



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

November 8, 2023

Neil Lanzi, Esquire – nlanzi@wcslaw.com
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, MD 21204

RE: Petition for Special Exception
Case No. 2023-0201-X
Property: 1735-1737 E Joppa Road

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,
A handwritten signature in black ink, appearing to read "Paul M. Mayhew".

PAUL M. MAYHEW
Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

c: Craig Miceli – cmamuse@aol.com
Bruce Doak – bdoak@bruceedoakconsulting.com
Don Hicks, PE – dhicks149@outlook.com
Andrew S. Mello, Esquire – amello@darroweverett.com
Paul Bryant – pbryant@pledgefs.com
Kevin Engel – poplarloan1735@gmail.com
Mariela D'Alessio – mariela@dalessio-law.com
Nicholas Linehan – nlinehandesign@verizon.net
Steve Stallcup – steve@stallcupgroup.com

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468
www.baltimorecountymd.gov

Printed on recycled paper containing 30 percent post-consumer material

IN RE: PETITION FOR SPECIAL EXCEPTION*	BEFORE THE
(1735-1737 E. Joppa Road)	
9 th Election District	*
6 th Council District	
Mo’s Joppa Road, LLC	*
Legal Owner	
Craig Micelli, Lessee	*
	FOR BALTIMORE COUNTY
Petitioners	*
	Case No. 2023-0201-X
* * * * *	* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Exception filed on behalf of Mo’s Joppa Road, LLC legal owner and Craig Micelli, lessee (“Petitioners”) for the property at 1735-1737 E. Joppa Road, Towson. The Special Exception petition was filed per the Baltimore County Zoning Regulation (“BCZR”) §§ 233.3 and 436 to allow Paul Bryant, Contract Purchaser, to become the new operator for the existing pawn shop located at 1735 E. Joppa Road. (*See* Zoning Case 2005-0297-X, Condition #6); and for any other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). They did not oppose the requested relief, subject to proposed conditions, some of which will be incorporated into the Order.

The Petitioner and current owner, Craig Miceli, and the Contract Purchaser, Paul Bryant, attended the hearing in support of the Petition. They were represented by Neil Lanzi, Esquire and Andrew Mello, Esquire, respectively. Don Hicks, the civil engineer who prepared the redlined site plan (Petitioner’s Exh. 1), and Bruce E. Doak, a licensed surveyor, also attended the hearing

on behalf of the Petitioner. Also in attendance was Nicholas Linehan, President of the Loch Raven Community Association.

Mr. Lanzi presented Petitioner's case by way of proffer and direct testimony. The material facts presented are as follows. The subject property is located on the south side of East Joppa Road in Loch Raven. It is approximately 1.30 acres and is zoned BM. The building on site houses the subject jewelry and pawn business as well as an automobile shop and related automotive supply businesses. Mr. Miceli was granted a special exception to operate this business in Case No. 05-297-X. The Order in that case placed the following six conditions on that approval:

1. Signage will not indicate the word "pawn" or display the three-ball symbol for pawn, but rather will show "Popular Jewelry and Loan";
2. Security grates protecting the windows will be located on the inside of the building;
3. There will be no sale of weapons including, guns, firearms, etc.;
4. The interior layout of the store will emphasize the sale of jewelry, as compared to the sale of pawned items, by displaying jewelry and high value items in the front portion of the store and having pawned items such as tools and equipment in the rear;
5. The dumpster will not be serviced after 10 p.m. or before 6 a.m.;
6. The special exception will not run with the land but rather with this Petitioner such that should the Petitioner sell the license, the new operator will be required to apply for a special exception unless the new operator is an employee of the Petitioner and has worked in the store for more than six months. In the latter case, the Special Exception will run with the new owner who will not be required to apply for a special exception.

Condition 6 has now come into play because the Petitioner, Mr. Miceli, has entered a conditional agreement to sell the business to Mr. Bryant, subject to the grant of the continuing

special exception relief. Mr. Miceli explained that he has owned the business for the last 18 years and that the day-to-day operations have been overseen by the store manager, Kevin Engel. He and Mr. Bryant both confirmed that Engel and the rest of the existing staff would remain in place for the foreseeable future. The business will continue to operate as Poplar Jewelry and Pawn. Bryant explained that he resides primarily in Texas and has numerous jewelry/pawn shops throughout the southeastern United States. Mr. Miceli testified that he initially spent approximately \$250,000 on site and building improvements and that the business has at all times operated in accordance with the conditions listed above. Mr. Linehan from the Community Association confirmed that this business has been an asset for the neighborhood and has always been responsive to any issues the community has raised. On behalf of the Petitioner he voiced support for the requested extension of this special exception use provided that the existing Conditions 1 thru 5 remain in force. He explained that he does not believe that Condition 6 is necessary if the other conditions remain in effect. He voiced confidence that there would be continuity in the business' operations and management. Finally, he testified that he and Mr. Lanzi had agreed that as a condition of approval that Poplar Jewelry would have no more than 10% of its window area devoted to advertising.

Mr. Lanzi submitted letters of recommendation from the Baltimore County Police Department and the Maryland Department of Labor and Licensing attesting that Poplar Jewelry and Pawn has always operated in accordance with all laws and regulations. (Petitioner's Exhibits 5A and 5B). Mr. Doak was accepted as an expert in the Baltimore County Zoning Regulations ("BCZR"). He submitted a series of photographs of the building and surrounding area. (Petitioner's Exhibit 4). He explained that this business is quite compatible with the wide range of other small businesses along this stretch of East Joppa Road. He explained that he visited the site on a couple occasions and verified that all the Conditions in the original Order are being strictly complied with.

He testified that in his opinion this special exception use satisfies all the requirements of BCZR § 502.1.

SPECIAL EXCEPTION

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

Based on the record evidence, including the testimony and exhibits, I find that the special exception relief should be granted. Specifically, I find that this business has been an asset to the neighborhood and that it has faithfully conformed with all the conditions imposed in the original Order. I further find that Mr. Bryant will continue to ensure that the business will continue to be operated within these constricts and under responsible management. In sum, I find that the impacts of this jewelry and pawn business at this location will be no greater than the impacts inherent to this business use, especially given the Conditions imposed below.

THEREFORE, IT IS ORDERED this 8th day of **November, 2023**, by this Administrative Law Judge, that the Petition for Special Exception pursuant to the BCZR §§ 233.3 and 436, to allow Paul Bryant, Contract Purchaser, to become the new operator for the existing pawn shop located at 1735 E. Joppa Road is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Signage will not indicate the word "pawn" or display the three-ball symbol for pawn, but rather will show "Popular Jewelry and Loan";
 2. Security grates protecting the windows will be located on the inside of the building;
 3. There will be no sale of weapons including, guns, firearms, etc.;
 4. The interior layout of the store will emphasize the sale of jewelry, as compared to the sale of pawned items, by displaying jewelry and high value items in the front portion of the store and having pawned items such as tools and equipment in the rear;
 5. The dumpster will not be serviced after 10 p.m. or before 6 a.m.;
 6. No more than 10% of the window area of the store shall be occupied by advertising;
 7. The current manager, Kevin Engel, and his staff shall remain employed and in control of the store's daily operations for a minimum of six months from the date of this Order.
- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1735-1737 E, Joppa Road, Baltimore, MD 21234 Currently Zoned BM

Deed Reference 12260 / 140 10 Digit Tax Account # 1800001007

Owner(s) Printed Name(s) Mo's Joppa Road, LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

2. X a **Special Exception** under the Zoning Regulations of Baltimore County

See attached

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

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

To be presented at hearing

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

Craig Miceli, Lessee
Name - Type or Print
Craig Miceli
Signature
2217 Quail Creek Court Bel Air MD
Mailing Address City State
21014 / 410 382-7244 / cmamuse@aol.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Neil Lanzi
Name - Type or Print
Neil Lanzi
Signature
102 W. Pennsylvania Ave, Suite 406 Towson MD
Mailing Address City State
21204 / 410 659-1390 / nlanzi@wcslaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Mo's Joppa Road, LLC /
Name #1 - Type or Print Name #2 - Type or Print
Joyce Manocheh
Signature #1 Joyce Manocheh, Member Signature #2
7117 Charles Spring Way Baltimore MD
Mailing Address City State
21204 / 410 905-0090 / jay@reomd.com
Zip Code Telephone #'s (Cell and Home) Email Address

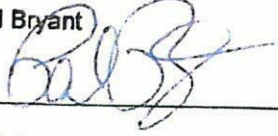
Representative to be contacted:

Neil Lanzi
Name - Type or Print
Neil Lanzi
Signature
102 W. Pennsylvania Ave, Suite 406 Towson MD
Mailing Address City State
21204 / 410 659-1390 / nlanzi@wcslaw.com
Zip Code Telephone # Email Address

Case Number 2023-0201-X Filing Date 9 / 27 / 2023 Do Not Schedule Dates Reviewer CP

Contract Purchaser:

Paul Bryant



2809 Scenic Drive, Austin, Texas 78703

Attorney for Contract Purchaser:

Andrew S. Mello



DarrowEverett, LLP

450 Seventh Ave, Suite 1802

New York, NY 10123

212-335-2090 amello@darroweverett.com

2023-0201-X

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

Mo's Joppa Road, LLC, Property Owner/Petitioner and Craig Miceli, Lessee/Petitioner and current operator, hereby petition the Administrative Law Judge for the following zoning relief from the Baltimore County Zoning Regulations with regard to the property known as 1735 E. Joppa Road:

1. Special Exception pursuant to Sections 233.3 and 436 of the Baltimore County Zoning Regulations to allow Paul Bryant, Contract Purchaser, to become the new operator for the existing pawn shop located at 1735 E. Joppa Road.
2. For any further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

The Administrative Law Judge has the power to grant all of the above zoning relief that will not be detrimental to the health, safety or general welfare of the locality involved. Petitioners will be providing reasons in support of the zoning relief requested at the hearing.

2023-0201-X

Hicks Engineering Associates, Inc.

3715 STANSBURY MILL ROAD

Phoenix, Maryland 21131

(410) 494-0001

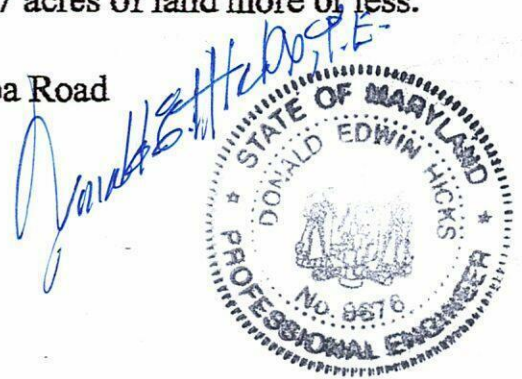
Facsimile: (410) 821-8890

Description for Zoning
1735-1737 East Joppa Road
Baltimore County, MD
Election District 9

BEGINNING for the same on east side of Lackawanna Avenue (60 foot wide right of way), running with and binding on the aforesaid eastern right of way line of Lackawanna Avenue North 22 degrees 39 minutes 00 seconds West 277.85 to a point on the southernmost right of way line of Joppa Road. Thence leaving the eastern most right of way line of Lackawanna Avenue and running with and binding on the aforesaid southernmost right of way of Joppa Road, as laid out and shown on Baltimore County Bureau of Land Acquisition Drawing No. 66-085-014A, the three following courses viz: North 22 degrees 55 minutes 40 seconds East 4.04 feet to a point thence, North 68 degrees 30 minutes 29 seconds East 50.37 feet to a point thence, 162.58 feet by an arc curving to the right in a northeasterly direction, having a radius of 1,874.86 feet, the arc of which is subtended by a chord bearing North 70 degrees 59 minutes 24 seconds East 162.53 feet to a point, thence leaving said Joppa Road South 22 degrees 04 minutes 37 seconds East 247.29 feet to a point on the north side of a fifteen (15.00) foot wide alley, thence running with and binding on the north side of aforesaid alley South 61 degrees 26 minutes 00 seconds West 214.11 feet the place of beginning.

CONTAINING 56,919.18 square feet or 1.3067 acres of land more or less.

BEING KNOWN AS Nos. 1735-37 East Joppa Road



2023-0201-X

SUPPLEMENT TO ZONING DESCRIPTION

1735-1737 E. JOPPA ROAD, BALTIMORE COUNTY

Beginning at a point on the East side of Lackawanna Avenue which is 60 feet wide at the distance of 277.85 feet west of the centerline of Joppa Road which is 70 feet wide.

2023-0201-X

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: 2023-0201-X
Property Address: 1735-1737 East Joppa Rd
Baltimore MD 21234
Legal Owners (Petitioners): no's Joppa Rd LLC
Contract Purchaser/Lessee: CRG m/cel

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Neil Lanza
Address: 102 W. Pennsylvania Ave STE 406
Towson MD 21204
Telephone Number: 410-659-1390

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

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

No. 221271

Date: 9-26-2023

Fund	Dept	Unit	Sub Unit	Rev	Sub	Obj	Sub Obj	Dept	Obj	BS Acct	Amount
				Source/	Rev/						
001	806	0000		6150							500.00

Total: 500.00

Rec

From: 1735-1737E JOPPA RD

For:

2023-0201-X

Sm

DISTRIBUTION

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

CASHIER'S
VALIDATION

CP

23-0874

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

CHECKSAFE

Miceli Inc t/a Poplar Fine Jewelry

1735 E Joppa Rd
Parkville, MD 21234
410-882-7296

M & T BANK
BALTIMORE, MD 21201
7-11/520

003591

09/17/2023

PAY TO THE
ORDER OF

Baltimore County Maryland

\$ **500.00

Five hundred and 00/100*****

DOLLARS

Baltimore County Maryland
Baltimore County Maryland
P.O. Box 64076
Baltimore, MD 21264-4076

MEMO

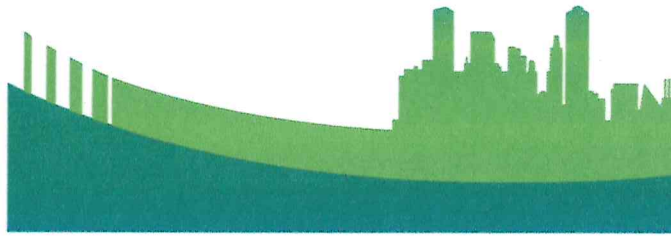
Petition for Zoning ,Craig Miceli ,MO's Joppa LLC



[Signature]
AUTHORIZED SIGNATURE

003591 052000 1131

9857009923



CERTIFICATE OF POSTING

October 21, 2023

_____ amended for second inspection

Re:

Zoning Case No. 2023-0201-X

Legal Owner: Mo's Joppa Road, LLC

Contract purchaser / Lessee: Craig Micelli

Hearing date: November 6, 2023

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jeff Perlow

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **1735-1737 East Joppa Road**.

The signs were initially posted on **October 14, 2023**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak". The signature is stylized with a large "B" and "D".

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2023-0201-X

1735-1737 East Joppa Road

**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.**

DATE & TIME: MONDAY NOVEMBER 6, 2023 10:00 AM

**FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WWW.BALTIMORECOUNTYMD.GOV/ADMINHEARINGS.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION
AND THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL
410-887-3868, EXT. 0.**

REQUEST:

**SPECIAL EXCEPTION PURSUANT TO BCZR, SECTION 233.3 AND 436,
TO ALLOW PAUL BRYANT, CONTRACT PURCHASER, TO BECOME THE
NEW OPERATOR FOR THE EXISTING PAWN SHOP LOCATED AT 1735
E. JOPPA ROAD. SEE ZONING CASE 2005-0297-X (CONDITION #6).
FOR ANY OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE
COUNTY.**

ZONING NOTICE

CASE NO. 2023-0201-X

1735-1737 East Joppa Road

**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.**

DATE & TIME: MONDAY NOVEMBER 6, 2023 10:00 AM

**FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION
AND THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL
410-887-3868, EXT. 0.**

REQUEST:

**SPECIAL EXCEPTION PURSUANT TO BCZR, SECTION 233.3 AND 436,
TO ALLOW PAUL BRYANT, CONTRACT PURCHASER, TO BECOME THE
NEW OPERATOR FOR THE EXISTING PAWN SHOP LOCATED AT 1735
E. JOPPA ROAD. SEE ZONING CASE 2005-0297-X (CONDITION #6).
FOR ANY OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE
COUNTY.**

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: October 10, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0201-X
Address: 1735-1737 E. Joppa Rd.
Legal Owner: Mo's Joppa Road, LLC.

Zoning Advisory Committee Meeting of October 10, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 10/5/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0201-X

INFORMATION:

Property Address: 1735-1737 East Joppa Road

Petitioner: Mo's Joppa Road, LLC

Zoning: BM

Requested Action: Special Exception

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

Special Exception -

1. Pursuant to Sections 233.3 and 436 of the Baltimore County Zoning Regulations to allow Paul Bryant, Contract Purchaser, to become the new operator for the existing pawn shop located at 1735 East Joppa Road; and
2. For any further relief as may be deemed necessary by the Administrative law Judge for Baltimore County.

The subject site is an approximately 1.28 acre parcel located on East Joppa Road. It is improved with a one story building and associated parking. The existing building has four tenants – a jewelry store/pawn shop; an auto body shop; an auto service center; and an auto parts store.

The jewelry store/pawn shop was the subject of prior Zoning Case 2005-0297-X. The case requested a Special Exception to allow a pawn shop under Section 233.4 of the Baltimore County Zoning Regulations (BCZR) as a result of a transfer of license from 5305 East Drive in the 1st Councilmanic District to 1735 East Joppa Road in the 5th Councilmanic District, and for confirmation that Section 436.3 of the BCZR did not apply. The Zoning Case was approved in March of 2005, subject to the following conditions:

1. Signage will not indicate the word “pawn” or display the three-ball symbol for pawn, but rather will show “Poplar Jewelry and Loan”;
2. Security grates protecting the windows will be located on the inside of the building;
3. There will be no sale of weapons, including guns, firearms, etc.;
4. The interior layout of the store will emphasize the sale of jewelry, as compared to the sale of pawned items, by displaying jewelry and high value items in the front portion of the store and having pawned items, such as tools and equipment, in the rear;
5. The dumpster will not be serviced after 10 PM or before 6 AM; and
6. The Special Exception will not run with the land, but rather with this Petitioner, such that should the Petitioner sell the license, the new operator will be required to apply for a Special Exception

unless the new operator is an employee of the Petitioner and has worked in the store for more the six months. In the latter case, the Special Exception will run with that new owner who will not be required to apply for a Special Exception.

Per the petition, a contract purchaser wishes to take over the existing jewelry store/pawn shop at the subject site. A new Special Exception is required as part of Condition 6 of the 2005 Opinion and Order. No exterior alterations are proposed for the subject site at this time.

Uses surrounding the subject site vary. Uses along East Joppa Road are predominately commercial, and include a kitchen design studio, auto repair shops, a Goodwill Retail and Donation Center, a restaurant, and various retail stores. Uses behind/to the south of the subject site are predominately residential in nature and consist of single family attached residential.

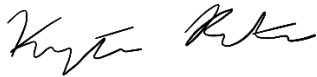
The site is not within the boundary of any adopted community plan area, however, it should be noted that the site is within the Loch Raven/Baynesville Design Review Panel (DRP) area. As such, any exterior alterations may be subject to review and approval by the DRP. Should exterior alterations be proposed in the future, the Petitioner is encouraged to contact Marta Kulchytska at 410-887-3482 for additional information on review.

Because the use has been in operation since 2005 with the approval of Zoning Case 2005-0297-X and no exterior alterations are proposed, the Department of Planning has no objections to the Special Hearing request, subject to the following condition:

1. All conditions put in place with the conditional approval of Zoning Case 2005-0297-X shall continue.

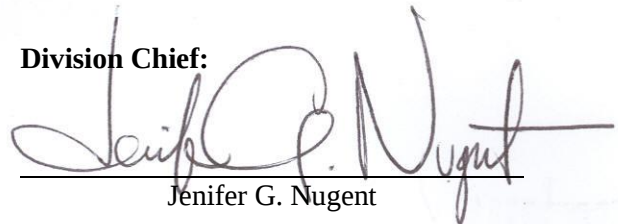
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Neil Lanzi

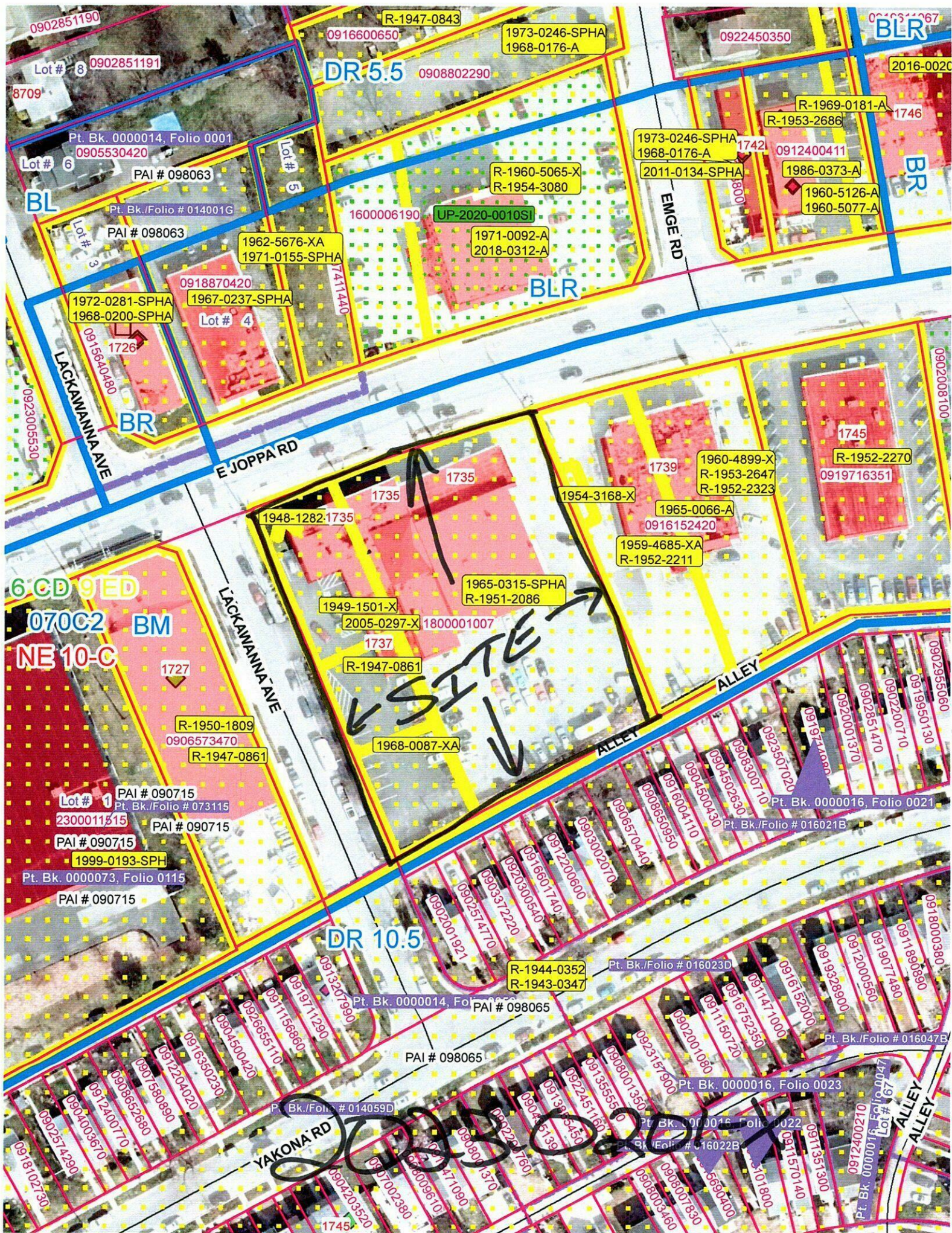
David Birkenthal, Community Planner

Jeff Perlow, Zoning Review

Kristen Lewis, Zoning Review

Office of Administrative Hearings

People's Counsel for Baltimore County



Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 09 Account Number - 1800001007

Owner Information

Owner Name: MO'S JOPPA ROAD LLC Use: COMMERCIAL
Mailing Address: 13113 MANOR ROAD Principal Residence: NO
GLEN ARM MD 21057- Deed Reference: /12260/ 00140

Location & Structure Information

Premises Address: 1737 JOPPA RD Legal Description: 1.258 AC SS JOPPA RD
BALTIMORE MD 21234-0000 SW COR LACKAWANA AV

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0070 0012 1031 20000.04 0000 2023 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1978 16,245 SF 1 SF 22

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
SERVICE GARAGE/ C3

Value Information

	Base Value	Value			Phase-in Assessments	
		As of 01/01/2023	As of 07/01/2023	As of 07/01/2024		
Land:	980,000	980,000				
Improvements	596,700	599,400				
Total:	1,576,700	1,579,400	1,577,600		1,578,500	
Preferential Land:	0	0				

Transfer Information

Seller: FAMILY MORTGAGE CORPORATION	Date: 06/27/1997	Price: \$285,000
Type: NON-ARMS LENGTH OTHER	Deed1: /12260/ 00140	Deed2:
Seller: SCHAEFER WILLIAM H,JR	Date: 12/26/1985	Price: \$850,000
Type: ARMS LENGTH IMPROVED	Deed1: /07061/ 00258	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2023	07/01/2024
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023-0201-X



VICINITY MAP
SCALE: 1" = 2,000'

ZONING CASE HISTORY

CASE #1282 - GRANTED SEPTEMBER 1, 1948
PETITION FOR TEMPORARY USE PERMIT FOR
ADVERTISING STRUCTURES
CASE #2086 - GRANTED OCTOBER 3, 1951
PETITION FOR RECLASSIFICATION FROM
"A" RESIDENTIAL ZONE TO "E" COMMERCIAL ZONE
CASE #05-297-X - GRANTED MARCH 01, 2005, PETITION FOR SPECIAL EXCEPTION
TO ALLOW A PAWN SHOP UNDER SECTION 233.4 OF THE B.C.Z.R.

GENERAL NOTES

1. THE PROPERTY IS NOT LOCATED IN A 100-YEAR FLOOD PLAIN.
2. THERE ARE NO STREAMS OR STORMWATER MANAGEMENT SYSTEMS ON THE SUBJECT PROPERTY
3. THERE IS NO NEW DEVELOPMENT PROPOSED AT THIS TIME

SITE DATA

SITE AREA	56,919.18 SQ. FT. OR 1.3067 ACRES +/-
DEED REFERENCE	12260/140
TAX ACCOUNT NO.	1800001007
EXISTING ZONING	BM
ZONING MAP	NE 10-C, 070C2

FLOOD AREA RATIO

SITE AREA	=	56,919.18 SF
AUTO PARTS STORE	=	3,850 SF
AUTO SERVICE CENTER	=	4,400 SF
AUTO BODY SHOP	=	2,929 SF
JEWELRY & LOAN	=	6,198 SF
TOTAL FLOOR AREA	=	17,377 SF
F.A.R.	=	0.31

PARKING CALCULATION

AUTO PARTS STORE - 3,850 SF @ 5 SPACES PER 1,000 SF	=	19.3 SPACES
AUTO SERVICE CENTER - 4,400 SF @ 3.3 SPACES PER 1,000 SF	=	14.5 SPACES
AUTO BODY SHOP - 2,929 SF @ 3.3 SPACES PER 1,000 SF	=	7.2 SPACES
JEWELRY AND LOAN - 6,198 SF @ 5 SPACES PER 1,000 SF	=	31.0 SPACES
TOTAL SPACES REQUIRED	=	72 SPACES
TOTAL SPACES PROVIDED	=	79 SPACES

POPLAR JEWELRY & LOAN

SINGLE-SIDED
ILLUMINATED
SIGN
50 S.F.

EXISTING
SIGN DETAIL "A"
NOT TO SCALE

EXISTING
SIGN DETAIL "B"
NOT TO SCALE

OWNER:
MO'S JOPPA ROAD LLC
C/O MOHAMMAD S. MANOCHEH
P.O. BOX 322
LONG GREEN, MD 21092-0322

H *Hicks Engineering Associates, Inc.*
ENGINEERS, SURVEYORS & PLANNERS
3715 STANSBURY MILL ROAD
PHOENIX, MARYLAND 21131
(410)-494-0001 FAX: (410)-821-8890

PROJECT TITLE:
#1735-#1737 E. JOPPA ROAD
BALTIMORE COUNTY, MD
ELECTION DISTRICT 9 COUNCILMANIC DISTRICT 5

DRAWING TITLE:
PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION

JOB NO.:	21619	DRAWING NO.:	
DRAWN BY:	JAC		
CHECKED BY:	PMN		
DATE:	JULY 8, 2023		
SCALE:	1"=20'	SHEETS PER SET:	1 OF 1

ZONING PLAT

2023-0201-X

FRONA FRIED, TRUSTEE
14102/434
TAX NO. 0906573470
ZONED: BM
USE: COMMERCIAL

PEPBOYS
MANNY, MOE & JACK
4383/493
TAX NO. 0918152420
ZONED BM
USE: COMMERCIAL

RIDGELEIGH
SUBDIVISION PLAT OF BLOCK 16
TBS 16 P.21
ZONED: DR10.5
USE: RESIDENTIAL