



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

October 31, 2024

Adam Baker, Esquire – abaker@rosenbergmartin.com
Rosenberg Martin Greenberg, LLP
25 S. Charles Street, 21st Floor
Baltimore, MD 21201

RE: Petition for Special Hearing
Case No. 2024-0208- SPH
Property: 1270 E. Joppa Road

Dear Mr. Baker:

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,

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dln
Enclosure

c: Heather Davis – heather.davis@dogtopia.com
CA – conner.alcarese@ubalt.edu
Matthew Bishop – matt.bishop@kimley-horn.com
Bryan – bryan@loanebros.com

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(1270 E. Joppa Road)		
9 th Election District	*	OFFICE OF
6 th Council District		
Joppa Mylander Properties, LLC	*	ADMINISTRATIVE HEARINGS
c/o BPG Office VI Joppa		
Legal Owner	*	FOR BALTIMORE COUNTY
Camella Dogs, LLC		
Contract Purchaser/Lessee	*	Case No. 2024-0208-SPH
Petitioners	*	

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing filed by Joppa Mylander Properties, LLC c/o BPG Office VI Joppa, legal owner, and Camella Dogs, LLC, lessee (“Dogtopia”) (collectively “the Petitioners”), for the property known as 1270 E. Joppa Rd., Towson (the “Property”). The Petition for Special Hearing was filed pursuant to the Baltimore County Zoning Regulations (“BCZR”), §500.7, to amend the previously approved Special Exception in Case No.: 2022-0263-SPHXA.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on October 28, 2024. The Petition was properly advertised and posted. Heather Davis, owner of Dogtopia, appeared at the hearing in support of the Petition, along with Matthew Bishop, RLA, registered landscape architect of Kimley Horn, who prepared and sealed a site plan (the “Site Plan”). (Pet. Ex. 1). Adam Baker, Esquire of Rosenberg Martin Greenberg, LLP represented the Petitioners. Bryan Loane of Loane Brothers, neighboring property owner, testified in opposition to the requested relief.

The Property was created as part of Lot 2 of the Loch Raven Commons PUD (PAI #09-0844). It is 1.94 acres ± and is improved with a 2-story, 5,400 sf commercial building constructed

in 2018, which is currently occupied by 2 tenants namely, Dogtopia and School of Rock. (Pet. Exs. 5a-5d). The Property is zoned Manufacturing, Light with an Industrial Major overlay (ML-IM).

The Property was the subject of a prior case, Case No.: 2022-0263-SPHXA, in which a Special Exception was granted for a commercial kennel (the “2022 Order”). While the 2022 Order did not prohibit an outdoor exercise area, the facts set forth in that Order reiterate that all commercial kennel activities would be contained within the building. Having been opened for business since Spring of 2023, Ms. Davis testified that customers have been requesting an outdoor exercise area. As a result, Dogtopia, which is under a 15-year lease, is now seeking to add an outdoor exercise area on the west side of the building, on the existing sidewalk as shown on the Site Plan, which will be adjacent to Dogtopia’s existing indoor playrooms. As shown on the aerial photographs, the proposed outdoor space is within the original boundary of the Special Exception area approved in the 2022 Order. (Pet. Exs. 4a – 4c). It will be enclosed with an 8-foot-tall perimeter fence. The proffered testimony of Mr. Bishop was that the area is at least 230 ft. away from the closest residence. (Pet. Ex. 1). It will be 80 ft. from the clubhouse.

Ms. Davis further explained that Dogtopia has between 60-80 dogs which are dropped off per day. The hours of operation are 7:00 am to 7:00 pm, Monday – Friday; and 9:00 am – 4:00 pm Saturdays and Sundays. Some dogs are dropped off for overnight stays but would not be using the outdoor area after 8:00 pm. The outdoor area will be used in shifts by dogs based on weight and temperament to control any noise, odor and/or waste normally associated with a commercial kennel use, thereby minimizing any detrimental effect on surrounding properties. She provided copies of Dogtopia standards, protocols and specifications for waste management, odor, and noise control. (Pet. 3a-3c).

Mr. Bishop was accepted as an expert witness in the fields of landscape architecture, zoning and development. (Pet. Ex. 6). The proffered expert testimony was that the outdoor area was a typical use for a commercial kennel, and is within the approved Special Exception area. There are no failing Basic Services Map issues; no transportation or water or sewer problems in the area. He further opined that the outdoor play area is consistent with the ML-IM zone. In his opinion, the outdoor play area meets each of the Special Exception factors in BCZR, §502.1, and will not be detrimental to the health, safety or general welfare of the surrounding properties which include commercial uses.

Bryan Loane of Loane Brothers, 1302 E. Joppa Rd., testified in opposition. Specifically, he recalled that the approved PUD plan designated the area where the outdoor area is proposed to be located, as common area for neighboring properties. However, because the answer to this issue was unclear at the time of the hearing, the Case was held open to address it, and/or to submit a redlined site plan. By way of email dated October 29, 2024, Petitioner's counsel submitted a redlined site plan (the "Redlined Site Plan") which reduced the proposed size of the outdoor area from 1,400 sf to 1,130 sf, thereby allowing access to part of the existing exterior stairwell. (Pet. Ex. 1A). (See File for 10/29/24 Email).

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in

any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing 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).

In the 2022 Order, Petitioner was granted a Special Exception area for the commercial kennel use, a waiver of all conditions for that use, as well as Variance relief from the required 200 ft., minimum distance requirement. The Special Exception area is the same now as it was in 2022. As a result, in my view, the instant relief is not necessary in that an outdoor exercise area for the dogs is inherent in, and a typical part of an approved commercial kennel. (*Valleys Planning Council, Inc. et al. v. Boys' School of St. Paul's Parish, Inc.*, Sept. Term 2014, January 3, 2017. *People's Counsel for Baltimore County v. Loyola College in Md.*, 406 Md. 54, 71, 956 A.2d 166, 176 (2008)).

Having said that, Petitioner took a cautious approach in filing the instant Petition in order to provide neighboring property owners, including Loane Brothers, with notice of the requested relief. The evidence was that the legal owner/landlord, having filed a mete and bounds description of the boundary lines with the Petition, contends that it legally owns, and therefore may lease to Dogtopia, the area of the proposed outdoor exercise area. To be clear, OAH has no jurisdiction to determine legal boundaries, and is not making any determination in this Case as to legal boundaries. Moreover, there was no evidence submitted to verify that the proposed outdoor area was intended for common area in the approved PUD plan, rather than private ownership.

That information notwithstanding, Petitioner and Mr. Loane came to a consensus as to a reduced outdoor exercise area as depicted on the Redlined Site Plan. (Pet. Ex. 1A). The Redlined outdoor play area will now allow access between the exterior, northern stairwell and the existing green space depicted on the Redlined Site Plan.

The uncontroverted evidence was that the proposed outdoor exercise area is 230 ft. from the nearest residence of the Loch Raven Commons. Even still, the 2022 Order already granted Variance relief for a distance of 16 ft. to the nearest property line, and 0 ft. of the nearest lease line, and that approval runs with the land. Accordingly, under the doctrine of collateral estoppel, that adjudication was already made, and was not appealed. *Garrity v. Maryland State Bd. of Plumbing*, 447 Md. 359, 368 (2016). (See also *Colandrea v. Wilde Lake Community Ass'n, Inc.*, 361 Md. 391 (2000); *Washington Suburban Sanitary Commission v. TKU Associates*, 281 Md. 1, 18-19 (1977)).

I find that the requested relief is compatible with the community and generally consistent with the spirit and intent of the BCZR and should be granted. *Antwerpen, supra*.

THEREFORE, IT IS ORDERED this 31st day of **October, 2024** by this Administrative Law Judge that the Petition for Special Hearing from BCZR, §500.7, to amend the previously approved Special Exception in Case No. 2022-0263-SPHXA be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

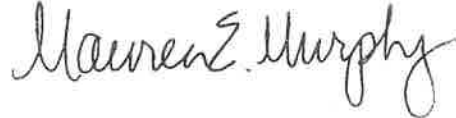
1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this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

2. The outdoor exercise area shall not be used after 8:00 pm on all days of operation of Dogtopia.

3. Petitioner and all subsequent owners of a commercial kennel at the Property shall install and maintain an opaque, panel and/or stockage 8 ft. fence around the perimeter of the outdoor exercise area.

4. The Redlined Site Plan (Pet. Ex. 1A) is attached hereto and incorporated herein in its entirety.

Any appeal of this decision must be made 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 Hearings for Baltimore County for the property located at:

Address 1270 E. Joppa Road Currently Zoned ML-IM
Deed Reference 16517 / 287 10 Digit Tax Account # 2 5 0 0 0 1 4 0 4 6
Owner(s) Printed Name(s) Joppa Mylander Properties LLC c/o BPG Office VI Joppa

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

See attachment

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

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)**

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:

Camella Dogs LLC
Name - Type or Print

Signature
4108 Long Green Road Glen Arm MD
Mailing Address City State
21057 / 410-935-2243 / heather.davis@dogtopia.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Adam Baker - Rosenberg Martin Greenberg LLP
Name - Type or Print

Signature
25 S Charles St, 21st FL Baltimore MD
Mailing Address City State
21201 / 410-727-6600 / abaker@rosenbergmartin.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Joppa Mylander Properties LLC c/o BPG Office VI Joppa

Name #1 - Type or Print Name #2 - Type or Print
[Signature] /
Signature #1 Signature #2
1000 N. West St, Ste 900 Wilmington DE
Mailing Address City State
19801 / /
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Adam Baker - Rosenberg Martin Greenberg LLP
Name - Type or Print

Signature
25 S Charles St, 21st FL Baltimore MD
Mailing Address City State
21201 / 410-727-6600 / abaker@rosenbergmartin.com
Zip Code Telephone # Email Address

Case Number 2024-0208-SP4 Filing Date 9 / 17 / 2 Do Not Schedule Dates _____ Reviewer [Signature]



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Name - Type or Print

Heather Davis

Signature

4108 Long Green Road Glen Arm MD
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Legal Owners (Petitioners):

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Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

1000 N. West St, Ste 900 Wilmington DE
Mailing Address City State
19801 / /
Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

Adam Baker - Rosenberg Martin Greenberg LLP

Name - Type or Print

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Case Number 2024-0208-SPH Filing Date 9 / 17 / 2 Do Not Schedule Dates _____ Reviewer JK

Attachment to Zoning Petition for 1270 E. Joppa Road

Special Hearing

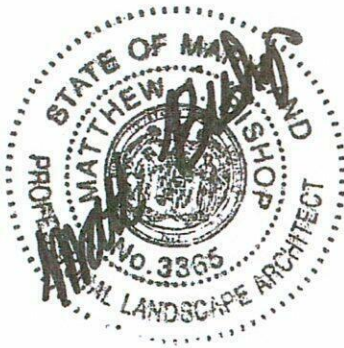
1. Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations to amend the previously approved Special Exception in Case No. 22-263-SPHXA; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Zoning Property Description for Special Exception Petition
1270 E. Joppa Road

Beginning at a point located 301' from the north side of East Joppa Road which has a right of way width of 95 feet at the distance of 435' to the centerline of the nearest improved intersecting street Mylander Lane which has a right of way width of 50 feet **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

1. North 13 degrees 55 minutes 44 seconds East, 140.34' to a point;
2. South 76 degrees 04 minutes 16 seconds East 293.71' to a point;
3. South 13 degrees 55 minutes 44 seconds East, 109.00' to a point;
4. South 76 degrees 04 minutes 16 seconds East 9.50' to a point;
5. South 13 degrees 55 minutes 44 seconds West, 32.50' to a point;
6. South 76 degrees 04 minutes 16 seconds West 303.89' to a point and place of beginning.

Containing an area of 41,645 square feet or 0.956 acres of land, more or less and being located in the 9th Election District and 5th Council District of Baltimore County Maryland.



**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: 2024-0208-SPH
Property Address: 1270 E JOPPA RD
Legal Owners (Petitioners): Joppa Mylander Properties LLC
Contract Purchaser/Lessee: Camella Dogs LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Camella Dogs LLC
Address: 4108 Long Green Rd

Telephone Number: 410-935-2243

*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.



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Name #1 - Type or Print

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Signature #1

Signature # 2

1000 N. West St, Ste 900

Wilmington DE

Mailing Address

City State

19801 /

Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

Adam Baker - Rosenberg Martin Greenberg LLP

Name - Type or Print

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25 S Charles St, 21st FL Baltimore MD

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Baltimore MD

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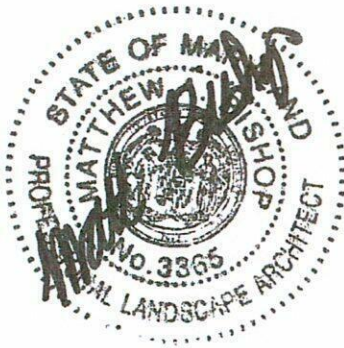
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Certificate of Posting

Case# 2024-0208-SPH

Petitioner/Developer

Rosenberg Martin Greenberg

Adam Baker

Date of Hearing/Closing

October 28, 2024

Baltimore County Department of Permits and Management

County Office Building Room 111; 111 West Chesapeake Ave. Towson Md. 21204

Attention:

Ladies and Gentlemen:

This is to certify under penalties of perjury that the necessary sign/signs required by law were posted conspicuously on the property located at

1270 E. Joppa Rd On October 5, 2024. Signs 1A & 1B

Sincerely, Martin Ogle

Martin Ogle

9912 Maidbrook Road

Parkville, Md. 21234

443-629-3411

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: October 1, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0208-SPH
Address: 1270 E. JOPPA ROAD
Legal Owner: Joppa Mylander Properties, LLC
c/o BPG Office VI Joppa

Zoning Advisory Committee Meeting of October 1, 2024.

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

Reviewer: Earl D. Wrenn

Baltimore COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: September 24, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0208-SPH

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

DPR: No comment.

DPW-T: No exception taken.

Landscaping: No comment.

Recreations & Parks: No comment LOS & No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 10/7/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0208-SPH

INFORMATION:

Property Address: 1270 East Joppa Road
Petitioner: Joppa Mylander Properties LLC c/o BPG Office VI Joppa
Zoning: ML IM
Requested Action: Special Hearing

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

Special Hearing –

1. Pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to amend the previously approved Special Exception in Case Number 2022-0263-SPHXA; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

The subject site is an approximately 1.94 acre parcel near East Joppa Road and Mylander Lane in the Towson area. It is improved with two buildings: one of which is a dog kennel known as Dogtopia, which is the subject of this Zoning Case, and the other of which is a multi-tenant office/commercial space. The parcel was part of the larger Loch Raven Commons Planned Unit Development (PAI # 09-0844), which was approved by the County in 2016. Loch Raven Commons PUD is a mixed-use development and includes a Wawa gas station and convenience store, retail, commercial, office space, and multi-family residential. The Special Exception to use “Retail Building A” as a commercial kennel was approved in 2022 following Zoning Case 2022-0263-SPHXA.

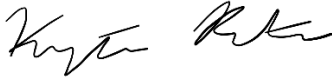
The representative for the petition contacted the Department of Planning via email on September 19th, 2024 to provide additional information on the Zoning Case at hand. In the email, the representative explained the following:

- At the time of approval in Zoning Case 2022-0263-SPHXA, no outdoor exercise areas were proposed as part of the Special Exception/Dogtopia. Now, the owners wish to add approximately 1,400 square feet of outdoor space on the wet side of the building, adjacent to Dogtopia’s existing indoor playrooms.
- The proposed outdoor space is within the premises leased by the applicant, is located within the original boundary of the Special Exception area, and will be enclosed with an 8-foot-tall perimeter fence.
- The proposed outdoor space is over 200 feet away from the closest residence.

The Department of Planning finds that the proposed amendment is consistent with the original Special Exception approval from 2022. As such, the Department has no objections to the requested Special Hearing.

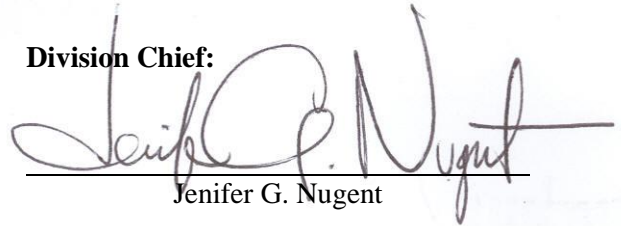
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

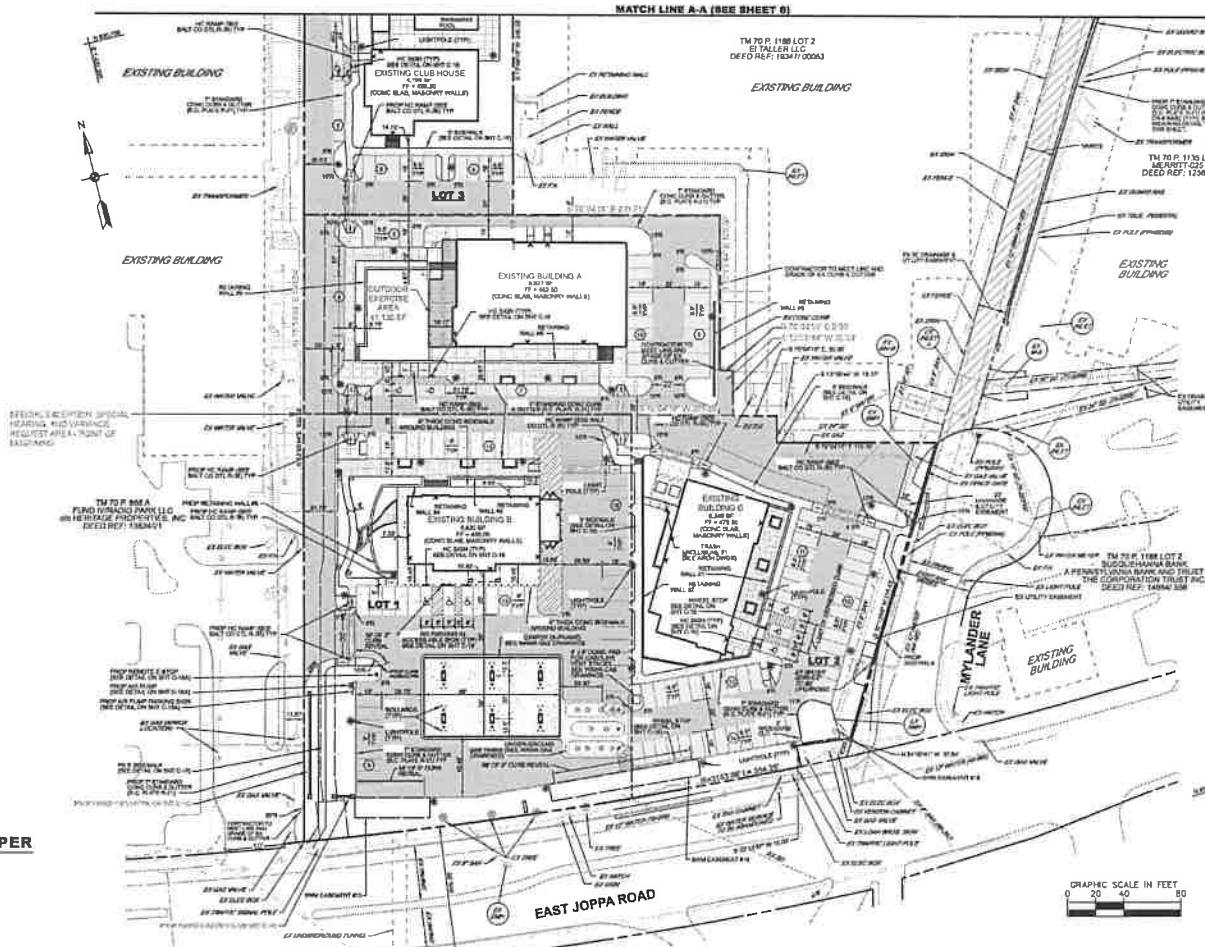
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Adam Baker – 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



GENERAL NOTES

- PROPERTY ZONED M-30
- ZONING MAP #07092
- ACCOUNT # 80001848
- NET SITE AREA: 84,063 SF OR 1.9436 AC
- TO THE BEST OF OUR KNOWLEDGE THE SITE IS NOT UNDER ACTIVE ZONING VIOLATIONS.
- THIS SITE IS NOT LOCATED WITHIN ANY AREAS DESIGNATED AS FLOODING ON THE BASE SERVICES MAP AREA FOR SEWERAGE, WATER, AND TRANSPORTATION AS SHOWN ON THE 2018 BASE SERVICES.
- PROPERTY ADDRESS: 1270 E. JOPPA ROAD, PARCEL 1158, TAX MAP #059 (GRID 061)
- EXISTING USE: COMMERCIAL, PROPOSED USE: COMMERCIAL
- THE PROPERTY IS PART OF AN OVERALL DEVELOPMENT
- THE SITE IS NOT LOCATED IN A 100-YR FLOODPLAIN
- THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARY.
- THE PROPERTY IS OUTSIDE OF THE CHESAPEAKE BAY CRITICAL AREA
- ALL SIGNAGE SHALL COMPLY WITH SECTION 400 OF THE BCZR OR RELIEF VALUE IS REQUESTED.
- ELECTION DISTRICT: 8TH, CONGRESSIONAL DISTRICT: 5TH
- SITE IS NOT A HISTORICAL PROPERTY PER BALTIMORE COUNTY DIS DATABASE
- THERE ARE NO WELLS OR SEPTIC SYSTEMS ON SITE. THE SITE IS SERVED BY PUBLIC WATER AND SEWER.
- WATERSHED: LOWER CUMPOUNDER FALLS
- STORMWATER MANAGEMENT IS NOT REQUIRED FOR THIS PROJECT.
- LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 33-4-04 OF THE BALTIMORE COUNTY CODE.
- ANY FEATURES 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.
- THERE ARE PREVIOUS COMMERCIAL PERMITS: 891773 - INSTALL SPRINKLER SYSTEM PER SFPA 130, 75-0406 LARGEST PIPE SIZE 4" REFER TO NOTING FOR NEW CONSTRUCTION PERMITS; 891773 - CONCRETE RETAINING WALLS BEHIND LOT 2, 891773 - CONCRETE RETAINING WALLS BEHIND LOT 2, 891773 - CONSTRUCTION PHASE SERVICE REQUIREMENTS FENCE OR FENCE HEIGHT; 891773 - STUBS IN FUTURE FROM 6' OUTSIDE OF BUILDING ABOVE CONCRETE SLAB PER PLANS; 891773 - ADD REDUCED HEADS LARGEST PIPE SIZE 1" REFER TO 891773 FOR ALTS; 891773 - CONSTRUCT 1-STY RETAIL BUILDING, 1228173 - 2ND STY, PHA 808-094 PUD 2; 891773 - REMOVE ONE (1) 15,000 GALLON UNDERGROUND HEATWORK STORAGE TANK, NO REPLACEMENT, MUST COMPLY WITH MFC 36 SCRAM 26.10.21, GROUND WATER MONITOR LETTER IN FILE; 891773 - COMPLETE REMOVAL OF (1) 15,000 GALLON UNDERGROUND HEATING OIL TANK, REFER TO 890473 FOR ADDITIONAL REMOVALS. SEE 892424 FOR RADIUM, MDP# MDC 2015 2140 EXPRES 7/11/17 CDD 01-018 - CHANGE OF OCCUPANCY FROM BUSINESS RETAIL TO BUSINESS RETAIL; CDD 01-018 - COMMERCIAL INTERIOR ALTERATION; CDD 02-0489 - INTERIOR FIT OUT OF A VACANT TENANT SPACE FOR A DOGS DAY CARE; CDD 03-0505 - RELOCATION AND ADDITION OF SPRINKLER SYSTEM
- NO NEW DEVELOPMENT IS PROPOSED.
- THE SITE DOES NOT EXCEED THE MAXIMUM PERMITTED FLOOR AREA RATIO.



ZONING CASE HISTORY

- CASE NO. 06-08-SPH - SIGN VARIANCE - GRANTED
- CASE NO. 09-04-CA - SIGN VARIANCE - GRANTED
- CASE NO. 88-48-A - BUILDING SETBACK VARIANCE - GRANTED
- CASE NO. 22-28-SPH-A - VARIANCE FROM SECTION A1.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT AN ANIMAL BOARDING PLACE, COMMERCIAL KENNEL, PRIVATE KENNEL OR PET SHOP WITHIN 10 FEET OF THE NEAREST PROPERTY LINE AND 6 FEET FROM THE NEAREST LEASE LINE IN LIEU OF THE 20 FEET ANIMAL REQUIREMENT - GRANTED
- CASE NO. 22-28-SPH-A - SPECIAL EXCEPTION KENNEL IN M-30 ZONE - GRANTED

ZONING RELIEF REQUESTED:

WE ARE REQUESTING A SPECIAL HEARING TO AMEND THE PREVIOUSLY APPROVED SPECIAL EXCEPTION IN CASE NO. 2022-259-A-SPH-A.

PARKING ANALYSIS (PER APPROVED PUDI)

1. RESIDENTIAL 332 SPACES REQUIRED	346 SPACES PROVIDED
2. RETAIL/RESTAURANT 146 SPACES REQ.	146 SPACES PROVIDED
3. FUEL SERVICE/STORAGE REQUIRED < 2	26 SPACES PROVIDED
4. TOTAL REQUIRED: 510 SPACES	517 SPACES PROVIDED

APPLICANT/DEVELOPER

CAMELLA DOGS LLC
 C/O HEATHER DAVIS
 4108 LONG GREEN ROAD
 GLEBE ARM, MARYLAND 21057
 HEATHER.DAVIS@DOGTOP.COM

PROPERTY OWNER

JOPPA MYLANDER PROPERTIES LLC
 C/O BPO OFFICE 11 JOPPA
 SUITE 200 1008 RAVENST BY
 WASHINGTON DE 19081

**LANDSCAPE ARCHITECT/
 CIVIL ENGINEER**

KIMLEY-HORN & ASSOCIATES, INC.
 215 WASHINGTON AVE., SUITE 500
 YORKSBORO, MD 21784
 ATTN: MATT HESHOP, PLA
 PHONE: 443-791-0095
 EMAIL: MATT.HESHOP@KIMLEY-HORN.COM



DATE: _____
 REFERENCE: _____
 SHEET: _____

Kimley-Horn

STATE OF MARYLAND
 DEPARTMENT OF GENERAL SERVICES
 DIVISION OF LAND AND WATER
 1000 PENNSYLVANIA AVENUE, SUITE 100
 BALTIMORE, MARYLAND 21201
 PHONE: 410-261-2000
 WWW.DLGVS.COM

PLAN TO ACCOMMODATE
 AMENDMENT TO
 SPECIAL EXCEPTION

1270 E. JOPPA ROAD
 PREPARED FOR
 CAMELLA DOGS, LLC

BALTIMORE COUNTY
 MARYLAND

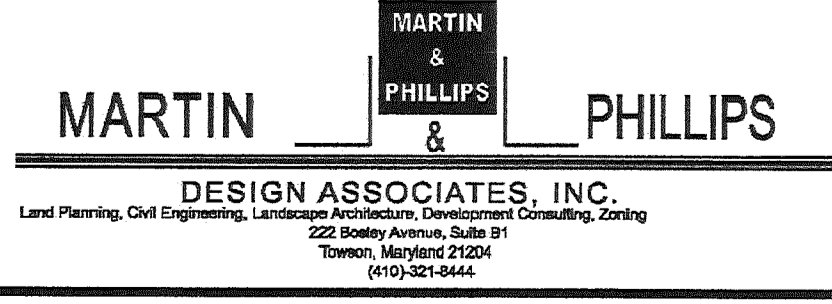
SHEET NUMBER
 1

Plotted By: Bishop, Matt - Sheet Set: 1630 E. Joppa Road - Layout: SITE PLAN - September 04, 2024 - 01:01:19pm - N:\General Marketing\1270 E. Joppa Road\2024_07_26 SPECIAL EXCEPTION REFINEMENT\Special Exception Refinement.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 consent by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

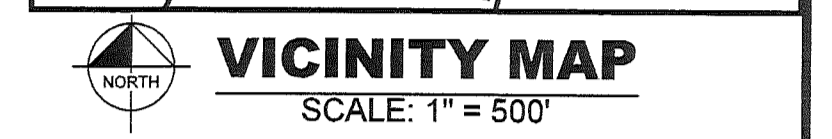
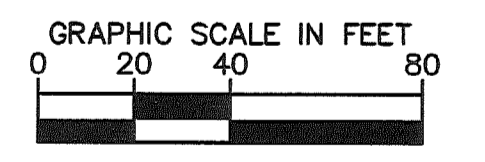
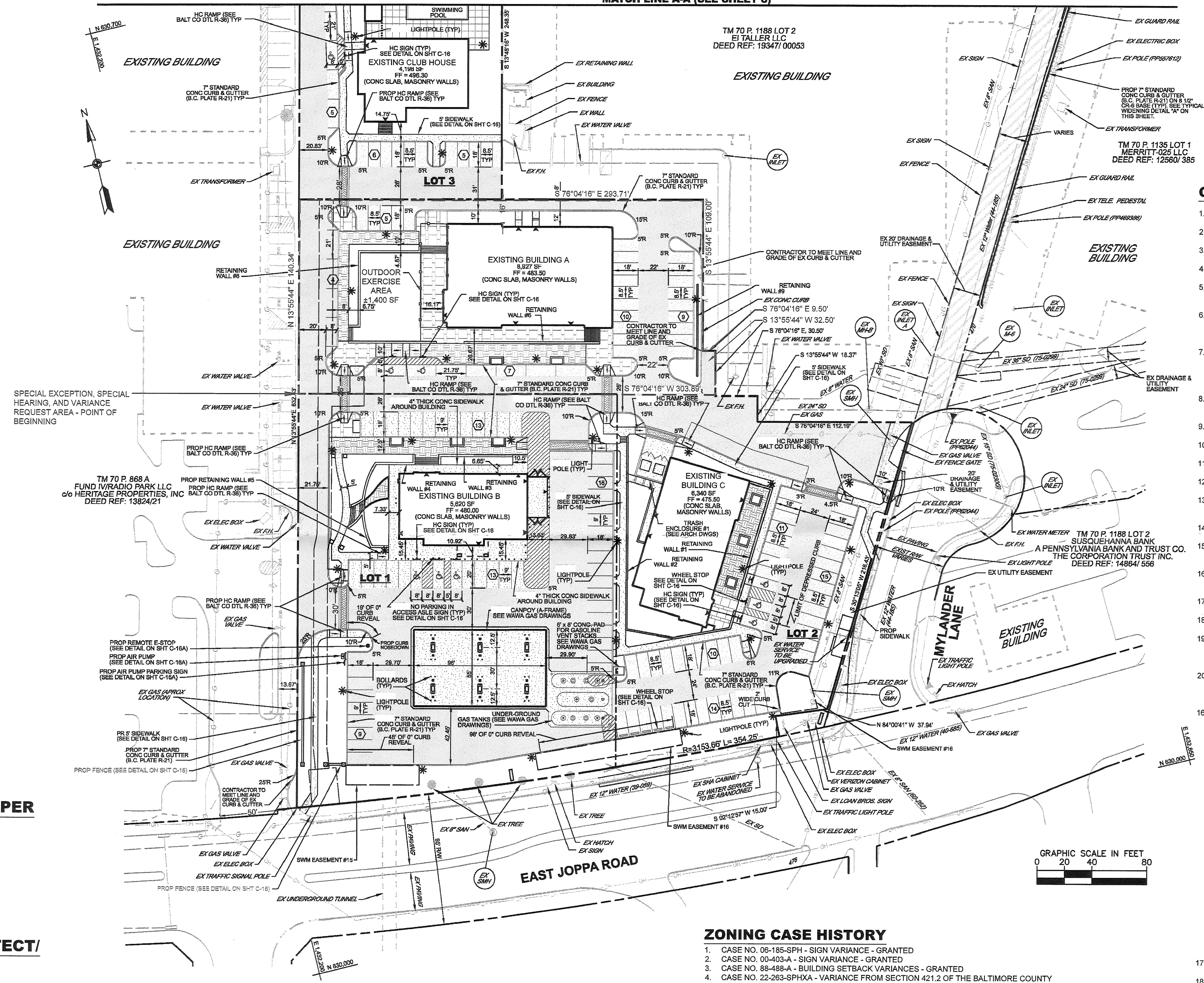
SPECIAL EXCEPTION, SPECIAL HEARING, AND VARIANCE REQUEST AREA - POINT OF BEGINNING

TM 70 P. 868 A
 FUND W/RADIO PARK LLC
 C/O HERITAGE PROPERTIES, INC
 DEED REF: 13824/21

APPLICANT/DEVELOPER
 CAMELLA DOGS LLC
 C/O HEATHER DAVIS
 4108 LONG GREEN ROAD
 GLEN ARM, MARYLAND 21057
 HEATHER.DAVIS@DOGTOPIA.COM
PROPERTY OWNER
 JOPPA MYLANDER PROPERTIES LLC
 C/O BPG OFFICE VI JOPPA
 SUITE 900 1000 N WEST ST
 WILMINGTON DE 19801-
**LANDSCAPE ARCHITECT/
 CIVIL ENGINEER**
 KIMLEY-HORN & ASSOCIATES, INC.
 215 WASHINGTON AVE., SUITE 500
 TOWSON, MD 21204
 ATTN: MATT BISHOP, PLA
 PHONE: 443-792-9999
 EMAIL: MATT.BISHOP@KIMLEY-HORN.COM



MATCH LINE A-A (SEE SHEET 6)



GENERAL NOTES

- PROPERTY ZONED: ML IM
- ZONING MAP: #070B2
- ACCOUNT #: 2500014046
- NET SITE AREA: 84,663 SF OR 1.9436 AC
- TO THE BEST OF OUR KNOWLEDGE THE SITE IS NOT UNDER ACTIVE ZONING VIOLATION(S).
- THIS SITE IS NOT LOCATED WITHIN ANY AREAS DESIGNATED AS FAILING ON THE BASIC SERVICES MAP AREAS FOR SEWERAGE, WATER, AND TRANSPORTATION AS SHOWN ON THE 2022 BASIC SERVICES
- PROPERTY KNOW AS: 1270 E. JOPPA ROAD PARCEL: 1188 TAX MAP: 0070 GRID: 0017
- EXISTING USE: COMMERCIAL PROPOSED USE: COMMERCIAL
- THE PROPERTY IS PART OF AN OVERALL DEVELOPMENT
- THE SITE IS NOT LOCATED IN A 100-YR FLOODPLAIN (
- 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 RELIEF WILL BE REQUESTED.
- ELECTION DISTRICT: 9TH, COUNCILMANIC DISTRICT: 5TH
- 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: LOWER GUNPOWDER FARMS
- STORMWATER MANAGEMENT IS NOT REQUIRED FOR THIS REQUEST.
- 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.
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- THERE ARE PREVIOUS COMMERCIAL PERMITS:
 B957779 - INSTALL SPRINKLER SYSTEM PER NFA 13D, 75HEADS LARGEST PIPE SIZE: 6". REFER TO B941166 FOR NEW CONSTRUCTION, B950523 - CONST 2 CMU BLOCK RETAINING WALLS #6 93LF LONG, 10'HT. ON FRONT PROPERTY; #8 120'LONG, 7'HT. ON SIDE PROPERTY PER PLANS. SUBJECT TO: MUST FOLLOW ALL RETAINING WALL CHECK LIST & CONSTRUCTION PHASE SERVICE REQUIREMENTS. FENCE OR RAILING REQU
 B950524 - STUB-IN 6" FIRELINE FROM 5' OUTSIDE OF BUILDING TO ABOVE CONCRETE SLAB PER PLANS.
 B954721 - ADD / RELOCATE 28 HEADS, LARGEST PIPE SIZE 1" REFER TO B945686 FOR ALTS
 B941166 - CONSTRUCT 1-STY RETAIL BUILDING, 122'8"X73'26"-8804SF, PAI #09-0844 PUD, JC,
 B935318 - REMOVE ONE (1) 10,000 GALLON UNDERGROUND HEATING OIL STORAGE TANK. NO REPLACEMENT. MUST COMPLY WITH NFPA 30 COMAR 26.10.01, GROUND WATER MGMT LETTER IN FILE.
 B935079 - COMPLETE REMOVAL OF (1) 15,000 GALLON UNDER GROUND HEATING OIL TANK. REFER TO B934733 FOR ADDITIONAL REMOVALS. SEE B928424 FOR RAZING, MDE# MDIC 2015 2140 EXPIRES: 7/1/17 COO 21.0163 - CHANGE OF OCCUPANCY FROM BUSINESS/RETAIL TO BUSINESS/RETAIL
 C21.01366 - COMMERCIAL INTERIOR ALTERATION
 C22.03489 - INTERIOR FIT OUT OF A VACANT TENANT SOPACE FOR A DOG DAYCARE
 C22.02550 - RELOCATION AND AND EDITION OF SPRINKLER SYSTEM
- NO NEW DEVELOPMENT IS PROPOSED.
- THE SITE DOES NOT EXCEED THE MAXIMUM PERMITTED FLOOR AREA RATIO.

ZONING CASE HISTORY

- CASE NO. 06-185-SPH - SIGN VARIANCE - GRANTED
- CASE NO. 00-403-A - SIGN VARIANCE - GRANTED
- CASE NO. 88-488-A - BUILDING SETBACK VARIANCES - GRANTED
- CASE NO. 22-283-SPHX - VARIANCE FROM SECTION 421.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT AN ANIMAL BOARDING PLACE, COMMERCIAL KENNEL, PRIVATE KENNEL, OR PET SHOP WITHIN 16 FEET OF THE NEAREST PROPERTY LINE AND 0 FEET FROM THE NEAREST LEASE LINE IN LIEU OF THE 200 FEET MINIMUM REQUIREMENT - GRANTED
- CASE NO. 22-283-SPHX - SPECIAL EXCEPTION KENNEL IN ML ZONE - GRANTED

ZONING RELIEF REQUESTED:

WE ARE REQUESTING A SPECIAL HEARING TO AMEND THE PREVIOUSLY APPROVED SPECIAL EXCEPTION IN CASE NO. 2022-0263-SPHX.

PARKING ANALYSIS (PER APPROVED PUD)

1. RESIDENTIAL: 339 SPACES REQUIRED	346 SPACES PROVIDED
2. RETAIL/RESTAURANT: 146 SPACES REQ.	146 SPACES PROVIDED
3. FUEL SERVICE/"C" STORE: REQUIRED 25	25 SPACES PROVIDED
4. TOTAL REQUIRED: 510 SPACES	517 SPACES PROVIDED

COUNCILMANIC DISTRICT - 2 - ELECTION DISTRICT - 4
 10123 REISTERSTOWN ROAD, OWINGS MILLS, MD 21117

1270 E. JOPPA ROAD
 PREPARED FOR
CAMELLA DOGS, LLC
 BALTIMORE COUNTY
 MARYLAND

**PLAN TO ACCOMPANY
 AMENDMENT TO
 SPECIAL EXCEPTION**

KHA PROJECT	114136004
DATE	09/04/2024
SCALE	AS SHOWN
DESIGNED BY	KIM
DRAWN BY	KIM
CHECKED BY	MAB



Kimley Horn
 © 2023 KIMLEY-HORN AND ASSOCIATES, INC.
 215 WASHINGTON AVE. SUITE 500, TOWSON, MD 21204
 PHONE: 443-743-3500
 WWW.KIMLEY-HORN.COM

NO.	REVISIONS	DATE	BY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 09 **Account Number -** 2500014046

Owner Information

Owner Name: JOPPA MYLANDER PROPERTIES LLC **Use:** INDUSTRIAL
 C/O BPG OFFICE VI JOPPA **Principal Residence:** NO
Mailing Address: SUITE 900 **Deed Reference:**
 1000 N WEST ST
 WILMINGTON DE 19801-

Location & Structure Information

Premises Address: 1270 E JOPPA RD **Legal Description:** 1.9436 AC
 TOWSON 21286-5917 1270 E JOPPA RD NS
 MERRY BEN INDUSTRIAL AND COMMERCIAL CENTER

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0017	1188	20000.04	9677			2	2023	Plat Ref: 0079/ 0677

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2018	16,228 SF		1.9400 AC	07

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		RETAIL STORE	BRICK/	C4			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2024	07/01/2025
Land:	873,000	873,000		
Improvements	627,000	2,356,000		
Total:	1,500,000	3,229,000	2,652,667	3,229,000
Preferential Land:	0	0		

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:Class	07/01/2024	07/01/2025
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:**

Plotted By: Bishop, Matt - Sheet Set: 1630 E. Joppa Road - Layout: SITE PLAN - September 04, 2024 - 01:01:19pm - N:\General Marketing\1270 E. Joppa Road\2024_07_26 SPECIAL EXCEPTION REFINEMENT\Special Exception Refinement.dwg
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SPECIAL EXCEPTION, SPECIAL HEARING, AND VARIANCE REQUEST AREA - POINT OF BEGINNING

TM 70 P. 868 A
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 C/O HERITAGE PROPERTIES, INC
 DEED REF: 13824/21

APPLICANT/DEVELOPER

CAMELLA DOGS LLC
 C/O HEATHER DAVIS
 4108 LONG GREEN ROAD
 GLEN ARM, MARYLAND 21057
 HEATHER.DAVIS@DOGTOPIA.COM

PROPERTY OWNER

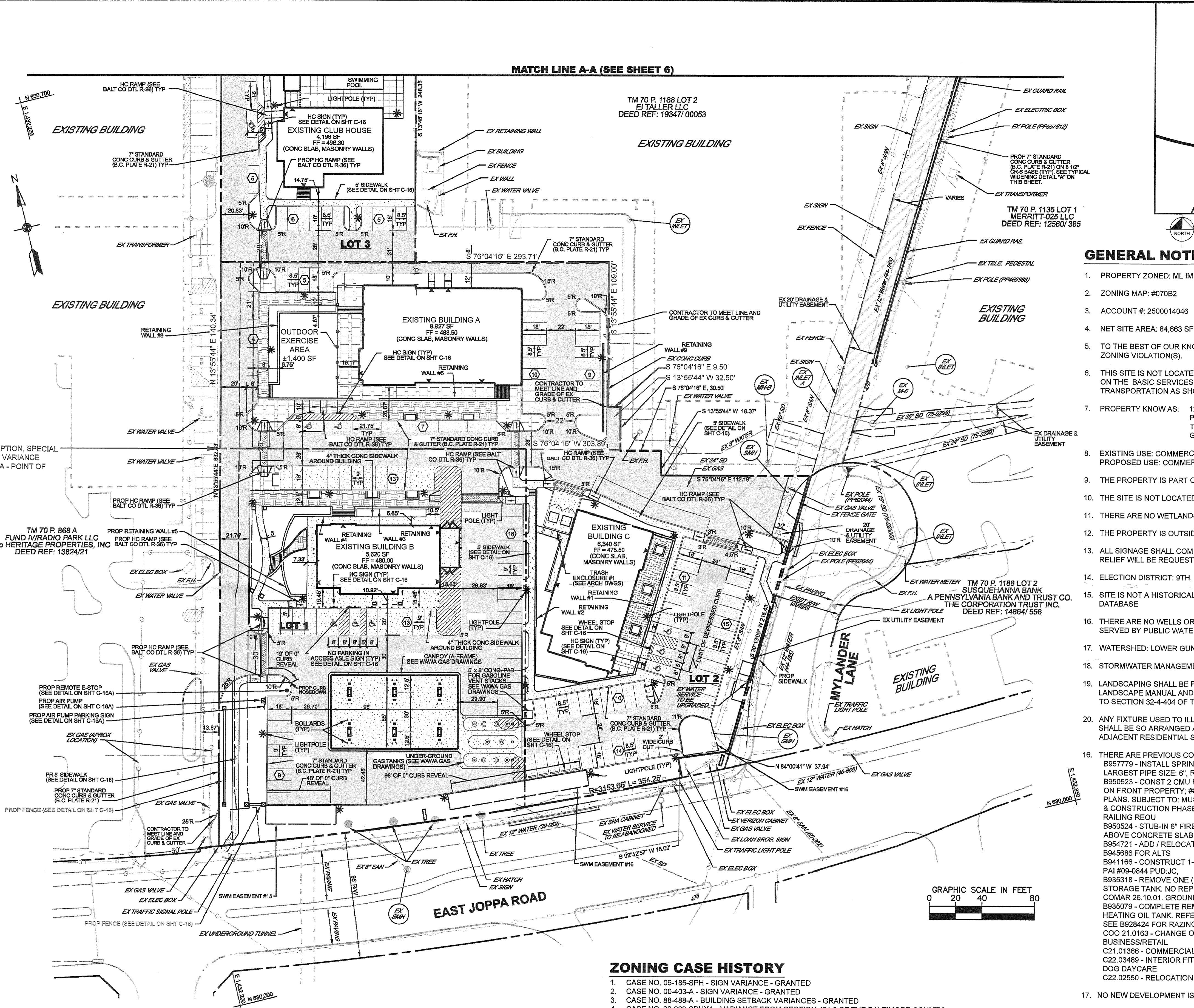
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**LANDSCAPE ARCHITECT/
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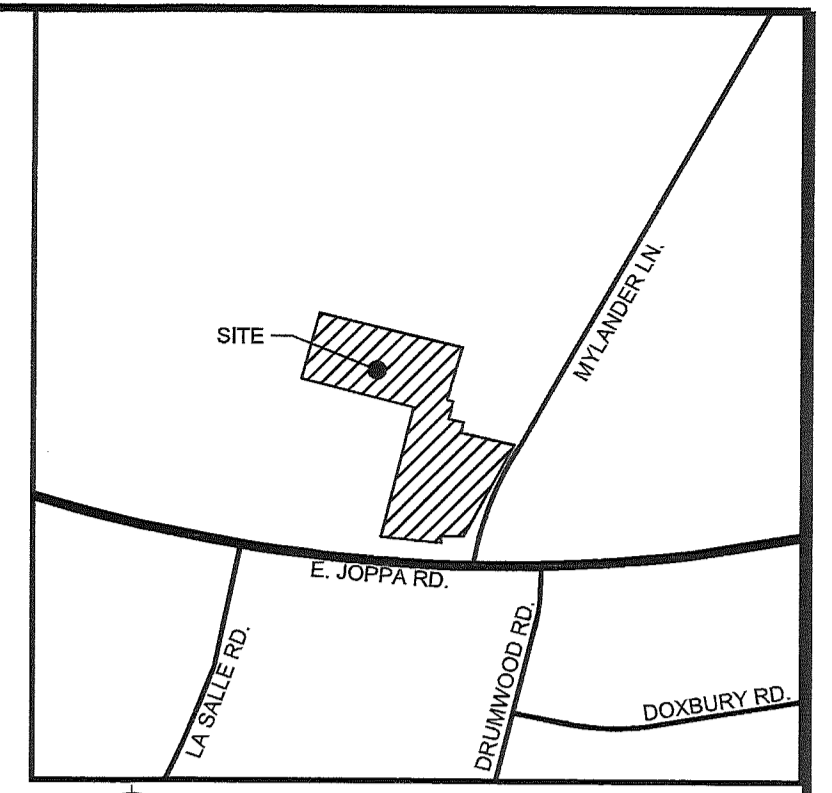
DESIGN ASSOCIATES, INC.
 Land Planning, Civil Engineering, Landscape Architecture, Development Consulting, Zoning
 222 Sandy Avenue, Suite 301
 Towson, Maryland 21286
 (410) 281-6444



MATCH LINE A-A (SEE SHEET 6)

TM 70 P. 1188 LOT 2
 EI TALLER LLC
 DEED REF: 19347/00053

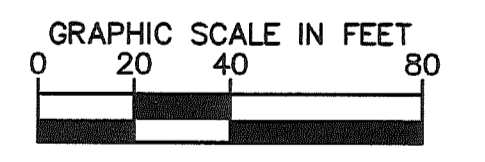
TM 70 P. 1135 LOT 1
 MERRITT-025 LLC
 DEED REF: 12560/385



VICINITY MAP
SCALE: 1" = 500'

GENERAL NOTES

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- PROPERTY KNOW AS: 1270 E. JOPPA ROAD
PARCEL: 1188
TAX MAP: 0070
GRID: 0017
- EXISTING USE: COMMERCIAL
PROPOSED USE: COMMERCIAL
- THE PROPERTY IS PART OF AN OVERALL DEVELOPMENT
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ZONING RELIEF REQUESTED:

WE ARE REQUESTING A SPECIAL HEARING TO AMEND THE PREVIOUSLY APPROVED SPECIAL EXCEPTION IN CASE NO. 2022-0263-SPHX.

PARKING ANALYSIS (PER APPROVED PUD)

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3. FUEL SERVICE/"C" STORE: REQUIRED 25	25 SPACES PROVIDED
4. TOTAL REQUIRED: 510 SPACES	517 SPACES PROVIDED

COUNCILMANIC DISTRICT - 2 - ELECTION DISTRICT - 4
 10123 REISTERSTOWN ROAD, OWINGS MILLS, MD 21117

**PLAN TO ACCOMPANY
AMENDMENT TO
SPECIAL EXCEPTION**

1270 E. JOPPA ROAD
 PREPARED FOR
CAMELLA DOGS, LLC

SHEET NUMBER
1

Kimley-Horn
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 215 WASHINGTON AVE. SUITE 500, TOWSON, MD 21204
 PHONE: 443-743-3500
 WWW.KIMLEY-HORN.COM



PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

KHA PROJECT	114136004
DATE	09/04/2024
SCALE	AS SHOWN
DESIGNED BY	KIM
DRAWN BY	KIM
CHECKED BY	MAB

LICENSE NO. 28655
 EXPIRATION DATE 08/22/2026

TM 70 P. 1188 LOT 2
 SUSQUEHANNA BANK
 A PENNSYLVANIA BANK AND TRUST CO.
 THE CORPORATION TRUST INC.
 DEED REF: 14884/556

TM 70 P. 1188 LOT 2
 EI TALLER LLC
 DEED REF: 19347/00053

TM 70 P. 868 A
 FUND W/RADIO PARK LLC
 C/O HERITAGE PROPERTIES, INC
 DEED REF: 13824/21

TM 70 P. 1135 LOT 1
 MERRITT-025 LLC
 DEED REF: 12560/385

TM 70 P. 1188 LOT 2
 EI TALLER LLC
 DEED REF: 19347/00053

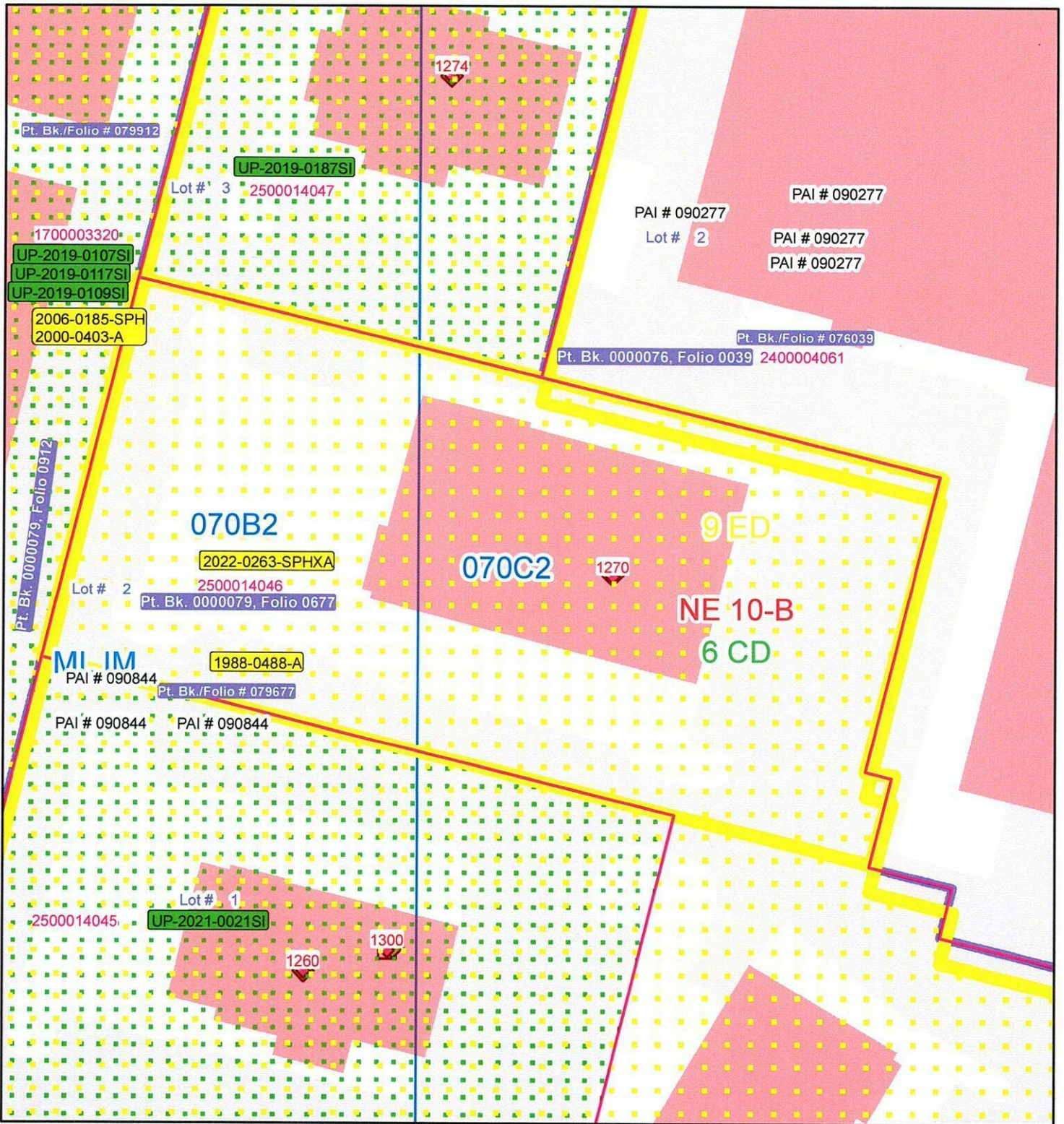
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1270 E. Joppa Rd



Publication Date: 9/16/2024



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 49.137536 feet