

MEMORANDUM

DATE: January 8, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0493-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 6, 2020. 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

Paul Mayhew

From: Paul Mayhew
Sent: Wednesday, January 8, 2020 10:56 AM
To: 'dhkarcieski@venable.com'
Cc: Jeff Mayhew
Subject: Case No. 2019-0493-A

Mr. Karcieski:

This is to acknowledge receipt of your letter dated January 3, 2020, and to confirm that the revised Plan you have submitted complies with conditions I placed on the approval of the requested Variance, as per DOP's comments. Thank you for your prompt attention to this matter.

Paul M. Mayhew
ALJ

IN RE: PETITION FOR VARIANCE

(6201 Baltimore National Pike)

1st Election District

1st Council District

Wal-Mart Estate Business Trust

Legal Owner

Petitioner

*

*

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*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0493-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Wal-Mart Estate Business Trust, legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from Section 409.10.A of the Baltimore County Zoning Regulations (“BCZR”) to allow a total of two (2) stacking spaces for a drive-thru facility for a bank in lieu of the five (5) stacking spaces required. A site plan was marked as Petitioner’s Exhibit 1.

R. Michael Villarreal appeared in support of the petition. David H. Karceski, Esq. represented Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

The site is approximately 33,802 sq. ft. in size and is split- zoned BR, CLL and DR 5.5. Mr. Karceski proffered the following: The plan is for a free-standing drive-up ATM on the parking lot of the Walmart/Giant Food shopping center at the corner of Baltimore National Pike and North Rolling Road in Catonsville. Mr. Karceski explained that this is a large parking lot that has more than ample parking for the existing businesses. He further explained that when the engineer was researching the property records he discovered a 1940 right-of-way easement held

ORDER RECEIVED FOR FILING

Date

12/5/19

By

Sen

by State Highways that crosses the very corner of the site and which makes it problematic to provide the required five stacking spaces for the ATM.

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).

This is an irregularly shaped parcel with a right-of-way easement partially traversing the site. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to construct the drive-thru ATM. 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.

THEREFORE, IT IS ORDERED, this 5th day of **December, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 409.10A of the Baltimore County Zoning Regulations ("BCZR) to allow a total of two (2) stacking spaces for a drive-thru facility for a bank in lieu of the five (5) stacking spaces required, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Within thirty days Petitioner shall submit a redlined Plan showing the MTA bus stop and depicting the proper 20 foot length for the 2 stacking spaces.
2. The site will be suitably landscaped.
3. The drive-thru lane shall be distinctly marked and must not block any other parking spaces.

ORDER RECEIVED FOR FILING

Date 12/5/19
By Sen

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

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



PAUL M. MAYHEW
Managing Administrative Law Judge
For Baltimore County

PMM:sln

ORDER RECEIVED FOR FILING

Date 12/5/19

By sln



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 6201 Baltimore National Pike which is presently zoned BR-CCC, DR5.5

Deed References: 20498-690

10 Digit Tax Account # 2400006956

Property Owner(s) Printed Name(s) Wal-Mart Real Estate Business Trust

(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:

SEE ATTACHED SHEET

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address City State

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

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

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

Mailing Address City State

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

Zip Code Telephone # Email Address

CASE NUMBER 2019-0493-A Filing Date 10/17/19

Do Not Schedule Dates: Reviewer CS

REV. 10/4/11

ORDER RECEIVED FOR FILING

Date 12/5/19

By Sen

6201 BALTIMORE NATIONAL PIKE

ATTACHMENT TO PETITION FOR VARIANCE

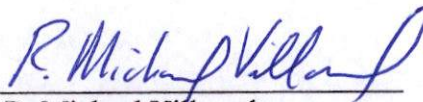
Variance to allow a total of 2 stacking spaces for a drive-thru facility for a bank in lieu of the 5 stacking spaces required, pursuant to B.C.Z.R. Section 409.10A.

6201 BALTIMORE NATIONAL PIKE

ATTACHMENT TO PETITION FOR VARIANCE

Contract Lessee:

Flite Banking Centers, LLC
8955 Katy Freeway, Suite 107
Houston, Texas 77024
Phone: (713) 385-6453

By: 
R. Michael Villareal

Title: Founder & President

6201 BALTIMORE NATIONAL PIKE

ATTACHMENT TO PETITION FOR VARIANCE

Legal Owner:

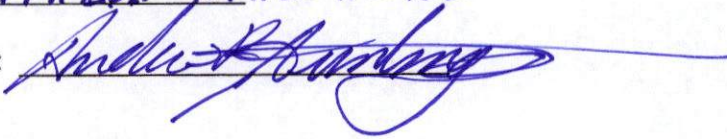
Wal-Mart Real Estate Business Trust

P.O. Box 8050 - MS 0555

Bentonville, AR 72712-8050

Phone: ~~479.504.4444~~ 479.204.3425

By:



Title:

Sr. Manager II

THE
MUSEUM OF
THE
CITY OF
NEW YORK



ZONING DESCRIPTION
TAX MAP 100, PARCEL 111
THE LAND OF
WAL-MART REAL ESTATE BUSINESS TRUST
LIBER 20498 FOLIO 690
1ST ELECTION DISTRICT
BALTIMORE COUNTY, MD

BEGINNING AT A POINT ON THE EASTERNLY RIGHT-OF-WAY LIMITS OF NORTH ROLLING ROAD (VARIABLE RIGHT-OF-WAY), WHICH IS 139.54 FEET SOUTHWEST OF THE INTERSECTION OF SAID NORTH ROLLING ROAD AND BALTIMORE NATIONAL PIKE (VARIABLE WIDTH RIGHT-OF-WAY), THENCE DEPARTING SAID EASTERNLY RIGHT-OF-WAY LIMITS AND WITH THE DIVISION LINE BETWEEN THE NORTH ROLLING ROAD ON THE WEST AND THE LAND OF WAL-MART REAL ESTATE BUSINESS TRUST (LIBER 20498 FOLIO 690) ON THE EAST;

1. NORTH 63 DEGREES – 20 MINUTES – 26 SECONDS EAST, 252.94 FEET TO A POINT, THENCE;
2. CONTINUING NORTH 66 DEGREES – 26 MINUTES – 56 SECONDS EAST, 28.71 FEET TO A POINT, THENCE;
3. CONTINUING NORTH 51 DEGREES – 42 MINUTES – 47 SECONDS EAST, 13.41 FEET TO A POINT, THENCE;
4. CONTINUING 302.84 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 3894.72 FEET, A CENTRAL ANGLE OF 04 DEGREES – 27 MINUTES – 18 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 89 DEGREES – 11 MINUTES – 23 SECONDS EAST, 302.76 FEET TO A POINT, THENCE;
5. CONTINUING SOUTH 44 DEGREES – 37 MINUTES – 24 SECONDS EAST, 70.93 FEET TO A POINT, THENCE;
6. CONTINUING NORTH 84 DEGREES – 21 MINUTES – 36 SECONDS EAST, 77.56 FEET TO A POINT, THENCE;
7. CONTINUING NORTH 41 DEGREES – 31 MINUTES – 46 SECONDS EAST, 68.04 FEET TO A POINT, THENCE;
8. CONTINUING 157.02 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 3894.72 FEET, A CENTRAL ANGLE OF 02 DEGREES – 18 MINUTES – 36 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 84 DEGREES – 53 MINUTES – 34 SECONDS EAST, 157.01 FEET TO A POINT, THENCE;
9. CONTINUING SOUTH 45 DEGREES – 51 MINUTES – 04 SECONDS EAST, 51.73 FEET TO A POINT, THENCE;
10. CONTINUING SOUTH 03 DEGREES – 53 MINUTES – 46 SECONDS WEST, 22.45 FEET TO A POINT, THENCE;
11. CONTINUING SOUTH 87 DEGREES – 10 MINUTES – 54 SECONDS EAST, 36.86 FEET TO A POINT, THENCE;

2019-0493-A



12. CONTINUING SOUTH 05 DEGREES –10 MINUTES – 06 SECONDS WEST, 608.96 FEET TO A POINT, THENCE;
13. CONTINUING SOUTH 84 DEGREES –22 MINUTES – 35 SECONDS EAST, 101.88 FEET TO A POINT, THENCE;
14. CONTINUING SOUTH 05 DEGREES – 37 MINUTES – 25 SECONDS WEST, 100.00 FEET TO A POINT, THENCE;
15. CONTINUING NORTH 84 DEGREES –22 MINUTES – 35 SECONDS WEST, 99.65 FEET TO A POINT, THENCE;
16. CONTINUING SOUTH 03 DEGREES –55 MINUTES – 15 SECONDS WEST, 95.29 FEET TO A POINT, THENCE;
17. CONTINUING NORTH 89 DEGREES –23 MINUTES – 04 SECONDS WEST, 495.00 FEET TO A POINT, THENCE;
18. CONTINUING NORTH 00 DEGREES –15 MINUTES – 55 SECONDS EAST, 387.69 FEET TO A POINT, THENCE;
19. CONTINUING SOUTH 89 DEGREES –44 MINUTES – 22 SECONDS WEST, 506.16 FEET TO THE POINT, THENCE;
20. CONTINUING 335.63 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 5555.00 FEET, A CENTRAL ANGLE OF 03 DEGREES – 27 MINUTES – 43 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 17 DEGREES – 38 MINUTES – 57 SECONDS EAST, 335.58 FEET TO THE POINT OF BEGINNING

CONTAINING 629,877.60 SQUARE FEET OR 14.46 ACRES.



2019-0493-A

Pm 11-25-19
11 Am

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, November 24, 2019 7:20 PM
To: Barbara Lukasevich; DKarceski@Venable.com; Administrative Hearings
Subject: Recertification's For 2019-0493-A
Attachments: Re-Cert 1 2019-0493-A.doc; Re-Cert 2 2019-0493-A.doc

RECEIVED

NOV 25 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 6201 Baltimore National Pike. Thanks. Please make sure Drew gets a copy of this. I do not have his email.

CERTIFICATE OF POSTING

2019-0493-A

RE: Case No.: _____

Petitioner/Developer: _____

Wal-Mart Real Estate Business Trust
Flite Banking Centers. LLC.

November 25, 2019

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:

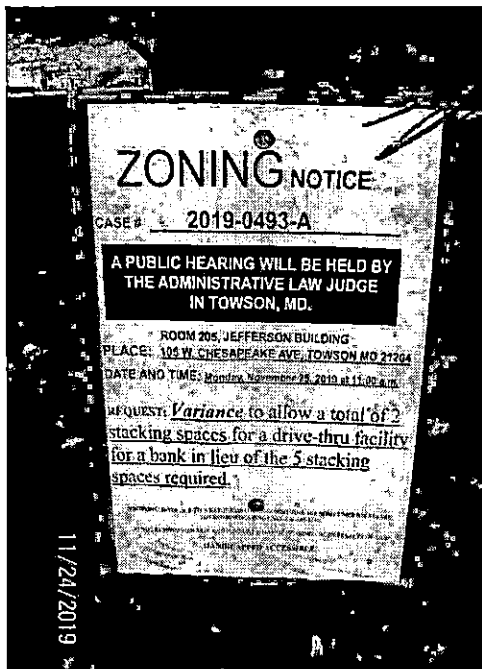
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6201 Baltimore National Pike

SIGN 1 Recertification

November 5, 2019

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



Sincerely,

November 24, 2019

(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

2019-0493-A

RE: Case No.: _____

Petitioner/Developer: _____
Wal-Mart Real Estate Business Trust
Flite Banking Centers, LLC.

November 25, 2019
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:

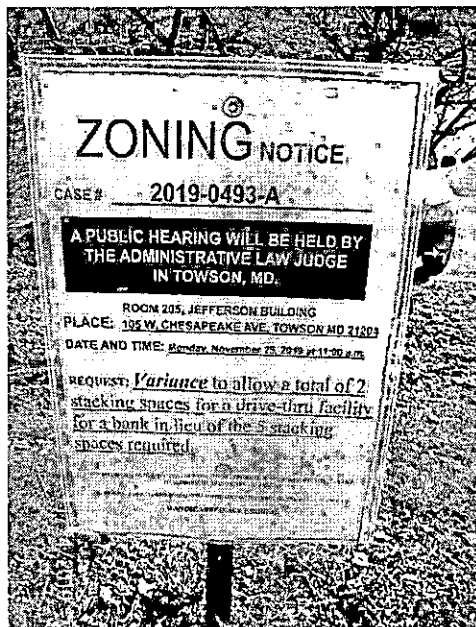
Ladies and Gentlemen:

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: _____

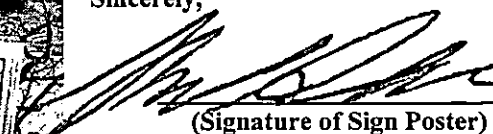
6201 Baltimore National Pike **SIGN 2 Recertification**

November 5, 2019

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



Sincerely,

 November 24, 2019
(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)

PM 11-25-19
11Am

Debra Wiley

From: CEC <closecr@comcast.net>
Sent: Thursday, November 14, 2019 9:58 PM
To: Administrative Hearings
Subject: Off ice of Administrative Hearings CASE 2019-0493-A

RECEIVED

NOV 15 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

CAUTION: This message from closecr@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

The location description is "southwest" of the intersection of N Rolling Rd and Rt 40. Obviously, that should be "southeast".

Craig Close
Balimer Merlan
OK: Far West Catonsville
Or: Greater Oella

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Order #: 11808899
Case #: 2019-0493-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0493-A

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:

11/5/2019



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: 2019-0493-A

6201 Baltimore National Pike

E of Rolling Road, south of intersection of North Rolling Road and Baltimore National Pike

1st Election District - 1st Councilmanic District

Legal Owners: Wal-Mart Real Estate Business Trust

Contract Purchaser/Lessee: Fite Banking Centers, LLC

Variance to allow a total of 2 stacking spaces for a drive-thru facility for a bank in lieu of the 5 stacking spaces required.

Hearing: Monday, November 25, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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.

n5

CERTIFICATE OF POSTING

2019-0493-A

RE: Case No.: _____

Petitioner/Developer: _____

**Wal-Mart Real Estate Business Trust
Flite Banking Centers. LLC.**

November 25, 2019

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: _____

6201 Baltimore National Pike

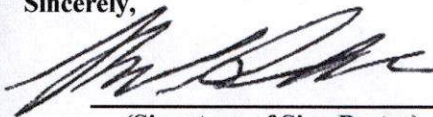
SIGN 1

November 5, 2019

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



Sincerely,

 **November 5, 2019**

(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

2019-0493-A

RE: Case No.: _____

Petitioner/Developer: _____

**Wal-Mart Real Estate Business Trust
Flite Banking Centers, LLC.**

November 25, 2019

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: _____

6201 Baltimore National Pike

SIGN 2

November 5, 2019

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



Sincerely,

November 5, 2019

(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

2019-0472-SPHA

RE: Case No.: _____

Petitioner/Developer: _____
K D Associates, LLLP c/o Klein Enterprises
Maryland Food, LLC

November 25, 2019
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:

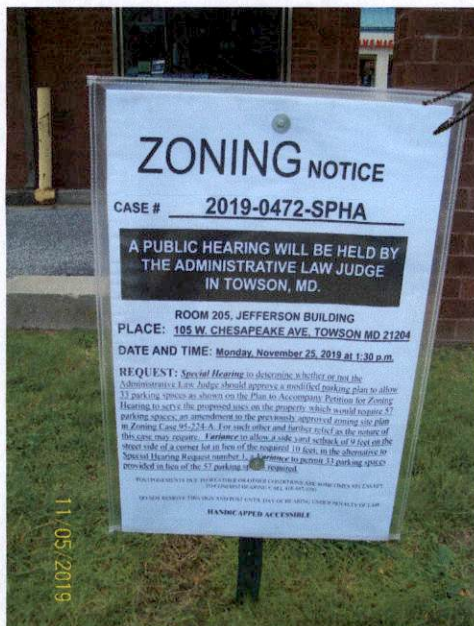
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

11700 Reisterstown Road

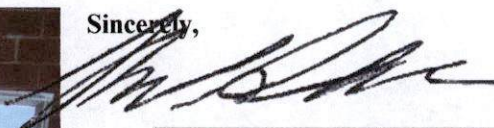
SIGN 1

November 5, 2019

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



Sincerely,

 November 5, 2019

(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)

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

2. The second part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

3. The third part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

4. The fourth part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

5. The fifth part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

6. The sixth part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

7. The seventh part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

CERTIFICATE OF POSTING

2019-0472-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

K D Associates, LLLP c/o Klein Enterprises
Maryland Food, LLC

November 25, 2019

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: _____

11700 Reisterstown Road

SIGN 2

November 5, 2019

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



Sincerely,

 November 5, 2019
(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)

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
6201 Baltimore National Pike; E of N. Rolling Rd,
139.54' SW N. Rolling Rd & Baltimore Nat'l Pike* OF ADMINISTRATIVE
1st Election & 1st Councilmanic Districts
Legal Owner: Wal-Mart Estate Business Trust * HEARINGS FOR
Contract Purchaser(s): Flite Banking Centers, LLC
Petitioner(s) * BALTIMORE COUNTY
* 2019-493-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
OCT 23 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of October, 2019, 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



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 23, 2019

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: 2019-0493-A

6201 Baltimore National Pike
E/of Rolling Road, south of intersection of North Rolling Road and Baltimore National Pike
1st Election District – 1st Councilmanic District
Legal Owners: Wal-Mart Real Estate Business Trust
Contract Purchaser/Lessee: Flite Banking Centers, LLC

Variance to allow a total of 2 stacking spaces for a drive-thru facility for a bank in lieu of the 5 stacking spaces required.

Hearing: Monday, November 25, 2019 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 "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
R. Michael Villareal, 8955 Katy Freeway, Ste. 107, Houston TX 77024
Wal-Mart Real Estate Business Trust, P.O. Box 8050-MS 8050, Bentonville AR 72712

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 5, 2019.**
- (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: THE DAILY RECORD
Tuesday, November 5, 2019 - Issue

Please forward billing to:

David Karceski
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6279

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: 2019-0493-A

6201 Baltimore National Pike

E/of Rolling Road, south of intersection of North Rolling Road and Baltimore National Pike

1st Election District – 1st Councilmanic District

Legal Owners: Wal-Mart Real Estate Business Trust

Contract Purchaser/Lessee: Flite Banking Centers, LLC

Variance to allow a total of 2 stacking spaces for a drive-thru facility for a bank in lieu of the 5 stacking spaces required.

Hearing: Monday, November 25, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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

CERTIFICATE OF POSTING

2019-0493-A

RE: Case No.: _____

Petitioner/Developer: _____
Wal-Mart Real Estate Business Trust
Flite Banking Centers, LLC.

November 25, 2019
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:

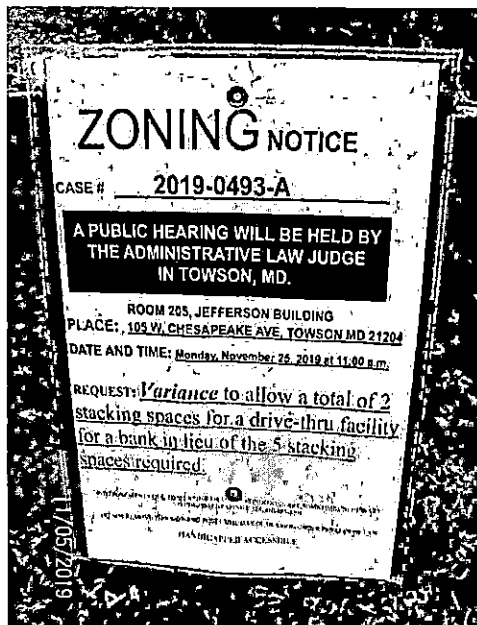
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6201 Baltimore National Pike

SIGN 1

November 5, 2019

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



Sincerely,

 November 5, 2019

(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

2019-0493-A

RE: Case No.: _____

Petitioner/Developer: _____

Wal-Mart Real Estate Business Trust
Flite Banking Centers. LLC.

November 25, 2019

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:

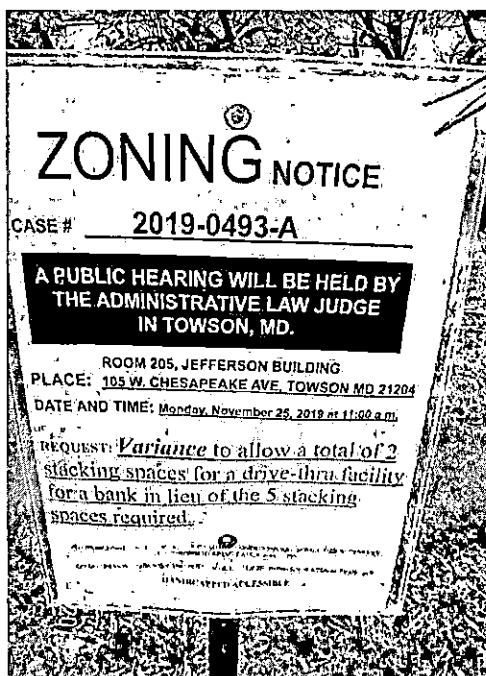
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6201 Baltimore National Pike

SIGN 2

November 5, 2019

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



Sincerely,

November 5, 2019

(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)

**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: 2019-0493-A
Property Address: 6201 Baltimore National Pike
Property Description: _____
Legal Owners (Petitioners): Wal-Mart Real Estate Business Trust
Contract Purchaser/Lessee: Flite Banking Centers, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: David Karascki
Company/Firm (if applicable): Venble LLP
Address: 210 W. Pennsylvania Ave.
Suite 500
Towson MD 21204
Telephone Number: 410 494 6279



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

November 19, 2019

David Karceski
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 2124

RE: Case Number: 2019-0493-A, 6201 Baltimore National Pike

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 17, 2019. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
R. Michael Villareal, 8955 Katy Freeway, Ste. 107, Houston TX 77024
Wal-Mart Real Estate Business Trust, P.O. Box 8050-MS 8050, Bentonville AR 72712

11-25-19

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: October 25, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0493-A
Address 6201 Baltimore National Pike
(Wal-Mart Estate Business Trust
Property)

Zoning Advisory Committee Meeting of **October 18, 2019.**

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

Reviewer: Steve Ford

Date: 10/23/19

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 10/23/19. A field inspection and internal review reveals that an entrance onto US 40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2019-0493-A.

Wal-Mont Estate Business Trust
6201 Baltimore National Pike
US 40

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

2019-0493-A
11Am

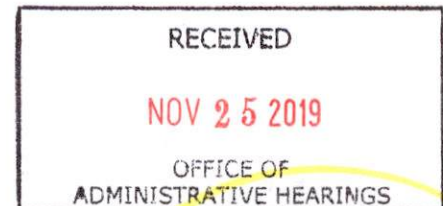
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 11/18/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number:



INFORMATION:

Property Address: 6201 Baltimore National Pike
Petitioner: Wal-Mart Real Estate Business Trust
Zoning: BR-CCC, DR 5.5
Requested Action: Variance

Rec'd after hearing

The Department of Planning has reviewed the petition for variance to allow a total of 2 stacking spaces for a drive-thru facility for a bank in lieu of the 5 stacking spaces required, pursuant to Baltimore County Zoning Regulations (BCZR). Section 409.10A.

A site visit was conducted on November 1, 2019. The subject property is located to the east of North Rolling Road. The site is subject to the Southwest Baltimore County Revitalization Strategy and Western Baltimore County Pedestrian and Bicycle Access Plan.

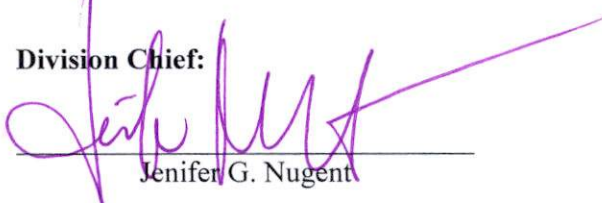
There is an existing shopping center and the proposed drive through ATM is at the intersection of Baltimore National Pike and North Rolling Road.

The Department has no objection to granting the requested relief, conditioned upon the following:

1. Explore options of providing one more stacking space in addition to the 2 stacking spaces indicated. Removing one more parking space will ensure an additional stacking space.
2. The plan does not correctly indicate the 20 foot length for stacking spaces.
3. Provide landscaping.
4. The bus stop along the North Rolling Road is not identified on the plan.
5. The drive- through should be distinctly marked and should not block entry to or exit from parking spaces to ensure safe flow of traffic.

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

Division Chief:


Jennifer G. Nugent

Date: 11/18/2019
Subject: ZAC # 19-493
Page 2

CPG/JGN/LTM/

c: Josephine Selvakumar
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County



CHECKLIST

**Comment
Received**

Department

Support/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

10/25

DEPS

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

No Comment

FIRE DEPARTMENT

PLANNING

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

10/23

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

1114

NOTE TO FILE

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING.

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

11/5/19

SIGN POSTING (1st)

Date:

11/5/19

by SSG Block

SIGN POSTING (2nd)

Date:

11-24-10

by (1)

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

No

☐

Comments, if any:

Real Property Data Search

The Real Property Database Search is experiencing technical difficulties. We are working as quickly as possible to restore services. We apologize for any inconvenience this is causing.

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration				
Tax Exempt: None			Special Tax Recapture: None							
Exempt Class: None										
Account Identifier:			District - 04 Account Number - 0419051325							
Owner Information										
Owner Name:		K D ASSOCIATES LIMITED PARTNERSHIP C/O METRO MGMT CO				Use: Principal Residence:		COMMERCIAL NO		
Mailing Address:		SUITE 165 1777 REISTERSTOWN RD BALTIMORE MD 21208-				Deed Reference:		/07302/ 00631		
Location & Structure Information										
Premises Address:		11700 REISTERSTOWN RD 0-0000				Legal Description:		0.776 AC SWS REISTERSTOWN RD NW COR CHERRY VALLEY		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:	
0057	0006	0236	20000.04	0000				2020		
Special Tax Areas: None						Town:		None		
						Ad Valorem:		None		
						Tax Class:		None		
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1984		7,460 SF				33,802 SF		06		
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements			
		BRANCH BANK	/	C4						
Value Information										
			Base Value		Value As of 01/01/2017		Phase-in Assessments As of 07/01/2019		As of 07/01/2020	
Land:			416,300		416,300					
Improvements			743,700		743,700					
Total:			1,160,000		1,160,000		1,160,000			
Preferential Land:			0							
Transfer Information										
Seller: SMITH MICHAEL P				Date: 10/22/1986			Price: \$110,000			
Type: ARMS LENGTH IMPROVED				Deed1: /07302/ 00631			Deed2:			
Seller:				Date:			Price:			
Type:				Deed1:			Deed2:			
Seller:				Date:			Price:			
Type:				Deed1:			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2019			07/01/2020			

County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Tax Exempt: None

Special Tax Recapture: None

Exempt Class: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

David H. Karceski

T 410.494.6265
F 410.821.0147
dhkarceski@venable.com

January 3, 2020

VIA HAND-DELIVERY

The Honorable Paul M. Mayhew
Managing Administrative Law Judge
Office of Administrative Hearings
The Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204



Re: **Petition for Variance**
(6201 Baltimore National Pike)
Case No. 2019-0493-A

Dear Judge Mayhew:

I am in receipt of your Opinion and Order issued in Case No. 2019-0493-A and am writing this letter in order to comply with three (3) conditions imposed in your Order. On December 5, 2019, you granted the above-referenced Petition for Variance, which sought relief from Section 409.10.A of the Baltimore County Zoning Regulations ("BCZR") to allow a total of two (2) stacking spaces for a drive-thru facility for a bank in lieu of the five (5) stacking spaces otherwise required by the BCZR. The conditions to the Order I am writing to address are contained on Page 2 of the Order and read as follows:

1. Within thirty days Petitioner shall submit a redlined Plan showing the MTA bus stop and depicting the proper 20-foot length for the 2 stacking spaces.
2. The site will be suitably landscaped.
3. The drive-thru lane shall be distinctly marked and must not block any other parking spaces.

Bohler Engineering prepared the attached red-lined version of the approved site plan, dated January 3, 2020, to address all of these conditions to the Order. As you will note, the plan clearly depicts the following:

The Honorable Paul M. Mayhew
January 3, 2019
Page -2-

1. The location of the existing MTA bus stop;
2. The proper 20 foot length for the 2 stacking spaces approved by your Order that will serve customers, who use this bank drive-thru lane;
3. A row of landscape plantings to be installed between the bank drive-thru facility and the public right-of-way, which plantings will be in addition to the existing landscape plantings shown and indicated on the enclosed site plan; and
4. The addition of drive-thru lane markings and one-way directional arrows, which distinctly mark the lane.

Condition No. 3 to your Order also indicates that stacking spaces “must not block any other parking spaces”. A review of the enclosed red-lined site plan indicates that access to all of the off-street parking spaces in the vicinity of the bank drive-thru facility will not be blocked by any improvements associated with this bank use or the stacking spaces associated with it.

Please do not hesitate to contact me should you require any additional information in connection with the conditions to your Order or the enclosed red-lined site plan. Please also include a copy of this letter and the enclosed site plan in Baltimore County’s permanent case file for Case No. 2019-0493-A

Very truly yours,

David H. Karceski
David H. Karceski *w/sep*

Enclosure
DHK:jrf
48289062v1

CASE NAME 6201 BALT. NATL. POLICE
CASE NUMBER 2019-193-A
DATE 11/25/19

NAME

CITY, STATE, ZIP

E-MAIL

[illegible]



6205 Baltimore National Pike



Roads Commission of Maryland, acting for and on behalf of the State of Maryland, finds and, esements, and/or rights, etc. shown and/or indicated on State Roads Commission 88 which is duly recorded, or intended to be recorded, among the Land Records of County in the State of Maryland, in order to lay out, open, establish, construct, extend, id improve, etc. under its Contract B-336-1-426, and/or improve in any manner together with the appurtenances thereto belonging known as the E-1170-7-430-2, 22, as a part of the Maryland State Roads System, and, thereafter use, maintain id highway and/or bridge, and

out of said highway and/or bridge and their appurtenances, in addition to being required cessity and safety, is a material benefit to the undersigned.

THIS DEED AND RELEASE WITNESSETH: That for and in consideration of the above \$100.00 and other good and valuable considerations, the receipt whereof is hereby ac- wedged, we do hereby grant and convey unto the State of Maryland, to the use of the State Roads Commission Maryland, its successors and assigns, forever in fee simple, all our right, title, and interest, free and clear of all s and encumbrances, in and to all the land, together with the appurtenances thereto belonging, or in any wise craining, lying between the lines designated "right of way line" as shown and/or indicated on the aforesaid plat, of which plat is made a part hereof, so far as our property and/or our rights may be affected by the said proposed hway and/or bridge and the appurtenances thereto belonging, or in any wise appertaining; and, we, for ourselves, heirs and assigns, do further release the State of Maryland and the State Roads Commission of Maryland, their s, officers, agents, and employees, from any and all claims or demands, both present and future, for any ages and/or injuries whatsoever caused directly or indirectly by the taking, and use, or improvement etc. of the d, easements, and/or rights, etc. for a public highway and/or bridge and their necessary appurtenances, includ- the creation or extension of slopes, embankments or excavations in connection therewith or any other matters things, arising out of or caused by the laying out, opening, establishing, constructing, extending, widening, lightening, grading, improving, further improving, use and maintenance, etc. of the said State Highway and/or ridge and their necessary appurtenances within the area of the land, easements and/or rights, etc. hereby granted gther with any change of grade therein or drainage therefrom.

AND the grantors do further grant to the State of Maryland to the use of the State Roads Commission of Mary- id, its successors and assigns, the right to create, use and maintain on the land shown hatched thus [hatched] on the ove mentioned plat, such drainage structures, stream changes and facilities as are necessary in the opinion of the ate Roads Commission to adequately drain the highway and/or adjacent property and such slopes as are neces- y to retain the said highway and/or adjacent property, it being understood between the parties hereto, however, but at such time as the contour of the land over which this easement is granted is changed so that the easement equired for slopes is no longer necessary to support or protect the property conveyed in fee simple, then said eas- ment for slopes shall cease to be effective.

AND the grantors do further grant to the State of Maryland to the use of the State Roads Commission of Maryland, its successors and assigns, the right to create, use and maintain on or across the adjacent land of the grantors such waterways and/or inlets and outlets as are necessary in the opinion of the State Roads Commission for the drainage structures indicated in the legend shown in the left hand corner of the above mentioned plat.

AND the grantors do further grant to the State of Maryland to the use of the State Roads Commission of Maryland, its successors and assigns the perpetual right to erect and maintain between October 1st and April 1st, of each and every year, snow fences, within 100 feet of the land hereby granted in fee simple, provided that said snow fences shall not interfere with the construction and use of buildings now erected or hereafter erected, or with growing crops.

AND the grantors covenant that they have neither done, nor suffered to be done, anything to encumber the property, easements and/or rights, etc. hereby conveyed, and that they will execute such other and further assur- ances of same as may be requisite.

AND

Join in this conveyance for the purpose of releasing the land, easements and/or rights, herein conveyed from the operation and effect of any mortgage and/or lien which they hold upon the property of the grantors, retaining their rights as mortgages and/or liens in and to the remainder of the land not affected by this conveyance.

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day of _____, 19____.

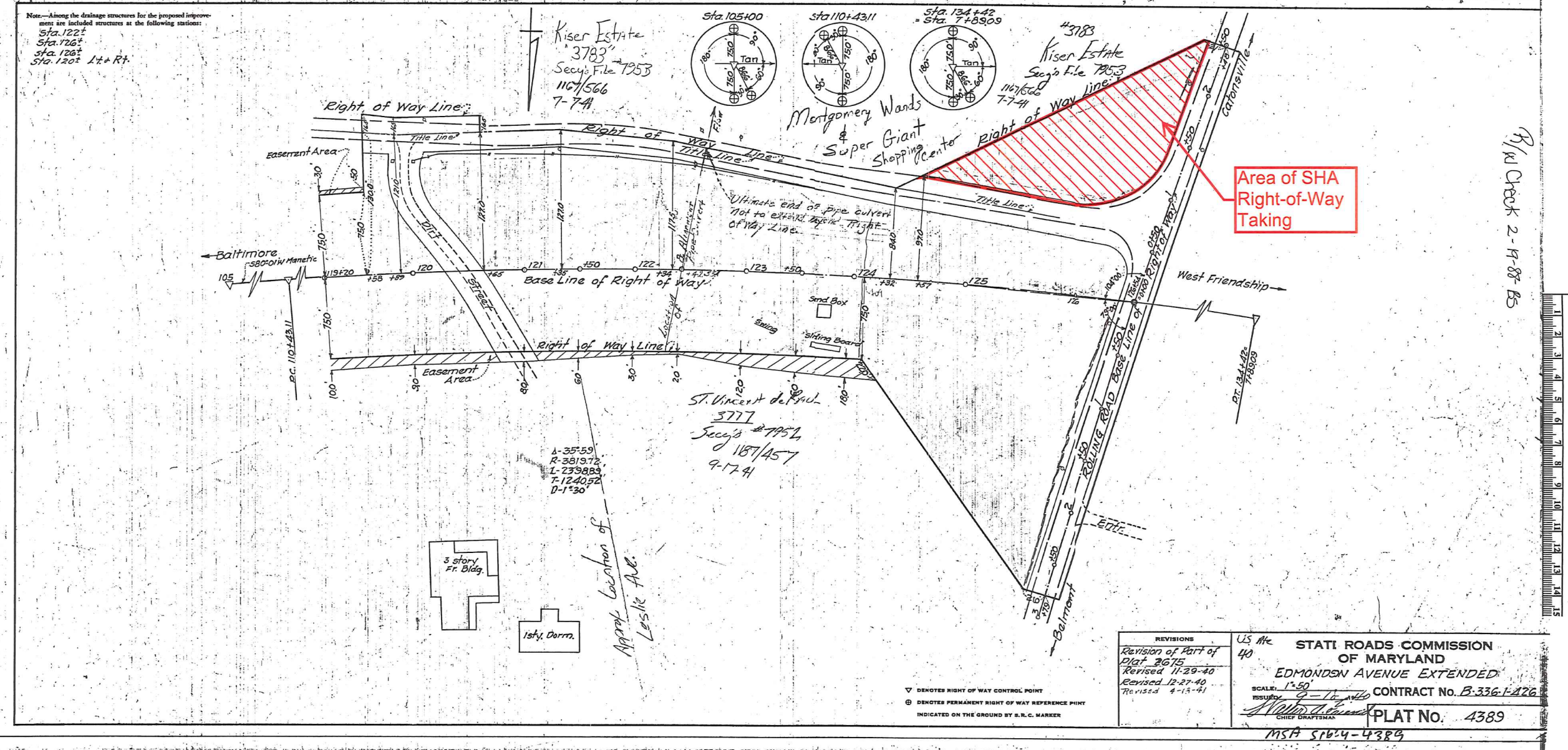
Witness: _____ (SEAL)
Witness: _____ (SEAL)
Witness: _____ (SEAL)
Witness: _____ (SEAL)
Witness: _____ (SEAL)
Witness: _____ (SEAL)
Witness: _____ (SEAL)

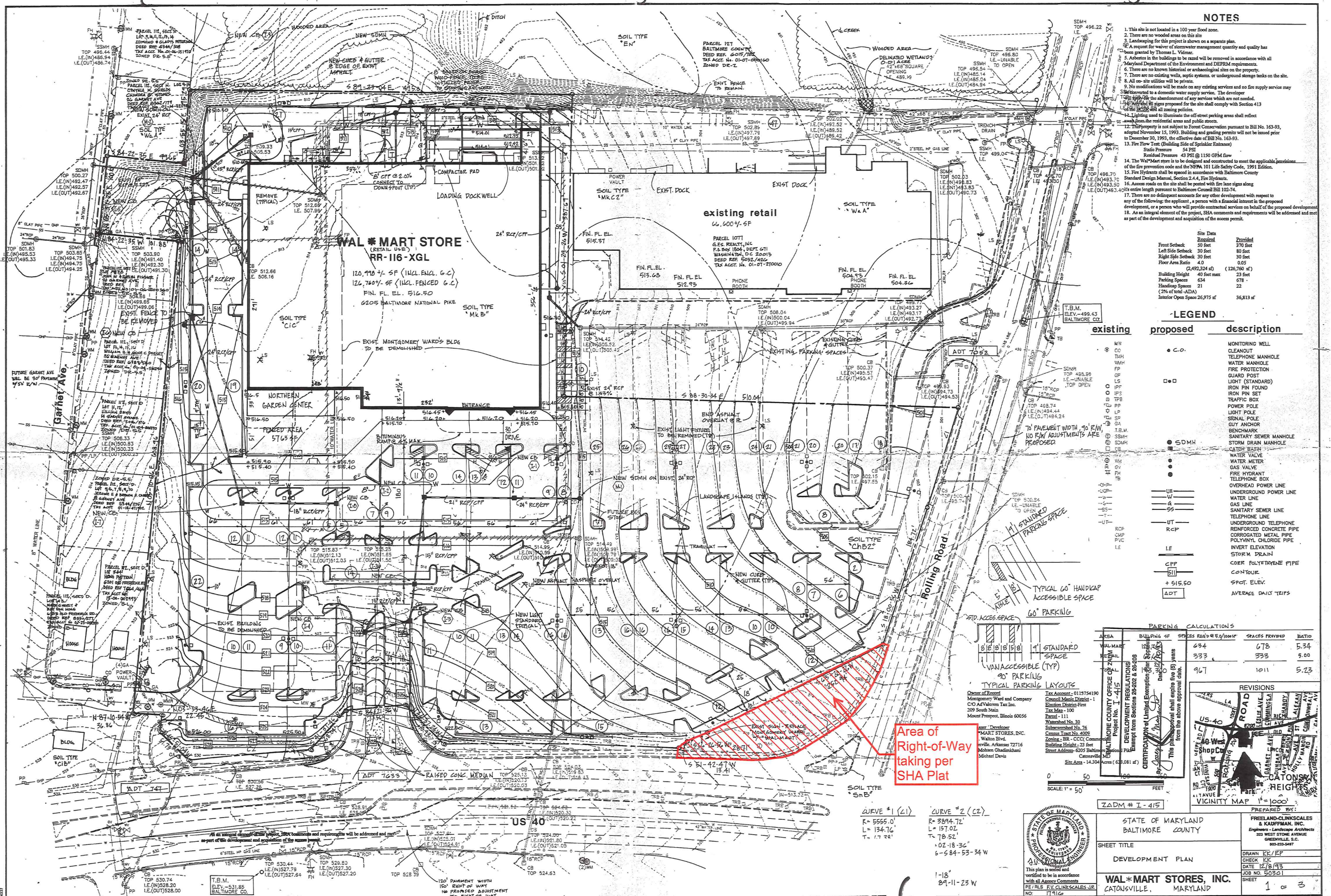
STATE OF MARYLAND, IN AND FOR _____ COUNTY:
Before me, a Notary Public of the State and County aforesaid, personally appeared _____

and acknowledged the foregoing deed to be their act.

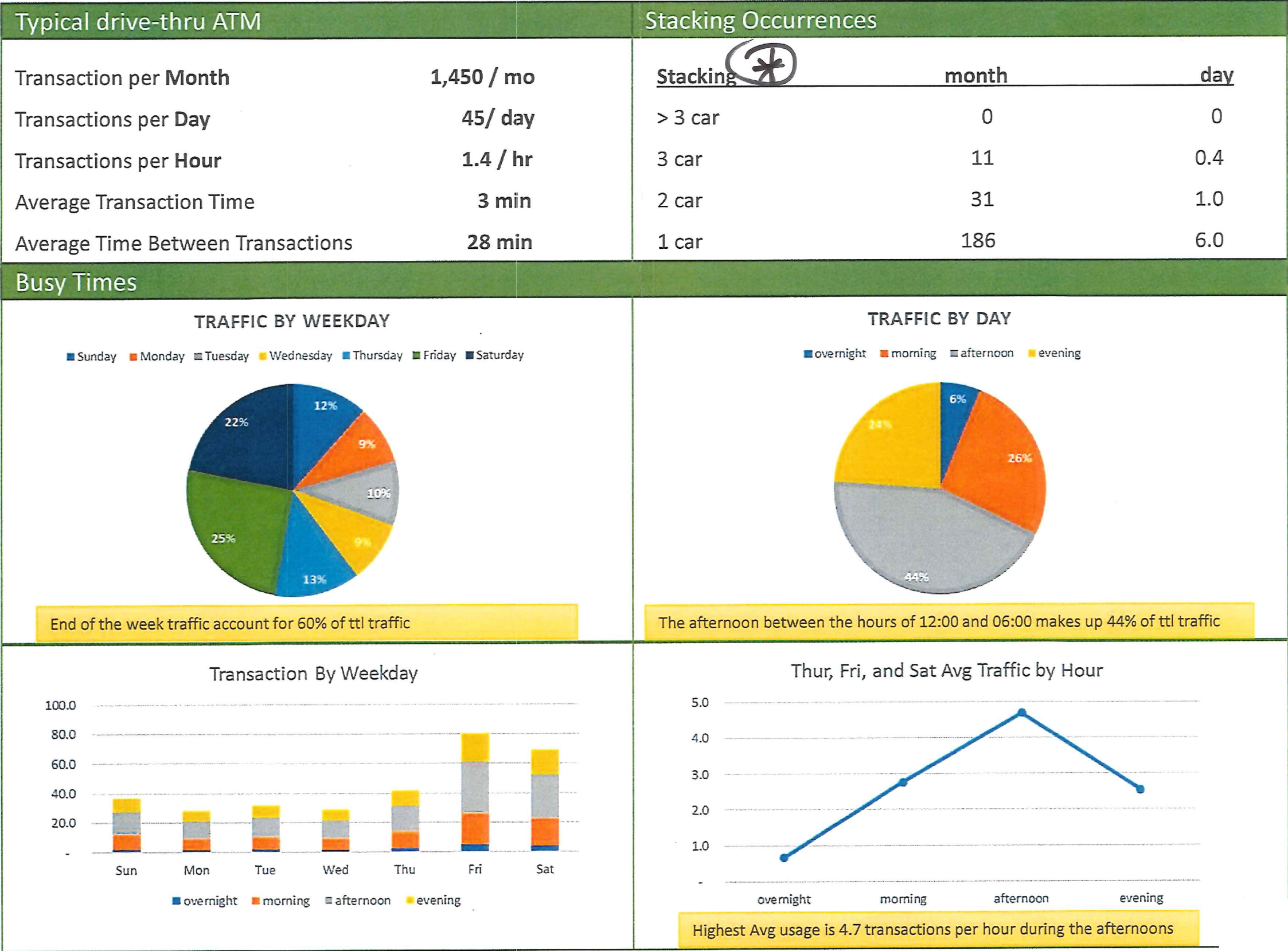
WITNESS my hand and Notarial Seal this _____ day of _____, 19____.

Notary Public
My Commission expires _____





Flite Banking Centers traffic study. 4412 North Fwy, Houston, TX 77022



⊛ number of stacking spaces includes vehicle parked at ATM for transaction

ZONING HISTORY

R-1955-3541 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A R-6 RESIDENTIAL ZONE TO A B.L. ZONE ON 05/27/55.

R-1955-3567 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A R-6 RESIDENTIAL ZONE TO A B.L. ZONE WAS APPROVED ON 01/25/57.

1958-4387-X - REQUEST FOR A SPECIAL EXCEPTION TO CONSTRUCT AN ADVERTISING STRUCTURE ON 02/13/58. THE REQUEST WAS APPROVED ON 04/03/58.

R-1959-0173 - REQUEST FOR RECLASSIFICATION OF A SMALL PARCEL OF LAND ON THE SITE TO BE RECLASSIFIED OF PROPERTY FROM A R-6 RESIDENTIAL ZONE TO A B-R ZONE, AND TO ADD A C-CC DISTRICT OVERLAY WAS REQUESTED ON 01/16/59. THE REQUEST WAS APPROVED ON 03/20/59.

COMMERCIAL PERMIT HISTORY

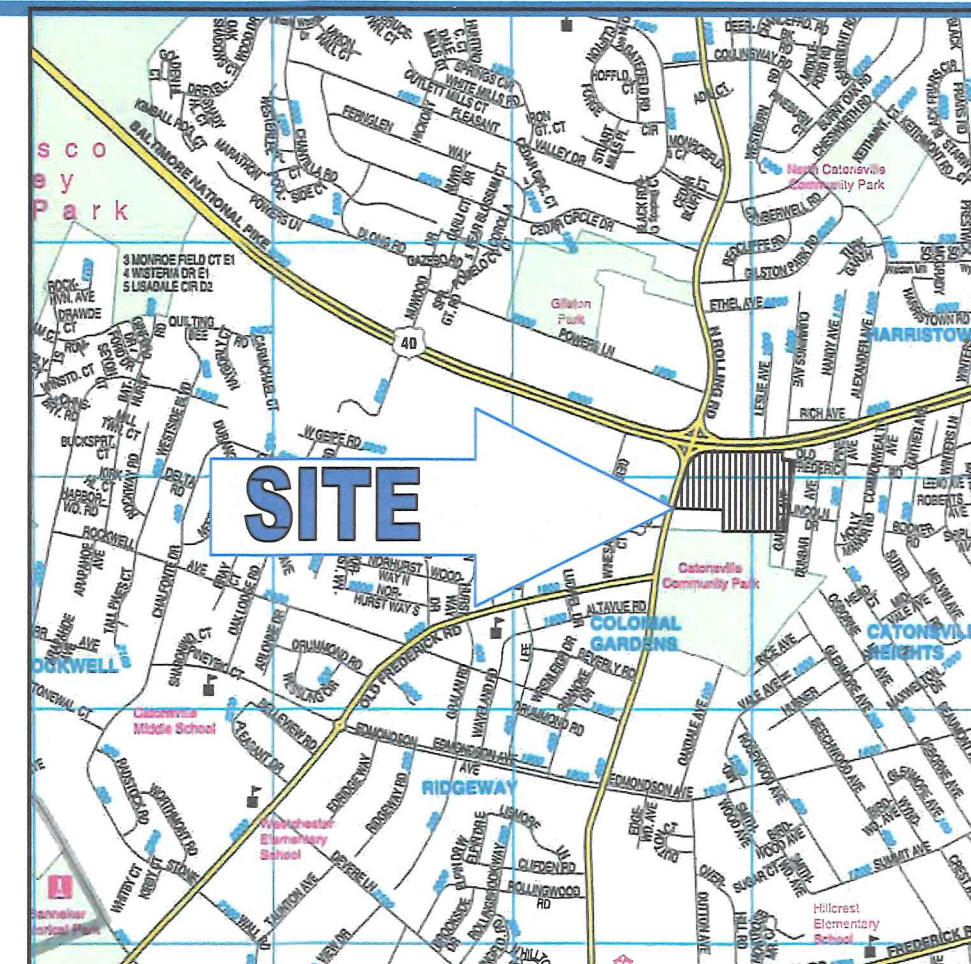
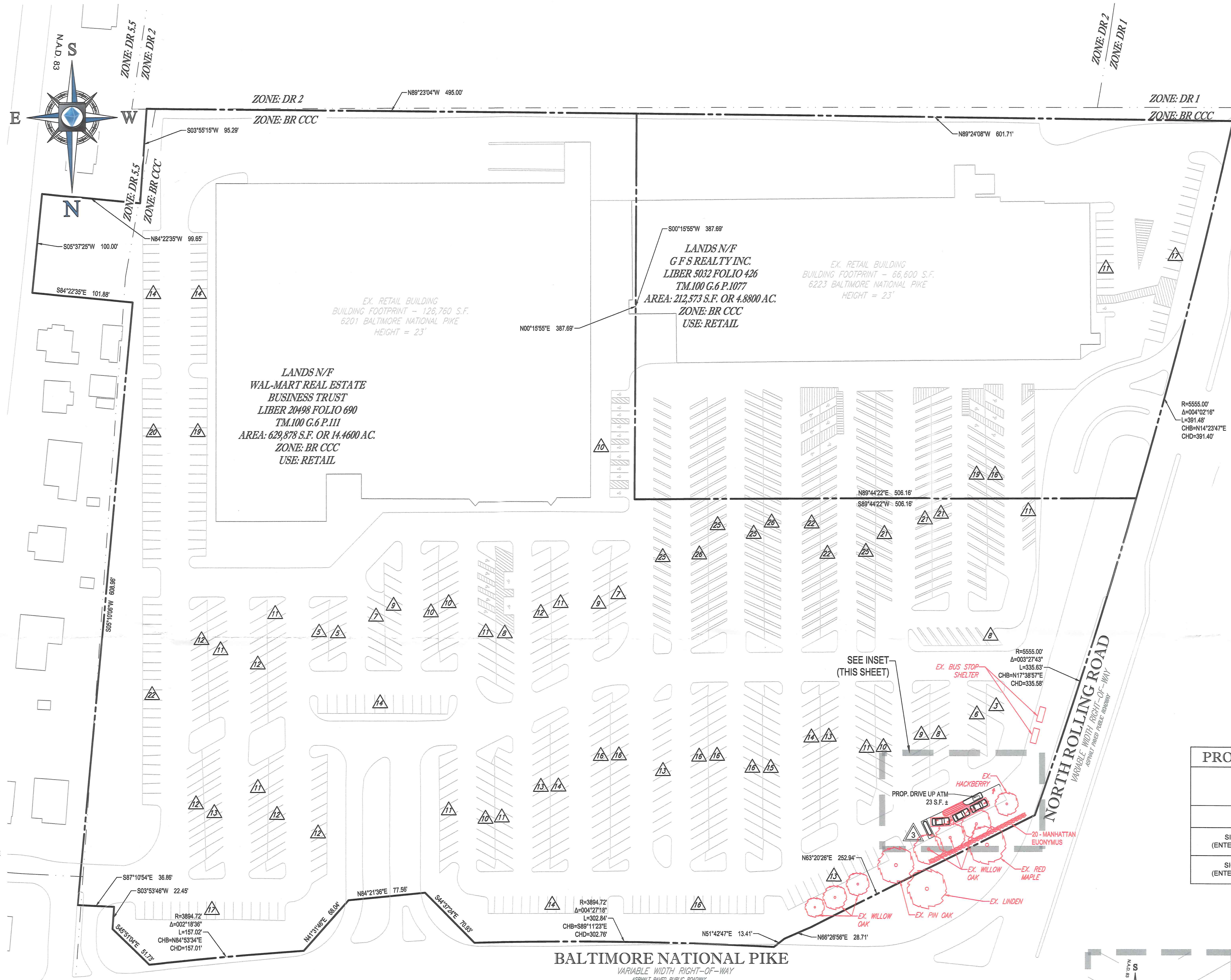
6201 BALTIMORE NATIONAL PIKE:
B898927, B949587, B944512, B941154, B879875,
B898062, B780196, B753679

6223 BALTIMORE NATIONAL PIKE:
B832756, B830102, B908369, B960787, B843927,
B818866, B962385, B345327

GENERAL NOTES

- PROPERTY INFORMATION:
 - PROPERTY ADDRESS: 6201 BALTIMORE NATIONAL PIKE
 - SITE AREA: 862,332 S.F. ±, 19.8 AC. ±
 - ELECTION DISTRICT: 1
 - COUNCILMANIC DISTRICT: 4816K5
 - ADC MAP: 4009
 - CENSUS TRACT: 100
 - TAX MAP: 6
 - GRID: 0111.1077
 - PARCEL: 2400006956
 - TAX ACCOUNT NO.: PATAPSCO RIVER, MILLER BRANCH
 - WATERSHED: 20498/00690
 - DEED REFERENCE:
 - ZONING: BR CCC, DR 5.5
 - ZONING MAP REFERENCE: 100C1
 - FLOOR AREA RATIO:
PERMITTED = 4.0
PROVIDED = 0.22 (193,360 S.F. / 862,332 S.F.)
 - EXISTING LAND USE: COMMERCIAL
PROPOSED LAND USE: COMMERCIAL
 - SETBACKS: (TO PROPERTY LINE)

	REQUIRED	PROVIDED
FRONT (NORTH ROLLING ROAD)	15' (BM)	57.84'
SIDE (BALTIMORE NATIONAL PIKE)	10'	40.16'
REAR (SOUTH)	20'	302.19'
FROM DR RESIDENTIAL ZONE	40'	693.40'
 - HEIGHT REQUIREMENTS: MINIMUM OF 40'; GREATER THAN 40' WITH APPLICATION OF HEIGHT TENT GUIDELINES IN BCZR 231.
- PROPOSED 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 370 OF 580", MAP NUMBER 2400100370F, 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.
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 - AMENITY OPEN SPACE PROVIDED MEETS OR EXCEEDS REQUIRED RATIO OF 0.2 PER BCZR 232.A.4.



LOCATION MAP

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

PARKING TABULATION CHART - SHOPPING CENTER

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

USE	GROSS S.F.	PARKING RATE	PARKING SPACES REQUIRED PER SECTION 409.6A
RETAIL (WALMART)	126,760	5/1,000 S.F.	634
RETAIL	66,600	5/1,000 S.F.	333
TOTAL REQUIRED			967
TOTAL EXISTING			979
TOTAL SPACES REMOVED			9
TOTAL SPACES ADDED			0
TOTAL PARKING PROVIDED (INCLUDES 29 ADA SPACES)			970

OWNERS

WAL-MART REAL ESTATE BUSINESS TRUST
P.O. BOX 8050, MS 0555
BENTONVILLE, AR 72712-8050

APPLICANT

FLITE BANKING SERVICES, LLC
8955 KATY FREEMAN, SUITE 107
CONTACT: MICHAEL VILLARREAL
PHONE: 713-385-6453

REQUIRED VARIANCE RELIEF

REQUESTED VARIANCE RELIEF

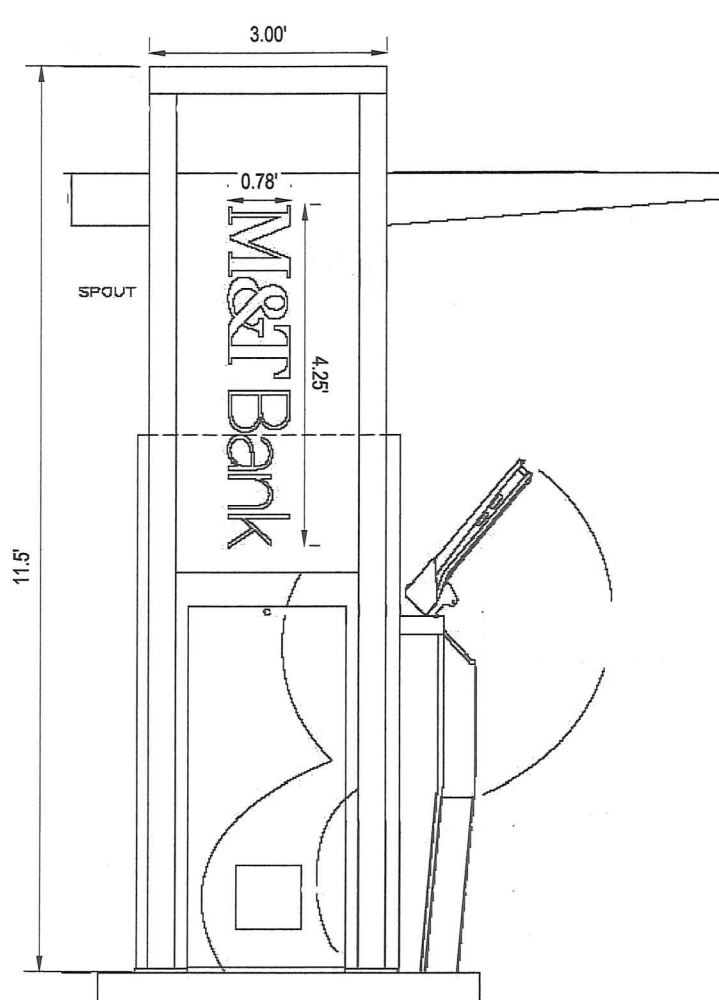
- VARIANCE FROM BCZR SECTION 409.10.A TO ALLOW A TOTAL OF 2 STACKING SPACES FOR A DRIVE-THRU FACILITY IN LIEU OF THE 5 STACKING SPACES REQUIRED.

PROPOSED WALL-MOUNTED ENTERPRISE SIGNS

ID	Signage			Structure Width (FT.)	Allowable Sign Area (SF.)	Relief Needed
	Sign Panel Width (FT.)	Sign Panel Height (FT.)	Sign Panel Area (SF.)			
SIGN 1 (ENTERPRISE)	0.78	4.25	3.32	3.00	6.00	NONE
SIGN 2 (ENTERPRISE)	0.78	4.25	3.32	3.00	6.00	NONE

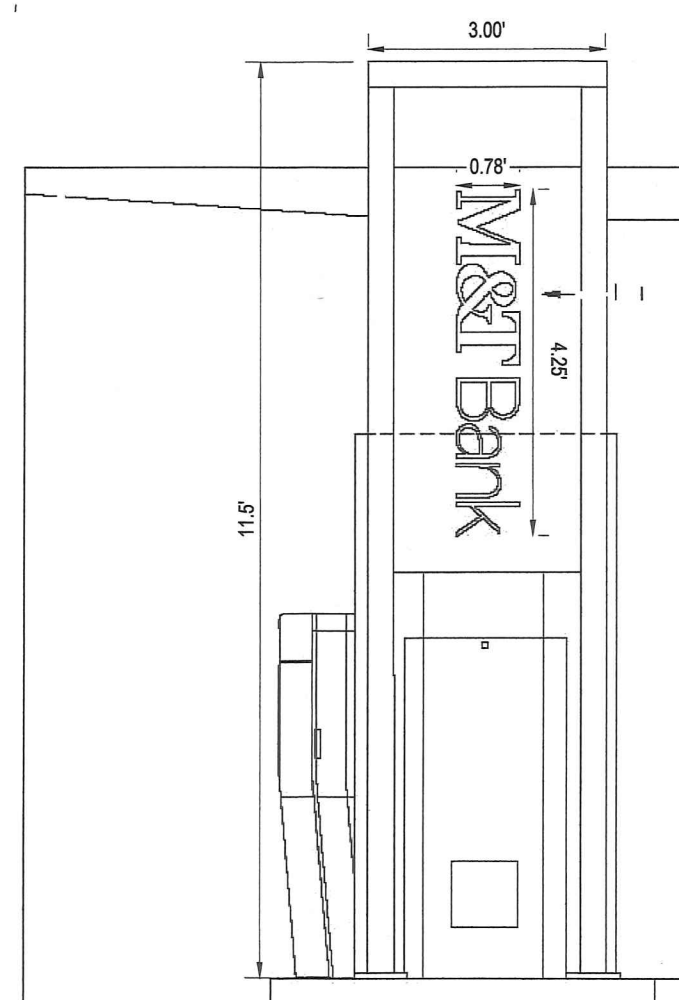
BALTIMORE NATIONAL PIKE

VARIABLE WIDTH RIGHT-OF-WAY
ADAPTED FROM PUBLIC ROADWAY



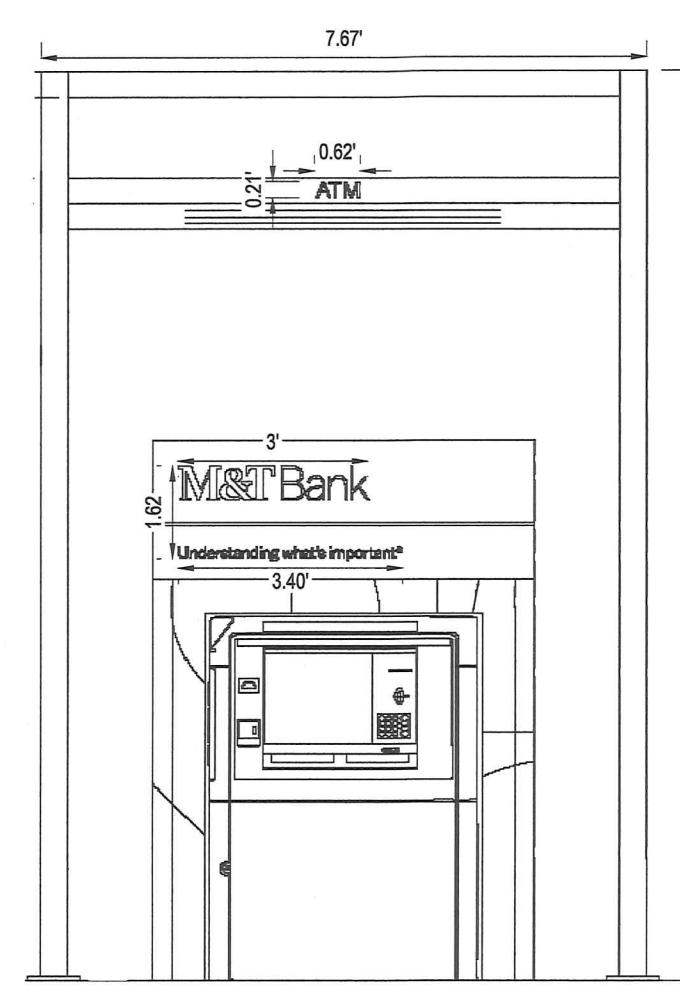
SIGN 1

3.32 S.F.



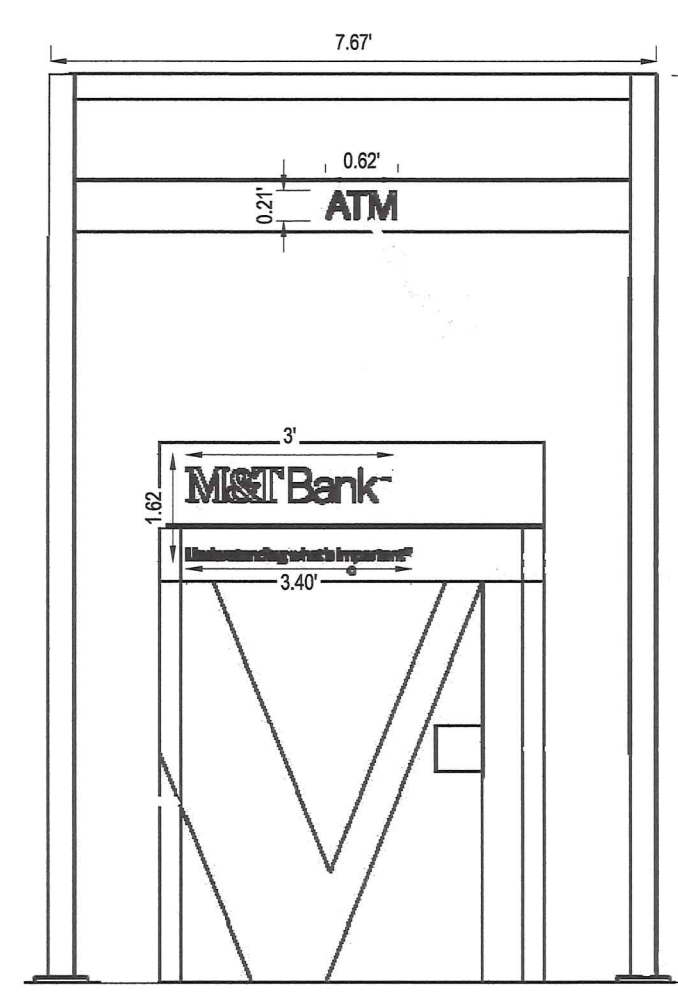
SIGN 2

3.32 S.F.



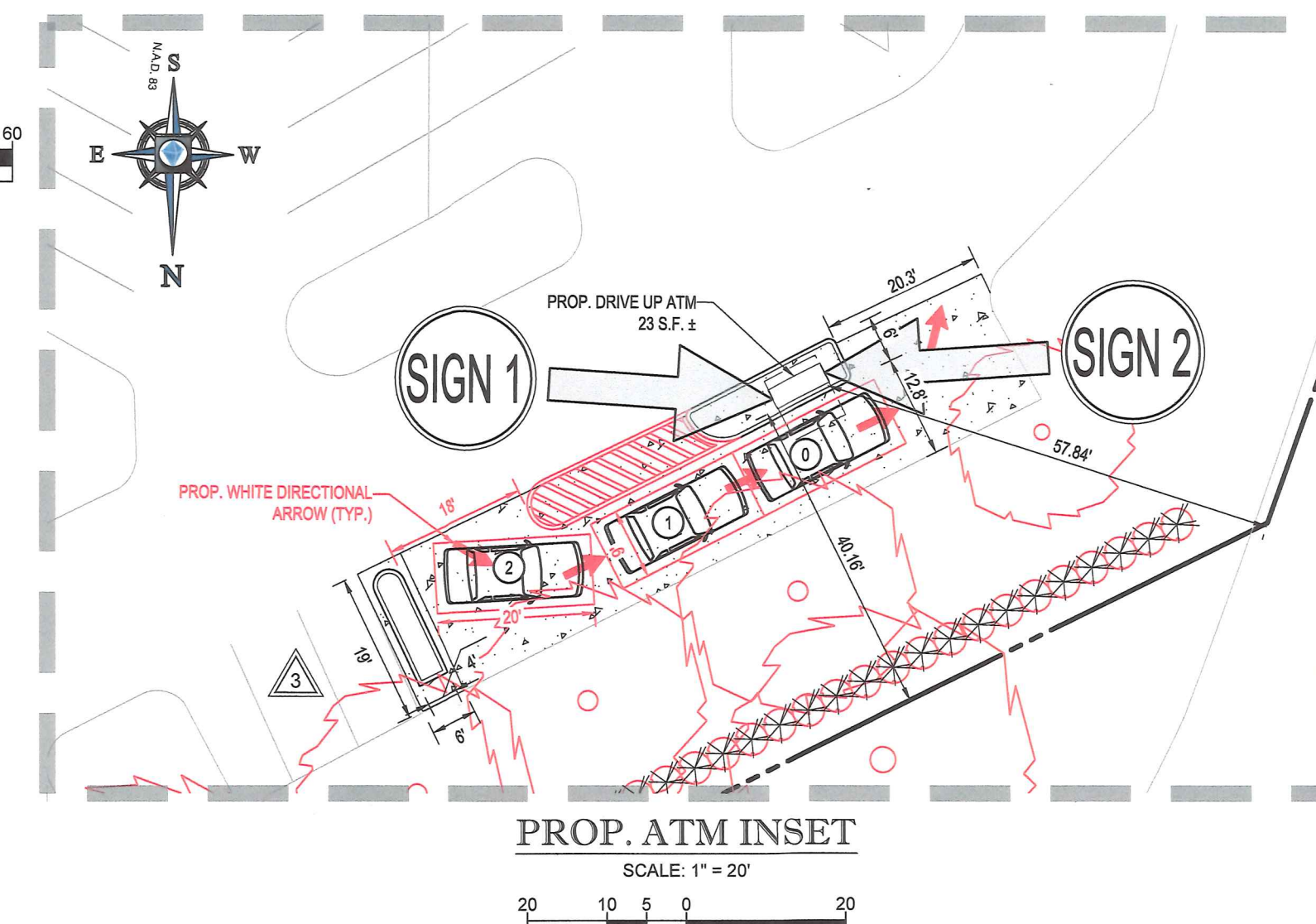
NOTE

SIGNAGE ON ATM IS EXEMPT



NOTE

SIGNAGE ON ATM IS EXEMPT



PROP. ATM INSET

SCALE: 1" = 20'

1" = 20'

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

REVISIONS

REV	DATE	COMMENT	DRAWN BY
1	1-3-20	REVISED PER ZONING DECISION	MCO

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.



Know what's below.
Call before you dig.

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It's fast. It's free. It's the law.

FOR EXHIBIT PURPOSES ONLY

PROJECT NO.: MD192117
DRAWN BY: ISI
CHECKED BY: JCB
DATE: 10/1/19
SCALE: AS SHOWN
CAD I.D.: MD192117EXT

VARIANCE PLAN

FOR
FLITE BANKING
SERVICES, LLC

ATM ADDITION

6201 BALTIMORE NATIONAL PIKE
TM 100, GRID 8, PARCEL 111
CATONSVILLE, MD 21228
BALTIMORE COUNTY



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

J. J. UCCIERO
PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 38847
I, JOSEPH J. UCCIERO, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE ENGINEERING PROFESSIONAL ACT OF MARYLAND, LICENSE NO. 38847, EXPIRATION DATE: 02/28/2020.

SHEET TITLE:

PLAN TO
ACCOMPANY
VARIANCE
PETITION

SHEET NUMBER:

1

REVISION 0 - 10/1/19

ZONING HISTORY

R-1955-3541 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A R-6 RESIDENTIAL ZONE TO A B.L. ZONE ON 05/27/55.

R-1955-3567 - REQUEST FOR RECLASSIFICATION OF PROPERTY FROM A R-6 RESIDENTIAL ZONE TO A B.L. ZONE WAS APPROVED ON 01/25/57.

1959-4387-X - REQUEST FOR A SPECIAL EXCEPTION TO CONSTRUCT AN ADVERTISING STRUCTURE ON 02/13/58. THE REQUEST WAS APPROVED ON 04/03/58.

R-1959-0173 - REQUEST FOR RECLASSIFICATION OF A SMALL PARCEL OF LAND ON THE SITE TO BE RECLASSIFIED OF PROPERTY FROM A R-6 RESIDENTIAL ZONE TO A B-R ZONE, AND TO ADD A CCC DISTRICT OVERLAY WAS REQUESTED ON 01/16/69. THE REQUEST WAS APPROVED ON 03/20/69.

COMMERCIAL PERMIT HISTORY

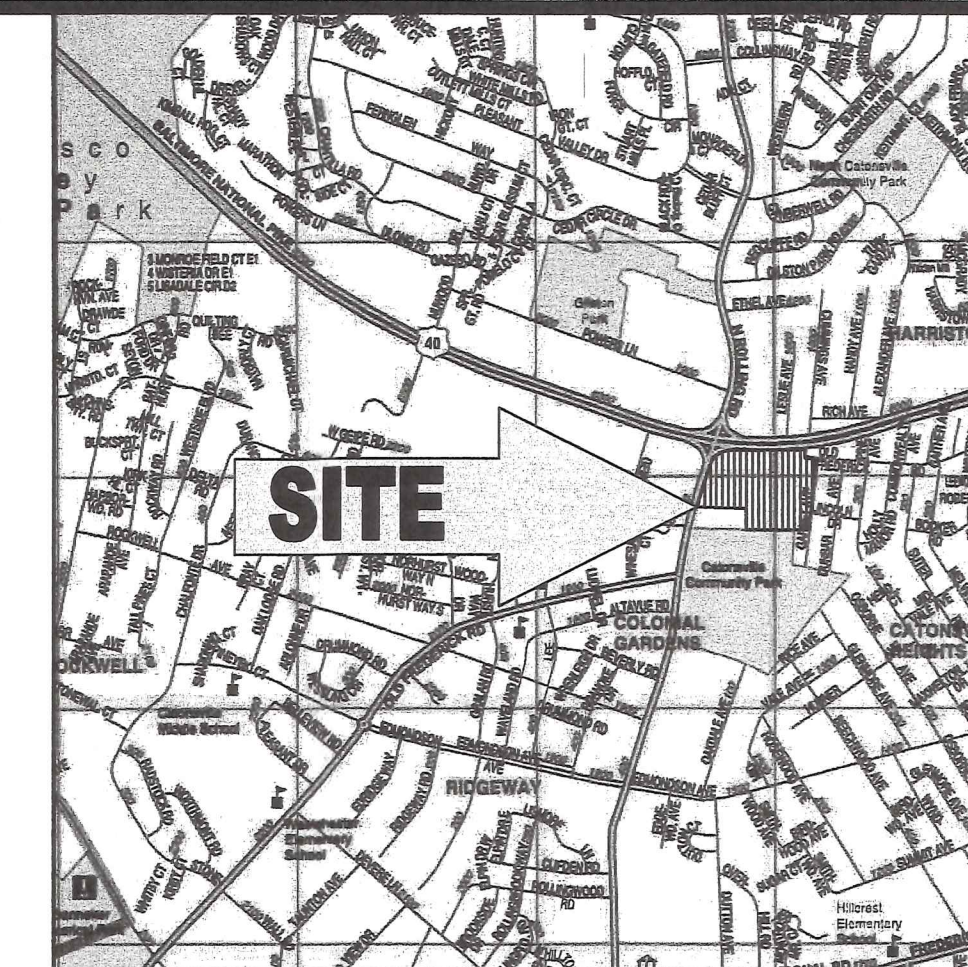
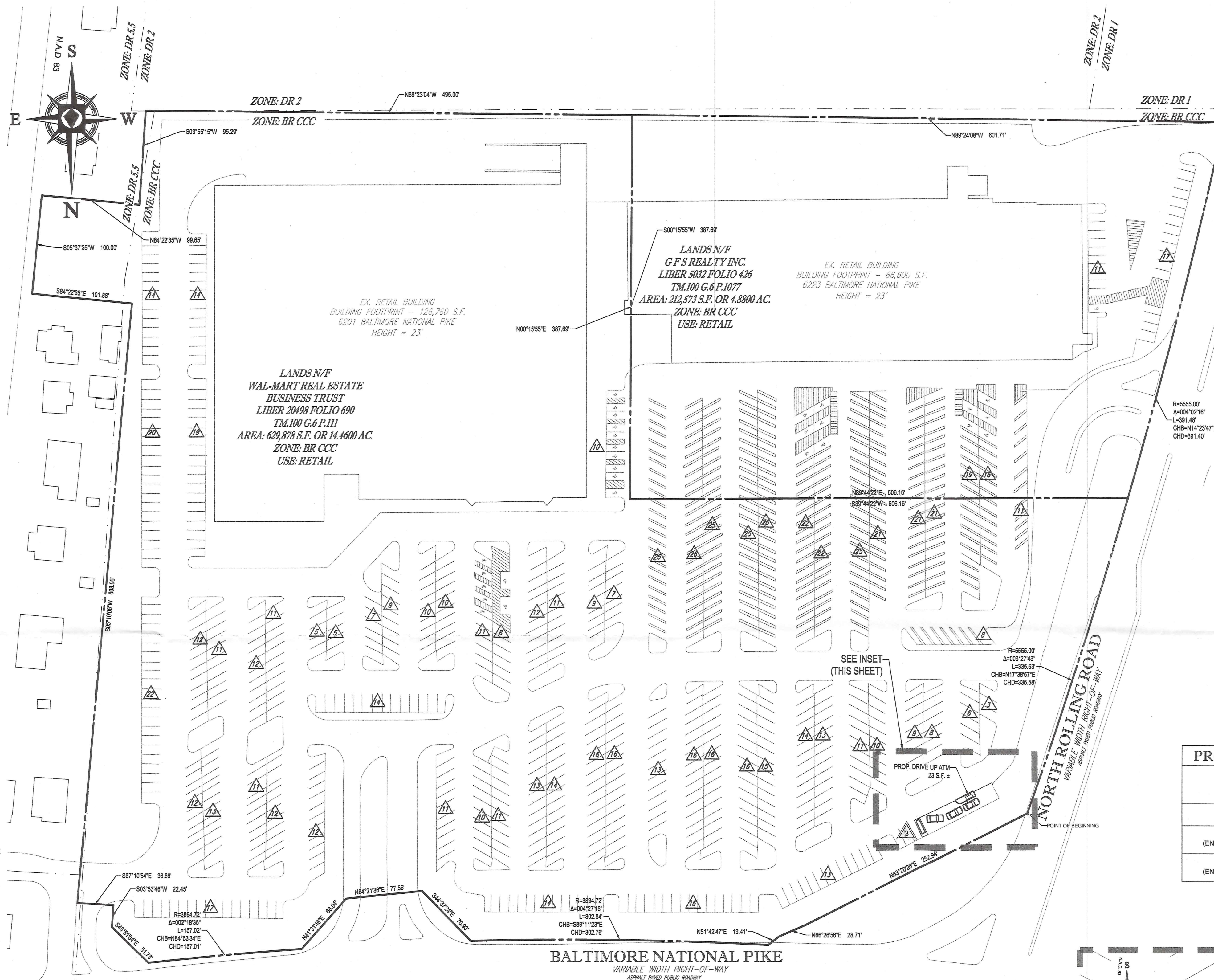
6201 BALTIMORE NATIONAL PIKE
8888927, 8842537, 8944512, 8941154, 8879875,
8936582, 8790195, 8763879

6223 BALTIMORE NATIONAL PIKE
8832756, 8831012, 8906359, 8960787, 8843827,
8915855, 8822355, 8345327

GENERAL NOTES

- PROPERTY INFORMATION:
 - PROPERTY ADDRESS: 6201 BALTIMORE NATIONAL PIKE
 - SITE AREA: 629,877.60 S.F. ±, 14.46 AC ±
 - ELECTION DISTRICT: 1
 - COUNCILMANIC DISTRICT: 4818K5
 - ADC MAP: 4009
 - CENSUS TRACT: 100
 - TAX MAP: 6
 - GRID: 0111
 - PARCEL: 2400008955
 - TAX ACCOUNT NO.: 2049000690
 - WATERSHED: 2049000690
 - DEED REFERENCE: BR CCC, DR 5.5
- ZONING: 100C1
- ZONING MAP REFERENCE: PERMITTED = 4.0
PROVIDED = 0.22 (193,360 S.F. / 862,332 S.F.)
- FLOOR AREA RATIO: COMMERCIAL
- EXISTING LAND USE: COMMERCIAL
- PROPOSED LAND USE: COMMERCIAL
- SETBACKS: (TO PROPERTY LINE)

	REQUIRED	PROVIDED
FRONT (NORTH ROLLING ROAD)	15' (B.M.)	57.84'
SIDE (BALTIMORE NATIONAL PIKE)	10'	40.16'
REAR (SOUTH)	10'	302.19'
FROM DR RESIDENTIAL ZONE	40'	683.40'
- HEIGHT REQUIREMENTS: MINIMUM OF 40'; GREATER THAN 40' WITH APPLICATION OF HEIGHT TENT GUIDELINES IN BCZR 231.
- PROPOSED 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 370 OF 580", MAP NUMBER 2400100370F, 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.
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LOCATION MAP

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PERMIT USE NO. 20502153-5
SCALE: 1"=1000'

PARKING TABULATION CHART - SHOPPING CENTER

(PARKING SPACES REQUIRED BY BCZR SECTION 409.6A)

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TOTAL SPACES ADDED			0
TOTAL PARKING PROVIDED (INCLUDES 29 ADA SPACES)			970

OWNERS

WAL-MART REAL ESTATE BUSINESS TRUST
P.O. BOX 8050, MS 0555
BENTONVILLE, AR 72713-8050

APPLICANT

FLITE BANKING SERVICES, LLC
8555 KATY FREEWAY, SUITE 107
CONTACT: MICHAEL VILLARREAL
PHONE: 713-385-6453

REQUIRED VARIANCE RELIEF

REQUESTED VARIANCE RELIEF

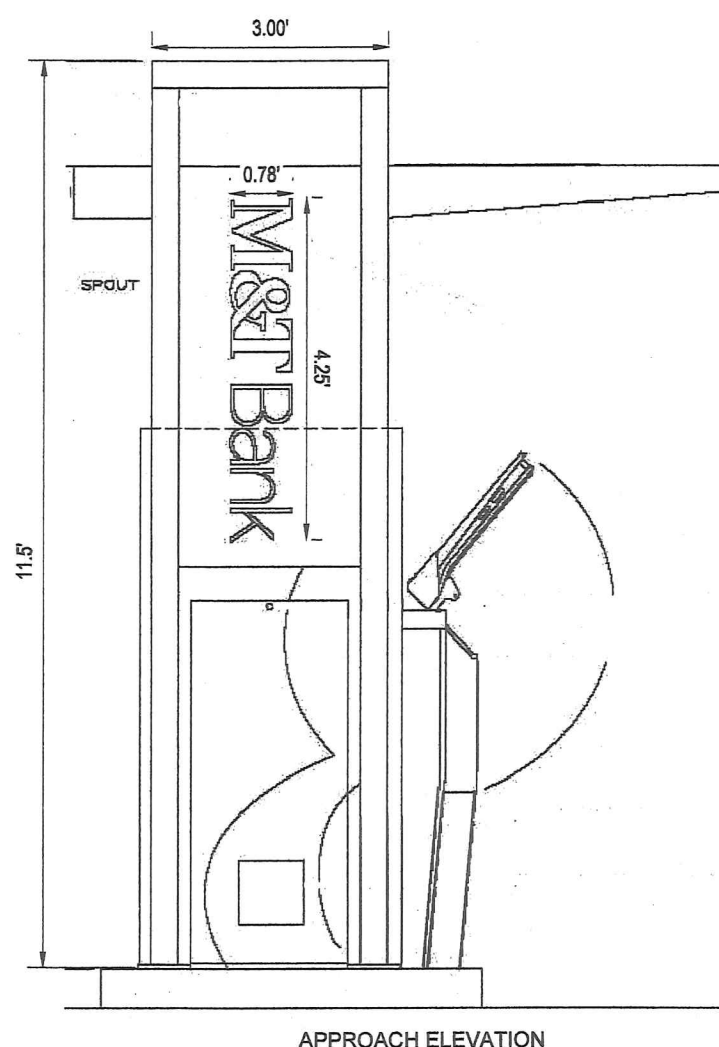
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PROPOSED WALL-MOUNTED ENTERPRISE SIGNS

ID	Signage	Structure Width (FT.)	Allowable Sign Area (Sq. Ft.)	Relief Needed
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SIGN 2 (ENTERPRISE)	Sign Panel Width (FT.): 0.78 Sign Panel Height (FT.): 4.25 Sign Panel Area (Sq. Ft.): 3.32	3.00	6.00	NONE

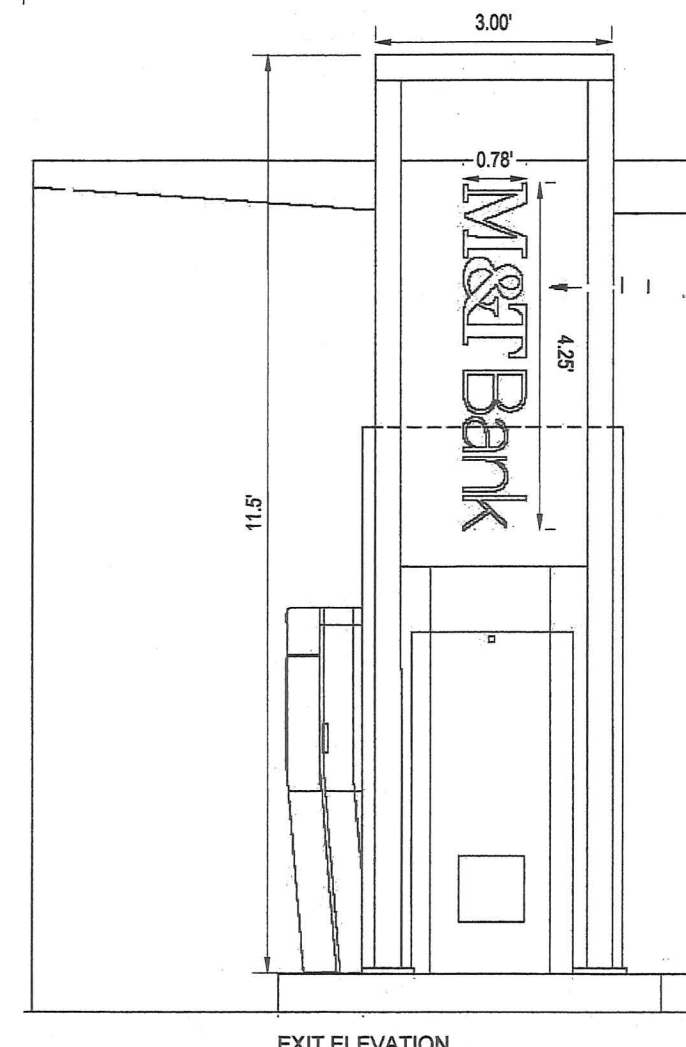
BALTIMORE NATIONAL PIKE

VARIABLE WIDTH RIGHT-OF-WAY
APPROXIMATE PUBLIC HIGHWAY



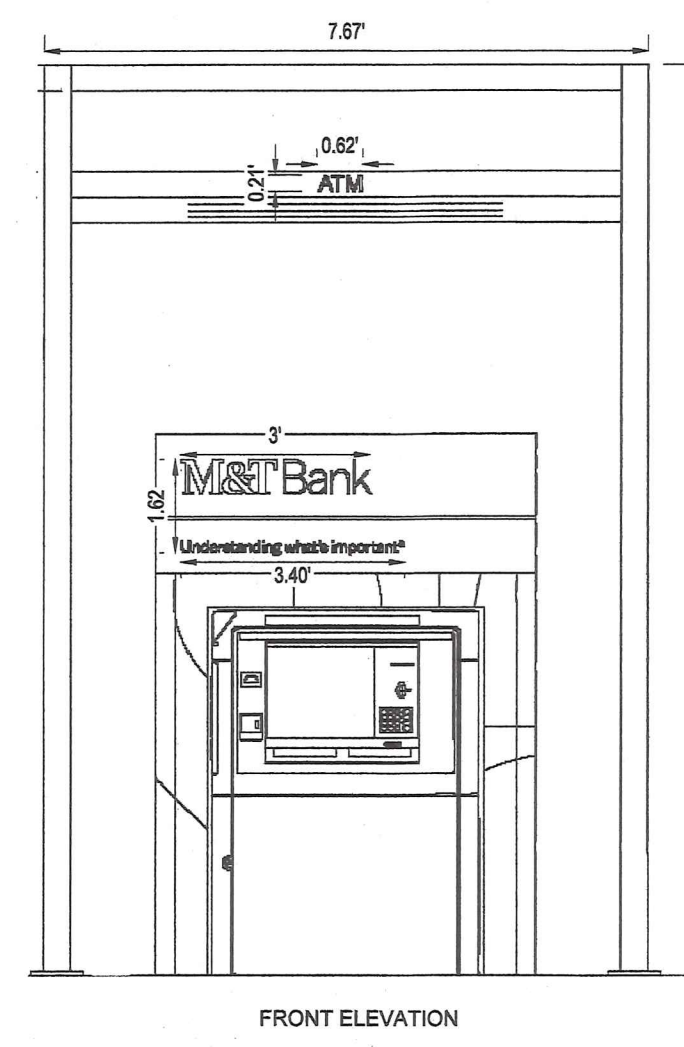
SIGN 1

3.32 S.F.

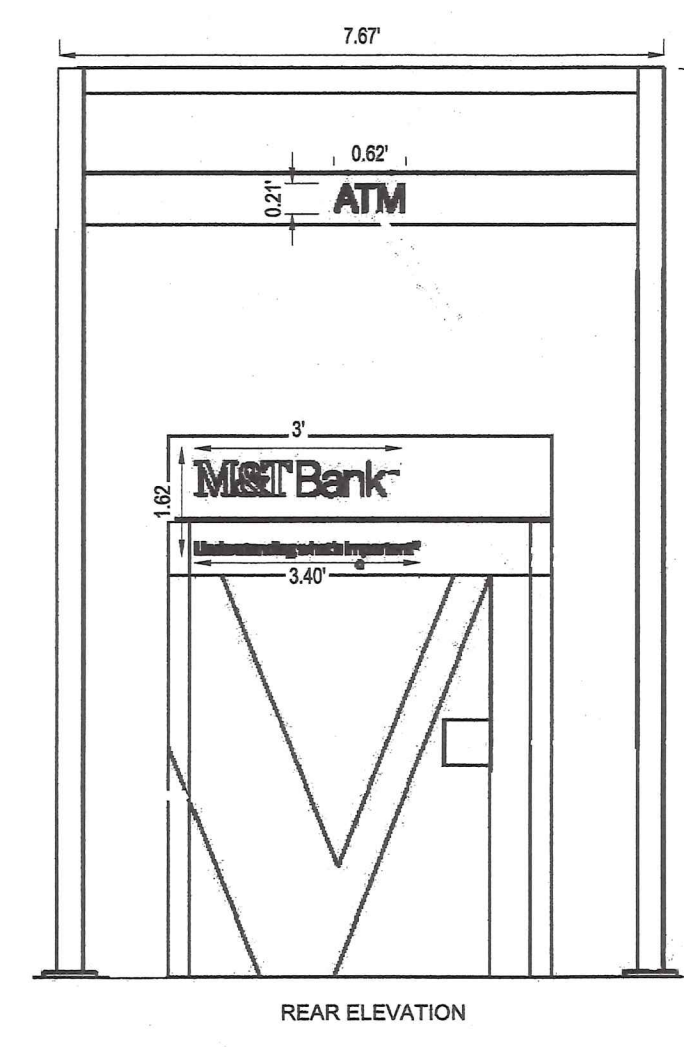


SIGN 2

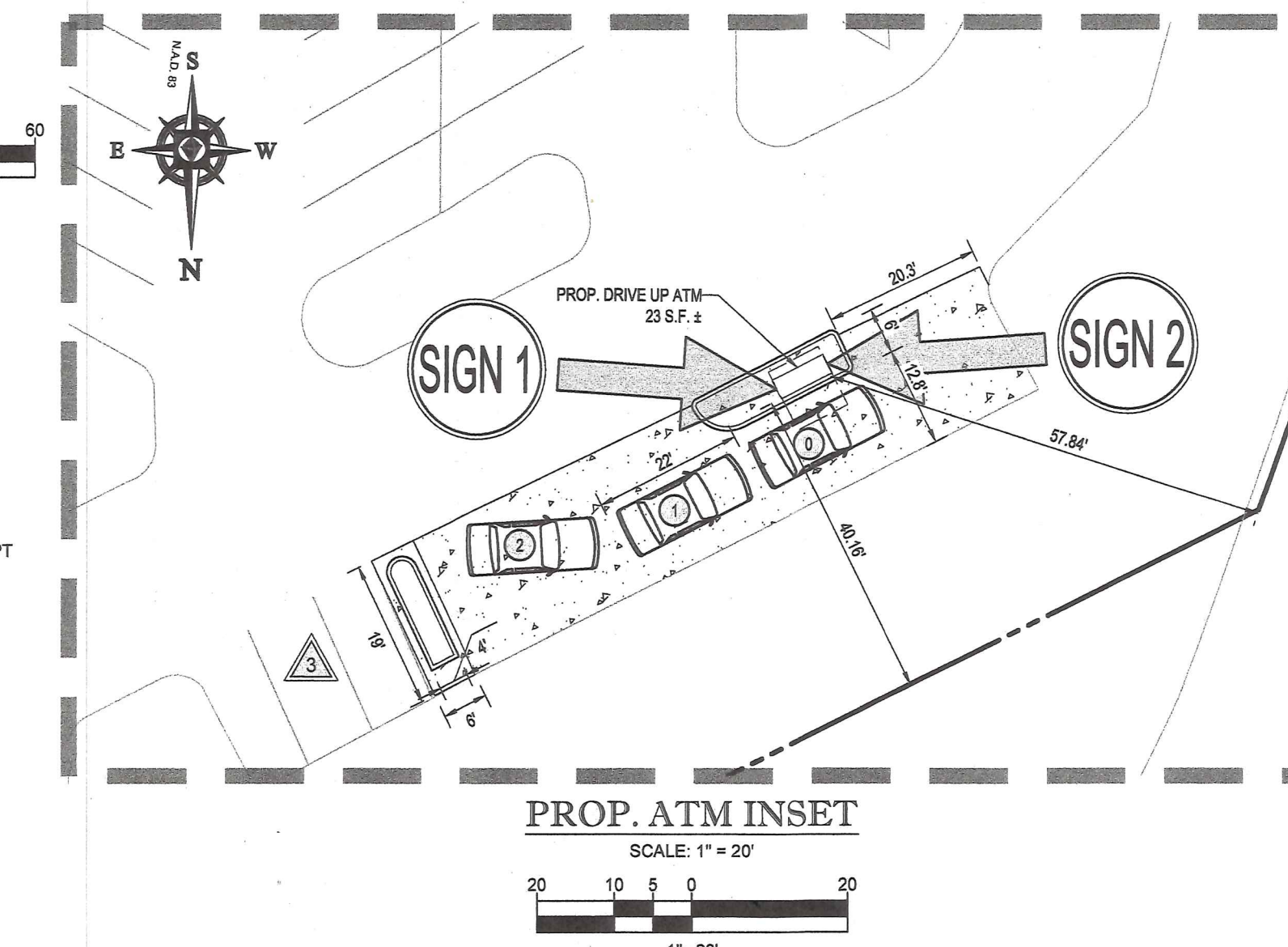
3.32 S.F.



NOTE
SIGNAGE ON ATM IS EXEMPT

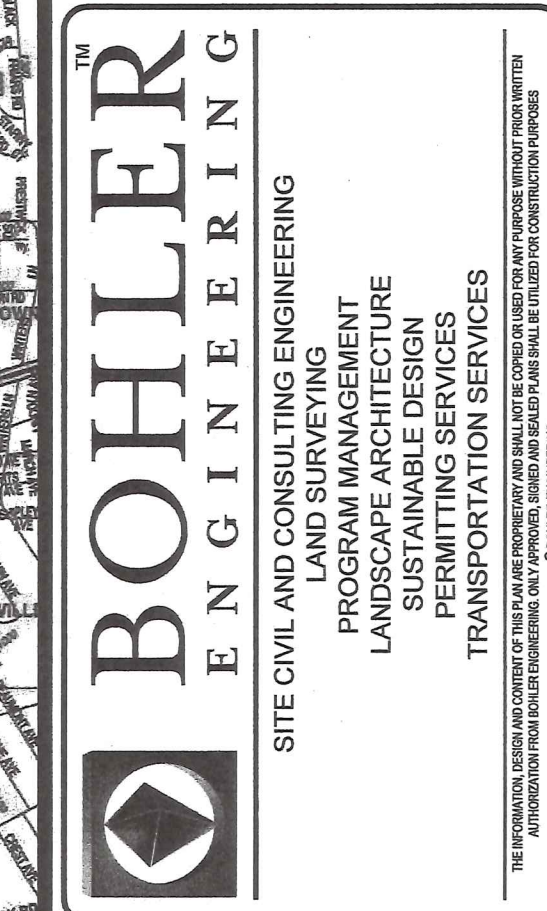
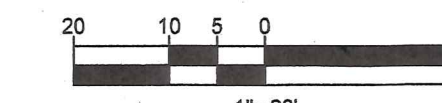


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PROP. ATM INSET

SCALE: 1" = 20'



REVISIONS

REV	DATE	COMMENT	DRAWN BY

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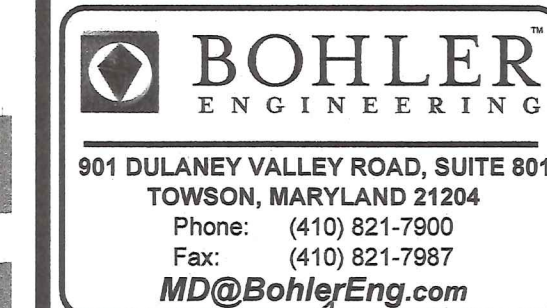
PROJECT NO.: MD192117
DRAWN BY: ISL
CHECKED BY: JCB
DATE: 10/11/19
SCALE: AS SHOWN
CAD ID: MD192117EXD

VARIANCE PLAN

FOR
FLITE BANKING SERVICES, LLC

ATM ADDITION

6201 BALTIMORE NATIONAL PIKE
TM 100, GRID 6, PARCEL 111
CATONSVILLE, MD 21228
BALTIMORE COUNTY



PLAN TO ACCOMPANY VARIANCE PETITION

SHEET NUMBER: 1

REVISION 0 - 10/1/19

2019-0493-A