

MEMORANDUM

DATE: November 7, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0054-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 5, 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(8700 Liberty Road)

2nd Election District

4th Council District

Liberty Plaza Holdings, LLC

Legal Owners

SunTrust Bank

Lessee

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0054-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Liberty Plaza Holdings, LLC, the legal owners of the subject property and SunTrust Bank, lessee ("Petitioners"). Petitioners are requesting variance relief from Section 450 of the Baltimore County Zoning Regulations ("BCZR") to allow two (2) wall-mounted enterprise signs on a single tenant structure with sign areas/faces of 12.5 sq. ft. each in lieu of the permitted 6 sq. ft. each. A site plan was marked as Petitioners' Exhibit 1.

Professional engineer Brian Conlon and Kristin Stone from SunTrust appeared in support of the petition. David H. Karceski, Esq. represented Petitioners. 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.

The site is approximately seven (7) acres in size and zoned BM-CCC. The subject property is a portion of a 25 acre parcel improved with a Wal-Mart Supercenter and several other commercial enterprises. This case involves an extremely small area of the site on which is constructed a SunTrust ATM kiosk.

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

ORDER RECEIVED FOR FILING

Date 10/5/18

By Sen

- (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).

Cromwell and similar cases emphasize that it is the physical attributes of the property itself which must be examined to determine if a variance is justified. The subject property has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to have signage for the bank kiosk. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of County and/or community opposition.

The DOP indicated in its ZAC comment that a dumpster on the property does not have an appropriate enclosure. As noted above this is a large site and it is unclear from the comment which commercial establishment owns/maintains the dumpster. SunTrust will not have a dumpster on its leased property; as such, I believe this is a matter that should be investigated by the Code Enforcement Bureau, and a copy of this Order will be sent to that agency.

THEREFORE, IT IS ORDERED, this 5th day of **October, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR Section 450 to allow two (2) wall-mounted enterprise signs on a single tenant structure with sign areas/faces of 12.5 sq. ft. each in lieu of the permitted 6 sq. ft. each, be and is hereby GRANTED.

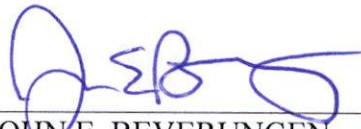
ORDER RECEIVED FOR FILING

Date 10/5/18
By Sen

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners 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:sln

ORDER RECEIVED FOR FILING

Date 10/5/18

By sen



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 8700 Liberty Road which is presently zoned BM-CCC, OR2

Deed References: 11064/290 10 Digit Tax Account # 2500008767

Property Owner(s) Printed Name(s) Liberty Plaza Holdings, LLC

(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

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

3. ☒ a Variance from Section(s)

SEE ATTACHED SHEET

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:

Name- Type or Print _____ Estate & Workplace _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

David H. Karcieski, Esquire

Name- Type or Print _____

Signature Venable LLP

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

Mailing Address _____ City _____ State _____

21204 / 410-494-6285 / dhkarcieski@venable.com

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Liberty Plaza Holdings, LLC

Dipen Patel, Member

Name #1 - Type or Print _____

Name #2 - Type or Print _____

Signature #1 _____

Signature #2 _____

5003 Crape Myrtle Court

Ellicott City

MD

Mailing Address _____

City _____

State _____

21042

240-876-0929

Zip Code _____

Telephone # _____

Email Address _____

Representative to be contacted:

David H. Karcieski, Esquire

Name - Type or Print _____

Signature Venable LLP

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

Mailing Address _____ City _____ State _____

21204 / 410-494-6285 / dhkarcieski@venable.com

Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2019-0054-A Filing Date 8/17/2018 Do Not Schedule Dates: _____ Reviewer W

REV. 10/4/11



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:

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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:

Suntrust Bank

Kristin B. Stone, Corporate Real Estate Manager, Corporate Real Estate & Workplace

Signature Kristin B. Stone

11011 West Broad Street, 1st Floor, Glen Allen, VA
Mailing Address City State

23060, 804-923-8732, Kristin.stone@suntrust.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print David H. Karceski, Esquire

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):

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 David H. Karceski, Esquire

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 2019-0054-A Filing Date 8/17/2018 Do Not Schedule Dates: Reviewer M

REV. 10/4/11

Drop off No Review

8700 LIBERTY ROAD

ATTACHMENT TO PETITION FOR VARIANCE

Variance from B.C.Z.R. Section 450.4 Attachment 5(a)(v) to allow two wall-mounted enterprise signs on a single tenant structure with sign areas/faces of 12.5 square feet each in lieu of the permitted 6 square feet each.

6 June 2018
2200402

**ZONING DESCRIPTION
LIBERTY PLAZA SHOPPING CENTER
2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
PARCEL ID 22-00-023162**

Being a parcel of land lying in the 2nd Election District of Baltimore County, Maryland and being all the property acquired by New Plan Maryland Holdings from New Plan Excel Realty Trust, Inc. by deed dated April 19th, 2007 and recorded among the land records of Baltimore County, Maryland in Liber 25591 at Folio 17, and being more particularly described as follows,

Beginning at an iron pipe found on the easterly right-of-way line of Brenbrook Drive (70 feet wide), said point being located approximately 275.87 feet from the intersection of the easterly right-of-way line of Brenbrook Drive and the northerly right-of-way line of Liberty Road, and extending thence,

Along the easterly line of Brenbrook Drive the following two (2) courses;

- 1) North 25° 16' 54" East, 64.52 feet; thence,
- 2) On an arc curving to the left having a radius of 1110.00 feet for an arc length of 777.42 feet, said curve being subtended by a chord bearing North 05° 18' 18" East, 761.63 feet to the southerly right-of-way line of Church Lane; thence

Along the southerly right-of-way line of Church Lane the following seven (7) courses;

- 3) North 17° 33' 23" East, 15.44 feet; thence,
- 4) On an arc curving to the left having a radius of 666.62 feet for an arc length of 89.64 feet, said curve being subtended by a chord bearing North 74° 23' 17" East, 89.57 feet; thence,
- 5) North 70° 32' 09" East, 96.28 feet; thence,
- 6) North 14° 36' 52" West, 28.79 feet to a point in the bed of Church Lane; thence,
- 7) North 76° 03' 17" East, 363.68 feet to a point; thence,
- 8) South 84° 32' 23" East, 660.00 feet to a point; thence,
- 9) South 71° 28' 18" East, 41.25 feet to a point; thence,

Leaving the bed of Church Lane and extending the following five (5) courses,

- 10) South 31° 05' 42" West, 24.66 feet; thence,
- 11) North 69° 25' 15" West, 60.00 feet; thence,
- 12) South 31° 05' 42" West, 181.67 feet; thence,
- 13) South 69° 25' 15" East, 60.00 feet; thence,
- 14) South 31° 05' 42" West, 1491.68 feet to the Northerly right-of-way line of Liberty Road (80 wide); thence,

2019-0054-A

Along said northerly right-of-way line of Liberty Road the following six (6) courses;

- 15) North 64° 36' 22" West, 8.88 feet; thence,
- 16) North 25° 23' 38" East, 10.00 feet; thence,
- 17) North 64° 36' 22" West, 23.00 feet; thence,
- 18) South 25° 23' 38" West, 10.00 feet; thence,
- 19) North 64° 36' 22" West, 11.74 feet; thence,
- 20) North 64° 37' 25" West, 150.49 feet; thence,

Leaving said northerly right-of-way line of Liberty Road and extending the following three (3) courses;

- 21) North 01° 13' 43" East, 243.41 feet; thence,
- 22) South 82° 35' 13" West, 87.27 feet; thence,
- 23) South 14° 21' 37" West, 178.04 feet; thence,

Along said northerly right-of-way line of Liberty Road the following course;

- 24) North 64° 35' 19" West, 134.73 feet; thence,

Leaving said northerly right-of-way line of Liberty Road and extending the following two (2) courses;

- 25) North 08° 27' 23" East, 201.46 feet; thence,
- 26) North 22° 07' 53" West, 137.01 feet to the point of beginning.

Containing 1,127,464 square feet or 25.883 of an acre of land, more or less.

I hereby certify that this description was prepared by me or that I was in responsible charge over its preparation and that this description is in compliance with COMAR Section 09.13.06.08 of the Minimum Standards of practice as now adopted by the Board for Professional Land Surveyors.

6-6-18

Date

Fidel Gonzalez Jr.

Fidel Gonzalez
Professional Land Surveyor
Maryland Registration No. 21590



2019-0054-A

LANGAN

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11617593
Case #: 2019-0054-A
Description:

CASE NUMBER: 2019-0054-A NOTICE OF ZONING HEARING

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/14/2018



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0054-A

8700 Liberty Road

E/s Liberty Road, 325 ft. E/of centerline of Brenbrook Drive

2nd Election District - 4th Councilmanic District

Legal Owners: Liberty Plaza Holdings, L.L.C

Variance to allow two wall-mounted enterprise signs on a single tenant structure with sign area/faces of 12.5 sq. ft. each in lieu of the permitted 6 sq. ft. each.

Hearing: Thursday, October 4, 2018 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

s14

Debra Wiley

10/4
11 Am

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Tuesday, October 02, 2018 10:37 PM
To: Barbara A. Lukasevich; DKarceski@Venable.com; Administrative Hearings
Subject: Recertification's For 2019-0054-A AND 2019-0036-SPHA
Attachments: Re-Cert 1 2019-0036-SPHA.doc; Re-Cert 2 2019-0036-SPHA.doc; Re-Cert 1 2019-0054-A.doc; Re-Cert 2 2019-0054-A.doc

Recertification's for 8700 Liberty Road AND 5400 Old Court Road



CERTIFICATE OF POSTING

2019-0054-A

RE: Case No.: _____

Petitioner/Developer: _____

Liberty Plaza Holdings, LLC.

October 4, 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:

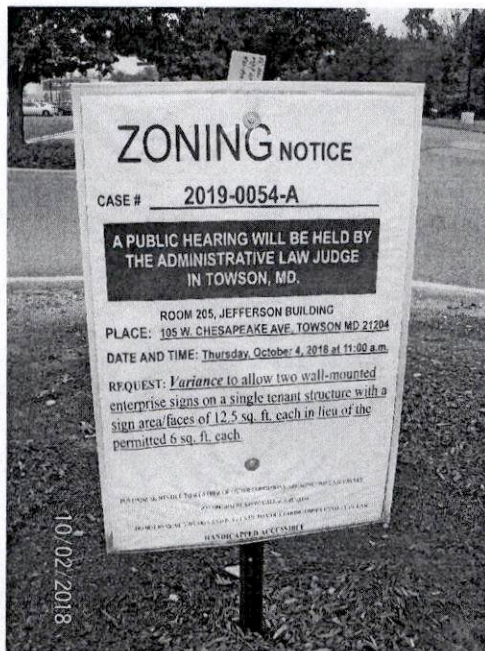


This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

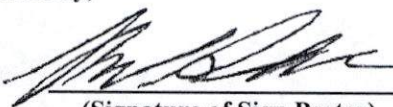
8700 Liberty Road **SIGN 1 Recertification**

September 14, 2018

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



Sincerely,

 October 2, 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

2019-0054-A

RE: Case No.: _____

Petitioner/Developer: _____

Liberty Plaza Holdings, LLC.

October 4, 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:

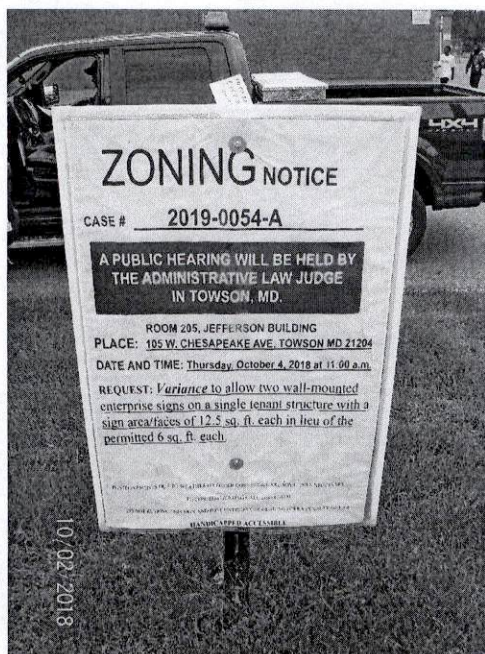
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____



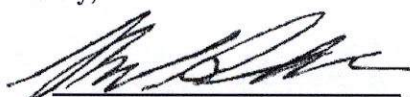
8700 Liberty Road **SIGN 2 Recertification**

September 14, 2018

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



Sincerely,

 October 2, 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

2019-0054-A

RE: Case No.: _____

Petitioner/Developer: _____

Liberty Plaza Holdings, LLC.

October 4, 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: _____

8700 Liberty Road

SIGN 1

September 14, 2018

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



Sincerely,

 September 14, 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

2019-0054-A

RE: Case No.: _____

Petitioner/Developer: _____

Liberty Plaza Holdings, LLC.

October 4, 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: _____

8700 Liberty Road

SIGN 2

September 14, 2018

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



Sincerely,

 September 14, 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: THE DAILY RECORD
Friday, September 14, 2018 Issue

Please forward billing to:

Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6205

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: 2019-0054-A

8700 Liberty Road

E/s Liberty Road, 325 ft. E/of centerline of Brenbrook Drive

2nd Election District – 4th Councilmanic District

Legal Owners: Liberty Plaza Holdings, LLC

Variance to allow two wall-mounted enterprise signs on a single tenant structure with sign area/faces of 12.5 sq. ft. each in lieu of the permitted 6 sq. ft. each.

Hearing: Thursday, October 4, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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



DONALD I. MOHLER III
County Executive

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

September 6, 2018

NOTICE OF ZONING HEARING

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Hearing: Thursday, October 4, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Dipen Patel, 5003 Crape Myrtle Court, Ellicott City 21042

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 14, 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.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
8700 Liberty Road; E/S Liberty Road, 325' E	*	OF ADMINISTRATIVE
from c/line of Brenbrook Drive	*	HEARINGS FOR
2 nd Election & 4 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Liberty Plaza Holdings, LLC	*	2019-054-A
Contract Purchaser(s): Suntrust Bank		

* * * * *

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
AUG 29 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2018, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2019-0054-A
Property Address: 8700 Liberty Road
Property Description: n/s, 1200 feet west of Old Court Road

Legal Owners (Petitioners): New Plan Maryland Holdings LLC
Contract Purchaser/Lessee: Suntrust Bank

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich
Company/Firm (if applicable): Venable LLP
Address: 210 W. Pennsylvania Avenue
Suite 500
Towson, Maryland 21204
Telephone Number: 410 494-6205

No. 170304

Date

Rev	Sub
Source/	Rev/

REC'D 1302 WALKIN-JEE
RECEIPT # 045163 8/21/2018 OFLN

5.528 ZONING VERIFICATION

170304

Nett Total: 8.500,00

500 OK

Essex County, Maryland

Total

500.00

Rec

From:

For

8700 Liberty Rd

PRIDE - Case # 2018 - 0355 - A

209-0059-X

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

September 26, 2018

Liberty Plaza Holdings, LLC
Dipen Patel
5003 Crape Myrtle Court
Ellicott City, MD 21042

RE: Case Number: 2019-0054-A, Address: 8700 Liberty RD

Dear Mr. Patel,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 17, 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 dark ink, reading "W. Carl Richards, Jr.", is written over a circular embossed seal.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David H. Karceski, Esquire, 210 W. Pennsylvania Ave., Ste. 500, Towson, MD 21204

Date: 8/27/18

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

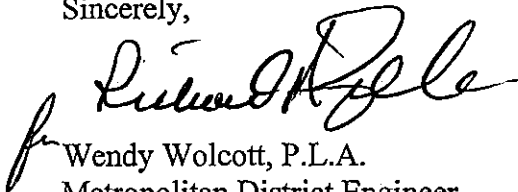
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/27/18. A field inspection and internal review reveals that an entrance onto MD26 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2019-0054-A.

*Liberty Plaza Holdings, LLC. Dependent
8700 Liberty Road
MD26*

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

DATE: 9/12/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-054



INFORMATION:

Property Address: 8700 Liberty Road
Petitioner: Liberty Plaza Holdings, LLC
Zoning: BM-CCC
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to allow two wall-mounted enterprise signs on a single tenant structure with sign areas/faces of 12.5 square feet each in lieu of the permitted 6 square feet each.

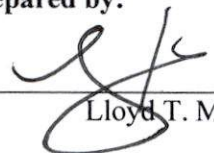
A site visit was conducted on August 29, 2018. The overall property is generally in a poor condition.

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

The Department recommends the petitioners bring the property into compliance with the Maintenance of Investment Property requirements found in BCC§35-2-404 and that any permanent on-site dumpsters be secured within an enclosure prior to the issuance of a sign permit for the property.

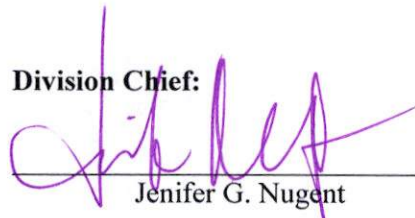
For further information concerning the matters stated herein, please contact Pat McDougall at 410-887-3480.

Prepared by:



Lloyd T. Moxley

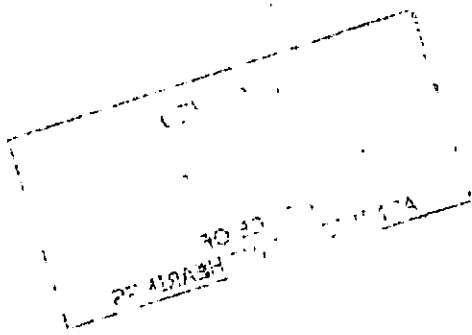
Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Pat McDougall
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



10-4

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0054-A
Address 8700 Liberty Road
(Liberty Plaza Holdings, LLC
Property)

Zoning Advisory Committee Meeting of **September 3, 2018.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0054-A
Address 8700 Liberty Road
(Liberty Plaza Holdings, LLC
Property)

Zoning Advisory Committee Meeting of **September 3, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 9/12/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-054

INFORMATION:

Property Address: 8700 Liberty Road
Petitioner: Liberty Plaza Holdings, LLC
Zoning: BM-CCC
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to allow two wall-mounted enterprise signs on a single tenant structure with sign areas/faces of 12.5 square feet each in lieu of the permitted 6 square feet each.

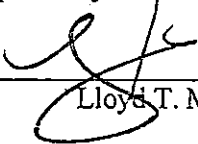
A site visit was conducted on August 29, 2018. The overall property is generally in a poor condition.

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

The Department recommends the petitioners bring the property into compliance with the Maintenance of Investment Property requirements found in BCC§35-2-404 and that any permanent on-site dumpsters be secured within an enclosure prior to the issuance of a sign permit for the property.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Pat McDougall
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

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

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

DATE: September 12, 2018

SUBJECT: Zoning Advisory Committee Meeting
For September 3, 2018
Item No. 2019-0043-A, 0052-A, 0053-SPHX, 0054-A, 0055-A and 0060-A

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

* * * * *

VKD: cen
cc: file

CASE NAME 8700 Liberty
CASE NUMBER 19-058
DATE 10/9/18

NAME

CITY, STATE, ZIP

E - MAIL

[illegible]

C H E C K L I S T

**Support/Oppose/
Conditions/
Comments/
No Comment**

**Comment
Received**

Department

9/12

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

NO Comment

9/5

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

No Comment

FIRE DEPARTMENT

9/13

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

NO Obj. Comment

8/27

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2012-0258-XA)

NEWSPAPER ADVERTISEMENT

Date:

9/14/18

SIGN POSTING (1st)

Date:

9/14/18

by

SSG Black

SIGN POSTING (2nd)

Date:

10/2/18

by

SSG Black

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 - 02 Account Number - 2500008767			
Owner Information					
Owner Name:	FALLING WATER HOSPITALITY LLC		Use:	COMMERCIAL	
Mailing Address:	%PARAGON CO PROP MGMT LLC 60 WEST ST STE 204 ANNAPOLIS MD 21401-		Principal Residence:	NO	
			Deed Reference:	/40499/ 00060	
Location & Structure Information					
Premises Address:	8700 LIBERTY RD RANDALLSTOWN MD 21133-4706		Legal Description:	6.98 AC 8700 LIBERTY RD NS. WALMART AT LIBERTY PLAZA	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0077	0015	0783		9211	1 2019 79/211
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1986	59,751 SF		6.9800 AC	14	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		OFFICE BUILDING			2013
Value Information					
	Base Value	Value	Phase-In Assessments		
		As of	As of	As of	
		01/01/2016	07/01/2018	07/01/2019	
Land:	1,396,000	1,396,000			
Improvements	8,140,200	8,140,200			
Total:	9,536,200	9,536,200	9,536,200		
Preferential Land:	0				
Transfer Information					
Seller: NEW PLAN MARYLAND HOLDINGS LLC		Date: 07/25/2018		Price: \$9,500,000	
Type: ARMS LENGTH IMPROVED		Deed1: /40499/ 00060		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	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:**

IN RE: PETITIONS FOR SPECIAL EXCEPTION *
AND VARIANCE

N side of Liberty Road, 193' E of the c/line of *
Brenbrook Drive
2nd Election District *
4th Councilmanic District *
(8710 Liberty Road) *

New Plan Maryland Holdings, LLC, *
Legal Owner
Carroll Branded Fuels, Contract Purchaser/ *
Lessee
Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

Case No. 2012-0258-XA

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 8710 Liberty Road. The Petition was filed by New Plan Maryland Holdings, LLC, the legal owner of the subject property, and Carroll Branded Fuels, contract purchaser/lessee (the "Petitioners"). The Special Exception Petition seeks relief from Section 405.4.E.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a convenience store with a sales area larger than 1,500 square feet inclusive of accessory storage. Petitioners are also requesting Variance relief from Section 405.4.A.3.C(2) to allow zero stacking spaces in lieu of the required six (6) [one for each multi-product dispenser (MPD)]. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 2.

Appearing at the hearing were Marvin A. Comer II with Carroll Branded Fuels, the contract purchaser/lessee, Lee Giroux, Briana Darnell with Highs Dairy Stores, and Thomas J. Hoff, the land use consultant/architect. Michael B. Mitchell, Jr., Esquire attended and

represented Petitioners. There were no Protestants or interested persons in attendance, and the file does not contain any letters of protest or opposition.

Testimony and evidence offered at the hearing revealed that the site is 25.88 acres, zoned Business Major (BM) and is in the Commercial Community Core (CCC) District. Carroll Fuel is in the process of constructing a fuel service station and High's convenience store, as shown on the photos admitted as Exhibit 1. The operation will be conducted on a portion of land occupied by the new Walmart Supercenter, pursuant to a long-term lease.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Planning dated May 15, 2012, stating the following:

The Department of Planning has reviewed the petitioners' request and accompanying site plan. The site is located in a Master Plan designated Commercial Revitalization Area. The site is surrounded by commercial uses including an existing fuel service station, a service garage and a Super Walmart (currently under construction). The Department of Planning recognizes the current volume of traffic generated by existing uses on this portion of Liberty Road. Allowing zero stacking spaces on this site could have negative impacts by impeding traffic on Liberty Road.

As such, the Department of Planning does not support the requested special exception and variances to operate a fuel service station and convenience store on the subject property, as the proposed use is likely to cause interference with traffic traveling on Liberty Road.

The Department of Planning submitted a revised ZAC comment, dated June 7, 2012, wherein they indicated they no longer oppose the zoning relief.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

The Petitioners have met this test.

The subject property is unique in that it is an existing site where a vacant gas station was razed and Petitioners' are constrained by existing site conditions and dimensions. The Petitioners would suffer a practical difficulty if the B.C.Z.R. were strictly enforced, given they would have to reconfigure the entire layout of the gas pumps and may – in trying to provide the stacking spaces – sacrifice the wide and generous drive aisles provided on the plan which will aid navigation throughout the site. Perhaps more importantly, Mr. Hoff testified that, in fact, there is room for a stacking space behind the positions at the gas pumps, and would even be room for a second car to “stack” without protruding onto Liberty Road. Again, in the unlikely event such stacking was necessary, the drive aisles – but not the public's safety – would be the only thing compromised.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

As for the special exception relief, Mr. Hoff opined that the proposal satisfied B.C.Z.R. § 502.1, and I concur. The site has been vacant for over six months, and the new High's store will be a positive addition to the community, and there was no testimony or evidence presented to suggest that the store would negatively impact the neighborhood. Given that special exception uses are presumptively proper, and no evidence here rebutted that presumption, I believe the special exception relief should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception and Variance requests should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 12th day of June, 2012 that Petitioners' request for Special Exception relief under Section 405.4.E.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a convenience store with a sales area larger than 1,500 square feet inclusive of accessory storage, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance relief from Section 405.4.A.3.C(2) to allow zero stacking spaces in lieu of the required six (6), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

JEB/dlw


JOHNE BEVERUNGEN
Administrative Law Judge
for Baltimore County

Brian M. Conlon, PE, LEED AP, SCDP

Senior Associate

Site/Civil Engineering & Retail Redevelopment



20+ years with Langan

Mr. Conlon is a Professional Engineer with over twenty years of experience serving the private and public development sector in civil engineering applications. Mr. Conlon has performed all phases of land development engineering including conceptual layout and planning, design, permitting, construction coordination and general project management. Mr. Conlon has experience providing both project management and site development engineering services for all aspects of the development process for a variety of uses, including mixed use, retail, residential, public parks, office and a stadium development. Design and management emphasis has been providing master planning/concept plans, site engineering, infrastructure design, stormwater management design and management of the project obtaining all applicable permits and approvals. Mr. Conlon also has relevant experience as a land surveyor and with roadway design and highway improvements. Mr. Conlon has been involved with the design and/or project management of over 10,000,000 SF of retail space.

Selected Projects

Walmart at Liberty Plaza, Randallstown, Maryland
Suntrust Bank at Liberty Plaza, Randallstown, Maryland
Autozone, Centreville, Maryland
Village at Newtown, Newtown, PA
Willow Grove Park Mall, Abington, PA
2405 Maryland Road, Upper Moreland, PA
Marketplace at Neshaminy, Bensalem, PA
Home Depot Plaza, Bensalem, PA
Collegeville Pep Boys, Collegeville, PA
Spring Meadow, Spring, PA
CVS, Philadelphia, PA
Delco Centre, West Manchester Township, York County, PA
40 Monument Road, Lower Merion, PA
Creekview Shopping Center, Warrington, PA
Parkwest Town Center, City of Philadelphia, Philadelphia County, PA
Northeast Tower Center, Philadelphia, PA
Columbus Commons, Philadelphia, PA
Christiana Mall Cabela's and Cinemark, New Castle County, DE
Christiana Mall Nordstrom Redevelopment, New Castle County, DE
Christiana Mall Ring Road Realignment, New Castle County, DE
Seaford Lowe's, City of Seaford, Sussex County, DE
Minquadale Lowe's, Minquadale, New Castle County, DE
Lacey Retail Center, Lacey Township, Ocean County, NJ
Marlton Crossing, Evesham, NJ
Marlton Square, Evesham, NJ
Campbell's Daycare, Camden, NJ
Centerton Square, Moorestown and Mount Laurel, NJ

Education

B.Sc., Civil Engineering
Villanova University

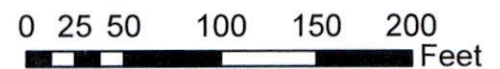
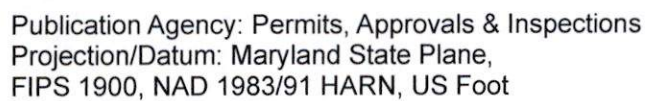
Professional Registration

Professional Engineer (PE) in NY, NJ,
PA, DE, MD, VA, WV

Affiliations

American Society of Civil Engineers
International Council of Shopping
Centers
Chi Epsilon

2019-0054-A



1 inch = 100 feet



Date	Description	No.
REVISIONS		

Brian M. Conlon
SIGNATURE DATE SIGNED
BRIAN M. CONLON
PROFESSIONAL ENGINEER MD Lic. No. 0030099

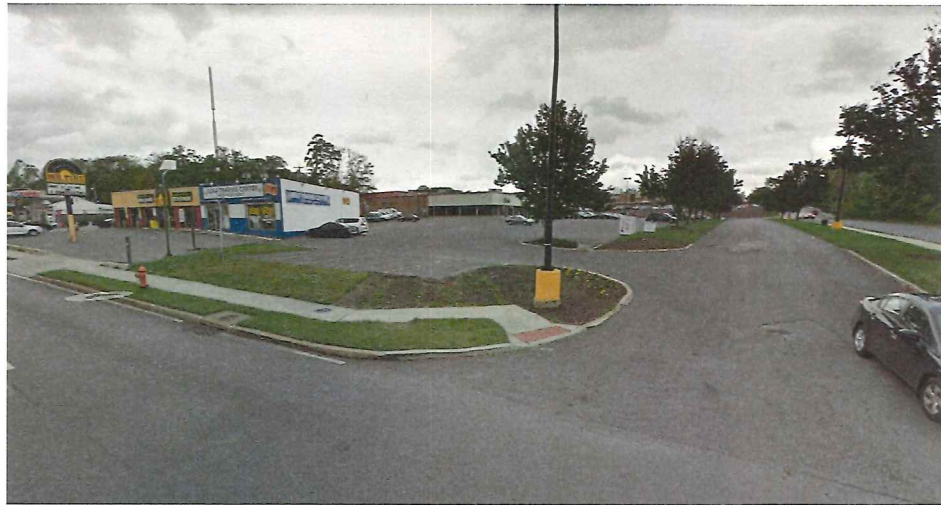
LANGAN
Langan Engineering and
Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

Project
Walmart*
AT LIBERTY PLAZA
RANDALLSTOWN
BALTIMORE COUNTY MARYLAND
Drawing Title

AERIAL EXHIBIT

PETITIONER'S EXHIBIT **3**

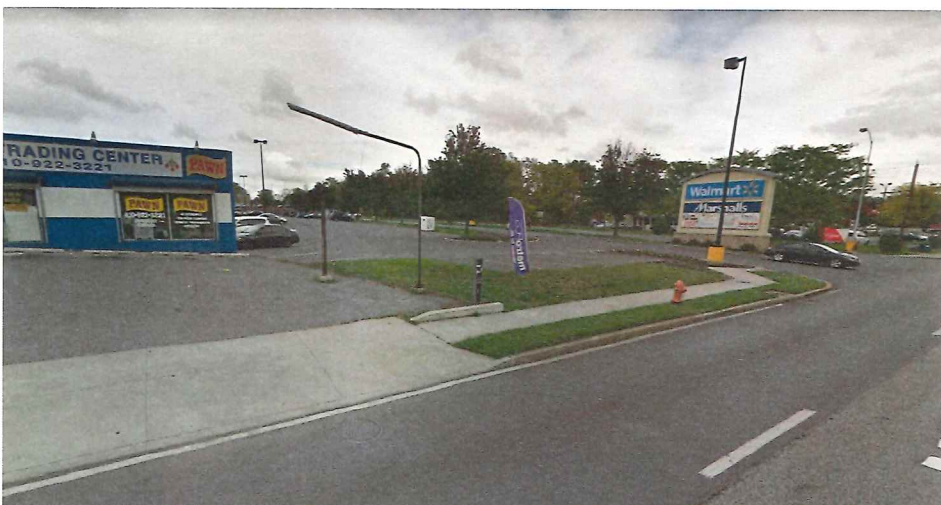
40202	Drawing No.
MBER 2018	EX101
LAH	
BMC	Sheet 1 of 3



1. LIBERTY ROAD



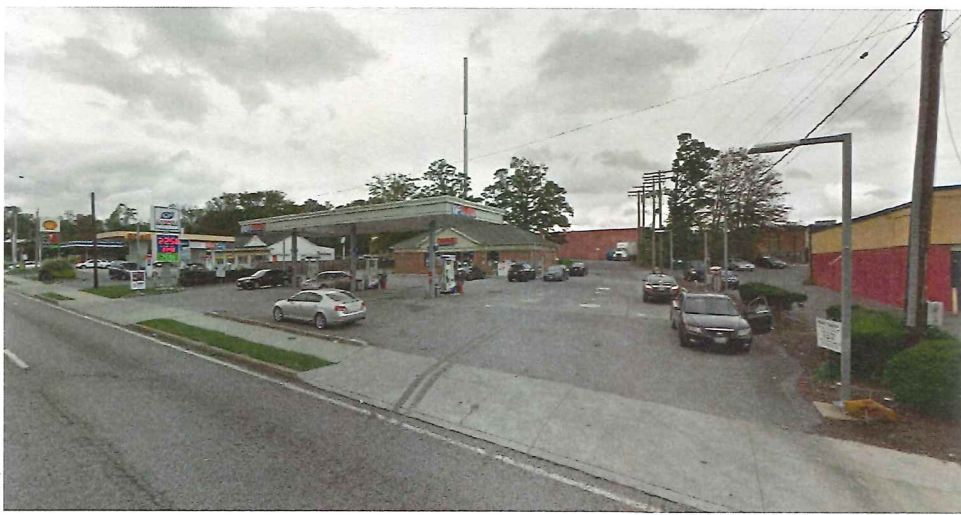
2. LIBERTY ROAD



3. LIBERTY ROAD



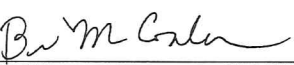
4. LIBERTY ROAD



5. LIBERTY ROAD



6. LIBERTY ROAD

Date	Description	No.
REVISIONS		
 SIGNATURE: BRIAN M. CONLON DATE SIGNED: _____ PROFESSIONAL ENGINEER MD Lic. No. 0030099		
LANGAN Langan Engineering and Environmental Services, Inc. 1818 Market Street, Suite 3300 Philadelphia, PA 19103 T: 215.845.8900 F: 215.845.8901 www.langan.com		
Project		
Walmart  AT LIBERTY PLAZA RANDALLSTOWN, BALTIMORE COUNTY MARYLAND		
Drawing Title		
PHOTO EXHIBIT		
Project No.	Drawing No.	
220040202	EX102	
Date	24 SEPTEMBER 2018	
Drawn By	RAH	
Checked By	BMC	
Sheet 2 of 3		



1. BRENBROOK DRIVE



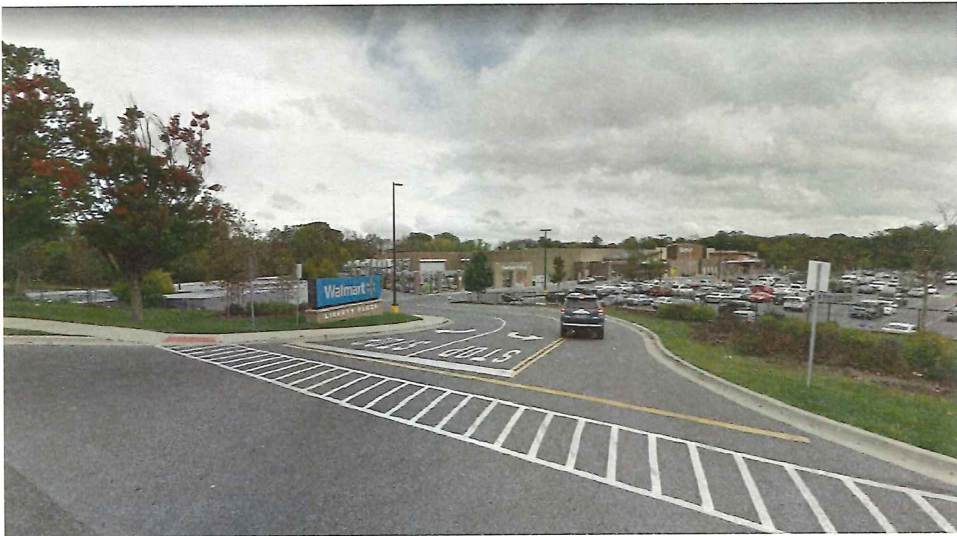
2. BRENBROOK DRIVE



3. BRENBROOK DRIVE

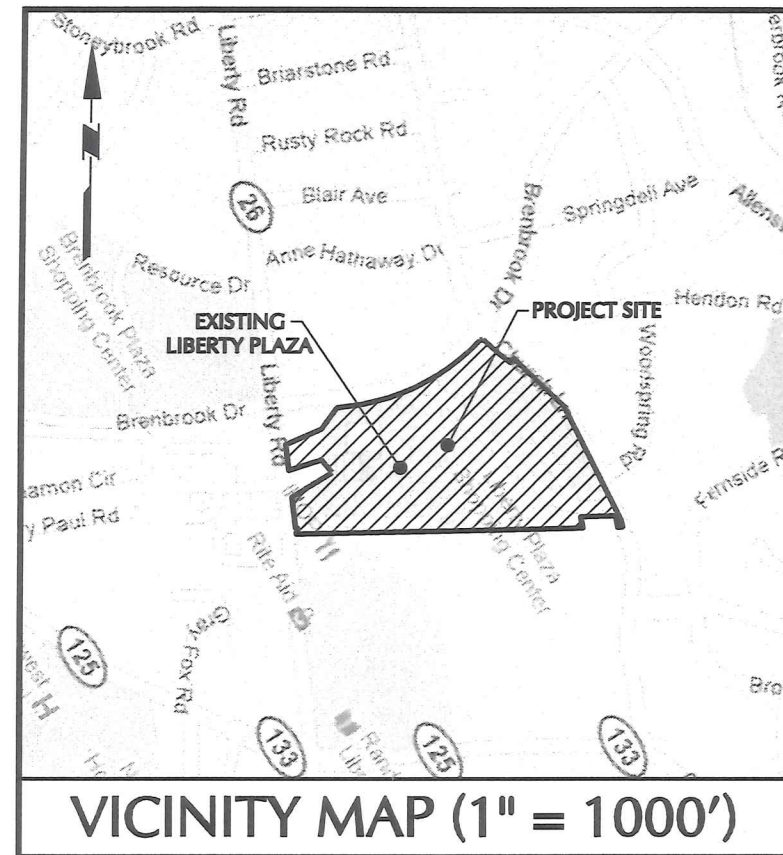


4. BRENBROOK DRIVE



5. BRENBROOK DRIVE

Date	Description	No.
REVISIONS		
 SIGNATURE BRIAN M. CONLON PROFESSIONAL ENGINEER MD Lic. No. 0030099 DATE SIGNED		
LANGAN Langan Engineering and Environmental Services, Inc. 1818 Market Street, Suite 3300 Philadelphia, PA 19103 T: 215.845.8900 F: 215.845.8901 www.langan.com		
Project		
Walmart AT LIBERTY PLAZA RANDALLSTOWN BALTIMORE COUNTY MARYLAND		
Drawing Title		
PHOTO EXHIBIT		
Project No. 220040202		Drawing No.
Date 1 OCTOBER 2018		EX103
Drawn By RAH		
Checked By BMC		
		Sheet 3 of 3



SITE INFORMATION

- LOT ONE: 8700 LIBERTY ROAD
OWNER: NEW PLAN MARYLAND HOLDINGS, LLC
C/O BROAD PROPERTY GROUP
ONE FAYETTE STREET, SUITE 100
CONSHOHOCKEN, PA 19428
TAX MAP 77, PARCEL 783, LOT 1
- LOT TWO: 8700 LIBERTY ROAD
OWNER: COLE WM RANDALLSTOWN MD, LLC
C/O VESLEY, INC.
2325 E. CAMELBACK ROAD, SUITE 1100,
PHOENIX, AZ 85016
TAX MAP 77, PARCEL 783, LOT 2
- THE SITE IS LOCATED IN ELECTION DISTRICT 2 AND COUNCILMAN DISTRICT 4
- THE SITE IS LOCATED IN CENSUS TRACT 428.02
- THE SITE IS LOCATED IN WATERSHED 7, SUB-SEWERAGE 88
- THE PROPERTY AREA IS 1,127,464 S.F. (25.88 AC.)
- THE PROPERTY IS ZONED BUSINESS MAJOR (BM) AND IS IN THE COMMERCIAL COMMUNITY CORE (CCC) DISTRICT
- THE PROPERTY IS OVER TAX MAP NO. 77, PARCEL 783.
- IN A LETTER DATED MARCH 15, 2011, THE MARYLAND DEPARTMENT OF NATURAL RESOURCES WILDLIFE AND HERITAGE SERVICE HAS DETERMINED THAT THERE ARE NO STATE OR FEDERAL RECORDS FOR RARE, THREATENED OR ENDANGERED SPECIES WITHIN THE BOUNDARIES OF THE PROJECT SITE.
- IN A LETTER DATED MARCH 9, 2011, THE MARYLAND HISTORICAL TRUST HAS DETERMINED THAT THERE ARE NO HISTORIC PROPERTIES AFFECTED BY THIS UNDERTAKING.

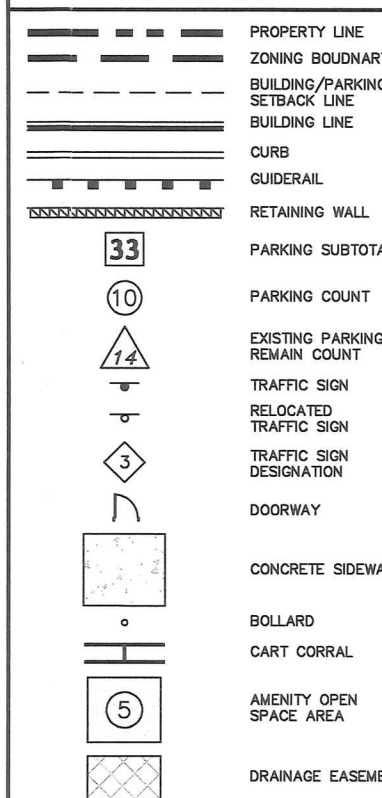
ZONING HISTORY

Case No. 439 - Petition for Special Permit to permit commercial greenhouses. Granted August 15, 1945.
Case No. 2813-T - Petition for temporary use permit for a sawmill. Granted December 8, 1953.
Case No. 3791 - Petition for Reclassification from BL and R-6 zones to BM. Granted May 4, 1956.
Upheled and granted by Board of Appeals August 20, 1956.
Case No. 4138 - Petition for Reclassification from R-6 to BL and a special exception for living quarters in a BL zone. Granted May 31, 1957.
Case No. 4977 - Petition for Special Exception to install a 300 square foot advertising sign. Granted June 20, 1960.
Case No. 5525-XA - Petition for Special Exception to permit miniature golf. Granted April 12, 1962.
Case No. 66-75-X - Petition for Special Exception to permit a car wash. Granted September 22, 1965.
Case No. 66-130-A - Petition for Variance to permit a double face identification sign 200 square feet to be located 20 feet from the existing shopping center identification sign. Granted November 29, 1965.
Case No. 73-98-SPH - Petition for Special Hearing to permit the uses permitted in the DR-16 zone on the property and to permit garden apartments. Denied April 12, 1973.
Case No. 74-289-A - Petition for Variance to permit an identification sign for a shopping center with a total area of 360 square feet in lieu of the permitted 150 square feet, and to permit a sign height of 32 feet 6 inches in lieu of the permitted 25 feet. Granted September 13, 1974.
Reversed and denied by Board of Appeals March 4, 1976.
Case No. 89-338-SPH - Petition for Variance to permit a shopping center identification sign with a total of 333.5 square feet in lieu of the permitted 150 square feet. Dismissed without prejudice February 24, 1989.
Case No. 02-568-SPH - Petition for Special Hearing to approve the use of four amusement devices with a use other than entertainment, leisure or recreational oriented. Denied September 19, 2002.
Appeal to Board of Appeals filed May 28, 2003. Dismissed June 25, 2003.
Case No. 2011-0249-A - Petition for Variance requesting relief from Section 409.6 of the Baltimore County Zoning Regulations to permit 933 parking spaces in lieu of the required 1,102 parking spaces. Granted March 25, 2011.
Case No. 2012-0192-A - Petition for Variance to permit a free-standing joint identification sign with a maximum sign area/face of 255 square feet. Granted June 1, 2012.
Case No. 2012-0258-XA - Petition for Special Exception to permit fuel service station in combination with a convenience store with a sales area larger than 1,500 square feet and Petition for Variance to allow zero stacking spaces for fuel dispensers. Granted June 12, 2012.

LIST OF PREVIOUS COMMERCIAL PERMITS

B341867
B341869
B473336
B481061
B497806
B514008
B544505
B608317
B608319
B614192
B615887
B619801
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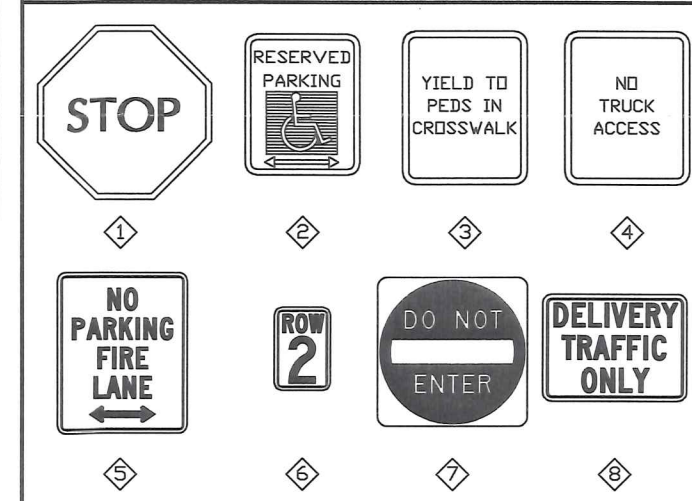
LEGEND



LOT SUMMARY

OVERALL LOT SUMMARY:	25.88 ACRES
EXISTING LOT AREA:	0.72 ACRES
CHURCH LANE R.O.W. DEDICATION:	25.16 ACRES
NET LOT AREA:	25.16 ACRES
SUBDIVISION:	6.98 ACRES
PARCEL ONE (RETAIL):	297 SPACES
EXISTING PARKING:	290 SPACES
PROPOSED PARKING:	18.18 ACRES
PARCEL TWO (WALMART):	664 SPACES

SIGN LEGEND



FLOOR AREA RATIO TABLE

ENTIRE PLAZA	
BUILDING GROSS LEASABLE AREA:	220,278 SF (5.1 AC)
PROPERTY AREA:	1,095,950 SF (25.2 AC)
FLOOR AREA RATIO:	0.200
PER BCZ ARTICLE 2, SECTION 235.5 - THE MAXIMUM PERMITTED FLOOR AREA RATIO FOR ANY SITE IN A BUSINESS MAJOR ZONE SHALL BE 4.0.	
AMENITY OPEN SPACE AREAS SUMMARY	
AREA	SQUARE FOOTAGE
1	130,835 (3.0 AC)
2	143,565 (3.3 AC)
3	8,934 (0.2 AC)
4	8,005 (0.2 AC)
5	5,054 (0.1 AC)
6	3,032 (0.1 AC)
TOTAL	299,425 (6.9 AC)

AMENITY OPEN SPACE RATIO TABLE

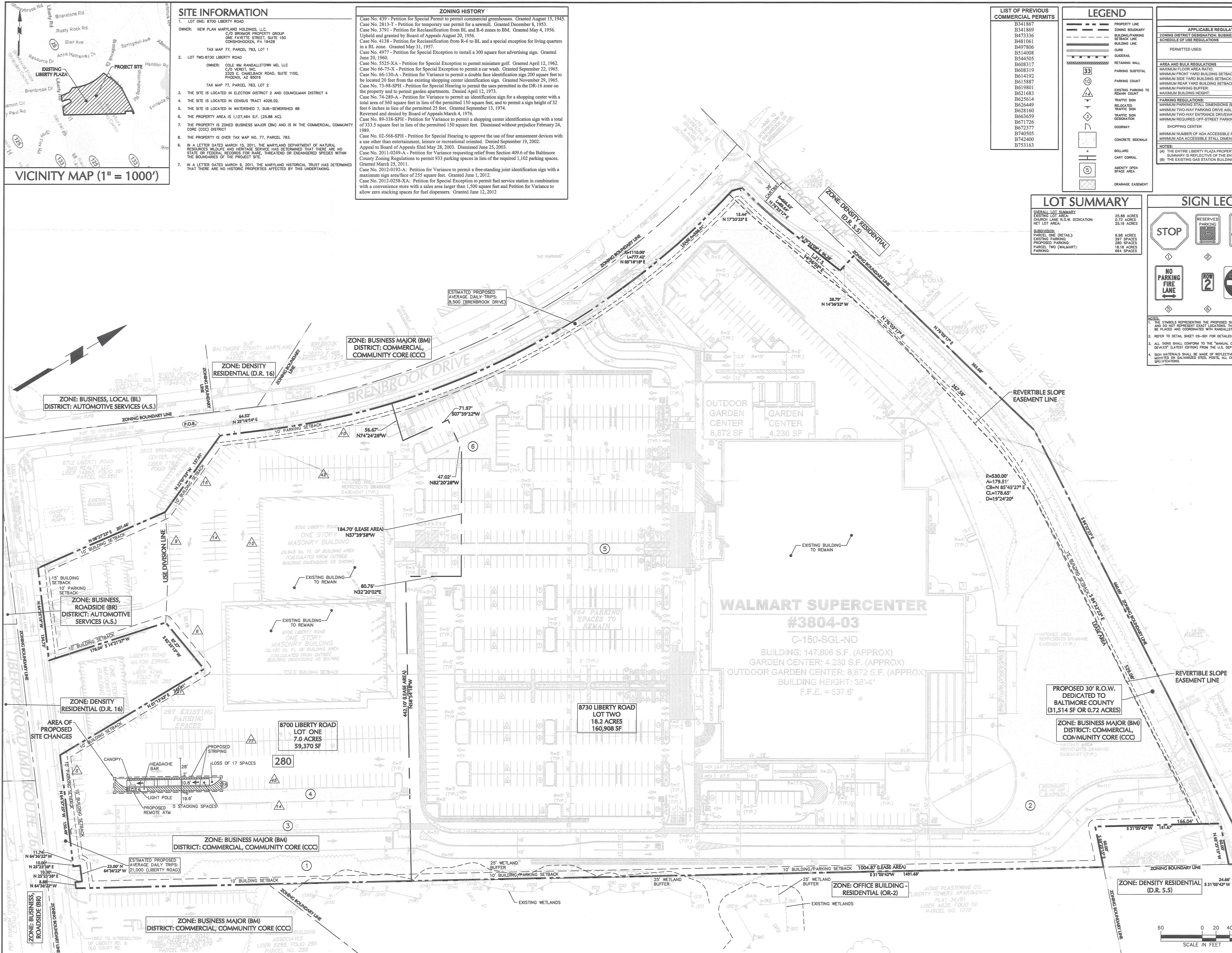
ENTIRE PLAZA	
BUILDING GROSS LEASABLE AREA:	220,278 SF (5.1 AC)
AMENITY OPEN SPACE:	299,425 SF (6.9 AC)
AMENITY OPEN SPACE RATIO:	1.36
PER BCZ ARTICLE 2, SECTION 232A.5 - THE MINIMUM PERMITTED AMENITY OPEN SPACE RATIO SHALL BE 0.2 IN ALL C.C. DISTRICTS.	

SITE LIGHTING TO COMPLY WITH BALTIMORE COUNTY ZONING REGULATIONS

THIS PROPERTY IS NOT LOCATED IN ANY OF BALTIMORE COUNTY'S BASIC SERVICE AREAS OF CONCERN.

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM NO. 240010 0360 F REVISED SEPTEMBER 26, 2008

SITE LANDSCAPING SHALL COMPLY WITH STANDARDS SET FORTH IN THE BALTIMORE COUNTY LANDSCAPE MANUAL



Date Description No.

Revisions

BRIAN M. CONLON
PROFESSIONAL ENGINEER MD Lic. No. 0030099

DATE

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Project

Walmart

AT LIBERTY PLAZA
8700 LIBERTY ROAD

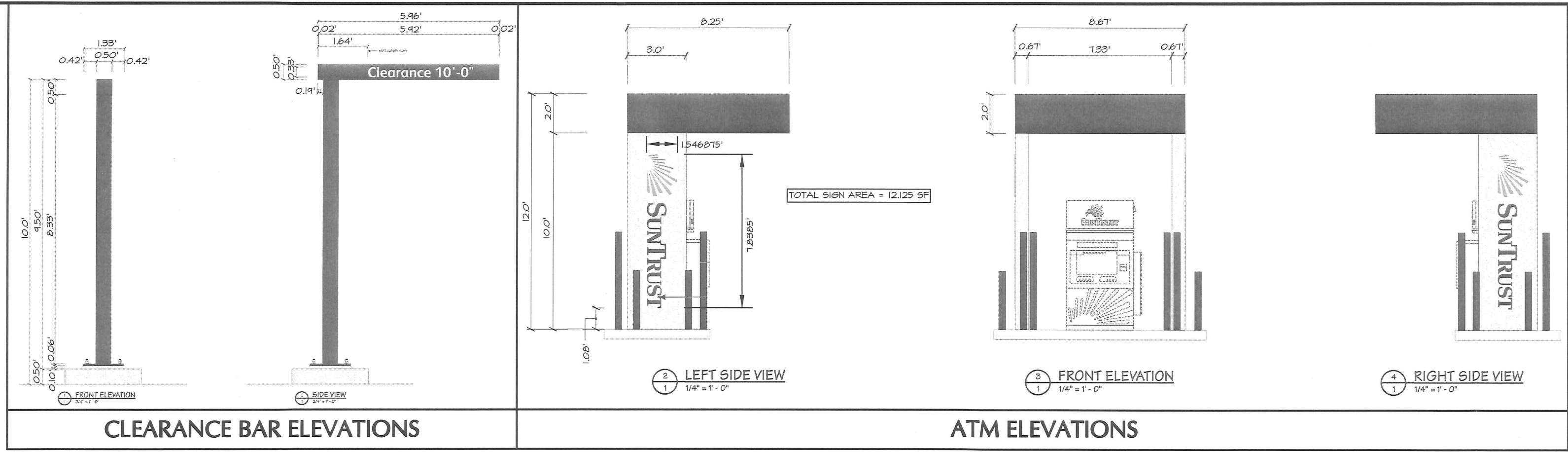
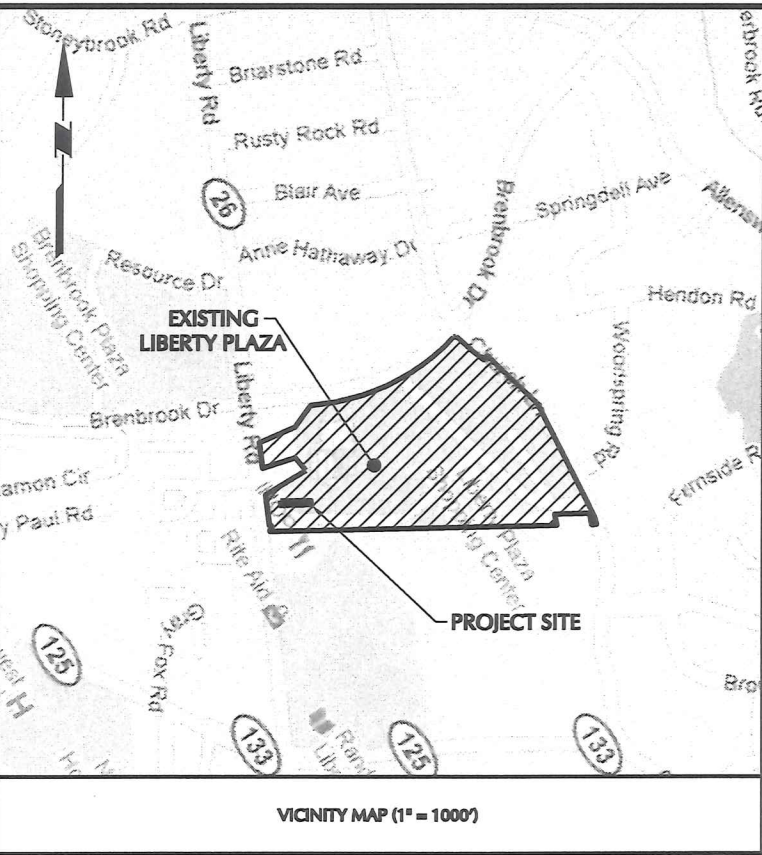
RANDALLSTOWN
BALTIMORE COUNTY

MARYLAND

Drawing Title

PLAN TO ACCOMPANY PETITION FOR VARIANCE

(PAI #02-0694)	
(FIRST REFINED DEVELOPMENT PLAN - DRC # 0329118)	
(SECOND REFINED DEVELOPMENT PLAN - DRC # 071817D)	
Project No.	220040202
Drawing No.	
Date	27 JUNE 2018
Scale	1" = 60'
Drn. By	MMD
Chkd. By	BMC
SHEET 1 OF 2	



SITE INFORMATION

1. LOT ONE: 8700 LIBERTY ROAD
OWNER: NEW PLAN MARYLAND HOLDINGS, LLC
C/O BRANCO PROPERTY GROUP
ONE FAYETTE STREET, SUITE 150
CONSHOHOCKEN, PA 19428
TAX MAP 77, PARCEL 783, LOT 1

2. LOT TWO: 8730 LIBERTY ROAD
OWNER: COLE WM RANDALLSTOWN MD, LLC
C/O VERIT, INC.
2325 E. CAMELBACK ROAD, SUITE 1100,
PHOENIX, AZ 85016
TAX MAP 77, PARCEL 783, LOT 2

3. THE SITE IS LOCATED IN ELECTION DISTRICT 2 AND COUNCILMAN DISTRICT 4

4. THE SITE IS LOCATED IN CENSUS TRACT 4026.02

5. THE SITE IS LOCATED IN WATERWHEEL 7, SUB-SEWERED 88

6. THE PROPERTY AREA IS 1,127,464 S.F. (25.88 AC).

7. THE PROPERTY IS ZONED BUSINESS MAJOR (BM) AND IS IN THE COMMERCIAL, COMMUNITY CORE (CCC) DISTRICT

8. THE PROPERTY IS OVER TAX MAP NO. 77, PARCEL 783.

9. IN A LETTER DATED MARCH 15, 2011, THE MARYLAND DEPARTMENT OF NATURAL RESOURCES WILDLIFE AND HERITAGE SERVICE HAS DETERMINED THAT THERE ARE NO STATE OR FEDERAL RECORDS FOR RARE, THREATENED OR ENDANGERED SPECIES WITHIN THE BOUNDARIES OF THE PROJECT SITE.

10. IN A LETTER DATED MARCH 9, 2011, THE MARYLAND HISTORICAL TRUST HAS DETERMINED THAT THERE ARE NO HISTORIC PROPERTIES AFFECTED BY THIS UNDERTAKING.

LEGEND

--- PROPERTY LINE

--- ZONING BOUNDARY

--- BUILDING/PARKING SETBACK LINE

--- BUILDING LINE

--- CURB

--- SUBSISTENCE

--- RETAINING WALL

--- PARKING SUBTOTAL

--- PARKING COUNT

--- EXISTING PARKING TO REMAIN

--- TRAFFIC SIGN

--- RELOCATED TRAFFIC SIGN

--- TRAFFIC SIGN DESIGNATION

--- DOORWAY

--- CONCRETE SIDEWALK

--- BOLLARD

--- CART CORRAL

--- AMENITY OPEN SPACE AREA

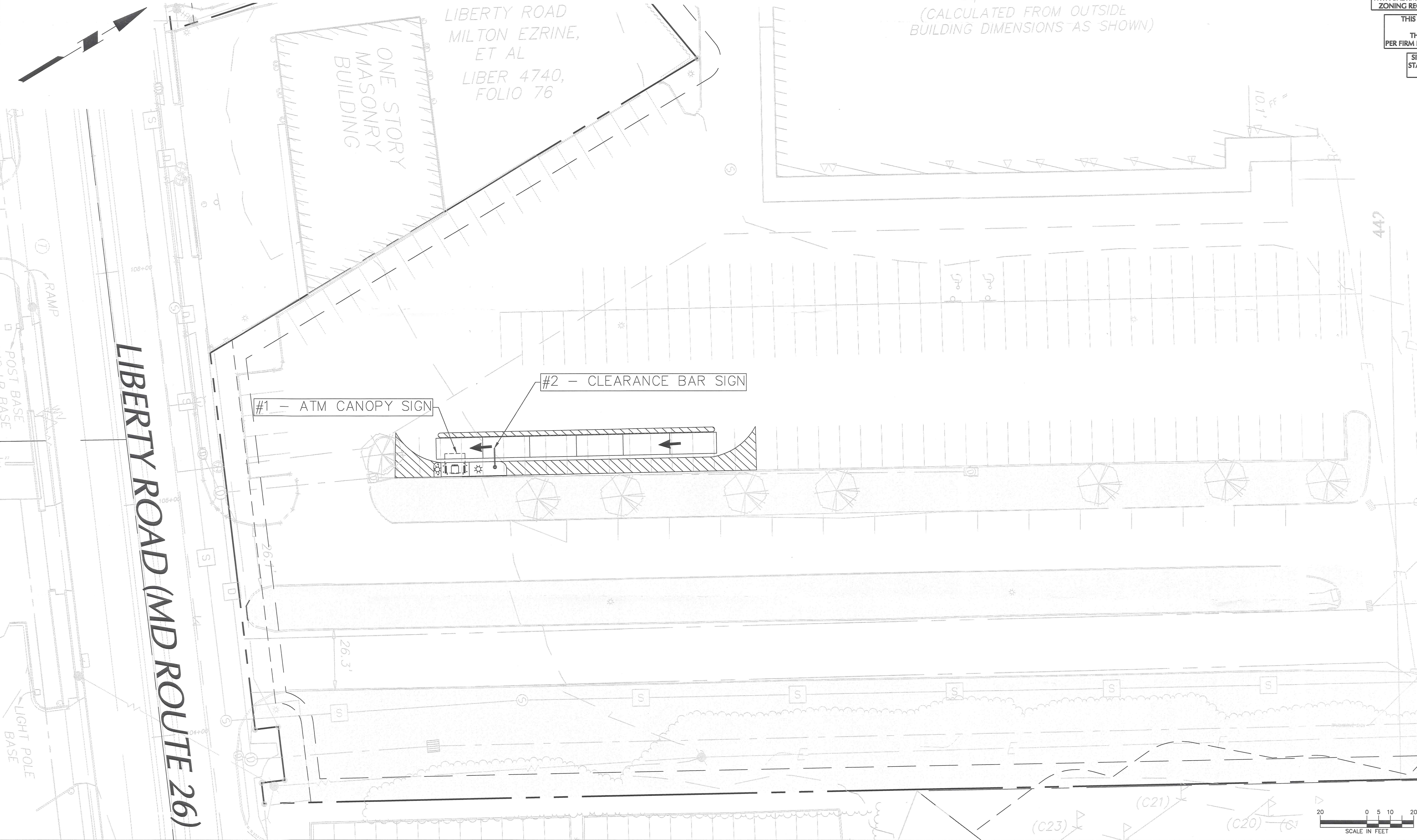
--- DRAINAGE EASEMENT

SITE LIGHTING TO COMPLY WITH BALTIMORE COUNTY ZONING REGULATIONS

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THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM NO. 240010 0360 F REVISED SEPTEMBER 26, 2008

SITE LANDSCAPING SHALL COMPLY WITH STANDARDS SET FORTH IN THE BALTIMORE COUNTY LANDSCAPE MANUAL



Date

Description

No.

Revisions

BRIAN M. CONLON
PROFESSIONAL ENGINEER MD Lic. No. 0030099

DATE

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Langan CT, Inc.
Langan International LLC
Collectively known as Langan

Project

Walmart

AT LIBERTY PLAZA
8700 LIBERTY ROAD

RANDALLSTOWN
BALTIMORE COUNTY

MARYLAND

Drawing Title

PLAN TO ACCOMPANY PETITION FOR VARIANCE

(PAI #02-0694)
(FIRST REFINED DEVELOPMENT PLAN - DRC # 0329118)
(SECOND REFINED DEVELOPMENT PLAN - DRC # 071817D)

Project No. 220040202

Drawing No.

Date

27 JUNE 2018

Scale

1" = 20'

Drn. By

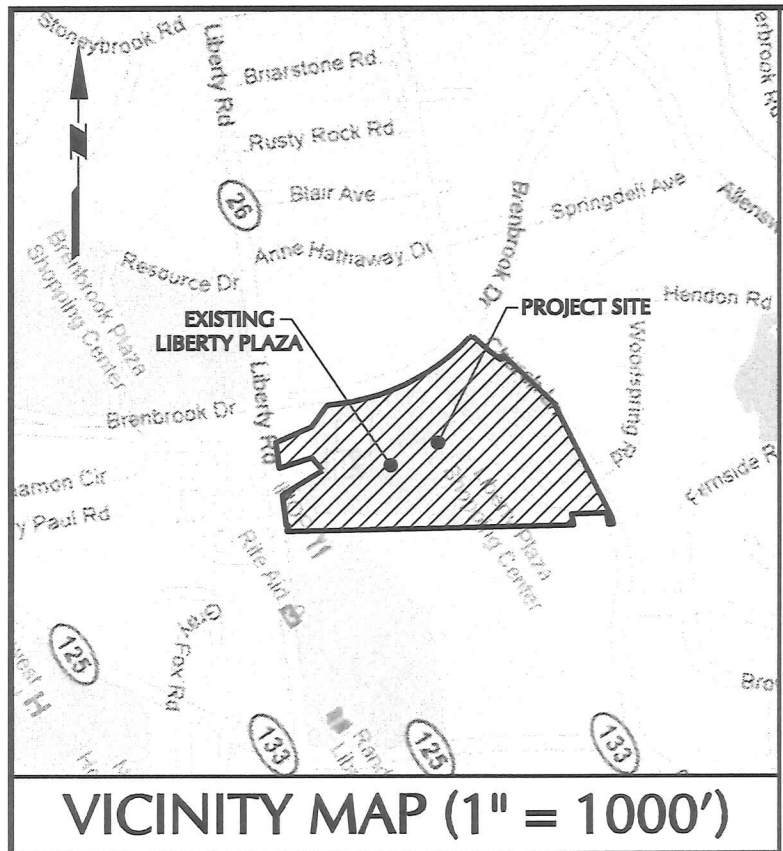
MMD

Chkd. By

BMC

SP-2

SHEET 2 OF 2



SITE INFORMATION

- LOT ONE: 8700 LIBERTY ROAD
OWNER: NEW PLAN MARYLAND HOLDINGS, LLC
C/O BROMOR PROPERTY GROUP
ONE FAYETTE STREET, SUITE 150
CONSHOHOCKEN, PA 19428
TAX MAP 77, PARCEL 783, LOT 1
OWNER: COLE W. RANDALLSTOWN MD, LLC
C/O KREIT, INC.
2355 E. CAMELBACK ROAD, SUITE 1100,
PHOENIX, AZ 85018
TAX MAP 77, PARCEL 783, LOT 2
- THE SITE IS LOCATED IN ELECTION DISTRICT 2 AND COUNCILMAN DISTRICT 4
- THE SITE IS LOCATED IN CENSUS TRACT 4026.02
- THE SITE IS LOCATED IN WATERSHED 7, SUB-SEWERED 88
- THE PROPERTY AREA IS 1,127,464 S.F. (25.88 AC.)
- THE PROPERTY IS ZONED BUSINESS MAJOR (BM) AND IS IN THE COMMERCIAL, COMMUNITY CORE (CCC) DISTRICT
- THE PROPERTY IS OVER TAX MAP NO. 77, PARCEL 783.
- IN A LETTER DATED MARCH 15, 2011, THE MARYLAND DEPARTMENT OF NATURAL RESOURCES WILDLIFE AND HERITAGE SERVICE HAS DETERMINED THAT THERE ARE NO STATE OR FEDERAL RECORDS FOR RARE, THREATENED OR ENDANGERED SPECIES WITHIN THE BOUNDARIES OF THE PROJECT SITE.
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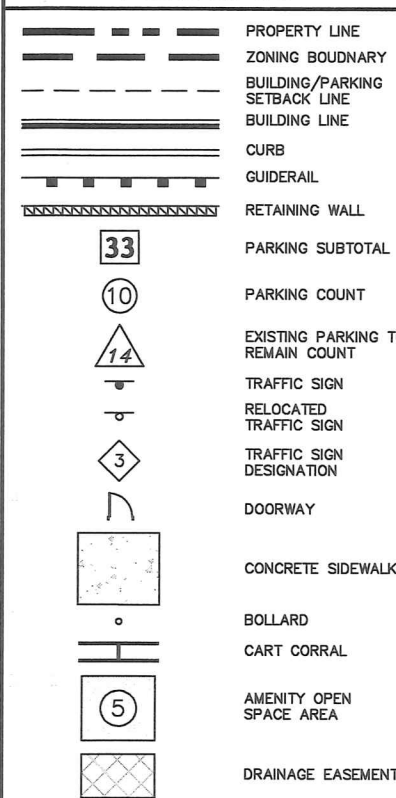
ZONING HISTORY

Case No. 439 - Petition for Special Permit to permit commercial greenhouses. Granted August 15, 1945.
Case No. 2813-T - Petition for temporary use permit for a sawmill. Granted December 9, 1953.
Case No. 3791 - Petition for Reclassification from BL and R-6 zones to BM. Granted May 4, 1956.
Upheled and granted by Board of Appeals August 20, 1956.
Case No. 4138 - Petition for Reclassification from R-6 to BL and a special exception for living quarters in a BL zone. Granted May 31, 1957.
Case No. 4977 - Petition for Special Exception to install a 300 square foot advertising sign. Granted June 20, 1960.
Case No. 5525-XA - Petition for Special Exception to permit miniature golf. Granted April 12, 1962.
Case No. 66-75-X - Petition for Special Exception to permit a car wash. Granted September 22, 1965.
Case No. 66-130-A - Petition for Variance to permit a double face identification sign 200 square feet to be located 20 feet from the existing shopping center identification sign. Granted November 29, 1965.
Case No. 73-98-SPH - Petition for Special Hearing to permit the uses permitted in the DRC-16 zone on the property and to permit garden apartments. Denied April 12, 1973.
Case No. 74-289-A - Petition for Variance to permit an identification sign for a shopping center with a total area of 340 square feet in lieu of the permitted 150 square feet, and to permit a sign height of 32 feet 6 inches in lieu of the permitted 25 feet. Granted September 13, 1974.
Reversed and denied by Board of Appeals March 4, 1976.
Case No. 89-338-SPH - Petition for Variance to permit a shopping center identification sign with a total of 333.5 square feet in lieu of the permitted 150 square feet. Dismissed without prejudice February 24, 1989.
Case No. 02-568-SPH - Petition for Special Hearing to approve the use of four amusement devices with a use other than entertainment, leisure or recreational oriented. Denied September 19, 2002.
Appeal to Board of Appeals filed May 28, 2003. Dismissed June 25, 2003.
Case No. 2011-0249-A - Petition for Variance requesting relief from Section 409.6 of the Baltimore County Zoning Regulations to permit 933 parking spaces in lieu of the required 1,102 parking spaces. Granted March 25, 2011.
Case No. 2012-0192-A - Petition for Variance to permit a free-standing joint identification sign with a maximum sign area/face of 255 square feet. Granted June 1, 2012.
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B742400
B751613

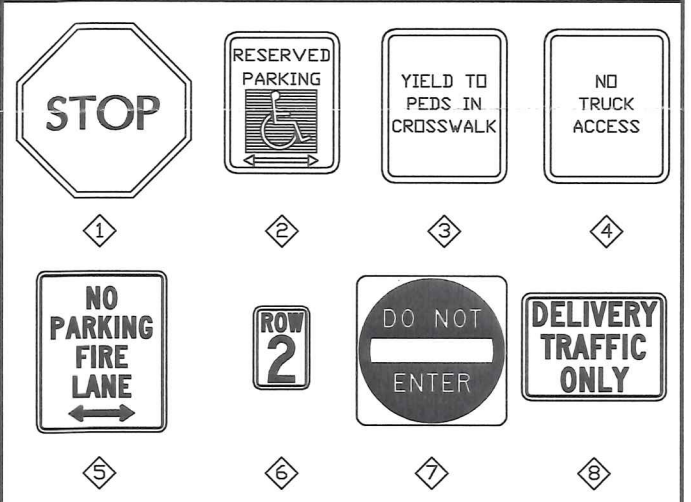
LEGEND



LOT SUMMARY

OVERALL LOT SUMMARY:	25.88 ACRES
EXISTING LOT AREA:	0.72 ACRES
CHURCH LANE R.O.W. DEDICATION:	25.16 ACRES
NET LOT AREA:	
SUBDIVISION:	6.98 ACRES
PARCEL ONE (RETAIL):	287 SPACES
EXISTING PARKING:	288 SPACES
PROPOSED PARKING:	18.18 ACRES
PARCEL TWO (WALMART):	664 SPACES
PARKING:	

SIGN LEGEND



FLOOR AREA RATIO TABLE

BUILDING GROSS LEASABLE AREA:	ENTIRE PLAZA
220,278 SF (5.1 AC)	1,095,950 SF (25.2 AC)
PROPERTY AREA:	
FLOOR AREA RATIO:	0.200
PER BCZR ARTICLE 2, SECTION 235.5 - THE MAXIMUM PERMITTED FLOOR AREA RATIO FOR ANY SITE IN A BUSINESS MAJOR ZONE SHALL BE 4.0.	

AMENITY OPEN SPACE AREAS SUMMARY

AREA	SQUARE FOOTAGE
1	130,835 (3.0 AC)
2	143,565 (3.3 AC)
3	8,934 (0.2 AC)
4	8,008 (0.2 AC)
5	8,054 (0.1 AC)
6	3,032 (0.1 AC)
TOTAL	299,425 (6.9 AC)

AMENITY OPEN SPACE RATIO TABLE

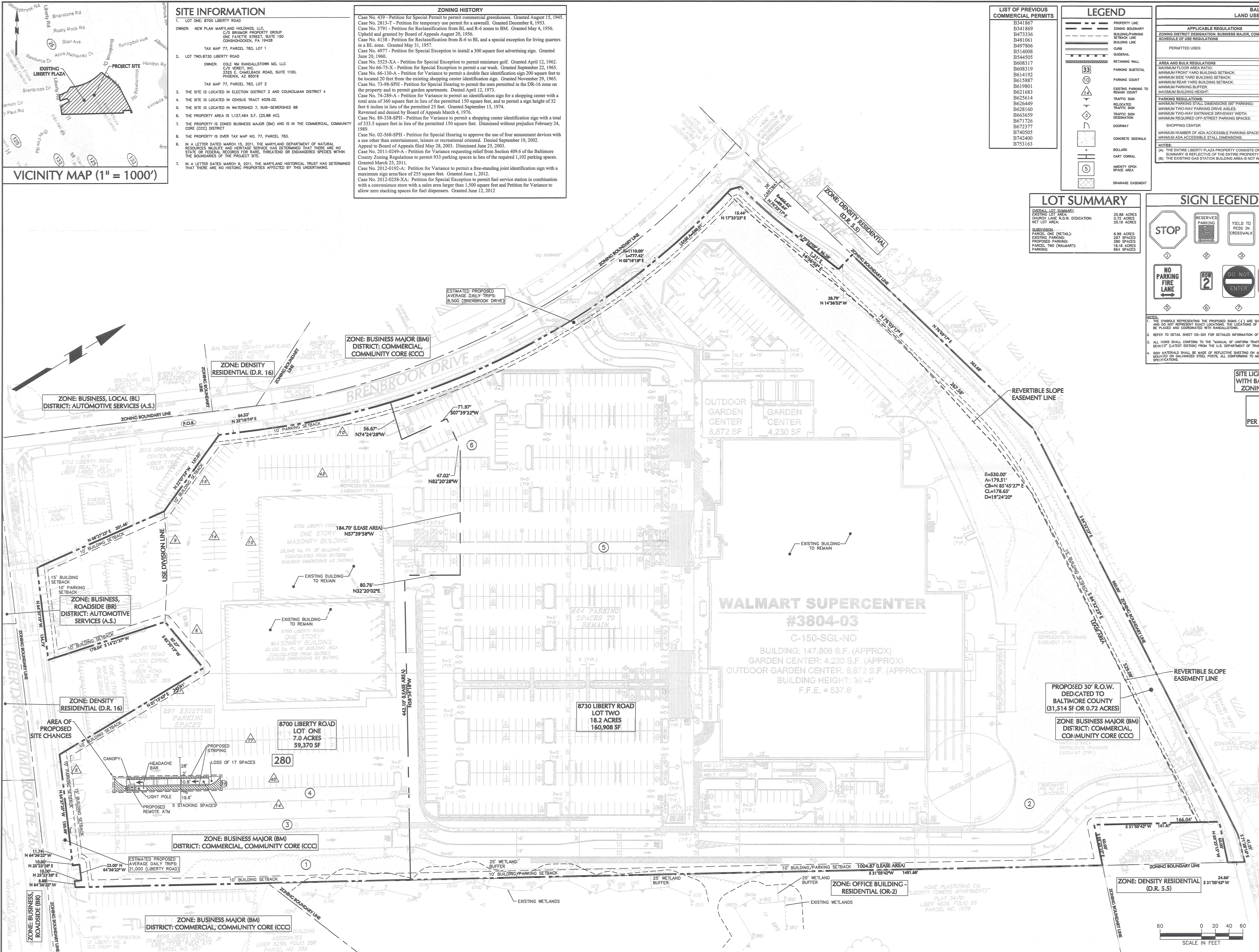
BUILDING GROSS LEASABLE AREA:	ENTIRE PLAZA
220,278 SF (5.1 AC)	299,425 SF (6.9 AC)
AMENITY OPEN SPACE:	
AMENITY OPEN SPACE RATIO:	1.36
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SITE LANDSCAPING SHALL COMPLY WITH STANDARDS SET FORTH IN THE BALTIMORE COUNTY LANDSCAPE MANUAL



Date Description No.

Revisions

BRIAN M. CONLON
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DATE

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Langan C.T. Inc.
Langan International LLC
Collectively known as Langan

Project

Walmart
AT LIBERTY PLAZA
8700 LIBERTY ROAD

RANDALLSTOWN
BALTIMORE COUNTY
MARYLAND

Drawing Title

**PLAN TO ACCOMPANY
PETITION FOR VARIANCE**

(PAI #02-0694)
(FIRST REFINED DEVELOPMENT PLAN - DRC # 0329118)
(SECOND REFINED DEVELOPMENT PLAN - DRC # 071817D)

Project No. 220040202 Drawing No.

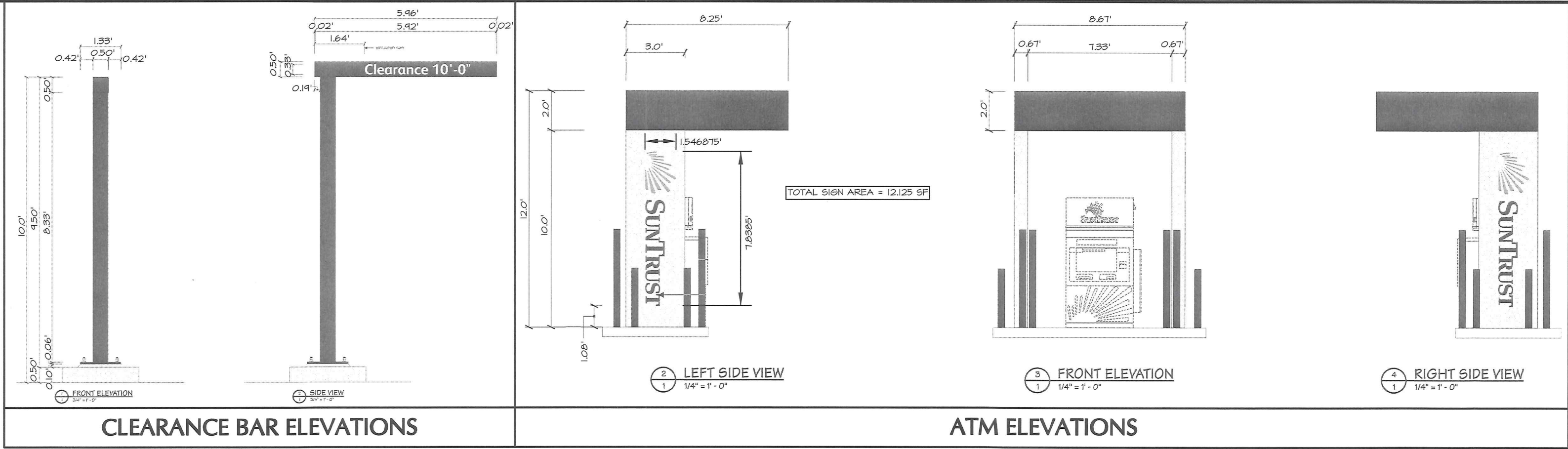
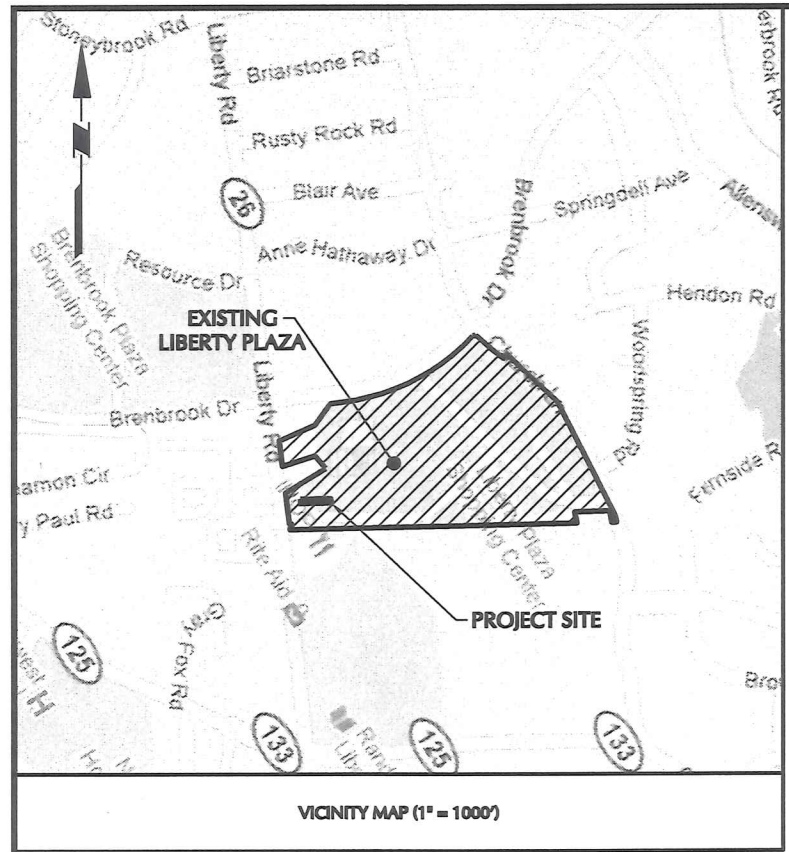
Date 27 JUNE 2018

Scale 1" = 60'

Drn. By MMD

Chkd. By BMC

SP-1
SHEET 1 OF 2



SITE INFORMATION

1. LOT ONE: 8700 LIBERTY ROAD
OWNER: NEW PLAN MARYLAND HOLDINGS, LLC,
C/O BROADWAY PROPERTY GROUP
ONE FAYETTE STREET, SUITE 150
CONSHOHOCKEN, PA 19428
TAX MAP 77, PARCEL 783, LOT 1

2. LOT TWO: 8730 LIBERTY ROAD
OWNER: COLE WM RANDALLSTOWN MD, LLC
C/O VERET, INC.
2325 E. COMEBACK ROAD, SUITE 1100,
PHOENIX, AZ 85016
TAX MAP 77, PARCEL 783, LOT 2

3. THE SITE IS LOCATED IN ELECTION DISTRICT 2 AND COUNCILMAN DISTRICT 4

4. THE SITE IS LOCATED IN CENSUS TRACT 4026.02

5. THE SITE IS LOCATED IN WATERSHED 7, SUB-SEWERSHED 88

6. THE PROPERTY AREA IS 1,127,464 S.F. (25.88 AC)

7. THE PROPERTY IS ZONED BUSINESS MAJOR (BM) AND IS IN THE COMMERCIAL, COMMUNITY CORE (COC) DISTRICT

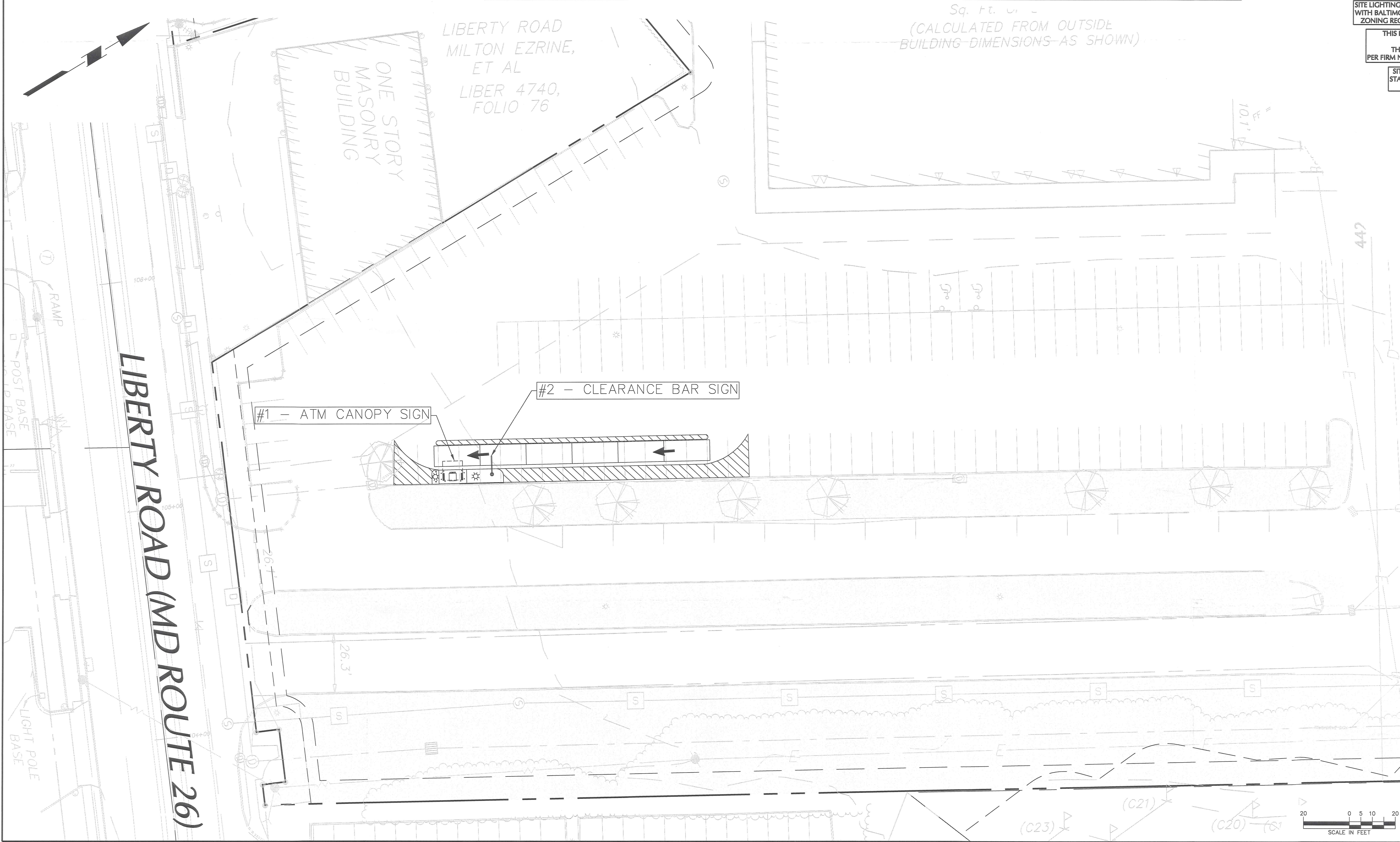
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10. IN A LETTER DATED MARCH 9, 2011, THE MARYLAND HISTORICAL TRUST HAS DETERMINED THAT THERE ARE NO HISTORIC PROPERTIES AFFECTED BY THIS UNDERTAKING.

LEGEND

- PROPERTY LINE
- ZONING BOUNDARY
- BUILDING/PARKING SETBACK LINE
- BUILDING LINE
- CURB
- GUARDRAIL
- RETAINING WALL
- PARKING SUBTOTAL
- PARKING COUNT
- EXISTING PARKING TO REMAIN COUNT
- TRAFFIC SIGN
- RELOCATED TRAFFIC SIGN
- TRAFFIC SIGN DESIGNATION
- DOORWAY
- CONCRETE SIDEWALK
- BOLLARD
- CART CORRAL
- AMENITY OPEN SPACE AREA
- DRAINAGE EXISTENT



SITE LIGHTING TO COMPLY WITH BALTIMORE COUNTY ZONING REGULATIONS

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Project

Walmart

AT LIBERTY PLAZA
8700 LIBERTY ROAD

RANDALLSTOWN BALTIMORE COUNTY MARYLAND

Drawing Title

PLAN TO ACCOMPANY PETITION FOR VARIANCE

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(SECOND REFINED DEVELOPMENT PLAN - DRC # 071817D)

Project No. 220040202 Drawing No.

Date	27 JUNE 2018
Scale	1" = 20'
Drn. By	MMD
Chkd. By	BMC

SP-2

SHEET 2 OF 2