



JOHN A. OLSZEWSKI, JR.  
County Executive

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
ANDREW M. BELT  
Administrative Law Judge  
DEREK J. BAUMGARDNER  
Administrative Law Judge

January 9, 2024

Jennifer Busse, Esquire- [jbusse@rosenbergmartin.com](mailto:jbusse@rosenbergmartin.com)  
Rosenberg Martin Greenberg, LLP  
25 S. Charles Street, 21<sup>st</sup> Floor  
Baltimore, MD 21201

RE: Petition for Special Hearing  
Case No: 2023-0239-SPHA  
Property: 1014 Taylor Avenue

Dear Ms. Busse:

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 that reads "Maureen E. Murphy". The signature is written in a cursive style with a large, prominent "M" and "E".

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
for Baltimore County

MEM:dml  
Enclosure

C: Lawrence BenBassett – [lb@pnrestaurants.com](mailto:lb@pnrestaurants.com)  
Carl Wilson – [cwilson@trafficgroup.com](mailto:cwilson@trafficgroup.com)  
Jennifer Frankovich, Esquire – [jfrankovich@baltimorecountymd.gov](mailto:jfrankovich@baltimorecountymd.gov)  
[Nick.ottomaniello@kimley-horn.com](mailto:Nick.ottomaniello@kimley-horn.com)  
Matt Bishop – [matt.bishop@kimley-horn.com](mailto:matt.bishop@kimley-horn.com)

IN RE: <b>PETITIONS FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>AND VARIANCE</b>		
<b>(1014 Taylor Avenue)</b>	*	OFFICE OF
9 <sup>th</sup> Election District		
6 <sup>th</sup> Council District	*	ADMINISTRATIVE HEARINGS
Pleasant Plains CVS Business Trust		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
PN Restaurants		
<i>Contract Purchaser</i>	*	<b>Case No. 2023-0239-SPHA</b>

**Petitioners**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Pleasant Plains CVS Business Trust, legal owner, and PN Restaurants, lessee (“Petitioners”) for the property located at 1014 Taylor Avenue, Loch Raven (“the Property”). The Special Hearing was filed pursuant to Baltimore County Zoning Regulations (“BCZR”), §500.7 to extinguish a special permit granted in Case No. 1955-3506-X. Variance relief was also requested from BCZR, §409.6 to permit 234 parking spaces in lieu of otherwise required 442 spaces; and from BCZR, §409.10 to allow 8 stacking spaces behind the two order boards in lieu of otherwise required 10 spaces.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Lawrence BenBassett, Director of Development with PN Restaurants appeared on behalf of the Petitioners, along with Carl Wilson, PE, Vice President of The Traffic Group, and Matt Bishop, Project Manager and Senior Landscape Architect with Kimley, Horn, the civil engineering firm who prepared and sealed a site plan (the “Site Plan”) and a redlined site plan (the “Redlined Site Plan”). (Pet. Exs. 5, 9). Jennifer Busse, Esquire of Rosenberg, Martin Greenberg, LLP represented the Petitioners.

Zoning Advisory Committee (“ZAC”) comments was received from the Department of Planning (“DOP”) and Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the requested relief. Development Plans Review (“DPR”) on behalf of Department of Public Works and Transportation (“DPWT”) provided a ZAC comment requesting changes to the Site Plan.

The Property is 5.51 acres  $\pm$  (240,053 sf) located on the corner of Loch Raven Blvd. (MD Rt. 542) and Taylor Avenue, and is otherwise known as “Pleasant Plains Shopping Center.” It has two full movement access points along Taylor Avenue, and two right-in/right-out access points from Loch Raven Blvd. The Property is improved with a freestanding CVS building (11,072 sf +/-), and a separate building (35,000 sf +/-) containing retail, restaurant, and personal service uses. (Pet. Ex. 9). The Property is split-zoned Business, Local, with a Commercial Community Core District (BL-CCC), and Density Residential (DR 3.5). The intersection of Loch Raven Blvd. and Goucher Blvd./Taylor Avenue has a shopping center on each corner. Townhomes are located to the immediate north-east of the Property. The Loch Raven branch of the Baltimore County Public Library adjoins the Property to the south-east.

Mr. BenBassett testified that the proposal in this Case is to construct a 2,536 sf +/- freestanding Popeye’s restaurant on the south-eastern end of the Property in the existing parking lot. Mr. BenBassett explained that there are 250 Popeye’s located in 14 states. Given the Property’s location at this intersection, he estimates that over 20,000 vehicles travel on the adjacent roads per day. Within 2 miles of the Property, he highlighted that 84,000 people live there, and 40,000 workers are employed. He added that the trend for fast food restaurants is toward the use of the drive-thru, and not dine-in. Consequently, the inclination of customers to use a drive-thru has reduced the size of the dine-in restaurant. By way of example, in 2015, the typical size of a

small Popeye's restaurant was 48 seats, and for a larger one 60 seats. The current trend is 12 seats for a smaller Popeye's, and 24 seats for a larger one. Thus, he indicated that 80% of Popeye's business comes from the use of drive-thru's. This trend has driven the need for dual-lane drive-thru's and dual order boards. As shown on the Site Plan, the proposed Popeye's restaurant will have dual lanes as vehicles approach 2 order boards. After placing the food order, vehicles will then alternate into a single lane heading to the pick-up/pay window.

Carl Wilson, PE, who was accepted as an expert traffic engineer, prepared a Parking Occupancy Study. (Pet. Ex. 4). Mr. Wilson explained that the Parking Occupancy Study was prepared using drone footage photographs which were taken every 30 minutes, between the hours of 10 am – 7 pm on Saturday, November 4, 2023; Thursday, November 9, 2023, and Friday November 10, 2023. Drone photographs showed the actual number of occupied parking spaces which are set forth in the Parking Occupancy Study. Mr. Wilson explained that, for all the uses at Pleasant Plains Shopping Center, there are 306 existing parking spaces which are divided into 16 separate areas as identified in the Parking Occupancy Study. The proposed Popeye's will consume one or more of the parking areas labeled as 12-16, resulting in the loss of 72 spaces (306-234).

The results of the Parking Occupancy Study shows that the greatest number of occupied spaces on a given day was 83 (27.12%). Mr. Wilson opined that the required number of spaces under the BCZR for a fast-food restaurant is 41 spaces (16 spaces per 1,000 sf). He further opined that the maximum future demand would therefore be 124 spaces (83 +41) for all the uses in the entire shopping center. Given the net available 234 spaces, there will be an excess of 110 parking spaces available. Based on the Parking Occupancy Study, it was Mr. Wilson's opinion that, from a parking perspective, the proposed Popeye's will not be detrimental to the surrounding community.

Matt Bishop, who was accepted as an expert in zoning and land development, has been working on development in the Pleasant Plains Shopping Center since 2006. Mr. Bishop acknowledged that while the BCZR requires 401 parking spaces for the existing uses here, and only 306 spaces are available before the construction of the Popeye's, oddly there are no Zoning Petitions on file for this Property. Mr. Bishop also testified that the Property is located within a Design Review Panel area and therefore the proposed Popeye's was subject to consideration by the Design Review Panel ("DRP"). A DRP presentation was provided showing details of the existing uses, site plan, and architectural renderings of the proposed building. (Pet. Ex. 6). Mr. Bishop confirmed that all issues raised by the DRP were addressed.

Mr. Bishop reviewed the DRP ZAC comments and made those changes to the Site Plan as requested which resulted in the Redlined Site Plan. (Pet. Ex. 9). With regard to the DRP's comment that the existing right-of-way line on the north side of Taylor Avenue as shown on the Site Plan was not correct, Mr. Bishop testified that a licensed surveyor provided the right-of-way line which does appear to be legally correct. In his opinion, regardless of the right-of-way location, the ZAC comment has no bearing on the outcome here because the required front setback has been met.

Mr. Bishop further opined that the special permit to use the Property as a golf course or golf ball landing area has not been utilized in years. There are no golf courses near the Pleasant Plains Shopping Center for which the special permit would apply. The Property slopes towards the existing parking lot area as shown in the DPR Presentation/Section Elevations. The topography necessitated the construction of a retaining wall and directed the placement of the CVS and retail building in their existing locations on the Property. Additionally, he testified that, unlike a square shaped property, the Property's rectangular shape provides less area for parking. In his view, this

shape makes it unique from surrounding properties.

With regard to the Variance relief for a reduced number of parking spaces, Mr. Bishop found the Parking Occupancy Study showing ample parking spaces to be consistent with his experience at the Shopping Center. The Variance relief for the stacking spaces was generated by a conservative reading of BCZR, §409.10 which, on the one hand, allows 7 stacking spaces per “station” of which 5 of those stacking spaces must be behind the order board. He explained the stacking space regulations were enacted when fast food restaurants had a single drive-thru lane and were intended to prevent overflow stacking onto adjacent roadways. In this case, the Popeye’s would have 8 stacking spaces divided between 2 order boards, and any overflow stacking would spill into the parking lot, not onto a roadway. He opined that the Variance relief for parking and stacking spaces is the minimal amount needed and there will be no detriment to the health, safety or general welfare.

#### SPECIAL HEARING

A “special hearing” request under BCZR §500.7 “is, in legal effect, a request for a declaratory judgment.” *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). This regulation gives the Administrative Law Judge the authority to interpret the county zoning regulations and to grant appropriate relief based on those interpretations. Further, “the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing [request] would be compatible with the community and generally consistent with the spirit and intent of the regulations.” *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

Based on the uncontroverted evidence in this Case, I find that the Special Hearing relief to terminate the special permit for the golf ball collection/landing site which has not been in use for

years, should be granted. Indeed, given the development of the area which has occurred since 1955, there is no practical situation where a special permit for golf ball landing area would be needed. As such, the special permit granted in Case No.: 1955-3506-X will be terminated.

### VARIANCE

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

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

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

The Property is uniquely shaped as a rectangle which is different than other commercial properties in the area. The evidence was that, due to its rectangular shape, less parking area is available. It is also unique due to its topography which necessitated the construction of a retaining wall and limits the available parking area. The topography also directed the placement of the buildings as they currently exist on the Property which further limits the available parking areas. The Parking Occupancy Study confirmed that, even with the elimination of 72 parking spaces and the additional BCZR requirement of 41 spaces for the Popeye's, there will still be 110 spaces which remain unoccupied for all the uses in the Pleasant Plains Shopping Center. Accordingly, the Variance relief for a reduced number of parking spaces will be granted.

In regard to stacking spaces for the Popeye's drive-thru BCZR, §409.10 mandates 7 stacking spaces per 'transaction station' or lane. Given that there are 2 lanes, and 2 transaction stations here, a total of 14 stacking spaces, with 7 spaces in each lane, would be required. Reading the stacking space requirements for drive-thru facilities together, I find this to be consistent with

the BCZR stacking space requirement for dual drive-thru lanes where the restaurant only has a drive-thru (and not dine-in seating) in that the required number of stacking spaces there is 16 (as opposed to 14 here), with no less than 5 stacking spaces per lane if walkup window is provided. If there is no walkup window for a drive-thru restaurant only, 20 spaces are required with no less than 5 per lane. Additionally, BCZR, §409.10 also requires that at least 5 of the 7 stacking spaces per lane are to be located behind an order board. In this Case, the Redlined Site Plan shows that while there will be 5 spaces behind 1 order board, the other order board only has 4. It appears that there are 9 stacking spaces provided, not 8.

Because the Petition has a catch-all request (i.e. further relief as deemed necessary by Administrative Law Judge), I find that the Petition is not deficient. Toward that end, I find the stacking space Variance request is from BCZR, §409.10, for a total 9 stacking spaces in dual drive-thru lanes, with 1 lane having only 4 vehicles behind an order board, in lieu of the required total 14 stacking spaces (7 per transaction lane), with 5 stacking spaces required to be behind an order board.

Given that any overflow of vehicles from the transaction lanes will flow into the parking lot which has ample space to accommodate any overflow, I find that the Petitioners would suffer a practical difficulty and unreasonable hardship if a reduced number of stacking spaces were not granted because the Popeye's could not be constructed. The use of dual drive-thru lanes and dual transaction stations is efficient and would work to prevent incidents of stacking overflow. I also find that the requested variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.



THEREFORE, IT IS ORDERED this 9<sup>th</sup> day of **January, 2024** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to BCZR § 500.7 to extinguish special permit granted in Case No. 1955-3506-X be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that Variance relief from BCZR, §409.6 to permit 234 parking spaces in lieu of otherwise required 442 spaces be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that the Petition for Variance relief from BCZR, §409.10, for a total 9 stacking spaces in dual drive-thru lanes, with 1 lane having only 4 vehicles behind an order board, in lieu of the required total 14 stacking spaces (7 per transaction lane), with 5 stacking spaces required to be behind an order board, be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The Redlined Site Plan (Pet. Ex. 9) is attached hereto and incorporated herein.
3. Petitioners shall comply with the DOP and DPR/DPWT ZAC comments which are attached hereto and incorporated herein.
4. The DRP October 12, 2023 conditional approval (Pet. Ex. 7) is attached hereto and incorporated herein.

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



MAUREEN E. MURPHY  
Chief Administrative Law Judge  
For Baltimore County

MEM/dlm



# PETITION FOR ZONING HEARING(S)

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

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

Address 1014 Taylor Avenue which is presently zoned BL CCC/DR 3.5  
Deed References: 24599/00524 10 Digit Tax Account # 0 9 0 8 6 5 5 2 8 0  
Property Owner(s) Printed Name(s) Pleasant Plains CVS Business Trust

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

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

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

*please see attached*

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

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

*please see attached*

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

TO BE PRESENTED AT HEARING

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

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

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

### Contract Purchaser/Lessee:

PN Restaurants  
Name- Type or Print  
Lawrence BenBassett  
Signature  
100 Menlo Park Mall, Suite 500 Edison NJ  
Mailing Address City State  
08837 / 301-613-7965 / lb@pnrestaurants.com  
Zip Code Telephone # Email Address

### Attorney for Petitioner:

Jennifer Busse - Rosenberg Martin Greenberg LLP  
Name- Type or Print  
  
Signature  
25 S. Charles Street, 21st FL Baltimore MD  
Mailing Address City State  
21201 / 410-727-8647 / jbusse@rosenbergmartin.com  
Zip Code Telephone # Email Address

### Legal Owners (Petitioners):

Pleasant Plains CVS Business/ Trust  
Name #1 - Type or Print Name #2 - Type or Print  
Mike [unclear]  
Signature #1 Signature #2  
11421 Conhill Dr Suite G Owings Mills MD  
Mailing Address City State  
21117 / 410-902-6090 / duke7008@hotmail.com  
Zip Code Telephone # Email Address

### Representative to be contacted:

Jennifer Busse - Rosenberg Martin Greenberg LLP  
Name - Type or Print  
  
Signature  
25 S. Charles Street, 21st FL Baltimore MD  
Mailing Address City State  
21201 / 410-727-8647 / jbusse@rosenbergmartin.com  
Zip Code Telephone # Email Address

CASE NUMBER 2123-0237-SPHA Filing Date 11/13/2007 Do Not Schedule Dates: \_\_\_\_\_ Reviewer [Signature]

**Attachment to Zoning Petition**

**1014 Taylor Avenue**

Petition for Variance to permit 234 parking spaces in lieu of otherwise required 442 spaces.

Petition for Variance to allow 8 stacking spaces behind the two order boards in lieu of otherwise required 10 spaces.

Petition for Special Hearing to extinguish special permit granted in Case 1955-3506-X.

Any further relief deemed necessary by the Administrative Law Judge.

**Zoning Property Description for Variance Petition**  
**1014 Taylor Avenue**

Beginning at a point located 177' from the intersection of Loch Raven Boulevard which has a right of way width of 80 feet and Taylor Avenue which has a right of way width of 100 feet **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

1. By a curve to the right having a radius of 2,366.63 feet and an arc length of 150.05 feet and being subtended by a chord bearing and distance of North 30 degrees 22 minutes 58 seconds East, 150.02' to a point
2. North 62 degrees 48 minutes 56 seconds West, 150.49' to a point
3. By a curve to the right having a radius of 216.58 feet and an arc length of 232.67 feet and being subtended by a chord bearing and distance of North 34 degrees 25 minutes 49 seconds East, 221.64' to a point
4. South 62 degrees 48 minutes 56 seconds East, 718.68' to a point
5. South 43 degrees 25 minutes 04 seconds West, 82.55' to a point
6. By a curve to the left having a radius of 1,040.00' feet and an arc length of 294.35 feet and being subtended by a chord bearing and distance of South 35 degrees 18 minutes 36 seconds West, 293.38' to a point
7. North 62 degrees 48 minutes 56 seconds West, 539.98' to a point and place of beginning.

**Containing** an area of 240,053 square feet or 5.51 acres of land, more or less and being located in the 9th Election District and 6th Council District of Baltimore County Maryland.



2023-0239-SPHA



# PETITION FOR ZONING HEARING(S)

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

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

Address 1014 Taylor Avenue which is presently zoned BL CCC/DR 3.5  
Deed References: 24599/00524 10 Digit Tax Account # 0 9 0 8 6 5 5 2 8 0  
Property Owner(s) Printed Name(s) Pleasant Plains CVS Business Trust

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

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

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

*please see attached*

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

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

*please see attached*

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

TO BE PRESENTED AT HEARING

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

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

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


### Contract Purchaser/Lessee:

PN Restaurants  
Name- Type or Print  
  
Signature  
100 Menlo Park Mall, Suite 500 Edison NJ  
Mailing Address City State  
08837 / 301-613-7965 / lb@pnrestaurants.com  
Zip Code Telephone # Email Address

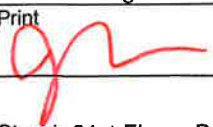
### Legal Owners (Petitioners):

Pleasant Plains CVS Business / Trust  
Name #1 - Type or Print Name #2 - Type or Print  
/  
Signature #1 Signature #2  
12300 Highgrove Court Reisterstown MD  
Mailing Address City State  
21117 / /  
Zip Code Telephone # Email Address

### Attorney for Petitioner:

Jennifer Busse - Rosenberg Martin Greenberg LLP  
Name- Type or Print  
  
Signature  
25 S. Charles Street, 21st FL Baltimore MD  
Mailing Address City State  
21201 / 410-727-8647 / jbusse@rosenbergmartin.com  
Zip Code Telephone # Email Address

### Representative to be contacted:

Jennifer Busse - Rosenberg Martin Greenberg LLP  
Name - Type or Print  
  
Signature  
25 S. Charles Street, 21st FL Baltimore MD  
Mailing Address City State  
21201 / 410-727-8647 / jbusse@rosenbergmartin.com  
Zip Code Telephone # Email Address

CASE NUMBER 2023-0239-58HA Filing Date 11/15/2023 Do Not Schedule Dates: \_\_\_\_\_ Reviewer *mlk*

**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: 2023-0234-SPHA  
Property Address: 1014 Taylor Ave.  
Legal Owners (Petitioners): Pleasant Plains CVS Business Trust  
Contract Purchaser/Lessee: The Parikh Network

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): RMG c/o Jennifer Busse, Esq.  
Address: 25 S. Charles St  
21st Floor  
Balto MD 21201  
Telephone Number: 410 727-8647

\*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. 228974

Date: 11/13/2023

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$1,000.00

Total: \$1,000.00

Rec From: Rosenberg Martin Greenberg  
 For: Special ~~Hearing~~ E Zoning Variance  
 1014 Taylor Ave  
 Zoning Case 2023 - 0239 - SPHA

**CASHIER'S  
 VALIDATION**

*MSA*

**DISTRIBUTION**


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

PLEASE PRESS HARD!!!!

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 27, 2023  
Item No. 2023-0239-SPHA

**DATE:** November 27, 2023

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

DPW-T: Site plan does not show table of ultimate number of parking spaces. Please show Number of existing and total spaces in proposed condition.

Number of spaces are significantly short of required. About 50%. Things to consider are the actual number of spaces that are occupied typically, and the type of restaurant that is being proposed. It seems like it is primarily a drive through. Recommendation that a parking study be conducted to be presented to ALJ. There is no available parking in the public right of way on the county road frontages, and we defer to others regarding the variance on the parking regulations on site.

DPR: Existing ROW line as shown on the plan is not correct along the north side of Taylor Avenue. Correct ROW line to be at 75'. Provide highway widening area to be in line with the existing.

Landscape: If Special Hearing and Zoning Relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required. Please contact Mr. Jim Hermann to setup a meeting to discuss before the ZAC goes to the ALJ.

Rec & Parks: N/C & No Greenways affected

VKD: JK  
cc: file



**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE MEMORANDUM**

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

**DATE:** 11/27/2023

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 2023-239-SPHA

**INFORMATION:**

**Property Address:** 1014 Taylor Avenue  
**Petitioner:** Pleasant Plains CVS Business Trust  
**Zoning:** BL CCC, DR 3.5  
**Requested Action:** Special Hearing, Variance

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

*Special Hearing -*

1. To extinguish the Special Permit granted in Case 1955-3506-X;

*Variance -*

1. To permit 234 parking spaces in lieu of the otherwise required 442;
2. To allow 8 stacking spaces behind two order boards in lieu of the otherwise required 10 spaces;  
and
3. For any further relief deemed necessary by the Administrative Law Judge.

The subject site is an approximately 5.41 acre parcel at the signalized intersection of Loch Raven Boulevard and Taylor Avenue in the Loch Raven area. It is improved with a one story CVS convenience store with a drive-thru, a one story strip shopping center, and an associated surface parking lot. As of Google Streetview from May 2022, tenants in the shopping center include a dry cleaner, a Game Stop, multiple restaurants/carry out food establishments, and an auto parts store. The CVS and strip shopping center are to the north of the property and the parking is to the south, along Taylor Avenue. Per the petition and site plan, the petitioners wish to add a fast food restaurant with a drive-thru to the southeast of the subject site, where there is existing surface parking.

Uses surrounding the subject site vary. North of the subject site are single family attached residential dwellings (townhomes). East of the subject site is the Loch Raven Branch of the Baltimore County Public Library. South and west of the subject site are primarily commercial development. Uses include other strip shopping centers, similar to the subject site; fast food drive-thru's; restaurants; retail stores; grocery stores; a gas station; and more. Drive-thru's in the area include a McDonald's, a Taco Bell, and a Burger King.

The subject site is located within the Loch Raven-Baynesville Design Review Panel (DRP) area. The DRP was established by Section 32-4-203 of the Baltimore County Code, and its goal is to encourage design excellence through the application of design guidelines contained in the Master Plan, the Comprehensive Manual of Development Policies, adopted community plans, and Section 260 of the Baltimore County Zoning Regulations, as applicable. The Design Review Panel conditionally approved the project and its design in September of 2023.

The site was the subject of Zoning Cases in 1947 and 1955 with Case 1947-928-R for a Zoning Reclassification; Case 1955-3344-S for signage; and Case 1955-3506-X for a Special Permit to use the land for the flight and landing of golf balls from the adjacent driving range, and for the retrieval of golf balls from said land.

Regarding the request for a Special Hearing to extinguish the Special Permit granted in Case 1955-3506-X, the Department of Planning has no objections. The nearest golf course is Country Club of Maryland, located at 1101 Stevenson Lane, which is over 2,100 feet away from the subject site.

The proposed use appears consistent with the immediate surroundings. Further, the drive-thru is located interior to the site, and therefore should not negatively impact traffic on either Loch Raven Boulevard or Taylor Avenue. As such, the Department has no objections regarding the request for Variances to permit 234 parking spaces in lieu of the required 442 and to allow eight stacking spaces behind two order boards in lieu of the required ten, subject to the following condition:

1. The development is subject to the conditions outlined by the Design Review Panel in their September 13<sup>th</sup>, 2023 conditional approval. At the time of permitting, the Department of Planning will confirm that the conditions are met, and that the proposed architecture and site plan are consistent with the Design Review Panel approval.

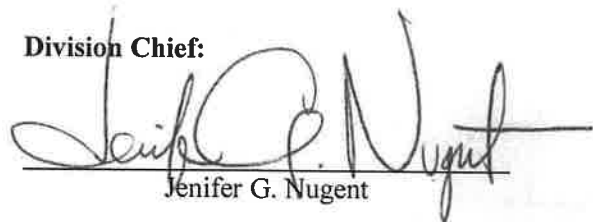
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

**Prepared by:**



Krystle Patchak

**Division Chief:**



Jenifer G. Nugent

SL/JGN/KP

c: Jennifer Busse – Rosenberg, Martin, Greenberg LLP  
David Birkenthal, Community Planner  
Jeff Perlow, Zoning Review  
Kristen Lewis, Zoning Review  
Office of Administrative Hearings  
People's Counsel for Baltimore County



BALTIMORE COUNTY  
Maryland

JOHN A. OLSZEWSKI, JR.  
*County Executive*

C. Pete Gutwald, AICP  
*Director, Department of Permits,  
Approval and Inspections*

October 12, 2023

**Matt Bishop**  
**Kimley-Horn**  
**215 Washington Ave. Suite 500**  
**Towson, MD 21204**

**Re: 1014 Taylor Avenue – Popeyes**

Dear Matt Bishop,

In accordance with Section 32-4-203(1), Baltimore County Code, and as designee for the Directors of the Departments of Permits, Approval and Inspections, Planning and Environmental Protection and Sustainability, please be advised that the recommendation of the Design Review Panel (DRP) has been accepted and approved. This approval is a condition precedent for the issuance of a permit for the above captioned property.

The DRP met in a public forum on September 13, 2023, and after hearing from the applicant and/or representatives and receiving public comment, the DRP panel has determined to recommend approval as more particularly described in its inter-office correspondence to me, dated October 10, 2023, and which is attached hereto and incorporated in its entirety hereby.

Should you have any questions, please contact the Department of Planning.

Be further advised, an appeal to this decision must be made within thirty (30) days of the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Pete Gutwald", with a long horizontal flourish extending to the right.

C. Pete Gutwald, Director  
Permits, Approvals and Inspections


C: Lloyd Moxley, PAI  
Steve Lafferty, Planning

CPG/js

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE MEMORANDUM**

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

**DATE:** 10/10/2023

**FROM:** Stephen Lafferty   
Director, Department of Planning

**SUBJECT:** Design Review Panel – Approval

**MEETING DATE:** September 13, 2023

**PROJECT NAME:** Popeyes, 1014 Taylor Avenue

**DRP PROJECT #:** 660

**PROJECT TYPE:** Loch Raven-Hillendale Commercial Review

**DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:**

Mr. Joe Ucciferro, Mr. James Stevens, Mr. Matt Renauld, Mr. Raj Sharma, Mr. Donald Kann, Ms. Kelly Ennis, Mr. Om Khurjekar and Mr. Scott Walters.

**PROJECT DESCRIPTION:**

The presentation was given by Mr. Robert Grimaldi.

The proposed project will be located at 1014 Taylor Avenue at Pleasant Plains Shopping Center. The center contains a freestanding CVS and about 35,000 sf of inline retail/restaurant tenants. The proposal is for a new ±2,536 square foot freestanding Popeyes restaurant. The new restaurant will be located within the existing parking lot at the southeast corner of the center.

This project was presented during the July 12, 2023 DRP meeting. The DRP requested the applicant to address several conditions and to come back for another DRP review.

**SPEAKERS:**

There were no registered speakers from the public.

**DESIGN REVIEW PANEL COMMENTS:**

Ms. Marta Kulchytska read the Department of Planning's Staff Report dated September 13, 2023.

Mr. Joe Ucciferro opened the floor to panel members for discussion.

Ms. Kelly Ennis complimented the revisions to the branded forms of the prototype architecture. She agreed with the Department of Planning's Staff Report comments.

Mr. Donald Kann stated that the applicants have addressed the previous conditions and had no additional comments.

Mr. Matt Renauld questioned the location of the crosswalk and recommended relocating it so that it would be a direct connection from the front of the restaurant to the adjacent retail. He asked that the applicants confirm that there is adequate space to provide the outdoor seating spaces and amenities. Mr. Renauld stated that the canopy details should be included and shown on the site plan.

Mr. Raj Sharma had no comments.

Mr. James Stevens concurred with the previous panel members' comments and had no additional comments.

Mr. Om Khurjekar concurred with comments made by panel members and the Department of Planning's Staff Report. He suggested that a taller variety of evergreens be planted in front of the 6-foot retaining wall.

Mr. Scott Walters inquired about the color of the building materials and asked that colors be confirmed and clearly indicated on the plans.

Mr. Ucciferro stated that the location of the dumpsters was not ideal, but understood the hardship with the site constraints.

**DISPOSITION:**

Mr. Matt Renauld made a motion to approve the project with conditions to be reviewed and approved administratively by the Department of Planning. The conditions were as follows:

1. Explore the potential to shift the crosswalk to the northwest corner of the proposed building so it connects the adjacent retail property, pending coordination with the adjacent landlord/tenants.
2. Adjust the plantings along Taylor Avenue to include a taller evergreen planting that better compliments the retaining wall.
3. Ensure that the extent of the canopy details are included and shown on the site plan for County Agency review.
4. Per the Staff Report comments dated September 13, 2023, the requested parking variance to reduce parking calculations from the required 442 to the proposed 236 be approved.

The motion was seconded by Mr. James Stevens and approved by acclamation at 7:11 pm.

As of September 23, 2023 revised plans have been submitted to the Department of Planning for review and approval. The Department of Planning and the DRP Chair find that the revisions respond to the conditions of the DRP review.

MK: File

c: DRP members in attendance;  
Mr. Matt Bishop

CERTIFICATE OF POSTING

CASE NO. 2023-0239-SPHA

PETITIONER/DEVELOPER

Rosenberg Martin Greenberg

Jennifer Busse

DATE OF HEARING/CLOSING

January 4, 2024

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING ROOM 111  
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE  
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON  
THE PROPERTY LOCATED AT

1014 Taylor Avenue

Sign 1

THE SIGN(S) POSTED ON December 10, 2023

(MONTH, DAY, YEAR)

SINCERLEY,

MARTIN OGLE

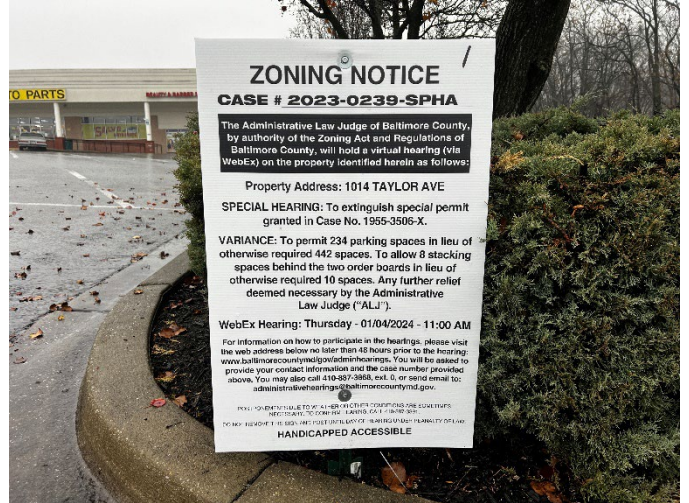


MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE, MD 21234

443-629-3411



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

**FROM:** *MCD*  
Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 27, 2023  
Item No. 2023-0239-SPHA

**DATE:** November 27, 2023

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

DPW-T: Site plan does not show table of ultimate number of parking spaces. Please show Number of existing and total spaces in proposed condition.

Number of spaces are significantly short of required. About 50%. Things to consider are the actual number of spaces that are occupied typically, and the type of restaurant that is being proposed. It seems like it is primarily a drive through. Recommendation that a parking study be conducted to be presented to ALJ. There is no available parking in the public right of way on the county road frontages, and we defer to others regarding the variance on the parking regulations on site.

DPR: Existing ROW line as shown on the plan is not correct along the north side of Taylor Avenue. Correct ROW line to be at 75'. Provide highway widening area to be in line with the existing.

Landscape: If Special Hearing and Zoning Relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required. Please contact Mr. Jim Hermann to setup a meeting to discuss before the ZAC goes to the ALJ.

Rec & Parks: N/C & No Greenways affected

**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: November 22, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0239-SPHA  
Address: 1014 TAYLOR AVE.  
Legal Owner: Pleasant Plains, CVS Business Trust

Zoning Advisory Committee Meeting of November 27, 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:** 11/27/2023

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 2023-239-SPHA

**INFORMATION:**

**Property Address:** 1014 Taylor Avenue  
**Petitioner:** Pleasant Plains CVS Business Trust  
**Zoning:** BL CCC, DR 3.5  
**Requested Action:** Special Hearing, Variance

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

*Special Hearing -*

1. To extinguish the Special Permit granted in Case 1955-3506-X;

*Variance –*

1. To permit 234 parking spaces in lieu of the otherwise required 442;
2. To allow 8 stacking spaces behind two order boards in lieu of the otherwise required 10 spaces;  
and
3. For any further relief deemed necessary by the Administrative Law Judge.

The subject site is an approximately 5.41 acre parcel at the signalized intersection of Loch Raven Boulevard and Taylor Avenue in the Loch Raven area. It is improved with a one story CVS convenience store with a drive-thru, a one story strip shopping center, and an associated surface parking lot. As of Google Streetview from May 2022, tenants in the shopping center include a dry cleaner, a Game Stop, multiple restaurants/carry out food establishments, and an auto parts store. The CVS and strip shopping center are to the north of the property and the parking is to the south, along Taylor Avenue. Per the petition and site plan, the petitioners wish to add a fast food restaurant with a drive-thru to the southeast of the subject site, where there is existing surface parking.

Uses surrounding the subject site vary. North of the subject site are single family attached residential dwellings (townhomes). East of the subject site is the Loch Raven Branch of the Baltimore County Public Library. South and west of the subject site are primarily commercial development. Uses include other strip shopping centers, similar to the subject site; fast food drive-thru's; restaurants; retail stores; grocery stores; a gas station; and more. Drive-thru's in the area include a McDonald's, a Taco Bell, and a Burger King.

The subject site is located within the Loch Raven-Baynesville Design Review Panel (DRP) area. The DRP was established by Section 32-4-203 of the Baltimore County Code, and its goal is to encourage design excellence through the application of design guidelines contained in the Master Plan, the Comprehensive Manual of Development Policies, adopted community plans, and Section 260 of the Baltimore County Zoning Regulations, as applicable. The Design Review Panel conditionally approved the project and its design in September of 2023.

The site was the subject of Zoning Cases in 1947 and 1955 with Case 1947-928-R for a Zoning Reclassification; Case 1955-3344-S for signage; and Case 1955-3506-X for a Special Permit to use the land for the flight and landing of golf balls from the adjacent driving range, and for the retrieval of golf balls from said land.

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The proposed use appears consistent with the immediate surroundings. Further, the drive-thru is located interior to the site, and therefore should not negatively impact traffic on either Loch Raven Boulevard or Taylor Avenue. As such, the Department has no objections regarding the request for Variances to permit 234 parking spaces in lieu of the required 442 and to allow eight stacking spaces behind two order boards in lieu of the required ten, subject to the following condition:

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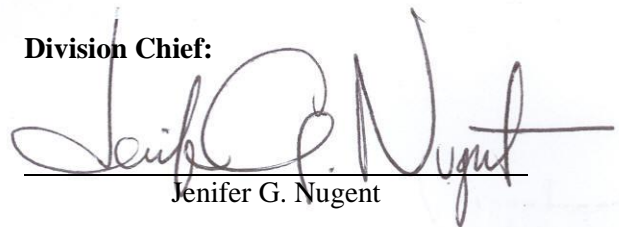
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

**Prepared by:**



Krystle Patchak

**Division Chief:**



Jenifer G. Nugent

SL/JGN/KP

c: Jennifer Busse – Rosenberg, Martin, Greenberg LLP  
David Birkenthal, Community Planner  
Jeff Perlow, Zoning Review  
Kristen Lewis, Zoning Review  
Office of Administrative Hearings  
People's Counsel for Baltimore County

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

Special Tax Recapture: None

Account Identifier: District - 09 Account Number - 0908655280

**Owner Information**

Owner Name: PLEASANT PLAINS CVS BUSINESS TRUST      Use: COMMERCIAL  
 Principal Residence: NO  
 Mailing Address: 12300 HIGHGROVE CT      Deed Reference: /24599/ 00524  
 REISTERSTOWN MD 21117-5670

**Location & Structure Information**

Premises Address: LOCH RAVEN BLVD      Legal Description: 5.414 AC ES  
 BALTIMORE 21286-8309      LOCH RAVEN BLVD  
 ADJ AMERICAN OIL

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
 0070 0023 0172 20000.04 0000 2023 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
 1999 46,990 SF 5.4100 AC 14

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements  
 DISCOUNT STORE/ C3

**Value Information**

	Base Value	Value		
		As of 01/01/2023	As of 07/01/2023	As of 07/01/2024
Land:	3,246,000	3,246,000		
Improvements	5,846,500	6,425,400		
Total:	9,092,500	9,671,400	9,285,467	9,478,433
Preferential Land:	0	0		

**Transfer Information**

Seller: HARRY & JEANETTE WEINBERG      Date: 10/11/2006      Price: \$0  
 Type: NON-ARMS LENGTH OTHER      Deed1: /24599/ 00524      Deed2:  
 Seller: HONOLULU LIMITED      Date: 06/30/1987      Price: \$0  
 Type: NON-ARMS LENGTH OTHER      Deed1: /07594/ 00320      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      0.00|0.00

Special Tax Recapture: None

**Homestead Application Information**

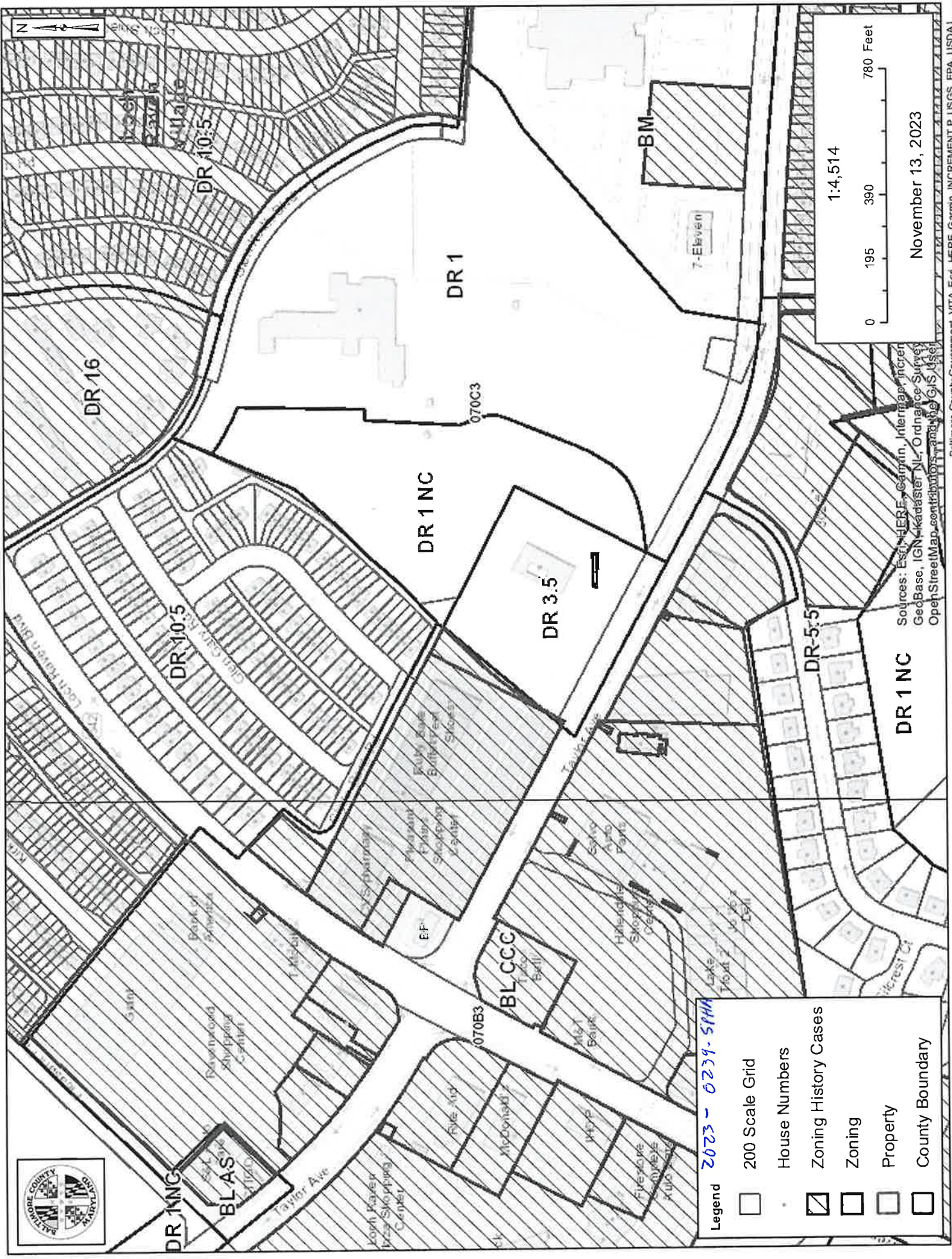
Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application      Date:

*2023-0239-SPHA*

# Baltimore County - My Neighborhood



**Legend**

- 200 Scale Grid
- House Numbers
- Zoning History Cases
- Zoning
- Property
- County Boundary

**2023 - 0239-SPHA**

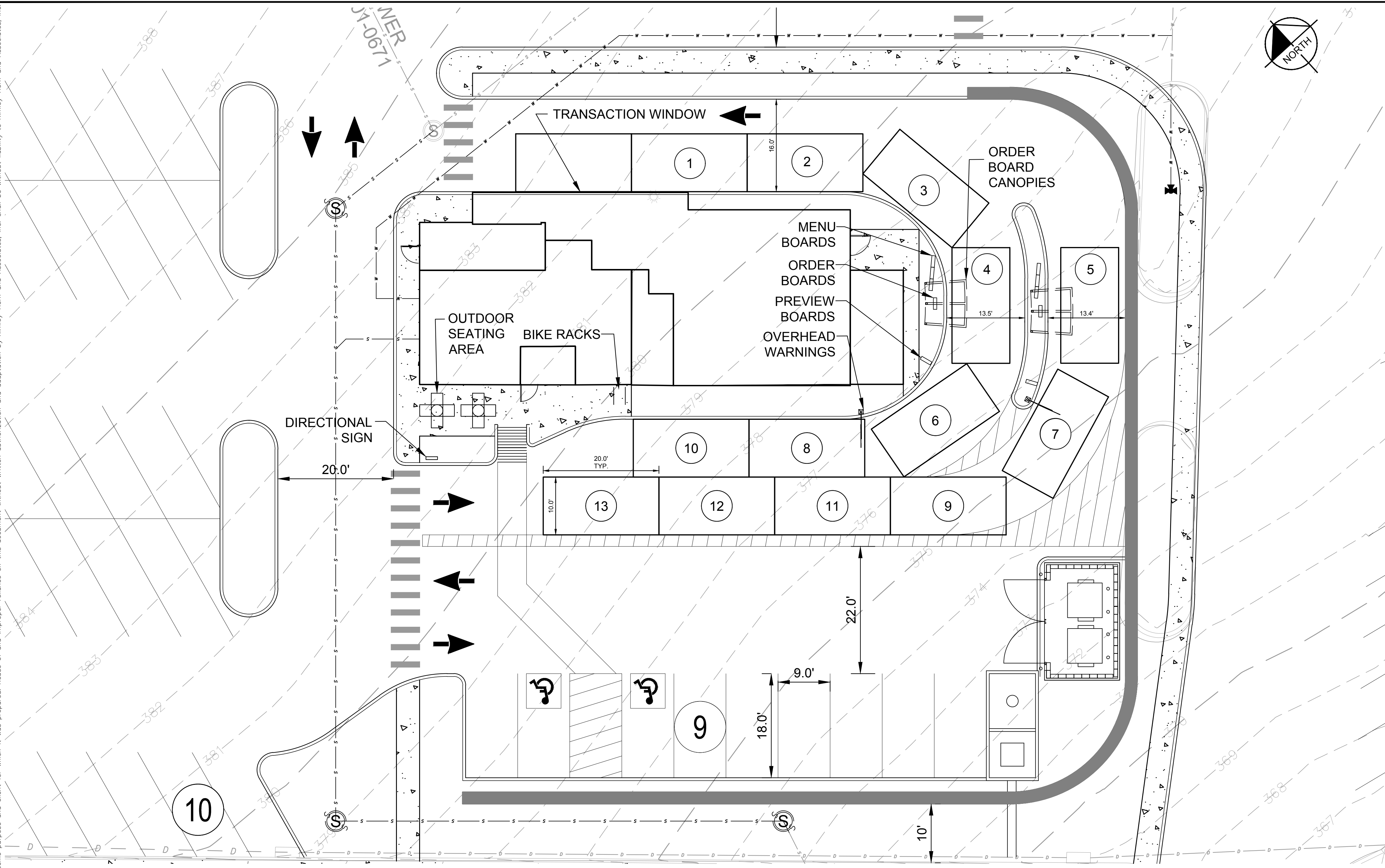
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0 195 390 780 Feet

November 13, 2023

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, IGN, Katastrier NL, Ordnance Survey, Esri, DeLorme, NAVTEQ, Swisstopo, U.S. Geological Survey, AeroGRID, IGN, Esri, OpenStreetMap contributors, and the GIS User Community



Plotted By: Ottomaniello, Nick - Sheet Set: 2119 EASTERN BOULEVARD - Layout: 1 - PLAN TO ACCOMPANY DRP - November 13, 2023 - 04:51:18pm - K:\BCO-DS\114263000-1014-Taylor Avenue - Pappas\CAD\Exhibits\2023-11-13-Drive Thru-Stacking-Exhibit\Drive Thru-Stacking-Exhibit.dwg  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**SITE PLAN**  
SCALE: 1" = 10'

**APPLICANT/DEVELOPER**

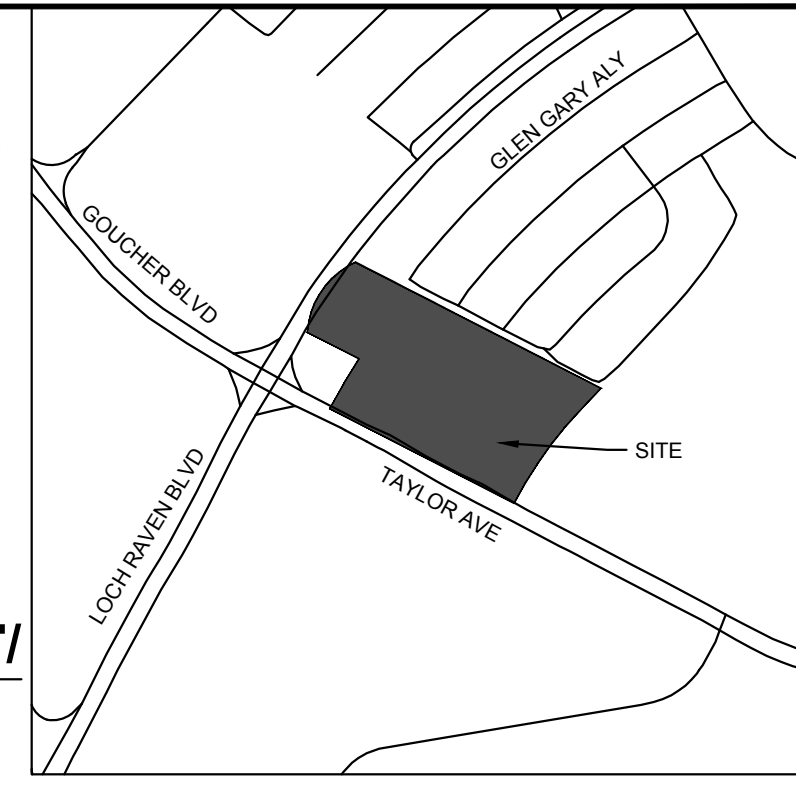
THE PARIKH NETWORK  
 301 ROUTE 17 N SUITE 802  
 RUTHERFORD, NJ 07070  
 ATTN: ED BAKSH  
 PHONE:  
 EMAIL:

**PROPERTY OWNER**

PLEASANT PLAINS CVS BUSINESS TRUST  
 12300 HIGHGROVE COURT  
 REISTERSTOWN, MD 21117-5670

**LANDSCAPE ARCHITECT/  
 CIVIL ENGINEER**

KIMLEY-HORN & ASSOCIATES, INC.  
 215 WASHINGTON AVENUE, SUITE 500  
 TOWSON, MD 21204  
 ATTN: MATT BISHOP, PLA  
 PHONE: 443-792-9995  
 EMAIL: MATT.BISHOP@KIMLEY-HORN.COM



**KEY MAP**  
SCALE: 1" = 500'

**LEGEND**

- PROPERTY LINE
- BUILDING SETBACK LINE
- ZONING BOUNDARY LINE
- - - 379 EXISTING MINOR CONTOUR
- - - 380 EXISTING MAJOR CONTOUR
- S EXISTING SEWER LINE
- D EXISTING STORM DRAIN LINE
- E EXISTING ELECTRICAL LINE
- G EXISTING GAS LINE
- W EXISTING WATER LINE
- OHE EXISTING OVERHEAD ELECTRICAL LINE
- EXISTING FENCE
- EXISTING SIDEWALK
- EXISTING PAVEMENT MARKINGS
- EXISTING CURB LINE
- EXISTING BUILDING
- PROPOSED BUILDING
- PROPOSED CURB LINE
- PROPOSED SIDEWALK
- PROPOSED PAVEMENT MARKING
- PROPOSED RETAINING WALL
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING STORM DRAIN INLET
- EXISTING STORM DRAIN MANHOLE
- EXISTING SEWER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING SIGN

NO.	REVISIONS	DATE	BY

**Kimley»Horn**  
 215 WASHINGTON AVE., SUITE 500, TOWSON, MD 21204  
 PHONE: 443-792-9995  
 WWW.KIMLEY-HORN.COM



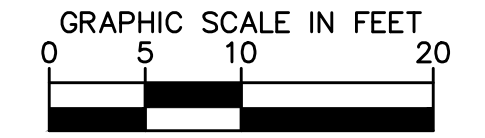
KHA PROJECT	114263000
DATE	11/13/2023
SCALE	JMM
DESIGNED BY	NJC
DRAWN BY	MAE
CHECKED BY	MAE

PLAN TO ACCOMPANY  
 VARIANCE PETITION  
 DRIVE THRU  
 ENLARGEMENT

1014 TAYLOR AVENUE  
 PREPARED FOR  
 THE PARIKH NETWORK  
 BALTIMORE COUNTY MARYLAND

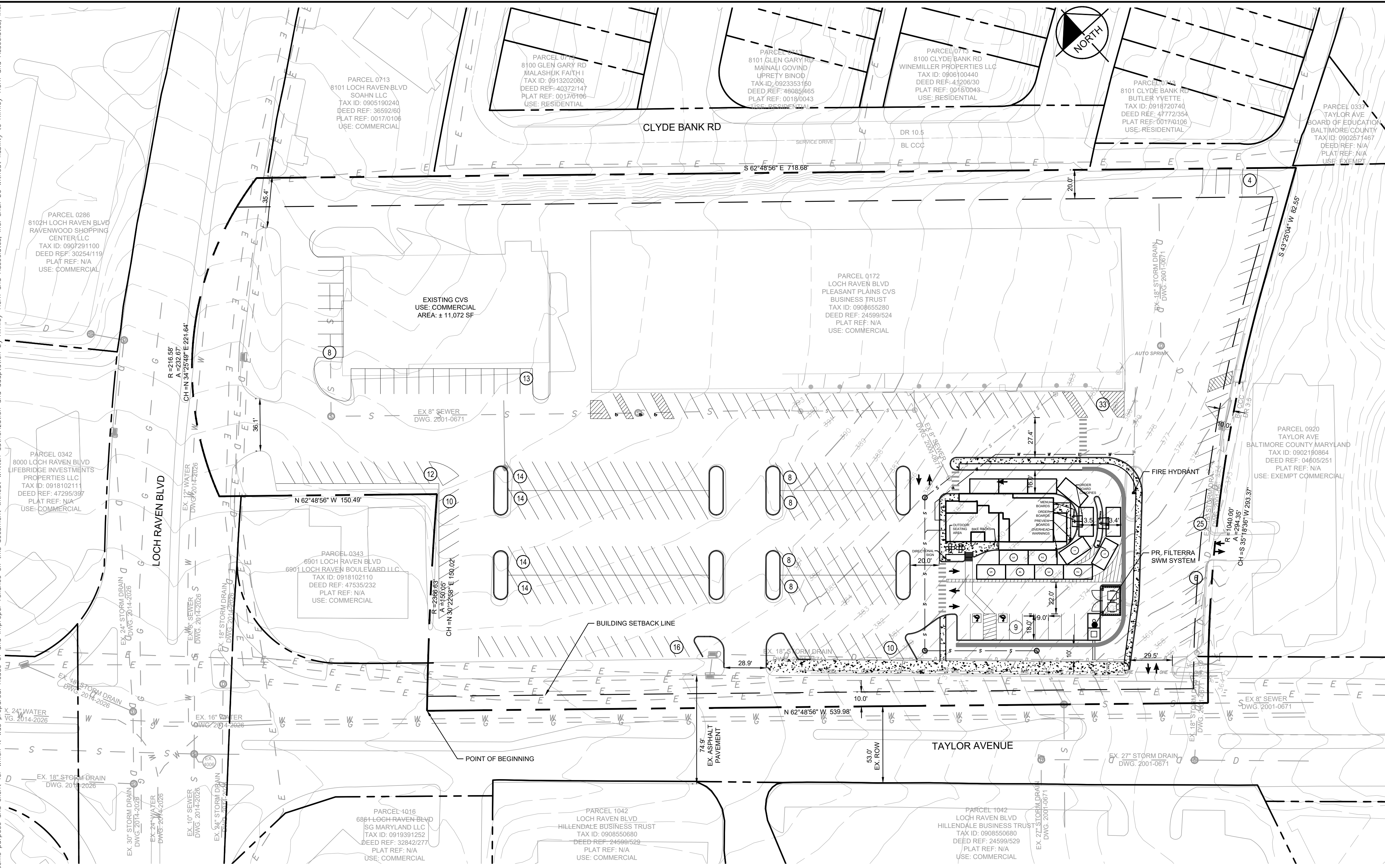
SHEET NUMBER  
**1**

CALL 48 HOURS BEFORE YOU DIG  
**811**  
 IT'S THE LAW! DIAL 811  
 Know what's below. Call before you dig.



COUNCILMANIC DISTRICT - 6 - ELECTION DISTRICT - 9  
 1014 TAYLOR AVENUE, BALTIMORE, MD 21286

Plotted By: Bishop, Matt | Sheet Set: 219 EASTERN BOULEVARD - Loyout.1 - PLAN TO ACCOMPANY DRP - November 08, 2023 - 04:05:17pm | K:\NECO\_DS\114263000-1014-Taylor Avenue - Eppaves\CAD\PlanSheets\VARANCE PLAN\Plan to Accompany Variance Petition.dwg  
 This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**SITE PLAN**  
SCALE: 1" = 40'

**GENERAL NOTES**

- PROPERTY ZONED: BL (BUSINESS LOCAL) CCC (COMMERCIAL COMMUNITY CORE) DISTRICT, DR 3.5 (DENSITY RESIDENTIAL) ZONING MAP: # 070C3
- NET SITE AREA: 240,053-SF OR 5.51 ACRES
- TO THE BEST OF OUR KNOWLEDGE THE SITE IS NOT UNDER ACTIVE ZONING VIOLATION(S).
- THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2023 BASIC SERVICES MAPS FOR SEWERAGE, WATER, AND TRANSPORTATION.
- PROPERTY KNOW AS: LOCH RAVEN BLVD BALTIMORE, MD 21286 PARCEL: 0172 TAX MAP: 0070 GRID: 0023
- EXISTING USE: RESTAURANT, RETAIL, PERSONAL SERVICE, BEAUTY SHOP PROPOSED USE: RESTAURANT, RETAIL, PERSONAL SERVICE, BEAUTY SHOP
- THE PROPERTY IS NOT PART OF AN OVERALL DEVELOPMENT AND DOES NOT HAVE AN ASSOCIATED PLAT.
- THE SITE IS NOT LOCATED IN A 100-YR FLOODPLAIN (FEMA MAP #2400100265F).
- THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARY.
- THE PROPERTY IS OUTSIDE OF THE CHESAPEAKE BAY CRITICAL AREA.
- ALL SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE BCZR OR VARIANCES WILL BE REQUESTED. NO SIGNAGE IS PROPOSED AS PART OF THIS APPLICATION.
- ELECTION DISTRICT: 9TH, COUNCILMANIC DISTRICT: 6TH
- SITE IS NOT A HISTORICAL PROPERTY PER BALTIMORE COUNTY GIS DATABASE
- THERE ARE NO WELLS OR SEPTIC SYSTEMS ON SITE. THE SITE IS SERVED BY PUBLIC WATER AND SEWER.
- WATERSHED: BACK RIVER WATERSHED
- FLOOR AREA RATIO: 49,711 SF/240,054 SF = 0.21
- A FIRE HYDRANT IS EXISTING ON SITE.
- STORMWATER MANAGEMENT IS REQUIRED FOR THIS SITE.
- LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- PERMITS ON FILE: B987352 CHANGE OF OCCUPANCY B982660 ALTERATION B987352 SPRINKLER B951260 SIGN B976681 ALTERATION B982688 SPRINKLER B752115 ALTERATION B890953 SIGN B956445 ALTERATION B933330 SIGN B446746 NEW STRUCTURE
- THE PROPOSED BUILDING WILL NOT EXCEED 40' IN HEIGHT.
- THE SITE IS LOCATED WITHIN THE LOCH RAVEN COMMERCIAL REVITALIZATION AREA.

**ZONING CASE HISTORY**

- CASE NO. 1955-3506-X FOR A SPECIAL PERMIT TO USE THE PROPERTY FOR THE FLIGHT AND LANDING OF GOLF BALLS FROM ADJACENT DRIVING RANGE AND THE RETRIEVING OF BALLS. (GRANTED APRIL 29, 1955).
- CASE NO. R-1947-0928 FOR RECLASSIFICATION OF THE PROPERTY FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE TO USE THE PROPERTY FOR A COMMUNITY SHOPPING CENTER. (GRANTED MAY 28, 1947)
- CASE NO. 1955-3344-X FOR A SPECIAL PERMIT FOR INSTALLATION OF A SINGLE FACE NEON SIGN 5'-0" HIGH BY 65'-0" WIDE ON FRONT OF BUILDING AND A DOUBLE FACE NEON SIGN 5'-0" HIGH BY 18'-0" WIDE ON TOWER OF BUILDING. (DENIED MARCH 8, 1955)

**PARKING TABLE**

	SIZE	UNITS	REQD./UNIT	UNITS	PARKING REQD.
PROPOSED FAST-FOOD RESTAURANT	2,536	SF	16	1,000 SF	41
EXISTING RETAIL	22,175	SF	5	1,000 SF	111
EXISTING PERSONAL SERVICE	4,911	SF	3,300	1,000 SF	17
EXISTING RESTAURANT	15,587	SF	16	1,000 SF	250
EXISTING BEAUTY SHOP	4,500	SF	5	1,000 SF	23
				TOTAL REQUIRED	442

**APPLICANT/DEVELOPER**

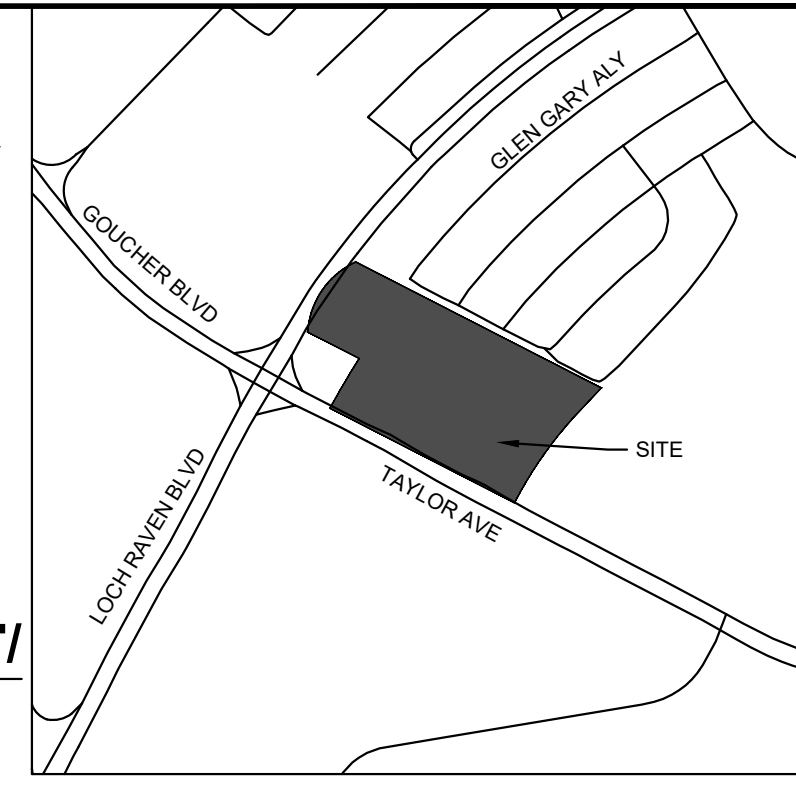
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12300 HIGHGROVE COURT  
REISTERSTOWN, MD 21117-5670

**LANDSCAPE ARCHITECT/  
CIVIL ENGINEER**

KIMLEY-HORN & ASSOCIATES, INC.  
215 WASHINGTON AVENUE, SUITE 500  
TOWSON, MD 21204  
ATTN: MATT BISHOP, PLA  
PHONE: 443-792-9995  
EMAIL: MATT.BISHOP@KIMLEY-HORN.COM



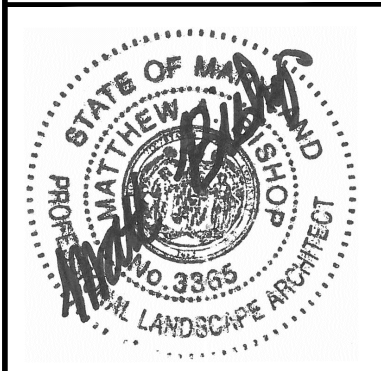
**KEY MAP**  
SCALE: 1" = 500'

**LEGEND**

- PROPERTY LINE
- BUILDING SETBACK LINE
- ZONING BOUNDARY LINE
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING SEWER LINE
- EXISTING STORM DRAIN LINE
- EXISTING ELECTRICAL LINE
- EXISTING GAS LINE
- EXISTING WATER LINE
- EXISTING OVERHEAD ELECTRICAL LINE
- EXISTING FENCE
- EXISTING SIDEWALK
- EXISTING PAVEMENT MARKINGS
- EXISTING CURB LINE
- EXISTING BUILDING
- PROPOSED BUILDING
- PROPOSED CURB LINE
- PROPOSED SIDEWALK
- PROPOSED PAVEMENT MARKING
- PROPOSED RETAINING WALL
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING STORM DRAIN INLET
- EXISTING STORM DRAIN MANHOLE
- EXISTING SEWER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING SIGN

No.	REVISIONS	DATE	BY

**Kimley»Horn**  
215 WASHINGTON AVE., SUITE 500, TOWSON, MD 21204  
PHONE: 443-792-9995  
WWW.KIMLEY-HORN.COM



KHA PROJECT	114263000
DATE	11/08/2023
SCALE	JMM
DESIGNED BY	NJC
DRAWN BY	MAE
CHECKED BY	MAE

**PLAN TO ACCOMPANY  
VARIANCE PETITION**

1014 TAYLOR AVENUE  
PREPARED FOR  
THE PARIKH NETWORK  
BALTIMORE COUNTY  
MARYLAND