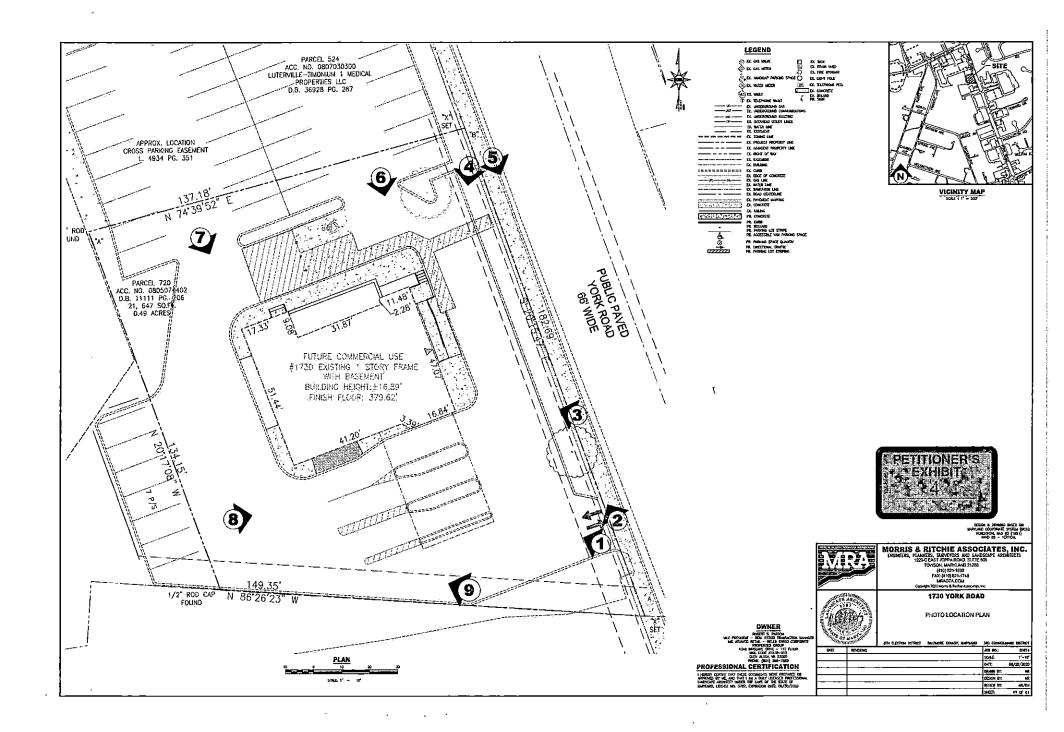
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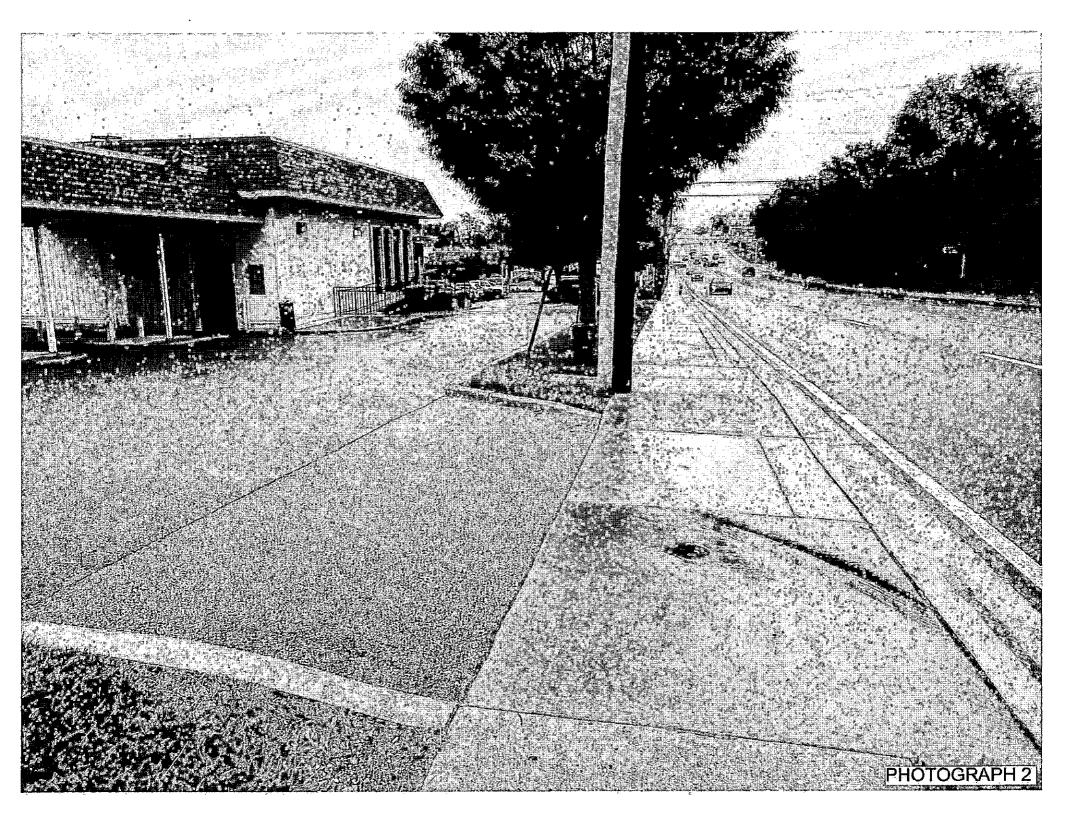
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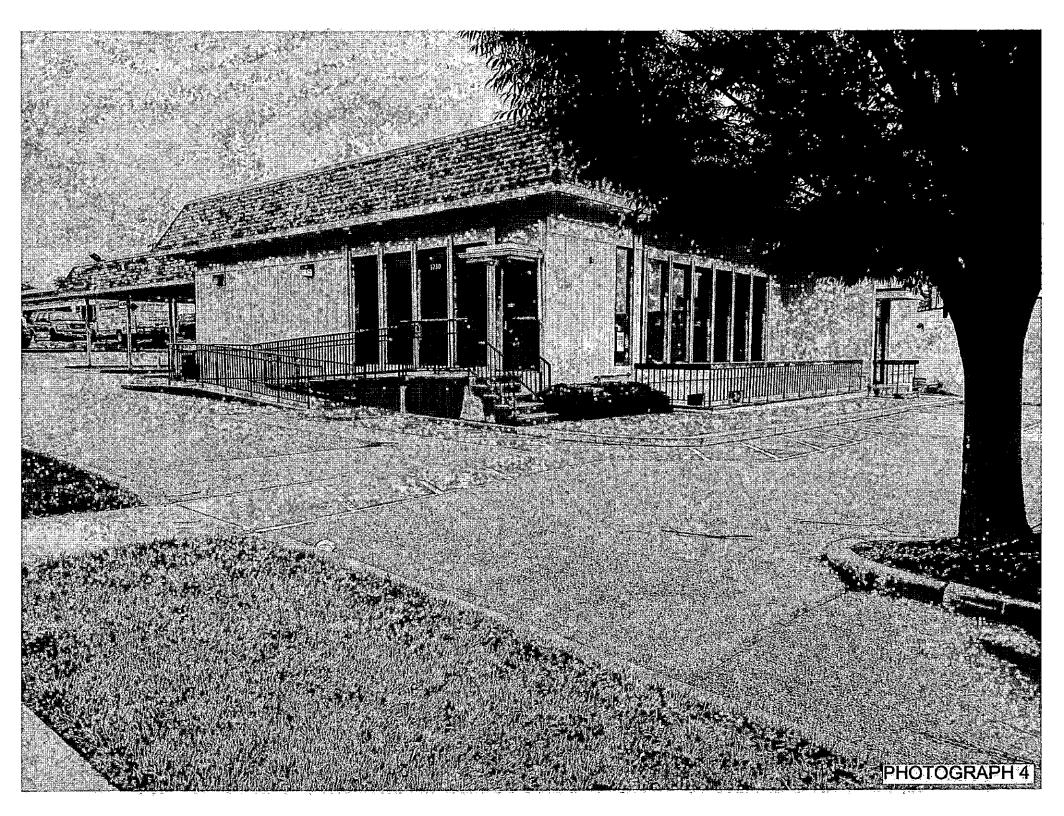




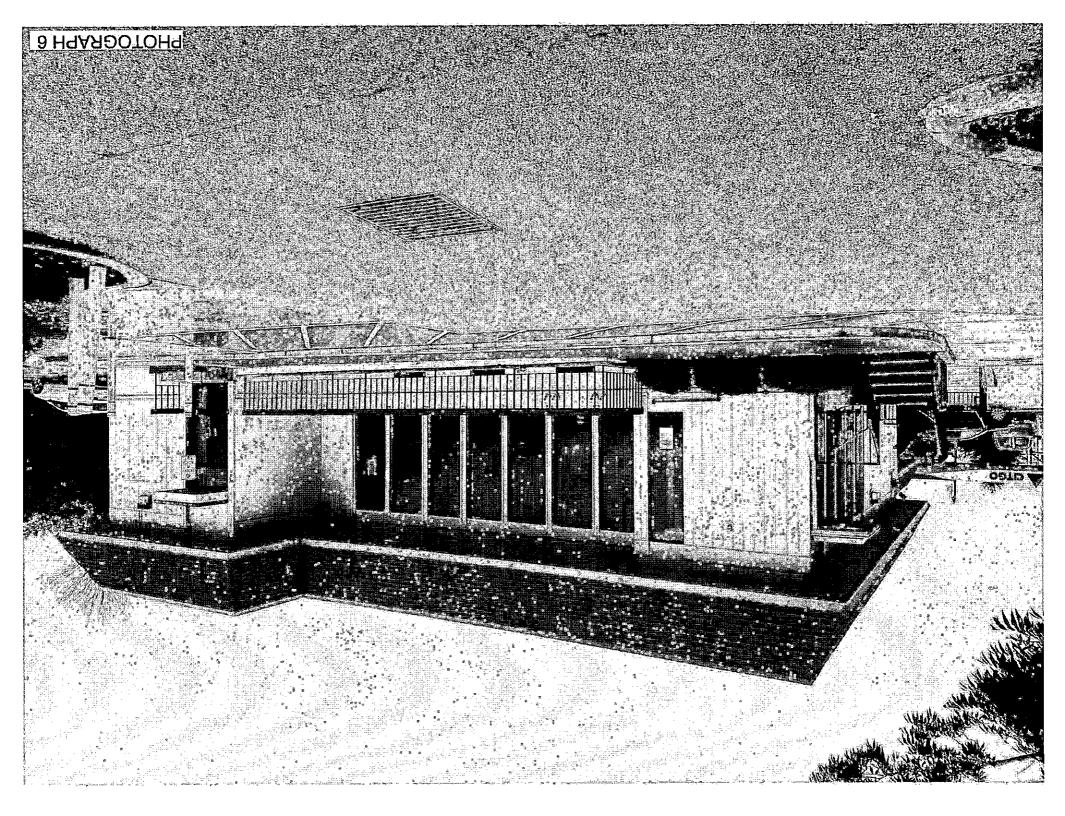


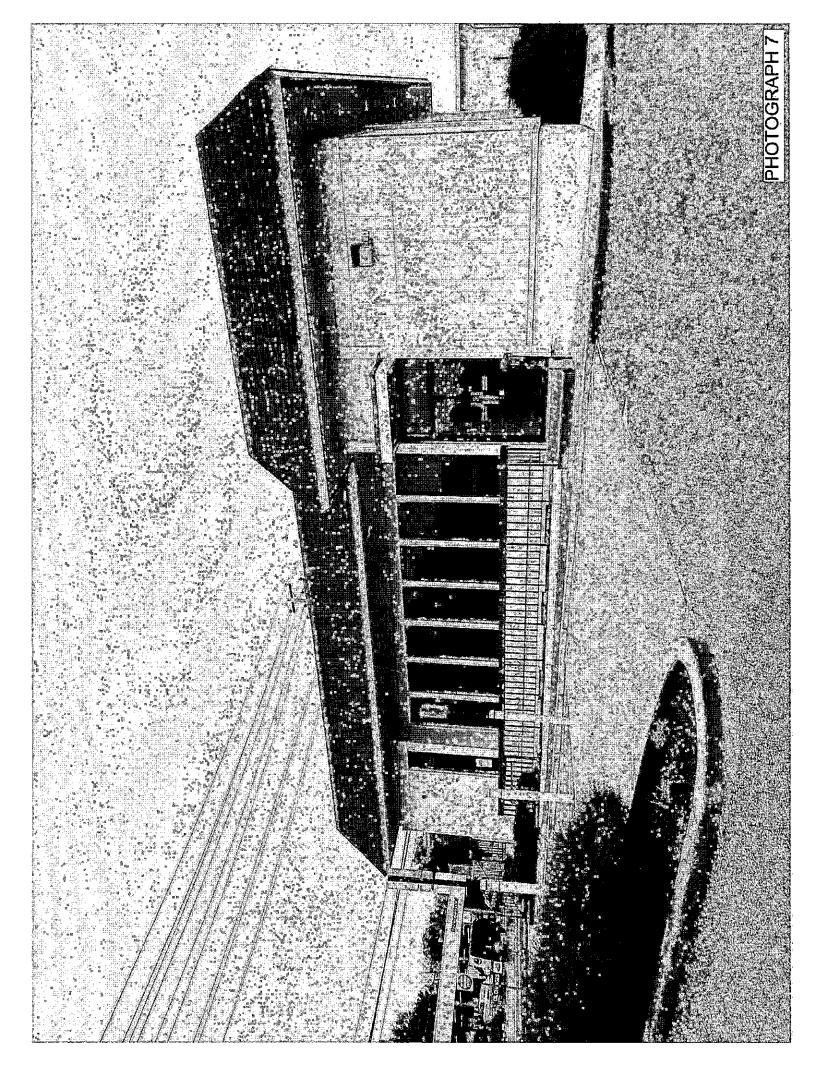


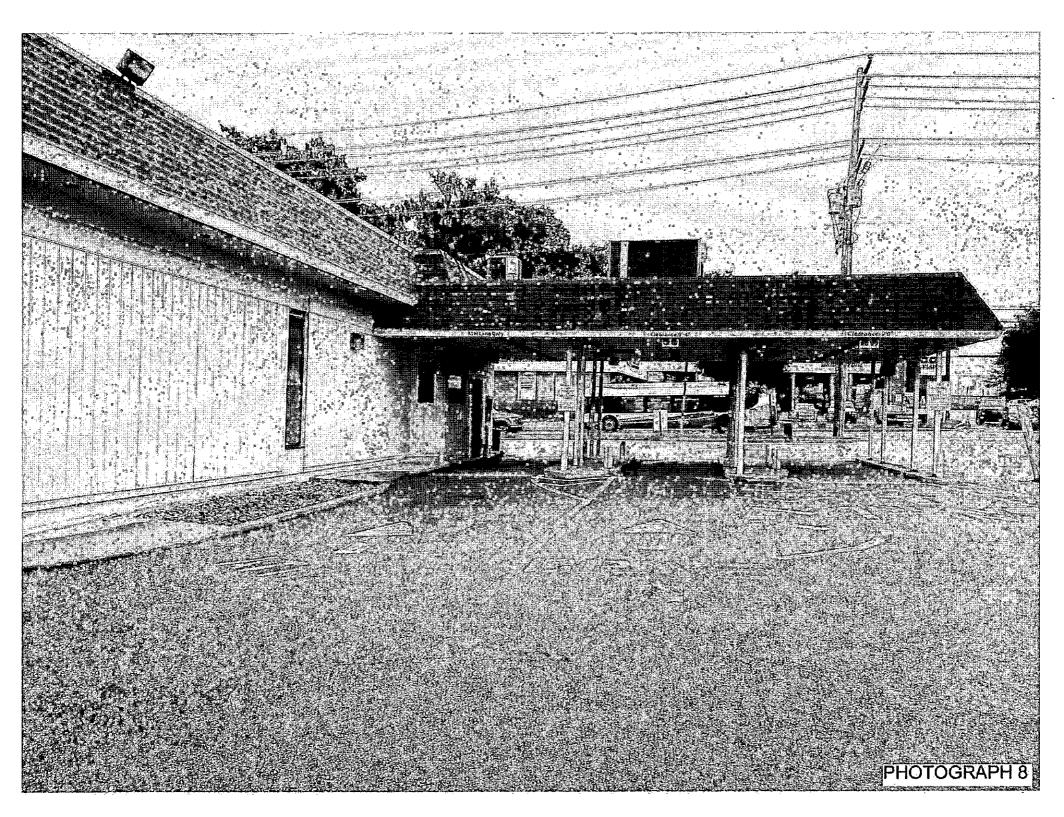










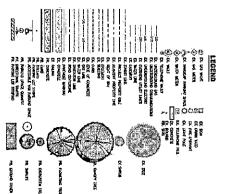


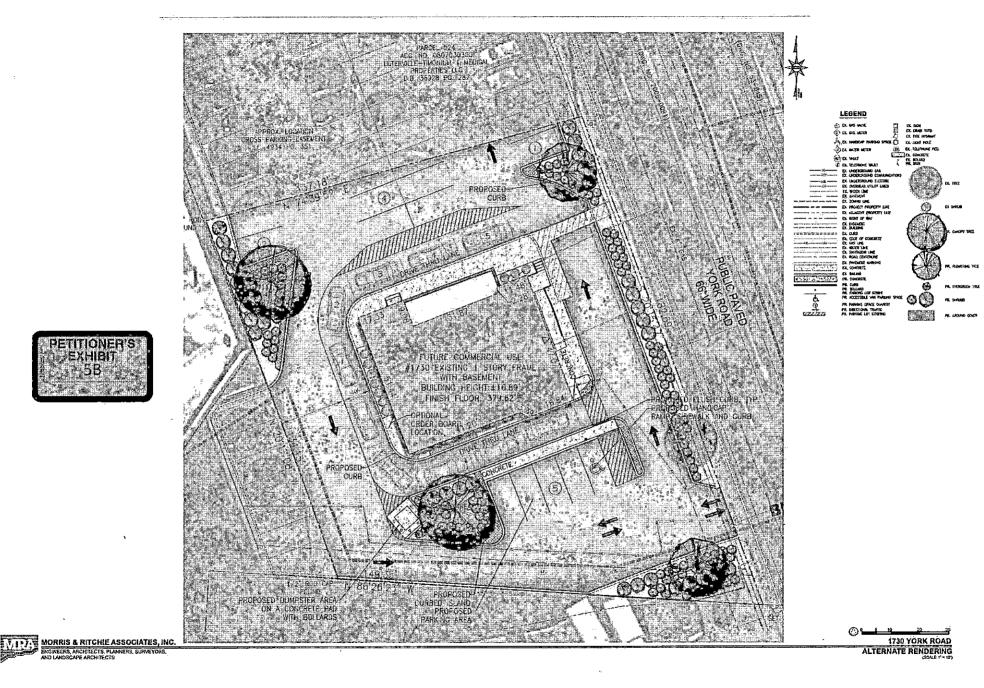




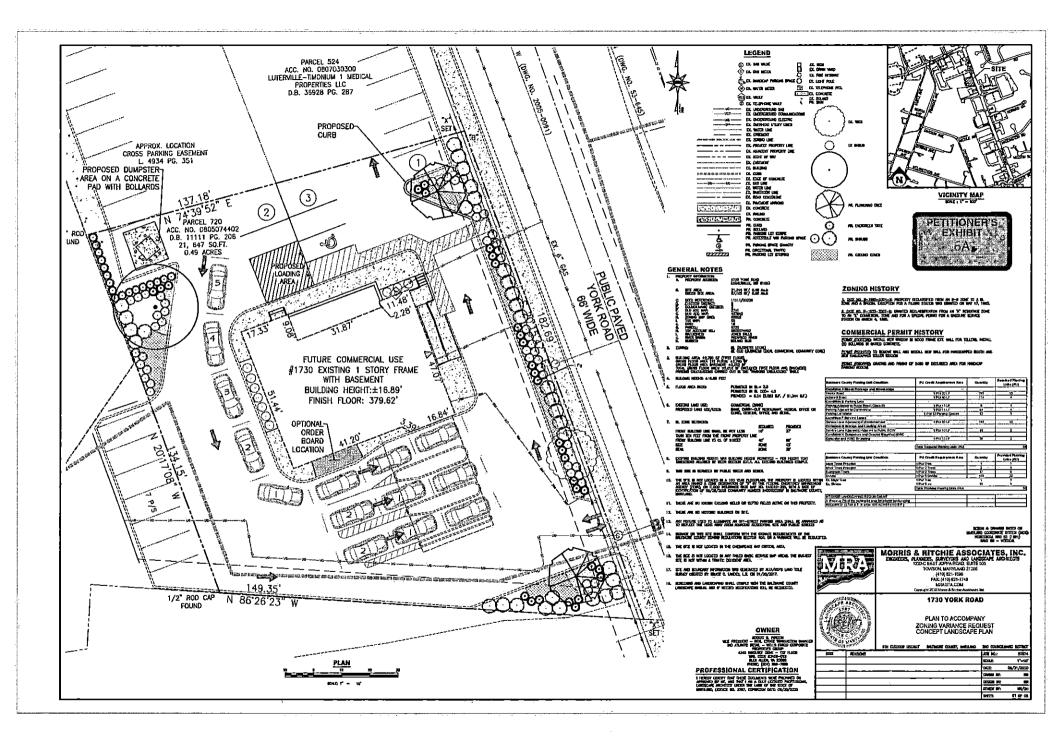


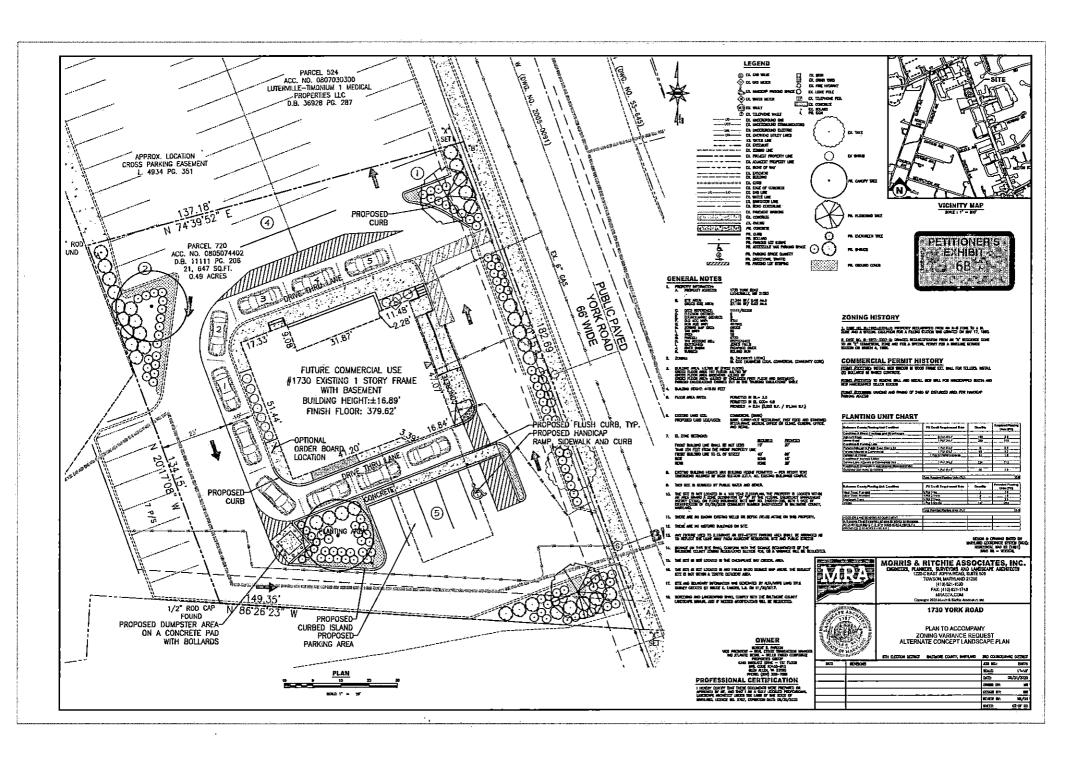
1730 YORK ROAD
RENDERING

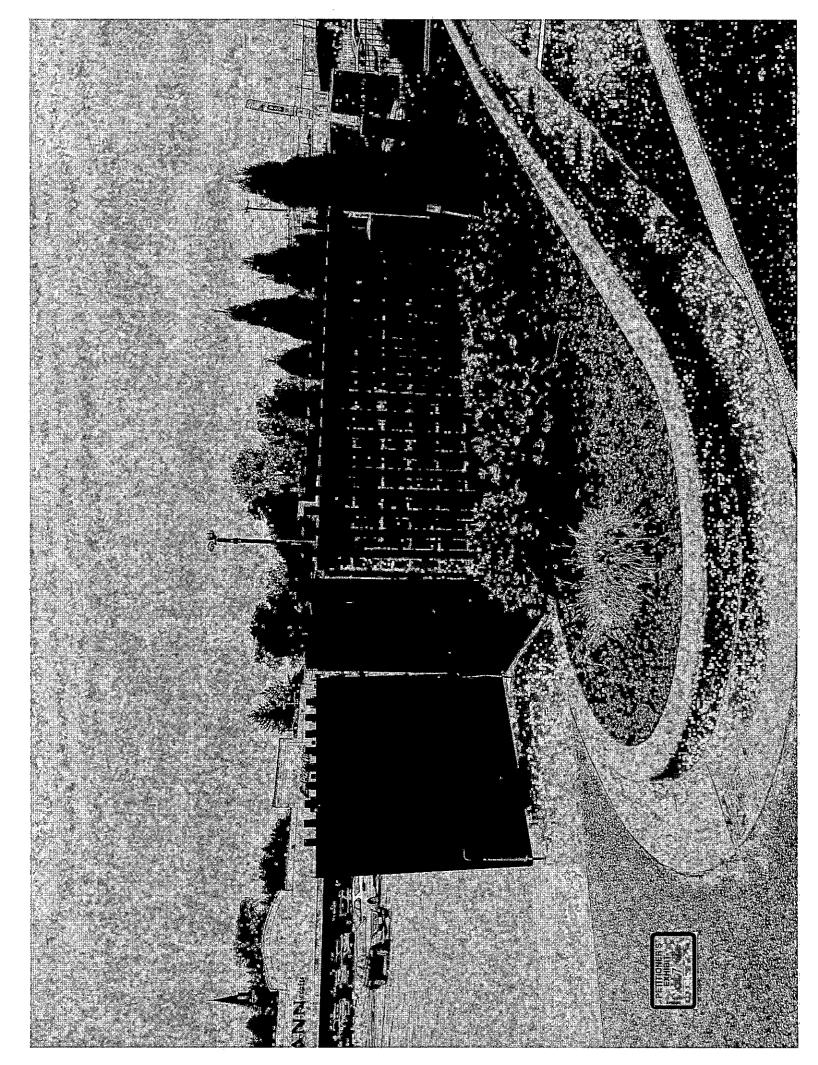


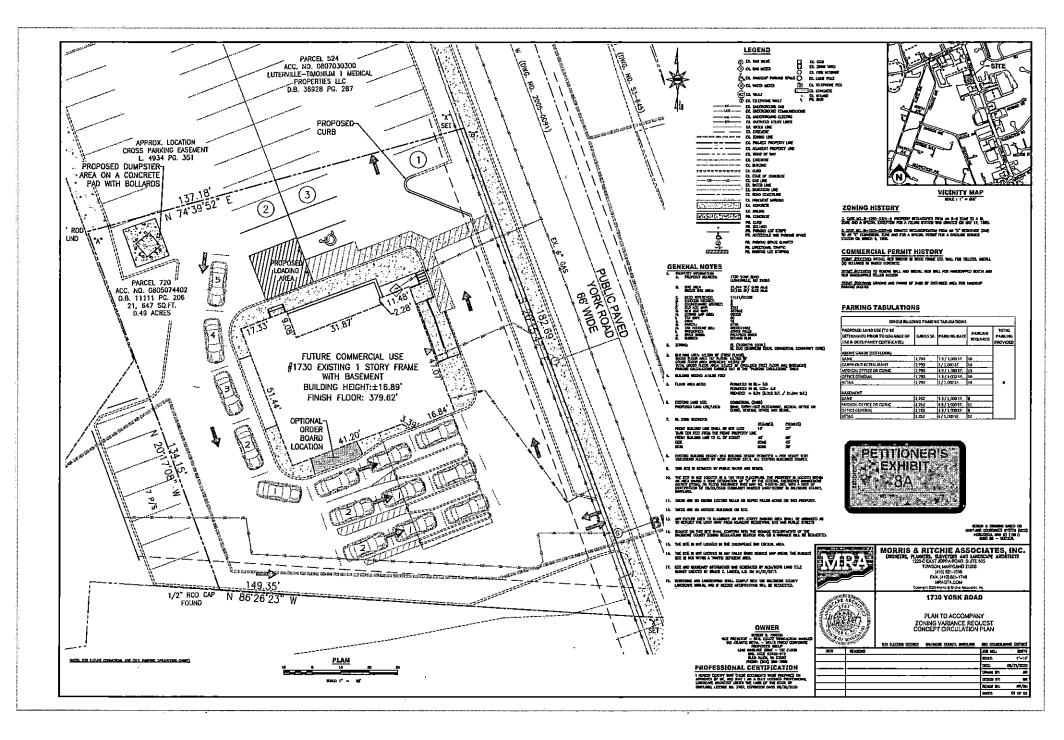


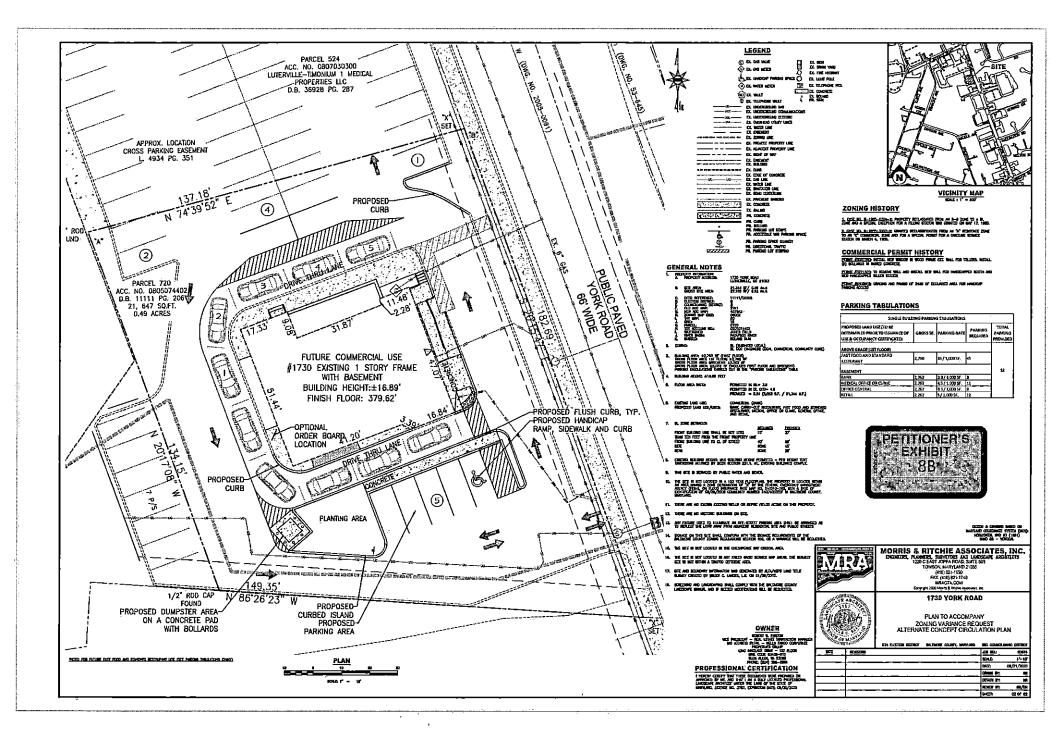


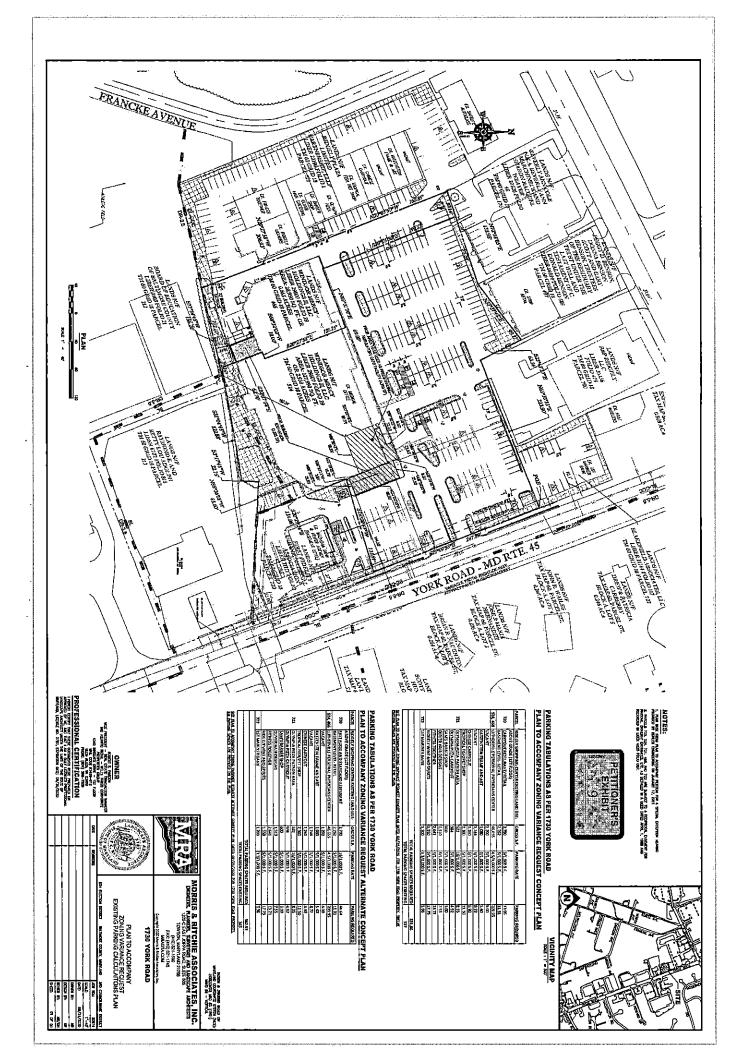












J. MARK KEELEY, PTP



6533 Green Mount Drive Elkridge, MD 21075 410-615-0067 (Cell) 410-670-2911 (Office)

Professional Summary:

Traffic/Transportation Planner with 27 years of experience.

Skills:

Traffic Operations Analysis
Traffic Impact Studies
Intersection Analysis

Transportation Planning Studies

Transportation Management Studies

Speed & Sight Distance Studies

Intersection Delay Studies

Parking Studies

Trip Generation Analyses

Computer software Packages: Microsoft software packages, TP +, MINUTP, Highway Capacity Software (HCS), SIDRA, Critical Lane Volume Analysis

Professional Associations:

Certifications

• PTP (Professional Transportation Planner Certification), ITE 2008 – Present Certificate Number 122

Inactive Certifications

AICP (American Institute of Certified Planners)
 2006 – 2010 Certificate Number 020927

Professional Experience:

TRAFFIC CONCEPTS, INC

7525 Connelley Drive, Suite B Hanover, Maryland 21076

Project Manager/Transportation Planner, July 2005-Present

- Project Manager for Traffic Impact Studies/Traffic Engineering Services Division.
- Develop price proposals and budgets for the preparation of traffic studies.
- Provide expert testimony at public hearings.
- Develop master planning studies, traffic impact studies, and parking studies for private and public sector clients.
- Address technical comments received from reviewing agencies and provide traffic mitigation strategies and solutions for clients.
- Represent clients at project Scoping Meetings, Planning Commission Meetings, Board of Appeals Hearings, and Community Input Meetings.



J. MARK KEELEY, PTP

Page 2 of 3

QUEEN ANNE'S COUNTY DEPARTMENT OF PUBLIC WORKS / DEPARTMENT OF PLANNING & ZONING 312 Safety Dr Centreville MD 21617/160 Coursevall Dr. Centreville, MD 21617

Transportation/Land Use Planner IV, September 2002 – July 2005

- Managed the County Adequate Public Facilities Ordinance (Traffic)
- Provided staff support to the Planning Commission and County Council on transportation issues.
- Reviewed approximately 100 traffic impact studies for Queen Anne's County and recommended traffic mitigation measures to meet the APFO requirements.
- Reviewed major and minor subdivision/site plans for compliance with the County's Zoning Ordinance and the Comprehensive Plan.
- Generated technical subdivision/site plan comments and made presentations at County Council and Planning Commission Meetings.
- Initiated and directed general and specialized land use studies, which included vacant land inventories, site impact analysis and transportation corridor studies.
- Appointed liaison to Federal and State Agencies for Maryland's Smart Growth initiatives and the Federal Clean Air Act Amendment (Air Quality Conformity).

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING 220 South Main Street Bel Air, Maryland 21014

Administrator, Office of Transportation, July 1999 - September 2002

- Developed the 2000 Transportation Plan, An Element of the Harford County Master Plan.
- Reviewed of more than 400 traffic impact studies and recommended traffic mitigation measures.
- Initiated and directed planning studies relating to land use and transportation planning, which included computer modeling, transit planning, and traffic impact analysis.
- Developed Transportation Demand Management Strategies for the County.
- Managed the County Traffic Count Program.
- Managed the County Rideshare Program.
- Developed the Unified Planning Work Program for each fiscal year.
- Developed the Transportation Improvement Program (TIP).
- Baltimore Metropolitan Council's Transportation Technical Committee Member.
- Baltimore Metropolitan Council's Bicycle and Pedestrian Advisory Group Member.
- Baltimore Metropolitan Council's Travel Analysis Advisory Group Member.

J. MARK KEELEY, PTP

Page 3 of 3

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING 220 South Main Street Bel Air, Maryland 21014

Transportation Planner I & II, September 1993 – July 1999

- Planner assigned to the Edgewood Community Planning Council.
- · Conducted transit-planning studies and rider-ship surveys for Harford Transit.
- Coordinated with the Harford Transit to develop new rural transit routes.
- Organized a Bicycle and Pedestrian Task Force to select bike routes and to promote non-motorized transportation.
- Managed the Commuter Assistance Grant for MTA.
- Developed a Regional Employees Commuter Option (ECO) Program for both the public sector and private sector businesses as mandated by the MDE.
- Prepared and reviewed Traffic Impact Studies for the County.
- · Managed the Regional Travel Demand Model.
- Performed intersection analysis and recommended traffic mitigation measures.

Master Plan Writings:

• Co-author: 2000 Transportation Plan, Element of the Harford County Master Plan.

Expert Witness Experience:

Baltimore County, MD
Carroll County, MD
City of Easton, MD
City of Elkton, MD
City of Salisbury, MD
City of Salisbury, MD
Town of Bel Air, MD
Town of Centreville, MD
Town of Denton, MD
Westminster, MD

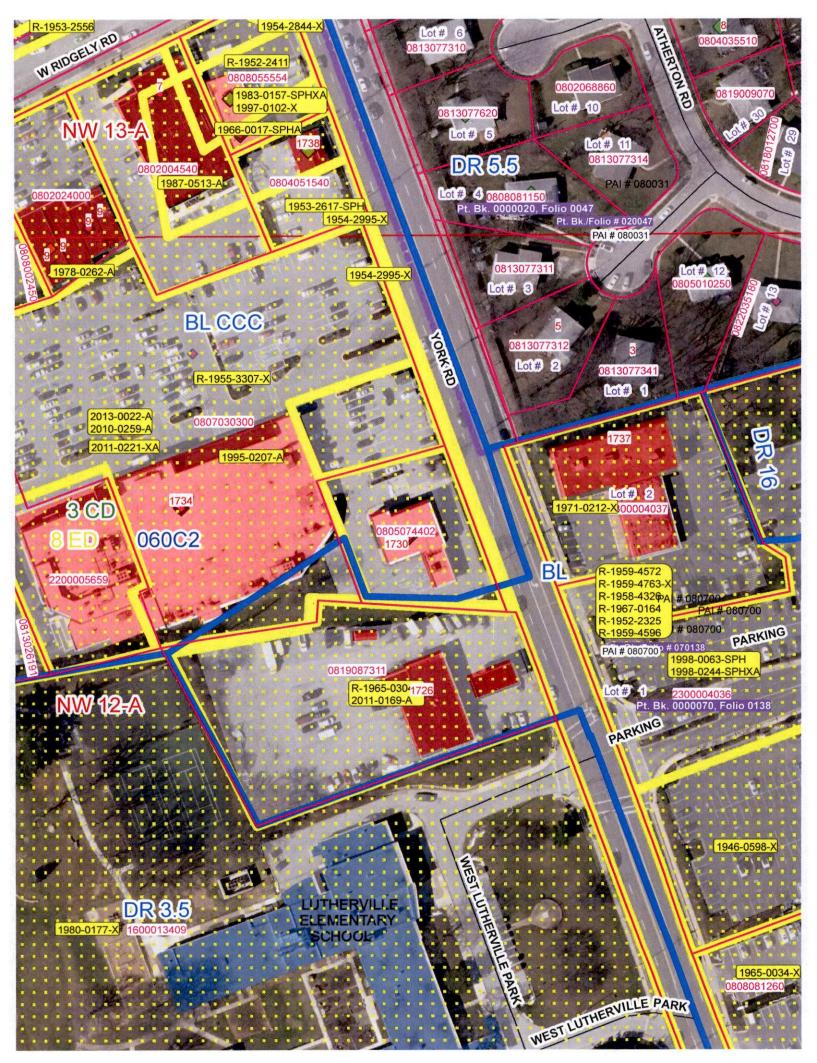


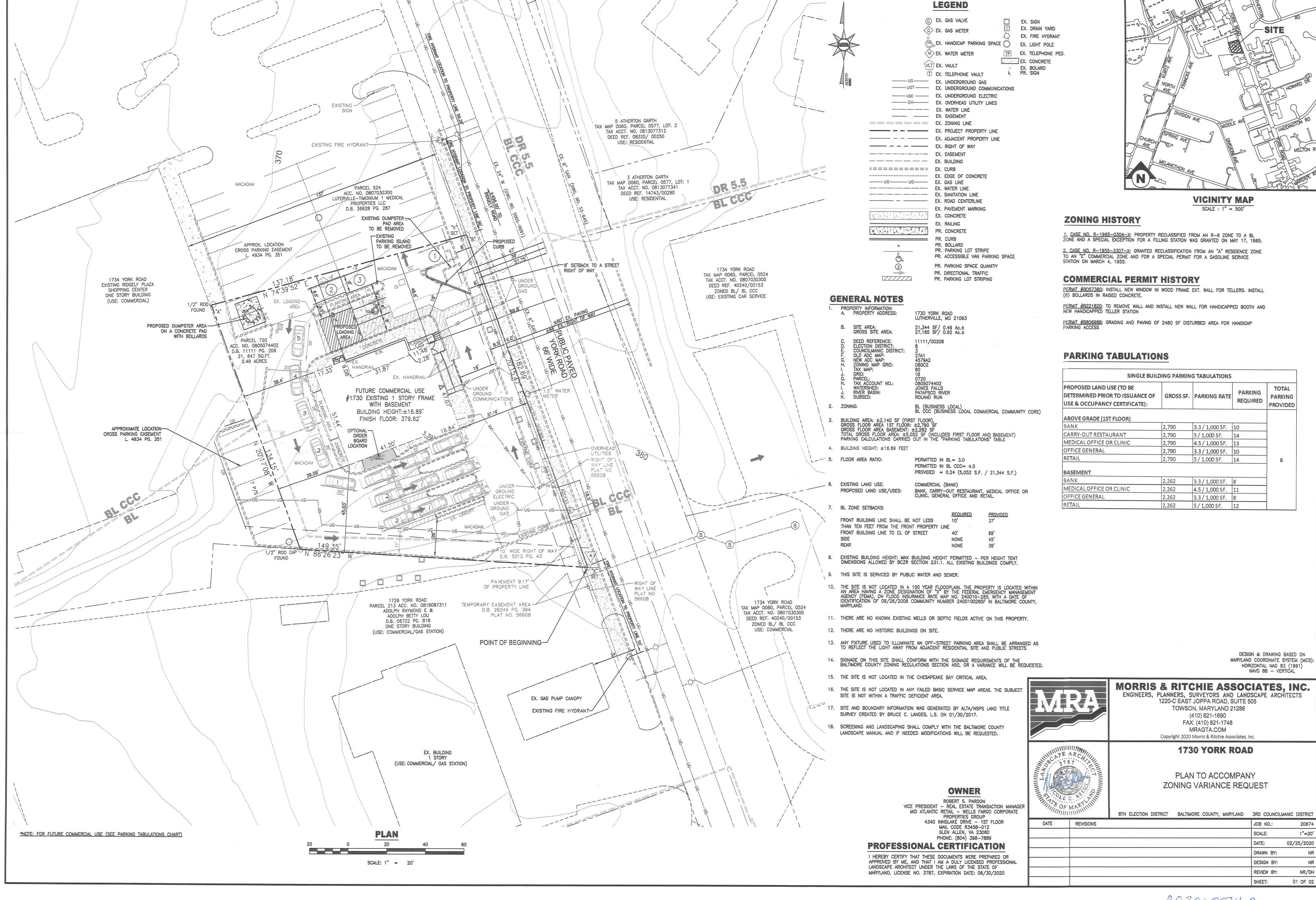
Education:

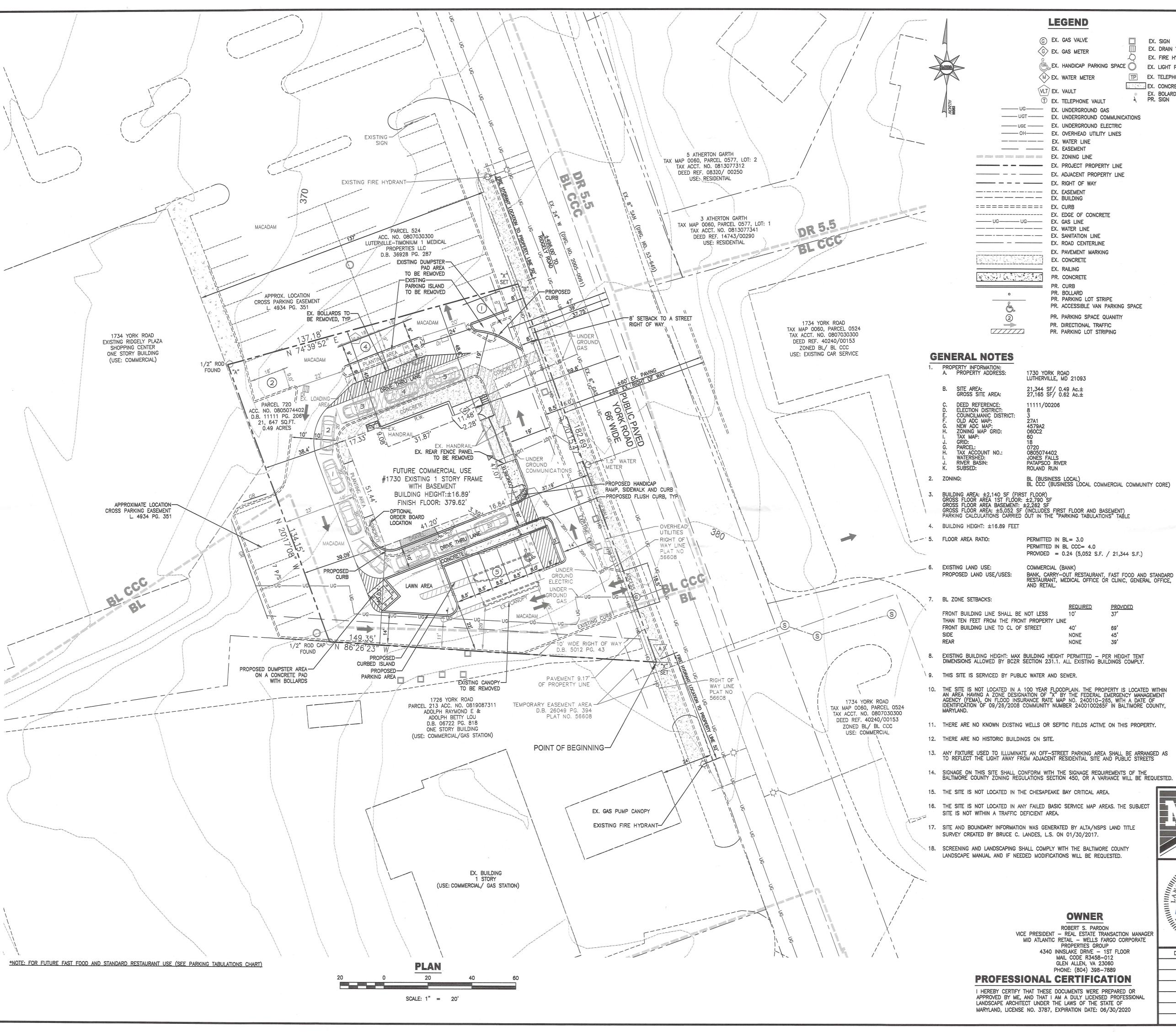
TOWSON UNIVERSITY
Towson, MD 21252
M.A. Degree - Geography and Planning, 1993

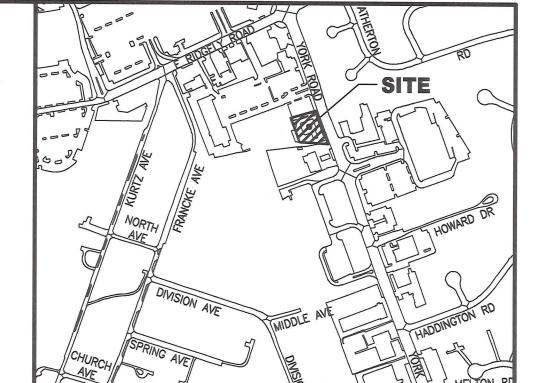
SALISBURY UNIVERSITY
Salisbury, MD 21801
B.A. Degree - Political Science, 1987

MT. ST. JOSEPH HIGH SCHOOL 4403 Frederick Avenue Baltimore, MD 21229 Graduated 1983









VICINITY MAP SCALE : 1" = 500'

ZONING HISTORY

1. CASE NO. R-1965-0304-X: PROPERTY RECLASSIFIED FROM AN R-6 ZONE TO A BL ZONE AND A SPECIAL EXCEPTION FOR A FILLING STATION WAS GRANTED ON MAY 17, 1965. 2. CASE NO. R-1955-3307-X: GRANTED RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND FOR A SPECIAL PERMIT FOR A GASOLINE SERVICE STATION ON MARCH 4, 1955.

COMMERCIAL PERMIT HISTORY

PERMIT #B057360: INSTALL NEW WINDOW IN WOOD FRAME EXT. WALL FOR TELLERS. INSTALL (8) BOLLARDS IN RAISED CONCRETE.

PERMIT #B221820: TO REMOVE WALL AND INSTALL NEW WALL FOR HANDICAPPED BOOTH AND NEW HANDICAPPED TELLER STATION

PERMIT #8806988: GRADING AND PAVING OF 2480 SF DISTURBED AREA FOR HANDICAP PARKING ACCESS

PARKING TABULATIONS

SINGLE BUILDING PARKING TABULATIONS						
GROSS SF.	PARKING RATE	PARKING REQUIRED	TOTAL PARKING PROVIDED			
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2,790	16 / 1,000 SF.	45	20			
			12			
2,262	3.3 / 1,000 SF.	8				
2,262	4.5 / 1,000 SF.	11				
2,262	3.3 / 1,000 SF.	8				
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DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (1991) NAVD 88 - VERTICAL



MORRIS & RITCHIE ASSOCIATES, INC.

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

Copyright 2020 Morris & Ritchie Associates, Inc.



PLAN TO ACCOMPANY **ZONING VARIANCE REQUEST** ALTERNATE CONCEPT PLAN

1730 YORK ROAD

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

DATE REVISIONS 1"=20 SCALE: 02/25/2020 DRAWN BY: DESIGN BY: REVIEW BY: SHEET: 02 OF 02

OWNER

ROBERT S. PARDON VICE PRESIDENT - REAL ESTATE TRANSACTION MANAGER MID ATLANTIC RETAIL - WELLS FARGO CORPORATE PROPERTIES GROUP 4340 INNSLAKE DRIVE - 1ST FLOOR MAIL CODE R3458-012 GLEN ALLEN, VA 23060

LEGEND

(G) EX. GAS VALVE

G EX. GAS METER

(M) EX. WATER METER

T EX. TELEPHONE VAULT

EX. PAVEMENT MARKING

PR. PARKING LOT STRIPE

PR. DIRECTIONAL TRAFFIC

PR. PARKING LOT STRIPING

PR. PARKING SPACE QUANITIY

PR. ACCESSIBLE VAN PARKING SPACE

PROVIDED

NONE NONE

EX. CONCRETE

PR. BOLLARD

EX. RAILING

VLT EX. VAULT

EX. SIGN EX. DRAIN YARD

EX. HANDICAP PARKING SPACE EX. LIGHT POLE

EX. FIRE HYDRANT

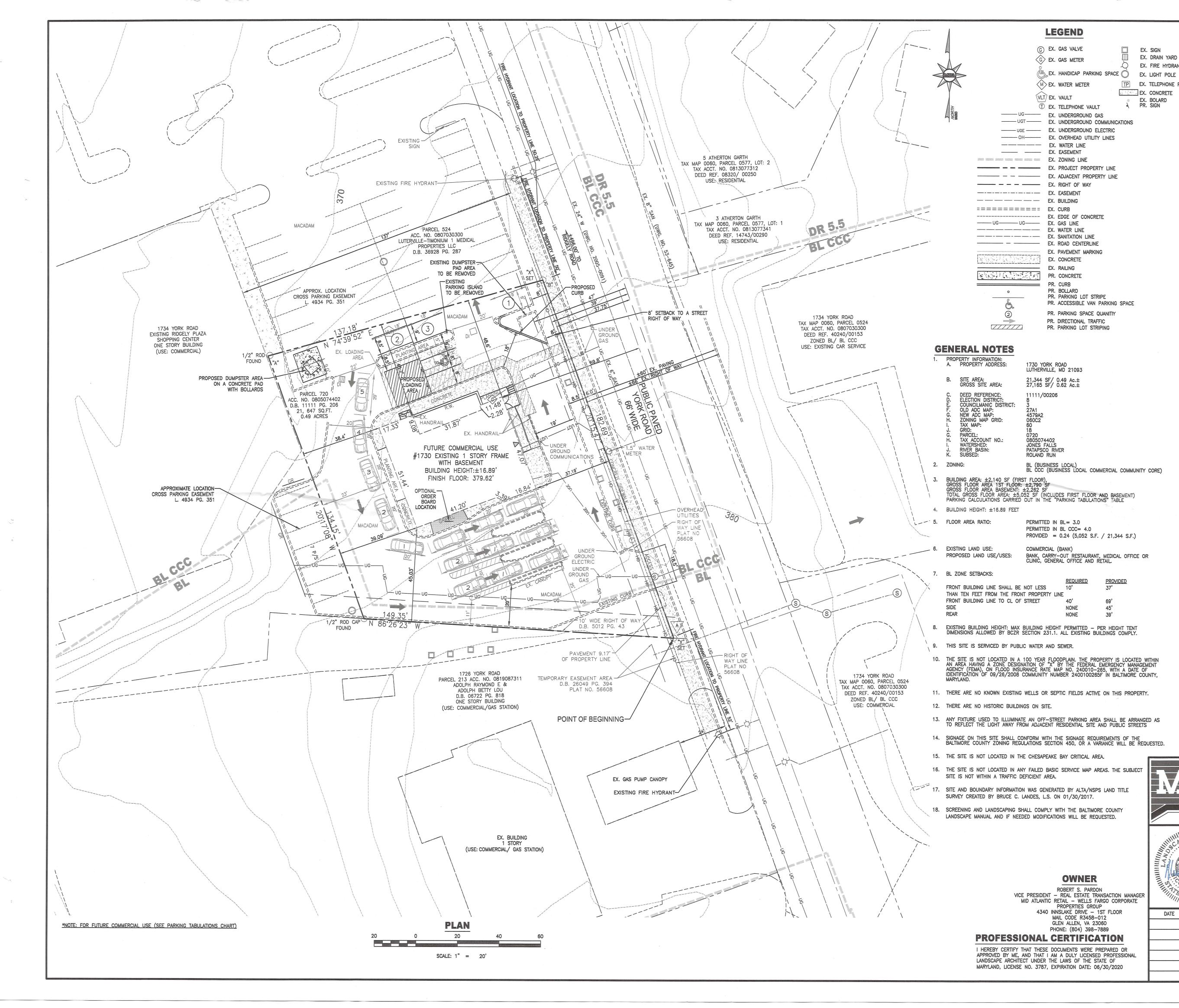
TP EX. TELEPHONE PED.

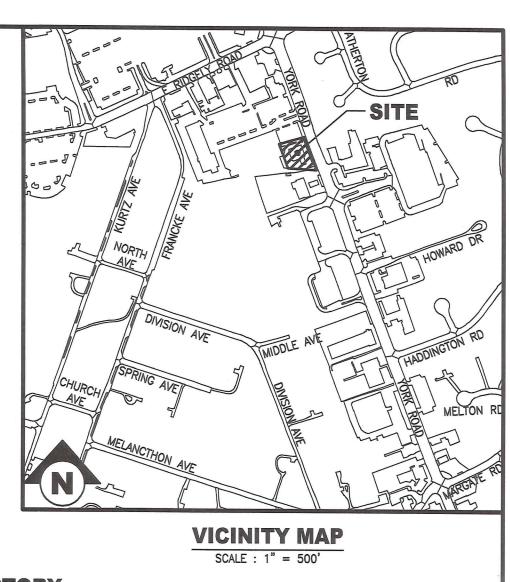
EX. CONCRETE

EX. BOLARD PR. SIGN

PHONE: (804) 398-7889 PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME. AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3787, EXPIRATION DATE: 06/30/2020





ZONING HISTORY

EX. SIGN EX. DRAIN YARD

EX. FIRE HYDRANT

TP EX. TELEPHONE PED.

EX. CONCRETE

EX. BOLARD PR. SIGN

1. CASE NO. R-1965-0304-X: PROPERTY RECLASSIFIED FROM AN R-6 ZONE TO A BL ZONE AND A SPECIAL EXCEPTION FOR A FILLING STATION WAS GRANTED ON MAY 17, 1965.

2. CASE NO. R-1955-3307-X: GRANTED RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND FOR A SPECIAL PERMIT FOR A GASOLINE SERVICE STATION ON MARCH 4, 1955.

COMMERCIAL PERMIT HISTORY

PERMIT #B057360: INSTALL NEW WINDOW IN WOOD FRAME EXT. WALL FOR TELLERS. INSTALL (8) BOLLARDS IN RAISED CONCRETE.

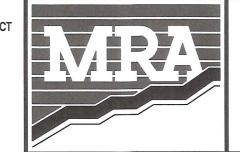
PERMIT #B221820: TO REMOVE WALL AND INSTALL NEW WALL FOR HANDICAPPED BOOTH AND NEW HANDICAPPED TELLER STATION

PERMIT #B806988: GRADING AND PAVING OF 2480 SF DISTURBED AREA FOR HANDICAP PARKING ACCESS

PARKING TABULATIONS

SINGLE BUIL	DING PARKIN	G TABULATIONS		
PROPOSED LAND USE (TO BE DETERMINED PRIOR TO ISSUANCE OF USE & OCCUPANCY CERTIFICATE):	GROSS SF.	PARKING RATE	PARKING REQUIRED	TOTAL PARKING PROVIDED
ABOVE GRADE (1ST FLOOR)				
BANK	2,790	3.3 / 1,000 SF.	10	1
CARRY-OUT RESTAURANT	2,790	5 / 1,000 SF.	14	1
MEDICAL OFFICE OR CLINIC	2,790	4.5 / 1,000 SF.	13	1
OFFICE GENERAL	2,790	3.3 / 1,000 SF.	10	1
RETAIL	2,790	5 / 1,000 SF.	14	6
BASEMENT				
BANK	2,262	3.3 / 1,000 SF.	8	1
MEDICAL OFFICE OR CLINIC	2,262	4.5 / 1,000 SF.	11	1
OFFICE GENERAL	2,262	3.3 / 1,000 SF.	8	1
RETAIL	2,262	5 / 1,000 SF.	12	

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (1991) NAVD 88 - VERTICAL



PROVIDED

MORRIS & RITCHIE ASSOCIATES, INC.

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

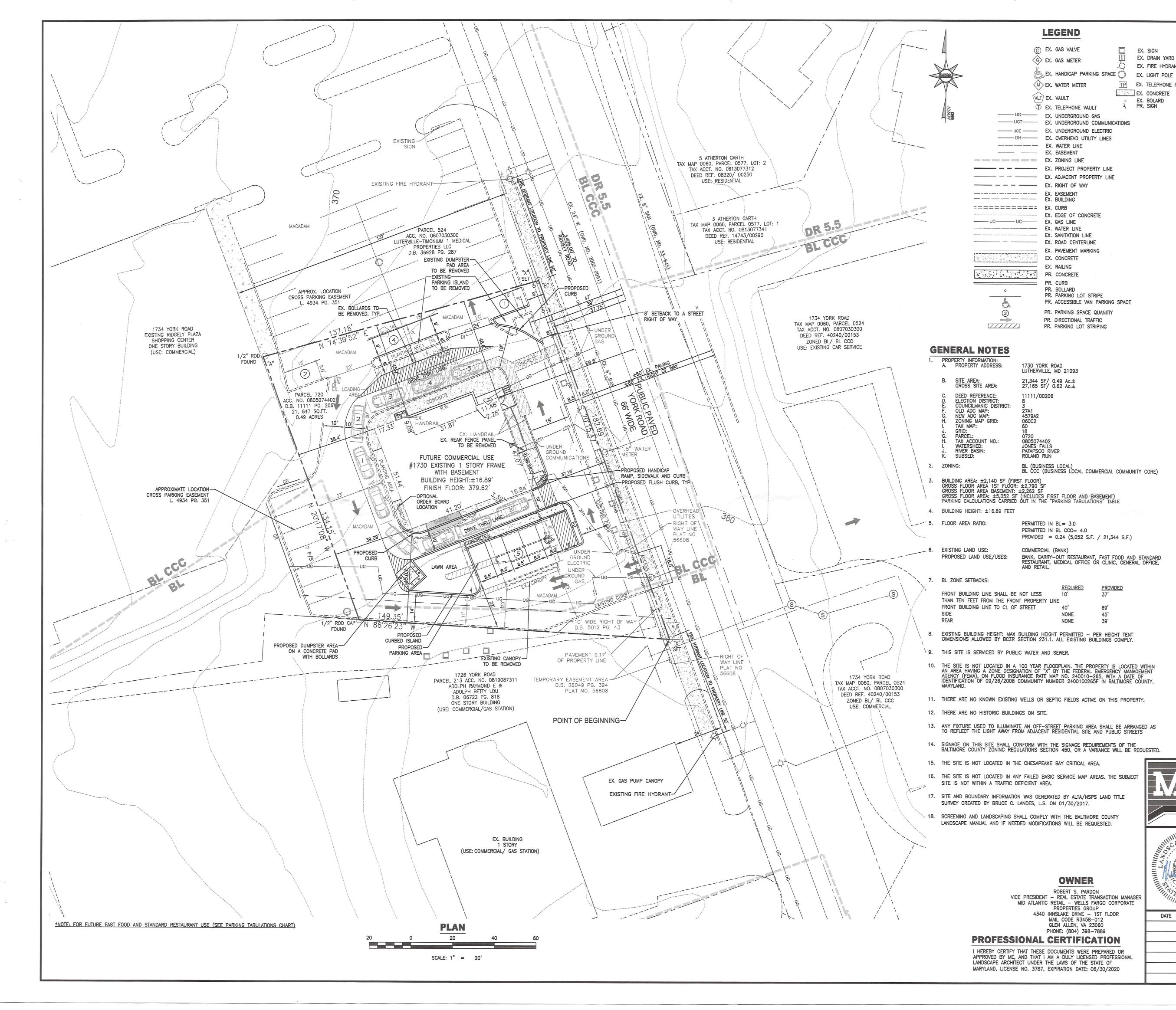
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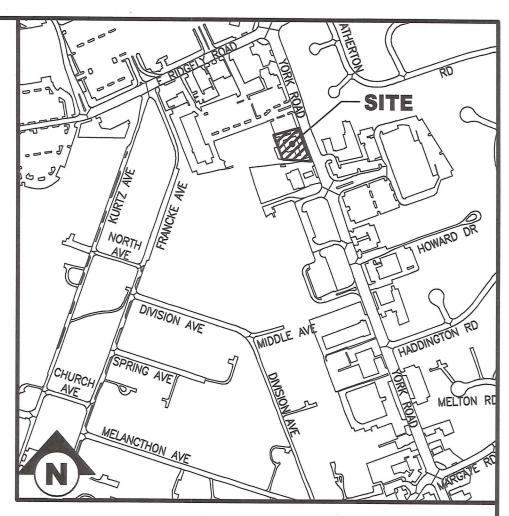
1730 YORK ROAD

PLAN TO ACCOMPANY **ZONING VARIANCE REQUEST**

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

ATE	REVISIONS			JOB NO.:	20674
				SCALE:	1"=20'
				DATE:	02/25/2020
		PETITIONER'S		DRAWN BY:	NR
		- EXHIBIT NO.	14	DESIGN BY:	NR
		EARIBII NO.		REVIEW BY:	NR/DH
				SHEET:	01 OF 02





VICINITY MAP SCALE : 1" = 500'

ZONING HISTORY

EX. SIGN EX. DRAIN YARD

EX. FIRE HYDRANT

TP EX. TELEPHONE PED.

EX. CONCRETE

EX. BOLARD PR. SIGN

1. CASE NO. R-1965-0304-X: PROPERTY RECLASSIFIED FROM AN R-6 ZONE TO A BL ZONE AND A SPECIAL EXCEPTION FOR A FILLING STATION WAS GRANTED ON MAY 17, 1965.

2. CASE NO. R-1955-3307-X: GRANTED RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND FOR A SPECIAL PERMIT FOR A GASOLINE SERVICE STATION ON MARCH 4, 1955.

COMMERCIAL PERMIT HISTORY

PERMIT #B057360: INSTALL NEW WINDOW IN WOOD FRAME EXT. WALL FOR TELLERS. INSTALL (8) BOLLARDS IN RAISED CONCRETE.

PERMIT #B221820: TO REMOVE WALL AND INSTALL NEW WALL FOR HANDICAPPED BOOTH AND NEW HANDICAPPED TELLER STATION

PERMIT #B806988: GRADING AND PAVING OF 2480 SF DISTURBED AREA FOR HANDICAP PARKING ACCESS

PARKING TABULATIONS

SINGLE BUILD	DING PARKIN	G TABULATIONS		
PROPOSED LAND USE (TO BE DETERMINED PRIOR TO ISSUANCE OF USE & OCCUPANCY CERTIFICATE):	GROSS SF.	PARKING RATE	PARKING REQUIRED	TOTAL PARKING PROVIDED
ABOVE GRADE (1ST FLOOR)				
FAST FOOD AND STANDARD RESTURANT	2,790	16 / 1,000 SF.	45	
BASEMENT		4		12
BANK	2,262	3.3 / 1,000 SF.	8	
MEDICAL OFFICE OR CLINIC	2,262	4.5 / 1,000 SF.	11	1
OFFICE GENERAL	2,262	3.3 / 1,000 SF.	8	1
RETAIL	2,262	5 / 1,000 SF.	12	1

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM (MCS): HORIZONTAL NAD 83 (1991) NAVD 88 — VERTICAL



PROVIDED

MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD, SUITE 505 TOWSON, MARYLAND 21286

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1730 YORK ROAD



PLAN TO ACCOMPANY

ZONING VARIANCE REQUEST ALTERNATE CONCEPT PLAN

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

DATE	REVISIONS			JOB NO.:	20674
				SCALE:	1"=20"
		Prm		DATE:	02/25/2020
		PETITIONE	R's	DRAWN BY:	NR
		EXHIBIT NO.	10	DESIGN BY:	NR
		- 40.	10	REVIEW BY:	NR/DH
				SHEET:	02 OF 02

