

MEMORANDUM

DATE: March 2, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0083-A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 1, 2018. 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

IN RE: PETITION FOR VARIANCE

(1600 Old Eastern Avenue)

15th Election District

7th Council District

Aldi Inc.

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0083-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Aldi, Inc., legal owner of the subject property (“Petitioner”). The Petition seeks variance relief from § 307.1 of the Baltimore County Zoning Regulations (“BCZR”) to allow 76 parking spaces to be provided in lieu of the 98 parking spaces. A site plan was marked as Petitioner’s Exhibit 1.

Rachael Kegerise with Aldi, Inc. and Teresa A. Lower, professional engineer with Kimley-Horn and Associates, Inc., the engineering firm that prepared the site plan, appeared in support of the petition. Neill Thupari, Esq. and Patricia A. Malone, Esq. with Venable, LLP, represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

The site is approximately 2.31 acres in size and zoned BL-AS. The site is improved with a one-story commercial building in which is located an Aldi grocery store. Aldi has operated the store at the site for approximately 15 years, and would like to expand the store to accommodate its growing customer base. The expansion (of approximately 3,000 sq. ft.) will result in the loss of a certain number of on-site parking spaces, which necessitates the variance request.

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

ORDER RECEIVED FOR FILING

Date 1-30-18

By [Signature]

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

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

The site is L-shaped and is located in the Essex Commercial Revitalization District. See Exhibit

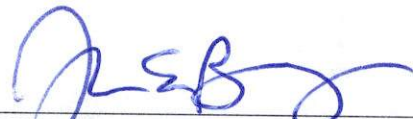
4. As such, the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to complete the proposed store expansion. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED, this 30th day of **January, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 307.1 of the Baltimore County Zoning Regulations ("BCZR") to allow 76 parking spaces to be provided in lieu of the 98 parking spaces required, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 1-30-18

2

By [Signature]



PETITION FOR ZONING HEARING(S)

AMENDED -
SPACES

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 1600 Old Eastern Avenue which is presently zoned BL AS
Deed Reference 19793/ 00120 10 Digit Tax Account # 2 4 0 0 0 0 5 6 6 0
Property Owner(s) Printed Name(s) ALDI Inc.

CASE NUMBER 248-0083-A Filing Date 9/15/17 Estimated Posting Date 9/27/17 Reviewer JCM

(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 Attachment No. 1

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

To be presented at the hearing.

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Patricia A. Malone

Name- Type or Print

Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 / 410-494-6206 / pamalone@venable.com
Zip Code Telephone # Email Address

Legal Owners:

See Attachment No. 2

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Patricia A. Malone

Name - Type or Print

Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 / 410-494-6206 / pamalone@venable.com
Zip Code Telephone # Email Address

ATTACHMENT No. 1 TO PETITION FOR VARIANCE

Petition for Variance, pursuant to Section 307.1 of the Baltimore County Zoning Regulations, to allow 76 parking spaces to be provided in lieu of the 98 parking spaces required by Section 409.6.A.2.

ATTACHMENT No. 2 TO PETITION FOR VARIANCE

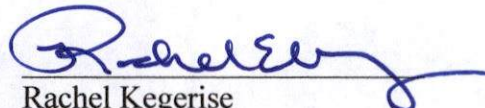
Owner:

Aldi Inc. (Maryland)
Frederick Division
8751 Gas House Pike
Frederick, Maryland 21701
(301) 360-9915

Signature:

Name:

Title:


Rachel Kegerise
Director of Real Estate
rachel.kegerise@aldi.us

METES AND BOUNDS DESCRIPTION
LANDS OF
ALDI INC. (MARYLAND)
LIBER 19793 FOLIO 120
15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING AT THE POINT OF INTERSECTION OF THE DIVISION LINE BETWEEN THE LANDS OF THE VILLAGE OF TALL OAKS CONDOMINIUM (LIBER 6313 FOLIO 238), ON THE EAST AND THE LANDS OF ALDI INC. (LIBER 19974 FOLIO 120), ON THE WEST WITH THE NORTHERLY RIGHT-OF-WAY LIMITS OF OLD EASTERN AVENUE, THENCE WITH SAID NORTHERLY BOUNDARY OF OLD EASTERN AVENUE, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

SOUTH 23°04'57" WEST, 316.88 FEET TO A POINT, THENCE CONTINUING:

SOUTH 30°05'14" WEST, 48.34 FEET TO A POINT, THENCE CONTINUING:

SOUTH 23°24'18" WEST, 59.68 FEET TO A POINT, THENCE CONTINUING:

SOUTH 83°15'09" WEST, 65.72 FEET TO THE POINT OF INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LIMITS WITH THE EASTERLY RIGHT-OF-WAY LIMITS OF STEMMERS RUN ROAD, THENCE WITH SAID EASTERLY RIGHT-OF-WAY LIMITS OF STEMMERS RUN ROAD:

NORTH 36°54'00" WEST, 134.85 FEET TO THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LIMITS OF STEMMERS RUN ROAD WITH THE DIVISION LINE BETWEEN THE LANDS OF ALDI INC. (MARYLAND), ON THE SOUTH AND THE LANDS OF NARESHKUMAR PATEL (LIBER 33995 FOLIO 491), ON THE NORTH, THENCE WITH SAID DIVISION LINE:

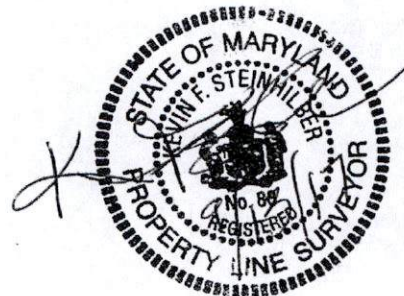
NORTH 23°05'00" EAST, 189.77 FEET TO A POINT, THENCE CONTINUING WITH SAID DIVISION LINE AND WITH THE DIVISION LINE BETWEEN SAID LANDS OF ALDI INC. (MARYLAND), ON THE EAST AND THE LANDS OF BLAIR AUTO CENTER, INC. (LIBER 25652 FOLIO 446), ON THE WEST:

NORTH 66°55'00" WEST, 120.00 FEET TO A POINT, THENCE CONTINUING WITH SAID DIVISION LINE AND WITH THE DIVISION LINE BETWEEN SAID LANDS OF ALDI INC. (MARYLAND), ON THE SOUTH AND THE LANDS OF MARTIN BLAIR (LIBER 29233 FOLIO 180), ON THE NORTH:

NORTH 23°05' 00" EAST, 200.00 FEET TO THE POINT OF INTERSECTION OF SAID DIVISION LINE WITH THE FIRST DESCRIBED DIVISION LINE BETWEEN SAID LANDS OF ALDI INC. (MARYLAND), ON THE WEST AND THE LANDS OF THE VILLAGE OF TALL OAKS CONDOMINIUM, ON THE EAST, THENCE WITH SAID DIVISION LINE:

SOUTH 66°55'00" EAST, 300.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 100,724 SQUARE FEET OR 2.312 ACRES.



2018-0083 A



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5382899

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON,MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON,MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jan 09, 2018

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: # 2018-0083-A
1600 Old Eastern Avenue
N/corner of the intersection of Stemmers Run Road off
Old Eastern Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s) Aldi, Inc. (Maryland)

Variance: to allow 76 parking spaces to be provided in lieu of the 94 parking spaces required.

Hearing: Monday, January 9, 2018 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 accommodations 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.

JT 1/684 January 9 5382899

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5214837

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Oct 03, 2017

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: # 2018-0083-A	
1600 Old Eastern Avenue N/corner of the intersection of Stemmers Run Road off Old Eastern Avenue 15th Election District - 7th Councilmanic District Legal Owner(s) Aldi, Inc. (Maryland)	
Variance: to allow 84 parking spaces to be provided in lieu of the 91 parking spaces required.	
Hearing: Monday, October 23, 2017 at 11:00 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 accommodations 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.	
JT 10/618 October 3	5214837

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

2018-0083-A

RE: Case No.: _____

Petitioner/Developer: _____

Aldi, Inc. (Maryland)

October 23, 2017

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

1600 Old Eastern Avenue

October 3, 2017

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

(Signature of Sign Poster)

October 3, 2017

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

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

January 2, 2018

NEW 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: 2018-0083-A

1600 Old Eastern Avenue

N/corner of the intersection of Stemmers Run Road off Old Eastern Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Aldi, Inc. (Maryland)

Variance to allow 76 parking spaces to be provided in lieu of the 98 parking spaces required.

Hearing: Monday, January 29, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Avenue, Towson 21204
Rachel Kegerise, 8751 Gas House Pike, Frederick 21701

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 9, 2018.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 9, 2018 Issue - Jeffersonian

Please forward billing to:

Patricia Malone, Esq.

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

410-494-6206

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: 2018-0083-A

1600 Old Eastern Avenue

N/corner of the intersection of Stemmers Run Road off Old Eastern Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Aldi, Inc. (Maryland)

Variance to allow 76 parking spaces to be provided in lieu of the 94 parking spaces required.

Hearing: Monday, January 9, 2018 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*

September 26, 2017

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: 2018-0083-A

1600 Old Eastern Avenue

N/corner of the intersection of Stemmers Run Road off Old Eastern Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Aldi, Inc. (Maryland)

Variance to allow 84 parking spaces to be provided in lieu of the 91 parking spaces required.

Hearing: Monday, October 23, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Avenue, Towson 21204
Rachel Kegerise, 8751 Gas House Pike, Frederick 21701

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 3, 2017.**
- (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.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 3, 2017 Issue - Jeffersonian

Please forward billing to:

Patricia Malone, Esq.

410-494-6206

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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: 2018-0083-A

1600 Old Eastern Avenue

N/corner of the intersection of Stemmers Run Road off Old Eastern Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Aldi, Inc. (Maryland)

Variance to allow 84 parking spaces to be provided in lieu of the 91 parking spaces required.

Hearing: Monday, October 23, 2017 at 11:00 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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1600 Old Eastern Avenue; N cor of intersection
of Stemmers Run Road & Old Eastern Avenue* OF ADMINSTRATIVE
15th Election & 7th Councilmanic Districts
Legal Owner(s): Aldi Inc (Frederick Division)* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2018-083-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.

RECEIVED
SEP 21 2017

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of September, 2017, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2018-0083-A
Property Address: 1600 OLD EASTERN AVE
Property Description: N CORNER of INTERSECTION of Stemmers
Rd, of OLD EASTERN AVE.
Legal Owners (Petitioners): ALDI INC. (MD) FREDERICK DIVISION, RACHEL KEGERISE
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: PATRICIA A. MARONE, ESQUIRE
Company/Firm (if applicable): VENABLE
Address: 210 W. PENNSYLVANIA AVE Ste. 500
TAUNSON, MD 21204
Telephone Number: 410-494-6206

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

NO 157199

Date: 9/15/17

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				100.00 500.00

Total: 500.00

Rec From: VENIABLE, LLP

For: 2018-0083-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME INH
9/15/2017 9/15/2017 09:23:25 1
REG 0601 WALKIN LJR
**RECEIPT N 749991 9/15/2017 OFCN
Dept 5 570 ZONING VERIFICATION
CR NO. 157199
Receipt Tot 4500.00
4500.00 CK 1.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

2018-0083-A

RE: Case No.: _____

Petitioner/Developer: _____

Aldi, Inc (Maryland)

January 29, 2018

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 100
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

1600 Old Eastern Avenue

January 9, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

January 9, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

11-30

dismissed
w/o prejudice

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 21, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0076-SPH
Address 2800 Monkton Road
(Frank Property)

Zoning Advisory Committee Meeting of **September 18 2017**.

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

Reviewer: Steve Ford

Date: 9-21-2017



KEVIN KAMENETZ
County Executive

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

January 23, 2018

Aldi Inc. Maryland
Frederick Division
Rachel Kegerise
8751 Gas House Pike
Frederick MD 21701

RE: Case Number: 2018-0083 A, Address: 1600 Old Eastern Avenue

Dear Ms. Kegerise:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 15, 2017. 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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Patricia A Malone, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Date: 12/4/17

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

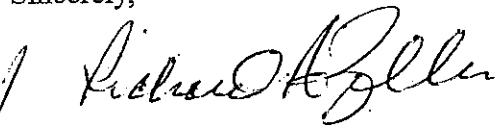
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0083-A

*Variance
Aidi, Inc. (Maryland) Frederick Division
1600 Old Eastern Avenue*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 9/21/17

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0083-A

*Variance
Aldi Inc. (Maryland) Frederick Division
Rachel Kogeriso
1600 Old Eastern Avenue*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

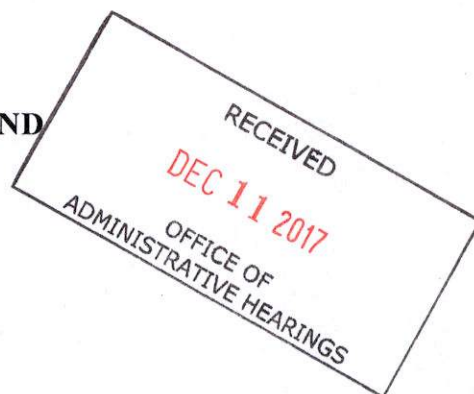
Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

1-29-18

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: December 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0083-A (Amended)
Address 1600 Old Eastern Avenue
(Aldi, Inc. Property)

Zoning Advisory Committee Meeting of **December 11, 2017**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 12/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-083 (amended)

INFORMATION:

Property Address: 1600 Old Eastern Avenue
Petitioner: Rachel Kergerise, Director of Real Estate, Aldi, Inc.
Zoning: BL, AS
Requested Action: Variance

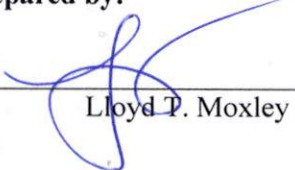
The Department of Planning has reviewed the amended petition for a variance to allow 76 parking spaces to be provided in lieu of the required 98 parking spaces.

A site visit was conducted on December 5, 2017. The property is located in the Essex Commercial Revitalization District

The Department remains consistent with its recommendation dated 10/6/2017 and has no objections to granting the petitioned zoning relief.

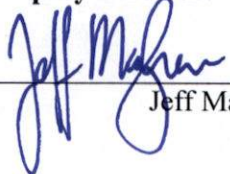
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Krystle Patchak
Patricia A. Malone, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For December 11, 2017
Item No. 2018-0083-A (Amended)

DATE: December 28, 2017

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

The plan itself shows only 76 parking spaces provided.

* * * * *

VKD: can
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For September 25, 2017
Item No. 2018-0083-A

DATE: October 4, 2017

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

If Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A lighting Plan is also required.

* * * * *

VKD: CEN
cc: file

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

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 12/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-083 (amended)

INFORMATION:

Property Address: 1600 Old Eastern Avenue
Petitioner: Rachel Kergerise, Director of Real Estate, Aldi, Inc.
Zoning: BL, AS
Requested Action: Variance

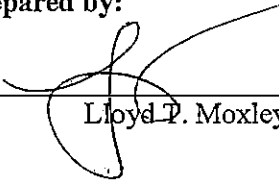
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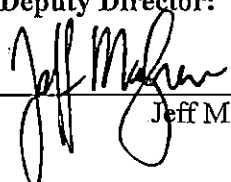
The Department remains consistent with its recommendation dated 10/6/2017 and has no objections to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:


Lloyd T. Moxley

Deputy Director:


Jeff Mayhew

AVA/KS/LTM/ka

c: Krystle Patchak
Patricia A. Malone, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 10/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-083

INFORMATION:

Property Address: 1600 Old Eastern Avenue
Petitioner: Rachel Kegerise, Director of Real Estate, Aldi Inc. (MD)
Zoning: BL AS
Requested Action: Variance

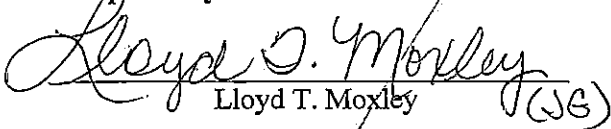
The Department of Planning has reviewed the petition for variance to allow 84 parking spaces to be provided in lieu of the 91 parking spaces required.

A site visit was conducted on September 20, 2017. The property is located in the Essex Commercial Revitalization District.

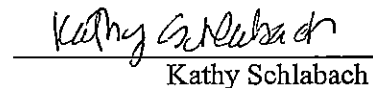
The Department of Planning has no objection to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:


Lloyd T. Moxley (JG)

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
Patricia A. Malone
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: December 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0083-A (Amended)
Address 1600 Old Eastern Avenue
(Aldi, Inc. Property)

Zoning Advisory Committee Meeting of **December 11, 2017.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 21, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0083-A
Address 1600 Old Eastern Avenue
(Aldi, Inc. Property)

Zoning Advisory Committee Meeting of **September 25, 2017.**

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

Reviewer: Steve Ford Date: 9-21-2017

10-23-17 11Am

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 10/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-083



INFORMATION:

Property Address: 1600 Old Eastern Avenue
Petitioner: Rachel Kegerise, Director of Real Estate, Aldi Inc. (MD)
Zoning: BL AS
Requested Action: Variance

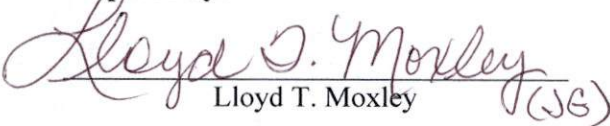
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A site visit was conducted on September 20, 2017. The property is located in the Essex Commercial Revitalization District.

The Department of Planning has no objection to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:


Lloyd T. Moxley (JG)

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
Patricia A. Malone
Office of the Administrative Hearings
People's Counsel for Baltimore County

10-23

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 21, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0083-A
Address 1600 Old Eastern Avenue
(Aldi, Inc. Property)

Zoning Advisory Committee Meeting of **September 25, 2017**.

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

Reviewer: Steve Ford Date: 9-21-2017

CASE NAME 2018-0083-A
CASE NUMBER 11000 Old Eastern
DATE 1/29/2018 Ave.

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

CERTIFICATE OF POSTING

2018-0083-A

RE: Case No.: _____

Petitioner/Developer: _____

Aldi, Inc (Maryland)

January 29, 2018

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 100
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

1600 Old Eastern Avenue

January 9, 2018

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

January 9, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

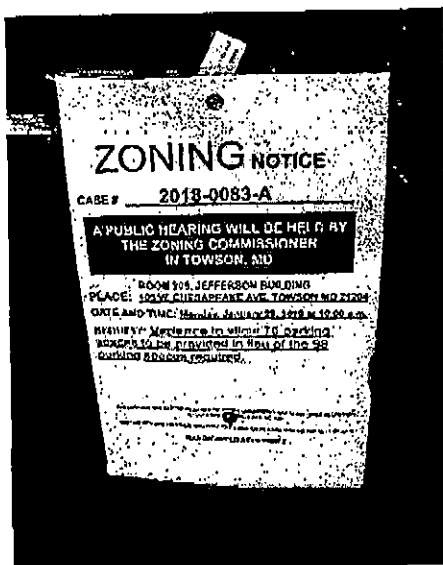
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



C H E C K L I S T

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

Comment

12/28

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

12/11

DEPS
(if not received, date e-mail sent _____)

no comment

FIRE DEPARTMENT

12/16

PLANNING
(if not received, date e-mail sent _____)

no objection

12/16

STATE HIGHWAY ADMINISTRATION

no objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 1/9/18

SIGN POSTING Date: _____ by 1-9-18 JSB
Called Kristen on 1/25/18 for new sign posting

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 15 Account Number - 2400005660							
Owner Information									
Owner Name:		ALDI INC			Use:		COMMERCIAL		
Mailing Address:		8751 GAS HOUSE PIKE FREDERICK MD 21701-4793			Principal Residence:		NO		
					Deed Reference:		/19793/ 00120		
Location & Structure Information									
Premises Address:		OLD EASTERN AVE 0-0000			Legal Description:		2.31 AC NWS OLD EASTERN AVE NE COR STEMMERS RUN RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0090	0022	0525		0000				2018	Plat Ref:
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
2005		16704				2.3100 AC		06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
		MARKET							
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2017		07/01/2018	
Land:		1,008,300		1,008,300					
Improvements		1,065,600		1,033,200					
Total:		2,073,900		2,041,500		2,073,900		2,041,500	
Preferential Land:		0						0	
Transfer Information									
Seller: ALDI INC				Date: 03/25/2004			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /19793/ 00120			Deed2:		
Seller:				Date:			Price:		
Type:				Deed1:			Deed2:		
Seller:				Date:			Price:		
Type:				Deed1:			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2017		07/01/2018			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									

10/16/17
TO KL - see
me

Patricia A. Malone
Of Counsel

t 410.494.6206
f 410.821.0147
pamalone@venable.com

HAND-DELIVERED

October 16, 2017

Arnold Jablon, Director
Baltimore County Department of Permits,
Approvals and Inspections
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED

OCT 16 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

Re: **Case No.: 2018-083-A**
1600 Old Eastern Avenue
Petitioner: Aldi, Inc. (Maryland)

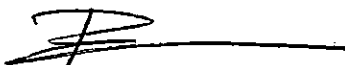
Dear Mr. Jablon:

This firm represents Petitioner Aldi, Inc. (Maryland) in the above-referenced matter. A hearing is currently scheduled on the Petition for Variance for Monday, October 23, 2017, at 11:00 a.m. I am writing to request a postponement of this hearing date.

Petitioner has decided to revise the expansion plans to meet a new corporate initiative related to store layout and space distribution. The resulting revisions may require additional zoning relief, which would necessitate a revision to the petition and plan.

Thank you for consideration of this request.

Very truly yours,


Patricia A. Malone

PAM:ant

cc: John E. Beverungen, Administrative Law Judge

1/29

Case No.: 2018-0083-A - 1600 Orr Eastern Ave. 10AM

Exhibit Sheet

Petitioner/Developer

LDW
3-2-18

Protestant

JB
1-30-18

No. 1	Site plan	
No. 2	Aerial photo	
No. 3	Photos A-G	
No. 4	Commercial Revit- Dist-Map-Essex	
No. 5	Lower C.V.	
No. 6	Parking study	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



FOOD MARKET





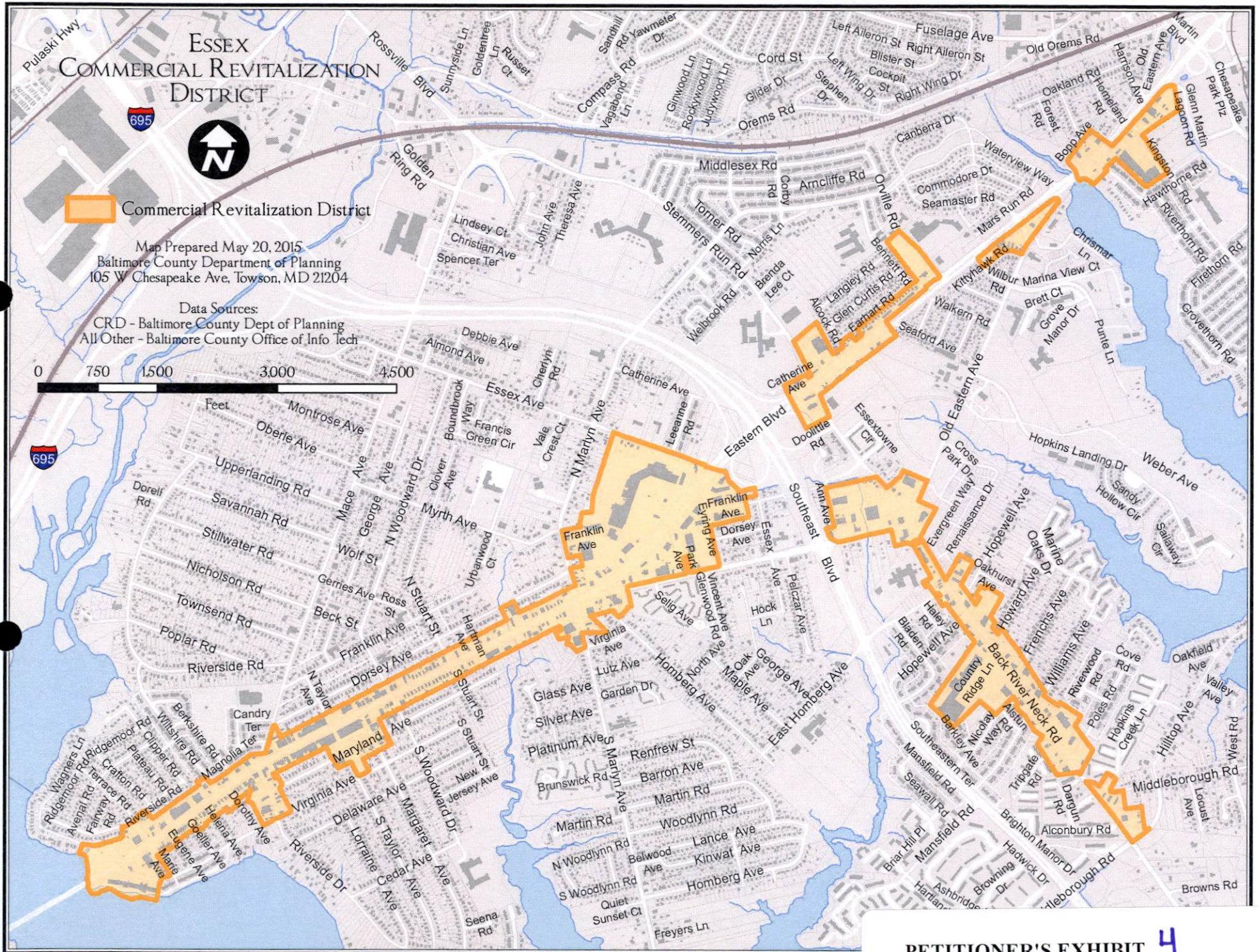












Teresa Lower, P.E.

Education

Master of Science – Civil Engineering 1991 – 1994

Bachelor of Science – Civil Engineering 1987-1991

Professional Engineer licensed in the following states: VA, MD, DC

Firm History

August 2016 - Present

Kimley-Horn

Manager – Washington, DC Office

October 1994 – July 2016

VHB

Managing Director – Land Development Tysons & Silver Spring Office

Principal

List of Jurisdictions where testimony was presented

Homestead, PA	Planning Commission	Target – Waterfront Façade / Signage	11/2017
City of Salisbury-Wicomico County, MD	Planning & Zoning Commission	Target – renovations and signage	9/2017
City of Gaithersburg, MD	Planning Commission	Habit Burger Variance/Site Plan/Elevation Approval	4/2017
Henrico County, VA	Planning Commission	Wegmans – West Broad Market Place Grocery User Plan of Development	1/2013
Henrico County, VA	Board of Supervisors	Rezoning – West Broad Market Place	4/2012
Henrico County, VA	Planning Commission	Rezoning – West Broad Market Place	1/2012
Anne Arundel County, MD	Office of Administrative Hearings	Special Use Automobile Fuel	3/2006
Stafford County, VA	Board of Supervisors Planning Commission	Special Use Permit Medical Use	5/2008
Baltimore County, MD	Variance Hearing	Target Expansion / White Marsh Parking Variance	6/2008
Baltimore County, MD	Variance Hearing	Target Expansion/Owings Mills Parking Variance	11/28/05

Teresa Lower

Continued, p. 2

City of Westminster, MD	City Council	Target Expansion Site Plan Approval	8/11/05
City of Aberdeen, MD	City Council	Target Expansion Preliminary Site Plan	9/29/05
Chesterfield County, VA	Planning Commission	Target Expansion Rezoning w/bulk exception for parking	10/18/05
Henrico County, VA	Planning Commission	Best Buy Plan of Development	2/10/05
Henrico County, VA	Planning Commission	Willow Lawn Plan of Development	7/28/04
Goochland County, VA	Planning Commission	Capital One Master Plan Approval	6/2000
Goochland County, VA	Board of Supervisors	Capital One Master Plan Approval	7/2000
Goochland County, VA	Planning Commission	Carmax Master Plan Approval Site Plan Approval	10/2003
Goochland County, VA	Board of Supervisors	Carmax Corp. HQ Master Plan Approval Site Plan Approval	11/2003
Henrico County, VA	Planning Commission	Home Depot Plan of Development	10/1998

.....

.....

MEMORANDUM

To: Rachel Kegerise, Aldi Director of Real Estate

From: Teresa Lower, P.E.
Kimley-Horn and Associates, Inc.

Date: January 18, 2018

Subject: Aldi, Parcel No 525, 1600 Old Eastern Ave, Essex, MD 21221, Store #22 Parking
Study in support of parking variance case number 2018-0083-A

Executive Summary

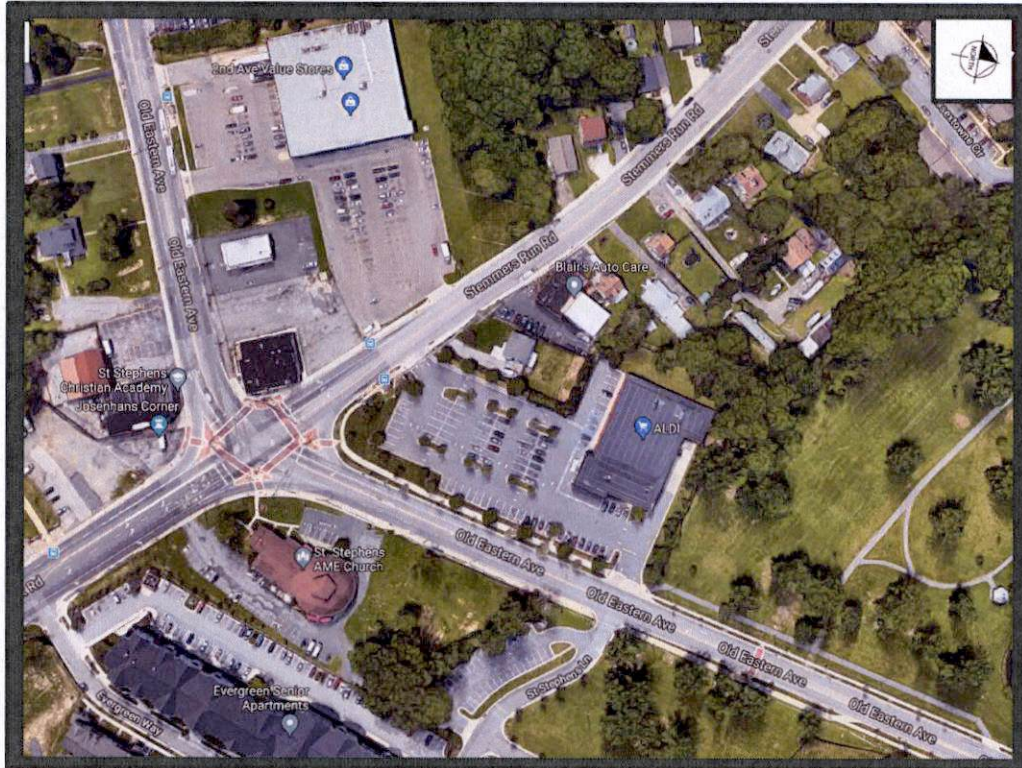
Kimley-Horn and Associates has prepared this parking analysis in support of a parking variance request for a 2,894 square-foot (SF) expansion of the existing Aldi grocery store at 1600 Old Eastern Ave, Essex, Maryland 21221. The existing Aldi grocery store is 16,580 SF located on tax map number 90, parcel number 525, and is permitted by Development Plan Review Plan PDM# XV-791.

Our analysis demonstrates that a reduction in required parking spaces from 98 spaces to 76 spaces will satisfy the parking demand at this location. The basis for this conclusion is an occupancy study obtained through field observations conducted September 29 - October 1, 2017. The outcome of the study is consistent with our experience as site planning and parking professionals, and Aldi's patron history.

Existing Conditions

The existing Aldi grocery store is stand alone and does not share parking with other retail uses. The existing parking lot has two entrances – one located on Stemmers Run Road and one on Old Eastern Ave. A bus stop, serving Maryland Transit Authority routes 36, 59, 62, and 160, is located south of the Old Eastern Ave entrance. Sidewalks exist on both sides of Old Eastern Ave and Stemmers Run Road. See figure 1 location map below.

Figure 1: Location Map



The Aldi site is surrounded by a mixture of uses. North of the site is, per the County's GIS website, property owned by Baltimore County and its current land use is a park. St. Stephens African Methodist Episcopal Church is located to the east across Old Eastern Ave. Services at St. Stephens are offered Sundays at 8:00 AM and 11:00 AM and Wednesdays at noon and 7:00 PM. To the south, across Stemmers Run Road, is a vacant building, a 2nd Ave Value Store, and St. Stephens Christian Academy. Single-family homes and Blair's Auto Care adjoin to the west of the Aldi property. Kimley-Horn observed that the adjacent uses have their own designated parking areas. During the field study, field observations confirmed that all cars that parked in the Aldi parking lot were customers and did not walk to the surrounding uses.

The existing parking lot contains 88 spaces, of which 5 are ADA accessible. The current total parking is over the required parking based on the County Zoning Regulations Section 409.6, which requires 83 spaces. A bike rack was also observed with 2 bikes at its maximum use during the study. Figure 2 is the approved Development Plan.

Proposed Development

Aldi is proposing to expand the south side of the existing building by 18.6-feet to have 19,474 SF. As a result of the building expansion, 98 spaces are required based on County Zoning Regulation Section 409.6. The expansion will remove 11 existing parking spaces along the south building wall and creates the need to reconfigure the interior lot to provide adequate driveway widths and relocated ADA spaces. The additional building expansion square footage and the parking space impacts result in a deficit of 22 spaces per County parking code. The total required parking space count will be reduced from 98 to 76 spaces. Figure 3 shows the proposed parking lot layout.

Parking Occupancies

According to Aldi store management, the store's peak period parking demand is Friday (between noon to 6:00 PM), Saturday (between 10:00 AM and 3:00 PM), and Sunday (between 11:00 AM and 4:00 PM). This is consistent with data contained in the ITE Parking Generation 4th Edition, which also provides that average peak period demand on a Saturday is higher than peak period demand on a weekday for supermarket use.

Figures 4, 5, and 6 show parking demand in quarter hour increments on a Friday, Saturday, and Sunday for the existing Aldi grocery store. The parking utilization graphs demonstrate that sufficient parking pre- and post-expansion for peak weekday and weekend parking demands.

Under current conditions, the weekday (Friday) peak parking demand is 42% of the existing lot and 59.1% at the week-end (Sunday) peak demand. After expansion, the parking lot will be 48.7% and 68.4%, respectively based on current customer trends. Table 1 provides a summary of pre- and post-expansion occupancy rates.

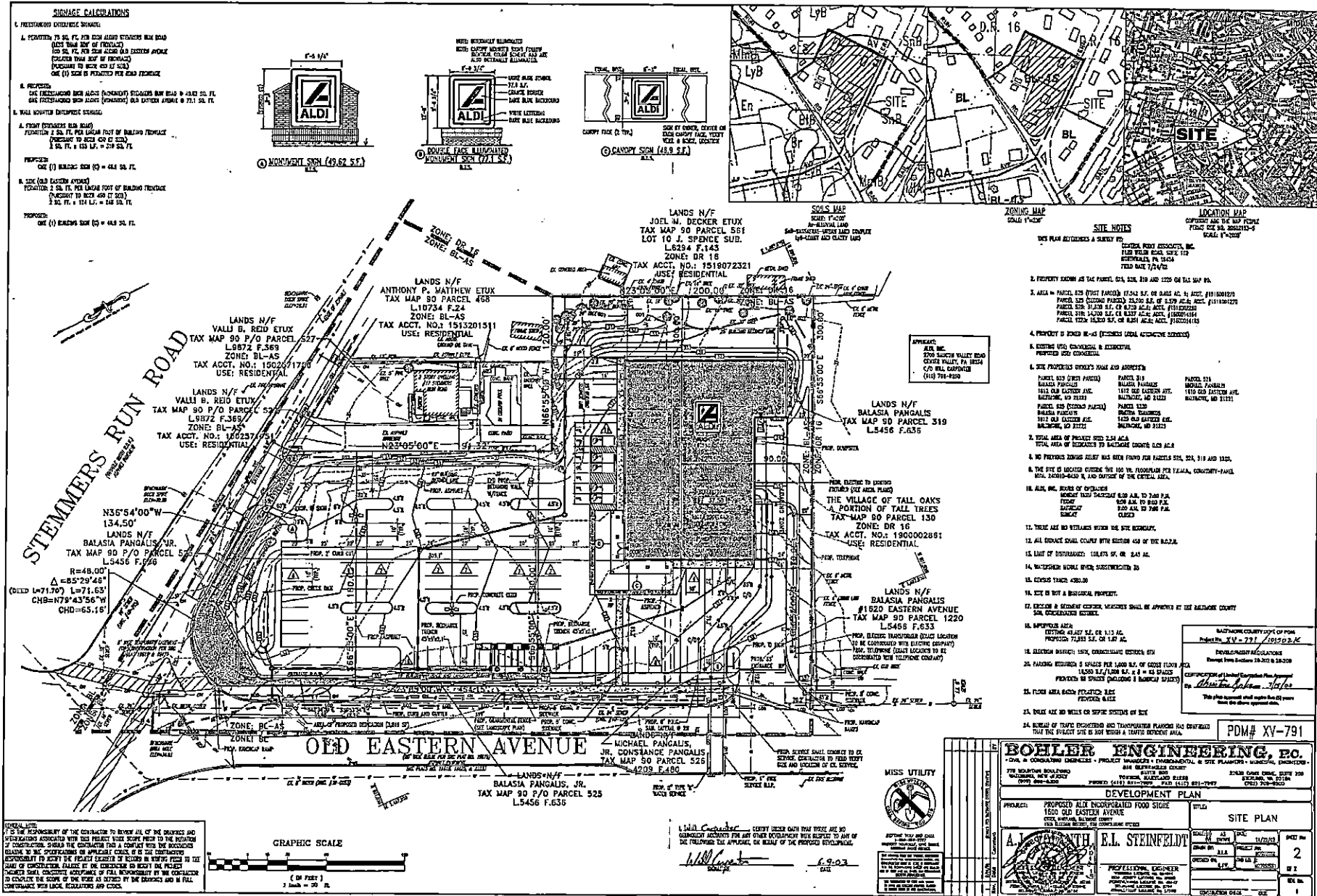
Table 1: Parking Occupancy Summary

	Pre-Expansion % occupied	Post Expansion % occupied
Peak Weekday (Friday)	42.0%	48.7%
Peak Week-end (Saturday)	54.5%	63.2%
Peak Week-end (Sunday)	59.1%	68.4%

Conclusion

In conclusion, we believe that the expansion and resulting parking lot ratio reduction from 5.0 spaces per 1000 SF (98 spaces) to 3.9 spaces per 1000 SF (76 spaces) will accommodate demand. In our professional opinion, the 76 parking spaces adequately accommodate the peak week day and weekend parking requirements of the store.

FIGURE 2 - APPROVED DEVELOPMENT PLAN



SIGNAGE CALCULATIONS

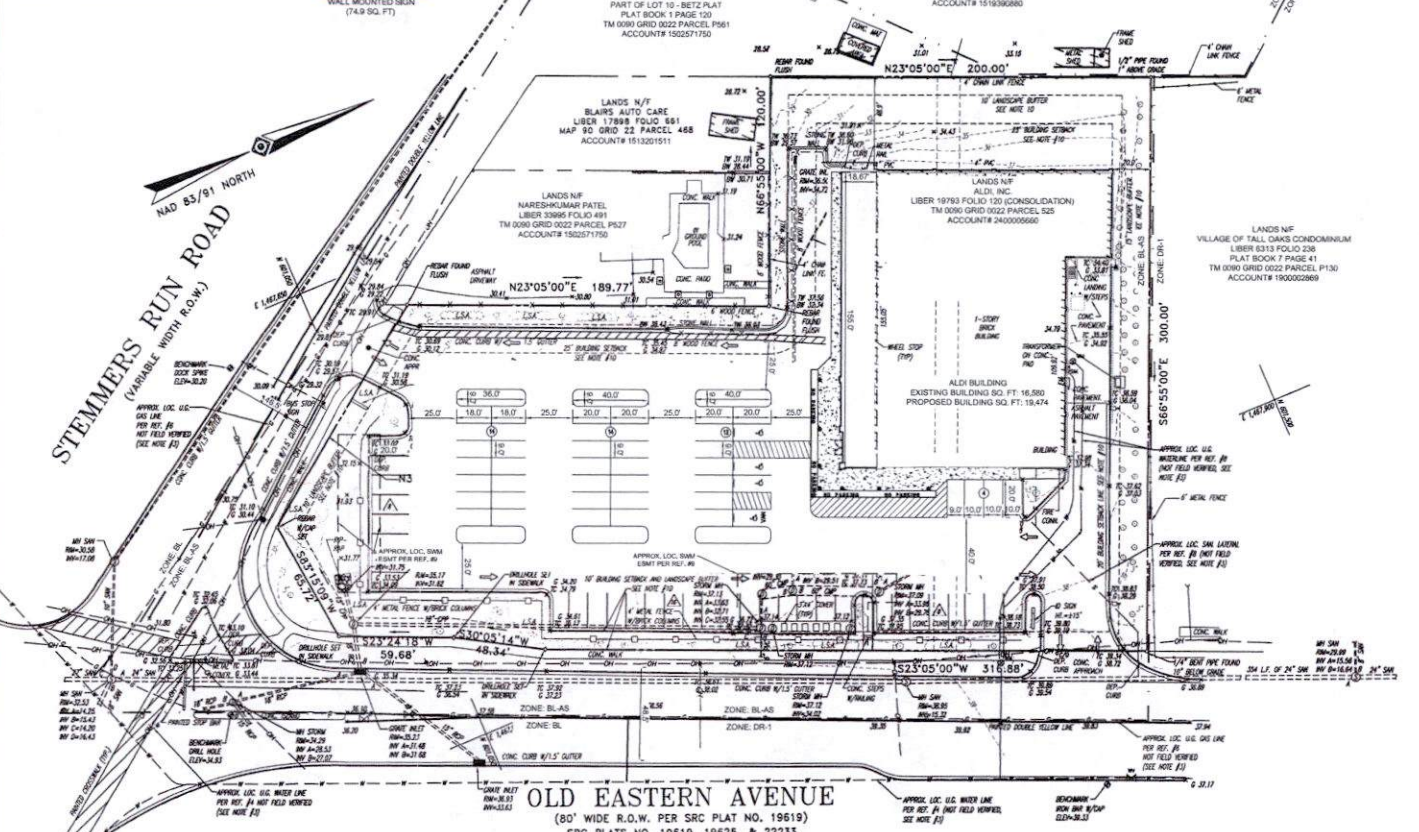
PROPOSED WALL MOUNTED ENTERPRISE SIGNAGE

FRONT (STEMMERS RUN ROAD)
 PERMITTED: 2 SQ. FT. PER LINEAR FOOT OF BUILDING FRONTAGE
 (PURSUANT TO BCZR 45Q)
 2 SQ. FT. X 170.2 L.F. = 344.4 SQ. FT.

PROPOSED: ONE (1) BUILDING SIGN = 74.9 SQ. FT.

SIDE (OLD EASTERN AVENUE)
 2 SQ. FT. PER LINEAR FOOT OF BUILDING FRONTAGE
 (PURSUANT TO BCZR 45Q)
 2 SQ. FT. X 124 L.F. = 248 SQ. FT.

PROPOSED: ONE (1) BUILDING SIGN = 74.9 SQ. FT.



NOTES:

1. PROPERTY IS THE LANDS OF ALDI INC. (MARYLAND), AS RECORDED IN LIBER 19760 AT PAGE 120 AND HAVING A TAX MAP ID OF 0000 0020 0020.
2. AREA = 100,724 SQUARE FEET OR 2.312 ACRES.
3. LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBESTOS PLANS AND UTILITY MARK-OUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
4. THIS PLAN IS BASED UPON INFORMATION PROVIDED BY A FIELD SURVEY PREPARED BY CONTROL POINT ASSOCIATES, INC. IN 2005 AND SUPPLEMENTED BY A FIELD SURVEY PREPARED BY ORS GROUP, LLC BETWEEN AUGUST 24, 2017 TO AUGUST 25, 2017 AND OTHER REFERENCE MATERIALS LISTED PAGE RIGHT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
5. THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED.
6. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
7. ELEVATIONS ARE BASED ON NAVD 1988 DATUM PER BALTIMORE COUNTY MONUMENT GS-67 WITH A PUBLISHED ELEVATION OF 87.17.
8. THE PROPERTY IS LOCATED IN ZONE C (AREAS OF MINIMAL FLOODING) PER PLAN REFERENCE #2.

REFERENCES:

1. THE BALTIMORE COUNTY, MARYLAND, DEPARTMENT OF ASSESSMENTS AND TAX ADMINISTRATION, MAP NUMBER 90.
2. MAP ENTITLED "F.I.R.M. FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, AND UNINCORPORATED AREAS, PANEL 435 OF 587 MAP NUMBER 24010040 G, MAP EFFECTIVE DATE MAY 5, 2014.
3. MAP ENTITLED "STATE ROADS COMMISSION OF MARYLAND EASTERN AVENUE IMPROVEMENT" CONTRACT NO. B-518-2-402, PREPARED BY RUMMEL, KLEPPER & KAHN, APPROVED JULY 24, 1954, PLAT NO. 19619.
4. MAP ENTITLED "PROPOSED WATER IN EASTERN AVENUE FROM ESSEX AVE. TO STEMMERS RUN ROAD BALTIMORE COUNTY METROPOLITAN COMMISSION" APPROVED 9-1-25, DRAWING NO. 2 OF 2, FILE A-4-3 7 & 8 32.
5. MAP ENTITLED "BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING STORM DRAIN BACK RIVER NECK ROAD FROM OLD AVENUE TO EASTERN AVENUE" REVISED 4-7-67, J.O. 5-216-1 64-886.
6. MAP ENTITLED "BALTIMORE GAS AND ELECTRIC COMPANY" SHOWING GAS LINES.
7. MAP ENTITLED "BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP" ADOPTED OCTOBER 10, 2000, SHEET NO. 2-1.
8. MAP ENTITLED "FLOODING PLAN, PROPOSED ALDI INCORPORATED FOOD STORE, 1800 EASTERN AVENUE" PROVIDED BY BOKER ENGINEERING, REVISED OCTOBER 27, 2004, SHEET 4 OF 15.
9. STORMWATER MANAGEMENT EASEMENT SHOWN PER LIBER 30140 FOLIO 32.



SITE NOTES

1. OWNER: ALDI INC. 8751 GAS HOUSE PIKE, FREDERICK, MD 21701
2. DEED REFERENCE: 19760/20
3. TAX ACCOUNT NUMBER: 240000960
4. TAX MAP AND ZONING PARCEL: 435
5. ZONING: BLAS (BUSINESS LOCAL AUTOMOTIVE SERVICES) PER 1-1-2002 ZONING MAP 9003
6. EXISTING USE: RETAIL - GROCERY STORE
7. REGIONAL PLANNING DISTRICT: 309
8. CENSUS TRACT: 408020
9. WATERSHED: MIDDLE RIVER, SUBWATERSHED: 38
10. THE SITE DOES NOT LIE WITHIN A FLOODPLAIN AS SHOWN ON "F.I.R.M. FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, AND UNINCORPORATED AREAS, PANEL 435 OF 587 MAP NUMBER 24010040 G, MAP EFFECTIVE DATE MAY 5, 2014.
11. SITE IS NOT A HISTORICAL PROPERTY.
12. SITE DOES NOT LIE IN THE CHESAPEAKE BAY CRITICAL AREA.
13. ALL SIGNAGE SHALL COMPLY WITH SECTION 45Q OF THE BCZR.
14. UTILITIES: PUBLIC WATER, PUBLIC SEWER
15. HEIGHT OF STRUCTURE (1 STORY): MAX PERMITTED: 40 FT, EXISTING: 16.8 FT, PROPOSED: 24.67 FT
16. PERMITS ON FILE: FCMM 150791, B528159, B542141, B542142, B542621, B528157, B542144, B525763, B542621, B525766, B542143, B528154
17. SITE ZONING HISTORY: CASE 1945-0488-R: PETITION FOR ZONING RECLASSIFICATION TO RECLASSIFY PROPERTY FROM "A" RESIDENCE TO "C" COMMERCIAL, GRANTED NOVEMBER 13, 1945. CASE 1967-4108-A: PETITION FOR SPECIAL EXCEPTION FOR A MINUTEMAN GOLF COURSE GRANTED APRIL 17, 1967. (SPECIAL EXCEPTION USE ABANDONED). CASE 1987-0204-A: PETITION FOR ZONING RECLASSIFICATION TO RECLASSIFY PROPERTY FROM DR 18 TO BL-CNS GRANTED JUNE 15, 1987. CASE 1996-201-A: PETITION FOR VARIANCE TO PERMIT RELIEF FOR A TOWER-MOUNTED ANTENNA FOR AN EXISTING WIRELESS RADIO TRANSMITTING AND RECEIVING TOWER ASSOCIATED WITH A C&M COMPANY GRANTED, IN PART, AND DISMISSED AS MOOT, IN PART, JANUARY 23, 1996.
18. SITE AREA: GROSS: 100,724 S.F. OR 2.312 ACRES
19. BUILDING AREA: EXISTING: 16,580 S.F., PROPOSED ADDITION: 2,864 S.F., TOTAL PROPOSED: 19,474 S.F.
20. FLOOR AREA RATIO: PERMITTED: 3.0, PROPOSED: 1.9
21. PARKING CALCULATIONS: PER SECTION 406.6 OF THE BCZR: 5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA: 19,474 S.F. X 5 SPACES/1,000 S.F. = 98 SPACES. REQUIRED: 98 SPACES. PROVIDED: 76 SPACES. PARKING VARIANCE REQUESTED FOR 22 SPACES.

PETITION FOR VARIANCE, PURSUANT TO BCZR SECTION 307.1, TO ALLOW 76 PARKING SPACES TO BE PROVIDED IN LIEU OF THE REQUIRED 98 PARKING SPACES.



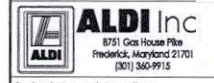
Issued:	Date:
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Revisions:	Date:
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Seal	2017-11-22
PROJECT ENGINEER	DATE
TAL	2017-11-22
PROJECT LEAD	DATE
TAL	2017
PROJECT DESIGNER	DATE
TAL	2017

Kimley»Horn
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 100 M Street SE, Suite 600
 Washington, DC 20003
 (202) 971-8225

PLAN TO ACCOMPANY PETITION FOR PARKING VARIANCE
 TAX MAP: 90
 ELECTION DISTRICT: 15TH
 COUNCILMANIC DISTRICT: 7TH

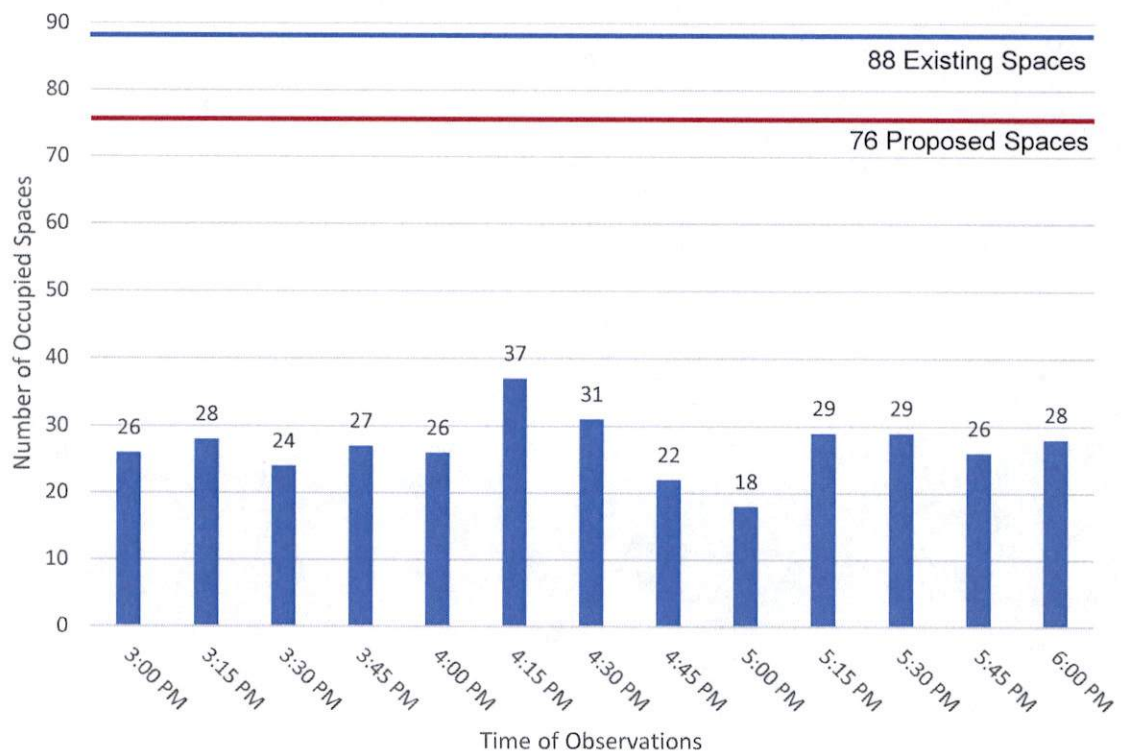


Project Name & Location:
ALDI Essex
 1600 Old Eastern Ave.
 Essex, MD 21221
 (Old Eastern Ave & Stemmers Run Rd.)
 Drawing Name:

SITE PLAN	
Date:	Project No.
2017-11-22	110360040
Type:	
Drawn By:	Drawing No.
	C-200
Scale:	
As Noted	

FIGURE 3 - PROPOSED DEVELOPMENT PLAN

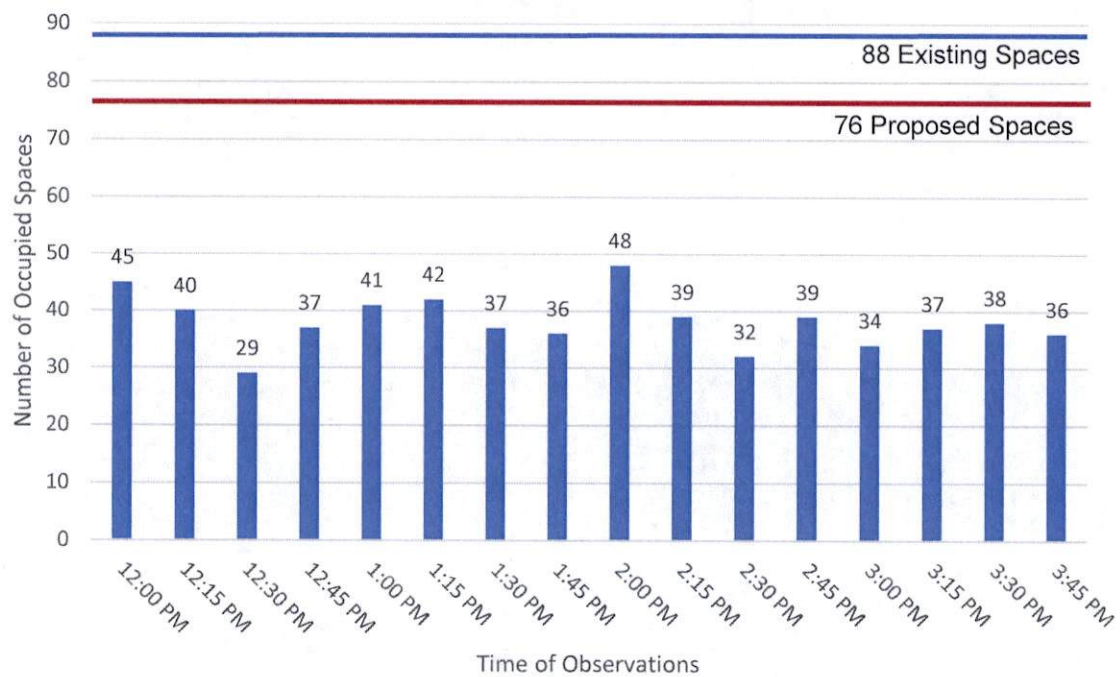
**Figure 4: Aldi Essex Friday Parking Based on Surveyed
Surface Lot Parking Occupancies**



Pre-expansion $37/88 = 42.0\%$

Post-expansion $37/76 = 48.7\%$

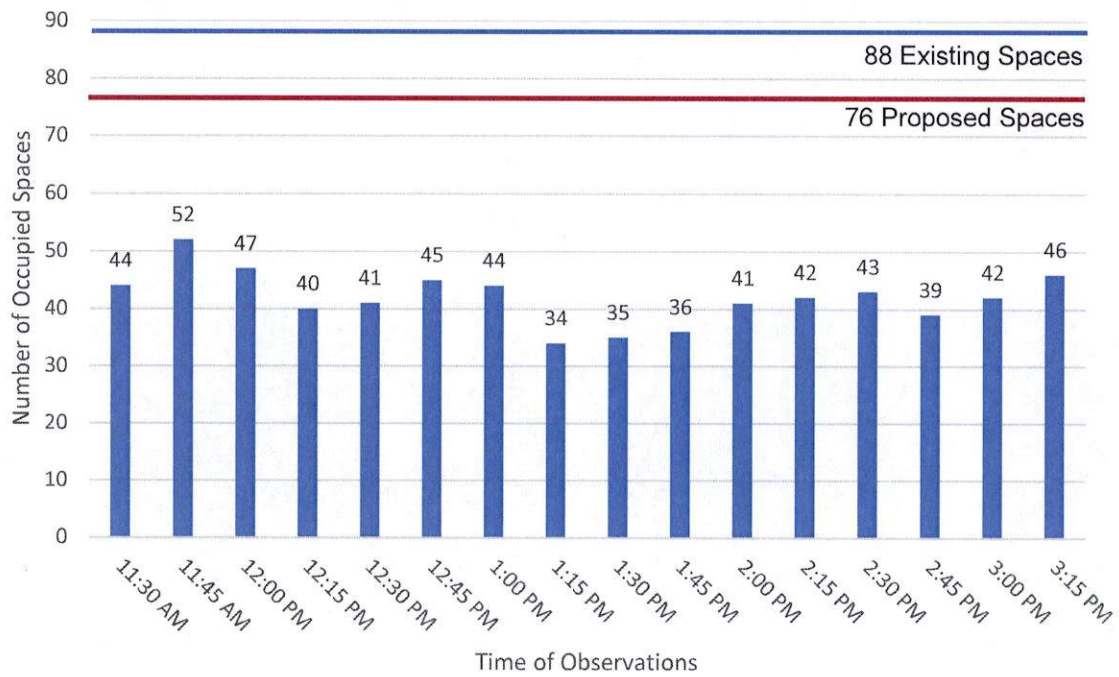
Figure 5: Aldi Essex Saturday Parking Based on Surveyed Surface Lot Parking Occupancies



Pre-expansion $48/88 = 54.5\%$

Post-expansion $48/76 = 63.2\%$

Figure 6: Aldi Essex Sunday Parking Based on Surveyed Surface Lot Parking Occupancies



Pre-expansion $52/88 = 59.1\%$

Post-expansion $52/76 = 68.4\%$

SIGNAGE CALCULATIONS

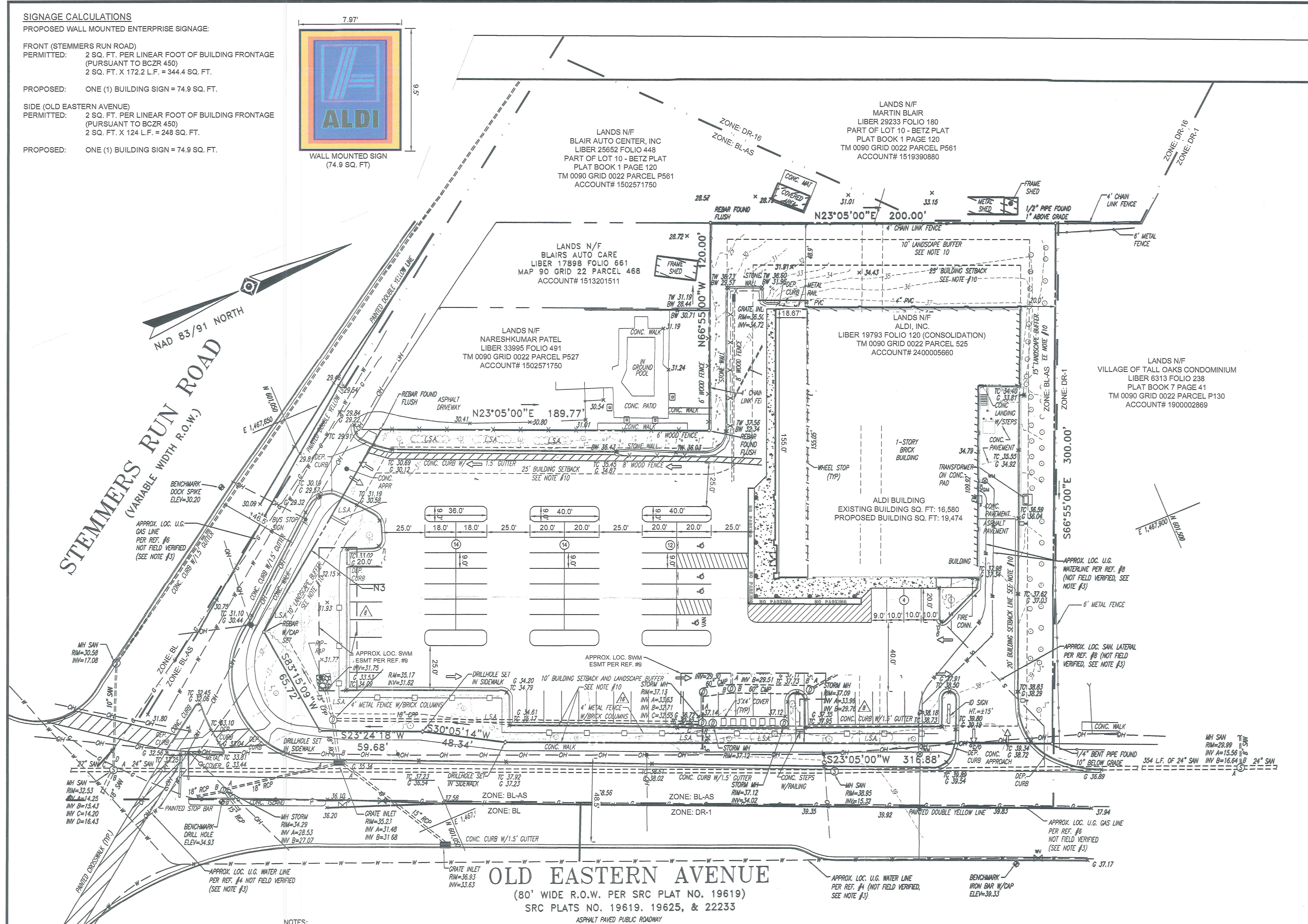
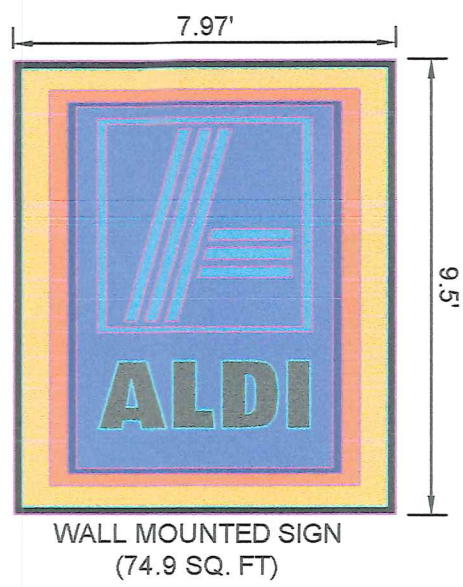
PROPOSED WALL MOUNTED ENTERPRISE SIGNAGE:

FRONT (STEMMERS RUN ROAD)
PERMITTED: 2 SQ. FT. PER LINEAR FOOT OF BUILDING FRONTAGE
(PURSUANT TO BCZR 450)
2 SQ. FT. X 172.2 L.F. = 344.4 SQ. FT.

PROPOSED: ONE (1) BUILDING SIGN = 74.9 SQ. FT.

SIDE (OLD EASTERN AVENUE)
PERMITTED: 2 SQ. FT. PER LINEAR FOOT OF BUILDING FRONTAGE
(PURSUANT TO BCZR 450)
2 SQ. FT. X 124 L.F. = 248 SQ. FT.

PROPOSED: ONE (1) BUILDING SIGN = 74.9 SQ. FT.

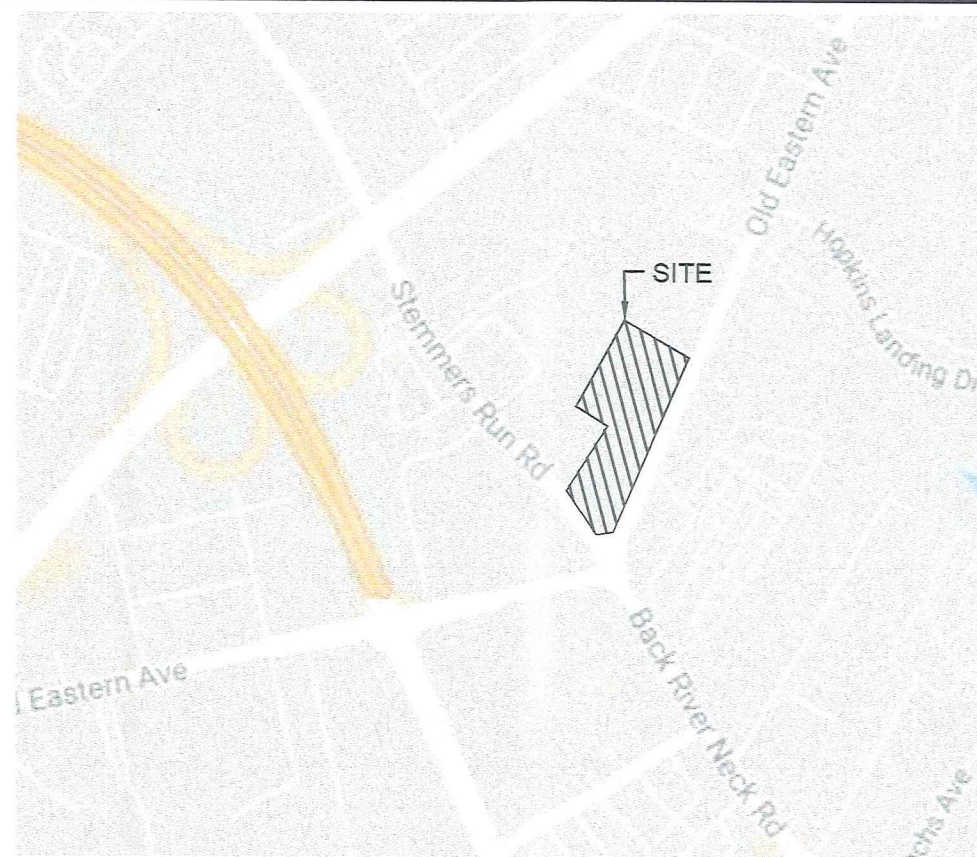


NOTES:

- PROPERTY IS THE LANDS OF ALDI INC. (MARYLAND), AS RECORDED IN LIBER 19793 AT PAGE 120 AND HAVING A TAX MAP ID OF 0090 0022 0525
- AREA = 100,724 SQUARE FEET OR 2.312 ACRES.
- LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
- THIS PLAN IS BASED UPON INFORMATION PROVIDED BY A FIELD SURVEY PREPARED BY CONTROL POINT ASSOCIATES, INC IN 2005 AND SUPPLEMENTED BY A FIELD SURVEY PREPARED BY GRS GROUP, LLC BETWEEN AUGUST 24, 2017 TO AUGUST 25, 2017 AND OTHER REFERENCE MATERIALS LISTED PAGE RIGHT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED.
- THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
- ELEVATIONS ARE BASED ON NAVD 1988 DATUM PER BALTIMORE COUNTY MONUMENT GIS-67 WITH A PUBLISHED ELEVATION OF 67.17.
- THE PROPERTY IS LOCATED IN ZONE C (AREAS OF MINIMAL FLOODING) PER PLAN REFERENCE #2.

REFERENCES:

- THE BALTIMORE COUNTY, MARYLAND, DEPARTMENT OF ASSESSMENTS AND TAX ADMINISTRATION, MAP NUMBER 90.
- MAP ENTITLED "F.I.R.M., FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, AND UNINCORPORATED AREAS, PANEL 430 OF 580" MAP NUMBER 2400100430 G, MAP EFFECTIVE DATE MAY 5, 2014.
- MAP ENTITLED "STATE ROADS COMMISSION OF MARYLAND EASTERN AVENUE IMPROVEMENT" CONTRACT NO. B-518-2-420, PREPARED BY RUMMEL, KLEPPER & KAHL, APPROVED JULY 24, 1958, PLAT NO. 19619.
- MAP ENTITLED "PROPOSED WATER IN EASTERN AVENUE FROM ESSEX AVE. TO STEMMERS RUN ROAD BALTIMORE COUNTY METROPOLITAN COMMISSION" APPROVED 9-1-25, DRAWING NO. 2 OF 2, FILE A-4-b 7 & 8 NE 32.
- MAP ENTITLED "BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING STORM DRAIN BACK RIVER NECK ROAD FROM GAIL AVENUE TO EASTERN AVENUE" REVISED 4-7-67, J.O. 5-216-1 64-886.
- MAP ENTITLED "BALTIMORE GAS AND ELECTRIC COMPANY" SHOWING GAS LINES.
- MAP ENTITLED "BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP" ADOPTED OCTOBER 10, 2000, SHEET NE 2-H.
- MAP ENTITLED "GRADING PLAN, PROPOSED ALDI INCORPORATED FOOD STORE, 1600 EASTERN AVENUE" PROVIDED BY BOHLER ENGINEERING, REVISED OCTOBER 27, 2004, SHEET 4 OF 15.
- STORMWATER MANAGEMENT EASEMENT SHOWN PER LIBER 30140 FOLIO 32.

VICINITY MAP
1"=1000'

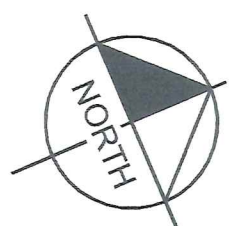
SITE NOTES

- OWNER:
ALDI, INC.
8751 GAS HOUSE PIKE
FREDERICK, MD 21701
- DEED REFERENCE: 19793/120
- TAX ACCOUNT NUMBER: 2400005660
- TAX MAP #90 ON PARCEL #525
- ZONING: BL-AS (BUSINESS LOCAL AUTOMOTIVE SERVICES)
PER 1" = 200' ZONING MAP 090B3
- EXISTING USE: RETAIL - GROCERY STORE
PROPOSED USE: RETAIL - GROCERY STORE
- REGIONAL PLANNING DISTRICT: 328
- CENSUS TRACT: 4590.00
- WATERSHED: MIDDLE RIVER; SUBWERSHED: 38
- THE SITE DOES NOT LIE WITHIN A FLOODPLAIN AS SHOWN ON "F.I.R.M., FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, AND UNINCORPORATED AREAS, PANEL 430 OF 580" MAP NUMBER 2400100430 G, MAP EFFECTIVE DATE MAY 5, 2014.
- SITE IS NOT A HISTORICAL PROPERTY.
- SITE DOES NOT LIE IN THE CHESAPEAKE BAY CRITICAL AREA.
- ALL SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE BCZR.
- UTILITIES:
PUBLIC WATER
PUBLIC SEWER
- HEIGHT OF STRUCTURE (1 STORY):
MAX PERMITTED: 40 FT
EXISTING: 16.8 FT
PROPOSED: 24.67 FT
- PERMITS ON FILE:
PDM# 150791
B528159
B542141
B542142
B449251
B528157
B542144
B525763
B449251
B525766
B542143
B528154
- SITE ZONING HISTORY:
CASE 1945-0488-R: PETITION FOR ZONING RE-CLASSIFICATION TO RECLASSIFY PROPERTY FROM "A" RESIDENCE TO "E" COMMERCIAL GRANTED NOVEMBER 13, 1945.
CASE 1957-4108-X: PETITION FOR SPECIAL EXCEPTION FOR A MINIATURE GOLF COURSE GRANTED APRIL 17, 1957. (SPECIAL EXCEPTION USE ABANDONED)
CASE 1987-0284-X: PETITION FOR ZONING RE-CLASSIFICATION TO RECLASSIFY PROPERTY FROM DR 16 TO BL-CNS GRANTED JUNE 15, 1987
CASE 1996-201-A: PETITION FOR VARIANCE TO PERMIT RELIEF FOR A TOWER-MOUNTED ANTENNA FOR AN EXISTING WIRELESS RADIO TRANSMITTING AND RECEIVING TOWER ASSOCIATED WITH A CAB COMPANY GRANTED, IN PART, AND DISMISSED AS MOOT, IN PART, JANUARY 23, 1998.
- SITE AREA:
GROSS: 100,724 S.F OR 2.312 AC±
- BUILDING AREA:
EXISTING: 16,580 S.F.
PROPOSED ADDITION: 2,894 S.F.
TOTAL PROPOSED: 19,474 S.F.
- FLOOR AREA RATIO
PERMITTED: 3.0
PROPOSED: 1.9
- PARKING CALCULATIONS:
PER SECTION 409.8 OF THE BCZR:
5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
19,474 S.F X 5 SPACES/1000 S.F. = 98 SPACES
REQUIRED: 98 SPACES
PROVIDED: 76 SPACES
PARKING VARIANCE REQUESTED FOR 22 SPACES.

PETITIONER'S

EXHIBIT NO. 1

PETITION FOR VARIANCE, PURSUANT TO BCZR SECTION 307.1, TO ALLOW 76 PARKING SPACES TO BE PROVIDED IN LIEU OF THE REQUIRED 98 PARKING SPACES.

GRAPHIC SCALE IN FEET
0 15 30 60

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Revisions:	Date:
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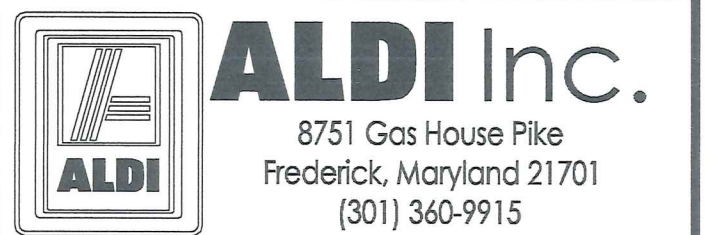


Seal	PROJECT ENGINEER	DATE
TAL		2017-11-22
PROJECT LEAD		DATE
TAL		2017-11-22
PROJECT DESIGNER		DATE
TAL		2017-11-22

Kimley»Horn
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100 M Street SE, Suite 600
Washington, DC 20003
(202) 971-8225

PLAN TO ACCOMPANY PETITION FOR
PARKING VARIANCE

TAX MAP: 90
ELECTION DISTRICT: 15TH
COUNCILMANIC DISTRICT: 7TH



Project Name & Location:

ALDI Essex
1600 Old Eastern Ave.
Essex, MD 21221
(Old Eastern Ave &
Stemmers Run Rd.)

Drawing Name:

SITE PLAN

Date: 2017-11-22	Project No. 110360040
Type:	
Drawn By:	Drawing No. C-200
Scale: As Noted	

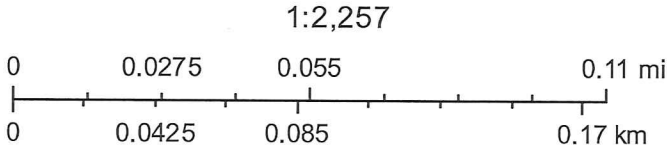
2018-0083A

Baltimore County - My Neighborhood



January 18, 2018

- House Numbers
- Zoning
- Property
- County Boundary



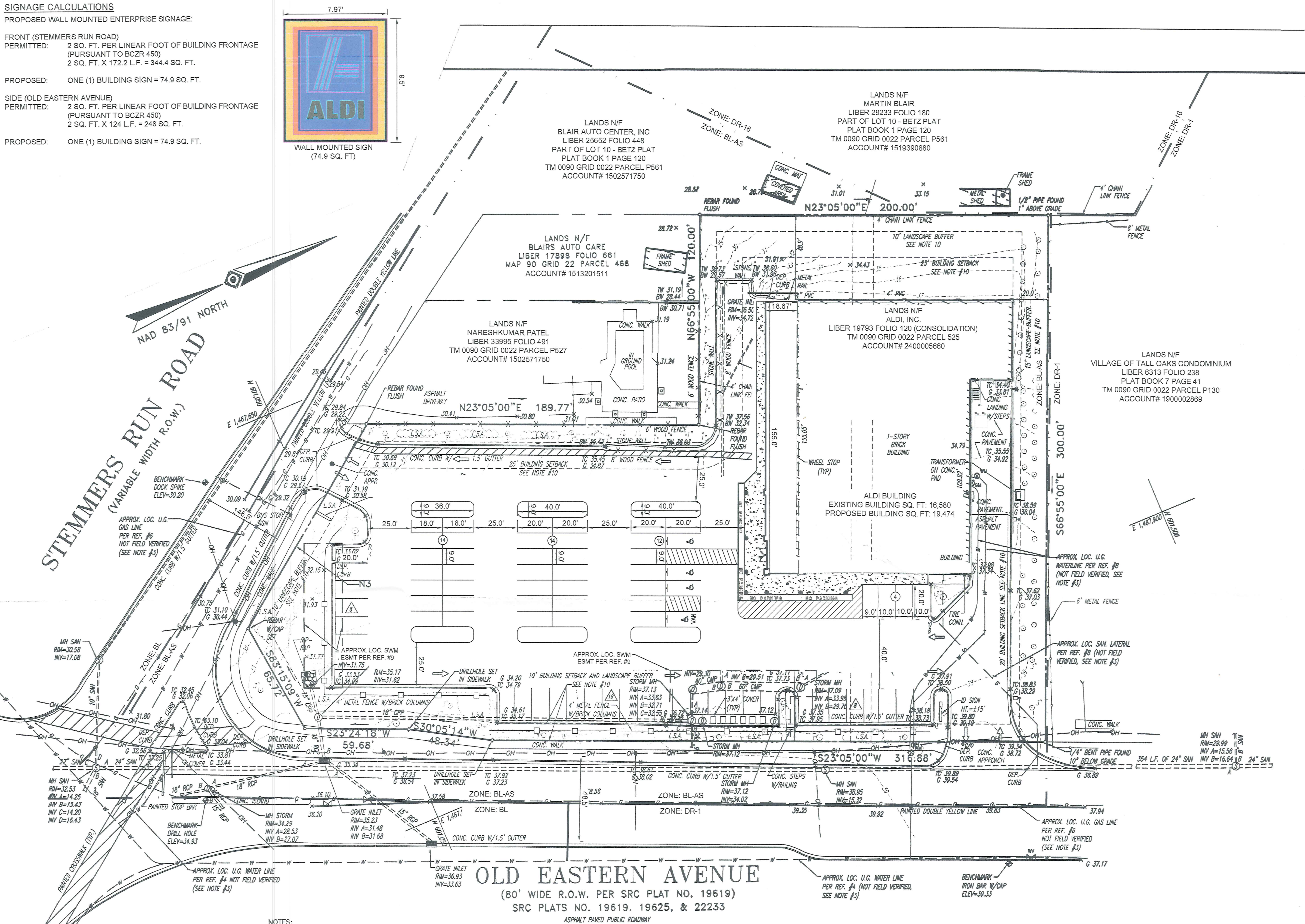
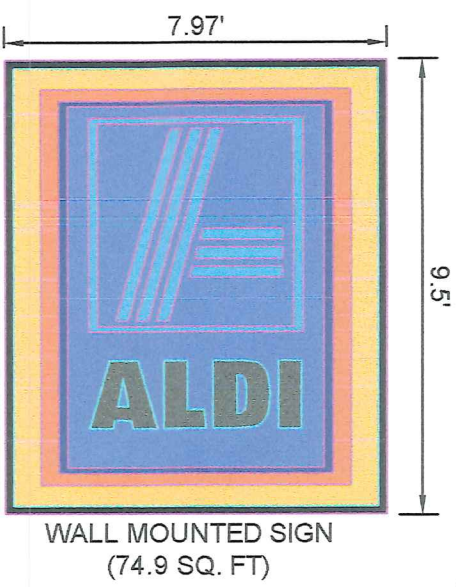
SIGNAGE CALCULATIONS
PROPOSED WALL MOUNTED ENTERPRISE SIGNAGE:

FRONT (STEMMERS RUN ROAD)
PERMITTED: 2 SQ. FT. PER LINEAR FOOT OF BUILDING FRONTAGE
(PURSUANT TO BCZR 450)
2 SQ. FT. X 172.2 L.F. = 344.4 SQ. FT.

PROPOSED: ONE (1) BUILDING SIGN = 74.9 SQ. FT.

SIDE (OLD EASTERN AVENUE)
PERMITTED: 2 SQ. FT. PER LINEAR FOOT OF BUILDING FRONTAGE
(PURSUANT TO BCZR 450)
2 SQ. FT. X 124 L.F. = 248 SQ. FT.

PROPOSED: ONE (1) BUILDING SIGN = 74.9 SQ. FT.

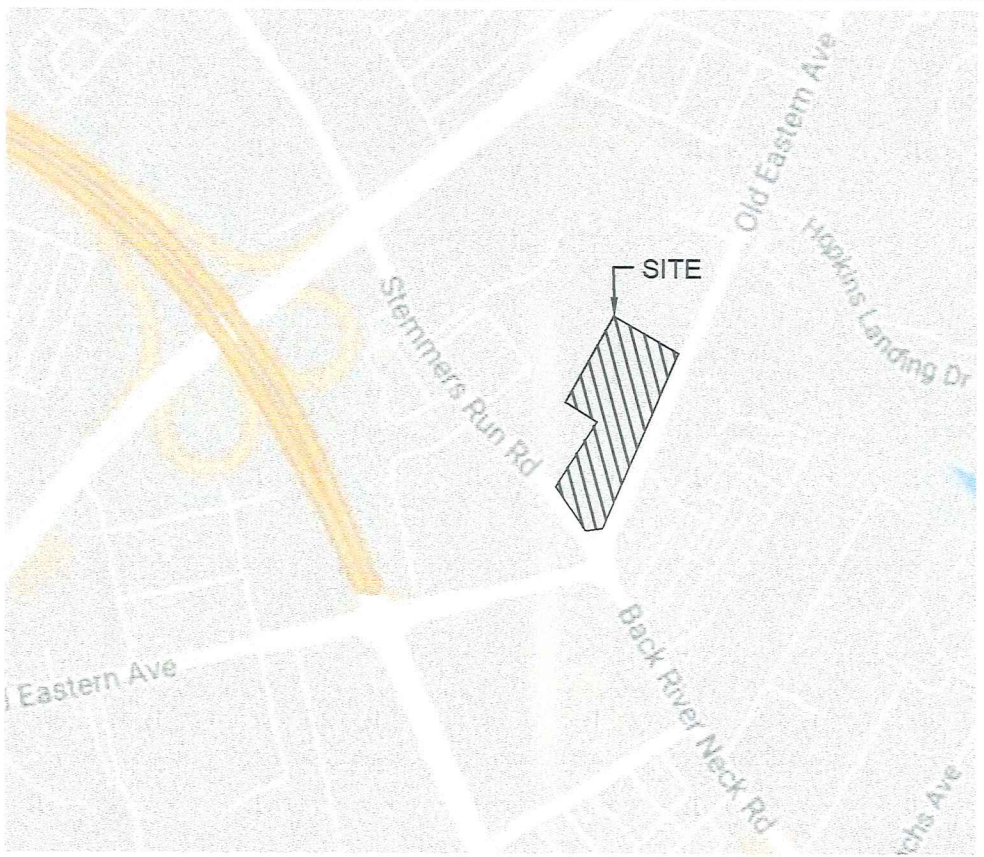


NOTES:

- PROPERTY IS THE LANDS OF ALDI INC. (MARYLAND), AS RECORDED IN LIBER 19793 AT PAGE 120 AND HAVING A TAX MAP ID OF 0090 0022 0525
- AREA = 100,724 SQUARE FEET OR 2.312 ACRES.
- LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD. THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
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- THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED.
- THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
- ELEVATIONS ARE BASED ON NAVD 1988 DATUM PER BALTIMORE COUNTY MONUMENT GIS-67 WITH A PUBLISHED ELEVATION OF 67.17.
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- MAP ENTITLED "F.I.R.M., FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, AND UNINCORPORATED AREAS, PANEL 430 OF 580" MAP NUMBER 2400100430 G, MAP EFFECTIVE DATE MAY 5, 2014.
- MAP ENTITLED "STATE ROADS COMMISSION OF MARYLAND EASTERN AVENUE IMPROVEMENT" CONTRACT NO. B-518-2-420, PREPARED BY RUMMEL, KLEPPER & KAHL, APPROVED JULY 24, 1958, PLAT NO. 19619.
- MAP ENTITLED "PROPOSED WATER IN EASTERN AVENUE FROM ESSEX AVE. TO STEMMERS RUN ROAD BALTIMORE COUNTY METROPOLITAN COMMISSION" APPROVED 9-1-25, DRAWING NO. 2 OF 2, FILE A-4-b 7 & 8 NE 32.
- MAP ENTITLED "BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING STORM DRAIN BACK RIVER NECK ROAD FROM GAIL AVENUE TO EATERN AVENUE" REVISED 4-7-67, J.O. 5-216-1 64-886.
- MAP ENTITLED "BALTIMORE GAS AND ELECTRIC COMPANY" SHOWING GAS LINES.
- MAP ENTITLED "BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP" ADOPTED OCTOBER 10, 2000, SHEET NE 2-H.
- MAP ENTITLED "GRADING PLAN, PROPOSED ALDI INCORPORATED FOOD STORE, 1600 EASTERN AVENUE" PROVIDED BY BOHLER ENGINEERING, REVISED OCTOBER 27, 2004, SHEET 4 OF 15.
- STORMWATER MANAGEMENT EASEMENT SHOWN PER LIBER 30140 FOLIO 32.

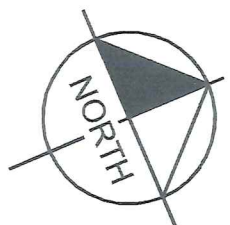
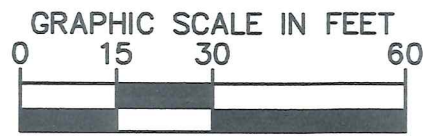


VICINITY MAP
1"=1000'

SITE NOTES

- OWNER:
ALDI, INC.
8751 GAS HOUSE PIKE
FREDERICK, MD 21701
- DEED REFERENCE: 19793/120
- TAX ACCOUNT NUMBER: 2400005660
- TAX MAP #90 ON PARCEL #525
- ZONING: BL-AS (BUSINESS LOCAL AUTOMOTIVE SERVICES)
PER 1" = 200' ZONING MAP 090B3
- EXISTING USE: RETAIL - GROCERY STORE
PROPOSED USE: RETAIL - GROCERY STORE
- REGIONAL PLANNING DISTRICT: 328
- CENSUS TRACT: 4580.00
- WATERSHED: MIDDLE RIVER; SUBSEWERSHED: 38
- THE SITE DOES NOT LIE WITHIN A FLOODPLAIN AS SHOWN ON "F.I.R.M., FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, AND UNINCORPORATED AREAS, PANEL 430 OF 580" MAP NUMBER 2400100430 G, MAP EFFECTIVE DATE MAY 5, 2014.
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- ALL SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE BCZR.
- UTILITIES:
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PUBLIC SEWER
- HEIGHT OF STRUCTURE (1 STORY):
MAX PERMITTED: 40 FT
EXISTING: 16.8 FT
PROPOSED: 24.67 FT
- PERMITS ON FILE:
PDM# 150791
B528159
B542141
B542142
B449251
B528157
B542144
B525763
B449251
B525766
B542143
B528154
- SITE ZONING HISTORY:
CASE 1945-0488-R: PETITION FOR ZONING RE-CLASSIFICATION TO RECLASSIFY PROPERTY FROM "A" RESIDENCE TO "E" COMMERCIAL GRANTED NOVEMBER 13, 1945.
CASE 1957-4108-X: PETITION FOR SPECIAL EXCEPTION FOR A MINIATURE GOLF COURSE GRANTED APRIL 17, 1957. (SPECIAL EXCEPTION USE ABANDONED)
CASE 1987-0284-X: PETITION FOR ZONING RE-CLASSIFICATION TO RECLASSIFY PROPERTY FROM DR 16 TO BL-CNS GRANTED JUNE 15, 1987.
CASE 1996-201-A: PETITION FOR VARIANCE TO PERMIT RELIEF FOR A TOWER-MOUNTED ANTENNA FOR AN EXISTING WIRELESS RADIO TRANSMITTING AND RECEIVING TOWER ASSOCIATED WITH A CAB COMPANY GRANTED, IN PART, AND DISMISSED AS MOOT, IN PART, JANUARY 23, 1996.
- SITE AREA:
GROSS: 100,724 S.F OR 2.312 AC±
- BUILDING AREA:
EXISTING: 16,580 S.F.
PROPOSED ADDITION: 2,894 S.F.
TOTAL PROPOSED: 19,474 S.F.
- FLOOR AREA RATIO
PERMITTED: 3.0
PROPOSED: 1.9
- PARKING CALCULATIONS:
PER SECTION 409.8 OF THE BCZR:
5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
19,474 S.F X 5 SPACES/1000 S.F. = 98 SPACES
REQUIRED: 98 SPACES
PROVIDED: 76 SPACES
PARKING VARIANCE REQUESTED FOR 22 SPACES.

PETITION FOR VARIANCE, PURSUANT TO BCZR SECTION 307.1, TO ALLOW 76 PARKING SPACES TO BE PROVIDED IN LIEU OF THE REQUIRED 98 PARKING SPACES.



Issued:	Date:
A	
B	
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D	
Revisions:	Date:
1	
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5	

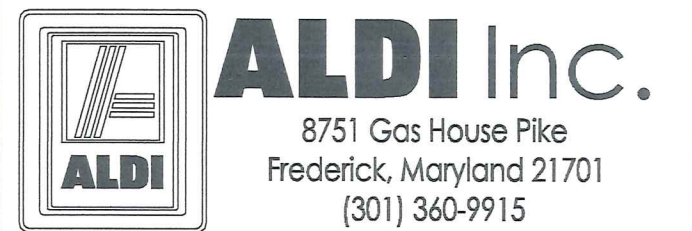


Seal	DATE
PROJECT ENGINEER	2017-11-22
TAL	
PROJECT LEAD	DATE
TAL	2017-11-22
PROJECT DESIGNER	DATE
TAL	2017-11-22

Kimley»Horn
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100 M Street SE, Suite 400
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(202) 971-8225

PLAN TO ACCOMPANY PETITION FOR
PARKING VARIANCE

TAX MAP: 90
ELECTION DISTRICT: 15TH
COUNCILMANIC DISTRICT: 7TH



Project Name & Location:

ALDI Essex
1600 Old Eastern Ave.
Essex, MD 21221
(Old Eastern Ave &
Stemmers Run Rd.)

Drawing Name:

SITE PLAN

Date: 2017-11-22	Project No. 110360040
Type:	
Drawn By:	Drawing No. C-200
Scale: As Noted	

2018-0083A