

MEMORANDUM

DATE: September 7, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0350-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on September 6, 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: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(8867, 8903, 8905 Belair Road) *
11th Election District *
5th Council District *

W ARC PH Centre Owner VIII, LLC *
Legal Owner *
Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2018-0350-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of W ARC PH Centre Owner VIII, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve an existing freestanding enterprise sign for a pad site.

A petition for variance seeks to allow a freestanding joint identification sign with copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches. A two-sheet redlined site plan was marked and accepted into evidence as Petitioner's Exhibit 1A & 1B.

Professional engineer Andrew Stine and Jeff Certosimo appeared in support of the requests. David H. Karceski, Esq. represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP"). That agency did not oppose the request.

ORDER RECEIVED FOR FILING

Date 8/17/18

By sen

SPECIAL HEARING

The special hearing request pertains to an enterprise sign for a Chick-fil-A restaurant. The sign has been in place for several years and is similar to the one used by other Chick-fil-A restaurants in this area. The restaurant is adjacent to Belair Road at the outer edge of the parking lot for the overall shopping center. The restaurant is separated from the Giant grocery store located further back into the site by a distance of over 300 feet. The Chick-fil-A store has a designated ingress and egress area and separate parking for restaurant customers. In light of these characteristics I believe it qualifies as a "pad site," which by long-standing County policy is entitled to its own enterprise sign. As such the petition for special hearing will be granted.

VARIANCE

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

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

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

The property is much deeper than it is wide, which makes it unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to list its tenants on the joint identification sign. 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 absence of County and/or community opposition.

The DOP expressed concern with whether the proposed ground-mounted joint identification sign would interfere with adequate sight lines for motorists. Mr. Stine testified the

ORDER RECEIVED FOR FILING

Date

8/7/18

By

Sen

new sign will be located in essentially the same location as the existing shopping center sign, and he explained and provided photos showing it is located a sufficient distance from the roadway and would not pose a danger to motorists. The DOP also requested landscaping be provided at the base of the signs, and Petitioner presented a conceptual landscape plan (approved by Mr. Hermann) which reflects the requested landscaping will be installed in those areas. Pet. Ex. 5.

THEREFORE, IT IS ORDERED this 7th day of **August, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve an existing freestanding enterprise sign for a pad site, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to allow a freestanding joint identification sign with copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches, 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:slh

ORDER RECEIVED FOR FILING

Date 8/17/18
By slh

W ARC PH CENTRE OWNER VII L.L.C. – LEGAL OWNER

PROPERTY: 8867, 8903, 8905 BELAIR ROAD

ATTACHMENT

TO PETITION FOR SPECIAL HEARING and VARIANCE

Legal Owners:

W ARC PH CENTRE OWNER VIII L.L.C.

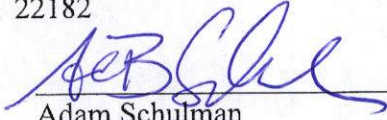
By: ARC Management, L.L.C., Authorizing Agent

By: Atlantic Realty Companies, Inc., Manager

8150 Leesburg Pike, Suite 1100

Vienna, VA 22182

By:


Adam Schulman

Title: Executive Vice President

Phone: 703-760-9500



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 8867, 8903, 8905 Belair Road which is presently zoned BM, BL-CCC, RAE1, DR1
Deed References: 37892-232 10 Digit Tax Account # 2200013106, 1700006877
Property Owner(s) Printed Name(s) WARC PH CENTRE OWNER VIII, L.L.C.

(SELECT THE HEARING(S) BY MARKING ☒ 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

Special Hearing to allow an existing freestanding enterprise sign for a pad site.

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

3. ☒ a **Variance** from Section(s)

1. Variance from Section 450.4 Attachment 1.7(b)(ix) to allow a freestanding joint identification sign with copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches.

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

N/A

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

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:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2018-0350-SPHA Filing Date 6/15/18

Do Not Schedule Dates:

Reviewer JCM

ORDER RECEIVED FOR FILING REV 10/4/11

Date

By

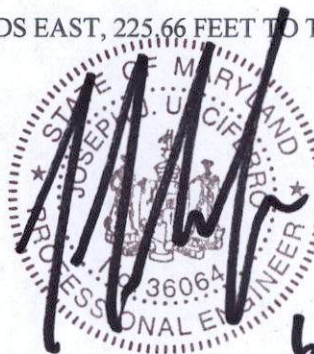


ZONING DESCRIPTION
TAX MAP 72, PARCEL 294 AND 442
THE LAND OF
W ARC PH CENTRE OWNER VIII LLC
LIBER 37892 FOLIO 232
11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LIMITS OF BELAIR ROAD (VARIABLE WIDTH RIGHT-OF-WAY), WHICH IS 280 FEET SOUTHWEST OF THE INTERSECTION OF SAID BELAIR ROAD AND EBENEZER ROAD (70' WIDTH RIGHT-OF-WAY), THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LIMITS AND WITH THE DIVISION LINE BETWEEN THE SAID BELAIR ROAD ON THE EAST AND THE LAND OF W ARC PH CENTRE OWNER VIII LLC (LIBER 37892 FOLIO 232) ON THE WEST;

1. SOUTH 53 DEGREES – 52 MINUTES – 51 SECONDS EAST, 1031.81 FEET TO A POINT, THENCE;
2. CONTINUING SOUTH 41 DEGREES – 25 MINUTES – 47 SECONDS WEST, 300.34 FEET TO A POINT, THENCE;
3. CONTINUING NORTH 53 DEGREES – 49 MINUTES – 21 SECONDS WEST, 831.57 FEET TO A POINT, THENCE;
4. CONTINUING SOUTH 42 DEGREES – 49 MINUTES – 59 SECONDS WEST, 225.00 FEET TO A POINT, THENCE;
5. CONTINUING NORTH 47 DEGREES – 10 MINUTES – 01 SECONDS WEST, 218.00 FEET TO A POINT, THENCE;
6. CONTINUING NORTH 42 DEGREES – 49 MINUTES – 59 SECONDS EAST, 199.56 FEET TO A POINT, THENCE;
7. CONTINUING SOUTH 53 DEGREES – 49 MINUTES – 21 SECONDS EAST, 28.19 FEET TO A POINT, THENCE;
8. CONTINUING NORTH 42 DEGREES – 58 MINUTES – 02 SECONDS EAST, 55.43 FEET TO A POINT, THENCE;
9. CONTINUING NORTH 02 DEGREES – 28 MINUTES – 00 SECONDS WEST, 24.28 FEET TO A POINT, THENCE;
10. CONTINUING NORTH 43 DEGREES – 05 MINUTES – 18 SECONDS EAST, 225.66 FEET TO THE POINT OF BEGINNING

CONTAINING 351,729.576 SQUARE FEET OR 8.0746 ACRES.



CERTIFICATE OF POSTING

2018-0350-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

W ARC PH CENTRE OWNER VIII, LLC

August 6, 2018

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:

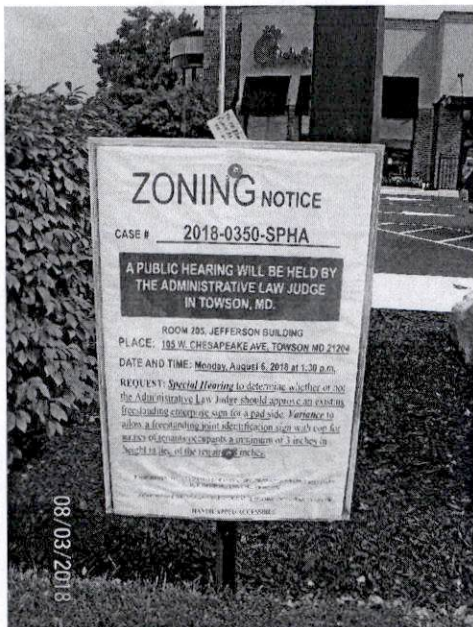
Ladies and Gentlemen:

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: _____

8867, 8903, 8905 Belair Road **SIGN 1 Recertification**

July 17, 2018

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



Sincerely,

 August 3, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

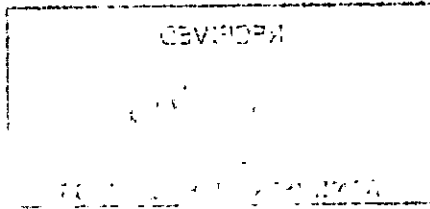
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2018-0350-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

W ARC PH CENTRE OWNER VIII, LLC

August 6, 2018

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:

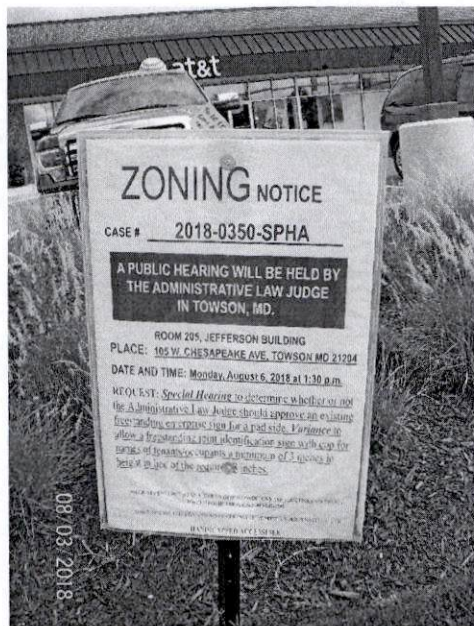
Ladies and Gentlemen:

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: _____

8867, 8903, 8905 Belair Road **SIGN 2 Recertification**

July 17, 2018

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



Sincerely,

 August 3, 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)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 17, 2018 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

Venable

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

410-494-6200

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: 2018-0350-SPHA

8867, 8903, 8905 Belair Road

E/s Belair Road, southwest of Ebenezer Road

11th Election District – 5th Councilmanic District

Legal Owners: W Arc PH Centre Owner VIII, LLC

Special Hearing to determine whether or not the Administrative Law Judge should approve an existing freestanding enterprise sign for a pad side. Variance to allow a freestanding joint identification sign with cop for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches.

Hearing: Monday, August 6, 2018 at 1:30 p.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.

CERTIFICATE OF POSTING

2018-0350-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

W ARC PH CENTRE OWNER VIII, LLC

August 6, 2018

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: _____

8867, 8903, 8905 Belair Road

SIGN 1

July 17, 2018

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



Sincerely,


(Signature of Sign Poster)

July 17, 2018
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2018-0350-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

W ARC PH CENTRE OWNER VIII, LLC

August 6, 2018

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:

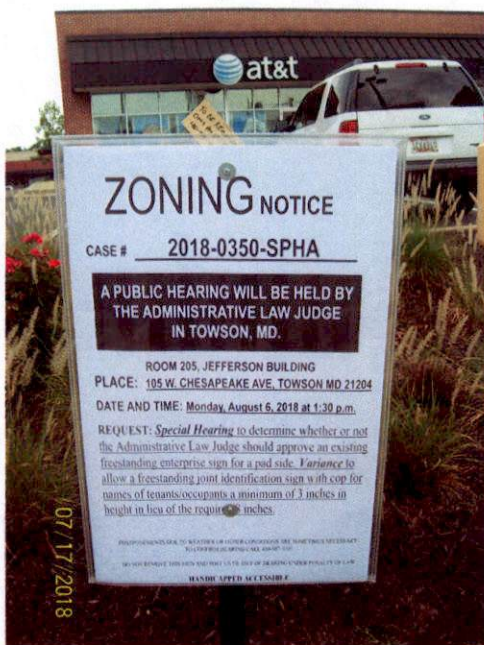
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8867, 8903, 8905 Belair Road

SIGN 2

July 17, 2018

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



Sincerely,

 July 17, 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)



KEVIN KAMENETZ
County Executive

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

July 3, 2018

NOTICE OF ZONING HEARING

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E/s Belair Road, southwest of Ebenezer Road
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Legal Owners: W Arc PH Centre Owner VIII, LLC

Special Hearing to determine whether or not the Administrative Law Judge should approve an existing freestanding enterprise sign for a pad side. Variance to allow a freestanding joint identification sign with cop for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches.

Hearing: Monday, August 6, 2018 at 1:30 p.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 the printed name and title.

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Rm. 205, Towson 21204
Adam Schulman, 8150 Leesburg Pike, Ste. 1100, Vienna VA 22182

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 17, 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, July 17, 2018 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

410-494-6200

Venable

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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8867, 8903, 8905 Belair Road

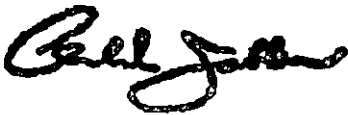
E/s Belair Road, southwest of Ebenezer Road

11th Election District – 5th Councilmanic District

Legal Owners: W Arc PH Centre Owner VIII, LLC

Special Hearing to determine whether or not the Administrative Law Judge should approve an existing freestanding enterprise sign for a pad side. Variance to allow a freestanding joint identification sign with cop for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches.

Hearing: Monday, August 6, 2018 at 1:30 p.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 SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
8867, 8903 & 8905 Belair Road; E/S Belair	*	OF ADMINISTRATIVE
Road, 280' SW of Ebenezer Road		
11 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner: W ARCPH CENTRE OWNER		
VIII LLC by ARC Management, LLC,	*	BALTIMORE COUNTY
Authorized Agent		
Petitioner(s)	*	2018-350-SPHA

* * * * *

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

JUN 19 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of June, 2018, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 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: 2018-035D-SPHA
Property Address: 8867, 8903, 8905 BELAIR RD
Property Description: E/S of BELAIR RD, 280 FT ± SW
of EBENEZER RD.
Legal Owners (Petitioners): WARC PH MANAGEMENT LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA LUKASEVICH
Company/Firm (if applicable): VENABLE LLC
Address: 210 W. PENN AVE Ste 500
TOWSON, MD 21204
Telephone Number: 410 494 6200

Date: 6/15/18

CHURCH

BUSINESS ACTUAL TIME INK

THE WALKER 12

SECRET # 074863 2/15/2013 091N

5. 528 ZONING VERIFICATION

NU. 18871

Heat Tot: \$1,000.00

100-33-01

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount	%
				Source/ Obj	Rev/ Sub Obj					

001	006	000		0050				0001
-----	-----	-----	--	------	--	--	--	------

Total 1001

Rec
From *VENABLE*

For 2018-0350-SP4A

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

GOLD-ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



DONALD I. MOHLER III
County Executive

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

July 31, 2018

W ARC PH CENTRE OWNER VIII LLC
ARC Management, LLC
Atlantic Realty Companies, Inc.
Adam Schulman
8150 Leesburg Pike Suite 1100
Vienna VA 22182

RE: Case Number: 2018-0350 SPHA, Address: 8867, 8903, 8905 Belair Road

Dear Mr. Schulman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 15, 2018. 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, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw
Enclosures

c: People's Counsel
David H Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Date: 6/18/18

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 6/18/18. A field inspection and internal review reveals that an entrance onto US 1 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for

Special Hearing, Variance Case Number 2018-0350 SPHA

W Arc PH Centre Owner VIII LLC.
8867, 8903, 8905 Belair Road
US 1

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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

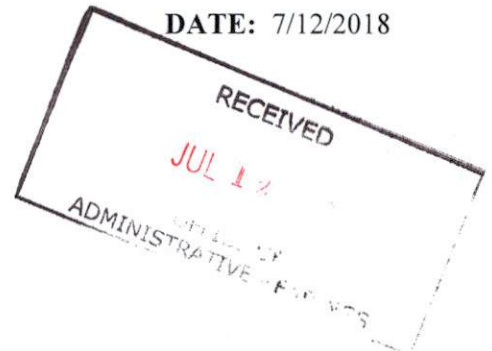
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-350



INFORMATION:

Property Address: 8867, 8903, 8905 Belair Road
Petitioner: W Arc PH Centre Owner VII, LLC
Zoning: BM, BL-CCC, RAE 1, DR 1
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge allows an existing freestanding enterprise sign for a pad site and also the petition for variance allow a freestanding joint identification sign with copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the requested 8 inches.

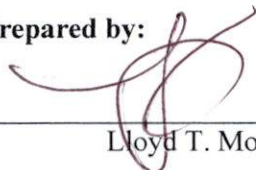
A site visit was conducted on June 26, 2018.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The petitioners must demonstrate to the satisfaction of the Administrative Law Judge that the proposed monumental sign (sign #2) does not present an obstruction to site distance for drivers exiting the shopping center onto Belair Road.
- Provide landscaping at the base of the subject signs as approved by the Baltimore County Landscape Architect.
- Provide scaled sign detail drawings to include colors, materials and letter type style to the contact person listed below prior to permit application.

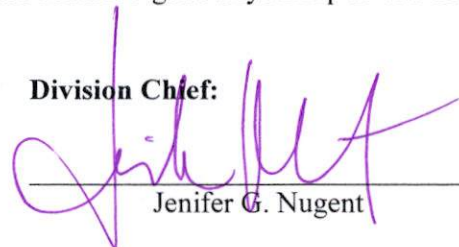
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM

c: Ngone Seye Diop
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
David H. Karceski, Esquire
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: June 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0350-SPHA
Address 8867, 8903, 8925 Belair Road
(W ARC PH Centre Owner VIII,
LLC Property)

Zoning Advisory Committee Meeting of **June 25, 2018**.

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

Reviewer: Steve Ford

RECEIVED
OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW YORK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 5, 2018

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

SUBJECT: Zoning Advisory Committee Meeting
For June 25, 2018
Item No. 2018-0339-A, 0341-A, 0343-A, 0344-X, 0347-A, 0348-A, 0349-A
and 0350-SPHA

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

*

*

*

*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/12/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-350

INFORMATION:

Property Address: 8867, 8903, 8905 Belair Road
Petitioner: W Arc PH Centre Owner VII, LLC
Zoning: BM, BL-CCC, RAE 1, DR 1
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge allows an existing freestanding enterprise sign for a pad site and also the petition for variance allow a freestanding joint identification sign with copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the requested 8 inches.

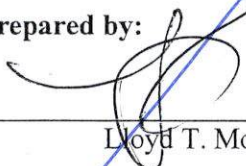
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The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

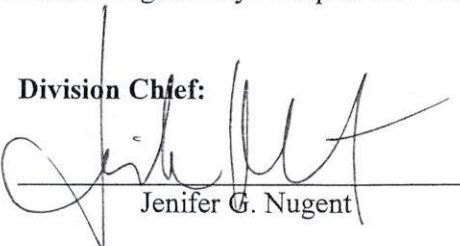
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- Provide landscaping at the base of the subject signs as approved by the Baltimore County Landscape Architect.
- Provide scaled sign detail drawings to include colors, materials and letter type style to the contact person listed below prior to permit application.

For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

AVA/JGN/LTM

c: Ngone Seye Diop
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
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LLC Property)

Zoning Advisory Committee Meeting of **June 25, 2018.**

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

Reviewer: Steve Ford

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7/5</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO COMMENT</u>
<u>7/27</u>	DEPS (if not received, date e-mail sent _____)	<u>NO COMMENT</u>
_____	FIRE DEPARTMENT	_____
<u>7/12</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO OBJ/CONDS</u>
<u>6/18</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>See Krustens Email</u>	
SIGN POSTING (1 st)	Date: <u>7/17/18</u> by <u>SSG Black</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
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				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								
Account Identifier:		District - 11 Account Number - 2200013106								
Owner Information										
Owner Name:		W ARC PH CENTRE OWNER VIII LLC C/O WALTON STREET CAPITAL LLC			Use:		COMMERCIAL			
					Principal Residence:		NO			
Mailing Address:		SUITE 1900 900 NORTH MICHIGAN AVE CHICAGO IL 60611-			Deed Reference:		/37892/ 00232			
Location & Structure Information										
Premises Address:		8867 BELAIR RD BALTIMORE 21236-2406			Legal Description:		.9796 AC 8867 BELAIR RD SES THE GOSPEL TABNCL BALTO			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0072	0013	0442		0000			1	2016	Plat Ref: 0064/0120	
Special Tax Areas:				Town:		NONE				
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
2002		4012				42,671 SF		06		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
		FAST FOOD				2018				
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2016		07/01/2017		07/01/2018		
Land:		833,000		833,000						
Improvements		859,400		922,500						
Total:		1,692,400		1,755,500		1,555,700		1,755,500		
Preferential Land:		0						0		
Transfer Information										
Seller: MART PERRY HALL LLC				Date: 08/18/2016		Price: \$13,000,000				
Type: ARMS LENGTH MULTIPLE				Deed1: /37892/ 00232		Deed2:				
Seller: TOWN & COUNTRY PROPERTY PRTSHP				Date: 11/17/2000		Price: \$4,550,000				
Type: ARMS LENGTH MULTIPLE				Deed1: /14817/ 00471		Deed2:				
Seller: GOSPEL TABERNACLE OF BALTO MD				Date: 11/24/1992		Price: \$590,000				
Type: ARMS LENGTH IMPROVED				Deed1: /09476/ 00153		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:
Exempt Class:

Special Tax Recapture:
NONE

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Sherry Nuffer

From: PAI Zoning Fax
Sent: Monday, July 30, 2018 11:11 AM
To: Sherry Nuffer
Subject: FW: Advertisement Requests
Attachments: 20180706083034679.pdf

This is the 1st set.

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: PAI Zoning Fax
Sent: Friday, July 06, 2018 8:46 AM
To: Jeffersonian (Business Fax) <"fax=/NUM=4103326446/NAME=Jeffersonian/COVER=Default"@fax.baltimorecountymd.gov>
Subject: Advertisement Requests

Please publish accordingly. Thank you,

Kristen Lewis
PAI – Zoning Review
410-887-3391

CASE NAME 8867, 8903, 8905 Belair Rd
CASE NUMBER 2018-350-SPHA
DATE 8/6/18

[illegible]

JB 816
1:30 PM

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, August 05, 2018 10:53 AM
To: Barbara A. Lukasevich; DKarceski@Venable.com; Administrative Hearings
Subject: Recertifications For 2018-0350-SPHA
Attachments: Re-Cert 1 2018-0350-SPHA.doc; Re-Cert 2 2018-0350-SPHA.doc

Recertification's for 8867, 8903, 8905 Belair Road



Case No.:

2018-350-SPHA

Exhibit Sheet

Petitioner/Developer

10-7-18

Protestants

Sen
8/7/18

No. 1	Plan - Redlined - Two Sheet	1A 1B
No. 2	Sting CV	
No. 3	Aerial photo	
No. 4	4A-4F Photos	
No. 5	Landscape Plan	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

RESUME

Andrew G. Stine, P.E. Senior Project Manager

EDUCATION:

Bachelor of Science in Civil Engineering, Bucknell University, Lewisburg, PA

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, Review Boards, Hearing Examiners, and related municipal entities in Maryland.

EXPERIENCE:

Currently serves as a Project Manager in Bohler Engineering's Towson, Maryland Office. Experience includes sixteen (16) years within the industry and over eleven (11) years of design and project management with Bohler. Primarily responsible for client and project management for various commercial and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, lighting photometric studies/design, signage compliance, landscape design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes, banks, warehouses, and other related projects in various municipalities within Maryland.

BALTIMORE COUNTY PROJECTS OF NOTE:

- Multiple Quick Serve Restaurants (Chick-fil-A, Sonic)
- Multiple Fuel Service Station Projects (SMO, Wawa)
- Multiple Pharmacy Projects (CVS)
- Multiple Bank Projects (PNC Bank, Baltimore County Savings Bank)
- Sparrows Point
- Towson Row

PROFESSIONAL AFFILIATIONS:

- Maryland Professional Engineer #37687
- National Association of Industrial & Office Properties (NAIOP) Developing Leaders
- Maryland Building Industry Association (MBIA) Baltimore Chapter



PETITIONER'S EXHIBIT 4 A-F











R-1953-2641 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A RESIDENCE ZONE TO A COMMERCIAL ZONE WAS DENIED ON 12/30/1953.

1968-0229-A - REQUEST FOR A VARIANCE TO PERMIT A SIDE YARD OF 8' INSTEAD OF REQUIRED 20' AND TO PERMIT EXISTING PARKING ADJACENT TO BELAIR ROAD TO BE LOCATED 4' FROM THE RIGHT-OF-WAY LINE INSTEAD OF THE REQUIRED 8' WAS GRANTED ON 4/3/68.

R-1969-0139 - REQUEST FOR A ZONING RECLASSIFICATION FROM BA AND BL TO BM WAS GRANTED ON 9/11/69, REQUEST FOR USE PERMIT FOR PARKING TO USE THE REAR 200' SUBJECT PARCEL OF LAND WAS GRANTED ON 9/11/69.

1973-0103 - REQUEST TO PERMIT A SECOND BUSINESS SIGN ON THE DESCRIBED PREMISES HAVING AN AREA OF 137 SF IN LIEU OF REQUIRED 100 SF WAS GRANTED ON 11/30/72.

8867 BELAIR ROAD:
B942739, B472983, B451613

8903 BELAIR ROAD:
B449816, B819740, B553841, B795219, B784756
B790991, B789522

0022-0001-3107
LIFE SOURCE CHURCH OF PERRY HAL

1. PROPERTY INFORMATION:

- PROPERTY INFORMATION:

A. PROPERTY ADDRESS: 8867 8093, 8905 BELAIR ROAD
 B. SITE AREA: 351,529 S.F. ±, 8.07 AC. ±
 C. ELECTION DISTRICT: 11
 D. COUNCILMANIC DISTRICT: 5
 E. ADC MAP: 4581C7
 F. CENSUS TRACT: 411303
 G. TAX MAP: 72
 H. GRID: 13, 14
 I. PARCEL: 442, 294
 J. TAX ACCOUNT NO.: 2200013106, 1700006877
 K. WATERSHED: LOWER GUNPOWDER FALLS, BIRD RIVER

USE: RELIGIOUS INSTITUTION

2. ZONING: BM, BLCCC, RAE 1, DR1

3. ZONING MAP REFERENCE: 072A2

4. FLOOR AREA RATIO: PERMITTED = 4.0 227,208 S.F.
 PROVIDED = 0.23 (226,785 S.F.) / 990,830 S.F.)

5. EXISTING LAND USE: SHOPPING CENTER
 PROPOSED LAND USE: SHOPPING CENTER

6. SETBACKS: (TO PROPERTY LINE)
 FRONT (BEL AIR ROAD)

REQUIRED	PROVIDED
15' (BM)	84.9'
10'	23.1'
20'	20.5'
40'	23.1'

 SIDE (SOUTH)
 REAR (EAST)
 FROM DR RESIDENTIAL ZONE

7. HEIGHT REQUIREMENTS: MINIMUM OF 40'; GREATER THAN 40' WITH APPLICATION OF HEIGHT TENT GUIDELINES IN BCZR Z31.
 PROPOSED BUILDING HEIGHT: 40' MAX.

8. THIS SITE IS CURRENTLY SERVICED BY PUBLIC WATER AND PUBLIC SEWER.

9. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.

10. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND AND UNINCORPORATED AREAS, PANEL 290 OF 580", MAP NUMBER 240010029F, WITH A MAP REVISED DATE OF SEPTEMBER 26, 2008.

11. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.

12. BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.

13. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.

14. THERE ARE NO STREAMS OR WETLANDS LOCATED WITHIN 200' OF THE PROPERTY.

15. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

16. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450 OR A VARIANCE WILL BE REQUESTED.

17. THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.

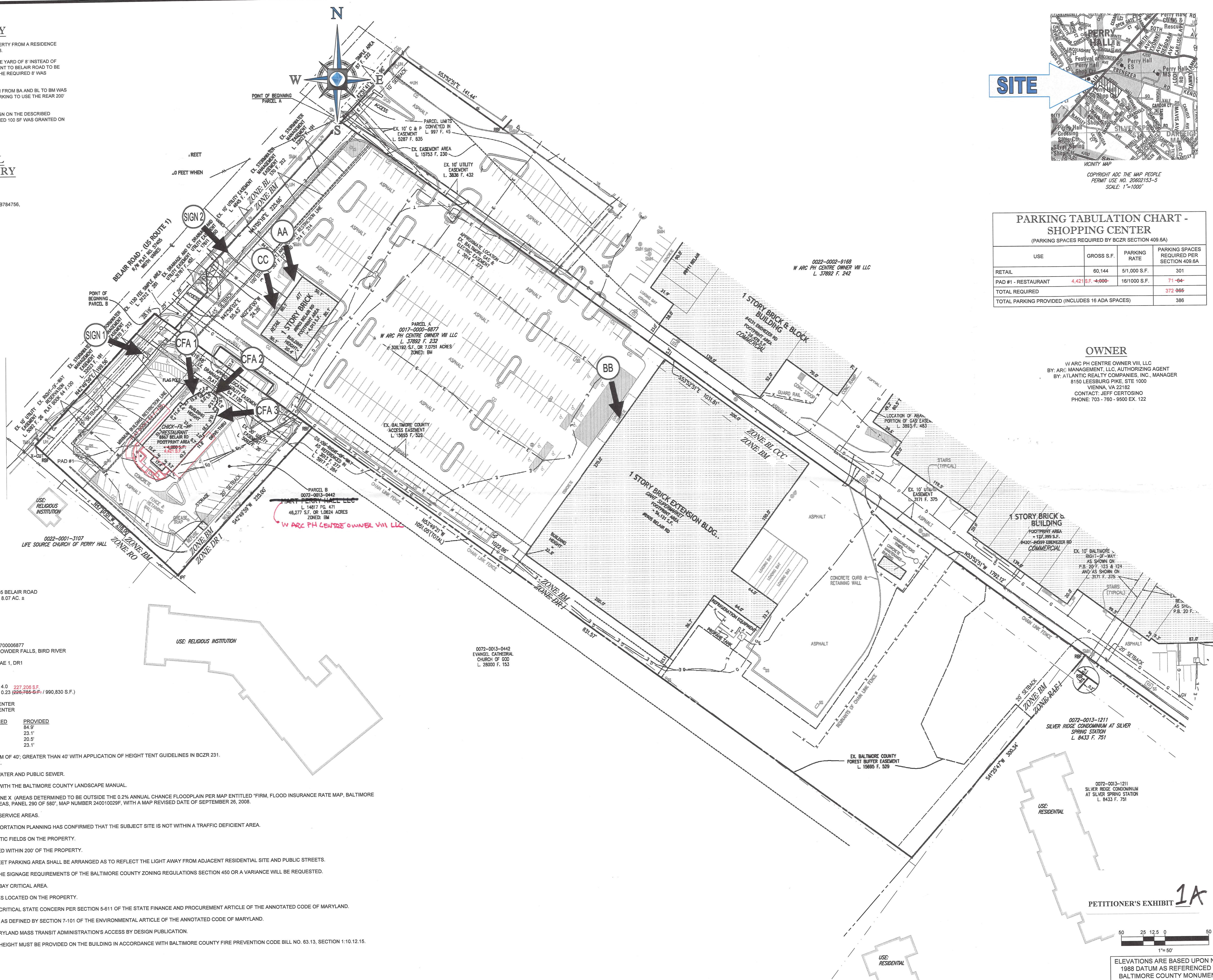
18. THERE ARE NO KNOWN HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

19. THERE ARE NO KNOWN DESIGNATED AREAS OF CRITICAL STATE CONCERN PER SECTION 5-611 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

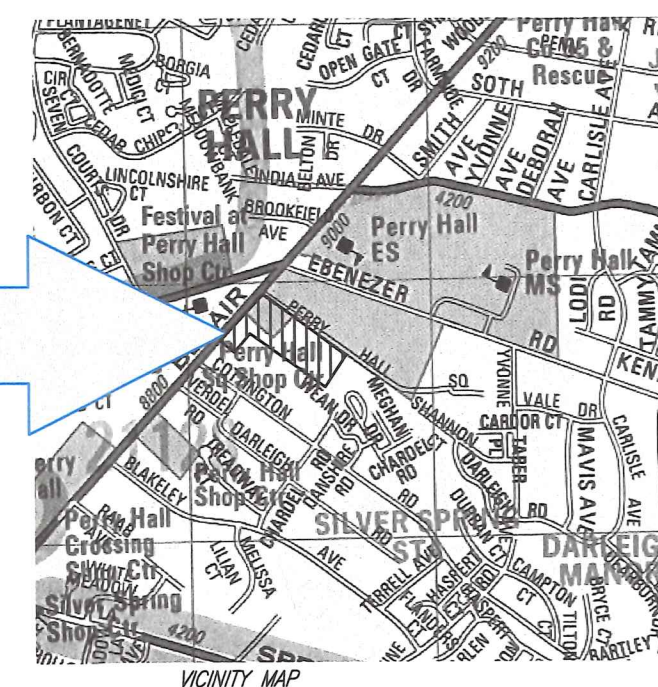
20. THERE ARE NO KNOWN HAZARDOUS MATERIALS AS DEFINED BY SECTION 7-101 OF THE ENVIRONMENTAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

21. TRANSIT SERVICES NOT PROVIDED PER THE MARYLAND MASS TRANSIT ADMINISTRATION'S ACCESS BY DESIGN PUBLICATION.

22. ADDRESS NUMBERS A MINIMUM OF 6 INCHES IN HEIGHT MUST BE PROVIDED ON THE BUILDING IN ACCORDANCE WITH BALTIMORE COUNTY FIRE PREVENTION CODE BILL NO. 63.13, SECTION 1-10.12.12.



SITE



COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=1000'

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
RETAIL	60,144	5/1,000 S.F.	301
PAD #1 - RESTAURANT	4,421 S.F. 4,000	16/1000 S.F.	71 64
TOTAL REQUIRED			372 365
TOTAL PARKING PROVIDED (INCLUDES 16 ADA SPACES)			386

W ARC PH CENTRE OWNER VIII, LLC
BY: ARC MANAGEMENT, LLC, AUTHORIZING AGENT
BY: ATLANTIC REALTY COMPANIES, INC., MANAGER
8150 LEESBURG PIKE, STE 1000
VIENNA, VA 22182
CONTACT: JEFF CERTOSINO
PHONE: 703 - 760 - 9500 EX. 122



THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL - 811

(WV 1-800-245-4848) (PA 1-800-242-1778) (DC 1-800-257-7777)
 (VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8555)

CONSTRUCTION

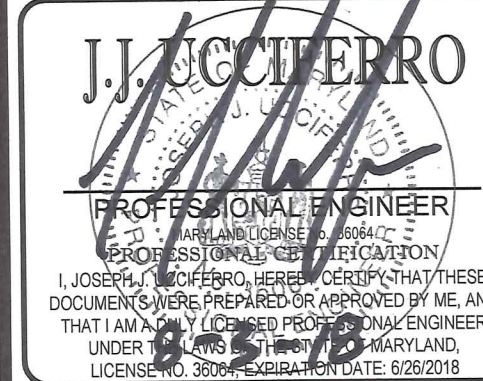
PROJECT No.: MD182010
DRAWN BY: CLF
CHECKED BY: MJC
DATE: 05/01/18
SCALE: AS NOTED
CAD I.D.: EX

— FOR —
ATLANTIC REALTY
COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
8867,8906, 8905 BELAIR ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY



901 DULANEY VALLEY ROAD, SUITE 8
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com



SHEET TITLE:
PLAN TO
ACCOMPANY
SIGN VARIANCE
PETITION

SHEET NUMBER:

1

ELEVATIONS ARE BASED UPON NAVD
1988 DATUM AS REFERENCED TO
BALTIMORE COUNTY MONUMENTS
440A AND 659.

 100 S.F.

A 48.00 S.F.

B1 98.66 S.F.

TOTAL: 150.01 S.F.

60.00 S.F.

CFA 1 33.24 S.F.

CFA 2 6 46 S F

CFA 39

 56.55 S.F.
50.55.0.5

PROPOSED

 83.30 S.F.

PETITIONER'S EXHIBIT

ELEVATIONS ARE BASED UPON NAVD
1988 DATUM AS REFERENCED TO
BALTIMORE COUNTY MONUMENTS
440A AND 659

[illegible][illegible]

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(VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8555

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MD182010
DRAWN BY:	CLF
CHECKED BY:	MJG
DATE:	05/01/18
SCALE:	AS NOTED
CAD I.D.:	EX0

PROJECT:

SIGN
VARIANCE
PLAN

— FOR —

ATLANTIC REALTY
COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
8867,8906, 8905 BELAIR ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY

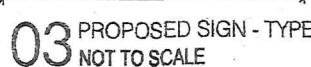
 **BOHLER**
ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

J.J. UCCI FERRO
STATE OF MARYLAND
PROFESSIONAL ENGINEER
LICENSE NO. 33004
EXPIRATION DATE 6/26/2018

SHEET TITLE:
**PLAN TO
ACCOMPANY
SIGN VARIANCE
PETITION**

SHEET NUMBER: 2



SIGN 2 100 S.F.

PROPOSED FREESTANDING ENTERPRISE AND JOINT-IDENTIFICATION SIGNS							
ID	Signage			Sign Height (FT.)	Allowable Sign Height Per Code (SF.)	Allowable Sign Area (SF.)	Relief Needed?
	Sign Panel Width (FT.)	Sign Panel Height (FT.)	Sign Panel Area (SF.)				
SIGN2 (JOINT IDENTIFICATION)	10.00 8.33	10.00	100.00 83.30	17.08	25.00	150.00	-



SHEET NUMBER: 2

ELEVATIONS ARE BASED UPON NAVD
1988 DATUM AS REFERENCED TO
BALTIMORE COUNTY MONUMENTS
440A AND 659.

R-1953-2641 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A RESIDENCE ZONE TO A COMMERCIAL ZONE WAS DENIED ON 12/30/1953.

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B942739, B472983, B451613

8903 BELAIR ROAD:
B449816, B819740, B553841, B795219, B784756,
B790991, B789522

1. PROPERTY INFORMATION:

A. PROPERTY ADDRESS: 8867 8083, 8905 BELAIR ROAD
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D. COUNCILMANIC DISTRICT: 5
E. ADC MAP: 4981C7
F. CENSUS TRACT: 411303
G. TAX MAP: 72
H. GRID: 13, 14
I. PARCEL: 442, 294
J. TAX ACCOUNT NO.: 2200013108, 1700005877
K. WATERSHED: LOWER GUNPOWDER FALLS, BIRD RIVER

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3. ZONING MAP REFERENCE: 072A2

4. FLOOR AREA RATIO: PERMITTED = 4.0 227,206 S.F.
PROVIDED = 0.23 (226,785 S.F.) / 990,830 S.F.)

5. EXISTING LAND USE: SHOPPING CENTER
PROPOSED LAND USE: SHOPPING CENTER

6. SETBACKS: (TO PROPERTY LINE) REQUIRED PROVIDED
FRONT (BEL AIR ROAD) 10' (BM) 84.9'
SIDE (SOUTH) 10' 23.1'
REAR (EAST) 20' 20.5'
FROM DR RESIDENTIAL ZONE 40' 23.1'

7. HEIGHT REQUIREMENTS: MINIMUM OF 40'; GREATER THAN 40' WITH APPLICATION OF HEIGHT TENT GUIDELINE IN BCZR 231.
PROPOSED BUILDING HEIGHT: 40' MAX.

8. THIS SITE IS CURRENTLY SERVICED BY PUBLIC WATER AND PUBLIC SEWER.

9. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.

10. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND AND UNINCORPORATED AREAS, PANEL 290 OF 580", MAP NUMBER 240010029F, WITH A MAP REVISED DATE OF SEPTEMBER 26, 2008.

11. THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.

12. BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.

13. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.

14. THERE ARE NO STREAMS OR WETLANDS LOCATED WITHIN 200' OF THE PROPERTY.

15. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

16. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450 OR A VARIANCE WILL BE REQUESTED.

17. THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.

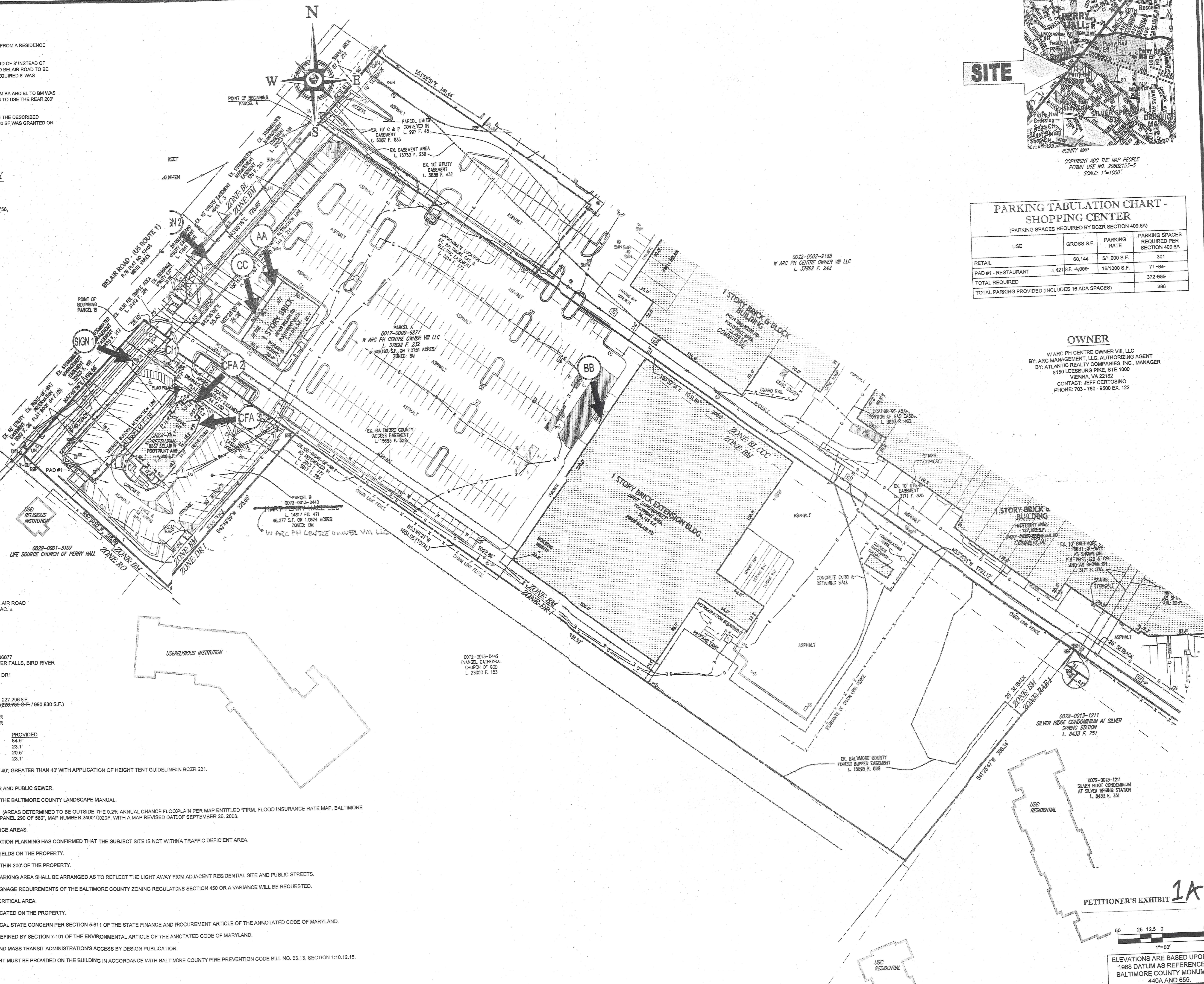
18. THERE ARE NO KNOWN HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

19. THERE ARE NO KNOWN DESIGNATED AREAS OF CRITICAL STATE CONCERN PER SECTION 5-611 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

20. THERE ARE NO KNOWN HAZARDOUS MATERIALS AS DEFINED BY SECTION 7-101 OF THE ENVIRONMENTAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

21. TRANSIT SERVICES NOT PROVIDED PER THE MARYLAND MASS TRANSIT ADMINISTRATION'S ACCESS BY DESIGN PUBLICATION

22. ADDRESS NUMBERS A MINIMUM OF 6 INCHES IN HEIGHT MUST BE PROVIDED ON THE BUILDING IN ACCORDANCE WITH BALTIMORE COUNTY FIRE PREVENTION CODE BILL NO. 63.13, SECTION 1-10.12.15.

[illegible]

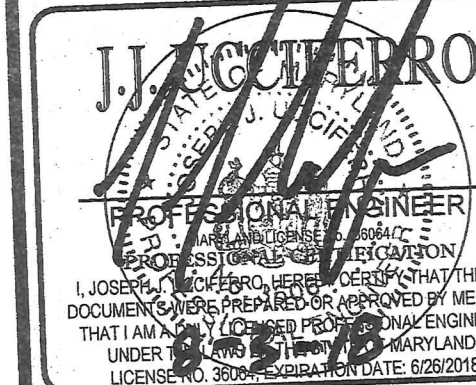
THE FOLLOWING STATES REQUIRE NOTIFICATION BY
EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING
DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE
IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, A
DELAWARE CALL - 811
(WV 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-7
VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8

PROJECT No.:	MD1820
DRAWN BY:	C
CHECKED BY:	M
DATE:	05/01/
SCALE:	AS NOTED
CAD I.D.:	E

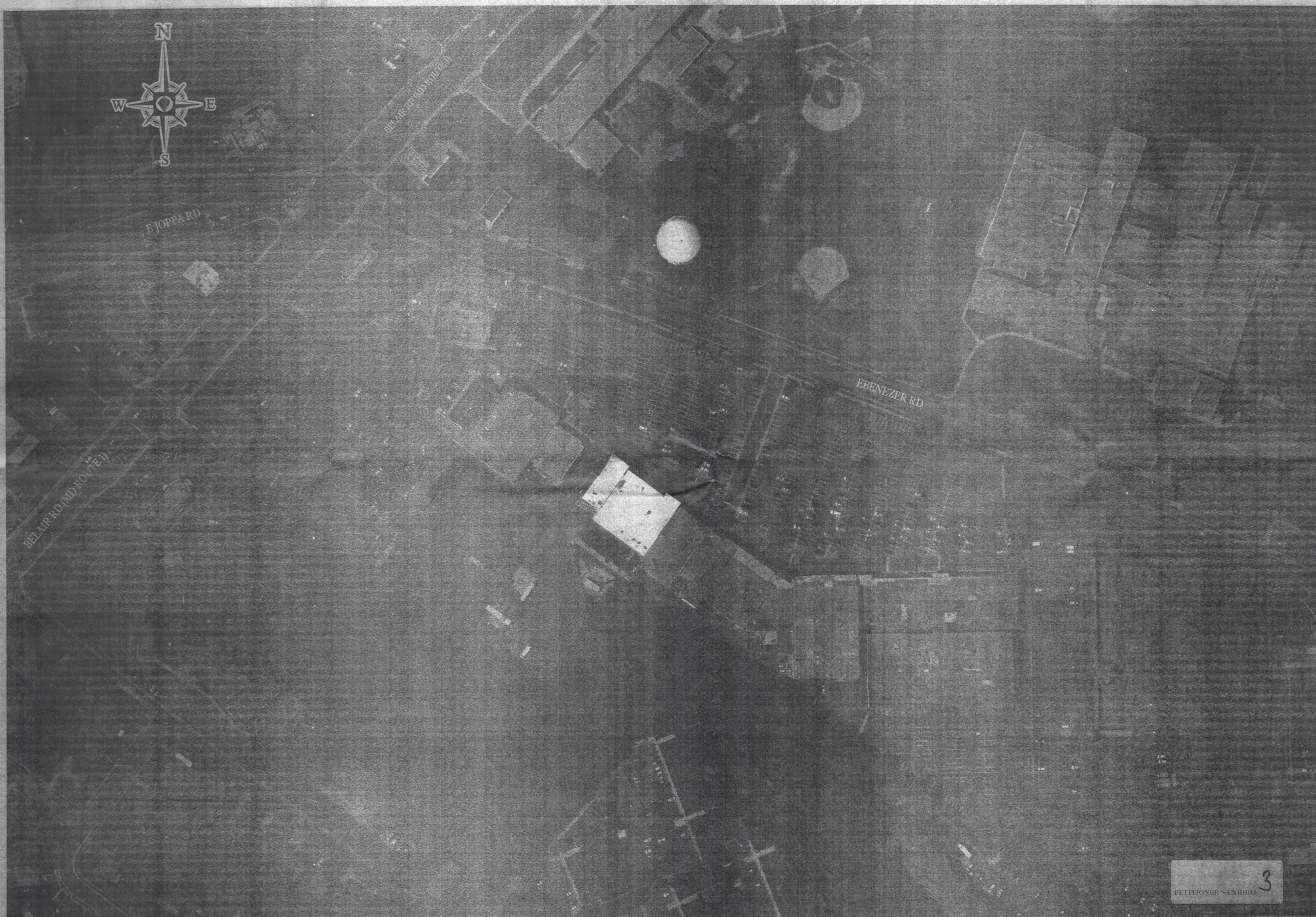
LOCATION OF SITE
PERRY HALL SQUARE
8867, 8906, 8905 BELAIR ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY

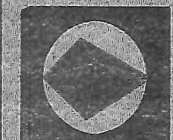


901 DULANEY VALLEY ROAD, SUITE
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com



SHEET NUMBER: 1



**BOHLER**
ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING

LAND SURVEYING • PROGRAM MANAGEMENT • LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN • PERMITTING SERVICES • TRANSPORTATION SERVICES

• ATLANTA, GA

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• CHICAGO, IL

• CINCINNATI, OH

• COLUMBIA, SC

• DALLAS, TX

• DENVER, CO

• FORT LAUDERDALE, FL

• HOUSTON, TX

• KANSAS CITY, MO

• LOS ANGELES, CA

• MIAMI, FL

• MINNEAPOLIS, MN

• NEW YORK, NY

• PHOENIX, AZ

• RICHMOND, VA

• SAN ANTONIO, TX

• SEATTLE, WA

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• WICHITA, KS

• WILMINGTON, DE

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REVISIONS			
REV	DATE	COMMENT	BY



THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATION OPERATORS OF ANY PERSONS PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE OF VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL 811

WY 1-800-244-4860 PA 1-800-244-1775 CO 1-800-221-7777 VA 1-800-652-7001 MD 1-800-257-7777 DE 1-800-293-8550

NOT APPROVED FOR CONSTRUCTION	
PROJECT No.	MD182010
DRAWN BY	CBC
CHECKED BY	MJC
DATE	08/02/15
SCALE	1"=50'
CAD ID	EXC

PROJECT: **AERIAL EXHIBIT**

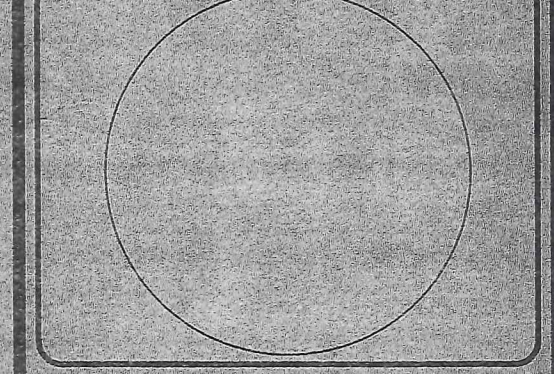
FOR

ATLANTIC REALTY COMPANY

LOCATION OF SITE
PERRY HALL SHOPPING CENTER
8867, 8906, 8908 BELAIR ROAD
TM 72 GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY

**BOHLER**
ENGINEERING

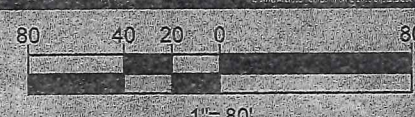
801 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7920
Fax: (410) 821-7597
MD@BohlerEng.com

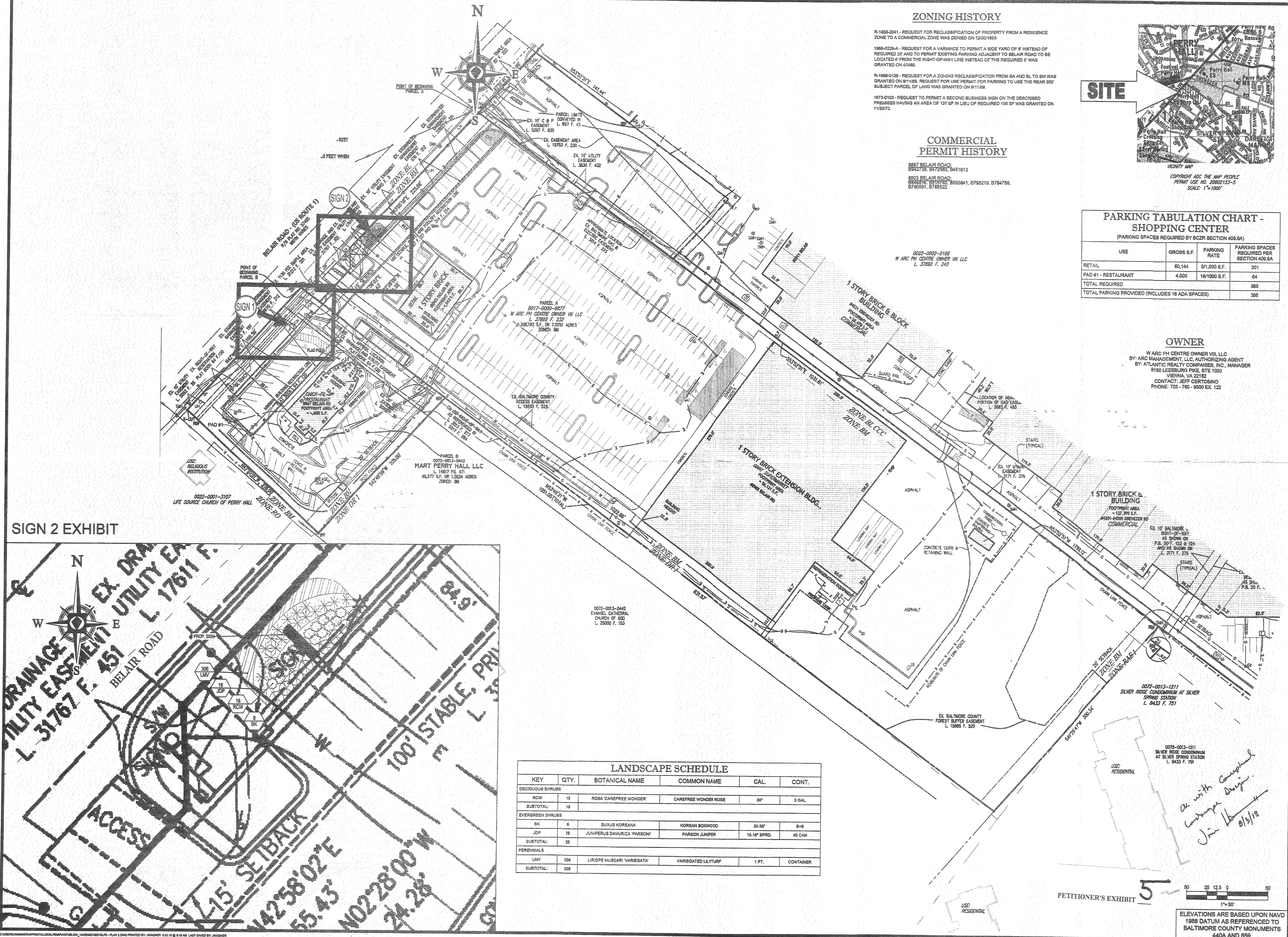


SHEET TITLE:
EXISTING AERIAL EXHIBIT

SHEET NUMBER:
1

PETITIONER'S EXHIBIT **3**


1"=60'



ZONING HISTORY

R-1933-2841 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A RESIDENCE ZONE TO A COMMERCIAL ZONE WAS DENIED ON 12/30/1933.

1988-3228-A - REQUEST FOR A VARIANCE TO PERMIT A SIDE YARD OF 8' INSTEAD OF REQUIRED 20' AND TO PERMIT EXISTING PARKING ADJACENT TO BELAIR ROAD TO BE LOCATED 4' FROM THE RIGHT-OF-WAY LINE INSTEAD OF THE REQUIRED 5' WAS GRANTED ON 4/5/88.

R-1988-0139 - REQUEST FOR A ZONING RECLASSIFICATION FROM BA AND BL TO BM WAS GRANTED ON 9/11/88. REQUEST FOR USE PERMIT FOR PARKING TO USE THE REAR 200' SUBJECT PARCEL OF LAND WAS GRANTED ON 9/11/88.

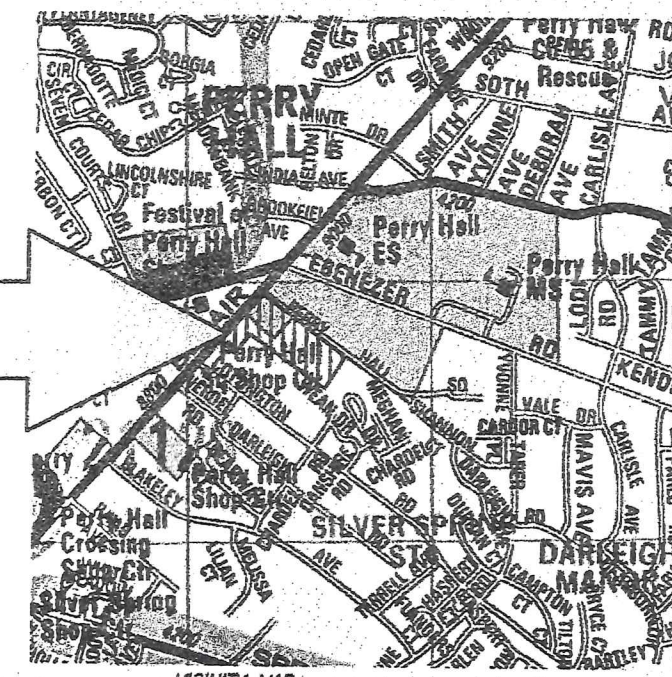
1973-0103 - REQUEST TO PERMIT A SECOND BUSINESS SIGN ON THE DESCRIBED PREMISES HAVING AN AREA OF 137 SF IN LIEU OF REQUIRED 100 SF WAS GRANTED ON 11/30/72.

COMMERCIAL PERMIT HISTORY

8887 BELAIR ROAD,
B542701, B542702, B5451613

8903 BELAIR ROAD,
B545816, B519740, B553841, B785219, B784756,
B790991, B785522

SITE



COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-3
SCALE: 1"=1000'

PARKING TABULATION CHART - SHOPPING CENTER

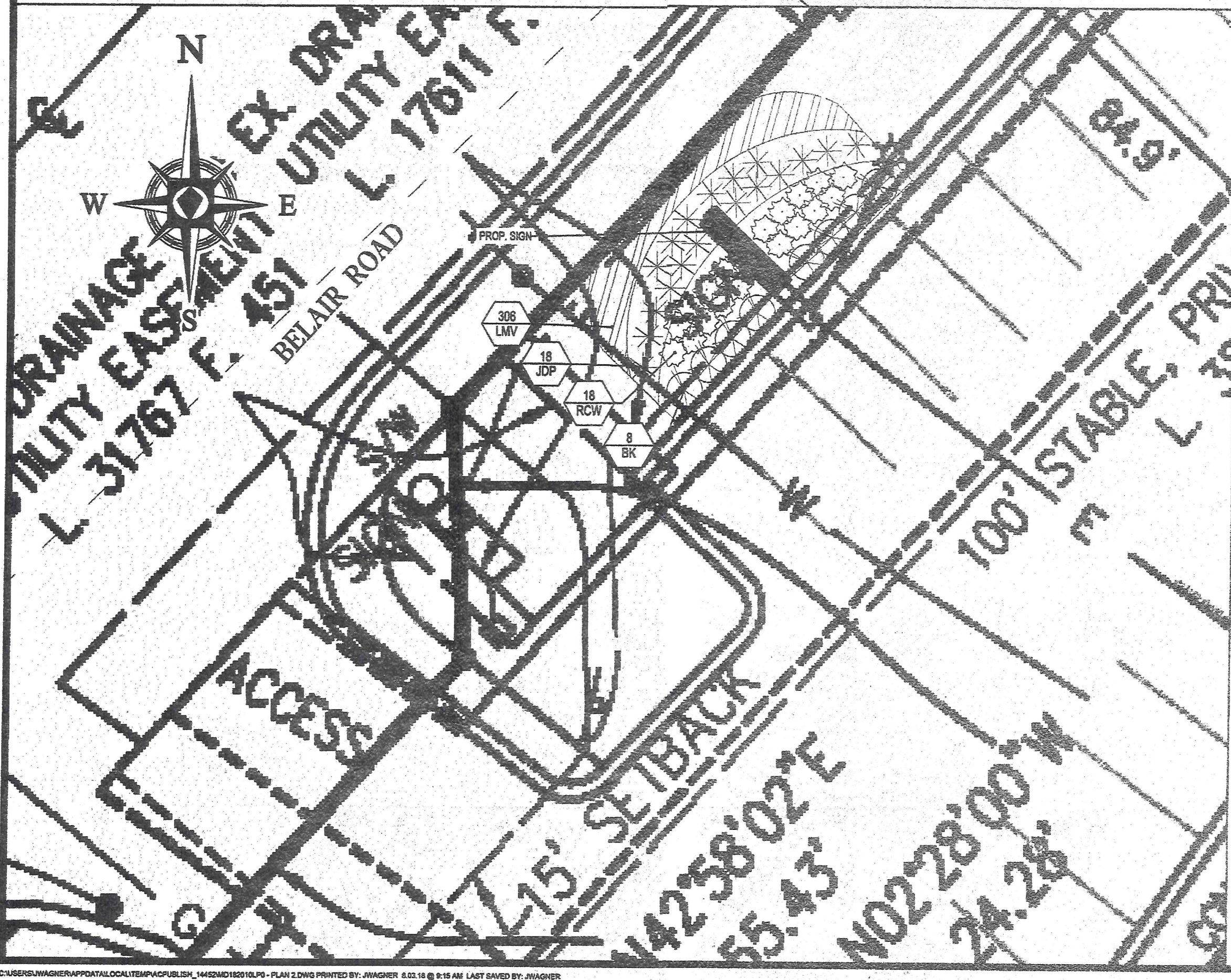
(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
RETAIL	60,144	51,000 S.F.	301
PAD #1 - RESTAURANT	4,000	16/1000 S.F.	64
TOTAL REQUIRED			365
TOTAL PARKING PROVIDED (INCLUDES 16 ADA SPACES)			365

OWNER

W ARC PH CENTRE OWNER VII, LLC
BY: ARC MANAGEMENT, LLC, AUTHORIZING AGENT
BY: ATLANTIC REALTY COMPANIES, INC., MANAGER
8190 LEEBURN PIKE, STE 1000
VIENNA, VA 22182
CONTACT: JEFF CERTOSINO
PHONE: 703 - 780 - 9500 EX. 122

SIGN 2 EXHIBIT



LANDSCAPE SCHEDULE					
KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.
DECIDUOUS SHRUBS					
RDW	18	ROSA 'CAREFREE WONDER'	CAREFREE WONDER ROSE	24"	3 GAL.
SUBTOTAL:	18				
EVERGREEN SHRUBS					
BK	8	BUXUS KOREANA	KOREAN BOXWOOD	30-36"	B+B
JDP	18	JUNIPERUS DAURICA 'PARSON'	PARSON JUNIPER	15-18" SPREAD	83 CAN
SUBTOTAL:	26				
PERENNIALS					
LMV	308	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LILYTURF	1 PT.	CONTAINER
SUBTOTAL:	308				



THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE OF VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL - 811 (TOLL FREE 1-800-245-4848) (PA 1-800-245-4848) (DC 1-800-257-7777) (VA 1-800-257-7001) (MD 1-800-257-7777) (DE 1-800-282-8666)

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: MD182010
DRAWN BY: CLF
CHECKED BY: M.J.G.
DATE: 05/01/18
SCALE: 1"=50'
CAD L.D.: EX-2

SIGN VARIANCE PLAN

FOR ATLANTIC REALTY COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
8867, 8906, 8905 BELAIR ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY

BOHLER ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

E.R. McWILLIAMS

REGISTERED PROFESSIONAL ARCHITECT
PROFESSIONAL SEAL
ERIC R. McWILLIAMS, ARCHITECT
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR THAT I AM A REGISTERED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 889, EXPIRATION DATE: 2019.

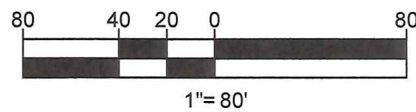
SHEET TITLE:

LANDSCAPE PLAN

SHEET NUMBER:

1

ELEVATIONS ARE BASED UPON NAVD 1988 DATUM AS REFERENCED TO BALTIMORE COUNTY MONUMENTS 440A AND 659.



LAND SURVEYING **SITE CIVIL AND CONSULTING ENGINEERING**
PROGRAM MANAGEMENT **LANDSCAPE ARCHITECTURE**
SUSTAINABLE DESIGN **PERMITTING SERVICES** **TRANSPORTATION SERVICES**

◆ UPLSTATE NEW YORK ◆ LEHIGH VALLEY, PA
◆ NEW JENKLAND ◆ SOUTHEASTERN PA
◆ NEW YORK, NY ◆ BALTIMORE, MD
◆ NEW YORK, NY ◆ BALTIMORE, MD
◆ NEW JERSEY ◆ SOUTHERN MARYLAND
◆ PHILADELPHIA, PA ◆ NORTHERN VIRGINIA
◆ CENTRAL VIRGINIA ◆ DALLAS - FT. WORTH, TX

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REVISIONS

[illegible]

THE FOLLOWING STATES REQUIRE NOTIFICATION BY
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IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND
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(VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8555)

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MD182010
DRAWN BY:	CBC
CHECKED BY:	MJG
DATE:	08/02/18
SCALE:	1"=80'
CAD I.D.:	EX0

PROJECT:

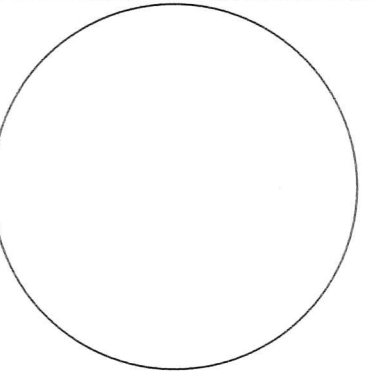
AERIAL EXHIBIT

— FOR —
ATLANTIC REALTY
COMPANY

LOCATION OF SITE
PERRY HALL ~~SHOPPING CENTER~~
8867,8906, 8905 BELAIR ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY



901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com



SHEET TITLE:

EXISTING
AERIAL
EXHIBIT

SHEET NUMBER

1

1

R-1953-2641 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A RESIDENCE ZONE TO A COMMERCIAL ZONE WAS DENIED ON 12/30/1953.

1968-0229-A - REQUEST FOR A VARIANCE TO PERMIT A SIDE YARD OF 8' INSTEAD OF REQUIRED 20' AND TO PERMIT EXISTING PARKING ADJACENT TO BELAIR ROAD TO BE LOCATED 4' FROM THE RIGHT-OF-WAY LINE INSTEAD OF THE REQUIRED 8' WAS GRANTED ON 4/3/68.

R-1969-0139 - REQUEST FOR A ZONING RECLASSIFICATION FROM BA AND BL TO BM WAS GRANTED ON 9/11/69, REQUEST FOR USE PERMIT FOR PARKING TO USE THE REAR 200' SUBJECT PARCEL OF LAND WAS GRANTED ON 9/11/69.

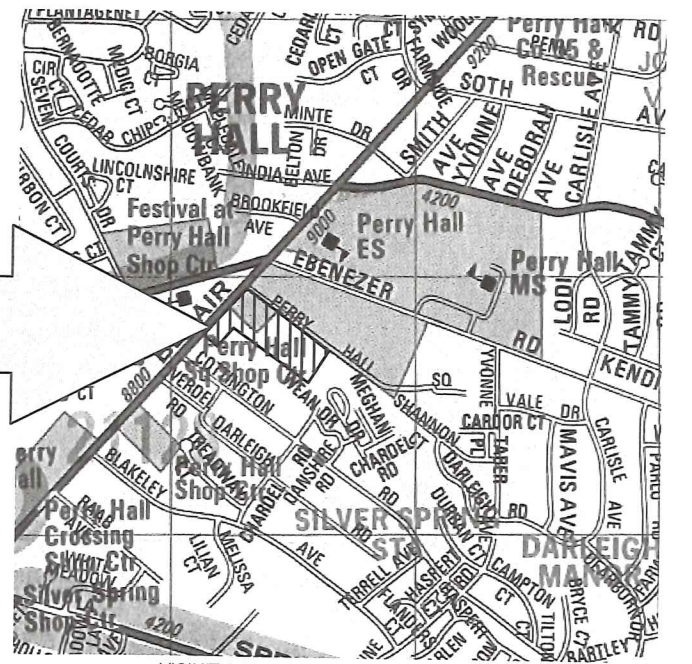
1973-0103 - REQUEST TO PERMIT A SECOND BUSINESS SIGN ON THE DESCRIBED PREMISES HAVING AN AREA OF 137 SF IN LIEU OF REQUIRED 100 SF WAS GRANTED ON 11/30/72.

8867 BELAIR ROAD:
B942739, B472983, B451613

8903 BELAIR ROAD:
B449816, B819740, B553841, B795219, B784756,
B790991, B789522

8867 BELAIR ROAD:
B942739, B472983, B451613

8903 BELAIR ROAD:
B449816, B819740, B553841, B795219, B784756,
B790991, B789522

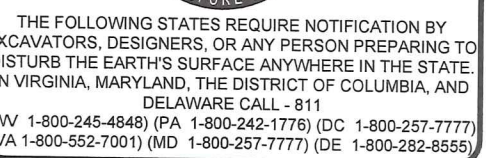


COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=1000'

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
RETAIL	60,144	5/1,000 S.F.	301
PAD #1 - RESTAURANT	4,000	16/1000 S.F.	64
TOTAL REQUIRED			365
TOTAL PARKING PROVIDED (INCLUDES 16 ADA SPACES)			386

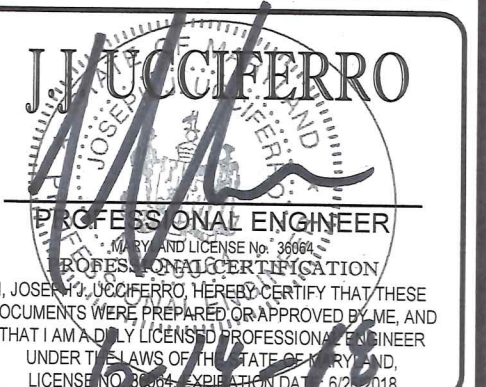
W ARC PH CENTRE OWNER VIII, LLC
BY: ARC MANAGEMENT, LLC, AUTHORIZING AGENT
BY: ATLANTIC REALTY COMPANIES, INC., MANAGER
8150 LEESBURG PIKE, STE 1000
VIENNA, VA 22182
CONTACT: JEFF CERTOSINO
PHONE: 703 - 760 - 9500 EX. 122

[illegible]

PROJECT No.:	MD182010
DRAWN BY:	CLF
CHECKED BY:	MJG
DATE:	05/01/18
SCALE:	AS NOTED
CAD I.D.:	EX0

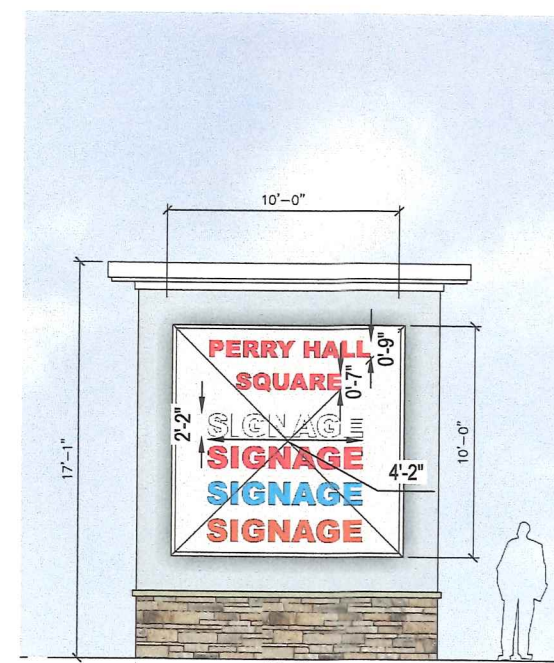
ATLANTIC REALTY
COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
8867,8906, 8905 BELAIR ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY



SHEET NUMBER: 1

ELEVATIONS ARE BASED UPON NAVD
1988 DATUM AS REFERENCED TO
BALTIMORE COUNTY MONUMENTS
440A AND 659.



EXISTING
TO BE REMOVED

PROPOSED



100 S.F.

B1 98.66 S.F.

B2 51.35 S.F.

TOTAL: 150.01 S.F.

CFA 1 33 24 SF


52.55.0.5

(SIGN 2)

PERRY HALL SQUARE SHOPPING CENTER							
CHICK FIL A							
ID	Tenant	Existing Wall Mounted Signage			Store Front Width (LF.)	Allowable Signage Per Code (SF.)	Relief Needed?
		Width (FT.)	Height (FT.)	Area (SF.)			
CFA1	CHICK-FIL-A	7.52	4.42	33.24	98.58	197.16 NO SINGLE SIGN OVER 150 SF	-
CFA2	THE ORIGINAL CHICKEN SANDWICH	6.75	3.50	23.63	45.10	90.20 NO SINGLE SIGN OVER 150 SF	-
CFA3	CHICK-FIL-A	7.52	4.42	33.24	98.58	197.16 NO SINGLE SIGN OVER 150 SF	-

EXISTING FREESTANDING ENTERPRISE AND JOINT-IDENTIFICATION SIGNS							
ID	Signage			Sign Height (FT.)	Allowable Sign Height Per Code (SF.)	Allowable Sign Area (SF.)	Relief Needed?
	Sign Panel Width (FT.)	Sign Panel Height (FT.)	Sign Panel Area (SF.)				
SIGN1 (ENTERPRISE)	5.36	10.55	56.55	21.59	25.00	75.00	SPECIAL HEARING FOR A PAD SITE



BOHLERTM

ENGINEERING

LAND AND SURVEYING

PROGRAM MANAGEMENT

SUSTAINABLE DESIGN

SITE CIVIL AND CONSULTING ENGINEERING

LANDSCAPE ARCHITECTURE

TRANSPORTATION SERVICES

UPSTATE NEW YORK

NEW ENGLAND

NORTHEAST

NEW YORK, NY

PHILADELPHIA, PA

ALBANY, NY

ALBUQUERQUE, NM

ATLANTA, GA

CHARLOTTE, NC

CHICAGO, IL

CINCINNATI, OH

DALLAS - FT. WORTH, TX

DES MOINES, IA

HOUSTON, TX

KANSAS CITY, MO

MEMPHIS, TN

MILWAUKEE, WI

MINNEAPOLIS, MN

NORTH CAROLINA

PORTLAND, ME

RICHMOND, VA

SAN ANTONIO, TX

SOUTH CAROLINA

SOUTH FLORIDA

SOUTH WEST

SPRINGFIELD, IL

TEMPLE, TX

WEST VIRGINIA

WICHITA, KS

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[illegible]

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(WV 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-7777)
(VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8555)

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MD182010
DRAWN BY:	CLF
CHECKED BY:	MJG
DATE:	05/01/18
SCALE:	AS NOTED
CAD I.D.:	EX0

PROJECT:

**SIGN
VARIANCE
PLAN**

— FOR —

**ATLANTIC REALTY
COMPANY**

LOCATION OF SITE
PERRY HALL SQUARE
8867,8906, 8905 BELAIR ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY



901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

J.J. LUCIFERO

PROFESSIONAL ENGINEER
NEW YORK LICENSE No. 3604
PROFESSIONAL CERTIFICATION
JOSEPH J. UCCIFERRO, HEREBY CERTIFY THAT THE
DOCUMENTS WERE PREPARED OR APPROVED BY ME,
THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF NEW YORK AND
LICENSE NO. 3604, EXPIRATION DATE: 6/27/2019

SHEET TITLE:

**PLAN TO
ACCOMPANY
SIGN VARIANCE
PETITION**

SHEET NUMBER:

2

ELEVATIONS ARE BASED UPON NAVD
1988 DATUM AS REFERENCED TO
BALTIMORE COUNTY MONUMENTS
440A AND 659.