

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: August 22, 2003

TO: Timothy Kotroco, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton *trs*
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
02-568-SPH	<i>02-568-SPH</i>	NEW PLAN EXCEL REALTY	8700 LIBERTY ROAD
02-443-XA	<i>02-443-XA</i>	ARCADIA VOL. FIRE DEPT.	16050 CARNIVAL AVEN
02-046-M	<i>XI-906 02-046-M</i>	ROBERT M. TAYLOR	MINOR SUB / GLEN AR

Attachment: SUBJECT FILE(S) / EXHIBIT(S) ATTACHED

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	COUNTY BOARD OF APPEALS
<u>BRIAN DOUD, NEW PLAN EXCEL REALTY</u>	*	OF
<u>REALTY TRUST INC; POO-POO LTD T/A</u>	*	BALTIMORE COUNTY
<u>PIMLICO CHECK CASHING -PETITIONER</u>	*	CASE NO. 02-568-SPH
FOR SPECIAL HEARING ON PROPERTY		
LOCATED ON THE SE/COR BRENBROOK		
ROAD & CHURCH (8700 LIBERTY ROAD)		
2 ND ELECTION DISTRICT		
2 ND COUNCILMANIC DISTRICT		

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by R. David Adelberg, Esquire, on behalf of Poo-Poo Ltd. t/a Pimlico Check Cashing, Petitioner, from a decision of the Deputy Zoning Commissioner dated September 10, 2002 in which the requested Petition for Special Hearing was denied.

WHEREAS, the Board is in receipt of a Notice of Dismissal of appeal filed on May 28, 2003 by R. David Adelberg, Esquire, (copy received via facsimile on May 21, 2003) on behalf of Poo-Poo Ltd. t/a Pimlico Check Cashing, Appellant /Petitioner, (a copy of which is attached hereto and made a part hereof); and

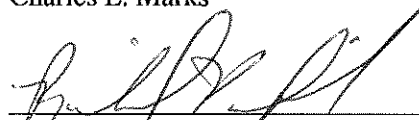
WHEREAS, said counsel for Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of May 21, 2003;

IT IS THEREFORE ORDERED this 25th day of June, 2003 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 02-568-SPH be and the same is hereby **DISMISSED**, thereby rendering the September 10, 2002 Order of the Deputy Zoning Commissioner the final decision in this matter.

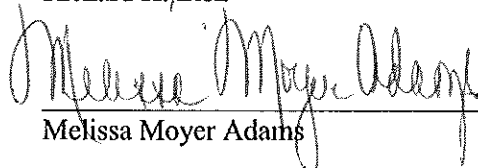
**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks



Richard K. Arish



Melissa Moyer Adams

IN THE MATTER OF * BEFORE THE
THE APPLICATION OF *
BRIAN DOUD, NEW PLAN EXCEL REALTY * COUNTY BOARD OF APPEALS
REALTY TRUST INC; POO-POO LTD T/A *
PIMLICO CHECK CASHING -PETITIONER * OF
FOR SPECIAL HEARING ON PROPERTY *
LOCATED ON THE SE/COR BRENBROOK * BALTIMORE COUNTY
ROAD & CHURCH (8700 LIBERTY ROAD) *
2ND ELECTION DISTRICT * CASE NO. 02-568-SPH
2ND COUNCILMANIC DISTRICT *
* * * * *

ORDER OF DISMISSAL

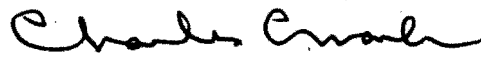
This matter comes to the Board of Appeals by way of an appeal filed by R. David Adelberg, Esquire, on behalf of Poo-Poo Ltd. t/a Pimlico Check Cashing, Petitioner, from a decision of the Deputy Zoning Commissioner dated September 10, 2002 in which the requested Petition for Special Hearing was denied.

WHEREAS, the Board is in receipt of a Notice of Dismissal of appeal filed on May 28, 2003 by R. David Adelberg, Esquire, (copy received via facsimile on May 21, 2003) on behalf of Poo-Poo Ltd. t/a Pimlico Check Cashing, Appellant /Petitioner, (a copy of which is attached hereto and made a part hereof); and

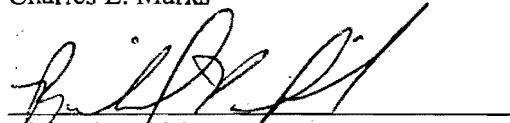
WHEREAS, said counsel for Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of May 21, 2003;

IT IS THEREFORE ORDERED this 25th day of June, 2003 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 02-568-SPH be and the same is hereby **DISMISSED**, thereby rendering the September 10, 2002 Order of the Deputy Zoning Commissioner the final decision in this matter.

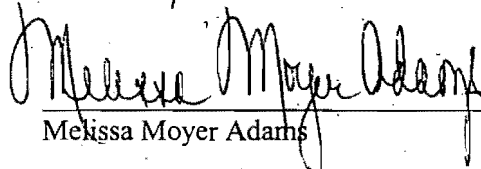
**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks



Richard K. Irish



Melissa Moyer Adams



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

June 25, 2003

R. David Adelberg, Esquire
40 W. Chesapeake Avenue
#200
Towson, MD 21204

RE: *In the Matter of: New Plan Excel Realty Trust, Inc.
and Poo-Poo Ltd, t/a Pimlico Check Cashing*
Case No. 02-568-SPH /Order of Dismissal

Dear Mr. Adelberg:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Kathleen C. Bianco
Administrator

Enclosure

c: Poo-Poo Ltd t/a Pimlico Check Cashing
Mayer Pelta, President
Brian Doud /New Plan Excel Realty Trust, Inc.
Gerhold, Cross & Etzel, Ltd. /Bruce Doak
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM

IN RE: PETITION FOR SPECIAL EXCEPTION
SE/Corner Brenbrook Road
and Church Lane
2nd Election District
2nd Councilmanic District
(8700 Liberty Road)

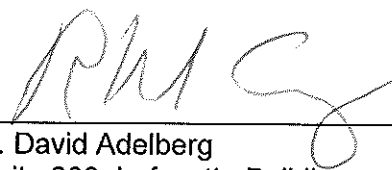
New Plan Excel Realty Trust, Inc.,
Legal Owner and
Poo-Poo Ltd., t/a Pimlico Check Cashing,
Lessee

Petitioners

BEFORE THE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
CASE NO. 02-568-SPH

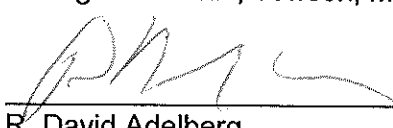
NOTICE OF DISMISSAL

Please dismiss the above appeal.


R. David Adelberg
Suite 200, Lafayette Building
40 West Chesapeake Avenue
Towson, Maryland 21204
(410) 321-7773
Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of May, 2003, a copy of the foregoing Notice of Dismissal was mailed, first-class, postage prepaid to Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 East Towsontown Boulevard, Suite 100, Towson, Maryland 21286; Arnold Jablon, Director, Baltimore County Department of Permits and Development Management, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204; Timothy M. Kotroco, Deputy Zoning Commissioner, County Courts Building, Suite 405, 401 Bosley Avenue, Towson, Maryland 21204; and Peter Max Zimmerman, People's Counsel for Baltimore County and Carole S. Demilio, Deputy People's Counsel, Old Courthouse, Room 47, 400 Washington Avenue, Towson, Maryland 21204.


R. David Adelberg

Pleadings\Poo-Pool\Dismissal.0520

RECEIVED

MAY 28 2003

BALTIMORE COUNTY
BOARD OF APPEALS

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
SE/Corner Brenbrook Road		
and Church Lane	*	DEPUTY ZONING COMMISSIONER
2nd Election District		
2nd Councilmanic District	*	OF BALTIMORE COUNTY
(8700 Liberty Road)		
	*	CASE NO. 02-568-SPH
New Plan Excel Realty Trust, Inc.,		
<i>Legal Owner and</i>	*	
Poo-Poo Ltd., t/a Pimlico Check Cashing,		
<i>Lessee</i>	*	
<i>Petitioners</i>		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, New Plan Excel Realty Trust, Inc. and the lessee of the site, Poo-Poo Ltd., t/a Pimlico Check Cashing. The special hearing request involves property located at 8700 Liberty Road, which property is zoned BM-CCC. The special hearing request is to approve the use of the subject property with four amusement devices with a use other than entertainment, leisure or recreational oriented. The special hearing petition was filed by R. David Adelberg, attorney at law, representing the Petitioner.

Appearing at the hearing on behalf of the request were Mr. Pelta, representing the lessee of the property, and Bruce Doak, a representative of Gerhold, Cross & Etzel, the land surveyors who prepared the site plan of the site. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, is improved with the Liberty Plaza Shopping Center located at the northeast corner of the intersection of Liberty Road and Brenbrook Drive, in Randallstown. The property is improved with a retail shopping center, within which this Petitioner leases commercial space. The testimony and evidence indicated that the Petitioner operates a check-cashing and bill

ORDER RECEIVED FOR FILE

Date

By

9/19/02

J.R. Gorman

payment center within the space they lease. In addition, the Petitioner also offers to the general public the availability of money orders and a Western Union service.

The Petitioner has operated the business from the subject site for the past 7 years. They cater mainly to adults in the community who are in need of cashing personal checks, payroll checks, as well as making bill payments to such entities as BG&E, Comcast Cable, the telephone company, and other similar service providers. In addition, the Petitioner provides a lottery terminal, as well as "Keno" for the entertainment of their customers. The testimony indicated that there are tables within the business whereupon customers can sit and play "Keno" while tending to other business within the establishment. The purpose of this special hearing petition is for the Petitioner to obtain approval for four electronic gaming devices which are currently located within the store. The Petitioner is permitted to have two such devices within the store. However, increasing the number of machines to four requires this special hearing request. The Petitioner testified that many of the customers who patronize this business have requested that they install additional gaming devices, in that the two permitted machines were not enough to meet the needs of the clientele. They, therefore, ask that they be permitted to increase the number of machines to four.

While no one appeared in opposition to the Petitioner's request, the Office of Planning strongly opposes the Petitioner's request to increase the number of amusement devices in this store. The Planning Office believes that the additional amusement devices will hinder the further revitalization of this shopping center and that the proposal is in opposition to the Liberty Road Revitalization Area Action Plan. They, therefore, ask that the request be denied.

ORDER RECEIVED FOR FILING

Date

9/19/02

By

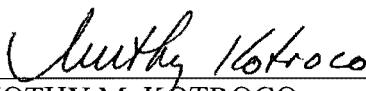
R. G. Gorman

After considering the testimony and evidence offered by the Petitioner and the strong position of the Office of Planning, I find that the request to approve the four amusement devices within the Petitioner's business be and is hereby denied.

THEREFORE, IT IS ORDERED this 19th day of September, 2002, by this Deputy Zoning Commissioner, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow four amusement devices with a use other than entertainment, leisure or recreational oriented, be and is hereby DENIED.

IT IS FURTHER ORDERED, that the Petitioner shall be required to bring the subject property into compliance with all regulations within thirty (30) days from the date of this Order.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

9/19/02

By

R. G. [Signature]

Copies to:

Bruce E. Doak
Gerhold, Cross & Etzel
320 E. Towsontown Blvd.
Towson, MD 21286

M. Pelta
12514 Fellowship Ct.
Reisterstown, MD 21136

New Plan Excel Realty Trust, Inc.
40 Gotham Road-E
Red Lion, PA 17356

Poo-Poo, Ltd.
t/a Pimlico Check Cashing
8700 Liberty Road
Randallstown, MD 21133

APPEAL

Petition for Special Hearing
8700 Liberty Road

SE/corner Brenbrook Road & Church
2nd Election District - 2nd Councilmanic District
Brian Doud, New Plan Excel Realty, Trust Inc
- Poo-Poo Ltd, t/a Pimlico Check Cashing
Mayer Pelta, President
Case No.: 02-568-SPH

- ✓ Petition for Special Hearing 6/17/02
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing 7/25/02
- ✓ Certification of Publication (The Jeffersonian issue 8/27/02)
- ✓ Certificate of Posting (8/26/02 - posted Bruce Doak)
- ✓ Entry of Appearance by People's Counsel (7/1/02)
- ✓ Petitioner(s) Sign-In Sheet (One Page)
- ✓ Protestant(s) Sign-In Sheet (None)
- ✓ Citizen(s) Sign-In Sheet (None)
- ✓ Zoning Advisory Committee Comments
- ✓ Petitioners' Exhibits:
 - ✓ 1. Plan to accompany petition for a Special Hearing 3/15/2000)
 - ✓ 2. A/Q Photographs (17 Pictures)
 - ✓ 3. Memo to Baltimore County Zoning Board from Carl Beard, Regional Mgr. Maryland State Lottery Agency 2/8/02
 - ✓ 4. Memo to To Whom it may Concern from Brian Doud, NPXL New Plan Excel Realty Trust, Inc. 3/1/02
- ✓ Protestants' Exhibits: (None)
- ✓ Miscellaneous (Not Marked as Exhibits): ~~(None)~~ Ltr dtd 7-29 from Montalto
- ✓ Deputy Zoning Commissioner's Timothy M. Kotroco Order (9/10/02 Denied)
- * Notice of Appeal received on 10/17/02 from R. David Adelberg on behalf of Poo Poo Ltd. t/a Pimlico Check Cashing

C:

R. David Adelberg 40 West Chesapeake Avenue #200 Towson, MD 21204
People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

* R DAVID ADELBREG, ESQUIRE
40 WEST CHESAPEAKE AVENUE
TOWSON MD 21204

* POO-POO, LTD
T/A PIMLICO CHECK CASHING
8700 LIBERTY ROAD
RANDALLSTOWN MD 21133

M. PELTA
12514 FELLOWSHIP CT
REISTERSTOWN MD 21136

BRIAN DOUD
NEW PLAN EXCEL REALTY TRUST, INC.
40 GOTHAM RD E
RED LION PA 17356

BRUCE DOAK
GERHOLD, CROSS & ETZEL, LTD
320 E. TOWSONTOWN BLVD #100
TOWSON MD 21286

VE

Case No. 02-568-SPH

In the Matter of: New Plan Excel Realty Trust, Inc. /Brian Doud;
Poo-Poo Ltd t/a Pimlico Check Cashing, Mayer Pelta, Pres.
8700 Liberty Road 2nd E; 2nd C

SPH – To approve uses of subject property with four amusement devices with a use other than entertainment, leisure or recreational oriented.

9/10/02 –D.Z.C.'s decision in which Petition for Special Hearing was DENIED.

3/12/03 –Notice of Assignment sent to following; assigned for hearing on Thursday, May 22, 2003 at 10 a.m.:

R. David Adelberg, Esquire
Poo-Poo Ltd t/a Pimlico Check Cashing
Brian Doud /New Plan Excel Realty Trust, Inc.
Gerhold, Cross & Etzel, Ltd. /Bruce Doak
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM

5/21/03 – T/C from David Adelberg, Esquire – will be withdrawing the appeal in this mater; will FAX withdrawal letter to be followed by the original hard copy letter (either hand delivered later today or sent via US mail). Upon receipt of FAX from Mr. Adelberg, will pull case from schedule and notify Board and P. Zimmerman.

-- Notice of Dismissal received via FAX from Mr. Adelberg. Case pulled from schedule; Board notified; Order of Dismissal to be issued.

hard copy received 5/28/03,

R. DAVID ADELBERG

ATTORNEY AT LAW
SUITE 200, LAFAYETTE BUILDING
40 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

410-321-7773
FAX: 410-321-7882
E-MAIL: cadellaw@yahoo.com

FAX COVER SHEET

Deliver To: Kathleen C. Bianco, Administrator
Company Name: County Board of Appeals of Baltimore County
Fax Number: 410-887-3182
From: R. David Adelberg
Client/Matter: New Plan Excel Realty Trust, Inc. and Poo-Poo Ltd.,
t/a Pimlico Check Cashing
Date: May 21, 2003

Original to follow in mail: ☒ Yes ☐ No

DOCUMENTS	NUMBER OF PAGES
Cover Sheet	1
Notice of Dismissal	1

COMMENTS:

Please see attached.

CONFIDENTIALITY NOTICE

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT NAMED ABOVE. THIS COMMUNICATION MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION PROTECTED BY LAW AS AN ATTORNEY-CLIENT COMMUNICATION. IF THE READER OF THIS COMMUNICATION IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, THE READER IS HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, COPYING OF THIS COMMUNICATION, OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS COMMUNICATION, IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TO US BY MAIL. THANK YOU.

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 410-321-7773 AS SOON AS POSSIBLE.

8/8/02

IN RE: PETITION FOR SPECIAL EXCEPTION
SE/Corner Brenbrook Road
and Church Lane
2nd Election District
2nd Councilmanic District
(8700 Liberty Road)

New Plan Excel Realty Trust, Inc.,
Legal Owner and
Poo-Poo Ltd., t/a Pimlico Check Cashing,
Lessee

Petitioners

BEFORE THE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
CASE NO. 02-568-SPH

NOTICE OF DISMISSAL

Please dismiss the above appeal.

RECEIVED

MAY 28 2003

ZONING COMMISSIONER



R. David Adelberg
Suite 200, Lafayette Building
40 West Chesapeake Avenue
Towson, Maryland 21204
(410) 321-7773
Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of May, 2003, a copy of the foregoing Notice of Dismissal was mailed, first-class, postage prepaid to Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 East Towsontown Boulevard, Suite 100, Towson, Maryland 21286; Arnold Jablon, Director, Baltimore County Department of Permits and Development Management, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204; Timothy M. Kotroco, Deputy Zoning Commissioner, County Courts Building, Suite 405, 401 Bosley Avenue, Towson, Maryland 21204; and Peter Max Zimmerman, People's Counsel for Baltimore County and Carole S. Demilio, Deputy People's Counsel, Old Courthouse, Room 47, 400 Washington Avenue, Towson, Maryland 21204.



R. David Adelberg

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-568-SPH

New Plan Excel Realty Trust Inc. - LEGAL OWNERS

8700 Liberty Road, Randallstown, MD 21133

2nd ELECTION DISTRICT

APPEALED: 10/17/02

ATTACHMENT – (Plat to accompany Petition – marked as Exhibit 1)

*******COMPLETE AND RETURN BELOW INFORMATION*******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

24 G13

Attention: Kathleen Bianco
Administrator

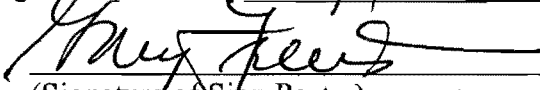
RE: Case No.: 02-568-SPH

Petitioner/Developer:

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

The sign was posted on 11/4, 2002

By:


(Signature of Sign Poster)

GARY FREUND
(Printed Name)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 14207

DATE 10-17-02 ACCOUNT 101 006 6150

AMOUNT \$ 210.00

RECEIVED
FROM:

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

DATE RECEIPT
PAID RECEIPT

BUSINESS ACTUAL TIME

10/17/2002 10/17/2002 13:46:06

REG #004 WALKIN DOOL DMD DRAWER 2

RECEIPT # 199532 10/17/2002 OFLN

DOOR 5 528 ZONING VERIFICATION

CR 10. 014291

Receipt Tot \$210.00

210.00 OK .00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 19, 2002

R. David Adelberg, Esquire
40 W. Chesapeake Avenue, Suite 200
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 02-568-SPH
Property: 8700 Liberty Road

Dear Mr. Adelberg:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been denied in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

9/10/02

PETITIONER'S SIGN-IN SHEET

[illegible]

Revised 4/17/00

CERTIFICATE OF PUBLICATION

NOTICE OF ZONING HEARING

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

Case: #02-568-SPH
8700 Liberty Road
SE/corner Brenbrook Road &
Church Lane
2nd Election District
2nd Councilmanic District
Legal Owner(s): Brian Doud,
New Plan Excel Realty Trust, Inc.
Contract Purchaser: Poo-Poo
Ltd, Mayer Pelta, President

Special Hearing: to allow
(4) amusement devices with
a use other than entertain-
ment, leisure or recreational
oriented (check cashing
business)

Hearing: Tuesday, Sep-
tember 10, 2002 at 10:00
a.m. in Room 407, County
Courts Building, 401 Bos-
toy Avenue.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/8/754 Aug. 27 C559029

8/29/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 8/27/, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

October 18, 2002

R. David Adelberg, Esq.
40 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Adelberg:

RE: Case No. 02-568-SPH, Address 8700 Liberty Road

Please be advised that an appeal of the above-referenced case was filed in this office on October 17, 2002 by R. David Adelberg on be-half of Poo Poo, Ltd. t/a Pimlico Check Cashing. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

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

Arnold Jablon
Director

AJ:rjc

c: Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM
People's Counsel

RECEIVED

OCT 18 2002

BALTIMORE COUNTY
BOARD OF APPEALS



R. DAVID ADELBERG

ATTORNEY AT LAW
SUITE 200, LAFAYETTE BUILDING
40 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

410-321-7773
FAX: 410-321-7882
E-MAIL: dadellaw@yahoo.com

October 16, 2002

Mr. Arnold Jablon, Director
Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

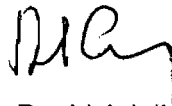
RE: Petition for Special Hearing
Case No. 02-568-SPH
Property: 8700 Liberty Road

Dear Mr. Jablon:

Please enter an appeal of the Findings of Fact and Conclusions of Law on behalf of Poo-Poo, Ltd. t/a Pimlico Check Cashing in the above matter.

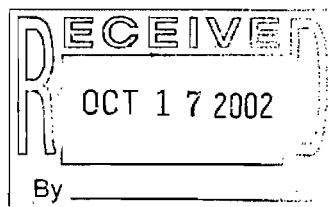
Enclosed is a check in the amount of Two Hundred Ten Dollars (\$210.00) representing the fee for same.

Very truly yours,



R. David Adelberg

RDA/sfc
enclosure
cc: Pimlico Check Cashing
Oct02\Poo-Poo, Jablon.1016





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 6, 2002

R David Adelberg
40 W Chesapeake Avenue
Suite 200
Towson MD 21204

Dear Mr. Adelberg:

RE: Case Number: 02-568-SPH, 8700 Liberty Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 17, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: New Plan Excel Realty Trust Inc, Brian Doud, 40 Gotham Road-E, Red Lion PA 17356
Poo-Poo Ltd, 8700 Liberty Road, Randallstown 21133
Bruce Doak, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, Suite 100,
Towson 21286
People's Counsel

Come visit the County's Website at www.co.ba.md.us



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Department of Permits and
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Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 6, 2002

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40 W Chesapeake Avenue
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If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G D Z.
Supervisor, Zoning Review

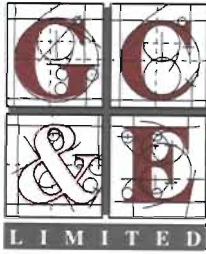
WCR: gdz

Enclosures

c: New Plan Excel Realty Trust Inc, Brian Doud, 40 Gotham Road-E, Red Lion PA 17356
Poo-Poo Ltd, 8700 Liberty Road, Randallstown 21133
Bruce Doak, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, Suite 100,
Towson 21286
People's Counsel

Come visit the County's Website at www.co.ba.md.us





Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 02-568-SPH
PETITIONER/DEVELOPER
Brian Doud
DATE OF HEARING
September 10, 2002

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

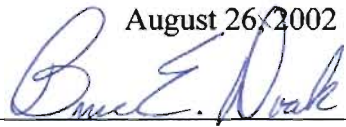
ATTENTION: GEORGE ZAHNER

LADIES AND GENTLEMEN:

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

LOCATION
8700 Liberty Road

DATE
August 26, 2002

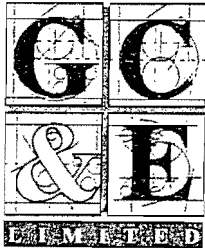

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX



POSTED ON August 24, 2002



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 02-568-SPH
PETITIONER/DEVELOPER
Brian Doud
DATE OF HEARING
September 10, 2002

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: GEORGE ZAHNER

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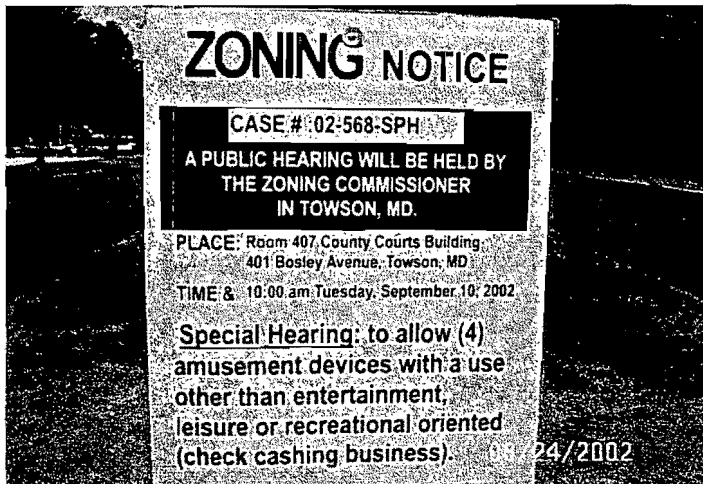
LOCATION
8700 Liberty Road

DATE
August 26, 2002

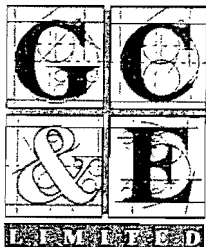
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POSTED ON August 24, 2002



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PETITIONER/DEVELOPER
Brian Doud
DATE OF HEARING
September 10, 2002

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: GEORGE ZAHNER

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LOCATION
8700 Liberty Road

DATE
August 26, 2002

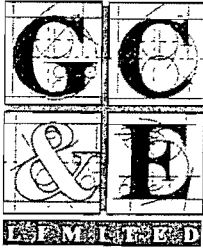
SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
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TOWSON, MARYLAND 21286
410-823-4470 PHONE
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POSTED ON August 24, 2002



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Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 02-568-SPH
PETITIONER/DEVELOPER
Brian Doud
DATE OF HEARING
September 10, 2002

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: GEORGE ZAHNER

LADIES AND GENTLEMEN:

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SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION
8700 Liberty Road

DATE
August 26, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSON TOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX



POSTED ON August 24, 2002

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 8, 2002 Issue – Jeffersonian

Cancel

Please forward billing to:
R David Adelburg Esquire
40 W Chesapeake Avenue
Suite 200
Towson MD 21204

410-321-7773

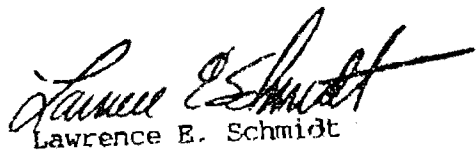
NOTICE OF ZONING HEARING

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

CASE NUMBER: 02-568-SPH
8700 Liberty Road
SE/corner Brenbrook Road & Church Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: Brian Doud, New Plan Excel Realty Trust Inc
Contract Purchaser: Poo-Poo Ltd, Mayer Pelta, President

Special Hearing to allow (4) amusement devices with a use other than entertainment, leisure or recreational oriented (check cashing business)

HEARING: Wednesday, August 22, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 25, 2002 Issue – Jeffersonian

Please forward billing to:
R David Adelburg Esquire
40 W Chesapeake Avenue
Suite 200
Towson MD 21204

DO NOT PUBLISH
NEW HEARING DATE
WILL SEND LATER
410-321-7773

George Zahner

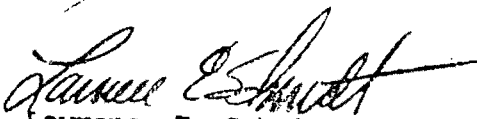
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8700 Liberty Road
SE/corner Brenbrook Road & Church Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: Brian Doud, New Plan Excel Realty Trust Inc
Contract Purchaser: Poo-Poo Ltd, Mayer Pelta, President

Special Hearing to allow (4) amusement devices with a use other than entertainment, leisure or recreational oriented (check cashing business)

HEARING: Thursday, August 8, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 672
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 2, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 1, 2002
Item Nos. 563, 565, 566, 567, 568, 569,
571, and 574

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:jrb

cc: File



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

July 25, 2002

NOTICE OF ZONING HEARING

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

CASE NUMBER: 02-568-SPH
8700 Liberty Road
SE/corner Brenbrook Road & Church Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: Brian Doud, New Plan Excel Realty Trust Inc
Contract Purchaser: Poo-Poo Ltd, Mayer Pelta, President

Special Hearing to allow (4) amusement devices with a use other than entertainment, leisure or recreational oriented (check cashing business)

HEARING: Tuesday, September 10, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon
Director

C: R David Adelburg, 40 W Chesapeake Avenue, #200, Towson 21204
New Plan Excel Realty Trust Inc, Brian Doud, 40 Gotham Road-E, Red Lion PA 17356
Poo-Poo Ltd, Mayer Pelta, President, 8700 Liberty Road, Randallstown 21133
Bruce Doak, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, #100,
Towson 21286
Mr. Melvin Aiken, Old Court Estates Imp Assoc, 4502 Dresden Road, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 26, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





LIBERTY ROAD BUSINESS ASSOCIATION

9337 Liberty Road ♦ Randallstown, Maryland 21133
Tel: 410.655.7766 ♦ Fax: 410.655.8065

AUG - 11 2002

*Sept
9/10*

July 29, 2002

Mr. Lawrence Schmidt
Zoning Commissioner
Baltimore County, Maryland
401 Bosley Avenue, Room 405
Towson, MD 21204

RE: Case Number: 02-568-SPX
Pimlico Check Cashing
8700 Liberty Road
Randallstown, MD 21133

Dear Mr. Schmidt:

The Board of Directors of the Liberty Road Business Association at its regular monthly Board of Director's meeting on February 4, 2002 voted not support the request for a Special Exception in the above caption matter.

The Board feels that allowing four amusement devices changes the use of the facility from a check cashing/lottery business to a broad amusement category. Currently, the immediate business neighbors of this establishment are family oriented businesses which attract adults and children, as their customers. Current businesses operating in the immediate vicinity of petitioner include a family oriented restaurant, a children's "edutainment" center, and a family oriented ice cream parlor (which will open in two weeks).

Thanking you in advance for your continued support of quality economic development along Liberty Road.

Sincerely,
Richard W. Montalto
Richard W. Montalto, RHU
President



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

July 25, 2002

Mr. Bruce Doak
Gerhold Cross & Etzel Ltd
320 E Towsontown Blvd, Suite 100
Towson MD 21286

Dear Mr. Doak:

RE: Case Number: 02-568-SPH, 8700 Liberty Road

The above matter, previously scheduled for Wednesday, August 22, 2002, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

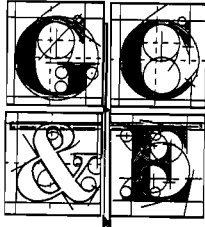
A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ: gdz

C: New Plan Excel Realty Trust Inc, Brian Doud 40 Gotham Road-E,
Red Lion PA 17356
Poo-Poo Ltd, Mayer Pelta, President, 8700 Liberty Road, Randallstown 21133
R David Adelberg, 40 W Chesapeake Avenue, Suite 200, Towson 21204





Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

L I M I T E D

July 24, 2002

George Zuhner
Baltimore County Department
Of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Re: Case No. 02-568-SPH
8700 Liberty Road

Dear George:

I have been asked to be an expert witness in the hearing for the above case. Unfortunately, I will be un-available for the scheduled hearing date of August 22, 2002. Please schedule the hearing for the earliest date in September so not to hold up my clients.

Thank you for your attention to this matter.

Sincerely,

Bruce E. Doak
Principal

George - please sign & fax back



Towson Office
409 Washington Avenue
Legal Advertising
Ph: 410-337-2425
FAX: 410-825-4278

Susan Wilkinson Ext. 3425
Ellen Harris Ext. 3418
Diane Wheatley Ext. 3432
Klm Andrulonis Ext. 3512
Kathy Conahan Ext. 3417
Sue Thomas Ext. 3513

VERIFICATION OF CANCELLATION

TO: George Zahner / Zoning office

RE: Ad No. J 7/236

Invoice No. C 552186

Run Dates: _____

Property No. 8700 Liberty Road (Case # 02-568-SPH)

Amount Owed: \$0.00

The above ad was tentatively canceled on 7/22/02.
Please verify this cancellation by signing below and faxing this form back to us.

Your written verification is necessary in order to stop charges on this ad.

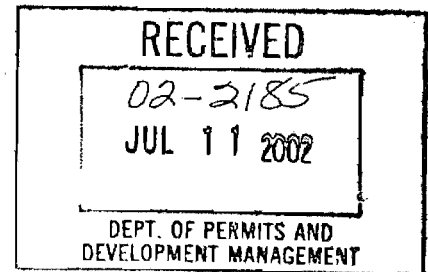
Signature _____

Company _____

R. DAVID ADELBERG

ATTORNEY AT LAW
SUITE 200, LAFAYETTE BUILDING
40 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

410-321-7773
FAX: 410-321-7882
E-MAIL: dadellaw@yahoo.com



July 9, 2002

Mr. George Zuhner
Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case Number: 02-568-SPH
8700 Liberty Road
SE/corner Brenbrook Road & Church Lane
2nd Election District - 2nd Councilmanic District
Legal Owner: Brian Doud, New Plan Excel Realty Trust Inc.
Contract Purchaser: Poo-Poo, Ltd., Mayer Pelta, President

Dear Mr. Zuhner:

This is to confirm a conversation with your office on July 8, 2002 regarding the Zoning Hearing scheduled for Thursday, August 8, 2002 at 11:00 a.m. Bruce Doak of Gerhold, Cross and Etzel, Ltd. is scheduled for Jury Duty on August 8, 2002. It is, therefore, requested that the hearing be rescheduled.

Very truly yours,

COPY

R. David Adelberg

RDA/sfc

cc: Mayer Pelta
Bruce Doak

Jul02\PooPoo.BaltoCo.Zuhner.0708

R. DAVID ADELBURG

ATTORNEY AT LAW
SUITE 200, LAFAYETTE BUILDING
40 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

410-321-7773
FAX: 410-321-7882
E-MAIL: dadellaw@yahoo.com

7/11/02
c8

July 9, 2002

Mr. George Zubner

CLERK

George
- 02-568 -
- 8/8 -

Dave Adelburg

410 321-7773

Aug 19 - 26 Don't miss
Bruce bar juy duty



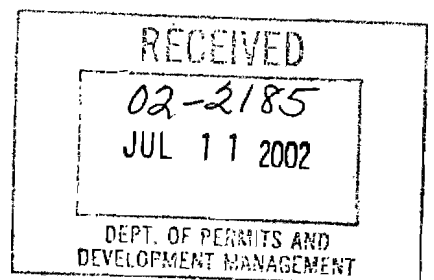
© The PAD FARM, INC.

CLERK

Make Sure she gets
notice for new hearing
Mrs. Melvin Aiken
Old Court Estates Imp Assoc.
4502 Dresden Rd.
Baltimore 21208
(410) - 655-3255



© The PAD FARM, INC.



ju
8/20
9/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: July 8, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 8700 Liberty Road

INFORMATION:

Item Number: 02-568

Petitioner: New Plan Excel Realty Trust, Inc.

Zoning: BM-CCC

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning strongly opposes the petitioner's request to permit four (4) amusement devices with a use other than entertainment, leisure, or recreational oriented (check cashing business). The proposed use is not compatible with recent, more desirable development. The addition of these amusement devices will only hinder the further revitalization of the shopping center. This proposal is in opposition to the Liberty Road Revitalization Area Action Plan, and the position of the Liberty Road Business Association.

Prepared by:

Mads A. Cunningham

Section Chief:

Lynne Spalauer

AFK/LL:MAC:

631 - 8



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

July 2, 2002

NOTICE OF ZONING HEARING

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

CASE NUMBER: 02-568-SPH
8700 Liberty Road
SE/corner Brenbrook Road & Church Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: Brian Doud, New Plan Excel Realty Trust Inc
Contract Purchaser: Poo-Poo Ltd, Mayer Pelta, President

Special Hearing to allow (4) amusement devices with a use other than entertainment, leisure or recreational oriented (check cashing business)

HEARING: Wednesday, August 22, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon G D Z
Director

C: R David Adelburg, 40 W Chesapeake Avenue, #200, Towson 21204
New Plan Excel Realty Trust Inc, Brian Doud, 40 Gotham Road-E, Red Lion PA 17356
Poo-Poo Ltd, Mayer Pelta, President, 8700 Liberty Road, Randallstown 21133
Bruce Doak, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, #100,
Towson 21286
Mr. Melvin Aiken, Old Court Estates Imp Assoc, 4502 Dresden Road, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 7, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

July 1, 2002

NOTICE OF ZONING HEARING

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CASE NUMBER: 02-568-SPH
8700 Liberty Road
SE/corner Brenbrook Road & Church Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: Brian Doud, New Plan Excel Realty Trust Inc
Contract Purchaser: Poo-Poo Ltd, Mayer Pelta, President

Special Hearing to allow (4) amusement devices with a use other than entertainment, leisure or recreational oriented (check cashing business)

HEARING: Thursday, August 1, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon 672
Director

C: R David Adelburg, 40 W Chesapeake Avenue, #200, Towson 21204
New Plan Excel Realty Trust Inc, Brian Doud, 40 Gotham Road-E,
Red Lion PA 17356
Poo-Poo Ltd, Mayer Pelta, President, 8700 Liberty Road, Randallstown 21133
Bruce Doak, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, #100,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 17, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING
8700 Liberty Road, S/east corner Brenbrook Road &
Church Lane
2nd Election District, 2nd Councilmanic

Legal Owner: Brian Doud
Contract Purchaser: Mayer Pelta, President / Poo-Poo Ltd
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-568-SPH

* * * * *

ENTRY OF APPEARANCE

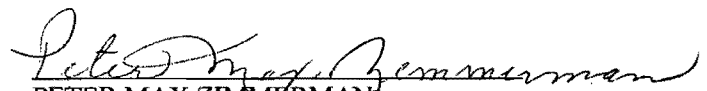
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of July, 2002 a copy of the foregoing Entry of Appearance was mailed to R. David Adelberg, Esq., 40 West Chesapeake Ave, Suite 200, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6.25.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 568

JJS

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 26 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1- Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

June 24, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 24, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

563, 564, 566-569, 572-574

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



The hearing date was
changed by Deputy
Zoning Commissioner
Jim Kotroco, he has
a scheduling with an
other office.

George Zahner
410 887 3391

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 02-568-SPH

Petitioner: New Plan Excel Realty Trust, Inc

Address or Location: 8700 Liberty Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: R. David Adelburg, Esq.

Address: 40 W. Chesapeake Ave. Suite #200
Towson, Md. 21204

Telephone Number: 410-321-7773



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8700 Liberty Road

which is presently zoned BM-CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

~~Other uses to be entertainment, leisure or recreation oriented.~~

TO ALLOW (1) AMUSEMENT DEVICES WITH A USE OTHER THAN ENTERTAINMENT,
LEISURE OR RECREATIONAL ORIENTED (CHECK CASHING BUSINESS)

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

I, or we, agree to pay expenses of above Special Hearing, 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.

I/We do 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 Petition.

Contract Purchaser/Lessee:

Poo-Poo, Ltd. t/a

Pimlico Check Cashing

Name - Type or Print

Signature

8700 Liberty Road

410-655-5222

Address

Telephone No.

Randallstown

MD

21133

City

State

Zip Code

Attorney For Petitioner:

R. David Adelberg

Name - Type or Print

Signature

R. David Adelberg

Company

40 W. Chesapeake Ave., #200

410

321-7773

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

New Plan Excel Realty Trust, Inc.

Name - Type or Print

Signature

Brian Doud

Name - Type or Print

Signature

40 Gotham Rd-E

717

417-3719

Address

Telephone No.

Red Lion

PA

17356

City

State

Zip Code

Representative to be Contacted:

Bruce Doak

Gerhold, Cross & Etzel, Ltd.

Name

410

320 E. Towsontown Blvd. #100

823-4470

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2. hr

UNAVAILABLE FOR HEARING

Reviewed By

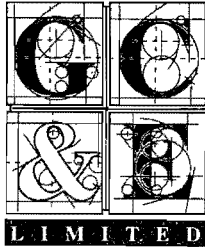
Date

6-17-02

ORDER RECEIVED FOR FILING

REV 9/13/98

Date By



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

May 21, 2002

ZONING DESCRIPTION OF THE PIMLICO SHOPPING CENTER PROPERTY

Commencing at a point at the intersection of the center line of Liberty Road and the center line of Brenbrook Drive, thence, running and binding on the center line of Liberty Road in a southeasterly direction for a distance of 195'±, and thence, leaving said center line and running in a northeasterly direction for a distance of 50'± to a point on the east side of Liberty Road and the beginning of this zoning description and running thence:

- 1). South 61 Degrees 03 Minutes 26 Seconds East 134.73', thence leaving said northeast side of Liberty Road and running for the three following courses and distances:
- 2). North 14 Degrees 53 Minutes 29 Seconds East 178.04'
- 3). North 83 Degrees 01 Minute 05 Seconds East 87.27' and
- 4). South 01 Degree 45 Minutes 36 Seconds West 243.41', to the northeast side of Liberty Road and running parallel to same, the six following courses and distances:
- 5). South 64 Degrees 05 Minutes 32 Seconds East 150.49',

568

- 6). South 64 Degrees 04 Minutes 29 Seconds East 11.74',
- 7). North 25 Degrees 55 Minutes 31 Seconds East 10.00',
- 8). South 64 Degrees 04 Minutes 30 Seconds East 23.00',
- 9). South 25 Degrees 55 Minutes 31 Seconds West 10.00' and
- 10). South 64 Degrees 04 Minutes 29 Seconds East 8.00', thence, leaving Liberty

Road and running for the five following courses and distances:

- 11). North 31 Degrees 37 Minutes 35 Seconds East 1,491.56',
- 12). North 68 Degrees 53 Minutes 22 Seconds West 60.00',
- 13). North 31 Degrees 37 Minutes 35 Seconds East 180.00'
- 14). South 68 Degrees 53 Minutes 22 Seconds East 60.00' and
- 15). North 31 Degrees 37 Minutes 34 Seconds East 26.44' to the center line of Church

Lane, thence running on Church Lane, the seven following courses and distances:

- 16). North 70 Degrees 56 Minutes 26 Seconds West 41.25',
- 17). North 84 Degrees 00 Minutes 30 Seconds West 660.00',
- 18). South 76 Degrees 35 Minutes 10 Seconds West 363.68',
- 19). South 14 Degrees 04 Minutes 59 Seconds East 28.79',
- 20). South 71 Degrees 04 Minutes 02 Seconds West 96.25',
- 21). by a curve to the left, having a radius of 666.62', an arc length of 89.64', said curve
being subtended by a chord bearing North 74 Degrees 37 Minutes 26 Seconds East
89.57' and
- 22). South 18 Degrees 05 Minutes 16 Seconds West 15.44' to a point on the southeast
side of Church Lane and on the northeast side of Brenbrook Drive, thence running

and binding on the east side of Brenbrook Drive,

23). by a curve to the left having a radius of 1,110.00', an arc length of 777.42', said curve being subtended by a chord bearing South 25 Degrees 31 Minutes 03 Seconds West 761.63', thence, still on the east side of Brenbrook Drive, the three following courses and distances:

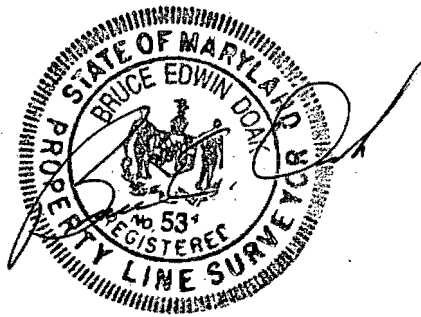
24). South 25 Degrees 48 Minutes 46 Seconds West 57.97'

25). South 21 Degrees 36 Minutes 00 Seconds East 137.01' and

26). South 08 Degrees 59 Minutes 16 Seconds West 201.46' to the point of beginning.

Containing 25.88 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Check No. 13278
02-568-SPH

DATE 6-19-02 ACCOUNT R-001-006-6150
AMOUNT \$ 250.00

RECEIVED FROM: Primico Check Cashing

FOR: Commercial Special Hearing filing fee
@ 8700 Liberty Rd.

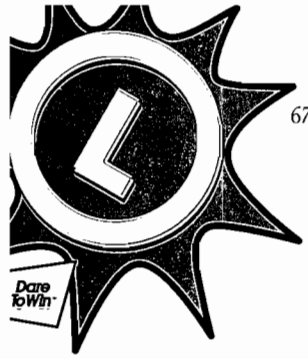
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
6/19/2002 6/18/2002 15:09:23
REG MS03 - WALKIN SUIT SHW DRAWER 3
REIPT # 242571 6/18/2002 OF LN
Dep 5 528 ZONING VERIFICATION
CR 0. 013278

Recpt Tot \$250.00
250.00 CR .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION



The Maryland State Lottery Agency
6776 Reisterstown Rd. Suite 204 Baltimore, MD 21215

February 8, 2002

Baltimore County Zoning Board

Dear Sir:

We, at the Maryland State lottery Agency, continually strive to meet the needs of our customers throughout the State of Maryland. It is our goal to provide a quality product for our customers by thoroughly researching each game. In order for the citizens and business of Maryland to benefit from the revenues derived from the sale of lottery tickets, the lottery depends upon the network of licensed retailers to sell our product via a lottery terminal.

Concerning Pimlico Check Cashing located at 8700-A5 Liberty Road, Baltimore MD 21133. This establishment under the ownership of Mr. Pelta Mayer and Mr. Harvey Macklin has been a licensee for the lottery since February 1995. During 2001 this location had gross lottery sales of more than 1.4 million dollars. The owners of this establishment have proven themselves to be an excellent partner to the Lottery Agency. If you have any questions concerning this letter please do not hesitate to contact me at 410-986-2215. Thank you for any cooperation you may give this location.

Sincerely,

Carl Beard
Regional Manager

Ret Ex 3



NEW PLAN EXCEL REALTY TRUST, INC.

March 1, 2002

To whom it may concern:

Pimlico Check Cashing has been a tenant of New Plan Excel Realty Trust, Inc. for many years and has always conducted their business with us with the utmost professionalism and integrity.

Over the years they have proven not only to be a necessary and productive merchant for the local community, but a solid and respected partner in our shopping center ventures.

I feel that any consideration extended to Pimlico Check Cashing for the diversification and expansion of their existing operation would be in the best interest of the neighboring community as well as general commerce on and around the Liberty Road corridor.

Sincerely,

NEW PLAN EXCEL REALTY TRUST, INC.

A large, stylized handwritten signature in black ink, which appears to read "Brian Doud". The signature is written over the printed name and title.

Brian Doud
Operations District Manager

NEW PLAN EXCEL REALTY TRUST, INC.

1/1/02

40 Gotham Place ♦ Suite E ♦ Red Lion, PA 17356
Phone: (717) 417-3719 ♦ FAX: (717) 417-3740

Ref Ex 4



09/08/2002



2B



2A



2c



09/08/2002

26



09/08/2002



09/08/2002

11

26



PAY BILLS HERE
AMCO
EXXON
BORE
WATER
PHONE
TCI
LERNER
MACY'S
TEXACO
SHELL
DISCOVER
FINGER HUT
J.C. PENNEY
COMCAST
LANE BRYANT
SEARS

WE CASH
ALL WINNERS
TO
\$5000.00

MONEY
ORDERS
\$49

09/08/2002



CHECK CASHING

IPP PAY ALL YOUR
BILLS HERE!

LOTTERY PLAYERS
WE CASH ALL WINNERS
UP TO \$5,000.00

CHECKS
CASHED
MONEY
ORDERS

Keno
SOLD HERE

ATM

OFFICIAL
CLAIM
CENTER

**WESTERN
UNION**

OPEN 7 DAYS

09/08/2002

⑦
K
e

⑥

72



09/08/2002



09/08/2002

④

20



09/08/2002

3
00



CHECK CASHING



09/08/2002

②

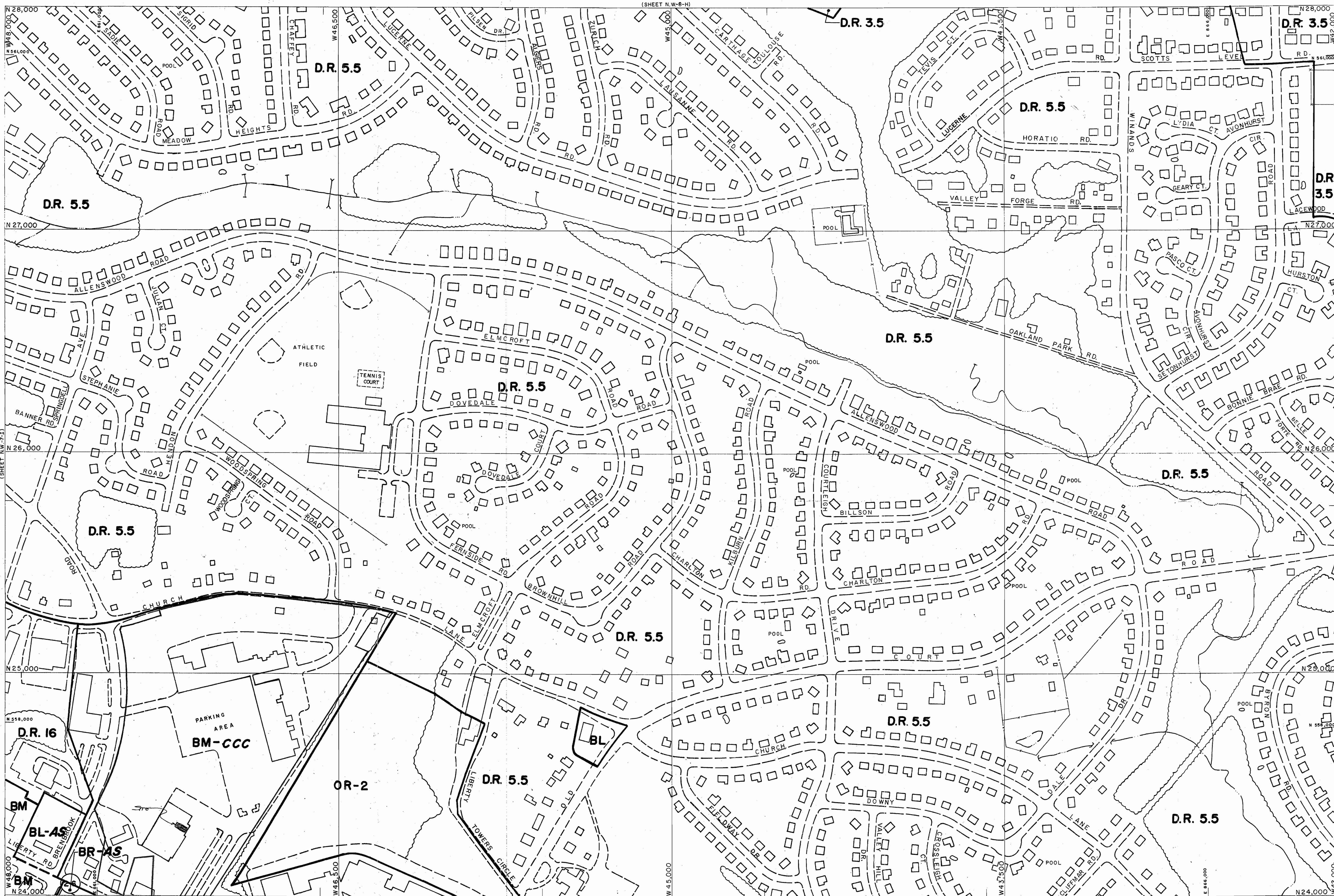
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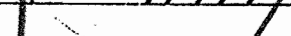
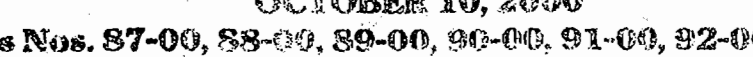


09/08/2002



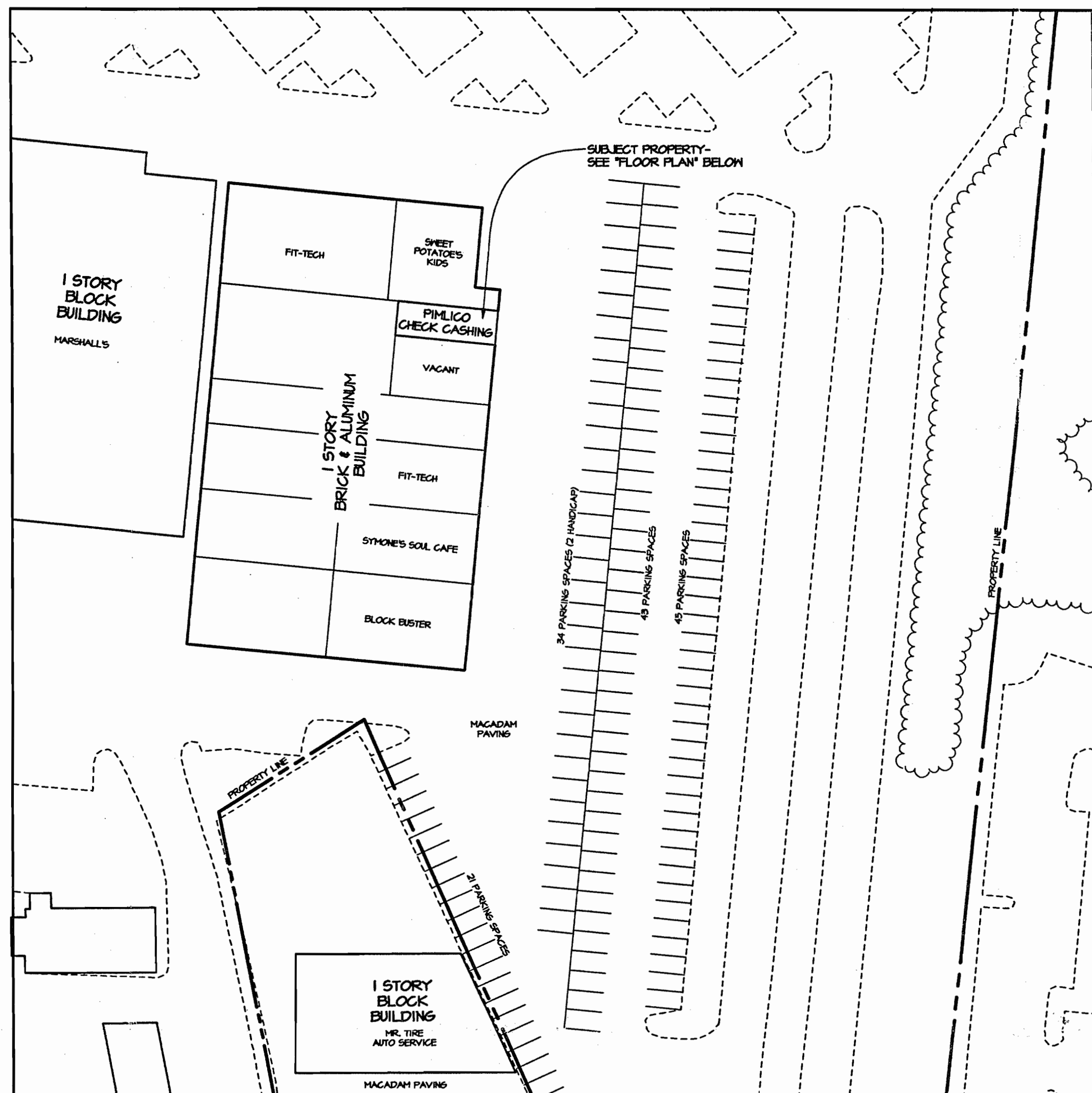
09/08/2002



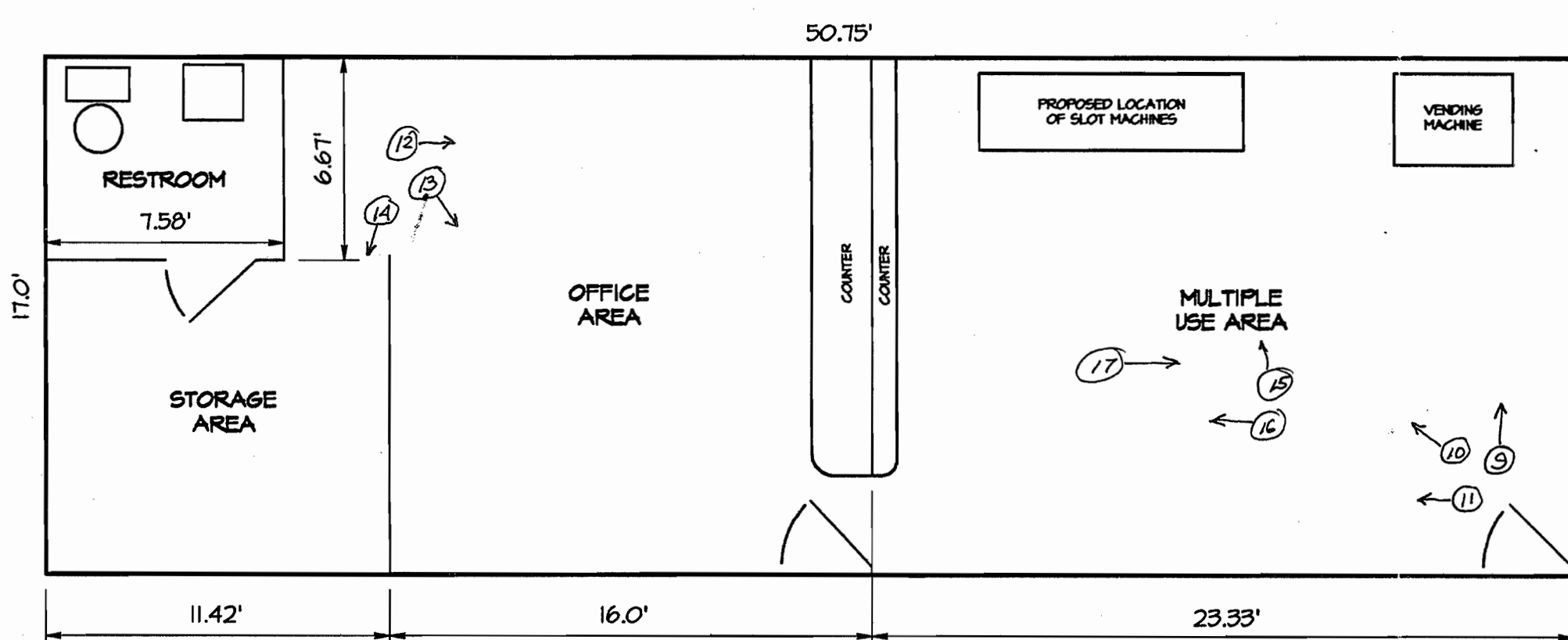
P-SW P-SE			2000 COMPREHENSIVE ZONING MAP ADOPTED by THE BALTIMORE COUNTY COUNCIL OCTOBER 10, 2000 Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.	(SHEET N.W.-6-H)	BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING	SCALE 1" = 200'±	LOCATION OAKLAND PARK ROCKDALE AREA	SHEET N. W. 7 - H
THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210		 Chairman, County Council		OFFICIAL ZONING MAP		DATE OF PHOTOGRAPHY JANUARY 1986		

Map # 192
568

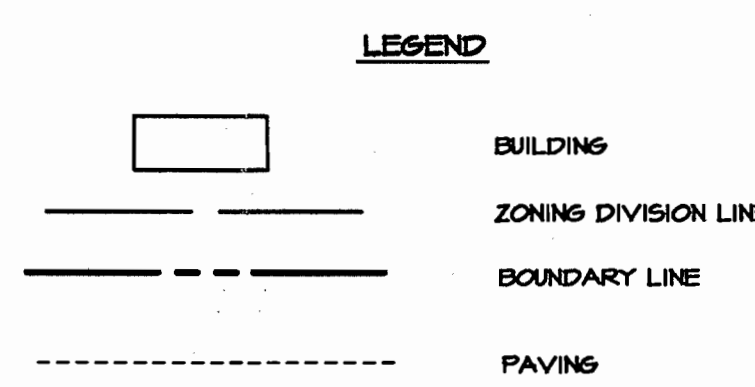
NW 7 H



DETAIL "A"
NOT TO SCALE



FLOOR PLAN
NOT TO SCALE



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PARKING CALCULATIONS

MINIMUM NUMBER OF PARKING SPACES REQUIRED

COMMERCIAL (BANK): 3.3 per 1,000 sq. ft.
SQUARE FOOTAGE: 862.75 sq. ft.
 $3.3 \times (862.75/1000) = 2.85$
TOTAL PARKING SPACES REQUIRED = 3

TOTAL PARKING SPACES PROVIDED = 1100

PETITION
FOR A SPECIAL HEARING TO ALLOW FOUR (4) AMUSEMENT DEVICES
WITH A USE OTHER THAN ENTERTAINMENT LEISURE OR
RECREATION ORIENTED (CHECK CASHING BUSINESS)

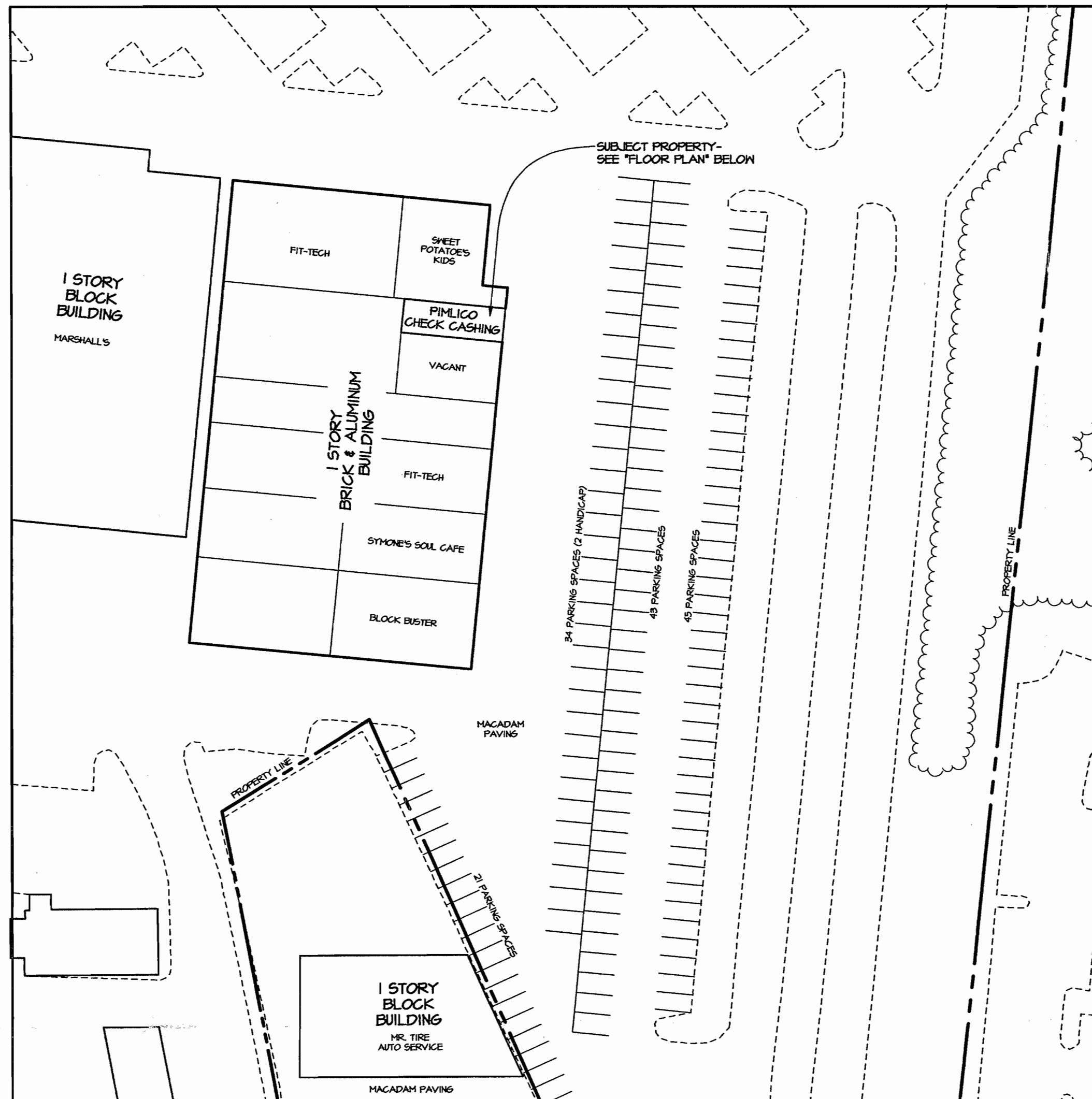
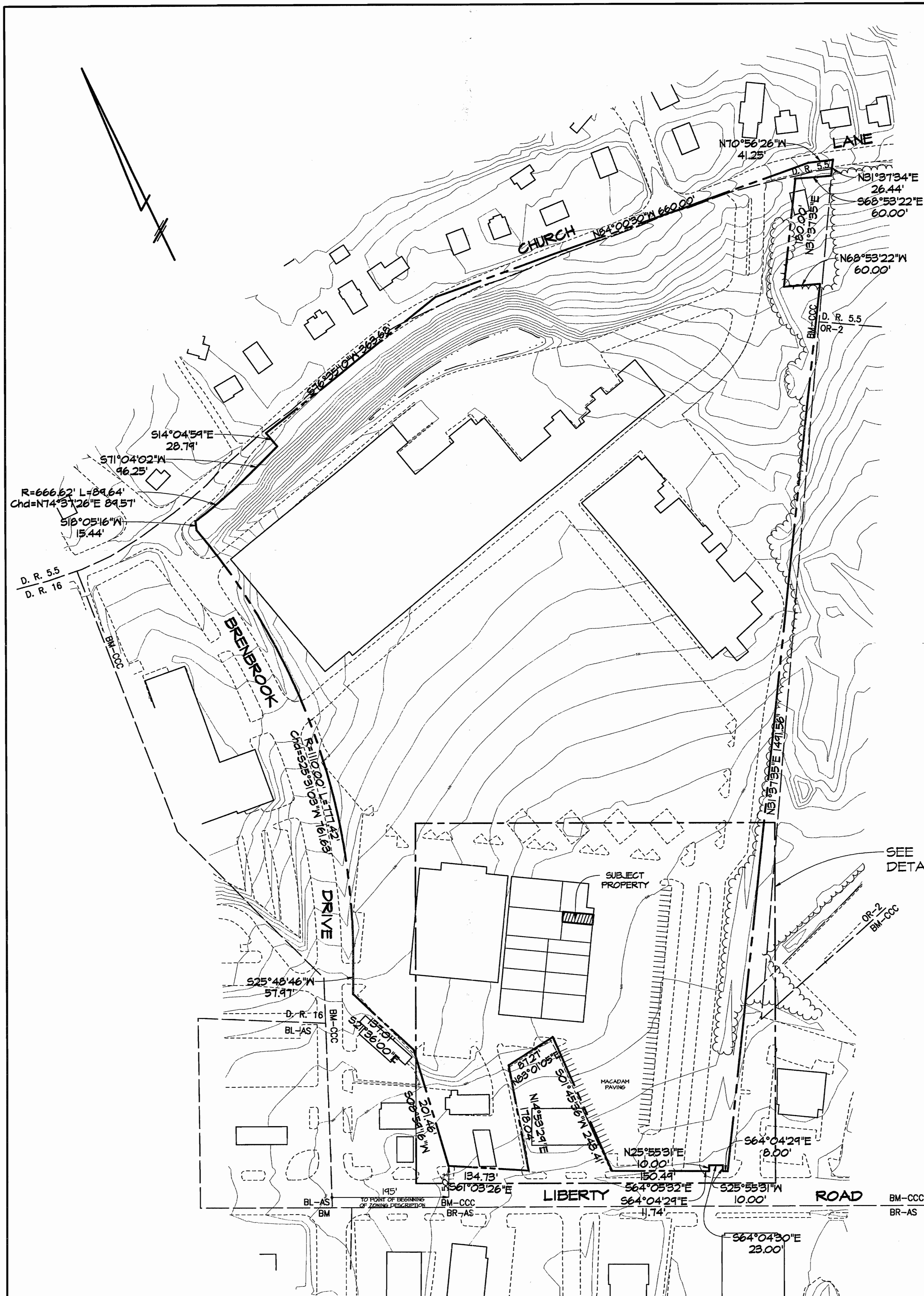
PLAN TO ACCOMPANY PHOTOGRAPHS

PLAN TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING
FOR THE
LIBERTY PLAZA FOR
PIMLICO CHECK CASHING

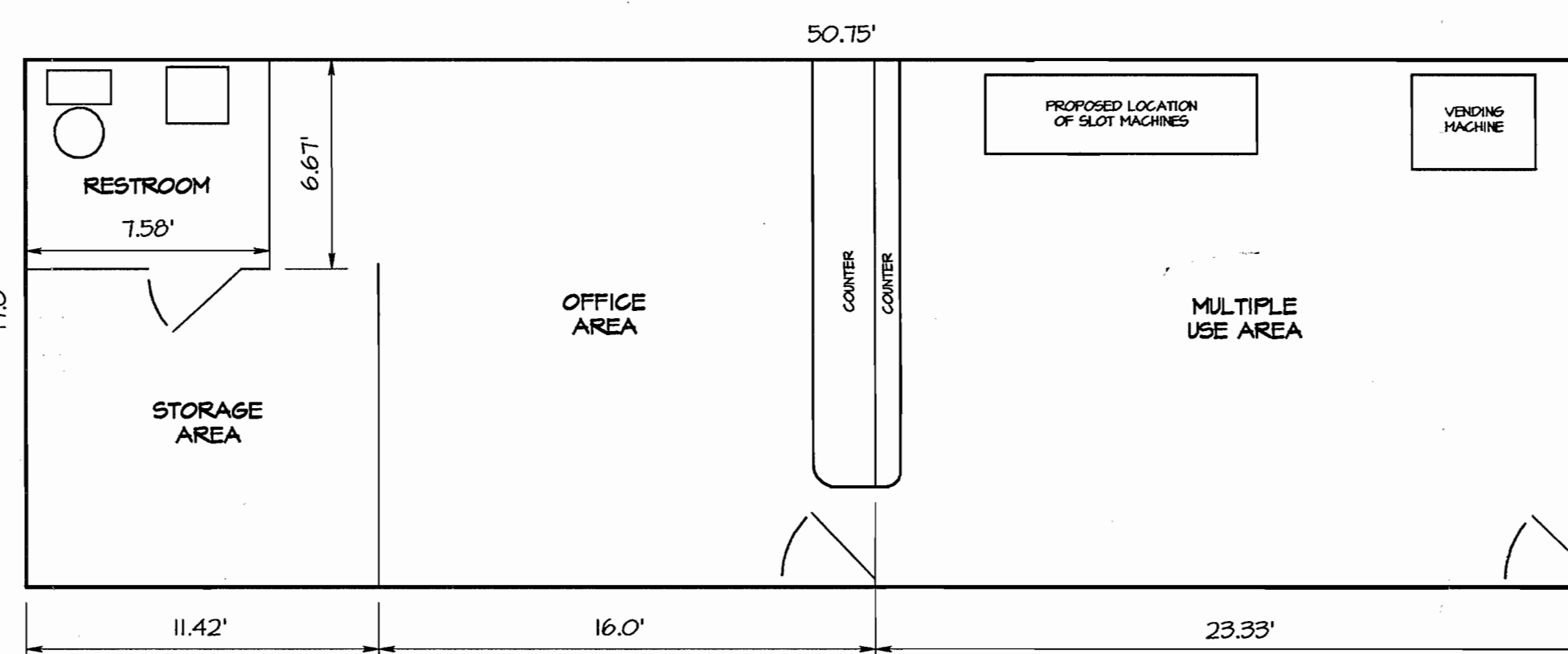
LIBERTY PLAZA
8700 LIBERTY ROAD
Deed Ref: S. M. No. 11064 Folio 240
Tax Account No.: 22-00-023162
Zoned: BM-CCC; Maps NW 6 & 7H
Tax Map 77; Grid 15; Parcel 783
2nd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
SCALE: 1"=100' DATE: MARCH 15, 2000

GERHOLD, CROSS & ETZEL, LTD
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470





DETAIL "A"
NOT TO SCALE

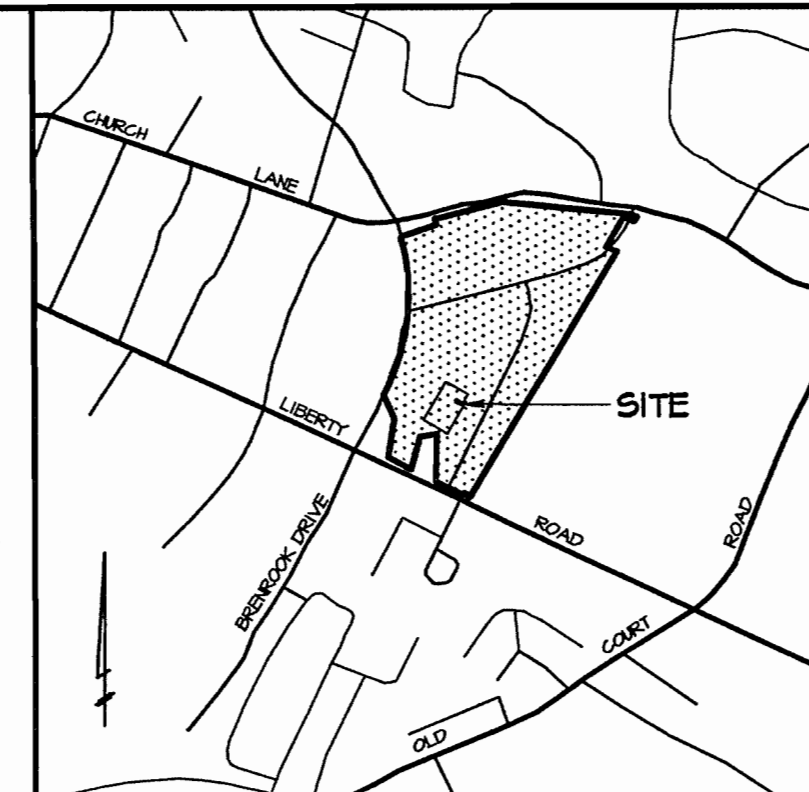


FLOOR PLAN
NOT TO SCALE

LEGEND

- BUILDING
- ZONING DIVISION LINE
- BOUNDARY LINE
- PAVING

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PERMISSION OF GERHOLD, CROSS & ETZEL LTD.



VICINITY PLAN
SCALE: 1" = 1000'

GENERAL NOTES

1. OWNER: NEW PLAN EXCEL REALTY TRUST, INC.
1120 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036-6100
- LESSEE: PIMLICO CHECK CASHING
8700 LIBERTY ROAD
RANDALLSTOWN, MD 21133
HARVEY MACKLIN
2. TAX ACCOUNT No. 22-00-023162.
3. TITLE DEED LIBER S. M. No. 11064 folio 290
TOTAL AREA = 25.88 AC.
4. THE PROPERTY IS ZONED BM-CCC.
5. 200' SCALE ZONING MAP No. NN 6 & 7H.
6. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED,
A BOUNDARY WAS NOT PERFORMED BY GERHOLD CROSS & ETZEL LTD.
7. CENSUS TRACT 4025.03 A.D.C. MAP 4 GRID 24-136
SUBDIVISION 80N 3 WATERSHED PATAPESCO
SCHOOL DISTRICT 3 REGIONAL PLANNING DISTRICT 312
8. THIS SITE IS SERVICED BY PUBLIC SEWER AND WATER.
9. PRIOR ZONING CASES:
CASE #80-192-A, DATED 1980
-VARIANCE FOR A 3' SETBACK AS OPPOSED THE REQUIRED 10' - APPROVED.
CASE #64-55-X, DATED 1964
-SPECIAL EXCEPTION FOR A GAS STATION - APPROVED.
CASE DATED 1944
-ZONING FOR RECLASSIFICATION FROM RESIDENTIAL TO COMMERCIAL-APPROVED.
10. ADEQUATE PARKING PROVIDED IN FRONT OF SUBJECT PROPERTY, AS SHOWN.

PARKING CALCULATIONS

MINIMUM NUMBER OF PARKING SPACES REQUIRED
COMMERCIAL (BANK): 3.3 per 1000 sq. ft.
SQUARE FOOTAGE: 862.75 sq. ft.
3.3 x (862.75/1000) = 2.85
TOTAL PARKING SPACES REQUIRED = 3
TOTAL PARKING SPACES PROVIDED = 4100

PETITION

FOR A SPECIAL HEARING TO ALLOW FOUR (4) AMUSEMENT DEVICES
WITH A USE OTHER THAN ENTERTAINMENT LEISURE OR
RECREATION ORIENTED (CHECK CASHING BUSINESS)

PLAN TO ACCOMPANY A PETITION FOR A SPECIAL HEARING FOR THE LIBERTY PLAZA FOR PIMLICO CHECK CASHING

LIBERTY PLAZA
8700 LIBERTY ROAD
Deed Ref: S. M. No. 11064 folio 290
Tax Account No.: 22-00-023162
Zoned: BM-CCC; Maps NN 6 & 7H
Tax Map T7; Grid 15; Parcel 183
2nd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
SCALE: 1"=100' DATE: MARCH 15, 2000



GERHOLD, CROSS & ETZEL, LTD
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION

DATE

PLOT DATE: 6/18/2002

TECHNICIAN: CRN

FILE NAME: X:\Pimlico\zoning.pro