

M E M O R A N D U M

DATE: September 10, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0351-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on September 7, 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**

(4313 Ebenezer Road) *
11th Election District *
5th Council District *

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

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2018-0351-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 Square Owner VIII, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to allow a freestanding enterprise sign on a pad site (Sign No. 3).

A petition for variance seeks: **(1)** to allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 ft., and sign area/faces of 24 sq. ft. in lieu of the one freestanding joint identification sign permitted with a sign area/face of 150 sq. ft. and a height of 25 ft. (Sign Nos. 2, 4, 5); **(2)** to allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches (Sign Nos. 1, 2, 4, 5); **(3)** to allow tenants in a multi-tenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Sign Nos. B1, B2--200 sq. ft. in lieu of 71, C--65 sq. ft. in lieu of 33--, D1, D2--46 sq. ft. in lieu of 35--, H1-HE--115 sq. ft. in lieu of 48--, I--86 sq. ft. in lieu of 75--, M--62 sq. ft. in lieu of 29--, P--104 sq. ft. in lieu of 60--, Q1, Q2--252 sq. ft. in lieu of 199--, R--170 sq. ft. in

ORDER RECEIVED FOR FILING

Date

8/8/18

By

Sen

lieu of 69--, T--54 sq. ft. in lieu of 31--, U--94 sq. ft. in lieu of 52--, W--51 sq. ft. in lieu of 23--
, Y--91 sq. ft. in lieu of 79--, and BB--54 sq. ft. in lieu of 46--); **(4)** to allow a maximum of 5
wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu
of one wall-mounted and one canopy sign permitted for each exterior entrance for the tenant
(Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3); **(5)** to allow a total of four
wall-mounted enterprise signs for a single tenant commercial building with no more than two
signs on a single façade in lieu of the three signs permitted with no more than two signs on a
single façade (Sign Nos. OB1-OB4); and **(6)** to allow a freestanding sign 31 ft. from another
freestanding sign in lieu of the required 100 ft. (Sign Nos. 2, 3). A site plan was marked and
accepted into evidence as Petitioner's Exhibit 1.

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.

SPECIAL HEARING

This case involves the Perry Hall Square Shopping Center. The special hearing request
concerns an Outback Steakhouse, which is located on the periphery of the parking lot for the
shopping center. The restaurant has its own parking and ingress/egress from Ebenezer Road. 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.

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By sen

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 has an irregular shape and a significant (approximately 30') grade change across the site. As such it is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to provide adequate signage for the large shopping center. 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 indicated in its ZAC comment that landscaping should be provided at the base of the signs. Petitioner submitted a plan showing proposed landscaping, and Jim Hermann (the County's landscape architect) noted thereon he was "ok with the conceptual landscape design." Pet. Ex. 5A & 5B.

THEREFORE, IT IS ORDERED this 8th 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 allow a freestanding enterprise sign on a pad site (Sign No. 3), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: **(1)** to allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 ft., and sign area/faces of 24 sq. ft. in lieu of the one freestanding joint identification sign permitted with

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Date 8/8/18
By Sen

a sign area/face of 150 sq. ft. and a height of 25 ft. (Sign Nos. 2, 4, 5); **(2)** to allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches (Sign Nos. 1, 2, 4, 5); **(3)** to allow tenants in a multi-tenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Sign Nos. B1, B2--200 sq. ft. in lieu of 71, C--65 sq. ft. in lieu of 33--, D1, D2--46 sq. ft. in lieu of 35--, H1-HE--115 sq. ft. in lieu of 48--, I--86 sq. ft. in lieu of 75--, M--62 sq. ft. in lieu of 29--, P--104 sq. ft. in lieu of 60--, Q1, Q2--252 sq. ft. in lieu of 199--, R--170 sq. ft. in lieu of 69--, T--54 sq. ft. in lieu of 31--, U--94 sq. ft. in lieu of 52--, W--51 sq. ft. in lieu of 23--, Y--91 sq. ft. in lieu of 79--, and BB--54 sq. ft. in lieu of 46--); **(4)** to allow a maximum of 5 wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of one wall-mounted and one canopy sign permitted for each exterior entrance for the tenant (Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3); **(5)** to allow a total of four wall-mounted enterprise signs for a single tenant commercial building with no more than two signs on a single façade in lieu of the three signs permitted with no more than two signs on a single façade (Sign Nos. OB1-OB4); and **(6)** to allow a freestanding sign 31 ft. from another freestanding sign in lieu of the required 100 ft. (Sign Nos. 2, 3), 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.

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By Sen

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 8/8/18

By slh

ORDER RECEIVED FOR PILING

Date _____

By _____

1

Amended 8/6/18



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 4313 Ebenezer Road which is presently zoned BL-CCC, DR16

Deed References: 37892-242 10 Digit Tax Account # 2200029169

Property Owner(s) Printed Name(s) W ARC PH CENTRE OWNER VIII, L.L.C.

SQUARE

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

SEE ATTACHED SHEET 1

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

3. X a **Variance** from Section(s)

SEE ATTACHED SHEET 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 HEARING

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

I, or we, agree to pay expenses of above petition (i.e. 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

(Legal Owner)

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 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:

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 2018-0351-SPHA

Filing Date 6/15/2018

Do Not Schedule Dates: _____

Reviewer _____

REV. 10/4/11

SQUARE

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

PROPERTY: 4313 EBENEZER ROAD

ATTACHMENT 1

TO PETITION FOR SPECIAL HEARING and VARIANCE

1. Special Hearing to allow a freestanding enterprise sign for a pad site (Sign No. 3).
2. Variance from B.C.Z.R. Section 450.4 Attachment 1.7(b)(v) and 7(b)(vi) to allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 feet, and sign areas/faces of 24 square feet in lieu of the one freestanding joint identification sign permitted with a sign area/face of 150 square feet and height of 25 feet (Sign Nos. 2, 4, 5).
3. Variance from B.C.Z.R. Section 450.4 Attachment 1.7(b)(ix) to allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 inches in height in lieu of the required 8 inches (Sign Nos. 1, 2, 4, 5).
4. Variance from B.C.Z.R. Section 450.4 Attachment 1.5(d)(v) to allow tenants in a multi-tenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Sign Nos. B1, B2 [200 square feet in lieu of 71], C [65 square feet in lieu of 33], D1, D2 [46 square feet in lieu of 35], H1-HE [115 square feet in lieu of 48], I [86 square feet in lieu of 75], M [62 square feet in lieu of 29], P [104 square feet in lieu of 60], Q1, Q2 [252 square feet in lieu of 199], R [170 square feet in lieu of 69], T [54 square feet in lieu of 31], U [94 square feet in lieu of 52], W [51 square feet in lieu of 23], Y [91 square feet in lieu of 79], and BB [54 square feet in lieu of 46]).
5. Variance from B.C.Z.R. Section 450.4 Attachment 1.5(d)(vi) to allow a maximum of five wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of the one wall-mounted and one

canopy sign permitted for each exterior entrance for the tenant (Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3).

6. Variance from B.C.Z.R. Section 450.4 Attachment 1.5(a)(vi) to allow a total of four wall-mounted enterprise signs for a single tenant commercial building with no more than two signs on a single façade in lieu of the three signs permitted with no more than two signs on a single façade (Sign Nos. OB1-OB4).
7. Variance from B.C.Z.R. Section 450.5.B.4(a) to allow a freestanding sign 31 feet from another freestanding sign in lieu of the required 100 feet (Sign Nos. 2, 3).

SQUARE

W ARC PH ~~CENTRE~~ OWNER VII L.L.C. - LEGAL OWNER

PROPERTY: 4313 EBENEZER ROAD

ATTACHMENT 2

TO PETITION FOR SPECIAL HEARING and VARIANCE

Legal Owners:

SQUARE

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



ZONING DESCRIPTION
TAX MAP 72, PARCEL 162
THE LAND OF
W ARC PH CENTRE OWNER VIII LLC
LIBER 37892 FOLIO 242
11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LIMITS OF EBENEZER ROAD (70' RIGHT-OF-WAY), WHICH IS 1349.1 FEET SOUTHEAST OF THE INTERSECTION OF SAID EBENZER ROAD AND BELAIR ROAD (VARIABLE WIDTH RIGHT-OF-WAY), THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LIMITS AND WITH THE DIVISION LINE BETWEEN THE EBENEZER ROAD ON THE NORTH AND THE LAND OF W ARC PH CENTRE OWNER VIII LLC (LIBER 37892 FOLIO 242) ON THE SOUTH;

1. SOUTH 00 DEGREES – 47 MINUTES – 51 SECONDS EAST, 770.35 FEET TO A POINT, THENCE;
2. CONTINUING NORTH 53 DEGREES – 52 MINUTES – 51 SECONDS WEST, 1,792.12 FEET TO A POINT, THENCE;
3. CONTINUING NORTH 42 DEGREES – 51 MINUTES – 41 SECONDS EAST, 99.96 FEET TO A POINT, THENCE;
4. CONTINUING SOUTH 53 DEGREES – 52 MINUTES – 51 SECONDS EAST, 141.44 FEET TO A POINT, THENCE;
5. CONTINUING NORTH 43 DEGREES – 03 MINUTES – 06 SECONDS EAST, 189.85 FEET TO A POINT, THENCE;
6. CONTINUING SOUTH 69 DEGREES – 45 MINUTES – 52 SECONDS EAST, 1199.10 FEET TO THE POINT OF BEGINNING

CONTAINING 683,674.2 SQUARE FEET OR 15.695 ACRES.



CERTIFICATE OF POSTING

2018-0351-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: _____

4313 Ebenezer Road **Groups 1 & 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)



CERTIFICATE OF POSTING

2018-0351-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:

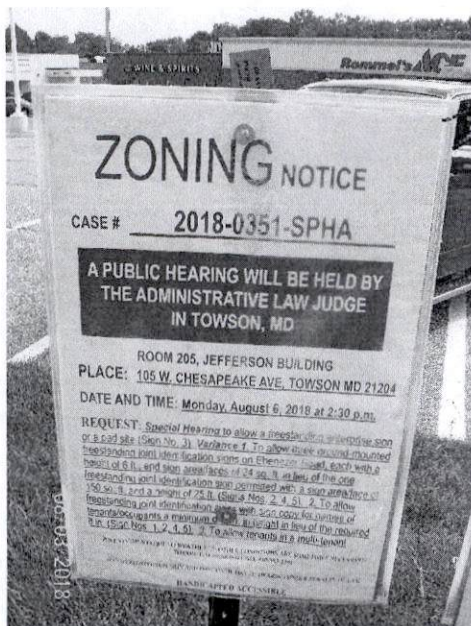
Ladies and Gentlemen:

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: _____

4313 Ebenezer 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

2018-0351-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

W A R C P H C E N T R E O W N E R V I I I , L L C

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: _____

4313 Ebenezer 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

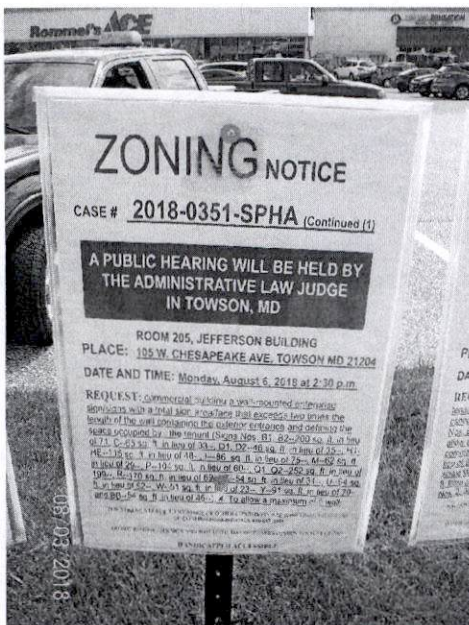
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2018-0351-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

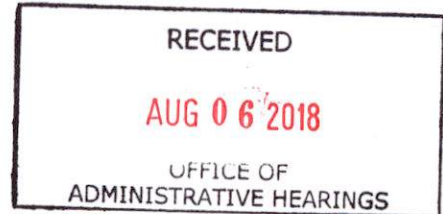
W ARC PH CENTRE OWNER VIII, LLC

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:



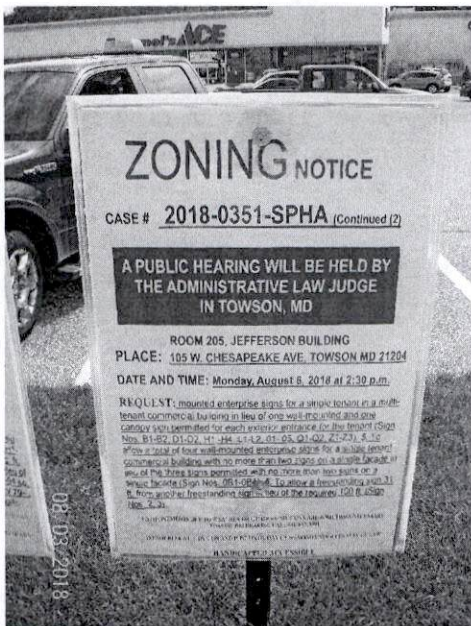
Ladies and Gentlemen:

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: _____

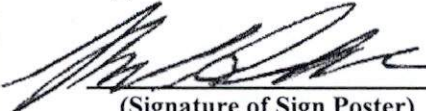
4313 Ebenezer Road **SIGN 3 Recertification**

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

2018-0351-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

W ARC PH CENTRE OWNER VIII, LLC

August 6, 2018

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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: _____

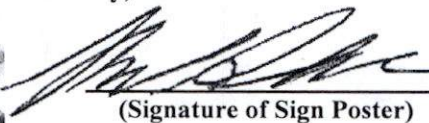


4313 Ebenezer Road **Sign 4 Recertification**

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

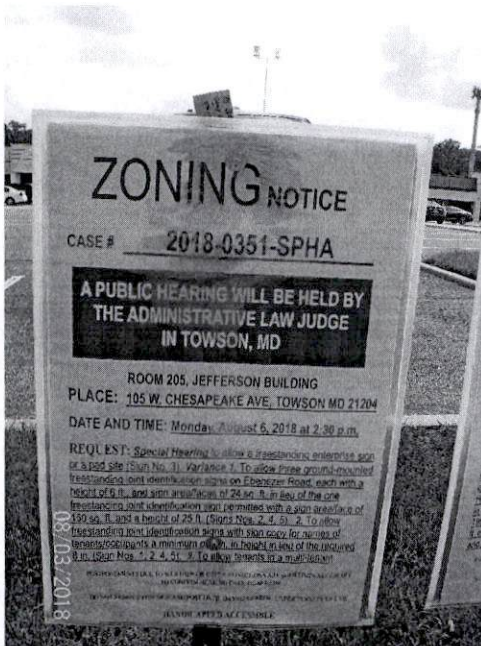
(Address)

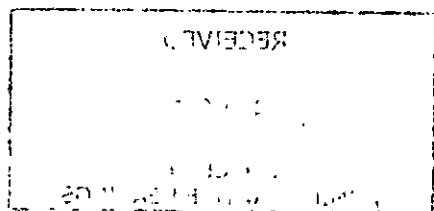
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





CERTIFICATE OF POSTING

2018-0351-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: _____



4313 Ebenezer Road **Sign 5 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

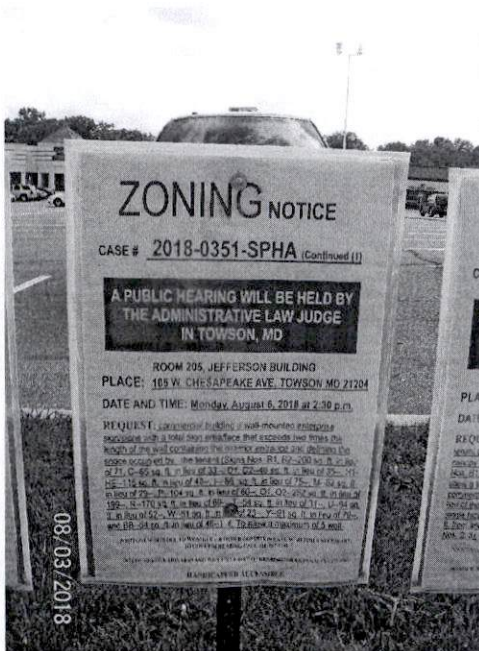
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2018-0351-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: _____

4313 Ebenezer Road **Sign 6 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

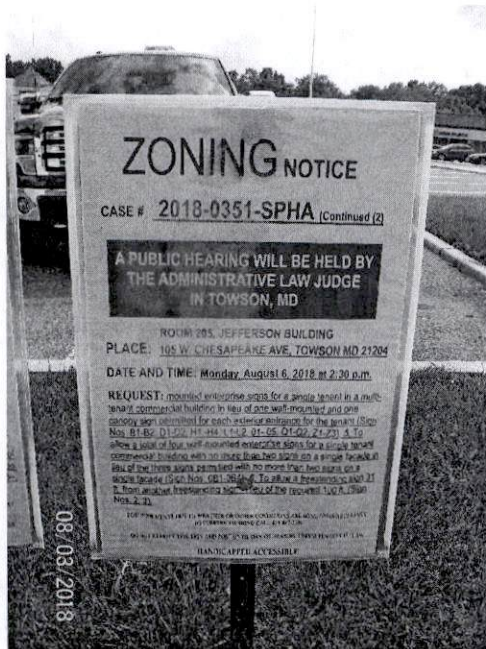
(Address)

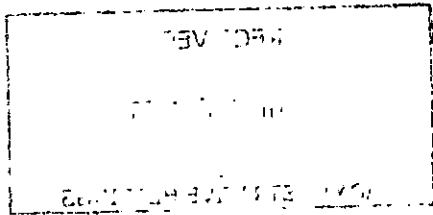
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





CERTIFICATE OF POSTING

2018-0351-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: _____

4313 Ebenezer Road

SIGNS 1 - 6

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)

CERTIFICATE OF POSTING

2018-0351-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: _____

4313 Ebenezer Road

SIGN 1

July 17, 2018

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



Sincerely,

A handwritten signature in black ink, appearing to read "Robert Black".

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)

CERTIFICATE OF POSTING

2018-0351-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:

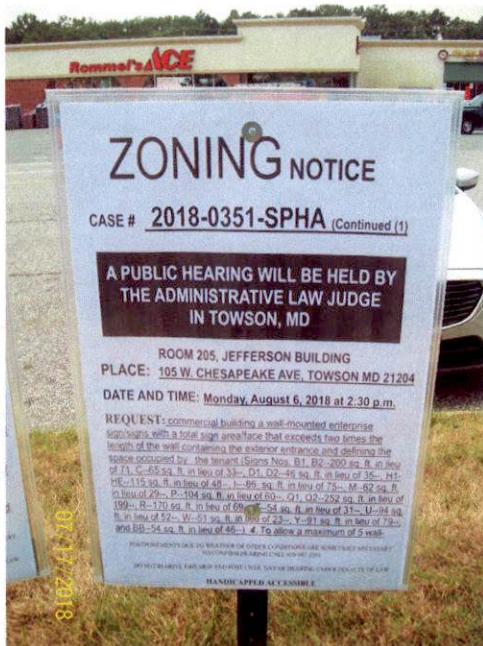
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

4313 Ebenezer 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)

CERTIFICATE OF POSTGRADUATE

2018-0351-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

W A R C P H 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:

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4313 Ebenezer Road

SIGN 3

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

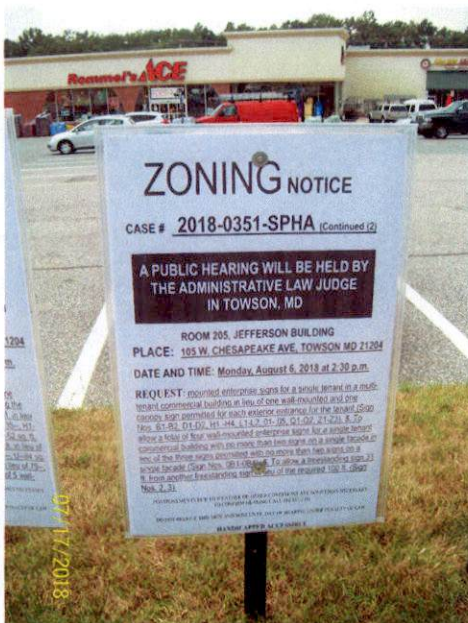
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2018-0351-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

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4313 Ebenezer Road

SIGN 4

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

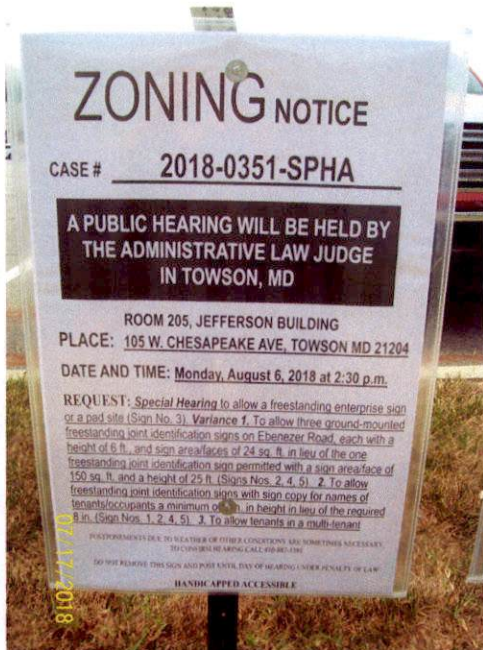
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2018-0351-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:

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4313 Ebenezer Road

SIGN 5

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

2018-0351-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:

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4313 Ebenezer Road

SIGN 6

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

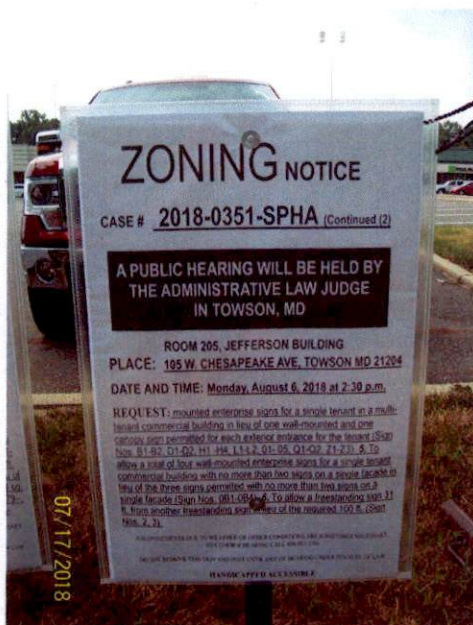
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





July 3, 2018

KEVIN KAMENETZ
County Executive

NOTICE OF ZONING HEARING

ARNOLD JABLON
Deputy Administrative Officer
Planning Department
Zoning, Planning & Inspection

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: 2018-0351-SPHA

4313 Ebenezer Road

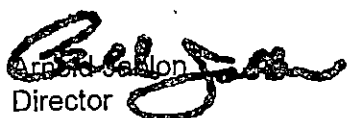
S/s Ebenezer Road, 150 ft. SE/s of centerline of Belair Road

11th Election District – 5th Councilmanic District

Legal Owners: W ARC PH CENTRE OWNER VIII, L.L.C

Special Hearing to allow a freestanding enterprise sign or a pad site (Sign No. 3). Variance 1. To allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 ft., and sign area/faces of 24 sq. ft. in lieu of the one freestanding joint identification sign permitted with a sign area/face of 150 sq. ft. and a height of 25 ft. (Signs Nos. 2, 4, 5). 2. To allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 in. in height in lieu of the required 8 in. (Sign Nos. 1, 2, 4, 5). 3. To allow tenants in a multi-tenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Signs Nos. B1, B2--200 sq. ft. in lieu of 71, C--65 sq. ft. in lieu of 33--, D1, D2--46 sq. ft. in lieu of 35--, H1-HE--115 sq. ft. in lieu of 48--, I--86 sq. ft. in lieu of 75--, M--62 sq. ft. in lieu of 29--, P--104 sq. ft. in lieu of 60--, Q1, Q2--252 sq. ft. in lieu of 199--, R--170 sq. ft. in lieu of 69--, T--54 sq. ft. in lieu of 31--, U--94 sq. ft. in lieu of 52--, W--51 sq. ft. in lieu of 23--, Y--91 sq. ft. in lieu of 79--, and BB--54 sq. ft. in lieu of 46--). 4. To allow a maximum of 5 wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of one wall-mounted and one canopy sign permitted for each exterior entrance for the tenant (Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3). 5. To allow a total of four wall-mounted enterprise signs for a single tenant commercial building with no more than two signs on a single façade in lieu of the three signs permitted with no more than two signs on a single façade (Sign Nos. OB1-OB4). 6. To allow a freestanding sign 31 ft. from another freestanding sign in lieu of the required 100 ft. (Sign Nos. 2, 3).

Hearing: Monday, August 6, 2018 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, 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
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: 2018-0351-SPHA

4313 Ebenezer Road

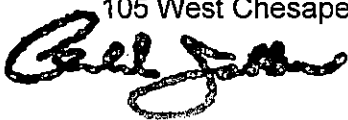
S/s Ebenezer Road, 150 ft. SE/s of centerline of Belair Road

11th Election District – 5th Councilmanic District

Legal Owners: W ARC PH CENTRE OWNER VIII, L.L.C

Special Hearing to allow a freestanding enterprise sign or a pad site (Sign No. 3). Variance 1. To allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 ft., and sign area/faces of 24 sq. ft. in lieu of the one freestanding joint identification sign permitted with a sign area/face of 150 sq. ft. and a height of 25 ft. (Signs Nos. 2, 4, 5). 2. To allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 in. in height in lieu of the required 8 in. (Sign Nos. 1, 2, 4, 5). 3. To allow tenants in a multi-tenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Signs Nos. B1, B2--200 sq. ft. in lieu of 71, C--65 sq. ft. in lieu of 33--, D1, D2--46 sq. ft. in lieu of 35--, H1-HE--115 sq. ft. in lieu of 48--, I--86 sq. ft. in lieu of 75--, M--62 sq. ft. in lieu of 29--, P--104 sq. ft. in lieu of 60--, Q1, Q2--252 sq. ft. in lieu of 199--, R--170 sq. ft. in lieu of 69--, T--54 sq. ft. in lieu of 31--, U--94 sq. ft. in lieu of 52--, W--51 sq. ft. in lieu of 23--, Y--91 sq. ft. in lieu of 79--, and BB--54 sq. ft. in lieu of 46--). 4. To allow a maximum of 5 wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of one wall-mounted and one canopy sign permitted for each exterior entrance for the tenant (Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3). 5. To allow a total of four wall-mounted enterprise signs for a single tenant commercial building with no more than two signs on a single façade in lieu of the three signs permitted with no more than two signs on a single façade (Sign Nos. OB1-OB4). 6. To allow a freestanding sign 31 ft. from another freestanding sign in lieu of the required 100 ft. (Sign Nos. 2, 3).

Hearing: Monday, August 6, 2018 at 2:30 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		
4313 Ebenezer Road; S/S Ebenezer Road,	*	OF ADMINISTRATIVE
150' SE/S of c/line of Belair 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)	*	2018-351-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: 2018-0351-SPHA

Property Address: 4313 GENGAR

Property Description: _____

Legal Owners (Petitioners): W ARC PH CENTRE OWNER VIII, LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA LUKASIEWICZ

Company/Firm (if applicable): VENABLE LLP

Address: 210 W. PENN AVE STE 500
TOWSON, MD 21204

Telephone Number: _____

**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: 2018-0351 SPHA, Address: 4313 Ebenezer 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, reading "W. Carl Richards, Jr." in a cursive style.

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 Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

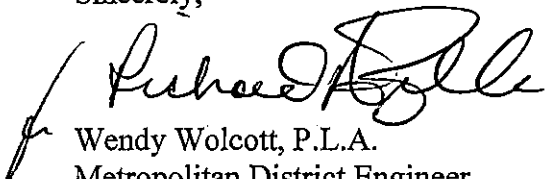
Dear Ms. Lewis:

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. 2018-0351 - SPHM

*Special Hearing, Variance
W. Arc PH Centre Owner VIII LLC
4313 Ebenezer Road.*

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

8-4

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: 18-351



INFORMATION:

Property Address: 4313 Ebenezer Road
Petitioner: W ARC PH Centre Owner VII, LLC
Zoning: BL-CCC, DR 16
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for zoning relief as identified on the attachment #1 submitted in support of the petition.

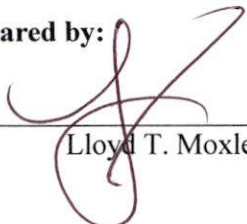
A site visit was conducted on June 26, 2018.

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

- 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.

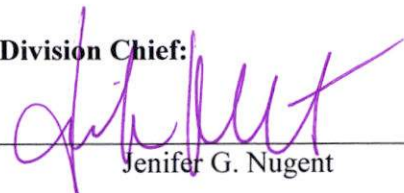
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

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

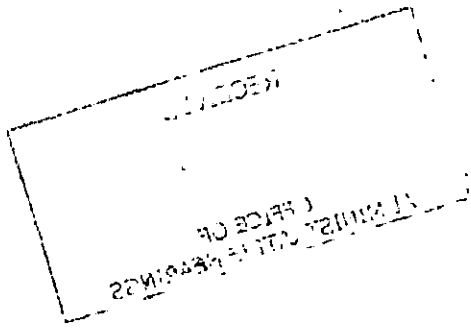
DATE: June 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0351-SPHA
Address 4313 Ebenezer 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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: ^{For EFL} Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 25, 2018
Item No. 2018-0351-SPHA

DATE: July 12, 2018

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

During my review of the ZAC Agenda with the distribution meeting of June 18, 2018, I reviewed a special hearing and variance for case number 2018-0351-SPHA for 4313 Ebenezer Road. The plan submitted with the agenda calls for a number of signs to be placed around the facility. Proposed signs 2, 3 and 5 are close to or on top of existing utility mains. The scale of the plan makes it too hard to verify if the signs are clear of the utility mains or not. Consideration should be given requiring that if the proposed signs are over a main, close to a main, in the public right-of-way or in a public easement, then the proposed signs should be located someplace else.

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: 18-351

INFORMATION:

Property Address: 4313 Ebenezer Road
Petitioner: W ARC PH Centre Owner VII, LLC
Zoning: BL-CCC, DR 16
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for zoning relief as identified on the attachment #1 submitted in support of the petition.

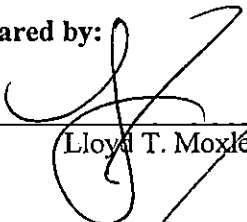
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The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

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- Provide scaled sign detail drawings to include colors, materials and letter type style to the contact person listed below prior to permit application.

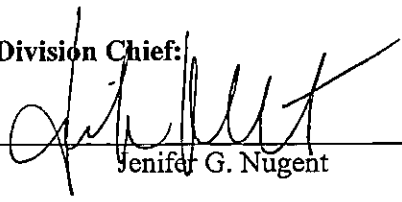
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer 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 # 2018-0351-SPHA
Address 4313 Ebenezer 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

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

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: 2018-0351-SPHA

4313 Ebenezer Road

S/s Ebenezer Road, 150 ft. SE/s of centerline of Belair Road

11th Election District – 5th Councilmanic District

Legal Owners: WARC PH CENTRE OWNER VIII, L.L.C

Special Hearing to allow a freestanding enterprise sign or a pad site (Sign No. 3). Variance 1. To allow three ground-mounted freestanding joint identification signs on Ebenezer Road, each with a height of 6 ft., and sign area/faces of 24 sq. ft. in lieu of the one freestanding joint identification sign permitted with a sign area/face of 150 sq. ft. and a height of 25 ft. (Signs Nos. 2, 4, 5). 2. To allow freestanding joint identification signs with sign copy for names of tenants/occupants a minimum of 3 in. in height in lieu of the required 8 in. (Sign Nos. 1, 2, 4, 5). 3. To allow tenants in a multi-tenant commercial building a wall-mounted enterprise sign/signs with a total sign area/face that exceeds two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Signs Nos. B1, B2--200 sq. ft. in lieu of 71, C--65 sq. ft. in lieu of 33--, D1, D2--46 sq. ft. in lieu of 35--, H1-HE--115 sq. ft. in lieu of 48--, I--86 sq. ft. in lieu of 75--, M--62 sq. ft. in lieu of 29--, P--104 sq. ft. in lieu of 60--, Q1, Q2--252 sq. ft. in lieu of 199--, R--170 sq. ft. in lieu of 69--, T--54 sq. ft. in lieu of 31--, U--94 sq. ft. in lieu of 52--, W--51 sq. ft. in lieu of 23--, Y--91 sq. ft. in lieu of 79--, and BB--54 sq. ft. in lieu of 46--). 4. To allow a maximum of 5 wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of one wall-mounted and one canopy sign permitted for each exterior entrance for the tenant (Sign Nos. B1-B2, D1-D2, H1-H4, L1-L2, O1-O5, Q1-Q2, Z1-Z3). 5. To allow a total of four wall-mounted enterprise signs for a single tenant commercial building with no more than two signs on a single façade in lieu of the three signs permitted with no more than two signs on a single façade (Sign Nos. OB1-OB4). 6. To allow a freestanding sign 31 ft. from another freestanding sign in lieu of the required 100 ft. (Sign Nos. 2, 3).

Hearing: Monday, August 6, 2018 at 2:30 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.

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

7/12

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

Comment

7/27

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

NO Comment

FIRE DEPARTMENT

7/12

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

NO Obj w/conds

6/18

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 1997-0083-X)

NEWSPAPER ADVERTISEMENT

Date:

KRISTENS E-mail

SIGN POSTING (1st)

Date:

7/17/18

by

SSG Black

SIGN POSTING (2nd)

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 - 2200029169							
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/ 00242	
Location & Structure Information									
Premises Address:		EBENEZER RD BALTIMORE 21236-				Legal Description:		15.672 AC SS EBENEZER RD. 150 FT E BELAIR RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0072	0014	0162		0000				2016	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	
						15.6700 AC		14	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of	As of		As of		
				01/01/2016	07/01/2017		07/01/2018		
Land:			7,835,000	7,835,000					
Improvements			8,689,600	8,523,300					
Total:			16,524,600	16,358,300	16,358,300		16,358,300		
Preferential Land:			0				0		
Transfer Information									
Seller: PERRY HALL SQUARE LLC				Date: 08/18/2016			Price: \$19,000,000		
Type: ARMS LENGTH IMPROVED				Deed1: /37892/ 00242			Deed2:		
Seller: PERRY HALL SQUARE				Date: 06/30/1997			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /12263/ 00251			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

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

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

HJ
10/1

IN RE:	PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
	SE/Corner Joppa and Ebenezer Roads	*	DEPUTY ZONING COMMISSIONER
	(4316 Ebenezer Road)	*	
	11th Election District	*	OF BALTIMORE COUNTY
	5th Councilmanic District	*	Case No. 97-83-X
	Perry Hall Square Ltd. Part.	*	
	Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 4316 Ebenezer Road, located in the vicinity of Belair Road in Perry Hall. The Petitions were filed by the owners of the property, Perry Hall Square Limited Partnership, by Jack H. Pechter, Managing Partner, through their attorney, Robert A. Hoffman, Esquire. The Petition, as filed, seeks a special exception to permit a community building or land use devoted to social or recreational activity on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), as previously approved in prior Case No. 85-6-X. More specifically, the Petitioners seek approval of the relocation of an existing tanning salon as a principal use. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Martin Pechter, a representative of Perry Hall Square Limited Partnership, Dwight Little, Professional Engineer who prepared the site plan for the subject property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Also appearing in support of the Petition were Robin and Marty Eason, nearby property owners. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 16.781 acres, more or less, zoned B.L.-C.C.C., and is the site of the Perry Hall Square Shopping Center. The shopping center consists of a variety of commercial/retail uses including a tanning salon, which is the subject of this request. Testimony revealed that the Petitioners were granted a special exception in prior Case No. 85-6-X to allow the subject tanning salon to locate in the shopping center. The Petitioners now wish to relocate this tanning salon from its present location towards the rear of the shopping center to a more central location on the premises. Testimony indicated that the Petitioners propose to expand the existing tanning salon business and as such, are in need of more space. Therefore, a special exception to permit the relocation and expansion of the subject use is necessary. Furthermore, upon approval of the special exception relief requested herein, the Petitioners have agreed to abandon the special exception use granted in prior Case No. 85-6-X for the tanning salon's present location.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.C.C. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the par-

ticular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

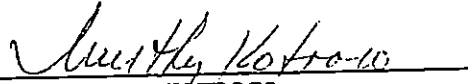
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of October, 1996 that the Petition for Special Exception to permit a community building or land use devoted to social or recreational activity on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), as previously approved in prior Case No. 85-6-X, and more specifically, the relocation of an existing tanning salon as a principal use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The special exception relief granted in prior Case No. 85-6-X shall cease and terminate upon the relocation of the subject tanning salon to its new location within the Perry Hall Square Shopping Center.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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

DATE _____

8/6/18

PETITIONER'S SIGN-IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

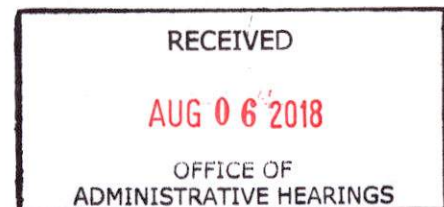
[illegible]

JB 8/6
2:30 PM

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, August 05, 2018 10:57 AM
To: Barbara A. Lukasevich; DKarceski@Venable.com; Administrative Hearings
Subject: Recertifications For 2018-0351-SPHA
Attachments: Re-Cert Groups 1 & 2 2018-0351-SPHA.doc; Re-Cert 1 2018-0351-SPHA.doc; Re-Cert 2 2018-0351-SPHA.doc; Re-Cert 3 2018-0351-SPHA.doc; Re-Cert 4 2018-0351-SPHA.doc; Re-Cert 5 2018-0351-SPHA.doc; Re-Cert 6 2018-0351-SPHA.doc

Recertification's for 4313 Ebenezer Road



Case No.:

2018-351-SPHA

Exhibit Sheet

Petitioner/Developer

DW
9-10-18

Protestants

SLW
8-8-18

No. 1	1A-ID Plan 4 sheet	
No. 2	Stine CV	
No. 3	3A-I Photos	
No. 4	Aerial photograph	
No. 5	5A-5B Landscape Plan	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

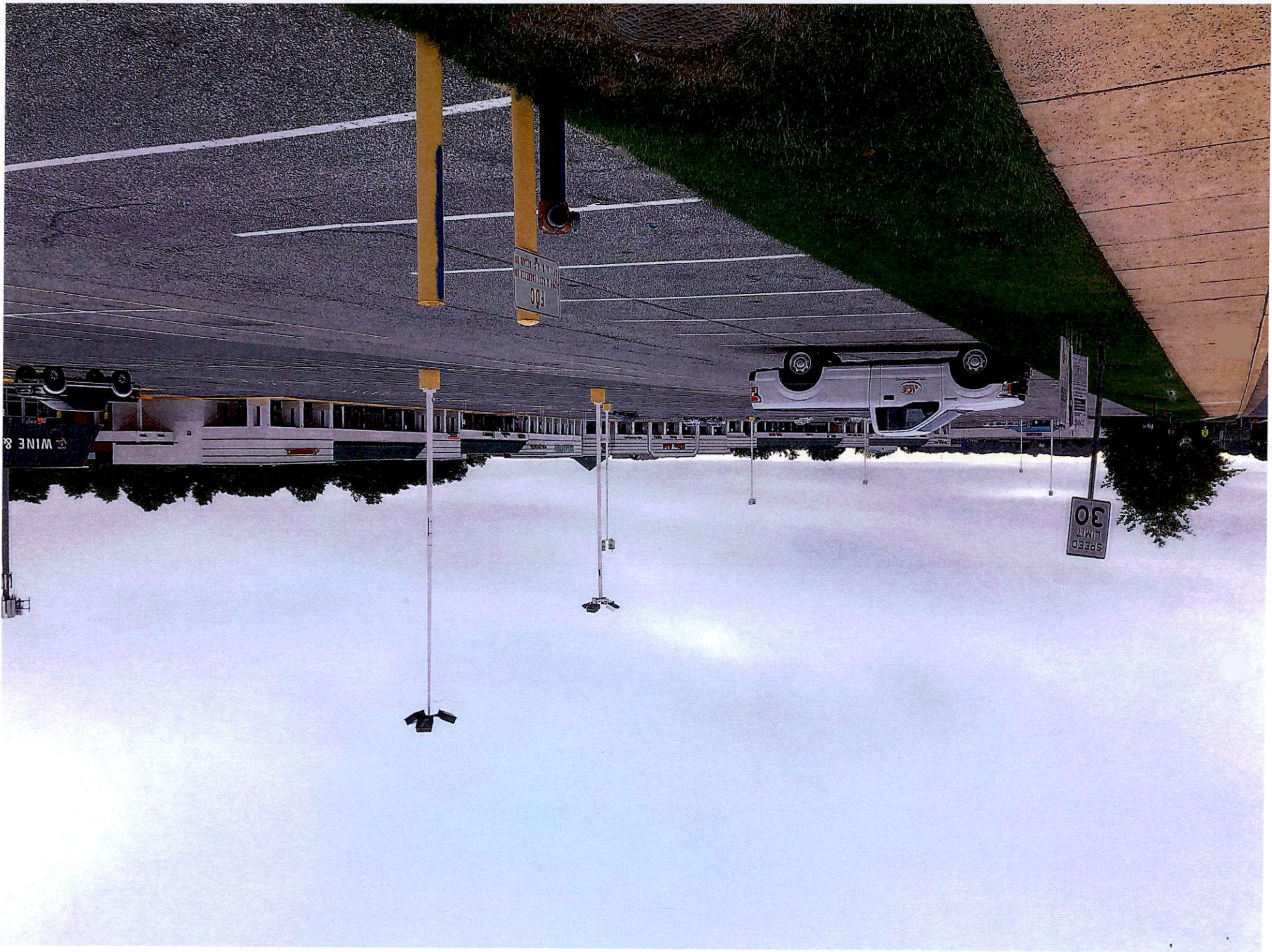


PETITIONER'S EXHIBIT 3A

















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:

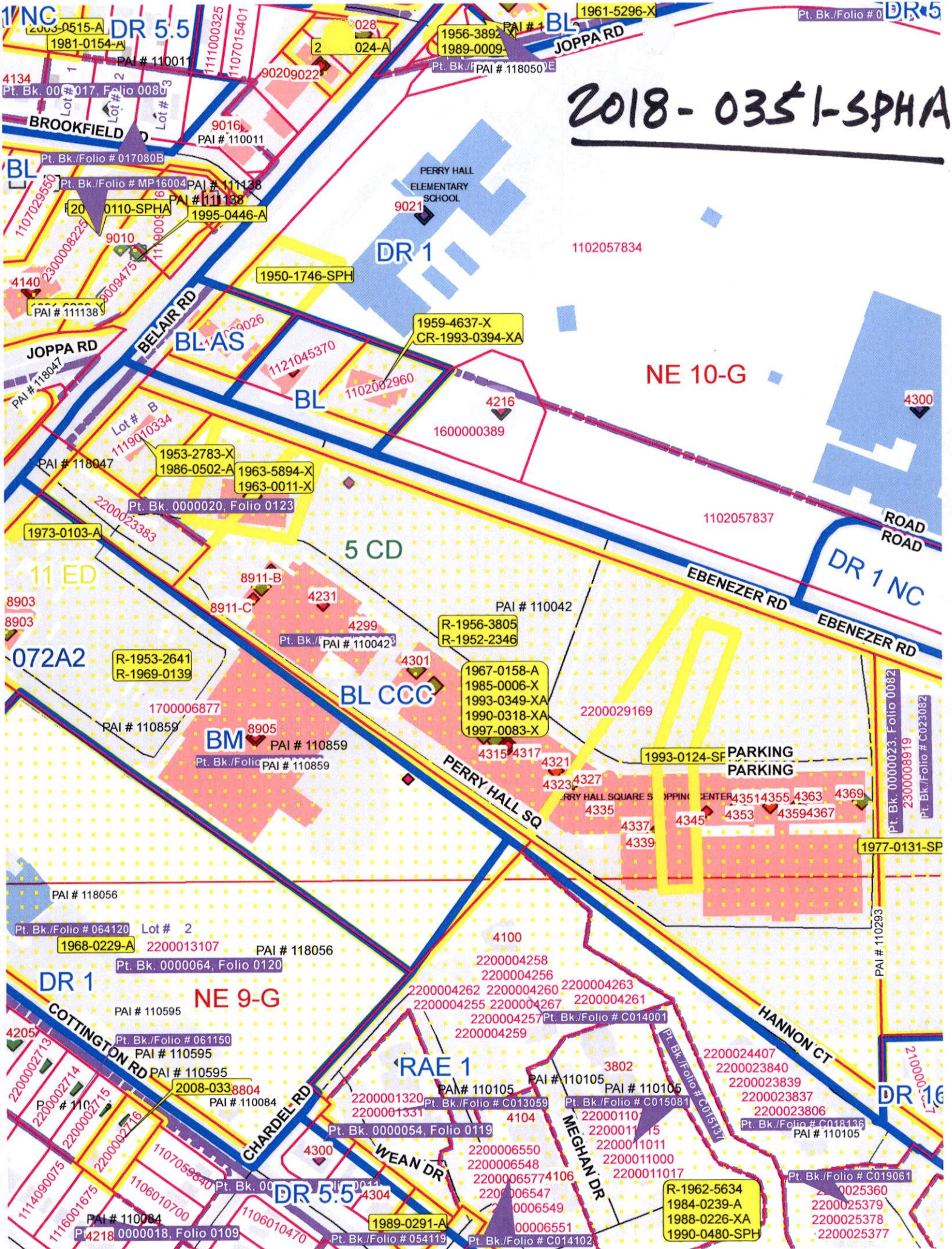
Currently serves as a Project Manager in Bohler Engineering's Towson, Maryland Office. Experience includes sixteen (16) years within the industry and over eleven (11) years of design and project management with Bohler. Primarily responsible for client and project management for various commercial and 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



2018-0351-SPHA

Pt. Bk./Folio # 011000325

1961-5296-X

1956-3892-X
1989-0009-X

1981-0154-A

1981-0154-A

Pt. Bk./Folio # 017080B

Pt. Bk./Folio # MP16004

Pt. Bk./Folio # 011000325

Pt. Bk./Folio # 011000325

Pt. Bk./Folio # 011000325

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Pt. Bk./Folio # 011000325

1442-1230-8102



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

OWNER

W ARC PH CENTRE **SQUARE** 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

REVISIONS

[illegible]

THE FOLLOWING STATES REQUIRE NOTIFICATION BY
EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING
DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STA-
IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AN
DELAWARE CALL - 811
(WV 1-800-245-4848) (PA 1-800-242-1776) (DC 1-800-257-77
(VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-85

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MD18201
DRAWN BY:	CL
CHECKED BY:	MJC
DATE:	05/01/1
SCALE:	AS NOTED
CAD I.D.:	EX

PROJECT:

SIGN
VARIANCE
PLAN

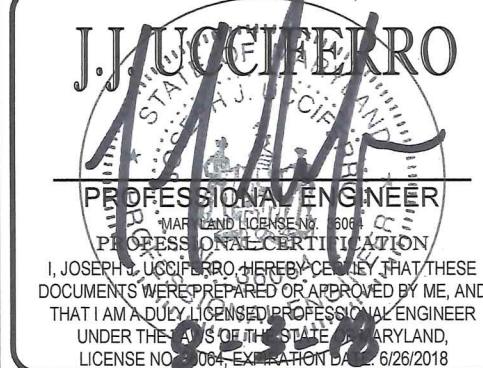
— FOR —

ATLANTIC REALTY
COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
4313 EBENEZER ROAD
M 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY



901 DULANEY VALLEY ROAD, SUITE 80
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

COMMERCIAL PERMIT HISTORY

4313 EBENEZER ROAD:
B937315, B880506, B253183, B912777, B739767
B876887, B787316, B757545, B930137, B791646,
B654325, B829783, B838978, B785016, B857353,
B795394, B838619, B942689, B758791, B737656,
B920143, B784153, B053706, B788818, B732529,
B401045, B837670, B784871, B779692, B875982,
B761228, B171225, B747799, B739784

GENERAL NOTES

- PROPERTY INFORMATION
- A. PROPERTY ADDRESS: 4313 EBENEZER ROAD
B. SITE AREA: 662,585 S.F. ±, 15.67 AC. ±
C. ELECTION DISTRICT: 11
D. COUNCILMANIC DISTRICT: 5
E. ADC MAP: 4551C7, 4581D7
F. CENSUS TRACT: 411303
G. TAX MAP: 72
H. GRID: 13, 14
I. PARCEL: 162
J. TAX ACCOUNT NO.: 2200029169
K. WATERSHED: BIRD RIVER
2. ZONING: BLOCC / DR16
3. ZONING MAP REFERENCE: 072A2
4. FLOOR AREA RATIO: PERMITTED = 4.0
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)
- | | <u>REQUIRED</u> | <u>PROVIDED</u> |
|-----------------------|-----------------|-----------------|
| FRONT (BEL AIR ROAD) | 10' | 84.9' |
| FRONT (EBENEZER ROAD) | 10' | 74.5' |
| SIDE (SOUTH) | 10' | 23.1' |
| REAR (EAST) | 20' | 20.5' |
7. HEIGHT REQUIREMENTS: MINIMUM OF 40'; GREATER THAN 40' WITH APPLICATION OF HEIGHT TENT GUIDELINES IN BCCR 231
- 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 FLOODING AREA PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND AND UNINCORPORATED AREAS, PANEL 290 OF 380", 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 DESIGN 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 ARTICLES 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.
23. AMENITY OPEN SPACE PROVIDED MEETS OR EXCEEDS REQUIRED RATIO OF 0.2 PER BCCR 232.A.4.

ZONING HISTORY

R-1952-2346 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE WAS GRANTED ON 8/29/52.

R-1956-3805 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A RESIDENCE ZONE TO A COMMERCIAL ZONE WAS GRANTED ON 11/18/56.

1963-0011-XA - REQUEST FOR SPECIAL EXCEPTION FOR A FILLING STATION WAS GRANTED ON 7/2/63

1963-5894-X - REQUEST FOR SPECIAL EXCEPTION FOR A GASOLINE SERVICE STATION
WAS GRANTED ON 7/12/63

1967-0158-A - REQUEST FOR DOUBLE FACED ILLUMINATED ID SIGN 220 SF INSTEAD OF 150 SF OF TOTAL SIGN AREA WAS GRANTED ON 2/15/67

1993-124-SPX - REQUEST FOR APPROVAL OF SPECIAL EXCEPTION TO OPERATE AN ARCADE IN A BL-CCC ZONE AND TO AMEND THE PARKING VARIANCE GRANTED IN CASE 90-318-XA WAS GRANTED ON 12/11/82.

1985-0006-X - REQUEST FOR A COMMUNITY BUILDING, SWIMMING POOL, OR OTHER STRUCTURAL OR LAND USE DEVOTED TO CIVIC, SOCIAL, RECREATIONAL, AND EDUCATIONAL ACTIVITIES (TANNING SALON AS A PRINCIPAL USE) WAS GRANTED WITH EXCEPTION ON 7/11/84

1990-0318-XA - REQUEST FOR VARIANCE TO PERMIT 1,059 PARKING SPACES IN LIEU OF THE REQUIRED 1,153 SPACES AND REQUEST FOR SPECIAL EXCEPTION FOR THEATER USE WERE GRANTED ON 4/19/90.

1993-0349-XA - REQUEST FOR SPECIAL EXCEPTION TO USE A PORTION OF THE SITE AS A HEALTH CLUB (FITNESS CENTER), VARIANCE TO PERMIT 1,059 PARKING SPACES IN LIEU OF THE REQUIRED 1,146, VARIANCE TO PERMIT DIRECT ACCESS PARKING ON A VEHICLE TRAVELWAY, VARIANCE TO LANDSCAPE REQUIREMENTS, VARIANCE TO

PARKING SPACES 8' TO THE RIGHT OF WAY LINE IN LIEU OF 10' AND A VARIANCE TO PERMIT 4 STACKING SPACES IN LIEU OF REQUIRED 7 STACKING SPACES FOR TWO LANE DRIVE IN PARK WERE ALL GRANTED ON 7/22/03

PARKING TABULATION CHART - SHOPPING CENTER

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

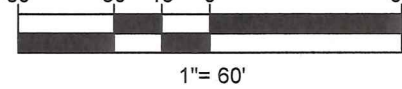
USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
SHOPPING CENTER	155,873	5/1,000 S.F.	779
PAD #1 - RESTAURANT	6,768	5/1,000 S.F.	34
TOTAL REQUIRED			813
TOTAL SPACES PROVIDED (INCLUDES 37 ADA SPACES)			1033

NOTE: PREVIOUS VARIANCE GRANTED TO FURTHER REDUCE REQUIRED PARKING
(SEE CASE NO. 1993 - 349 - XA)

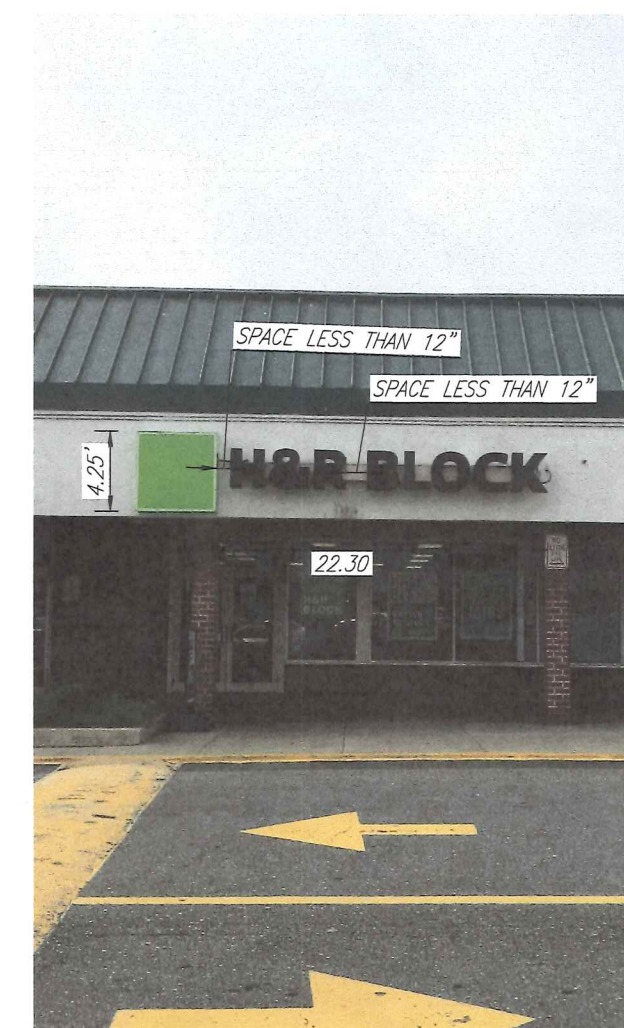
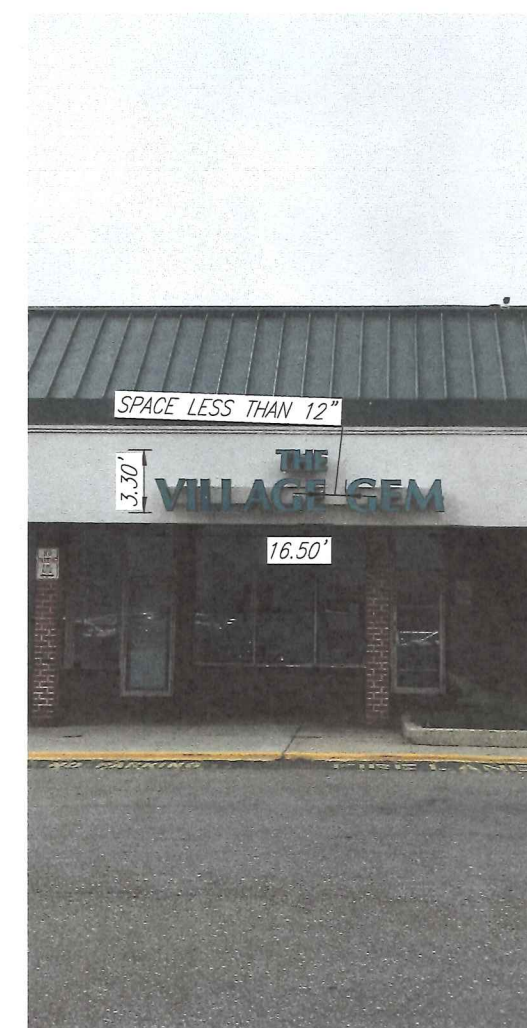
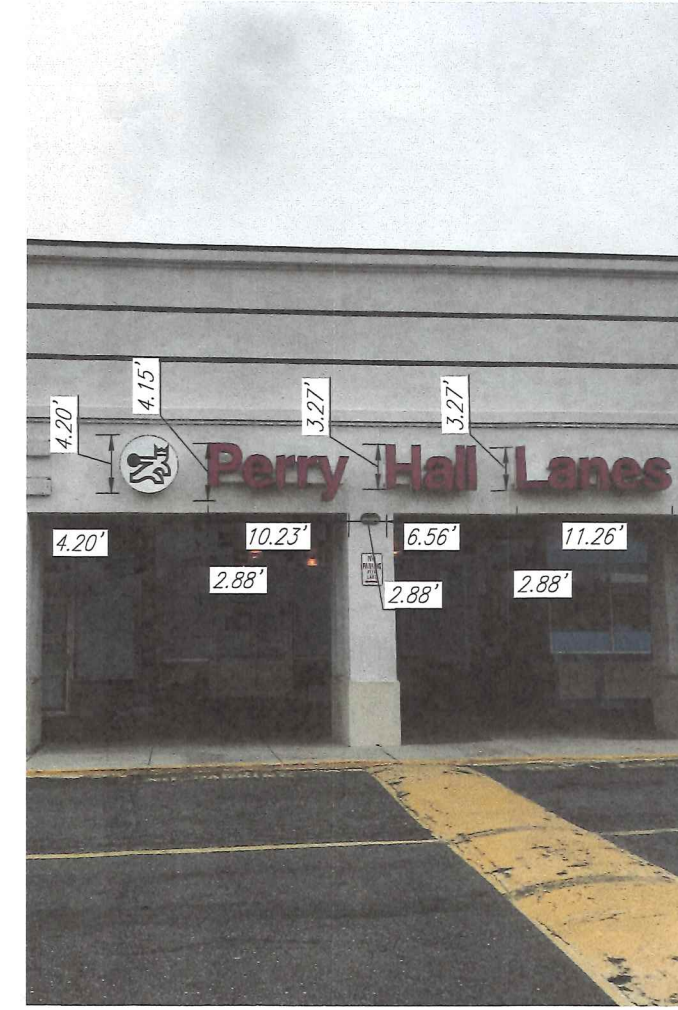
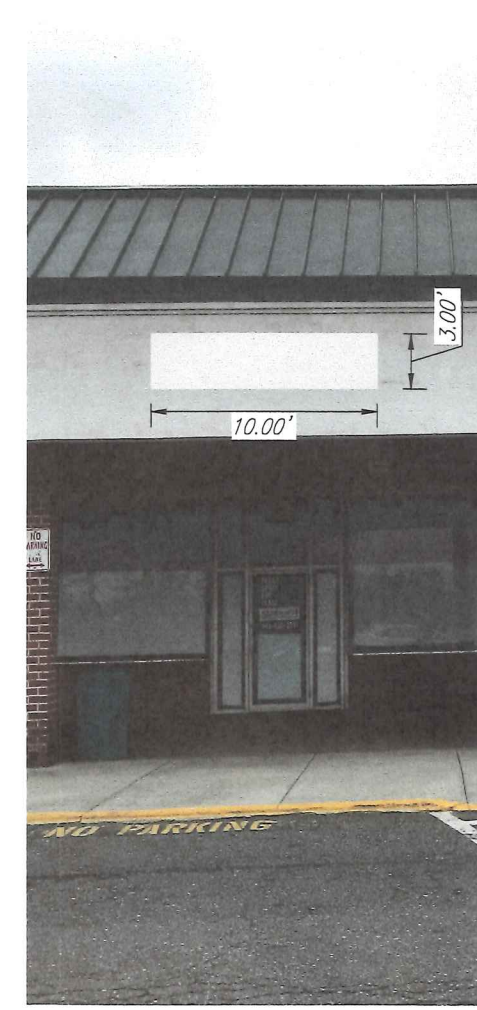
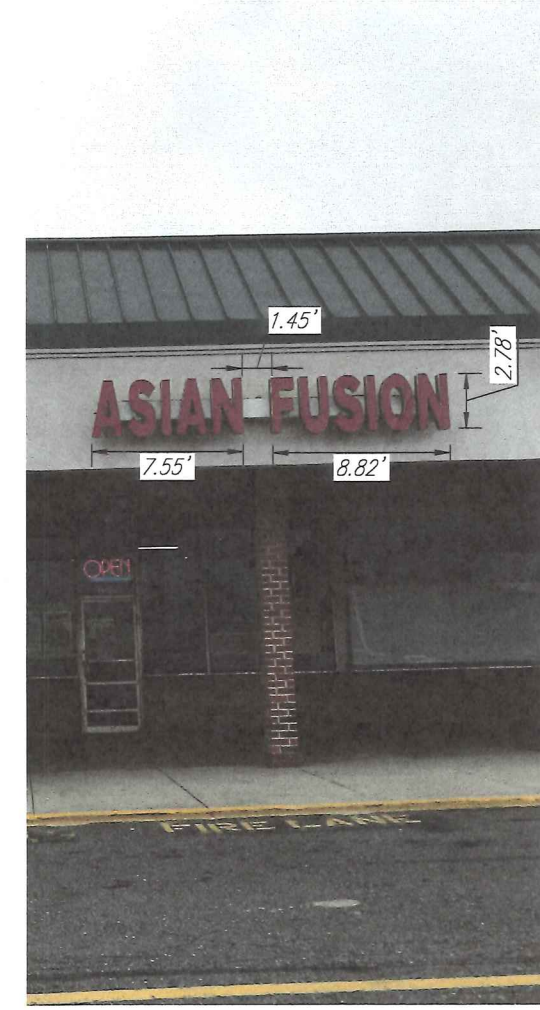
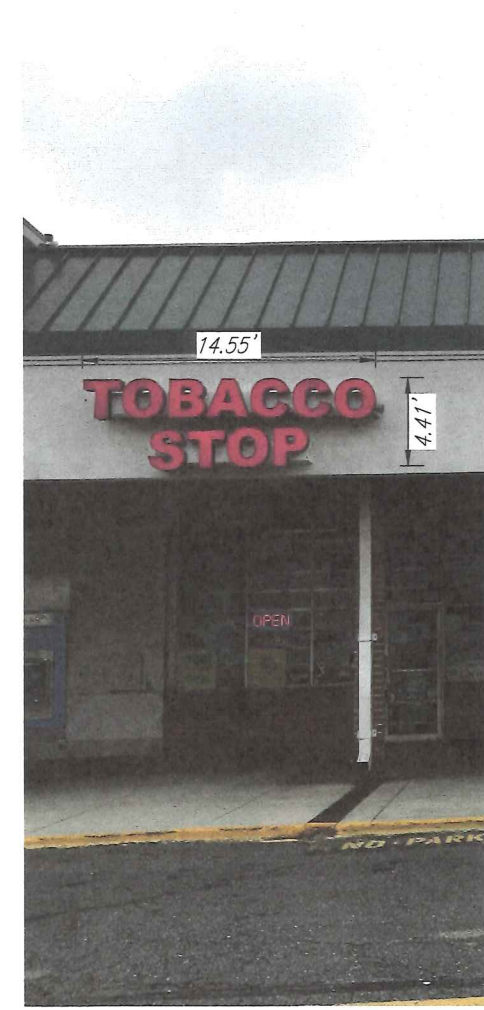
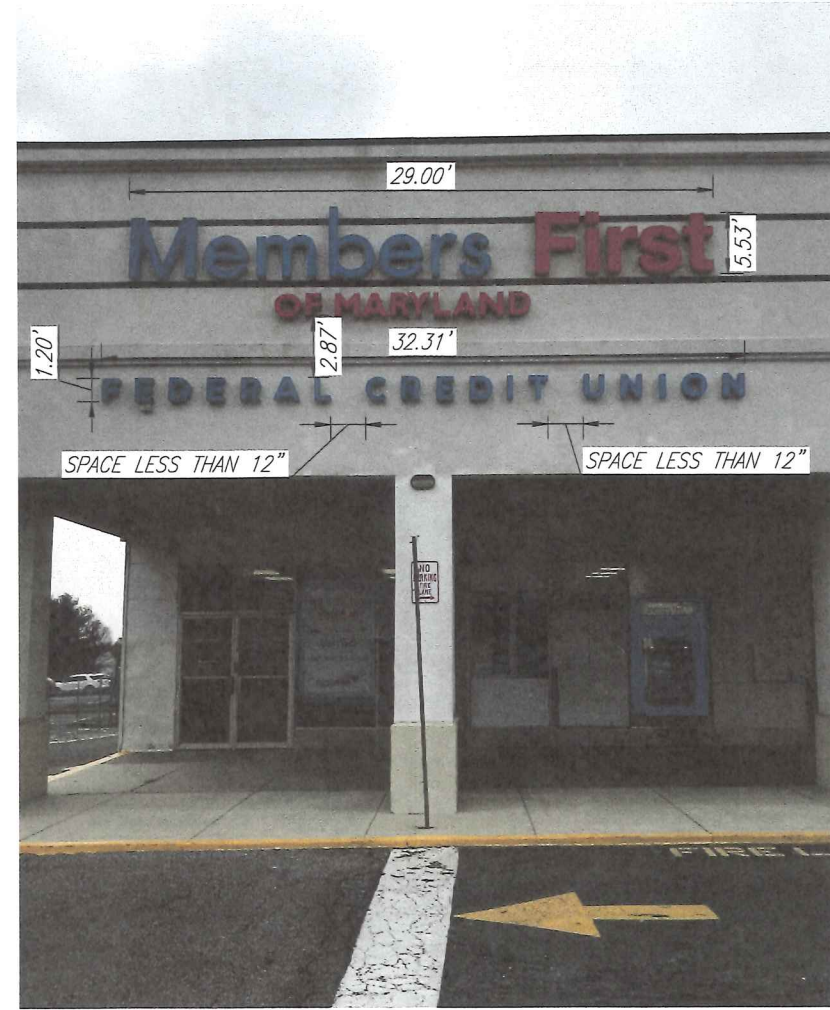
1997-0083-X - SPECIAL EXCEPTION FOR A COMMUNITY BUILDING OR LAND USE DEVOTED TO SOCIAL OR RECREATIONAL ACTIVITY (RELOCATION OF AN EXISTING TANNING SALON AS PRINCIPAL USE) WAS GRANTED 10/28/96.

PETITIONER'S EXHIBIT

ZONE: BL CCC
ZONE: DR 16



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





BOHLERTM

ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING

LAND SURVIVING
PROGRAM MANAGEMENT
DESIGN PERMITTING SERVICES

LANDSCAPE ARCHITECTURE

DESIGN PERMITTING SERVICES

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SOUTHERN MARYLAND

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CHESAPEAKE VA

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[illegible]

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 1-800-242-1776) (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.:	EXG

PROJECT:

SIGN
VARIANCE
PLAN

FOR

ATLANTIC REALTY
COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
4313 EBENEZER ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY



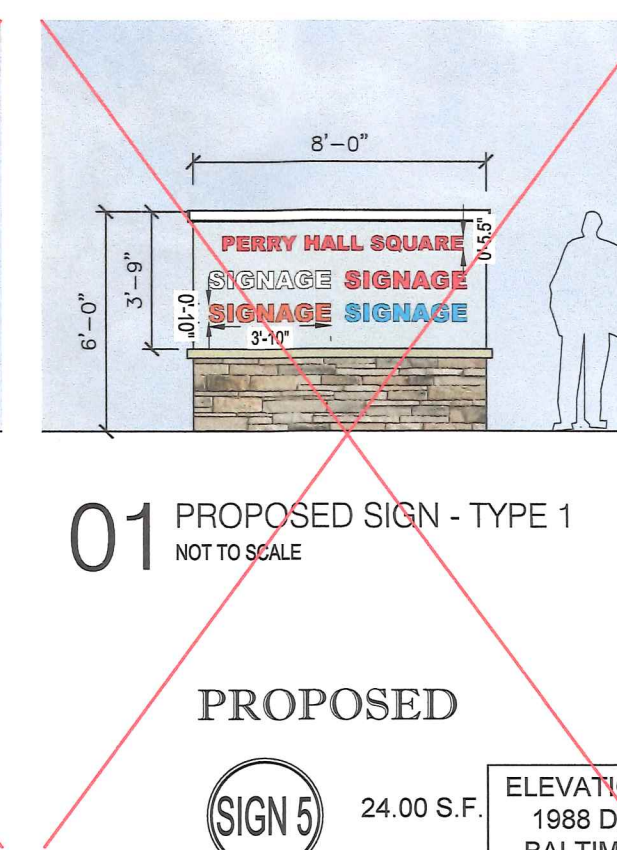
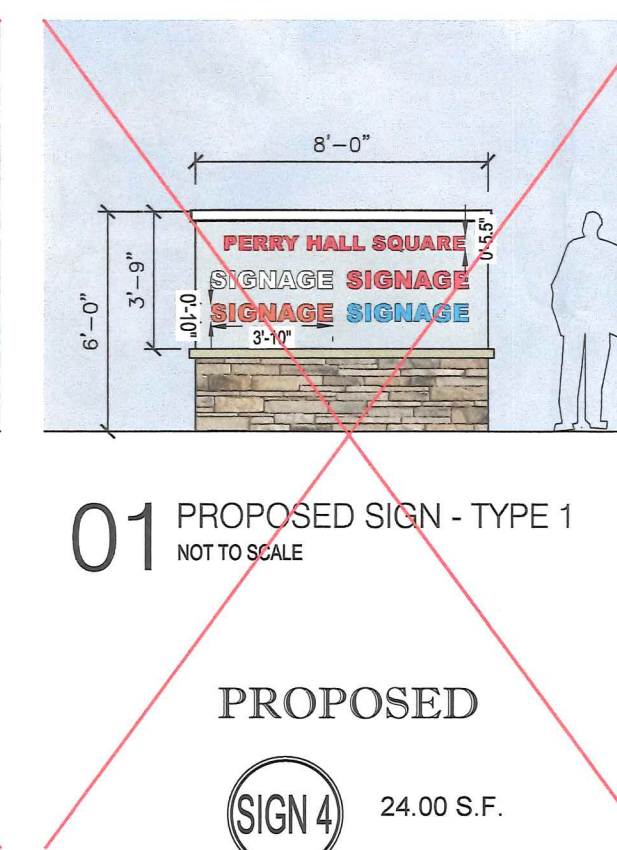
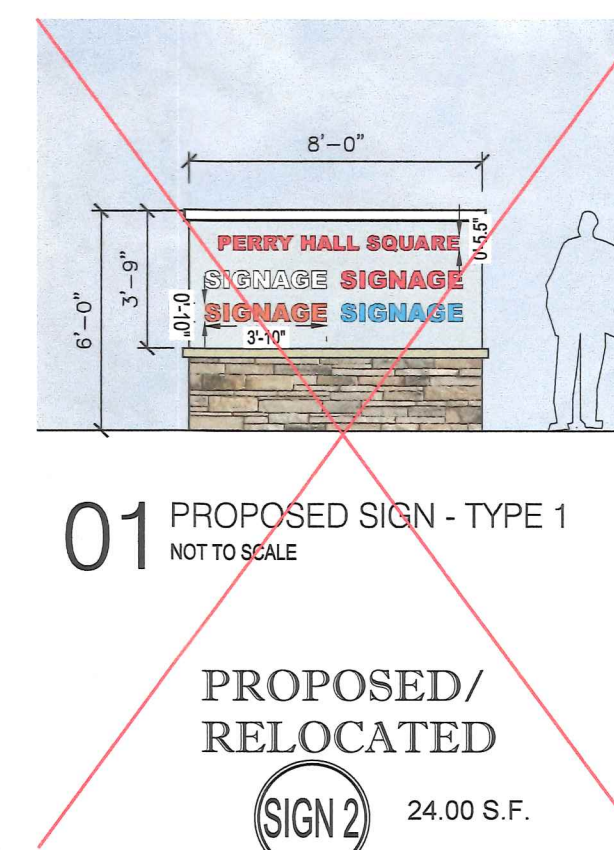
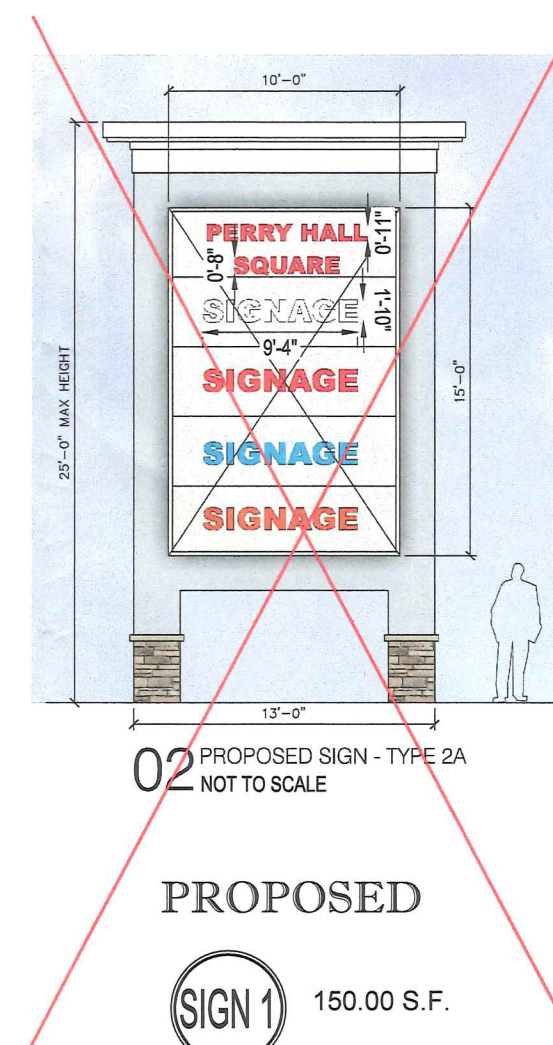
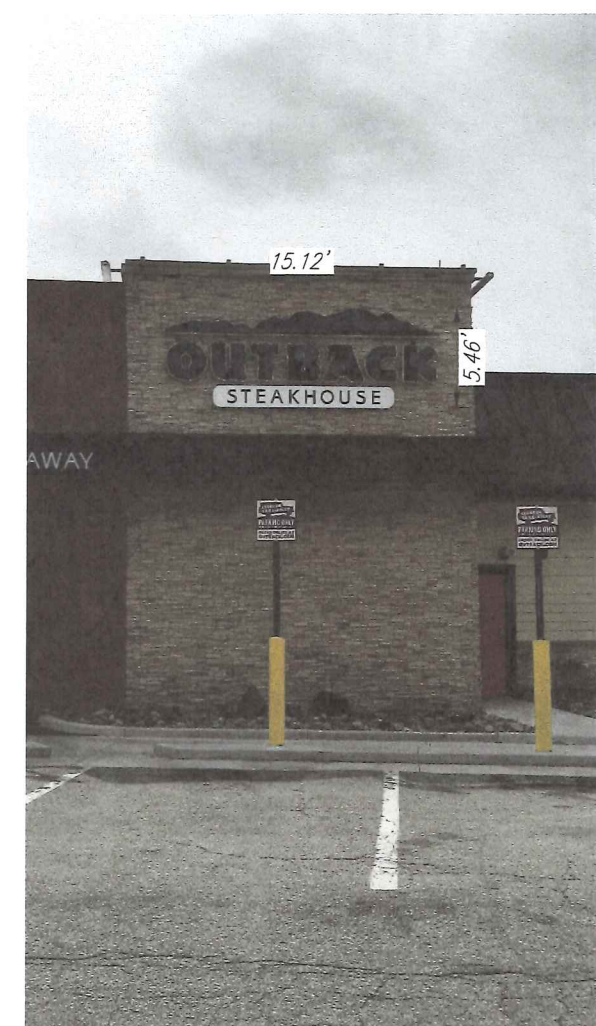
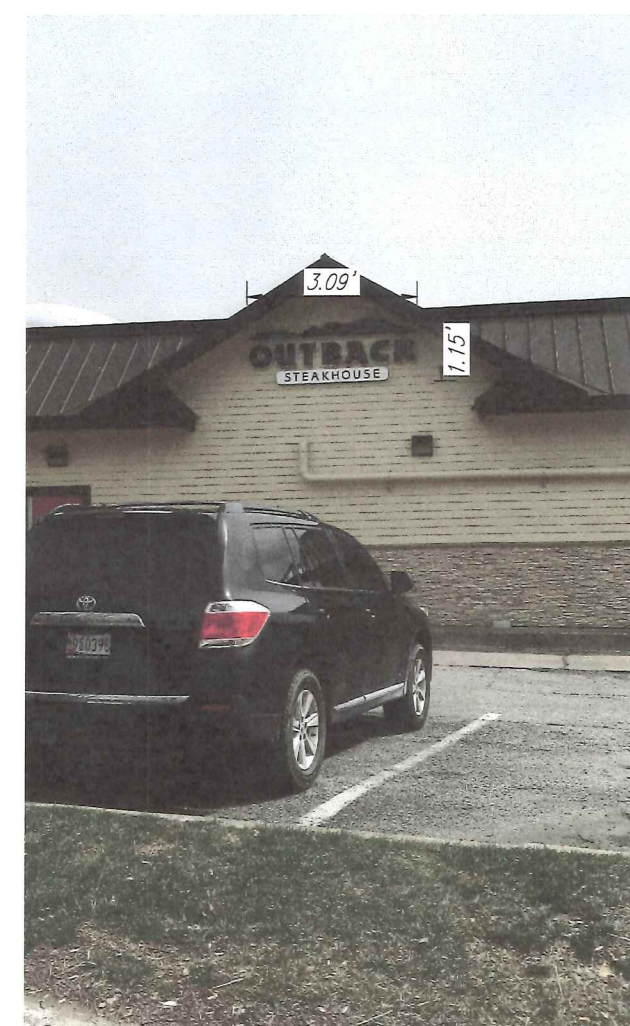
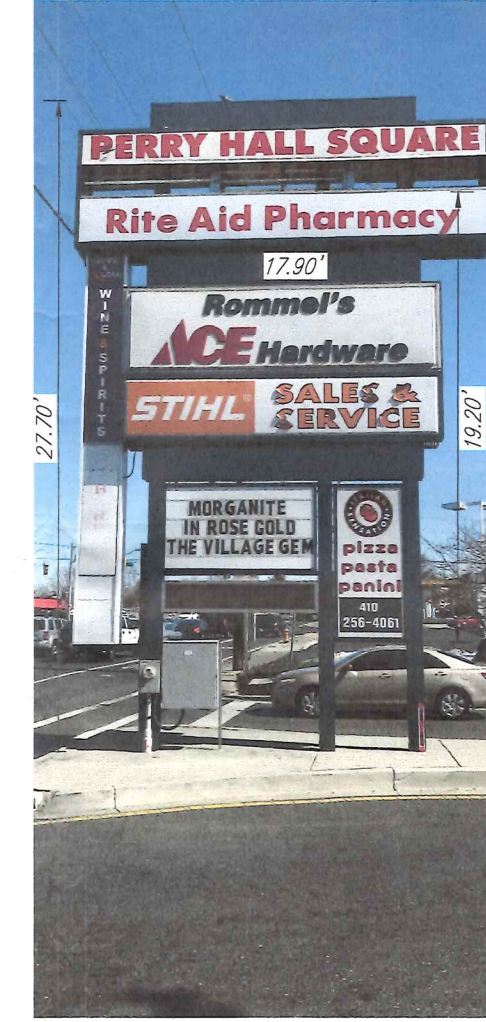
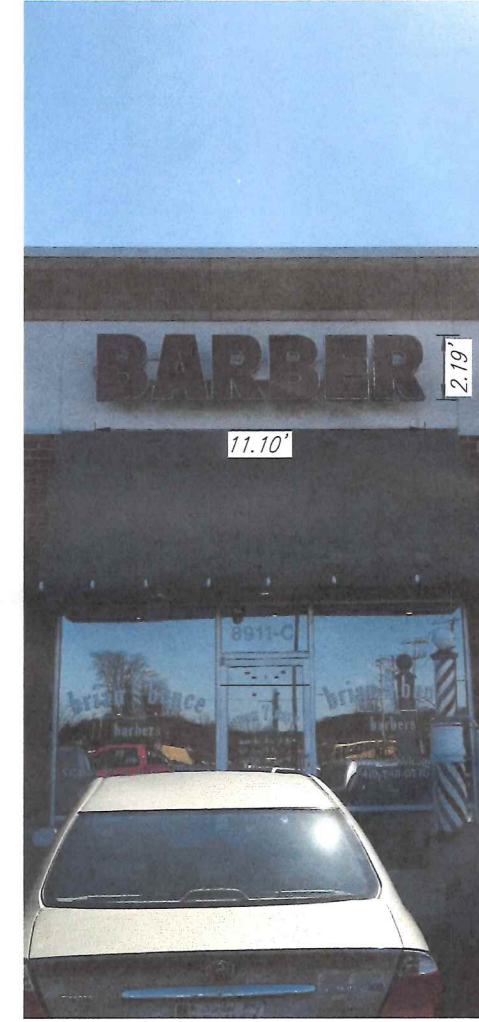
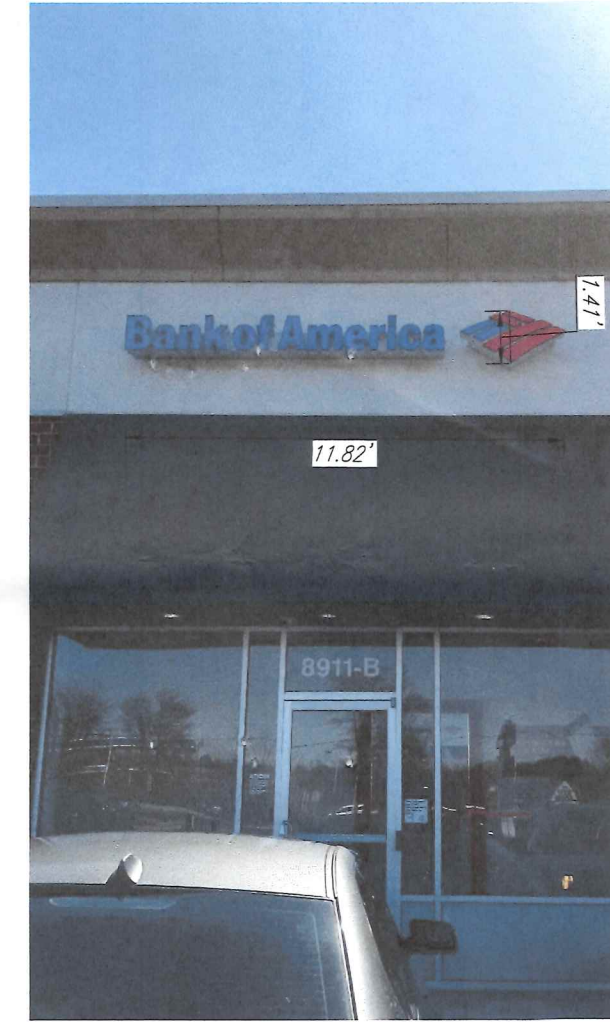
901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com



SHEET TITLE:
PLAN TO
ACCOMPANY
SIGN VARIANCE
PETITION

SHEET NUMBER: 2

2



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



BOHLERTM

ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING

LAND SURVEYING
SUSTAINABLE DESIGN
PROGRAM MANAGEMENT

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LANDSCAPE ARCHITECTURE
PROGRAM MANAGEMENT

NEW YORK

- UPSTATE NEW YORK
- ALBANY, NY
- BOSTON, MA
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- PHILADELPHIA, PA

FLORIDA

- LEHIGH VALLEY, PA
- REDFORD BEACH, DE
- BALTIMORE, MD
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TEXAS

- RALEIGH, NC
- ATLANTA, GA
- ATLANTA, GA
- SANFORD, FL
- DALLAS, TX
- DALLAS, TX

[illegible]

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— FOR —

ATLANTIC REALTY
COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
4313 EBENEZER ROAD
TM 72, GRID 14, PARCEL 162
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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. UCCHERRO
PROFESSIONAL ENGINEER
 MAINTENANCE LICENSE # 30034
PROFESSIONAL CERTIFICATION
 I, JOSEPH J. UCCHERRO, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A QUALIFIED PROFESSIONAL ENGINEER UNDER THE STATE OF CALIFORNIA.
 LICENSE NO. 30034 EXPIRATION DATE 6/26/2018

SHEET TITLE:

PLAN TO
ACCOMPANY
SIGN VARIANCE
PETITION

SHEET NUMBER:

3



BOHLER
ENGINEERINGTM

SHEET NUMBER: 1

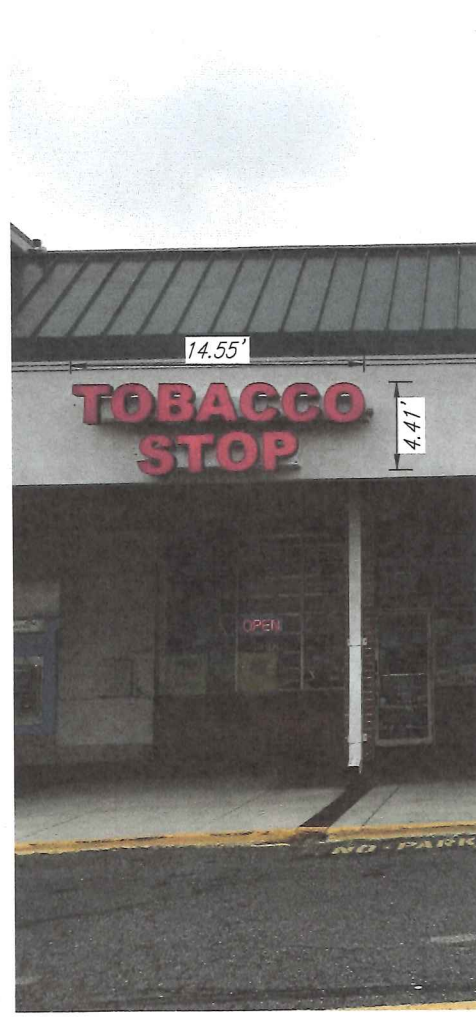
2018-0351-SPHA



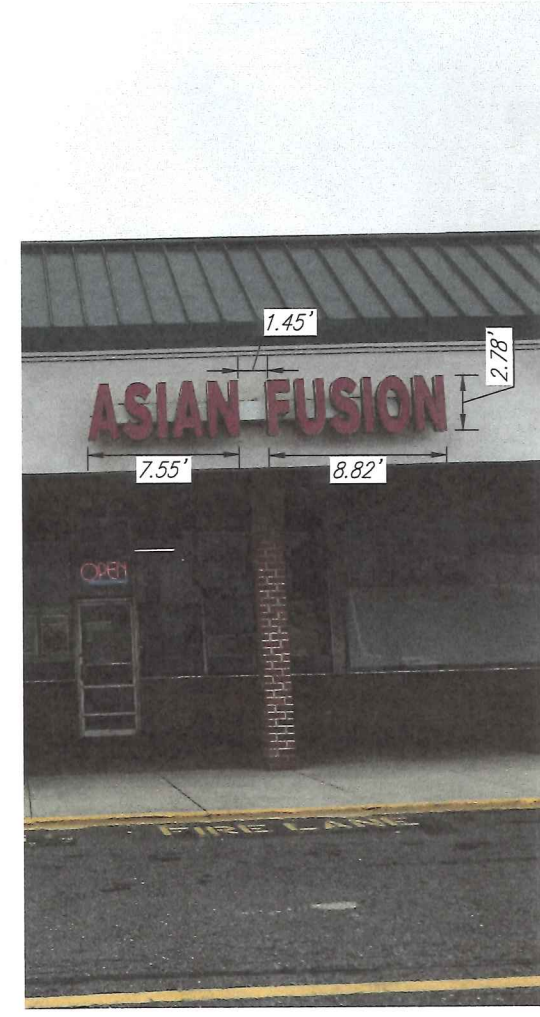
A 276.20 S.F.



B1 160.37 S.F.
B2 38.77 S.F.
TOTAL: 199.14 S.F.



C 64.17 S.F.



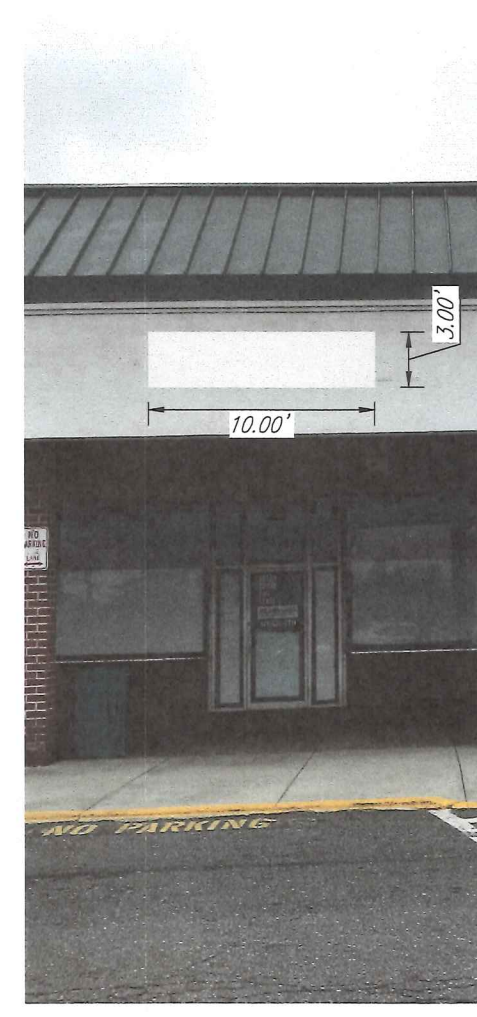
D1 20.99 S.F.
D2 24.52 S.F.
TOTAL: 45.51 S.F.



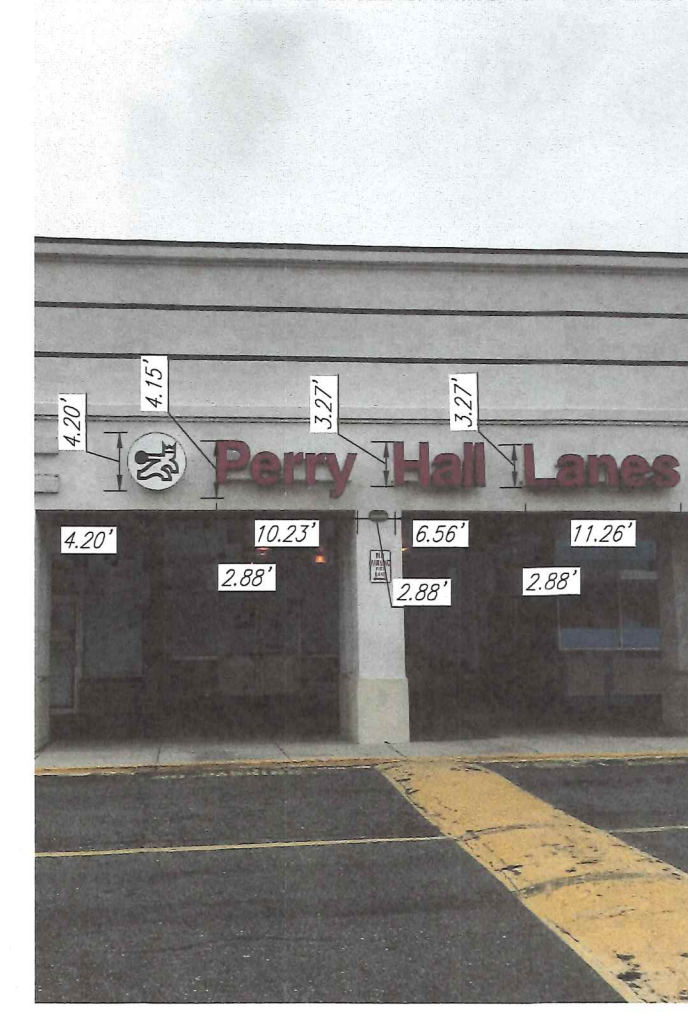
E 52.00 S.F.



F 16.75 S.F.



G 30.00 S.F.



H1 42.45 S.F.
H2 21.45 S.F.
H3 36.82 S.F.
H4 13.85 S.F.
TOTAL: 114.58 S.F.



I 85.58 S.F.



J 15.04 S.F.



K 32.00 S.F.



L1 29.22 S.F.
L2 32.15 S.F.
TOTAL: 61.36 S.F.



M 61.51 S.F.



N 30.00 S.F.



O1 70.33 S.F.
O2 58.61 S.F.
O3 38.50 S.F.
O4 18.87 S.F.
O5 34.11 S.F.
TOTAL: 220.42 S.F.



P 103.94 S.F.



Q1 164.10 S.F.
Q2 88.35 S.F.
TOTAL: 252.45 S.F.



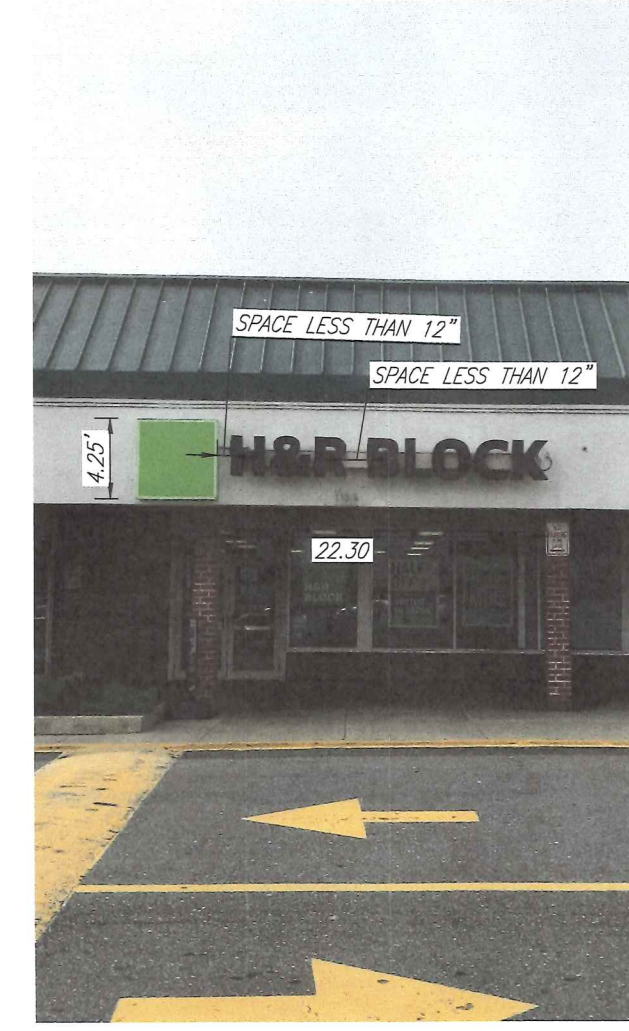
R 170.79 S.F.



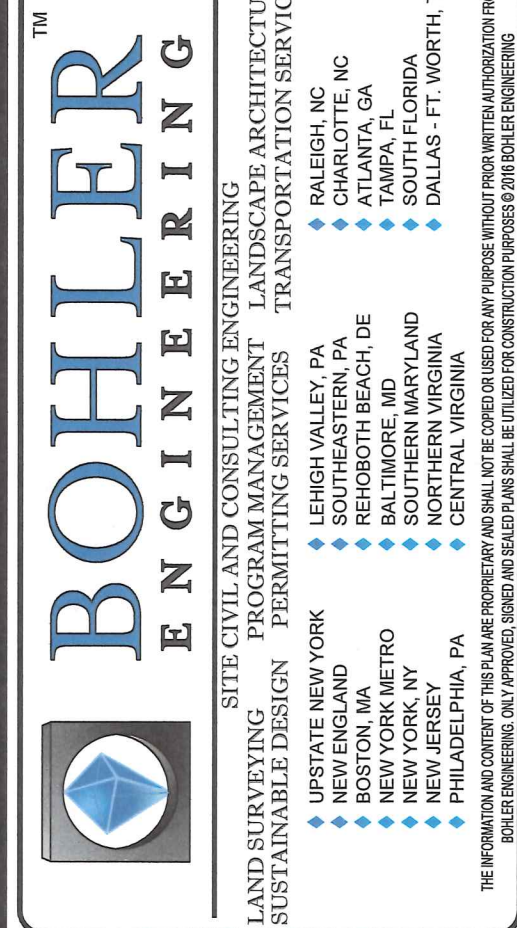
S 51.20 S.F.



T 54.45 S.F.



U 94.78 S.F.



REVISIONS			
REV	DATE	COMMENT	BY

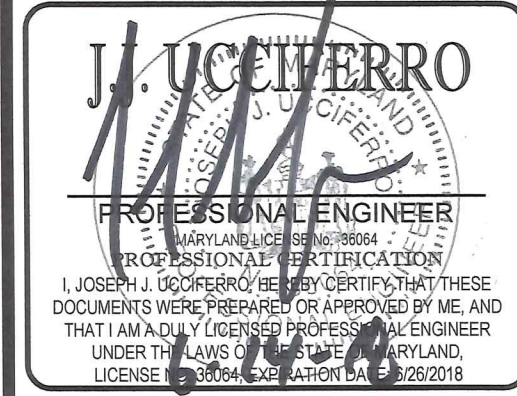


NOT APPROVED FOR CONSTRUCTION

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

SIGN VARIANCE PLAN FOR ATLANTIC REALTY COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
4313 EBENEZER ROAD
TM 72, GRD 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY



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.

2018-0351-SPHA



V 30.00 S.F.



W 51.00 S.F.



X 215.00 S.F.



Y 90.09 S.F.



Z1 74.18 S.F. Z3 42.27 S.F. TOTAL: 122.54 S.F.
Z2 6.04 S.F.



AA 214.50 S.F.



BB 53.14 S.F.



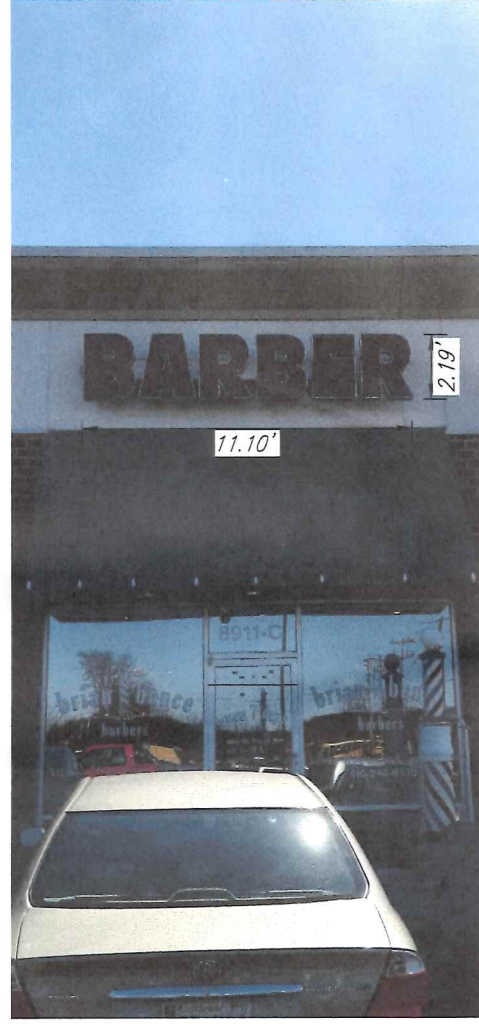
CC 64.20 S.F.



DD 64.20 S.F.



EE 16.67 S.F.



FF 24.31 S.F.



EXISTING TO BE REMOVED
SIGN 1 343.68 S.F.



EXISTING TO BE REMOVED
SIGN 2 55.12 S.F.



SIGN 3 37.95 S.F.



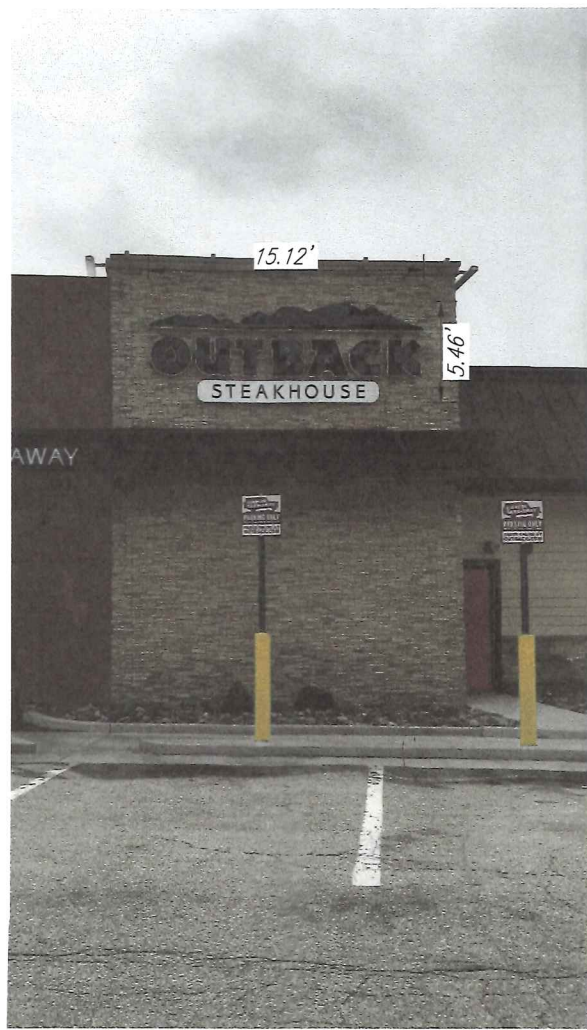
EXISTING TO BE REMOVED
SIGN 4 29.77 S.F.



EXISTING TO BE REMOVED
SIGN 5 14.08 S.F.



OB 1 3.55 S.F.



OB 2 82.56 S.F.



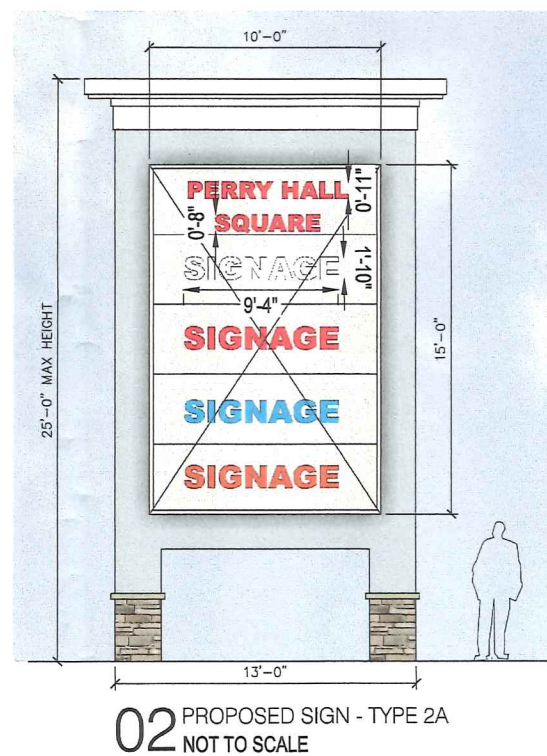
OB 3 56.23 S.F.



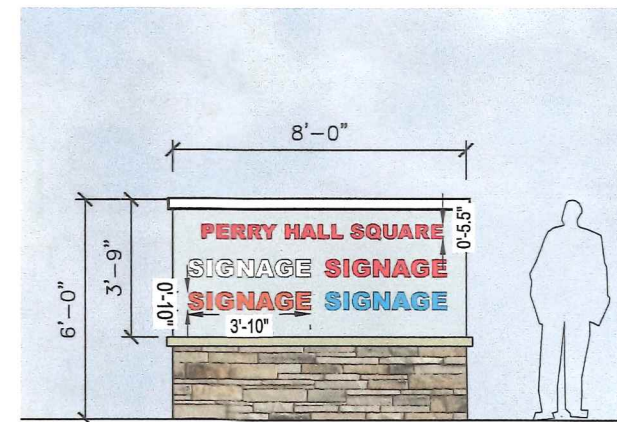
OB 4 14.99 S.F.

1.5% OF TOTAL WALL AREA BASED ON WALL DIMENSION OF 468' X 17.8'

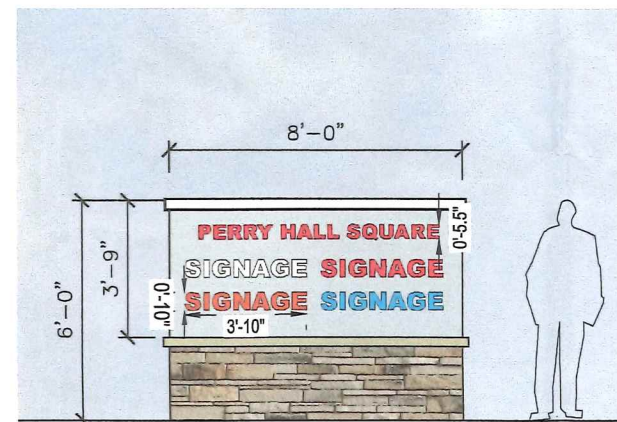
ID1 167.48 S.F.



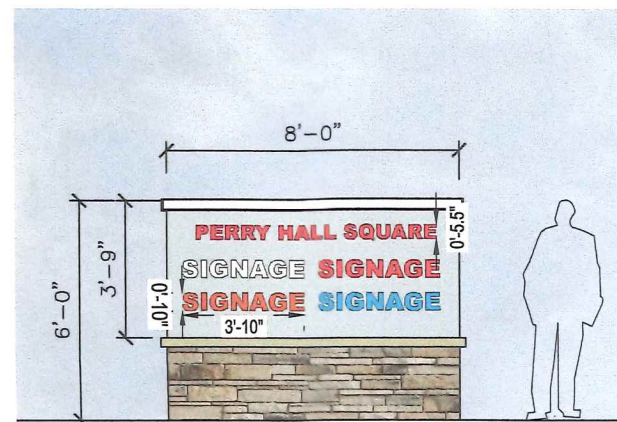
PROPOSED
SIGN 1 150.00 S.F.



PROPOSED/RELOCATED
SIGN 2 24.00 S.F.

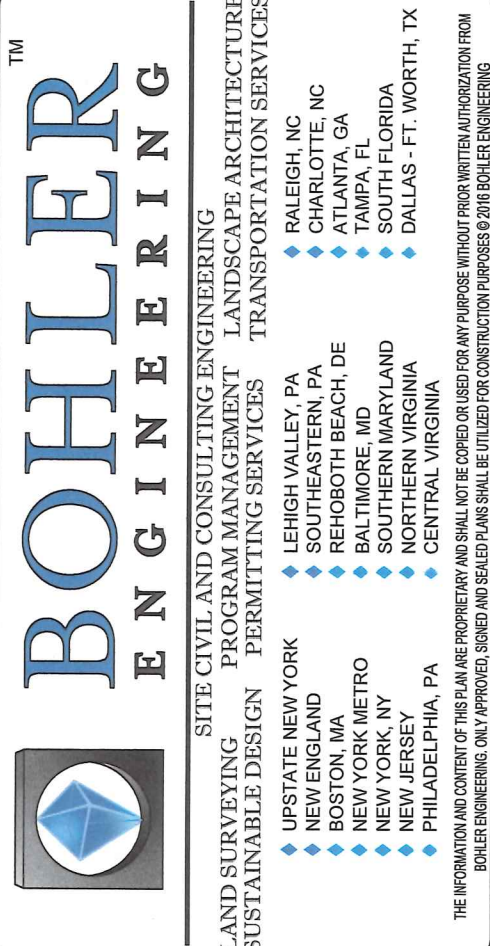


PROPOSED
SIGN 4 24.00 S.F.



PROPOSED
SIGN 5 24.00 S.F.

ELEVATIONS ARE BASED UPON NAVD 1888 DATUM AS REFERENCED TO BALTIMORE COUNTY MONUMENTS 440A AND 659.



REVISIONS			
REV	DATE	COMMENT	BY

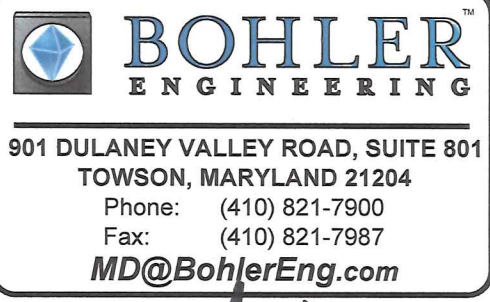


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PROJECT NO.: MD182010
DRAWN BY: CLF
CHECKED BY: MJG
DATE: 05/01/18
SCALE: AS NOTED
CAD I.D.: EXD

PROJECT: SIGN VARIANCE PLAN FOR ATLANTIC REALTY COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
4313 EBENEZER ROAD
TM 72, GRID 14, PARCEL 162
NOTTINGHAM MD 21236
BALTIMORE COUNTY

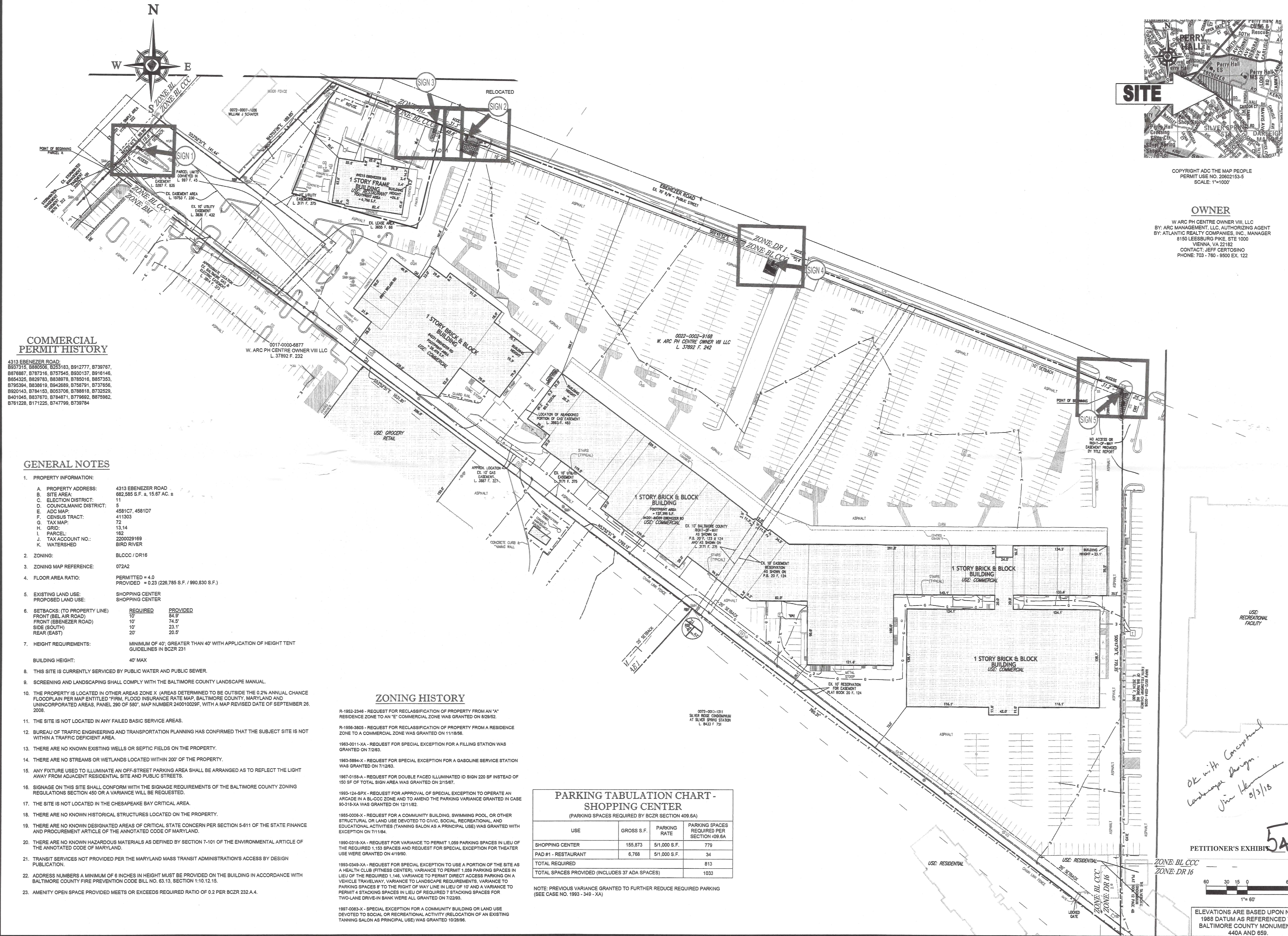


SHEET TITLE: PLAN TO ACCOMPANY SIGN VARIANCE PETITION

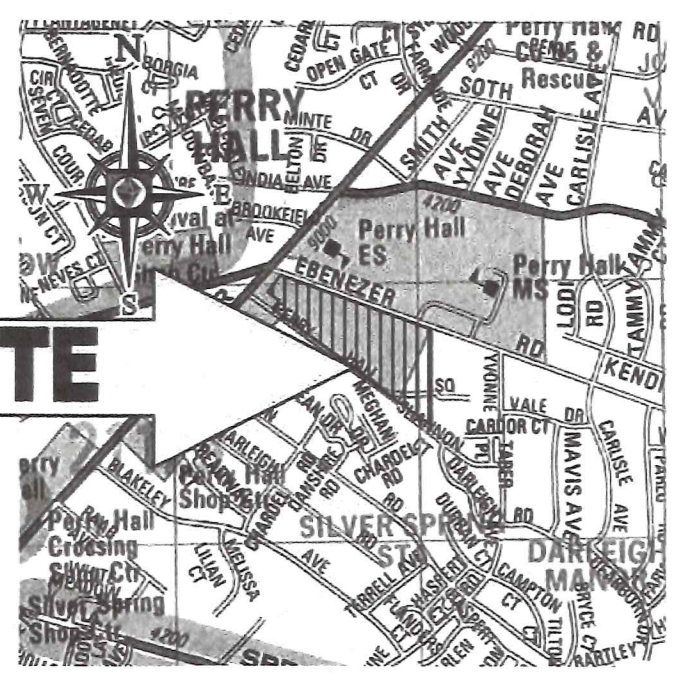
SHEET NUMBER: 3



1



SITE



COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20502153-5
SCALE: 1"=100'

OWNER

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

COMMERCIAL PERMIT HISTORY

4313 EBENEZER ROAD:
B937316, B880506, B253183, B912777, B739767,
B876887, B787316, B757545, B930137, B916146,
B654325, B629783, B838978, B785016, B857363,
B785384, B638519, B942689, B785791, B737656,
B920143, B784153, B053706, B788818, B732523,
B401045, B837670, B784871, B779692, B875982,
B761228, B171225, B747799, B739784

GENERAL NOTES

- PROPERTY INFORMATION:
 - A. PROPERTY ADDRESS: 4313 EBENEZER ROAD
 - B. SITE AREA: 692,585 S.F. ±, 15.87 AC. ±
 - C. ELECTION DISTRICT: 11
 - D. COUNCILMANIC DISTRICT: 5
 - E. ADC MAP: 4581C7, 4581D7
 - F. CENSUS TRACT: 411303
 - G. TAX MAP: 72
 - H. GRID: 13, 14
 - I. PARCEL: 162
 - J. TAX ACCOUNT NO.: 2200029169
 - K. WATERSHED: BIRD RIVER
- ZONING: BLCCC / DR16
- ZONING MAP REFERENCE: 072A2
- FLOOR AREA RATIO:
 - PERMITTED = 4.0
 - PROVIDED = 0.23 (226,785 S.F. / 990,830 S.F.)
- EXISTING LAND USE: SHOPPING CENTER
PROPOSED LAND USE: SHOPPING CENTER
- SETBACKS: (TO PROPERTY LINE)
 - FRONT (BEL AIR ROAD): REQUIRED 10', PROVIDED 84.9'
 - FRONT (EBENEZER ROAD): 10', 74.5'
 - SIDE (SOUTH): 10', 23.1'
 - REAR (EAST): 20', 20.5'
- HEIGHT REQUIREMENTS: MINIMUM OF 40', GREATER THAN 40' WITH APPLICATION OF HEIGHT TENT GUIDELINES IN BCZR 231
BUILDING HEIGHT: 40' MAX
- THIS SITE IS CURRENTLY SERVICED BY PUBLIC WATER AND PUBLIC SEWER.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- 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).
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
- BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE PROPERTY.
- THERE ARE NO STREAMS OR WETLANDS LOCATED WITHIN 200' OF THE PROPERTY.
- 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.
- SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450 OR A VARIANCE WILL BE REQUESTED.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.
- 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.
- THERE ARE NO KNOWN HAZARDOUS MATERIALS AS DEFINED BY SECTION 7-101 OF THE ENVIRONMENTAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
- TRANSIT SERVICES NOT PROVIDED PER THE MARYLAND MASS TRANSIT ADMINISTRATION'S ACCESS BY DESIGN PUBLICATION.
- 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 11.0.12.15.
- AMENITY OPEN SPACE PROVIDED MEETS OR EXCEEDS REQUIRED RATIO OF 0.2 PER BCZR 232 A.4.

ZONING HISTORY

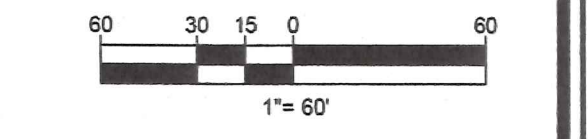
- R-1952-2346 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE WAS GRANTED ON 8/28/52.
- R-1958-3805 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A RESIDENCE ZONE TO A COMMERCIAL ZONE WAS GRANTED ON 11/18/58.
- 1963-0511-XA - REQUEST FOR SPECIAL EXCEPTION FOR A FILLING STATION WAS GRANTED ON 7/2/63.
- 1963-5894-X - REQUEST FOR SPECIAL EXCEPTION FOR A GASOLINE SERVICE STATION WAS GRANTED ON 7/12/63.
- 1967-0158-A - REQUEST FOR DOUBLE FACED ILLUMINATED ID SIGN 220 SF INSTEAD OF 150 SF OF TOTAL SIGN AREA WAS GRANTED ON 2/15/67.
- 1983-124-SPX - REQUEST FOR APPROVAL OF SPECIAL EXCEPTION TO OPERATE AN ARCADE IN A BL-CCC ZONE AND TO AMEND THE PARKING VARIANCE GRANTED IN CASE 90318-XA WAS GRANTED ON 12/11/82.
- 1983-0008-X - REQUEST FOR A COMMUNITY BUILDING, SWIMMING POOL, OR OTHER STRUCTURAL OR LAND USE DEVOTED TO CIVIC, SOCIAL, RECREATIONAL, AND EDUCATIONAL ACTIVITIES (TANNING SALON AS A PRINCIPAL USE) WAS GRANTED WITH EXCEPTION ON 7/11/84.
- 1990-0318-XA - REQUEST FOR VARIANCE TO PERMIT 1,059 PARKING SPACES IN LIEU OF THE REQUIRED 1,153 SPACES AND REQUEST FOR SPECIAL EXCEPTION FOR THEATER USE WERE GRANTED ON 4/19/90.
- 1993-0348-XA - REQUEST FOR SPECIAL EXCEPTION TO USE A PORTION OF THE SITE AS A HEALTH CLUB (FITNESS CENTER), VARIANCE TO PERMIT 1,059 PARKING SPACES IN LIEU OF THE REQUIRED 1,146, VARIANCE TO PERMIT DIRECT ACCESS PARKING ON A VEHICLE TRAVELWAY, VARIANCE TO LANDSCAPE REQUIREMENTS, VARIANCE TO PARKING SPACES 8' TO THE RIGHT OF WAY LINE IN LIEU OF 10' AND A VARIANCE TO PERMIT 4 STACKING SPACES IN LIEU OF REQUIRED 7 STACKING SPACES FOR TWO-LANE DRIVE-IN BANK WERE ALL GRANTED ON 7/22/93.
- 1997-0083-X - SPECIAL EXCEPTION FOR A COMMUNITY BUILDING OR LAND USE DEVOTED TO SOCIAL OR RECREATIONAL ACTIVITY (RELOCATION OF AN EXISTING TANNING SALON AS PRINCIPAL USE) WAS GRANTED 10/28/98.

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
SHOPPING CENTER	155,873	5/1,000 S.F.	779
PAD #1 - RESTAURANT	6,768	5/1,000 S.F.	34
TOTAL REQUIRED			813
TOTAL SPACES PROVIDED (INCLUDES 37 ADA SPACES)			1033

NOTE: PREVIOUS VARIANCE GRANTED TO FURTHER REDUCE REQUIRED PARKING (SEE CASE NO. 1993 - 349 - XA)

PETITIONER'S EXHIBIT **5A-B**



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

BOHLER ENGINEERING

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

• BALTIMORE, MD
• BOSTON, MA
• CHICAGO, IL
• CINCINNATI, OH
• COLUMBIA, SC
• DALLAS, TX
• DENVER, CO
• HOUSTON, TX
• KANSAS CITY, MO
• LOS ANGELES, CA
• MEMPHIS, TN
• MIAMI, FL
• MINNEAPOLIS, MN
• NEW YORK, NY
• PHILADELPHIA, PA
• PORTLAND, ME
• RICHMOND, VA
• SAN ANTONIO, TX
• SEATTLE, WA
• SILVER SPRING, MD
• TAMPA, FL
• WASHINGTON, DC
• WICHITA, KS

REVISIONS

REV	DATE	COMMENT	BY

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SIGN VARIANCE PLAN
FOR
ATLANTIC REALTY COMPANY

LOCATION OF SITE
PERRY HALL SQUARE
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BALTIMORE COUNTY

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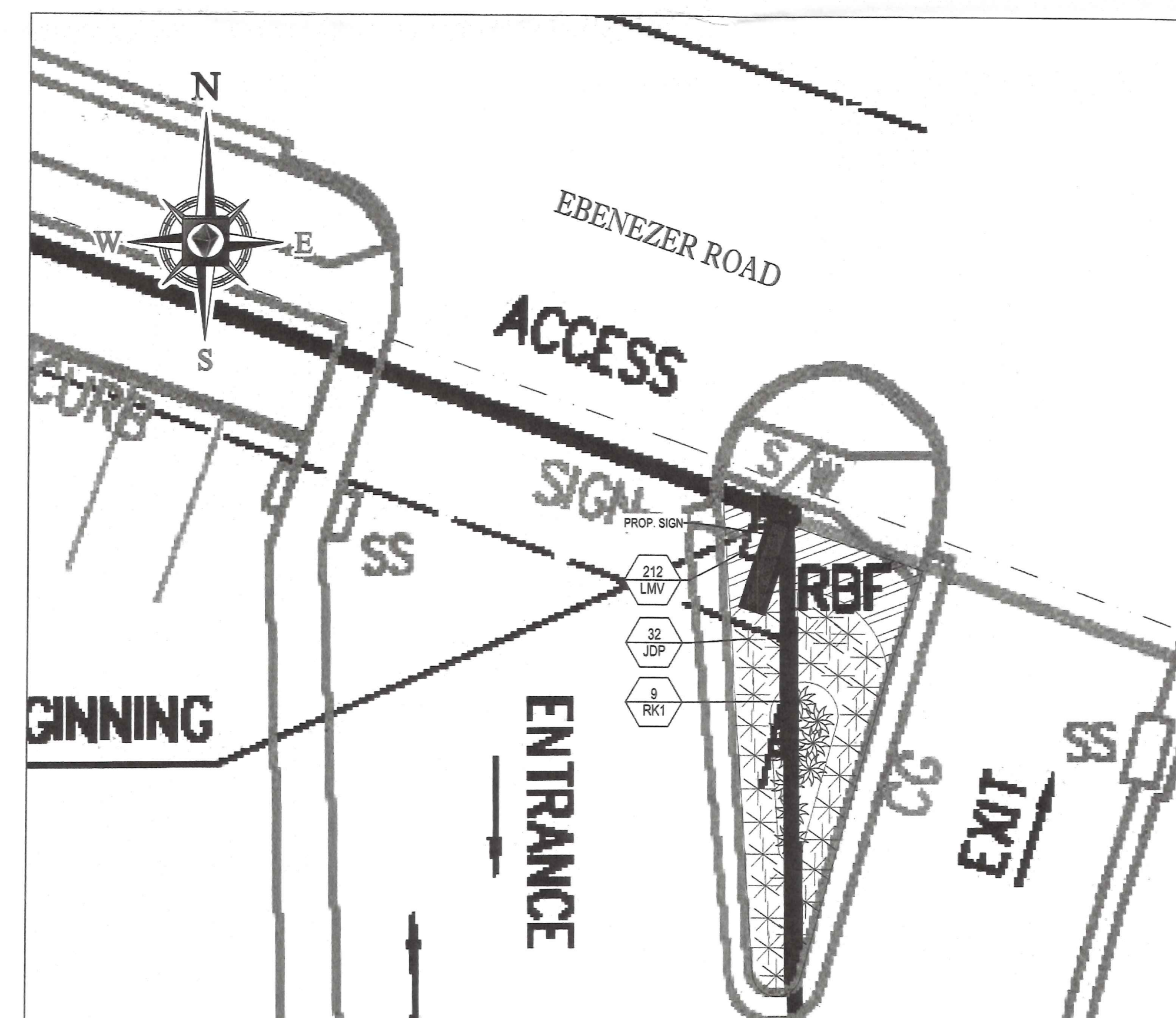
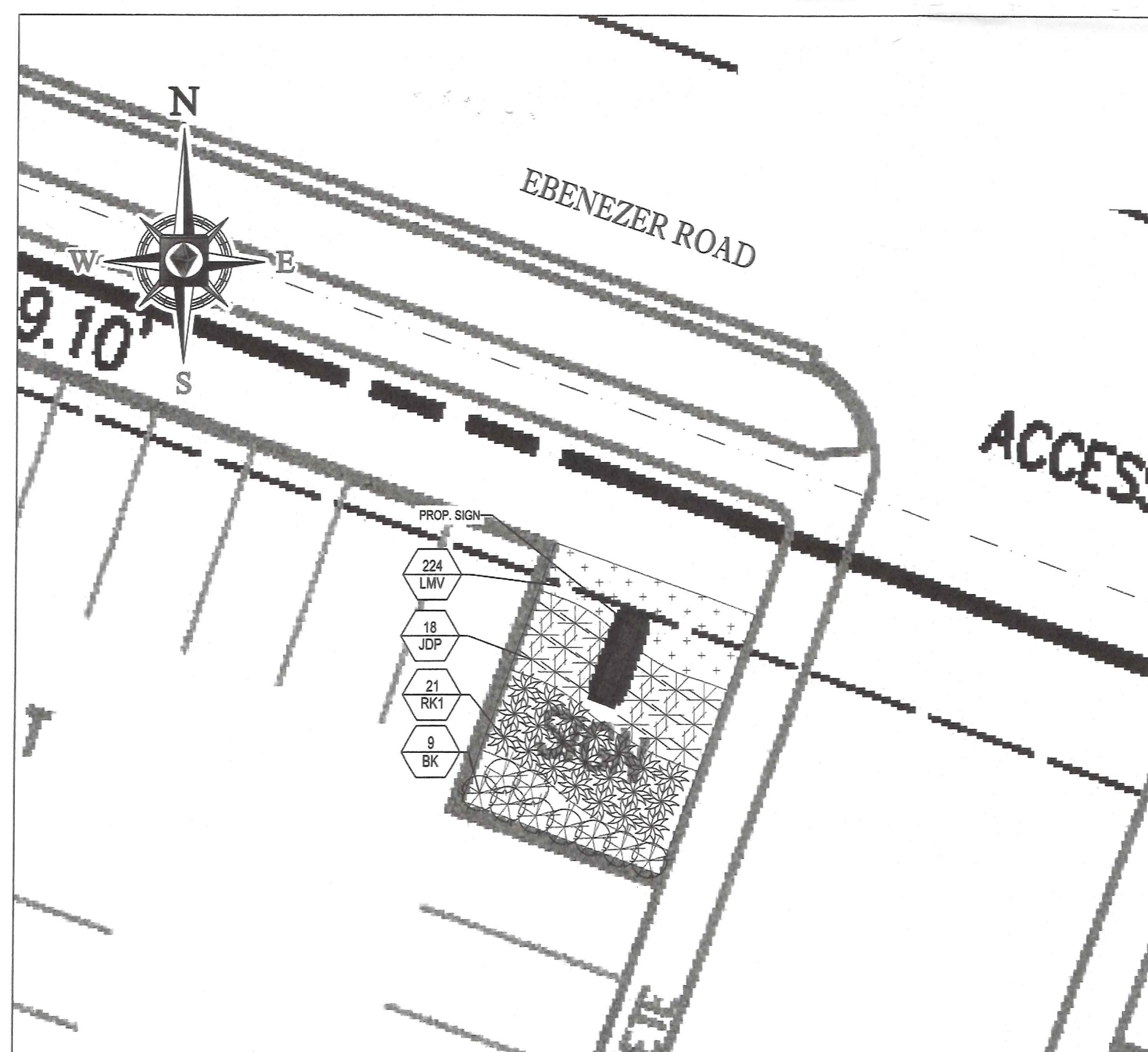
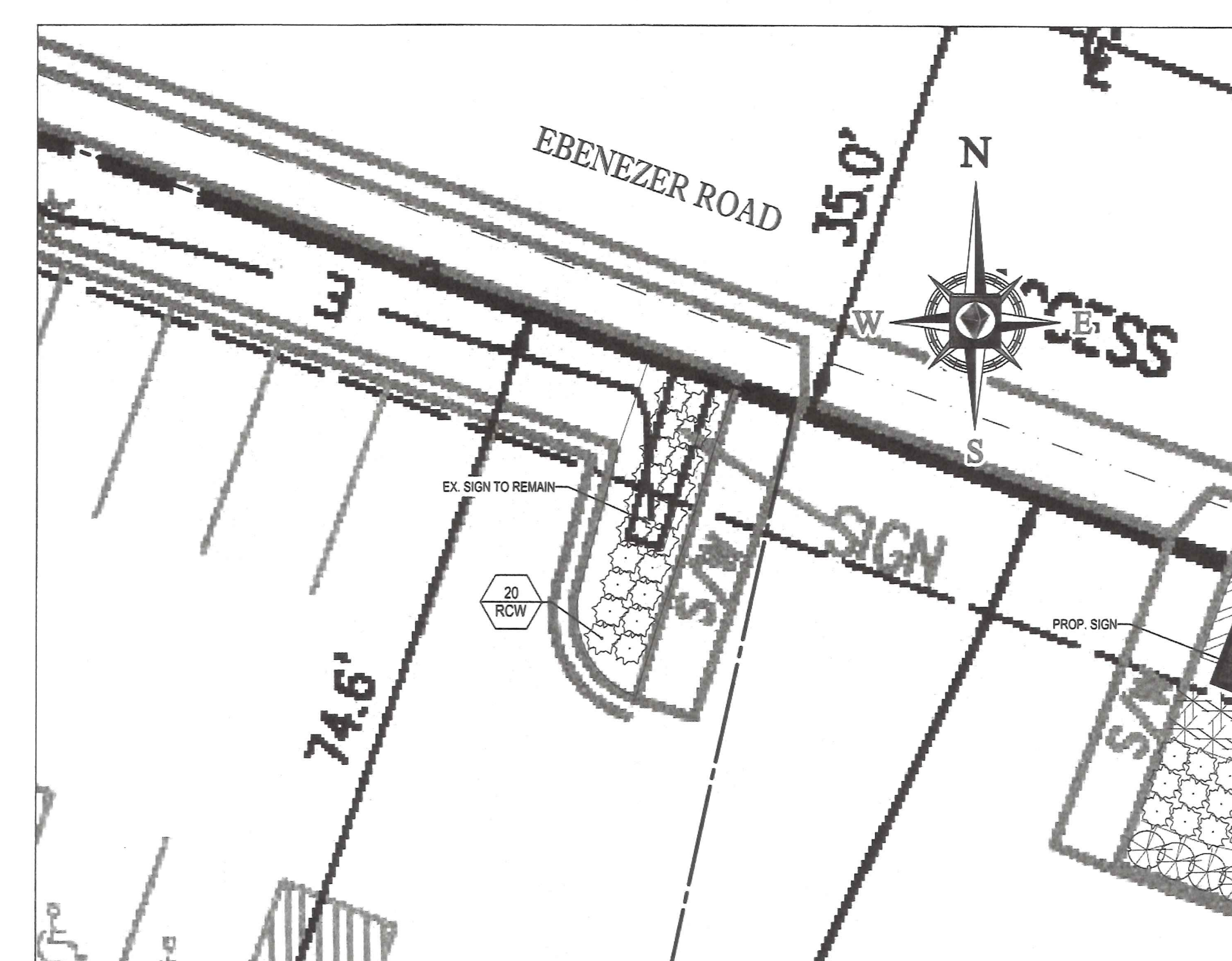
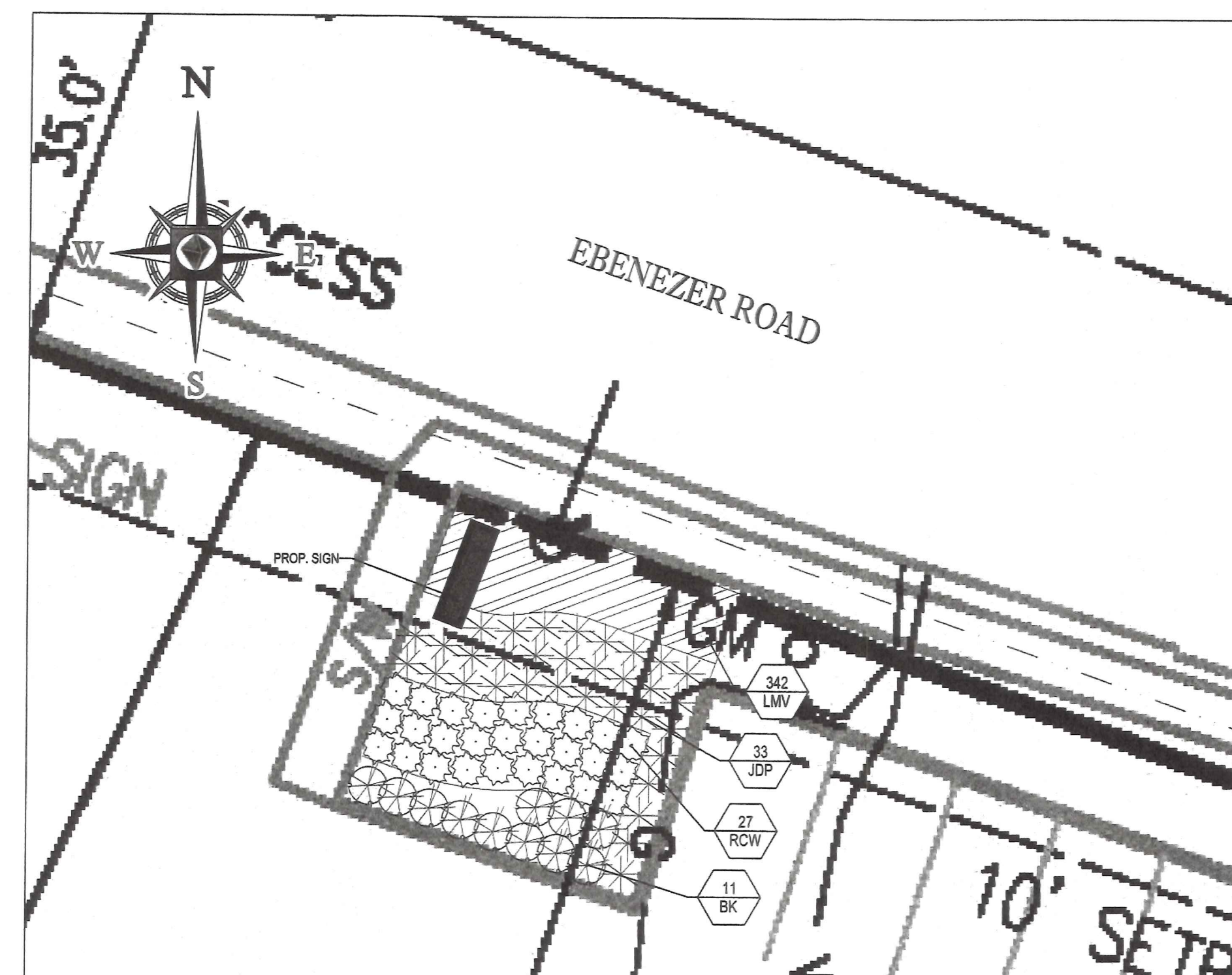
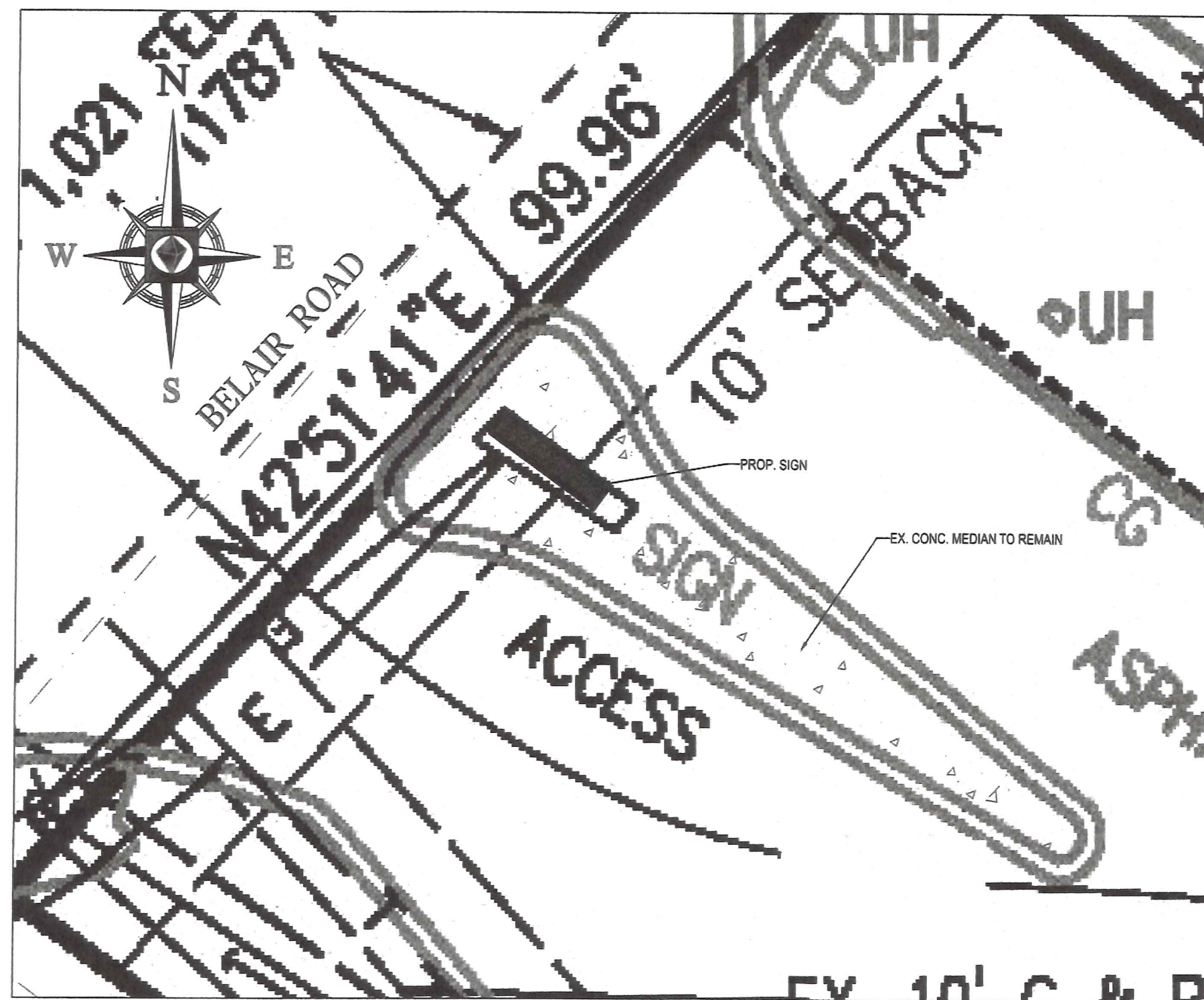
901 DULANEY VALLEY ROAD, SUITE 801
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Phone: (410) 821-7900
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E.R. McWILLIAMS

REGISTERED PROFESSIONAL ARCHITECT
PROFESSIONAL SEAL
I, E.R. McWILLIAMS, DO HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME, OR THAT I AM A duly Licensed Professional Architect UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 3897, EXPIRATION DATE: 8/2018

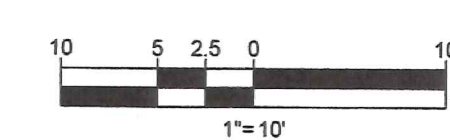
OVERALL LANDSCAPE PLAN

SHEET NUMBER: **1**



LANDSCAPE SCHEDULE					
KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.
DECIDUOUS SHRUBS					
RCW	47	ROSA 'CAREFREE WONDER'	CAREFREE WONDER ROSE	24"	3 GAL.
RK1	30	ROSA 'KNOCKOUT'	DOUBLE KNOCKOUT ROSE	18-24"	#3 CAN
SUBTOTAL:	77				
EVERGREEN SHRUBS					
BK	20	BUXUS KOREANA	KOREAN BOXWOOD	30-36"	B+B
JDP	84	JUNIPERUS DAURICA 'PARSON'	PARSON JUNIPER	15-18" SPRD.	#3 CAN
SUBTOTAL:	104				
PERENNIALS					
LMV	778	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LILYTURF	1 PT.	CONTAINER
SUBTOTAL:	778				

Ok with Conceptual
Landings Design
Jim Hammett
8/2/18



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

[illegible]