

IN RE: PETITION FOR VARIANCE

SW side of Liberty Road; 178 feet
NW of the c/l of Brenbrook Drive
2nd Election District
4th Council District
(8727 Liberty Road)

MFB Ransdalltown, LLC
Legal Owner
Chase Braxton Health Services, Inc.
Contract Purchaser
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
*
* CASE NO. 2012-0162-A
*
* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by the legal owner of the property, MFB Ransdalltown, LLC and Chase Braxton Health Services, Inc., contract purchaser. The Petitioners are requesting Variance relief from Section 450.4.5(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit four (4) wall mounted signs in lieu of the required one (1). The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the variance request were Bruce Doak of Gerhold Cross & Etzel, Ltd., the property line surveyor, and Geri O'Donoghue from Chase Braxton Health Services, Inc., the Lessee of the property, and Neil Lanzi, Esquire counsel for the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R. There were no Protestants in attendance.

The Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. No comments were adverse to the Petitioner's request.

ORDER RECEIVED FOR FILING

Date 3-6-12

By pm

Testimony and evidence offered revealed that the subject is located on the south side of Liberty Road near the intersection with Brenbrook Drive. The property consists of 5.581 acres of land is split zoned BM and OR 1. The property is improved with a one story masonry building which contains retail and medical office uses. The Applicant herein is desirous of adding some signage to the building façade which will identify the type of medical services by Chase Braxton Health Services, Inc., one of the tenants of the building. The signage which is to be added to the face of the building is attractive and will fit in nicely with the overall design of the building. It will also assist those patients who are traveling to this property to find the medical services which they are seeking.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I further find that the property is unique, based on the testimony presented at the hearing.

I further find that the granting of the relief as set forth herein can be accomplished without injury to the public health, safety, and general welfare. Therefore, in all manner and form, I find that the variance can be granted in accordance with the requirements of Section 307 of the B.C.Z.R. as articulated in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 6th day of March, 2011 by this Administrative Law Judge that Petitioner's Variance request from Section 450.4.5(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit four (4) wall mounted signs in lieu

ORDER RECEIVED FOR FILING

Date 3-6-11

2

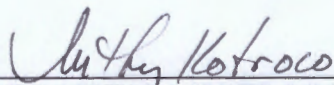
By [Signature]

of the required one (1), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for its building permit and may be granted same upon receipt of this Order, however the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 3-16-12

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 6, 2012

J. NEIL LANZI, ESQUIRE
409 WASHINGTON AVENUE, SUITE 617
TOWSON, MD 21204

RE: Petition For Variance
Case No. 2012-0162-A
Property: 8727 Liberty Road

Dear Mr. Lanzi:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



PETITION FOR ZONING HEARING(S)

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

To the Office of Administrative Law of Baltimore County for the property located at:
 Address 8727 Liberty Road which is presently zoned BM /OR-1
 Deed References: 24446/572 10 Digit Tax Account # 25-00-000280
 Property Owner(s) Printed Name(s) MFB Randallstown, LLC

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

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

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a Variance from Section(s)

See attached

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

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

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

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

Contract Purchaser/Lessee:

Chase Brexton Health Services, Inc.
 Name- Type or Print Dir Admin Services

Signature [Signature]

1001 Cathedral Street Balti MD
 Mailing Address City State

21201 / 410-545-4481 / Ponder@chasebrexton.org 212-265-6600
 Zip Code Telephone # Email Address

Attorney for Petitioner:

J. Neil Lanzi

Name- Type or Print

Signature

409 Washington Ave Ste 617 Towson MD
 Mailing Address City State

21204 / 410-296-0686 / nlanzi@lanzilaw.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

MFB Randallstown, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Auth Member
Richard Birdoff

810 Seventh Ave New York NY 10019
 Mailing Address City State

 / /
 Zip Code Telephone # Email Address

Representative to be contacted:

Neil Lanzi

Name - Type or Print

Signature

409 Washington Ave #617 Towson MD 2120
 Mailing Address City State

 / 410-296-0686 / nlanzi@lanzilaw.c
 Zip Code Telephone # Email Address

CASE NUMBER 2012-0162-A Filing Date 1/12/2012

Do Not Schedule Dates: Reviewer [Signature]

REV. 10/4/11

ORDER RECEIVED FOR FILING

Date 3-16-12

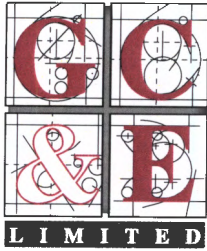
By [Signature]

PETITION FOR VARIANCE

Petitioner, Chase Brexton Health Services, Inc., for the property known as 8727 Liberty Road, hereby petitions the Administrative Hearing Officer for a variance pursuant to Section 307 of the Baltimore County Zoning Regulations (BCZR) as follows:

1. Variance from Section 450.4.5(d) to permit four wall mounted signs in lieu of the required one.

The Administrative Hearing Officer has the power to grant variances that will not be detrimental to the health, safety or general welfare of the locality involved. Petitioner will be providing reasons in support of the variance requested at the hearing.



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

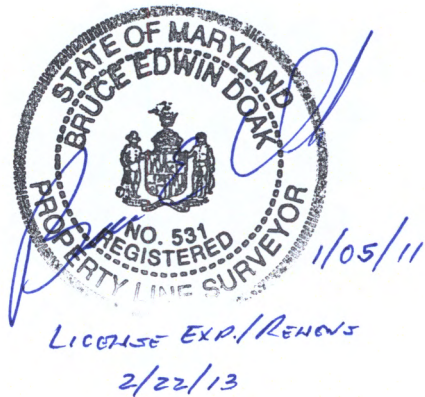
January 05, 2012

ZONING DESCRIPTION Property of MFB Randallstown, LLC #8727 Liberty Road

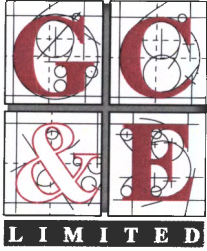
Beginning for the same on the southwest side of Liberty Road 178 feet, more or less, from the centerline of Brenbrook Drive and running on the outlines of Lot 2 as shown on the plat entitled "Subdivision Plat Relp Randallstown, LLC. – (14285/ 612)" and recorded in Plat Book S.M. 78 / 124.

Containing 5.581 Acres of land, more or less.

This description only satisfies the requirements of the Office of Zoning and should not be used for conveyance purposes.



2012-0162-A



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# 2012-0162-A

OWNER: MFB Randallstown, LLC
Contract Purchaser / Lessee:
Chase Brexton Health Services, Inc.

DATE OF HEARING: Feb. 16, 2012

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

ATTENTION: KRISTEN MATTHEWS

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

(see page 2 for full size photo)

LOCATION:
8727 Liberty Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

POSTED ON: January 27, 2012

ZONING NOTICE

CASE #:2012-0162-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.**

PLACE: Room 205 Jefferson Building
TIME & 105 West Chesapeake Avenue, Towson, MD
DATE : 10:00 am Thursday Feb. 16, 2012

**Variance to permit four wall mounted
signs in lieu of the required one.**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. UNDER PENALTY OF LAW
HEARINGS ARE HANDICAPPED ACCESSIBLE



BRENBROOK PLAZA



**TOOL
RENTAL
CENTER**

Edible Arrangements

OneMain Financial

DOLLAR BUYS

NAILS-COLOR

Domino's

HERITAGE INTL FOOD

BEAUTY SUPPLY

**Chase Brexton
Health Services**

**Primary Care
General Dentistry
Behavioral Health**

RETAIL SPACE AVAILABLE
CALL 212-285-6500 EXT 264



**THRIFT
STORE**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 31, 2012 Issue - Jeffersonian

Please forward billing to:

J. Neil Lanzi
409 Washington Avenue, Ste. 617
Towson, MD 2124

410-296-0686

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0162-A

8727 Liberty Road

S/west side of Liberty Road, 178 feet n/west of centerline of Brenbrook Drive

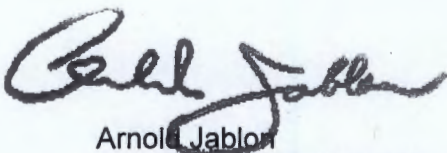
2nd Election District – 4th Councilmanic District

Legal Owners: MFB Randallstown, LLC

Contract Purchaser/Lessee: Chase Brexton Health Services, Inc.

Variance to permit four wall mounted signs in lieu of the required one.

Hearing: Thursday, February 16, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections
January 24, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0162-A

8727 Liberty Road

S/west side of Liberty Road, 178 feet n/west of centerline of Brenbrook Drive

2nd Election District – 4th Councilmanic District

Legal Owners: MFB Randallstown, LLC

Contract Purchaser/Lessee: Chase Brexton Health Services, Inc.

Variance to permit four wall mounted signs in lieu of the required one.

Hearing: Thursday, February 16, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a circular stamp that contains the word "Director".

Arnold Jablon
Director

AJ:kl

C: J. Neil Lanzi, 409 Washington Avenue, Ste. 617, Towson 21204
Chase Brexton Health Services, Inc., 1001 Cathedral Street, Baltimore 21201
MFB Randalltown, Inc., 810 Seventh Avenue, New York NY 10019

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 1, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 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/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 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: 2012 - 01627
Petitioner: Chase Brexton Health Services, Inc. Lessee
Address or Location: ~~82~~ 8727 Liberty Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: J NEIL CANZI
Address: 409 Washington Ave #617
Towson MD 21204
Telephone Number: 410 296 0686

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

No. **73623**

Date: 1/12/12

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
1/12/2012 1/12/2012 09:51:20 2

REQ #505 WALKIN DODL DMD
RECEIPT # 606670 1/12/2012 DFLN

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					385.00

Total: 385.00

Rec From: Chase Brexton Health Svc.

For: 8227 Liberty Rd.
21133

2012-0162-A

DISTRIBUTION

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

GOLD - ACCOUNTING

CASHIER'S
VALIDATION

Receipt for \$385.00
\$385.00 CR \$4.00 DR
Baltimore County, Maryland



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 6, 2012

MFB Randallstown LLC
810 Seventh Avenue
New York, NY 10019

RE: Case Number: 2012-0162-A Address: 8727 Liberty Road

Dear Mr. Birdoff:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 12, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Chase Brexton Health Services Inc, 1001 Cathedral Street, Baltimore, MD 21201
Neil Lanzi, 409 Washington Avenue, #617, Towson, MD 21204

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

JB 2/14
RECEIVED

FEB 15 2012

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 15, 2012

SUBJECT: DEPS Comment for Zoning Item # 0162-A
Address 8727 Liberty Road
MFB RANDALLSTOWN LLC
Property)

Zoning Advisory Committee Meeting of January 23, 2012.

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

Reviewer: *Jeff Livingston; Development Coordination*

Debra Wiley - ZAC Comments - Distribution Mtg. 1/23/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 1/23/2012 11:08 AM
Subject: ZAC Comments - Distribution Mtg. 1/23/12

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0162-A (8727 Liberty Road)

No hearing set per database as of 1/23

2012-0163-A (1403 Valley View Avenue)

Administrative Variance - Closing Date: 2/6/12

2012-0164-A (2452 Ellis Road)

No hearing set per database as of 1/23

2012-0165-A (30 Balfred Avenue)

No hearing set per database as of 1/23

Thanks and have a great day !

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 1-27-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0162-A
Variance
MFB Randallstown, LLC
8727 Liberty Road
MD 26

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 1-23-12. A field inspection and internal review reveals that an entrance onto MD26 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0162-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

RE: PETITION FOR VARIANCE
8727 Liberty Road; SW/S of Liberty Road,
178' N/W of c/line of Brenbrook Drive
2nd Election & 4th Councilmanic Districts
Legal Owner(s): MFB Randallstown, LLC
Contract Purchaser(s): Chase Braxton Health
Services, Inc

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2012-162-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

JAN 24 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2012, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: April 09, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0162-A - Appeal Period Expired

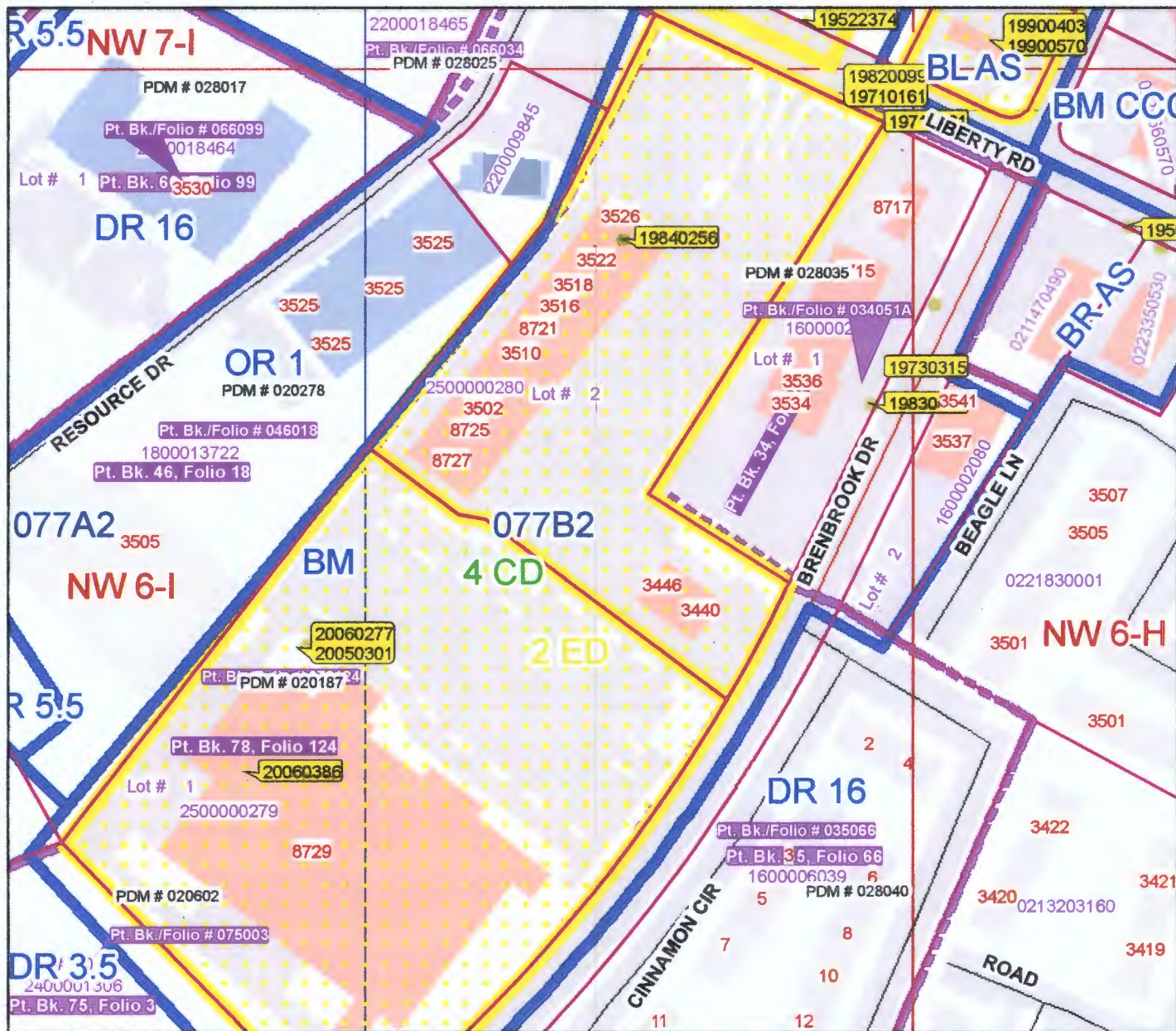
The appeal period for the above-referenced case expired on April 6, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

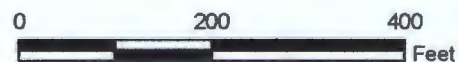
CASE NAME 8727 Liberty Rd.
CASE NUMBER 2012-0162-A
DATE 2-16-12

[illegible]

8727 Liberty Road 2012-0162-A



Publication Date: January 12, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 200 feet

TK 2/16
10 AM

Case No.: 2012-0162-A

Exhibit Sheet

3/6/12
B3

4-9-12
WJ

Petitioner/Developer

Protestants

No. 1	Site Plan	
No. 2	Photos of Property	
No. 3	Site Plan for photos	
No. 4	Monument Sign	
No. 5	Other zoning decisions Case 00-0247	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

4



DEVELOPER'S
Peterson's
EXHIBIT NO. 2 A-2





2















K

















5







>













DEVELOPER'S

Legenwick's

EXHIBIT NO. 4

Other Zoning Decision

IN RE: PETITION FOR VARIANCE
Corner of W/S York Road and
S/S Fox Tail Road
8th Election District
4th Councilmanic District
(1924 York Road)

Kilmarnock Associates, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-024-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

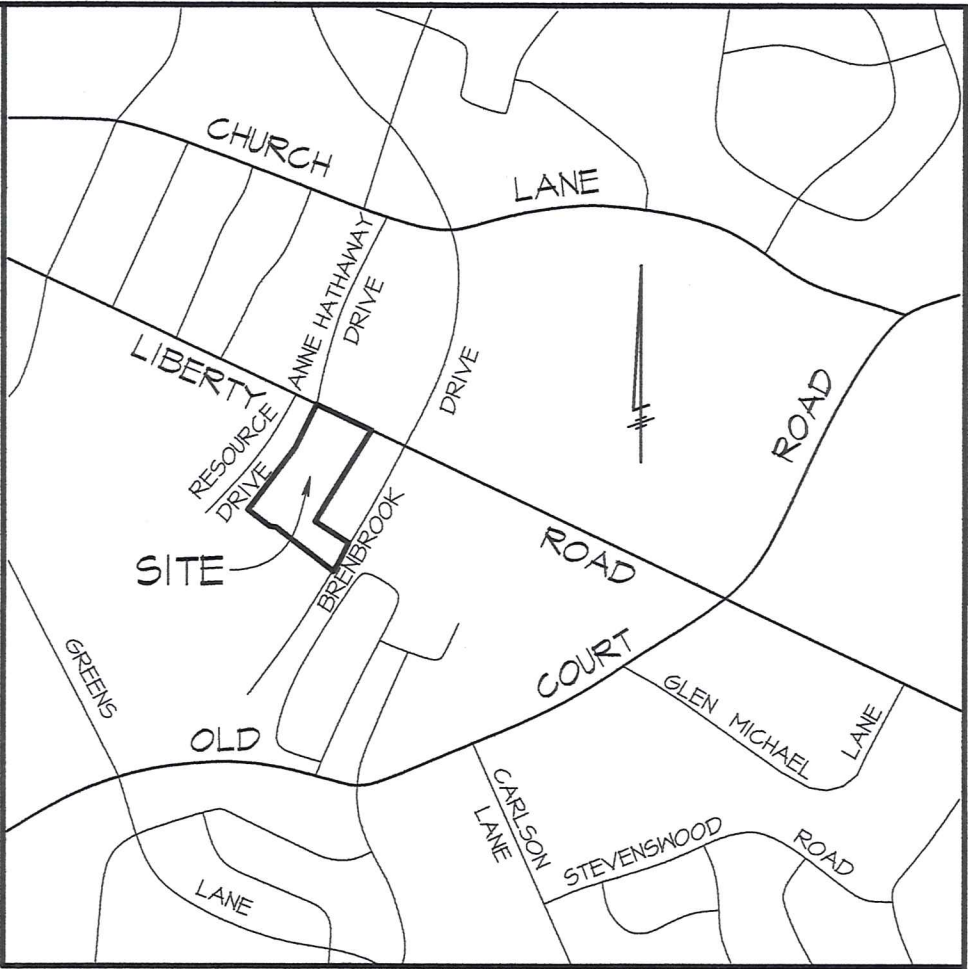
This matter comes before this Zoning Commissioner as a Petition for Variance for the property located at 1924 York Road in the Timonium area of Baltimore County. The Petition was filed by Kilmarnock Associates, LLC., the property owner. Variance relief is requested to approve 5 wall mounted signs on a reconstructed building on the subject property in lieu of the 1 permitted wall mounted and one canopy sign permitted by Section 450.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property is more particularly shown on Petitioner's Exhibit No. 2, the amended site plan to accompany the Petition for Variance.

Appearing at the requisite public hearing held for this case was Ronald Riddick, on behalf of Office Depot, operator of the proposed retail operation on site. Also present was Bruce E. Doak, the surveyor who prepared the site plan. The Petitioner was represented by Francis X. Borgerding, Jr., Esquire. Also present was Eric Rockel on behalf of the Greater Timonium Community Council and Doug Myers, a nearby resident.

Testimony and evidence was presented that the subject property is an irregularly shaped parcel, approximately 5.01 acres in area, zoned ML-IM. The property has frontage on York Road in Timonium. The side of the property abuts Fox Tail Road. The site is improved with a large brick/block building which for many years was used as the headquarters of Von Paris

PETITIONER'S

EXHIBIT NO. 5



VICINITY MAP
1" = 1000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE PLAT ENTITLED "SUBDIVISION PLAT, RHP RANDALLSTOWN, LLC".
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE OT1A2 & OT1B2.
3. CENSUS TRACT 402503 REGIONAL PLANNING DISTRICT 312
4. A.D.C. MAP & GRID: 24 6-B
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL LOTS SHOWN HEREON ARE SERVED BY PUBLIC WATER & SEWER.

OWNER

MFB RANDALLSTOWN, LLC
c/o RD MANAGEMENT LLC
810 SEVENTH AVENUE, 10TH FLOOR
NEW YORK, NY 10019
212-265-6600, EXT. 294

LESSEE

CHASE BREXTON HEALTH SERVICES, INC.
1001 CATHEDRAL STREET
BALTIMORE, MD 21201
410-545-4461

ZONING HISTORY

- CASE 06-277-A
VARIANCE CONCERNING SIGNS FOR HOME DEPOT ON LOT 1
- CASE 03-301-A
VARIANCE CONCERNING PARKING FOR HOME DEPOT ON LOT 1

DEVELOPER'S

Permittee's
EXHIBIT NO. 1

VARIANCE REQUEST

SECTION 450.4.5(d) BCZR
TO PERMIT 4 WALL MOUNTED SIGNS
IN LIEU OF THE REQUIRED 1

CASE #2012-0162-A
PLAT TO ACCOMPANY
A PETITION FOR A
VARIANCE REQUEST
ON THE
PROPERTY OF

MFB RANDALLSTOWN, LLC

#8727 LIBERTY ROAD
Deed Ref: S.M. No. 24446 folio 572
LOT 2, "SUBDIVISION PLAT,"
RHP RANDALLSTOWN, LLC (14285/612)"
PLATBOOK S.M. No. 78 folio 124
Tax Account No.: 25-00-000280
Zoned BM & OR-1; GIS Tile OT1A2 & OT1B2
Tax Map 0077; Grid 0015; Parcel 133; Lot 2
2nd ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1"=50'

Date: JANUARY 4, 2012

GERHOLD, CROSS & ETZEL, LTD.

REGISTERED PROFESSIONAL LAND SURVEYORS

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

SIGN AREA CALCULATIONS

WIDTH OF LEASE SPACE	107'
ALLOWED SIGNAGE AREA	214 SQ.FT.
EXISTING SIGN AREA	30 SQ.FT.
3 PROPOSED SIGNS AREA	40 SQ.FT.
TOTAL SIGN AREA	70 SQ.FT.

177"
Actual Letter height is 12" / Letter width would be dependent on actual letter (total width is listed above / Depth is 1.5")

180"
Actual Letter height is 12" / Letter width would be dependent on actual letter (total width is listed above / Depth is 1.5")

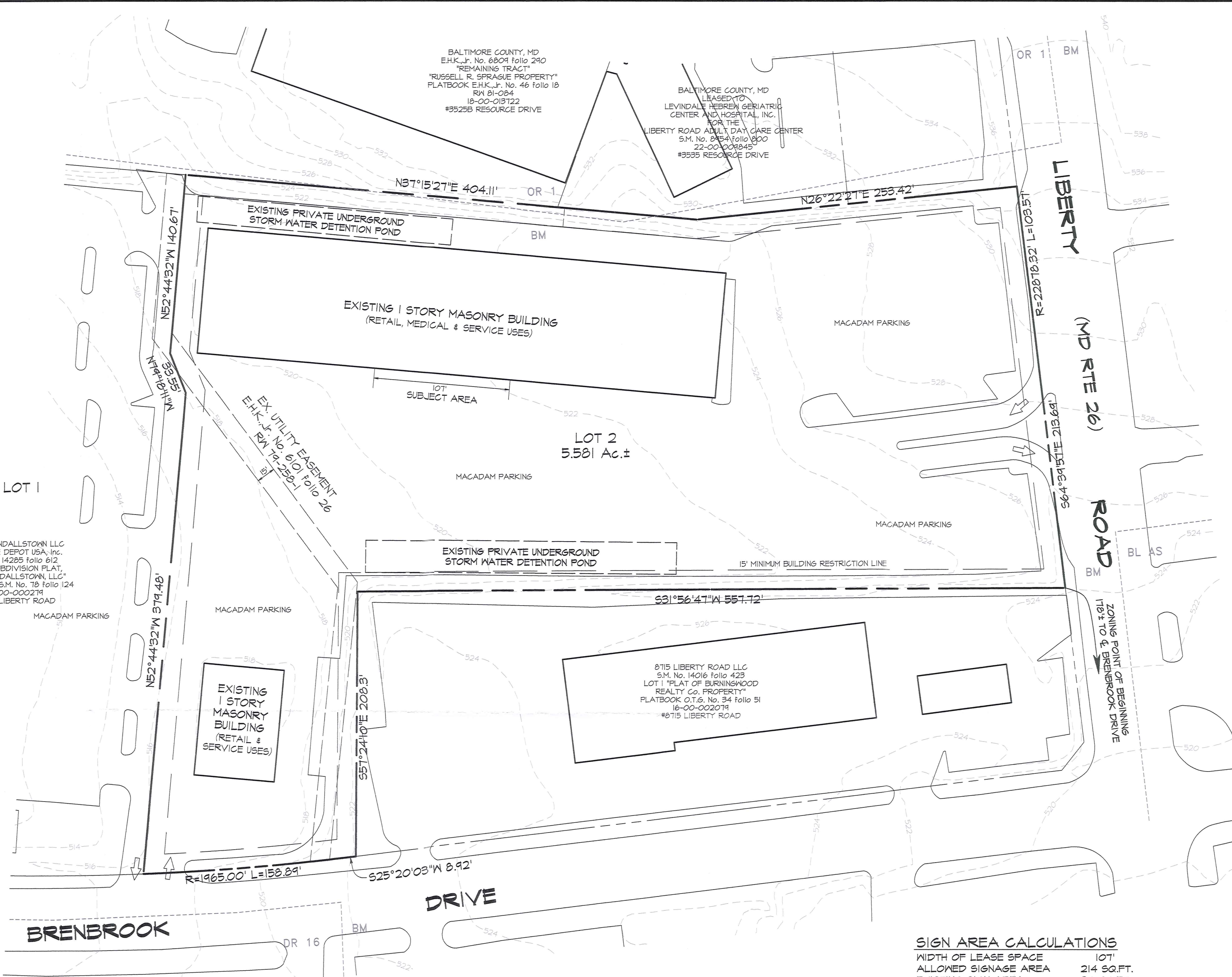
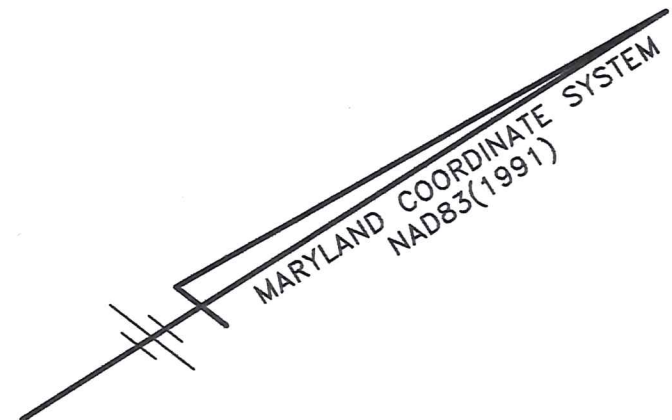
122"
Actual Letter height is 12" / Letter width would be dependent on actual letter (total width is listed above / Depth is 1.5")

PROPOSED LETTERING SIZE

Chase Brexton
Health Services, Inc.

EXISTING LETTERING APPROX. 30 SQ.FT.

REVISION	DATE	COMPUTED	DRAWN	CHECKED	FILE



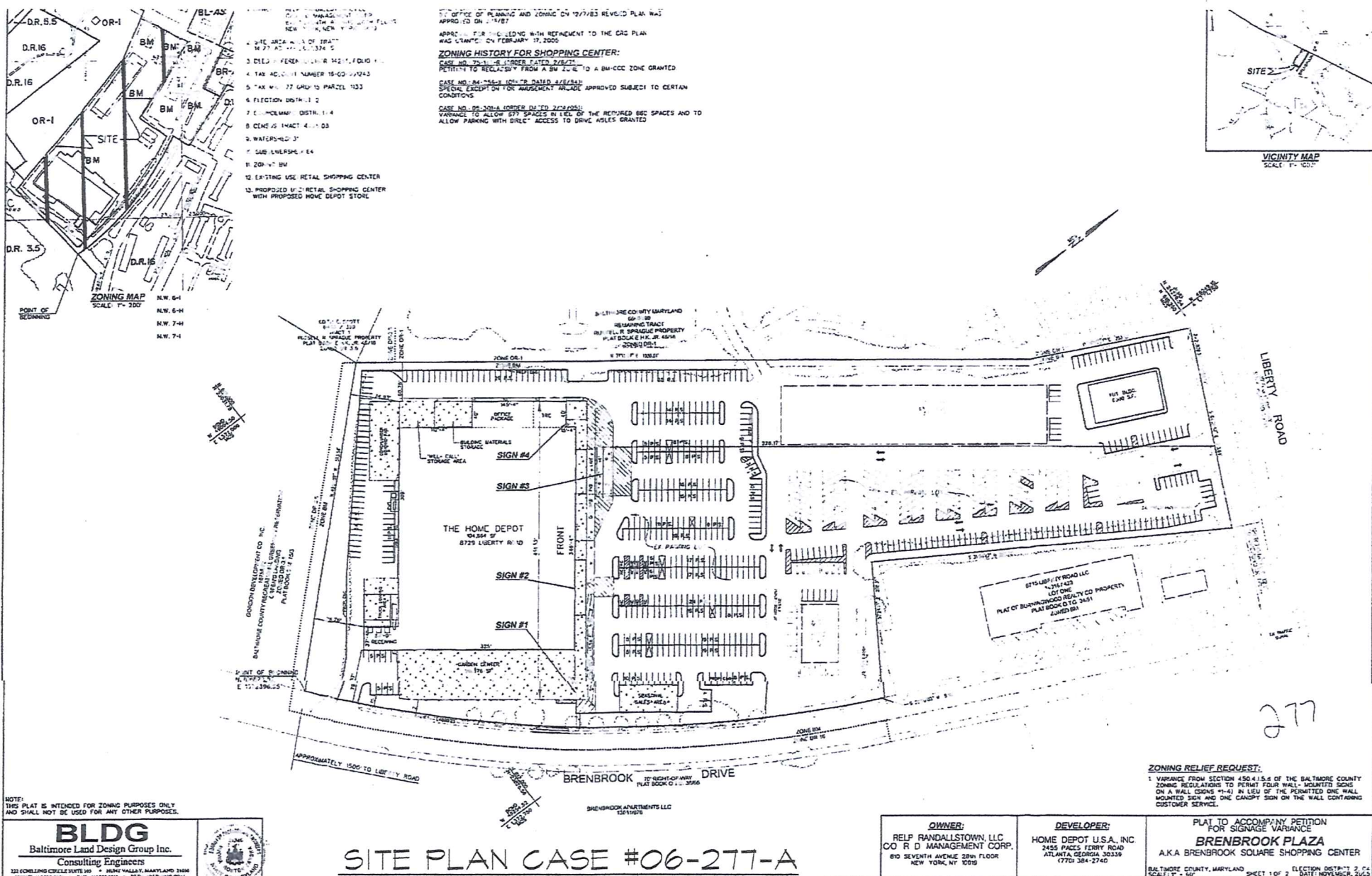
LEGEND

- EXISTING BUILDING
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS



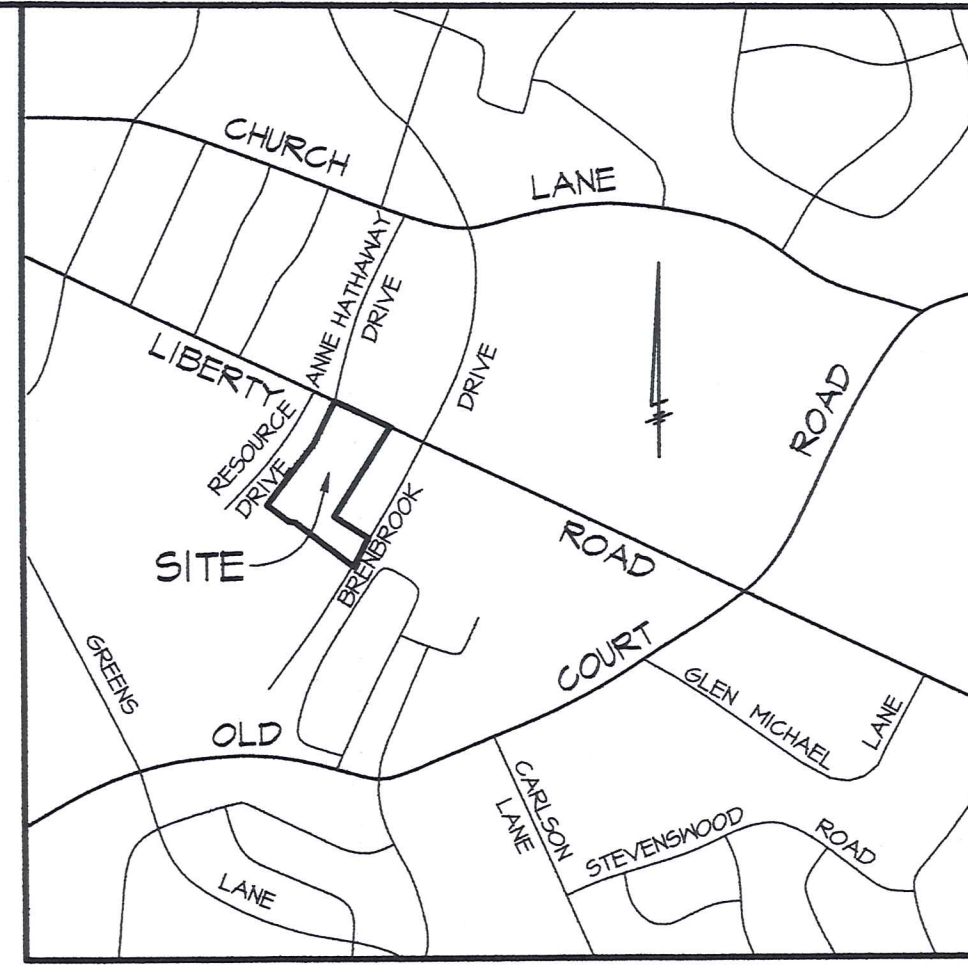
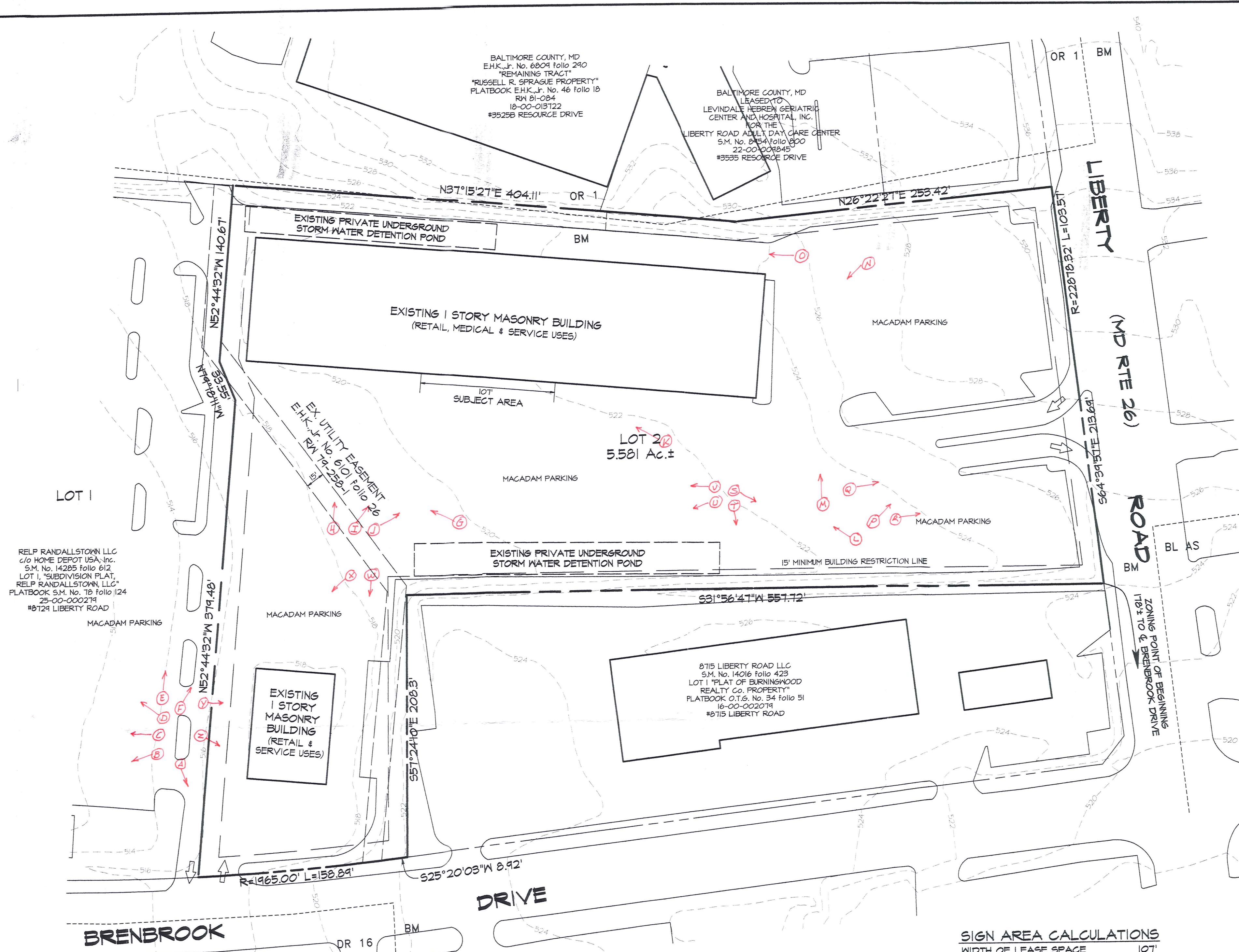
12" Tall Gemini Formed Plastic Lettering, Font: Futura MD, Stud Mounted Hidden Installation, Color: Teal Green to match existing Channel Letter Chase Brexton Sign.

PROPOSED SIGN DESCRIPTION AND PLACEMENT



OWNER: RHP RANDALLSTOWN, LLC
DEVELOPER: CHASE BREXTON HEALTH SERVICES, INC.
PLAT: 2012-0162-A
SUBDIVISION PLAT, RHP RANDALLSTOWN, LLC
PLATBOOK S.M. No. 78 folio 124
Tax Account No.: 25-00-000280
Zoned BM & OR-1; GIS Tile OT1A2 & OT1B2
Tax Map 0077; Grid 0015; Parcel 133; Lot 2
2nd ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

MARYLAND COORDINATE SYSTEM
NAD83(1991)



VICINITY MAP
1" = 1000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE PLAT ENTITLED "SUBDIVISION PLAT, RELP RANDALLSTOWN, LLC".
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE OTTA2 & OTTB2.
3. CENSUS TRACT 402503 REGIONAL PLANNING DISTRICT 312
4. A.D.C. MAP # GRID, 24 G-19
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL LOTS SHOWN HEREON ARE SERVED BY PUBLIC WATER & SEWER.

OWNER

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c/o RD MANAGEMENT LLC
810 SEVENTH AVENUE, 10th FLOOR
NEW YORK, NY 10019
212-265-6600, EXT. 294

LESSEE

CHASE BREXTON HEALTH SERVICES, INC.
1001 CATHEDRAL STREET
BALTIMORE, MD 21201
410-545-4481

ZONING HISTORY

- CASE 06-277-A
VARIANCE CONCERNING SIGNS FOR HOME DEPOT ON LOT 1
- CASE 05-301-A
VARIANCE CONCERNING PARKING FOR HOME DEPOT ON LOT 1

VARIANCE REQUEST

SECTION 450.4.3(d) BCZR
TO PERMIT 4 WALL MOUNTED SIGNS
IN LIEU OF THE REQUIRED 1

Plan to Accompany PHOTOGRAPHS

CASE #2012-0162-A
PLAT TO ACCOMPANY
A PETITION FOR A
VARIANCE REQUEST

ON THE
PROPERTY OF
MFB RANDALLSTOWN, LLC

#8727 LIBERTY ROAD
Deed Ref: S.M. No. 24446 folio 572
LOT 2, "SUBDIVISION PLAT,
RELP RANDALLSTOWN, LLC (14285/612)"
PLATBOOK S.M. No. 78 folio 124
Tax Account No.: 25-00-000280
Zoned BM & OR-1; GIS Tile OTTA2 & OTTB2
Tax Map 0077; Grid 0015; Parcel 133; Lot 2
2nd ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1"=50'

Date: JANUARY 4, 2012

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

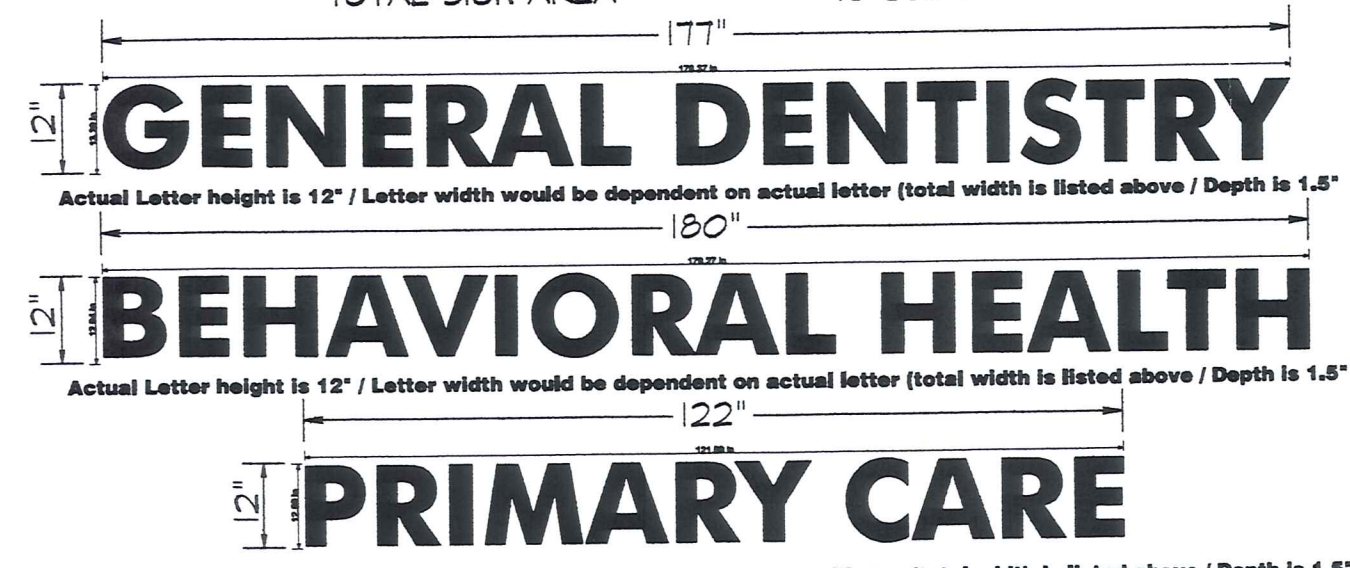
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

LEGEND

- EXISTING BUILDING
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

SIGN AREA CALCULATIONS

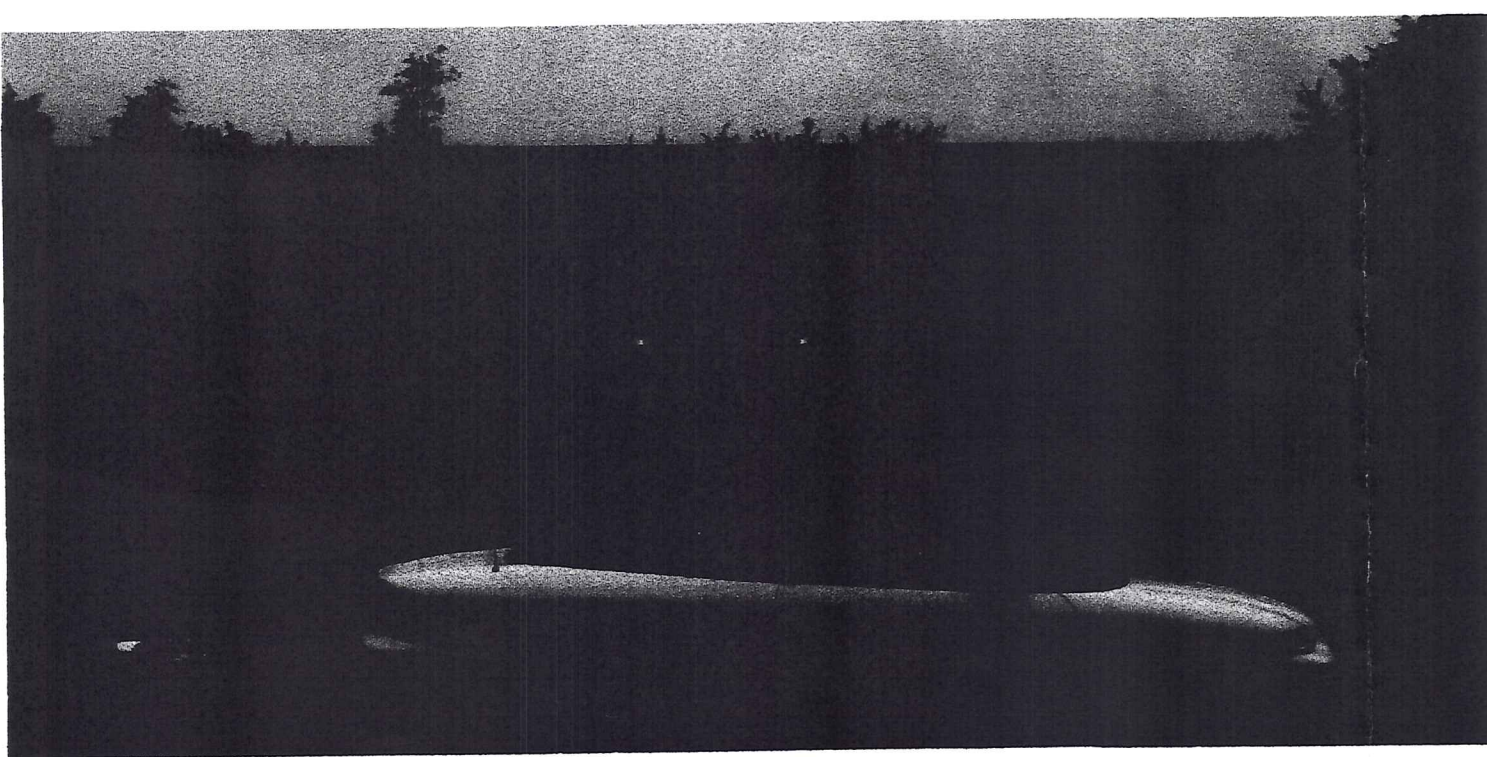
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3 PROPOSED SIGNS AREA	40 SQ.FT.
TOTAL SIGN AREA	TO SQ.FT.



PROPOSED LETTERING SIZE

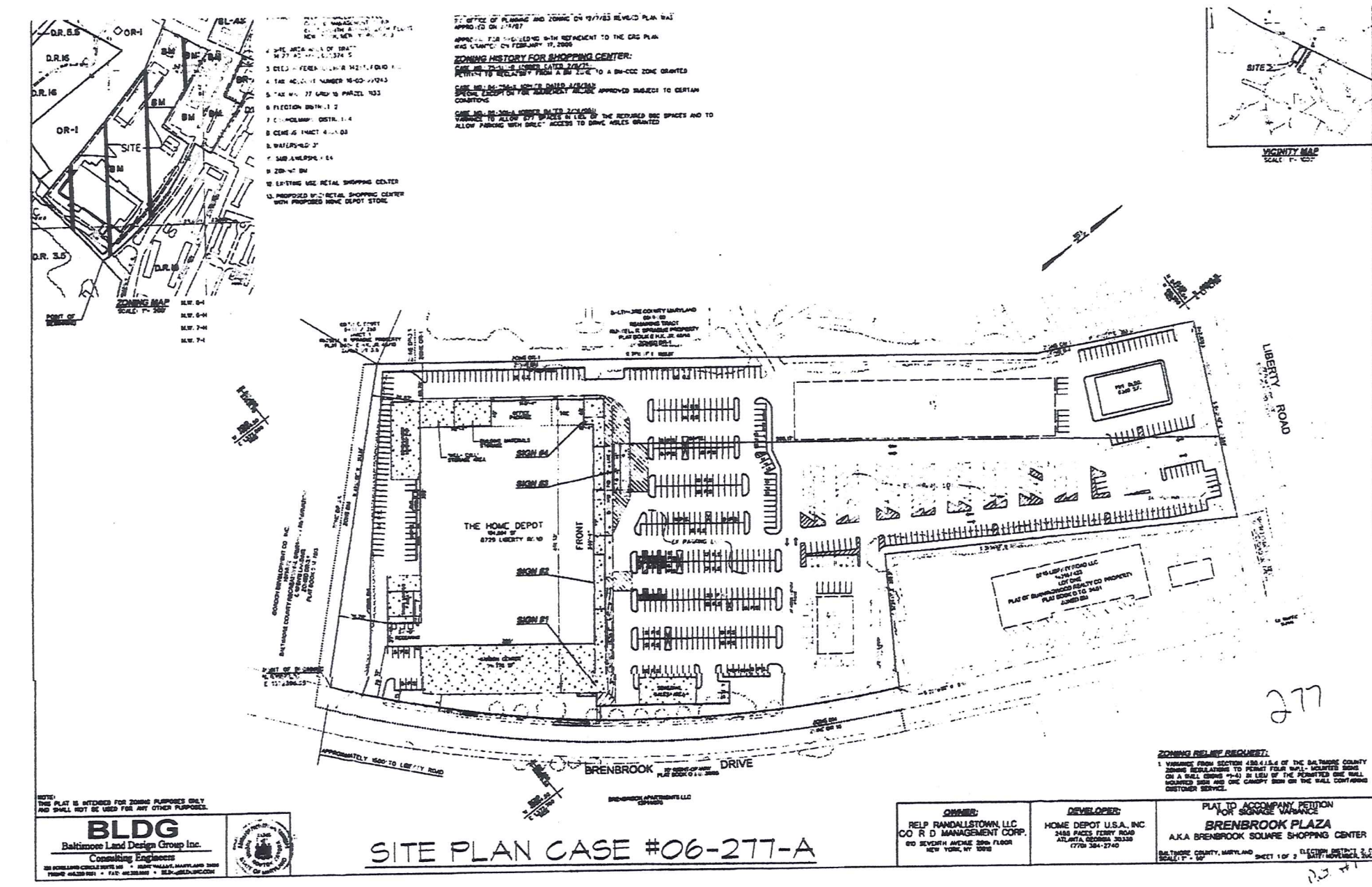
Chase Brexton
Health Services, Inc.

EXISTING LETTERING APPROX. 30 SQ.FT.



12" Tall Gemini Formed Plastic Lettering, Font: Futura MD, Stud Mounted Hidden Installation,
Color: Teal Green to match existing Channel Letter Chase Brexton Sign.

PROPOSED SIGN DESCRIPTION AND PLACEMENT



SITE PLAN CASE #06-277-A

REVISION	DATE	COMPUTED	DRAWN	CHECKED	FILE