



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

July 24, 2024

David Karceski, Esquire – dkarceski@venable.com
Adam Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, MD 21204

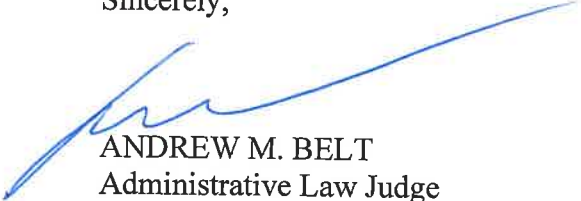
RE: Petition for Variance
Case No. 2024-0146-A
Property: 10301 Philadelphia Road

Dear Messrs. Karceski and Rosenblatt:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


ANDREW M. BELT
Administrative Law Judge
for Baltimore County

MEM :dlm
Enclosure

c: Robert Merritt - rmerritt@merritt-companies.com
Alex Mawry – amawry@merrittproperties.com
Josh – jasbury@merrittproperties.com

IN RE: PETITION FOR VARIANCE
(10301 Philadelphia Road)
11th Election District
5th Council District
Merritt WM, LLC
Legal Owner

Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **Case No: 2024-0146-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Merritt WM, LLC (“Petitioner”) for property located at 10301 Philadelphia Road. Petitioner filed a Petition for Variance relief as follows:

1). From the Baltimore County Zoning Regulations (“BCZR”), § 450.4 table of Sign Regulations 7(d) to allow 2 freestanding joint identification signs, one with a sign area/face of 167 sq. ft. per side (Sign A1-01) and a second sign with a total sign/area face of 80 sq. ft. (sign A1-02, comprised of four 20 sq. ft. single sided panels) in the ML-IM zone without a vehicular entrance to a public road and in lieu of 75 sq. ft. per side permitted for a single sign.

2). From the BCZR § 450.5 to allow 2 ft. between separate freestanding signs on a single premises in lieu of the required 100 ft. distance for signs with an area larger than 8 sq. ft. (Signs A1-01 and A1-02).

3). From the BCZR § 450.4 Table of Sign Regulations (7(d) To allow a freestanding joint identification sign with a height of 20 ft. in lieu of the permitted 12 ft. (Sign A1-02).

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on July 23, 2024. The Petition was properly advertised and posted.

Alex Mawry, representative for Merritt WM, LLC attended the hearing along with Walenty Zarski, the civil engineer who prepared and sealed a Site Plan (the “Site Plan”). (Pet. Ex. 1). David Karceski, Esquire and Adam Rosenblatt, Esquire of Venable, LLP represented the Petitioners. There were no Protestants or interested citizens who attended the hearing.

A Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). They did not oppose the requested relief.

The case proceeded by way of proffer by Mr. Karceski. The property is approximately 58,239 acres and is zoned MH-IM, ML-IM. The proposed location of the two signs at issue is at the signaled intersection of Philadelphia Road and Industrial Park Road, in the ML-IM portion of the subject property. This property was the subject of the White Marsh Interchange Park Limited Exemption Development Plan (PAI# 11-0839.) (Pet. Ex. 5) Three buildings of this development have been constructed, with a planned total of nine being constructed upon the project’s completion. The variance relief requested involves the proposed installation of two freestanding signs at the previously noted intersection which serves as the main access point for the site. While this intersection serves as a *de facto* access point to the subject property, it is not technically a “vehicular entrance,” thus variance relief is required for signs to be located at the proposed location.

As noted by the DOP ZAC, comment the uses surrounding the subject property are primarily commercial and industrial.

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).

I find that the subject property is unique in its approximate 58-acre size and extreme depth. As proffered by Mr. Karceski, the subject property sits at a significantly lower grade than Philadelphia Road. As previously noted, the true vehicular entrance of the site is a significant distance from the Philadelphia Road, on Industrial Park Road, the main road used to access the site. (Pet. Ex. 4) Additionally, the increase size and height of the proposed signage is not uncommon from other signage in the immediate area, and is appropriate for such an expansive property. If the requested variance relief were to be denied, I find that the Petitioner would experience a practical difficulty in that they would not be able to display the necessary signage to facilitate way-finding and navigation of the subject property. As the signage will be located in a predominantly commercial and industrial area, I find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED, this 24th day of **July, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from the BCZR, § 450.4 table of Sign Regulations 7(d) to allow 2 freestanding joint identification signs, one with a sign area/face of 167 sq. ft. per side (Sign A1-01) and a second sign with a total sign/area face of 80 sq. ft. (sign A1-02, comprised of four 20 sq. ft. single sided panels) in the ML-IM zone without a vehicular entrance to a public road and in lieu of 75 sq. ft. per side permitted for a single sign be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED, from the BCZR § 450.5 to allow 2 ft. between separate freestanding signs on a single premises in lieu of the required 100 ft. distance for signs with an area larger than 8 sq. ft. (Signs A1-01 and A1-02) be and is hereby **GRANTED**; and

IT IS FUTHER ORDERED, from the BCZR § 450.4 Table of Sign Regulations (7(d) To allow a freestanding joint identification sign with a height of 20 ft. in lieu of the permitted 12 ft. (Sign A1-02) be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at 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, Petitioner would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 1) is attached hereto and incorporated herein in its entirety.

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

AMB/dlm



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

CONTROL TEST (RANGE) & DISTANCE		
SECTOR	MARKING	1001-1002
1	0.75 150' 15"	42.30
2	0.01008 15"	6.415.280
3	0.53 150' 15"	470.240
4	0.54 250' 270" E	38.80
5	0.50 150' 15"	54.70
6	0.50 150' 15"	6.79.22
7	0.50 150' 15"	29.20
8	0.54 150' 15"	28.20
9	0.70 150' 15"	67.70
10	0.50 150' 15"	5.40
11	0.50 150' 15"	5.40
12	0.50 150' 15"	5.40
13	0.50 150' 15"	29.50
14	0.50 150' 15"	29.50
15	0.50 150' 15"	70.62
16	0.50 150' 15"	42.00
17	0.50 150' 15"	0.70
18	0.50 150' 15"	41.50
19	0.50 150' 15"	113.80
20	0.50 150' 15"	4.70
21	0.50 150' 15"	4.70
22	0.50 150' 15"	17.75.20
23	0.50 150' 15"	80.70
24	0.50 150' 15"	10.70
25	0.50 150' 15"	21.30
26	0.50 150' 15"	12.80
27	0.50 150' 15"	22.00
28	0.50 150' 15"	4.70
29	0.50 150' 15"	87.50
30	0.50 150' 15"	158.00
31	0.50 150' 15"	300.20
32	0.50 150' 15"	80.80
33	0.50 150' 15"	81.60
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60	0.50 150' 15"	81.60

HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, MONA ROSIE PARSON, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND. LICENSE NO. 2745. (EXPIRATION DATE) JUNE 9, 2026.

DEVELOPER / APPLICAN
M **merritt**
PROPERTIES
2064 LORD BALTIMORE DRIVE BALTIMORE, MD 21244
PHONE 410-251-3500 FAX: 410-251-0564
www.MerrittProperties.com

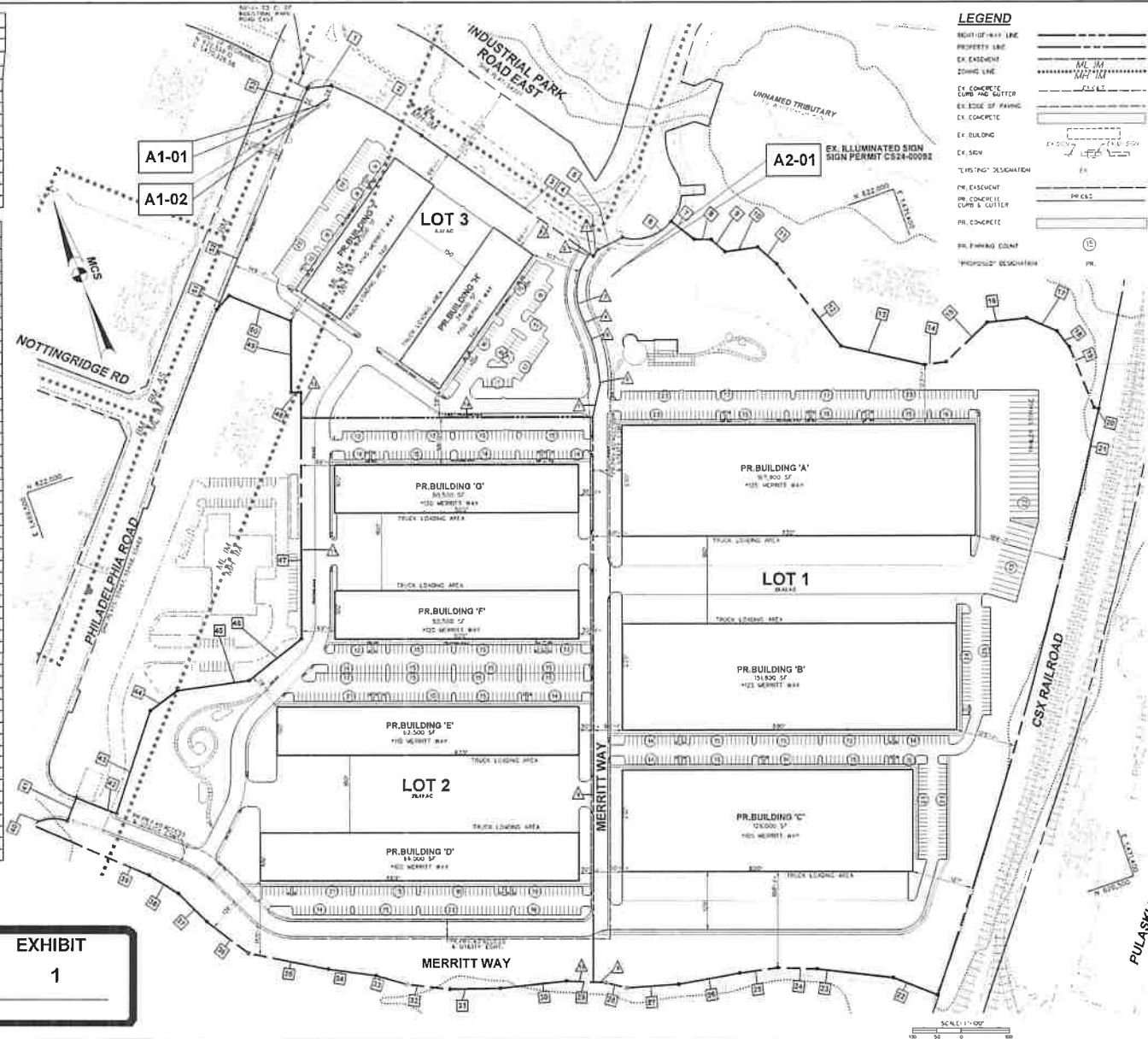
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BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 100'

ELECTION DISTRICT: 11, CA
DATE: JUNE, 2024

C-1

PAGE 1 OF 2



REINFORCED CONCRETE SLAB AND GUTTER

EX. CONCRETE

EX. BUILDING

EX. SIGN

'FISHING' DESIGNATION

REINFORCED CONCRETE SLAB AND GUTTER

REIN. CONCRETE

10' 0"

10' 0"

10' 0" MIN. SLAB THICKNESS

1. DATE OF TRAFFIC: 12/30/87 AT OR NEAR 8 AM
 2. TIME: 8:15 PM TO 9:00 PM
 3. DATE: 12/31/87
 4. NAME: [REDACTED]
 5. ADDRESS: 10000 N. LAUREL AVE
 6. CITY: CHICAGO, ILL 60645
 7. APPLICANT/DEVELOPER: [REDACTED]
 8. PROJECT: 10000 N. LAUREL AVE
 9. YEAR: 1980-1981
 10. PROJECT NO: 4138-100
 11. TAX MAP: 14-01-00-000
 12. ADDRESS: 10000 N. LAUREL AVE
 13. DATE: 12/31/87
 14. PROJECT NO: 4138-100
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PARKING SPACES OCCUPIED: 944 PS
PARKING SPACES PROVIDED: 1334 PS

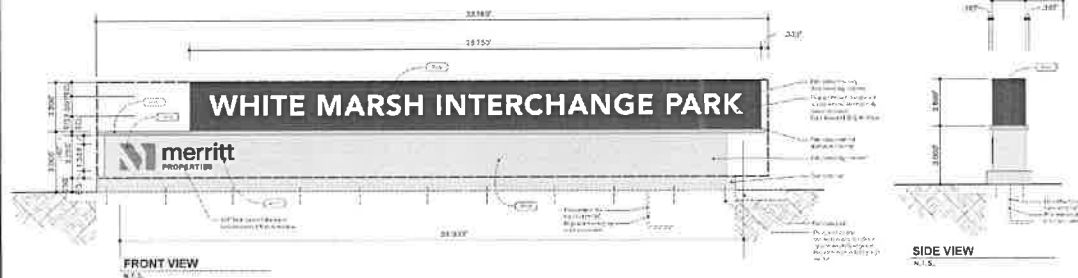
CASE NO. B-933-2832
DECLASSIFIED BY 60321 TO BECOME FROM RESIDENTIAL TO
A LEAD INDUSTRIAL ZONE WAS GRANTED JULY 2, 1993.

CASE NO. 1991-0337
DECLASSIFIED BY 60321 TO BECOME FROM URBAN & MINOR TO
A BR-M ZONE WAS GRANTED FEBRUARY 23, 2007.

THEY DETERMINED THAT THE PROJECT MEETS THE
SECTION 12-4-12 OF A BULKY EASEMENT UNDER
JUNE 9, 2021.

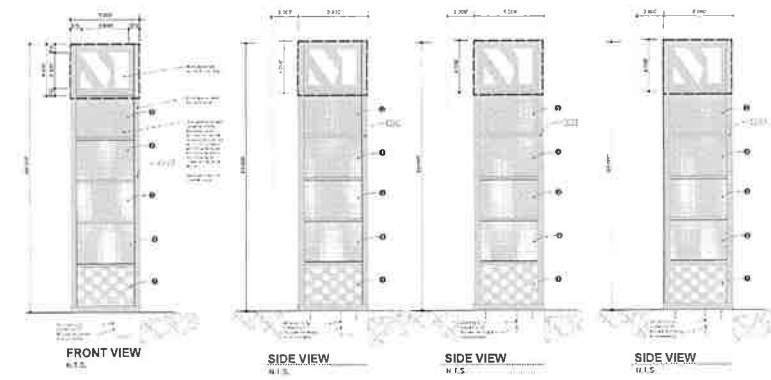
UNDER SECTION 12-4-12 OF THE RESIDENTIAL CO-OP
ACT, THE BULKY EASEMENT DEVELOPMENT TEAM HAS
APPROVED BY MAY 11, 2023.

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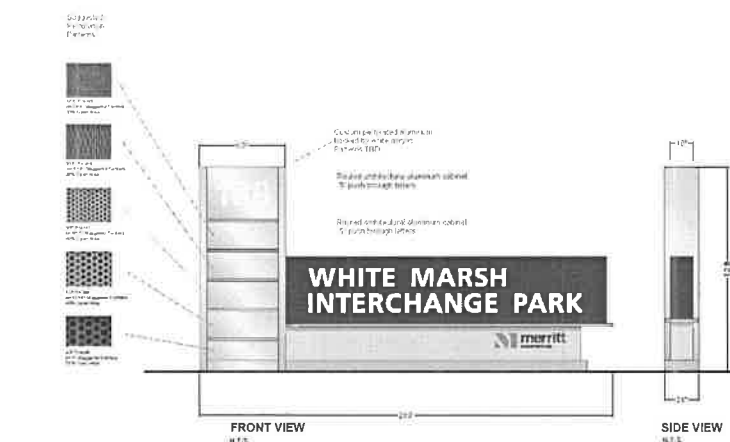
A1-01

ITEM NO.	DESCRIPTION	QUANTITY
1	ALUMINUM COMPOSITE PANELS	1
2	ALUMINUM FRAMING	1
3	ALUMINUM SIGNAGE	1
4	ALUMINUM LIGHTING	1



A1-02

ITEM NO.	DESCRIPTION	QUANTITY
1	ALUMINUM COMPOSITE PANELS	1
2	ALUMINUM FRAMING	1
3	ALUMINUM SIGNAGE	1
4	ALUMINUM LIGHTING	1



A2-01

ITEM NO.	DESCRIPTION	QUANTITY
1	ALUMINUM COMPOSITE PANELS	1
2	ALUMINUM FRAMING	1
3	ALUMINUM SIGNAGE	1
4	ALUMINUM LIGHTING	1

BLDG
Baltimore Land Design Group, Inc.
Consulting Engineers
2900 FORT CHASE DRIVE, SUITE 200 • BALTIMORE, MARYLAND 21204
PHONE: 410-228-4400 • FAX: 410-228-4401 • WWW.BLDG-ENGINEERS.COM



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, IN ACCORDANCE WITH THE STATE OF MARYLAND PROFESSIONAL ENGINEER ACT, AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 2745, EXPIRATION DATE: JAN. 9, 2026.

OWNER
MERRITT-WM, LLC
1000 LORD BALTIMORE DRIVE
BALTIMORE, MARYLAND 21204
PHONE: 410-228-2500

DEVELOPER / APPLICANT
Merritt
PROPERTIES
2000 LORD BALTIMORE DRIVE, BALTIMORE, MD 21204
PHONE: 410-228-2500 FAX: 410-228-2501
WWW.MERRITTPROPERTIES.COM

DATE	NO.	DESCRIPTION	BY

PLAN TO ACCOMPANY PETITION FOR SIGN VARIANCES
WHITE MARSH INTERCHANGE PARK
8011 FM 2617 HWY 1012
WHITE MARSH DAM / LAND 2102
BALTIMORE COUNTY, MARYLAND
BLDG NO. 14-0000000000
DATE: APR. 2024

THE COORDINATE SYSTEM OF THIS DRAWING IS THE 2011 NAD 83 UTM ZONE 18Q UTM COORDINATE SYSTEM. THE DATUM IS THE 2011 NAD 83 DATUM. THE ELEVATION DATUM IS THE 2011 NAD 83 DATUM. THE UNIT IS THE 2011 NAD 83 UNIT.

DRAWING NO.
C-2
SHEET 2 OF 2



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 10301 Philadelphia Road which is presently zoned MH-IM, ML-IM

Deed References: 45039-271 10 Digit Tax Account # 2500014235

Property Owner(s) Printed Name(s) MERRITT WM LLC

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

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

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

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

SEE 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:

N/A

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

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

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2024-046-A Filing Date 6/19/24

Do Not Schedule Dates: _____

Reviewer MJK

10301 PHILADELPHIA ROAD

ATTACHMENT TO PETITION FOR VARIANCE

1. Petition for Variance to allow 2 freestanding joint identification signs, one sign with a sign area/face of 167 square feet per side (Sign A1-01) and a second sign with a total sign/area face of 80 square feet (Sign A1-02, comprised of four 20 square foot single-sided panels) in the MH-IM zone without a vehicular entrance to a public road and in lieu of 75 square feet per side permitted for a single sign, pursuant to Section 450.4. Table of Sign Regulations. 7(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.").
2. Petition for Variance to allow 2 feet between separate freestanding signs on a single premises in lieu of the required 100 foot distance for signs with an area larger than 8 square feet (Signs A1-01 and A1-02), pursuant to Section 450.5.B.4.a of the B.C.Z.R. .
3. Petition for Variance to allow a freestanding joint identification sign with a height of 20 feet in lieu of the permitted 12 feet (Sign A1-02), pursuant to Section 450.4. Table of Sign Regulations. 7(d) of the B.C.Z.R.

10301 PHILADELPHIA ROAD

ATTACHMENT TO PETITION FOR VARIANCE

Legal Owner:

MERRITT WM LLC
2066 Lord Baltimore Drive
Baltimore Maryland 21244

By: 
Robb Merritt

Title: President

Email: rmerritt@merritt-companies.com

Phone No.: (410) 298-2600

**DESCRIPTION TO ACCOMPANY PETITION
FOR ZONING VARIANCE
WHITE MARSH INTERCHANGE PARK
10301 PHILADELPHIA ROAD
WHITE MARSH MARYLAND, 21162
11TH ELECTION DISTRICT; 6TH COUNCILMANIC DISTRICT**

June 3, 2024

Beginning at the point located on the southeast side of the existing Philadelphia Road right-of-way (variable width), said point being located southwestwardly ± 59.00 feet from the intersection of the centerlines of Philadelphia Road and Industrial Park Road East, thence running the following courses and distances:

1. South $77^{\circ} 29' 55''$ East, 49.9 feet to a point; thence,
2. Along the curve to the right having a radius of 1,006.74 feet, for 213.38 feet; thence,
3. South $35^{\circ} 32' 41''$ East, 434.38 feet to a point; thence,
4. North $54^{\circ} 27' 19''$ East, 16.88 feet to a point; thence,
5. North $83^{\circ} 14' 54''$ East, 56.58 feet to a point; thence,
6. Along the curve to the right having a radius of 95.00 feet, for 112.22 feet; thence,
7. South $32^{\circ} 45' 02''$ East, 60.32 feet to a point; thence
8. South $69^{\circ} 21' 20''$ East, 35.39 feet to a point; thence,
9. South $29^{\circ} 17' 21''$ East, 38.20 feet to a point; thence,
10. South $78^{\circ} 41' 55''$ East, 67.76 feet to a point; thence,
11. South $29^{\circ} 07' 40''$ East, 52.48 feet to a point; thence,
12. South $18^{\circ} 35' 55''$ East, 215.14 feet to a point; thence,
13. South $57^{\circ} 57' 16''$ East, 176.79 feet to a point; thence,
14. South $78^{\circ} 40' 30''$ East, 45.11 feet to a point; thence,
15. North $65^{\circ} 32' 20''$ East, 116.65 feet to a point; thence,
16. South $76^{\circ} 54' 19''$ East, 82.09 feet to a point; thence,
17. South $47^{\circ} 28' 44''$ East, 67.43 feet to a point; thence,
18. South $19^{\circ} 09' 31''$ East, 41.45 feet to a point; thence,
19. South $03^{\circ} 00' 12''$ East, 135.63 feet to a point; thence,
20. South $58^{\circ} 37' 02''$ East, 9.68 feet to a point; thence,
21. Along the curve to the right having a radius of 11,411.16 feet, for 1,253.35 feet; thence,
22. North $49^{\circ} 24' 42''$ West, 98.76 feet to a point; thence,
23. North $64^{\circ} 19' 21''$ West, 158.75 feet to a point; thence,
24. North $69^{\circ} 07' 41''$ West, 80.93 feet to a point; thence,
25. North $78^{\circ} 50' 50''$ West, 79.34 feet to a point; thence,
26. North $81^{\circ} 27' 40''$ West, 128.18 feet to a point; thence,
27. North $74^{\circ} 45' 53''$ West, 108.55 feet to a point; thence,
28. North $56^{\circ} 32' 09''$ West, 44.24 feet to a point; thence,
29. North $68^{\circ} 39' 57''$ West, 81.03 feet to a point; thence,
30. North $77^{\circ} 07' 04''$ West, 138.13 feet to a point; thence
31. North $72^{\circ} 00' 26''$ West, 104.24 feet to a point; thence
32. North $64^{\circ} 26' 06''$ West, 90.63 feet to a point; thence

2024-0146-A

33. North 54° 56' 17" West, 65.68 feet to a point; thence
34. North 63° 00' 40" West, 99.90 feet to a point; thence
35. North 59° 48' 37" West, 168.62 feet to a point; thence
36. North 33° 51' 41" West, 107.67 feet to a point; thence
37. North 25° 51' 41" West, 83.36 feet to a point; thence
38. North 38° 38' 19" West, 71.35 feet to a point; thence
39. North 47° 19' 31" West, 263.01 feet to a point; thence
40. Along the curve to the right having a radius of 78.00 feet, for 74.63 feet; thence,
41. North 40° 28' 20" East, 52.00 feet to a point; thence,
42. South 49° 31' 41" East, 89.50 feet to a point; thence,
43. North 37° 27' 33" East, 222.81 feet to a point; thence,
44. North 72° 18' 05" East, 70.06 feet to a point; thence,
45. South 78° 41' 55" East, 150.00 feet to a point; thence,
46. North 70° 31' 09" East, 138.49 feet to a point; thence,
47. North 19° 08' 03" East, 510.32 feet to a point; thence,
48. North 70° 51' 57" West, 20.25 feet to a point; thence,
49. North 19° 08' 03" East, 148.37 feet to a point; thence,
50. North 48° 21' 48" West, 138.05 feet to a point; thence,
51. South 59° 58' 13" West, 38.33 feet to a point; thence,
52. North 41° 38' 12" East, 410.69 feet to a point; thence,
53. Along the curve to the right having a radius of 12,274.06 feet, for 84.72 feet; thence,

Containing 2,536,873 square feet or 58.239 acres, more or less.

This description is intended for zoning purposes only and shall not be used for conveyance of land.



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

No. 230496

Date: 5/16/2024

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 500

Total: \$ 500

Rec From: Venable, LLP

For: Commercial Variance
12301 Philadelphia Road

zoning Case # 2024-0146-A

DISTRIBUTION

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

CASHIER'S
VALIDATION

mm

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: 2024-0146-A
Property Address: 10301 Philadelphia Road
Legal Owners (Petitioners): MERRITT WM LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): David H. Karleski
Address: Venable LLP
210 West Pennsylvania Avenue, Suite 500
Towson MD 21204
Telephone Number: (410) 494-6285

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

CERTIFICATE OF POSTING

2024-0146-A

RE: Case No.: _____

Petitioner/Developer: _____

Merritt WM, LLC

July 23, 2024

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: Jeff Perlow:

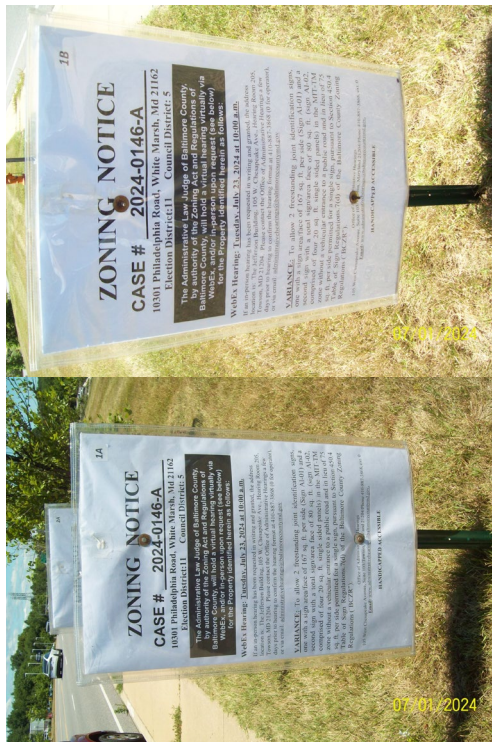
Ladies and Gentlemen:

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: _____

10301 Philadelphia Road ***SIGN 1A & 1B***

July 2, 2024

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



Sincerely,

July 2, 2024

(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)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: June 24, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0146-A
Address: 10301 PHILDELPHIA RD
Legal Owner: Merritt WM, LLC

Zoning Advisory Committee Meeting of June 24, 2024.

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

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: June 10, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0146-A

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

DPR: No comment.

DPW-T: No exception taken.

Landscaping: No comment.

Recreations & Parks: No comment – LOS & No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 6/25/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0146-A

INFORMATION:

Property Address: 10301 Philadelphia Road
Petitioner: Merritt WM LLC, c/o Robb Merritt, President
Zoning: MH IM, ML IM
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance(s) -

1. To allow two freestanding joint identification signs, one sign with a sign area/face of 167 square feet per side (Sign A1-01) and a second sign with a total sign area/face of 80 square feet (Sign A1-02, comprised of four, 20 square feet single-sided panels) in the MH IM zone without a vehicular entrance to a public road and in lieu of the 75 square feet per side permitted for a single sign, pursuant to Section 450.4.Table of Sign Regulations.7(d) of the Baltimore County Zoning Regulations (BCZR);
2. To allow 2' between separate freestanding signs on a single premise in lieu of the required 100' distance for signs with an area larger than 8 square feet (Signs A1-01 and A1-02), pursuant to Section 450.5.B.4.a of the BCZR; and
3. To allow a freestanding joint identification sign with a height of 20' in lieu of the permitted 12' (Sign A1-02), pursuant to Section 450.4.Table of Regulations.7(d) of the BCZR.

The subject site is comprised of three parcels totaling approximately 58 acres in the White Marsh area. The site was the subject of the White Marsh Interchange Park Limited Exemption Development Plan (PAI # 11-0839), which was approved by the County on May 17th, 2023 and involved the construction of nine buildings for office and warehouse space. Per the petition and submitted signage details, the applicant wishes to install two freestanding signs for the property at the signalized intersection of Philadelphia Road and Industrial Park Drive, the main access point for the site. The signs are proposed to be a 5.5' tall identification sign reading White Marsh Interchange Park and Merritt Properties, and a 20' tall joint identification sign with the Merritt Properties logo at the top and space for five tenant signs.

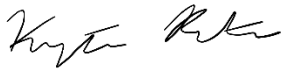
Uses surrounding the subject site are primarily industrial and commercial in nature and include, but are not limited to, a fire station, hotel, multiple car dealerships, a Royal Farms gas station and convenience store, a self-storage facility, an Amazon warehouse, and an office building.

The subject site is within the boundaries of the Philadelphia Road Corridor Study and the Perry Hall Community Plan. The Philadelphia Road Corridor Study, adopted January 21st, 1992, provides recommendations on land use and transportation within the plan area boundary. The plan recognizes the importance of office and industrial land and recognizes portions of Philadelphia Road as being suitable for this type of development (pages 23, 26-28). The Perry Hall Community Plan, adopted February 22nd, 2011, provides recommendations on building strong neighborhoods, improving mobility, improving the environment, having outstanding schools and learning centers, and having a strong sense of history and place. The plan, however, primarily focuses on the heart of the Perry Hall area and does not provide guidance for this specific portion of Philadelphia Road.

The Department of Planning has no objections to the requested signage Variances. The area is primarily industrial and commercial uses, and the signs do not appear to have any negative impact on the immediate surroundings. Further, the signs appear to be tastefully designed and well-located.

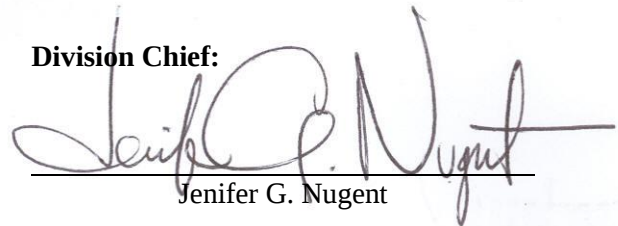
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: David Karceski, Esquire
Maria Mougridis, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 11 Account Number - 2500014235

Owner Information

Owner Name: MERRITT WM LLC Use: INDUSTRIAL
Principal Residence:NO

Mailing Address: 2066 LORD BALTIMORE DR Deed Reference: /45039/ 00271
BALTIMORE MD 21244-

Location & Structure Information

Premises Address: 10301 PHILADELPHIA RD Legal Description: 58.2387 AC
WHITE MARSH 21162- 10301 PHILADELPHIA ROAD SS
WHITEMARSH ASSOCIATES, LLC

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0082 0011 0901 10000.04 9712 1A 2022 Plat Ref: 0079/ 0712

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			58.2400 AC	06

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
/							

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2022	As of 07/01/2023	As of 07/01/2024
Land:	3,662,000	3,662,000		
Improvements	0	0		
Total:	3,662,000	3,662,000	3,662,000	3,662,000
Preferential Land:	0	0		

Transfer Information

Seller: GENERAL MOTORS LLC Date: 06/30/2021 Price: \$34,500,000
Type: ARMS LENGTH IMPROVED Deed1: /45039/ 00271 Deed2:

Seller: GENERAL MOTORS COMPANY Date: 01/30/2017 Price: \$0
Type: NON-ARMS LENGTH OTHER Deed1: /38568/ 00354 Deed2:

Seller: Date: Price:
Type: Deed1: Deed2:

Exemption Information

Partial Exempt Assessments: Class		07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

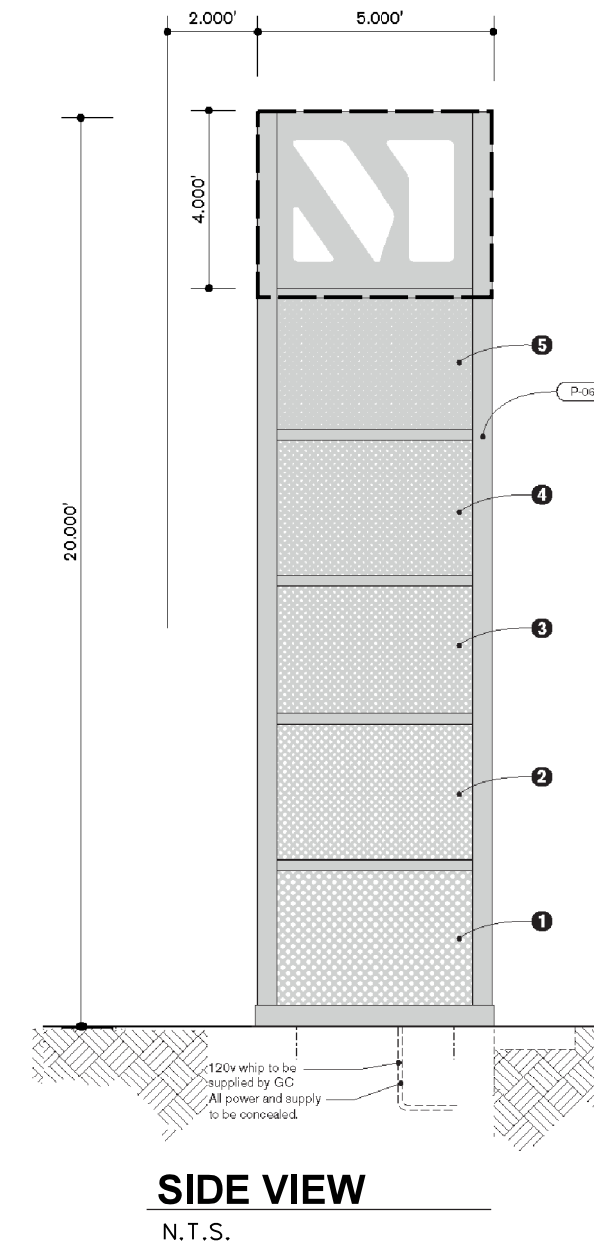
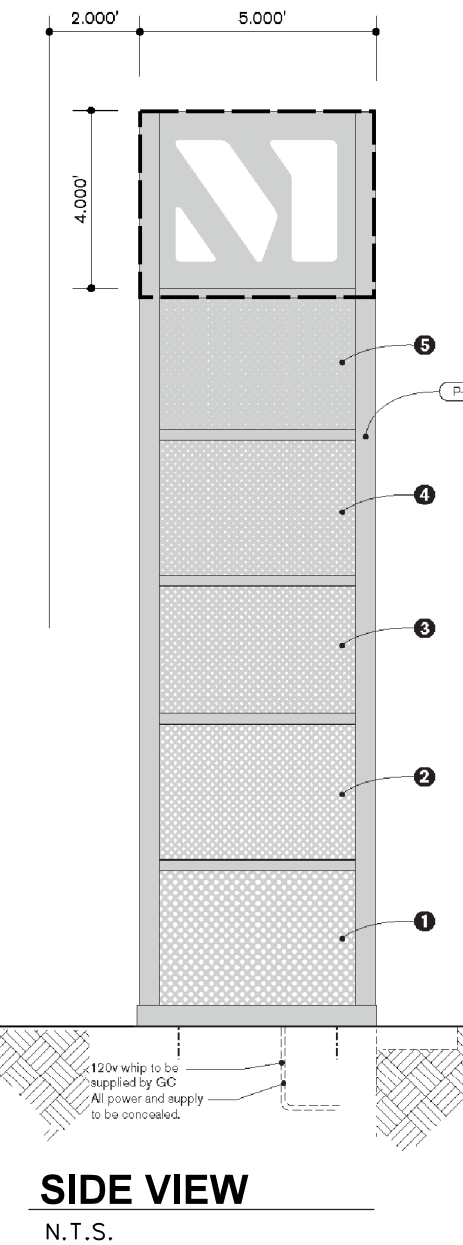
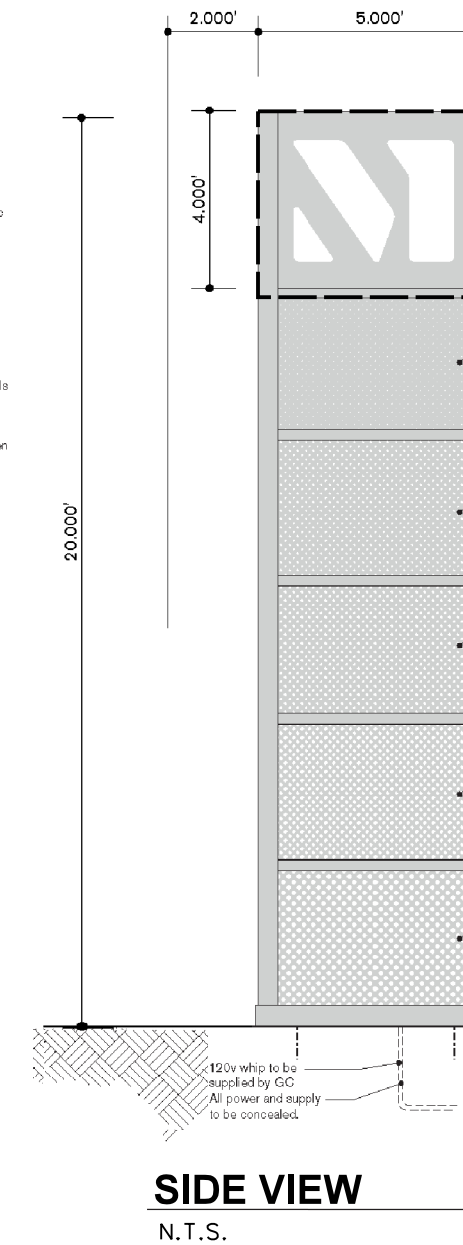
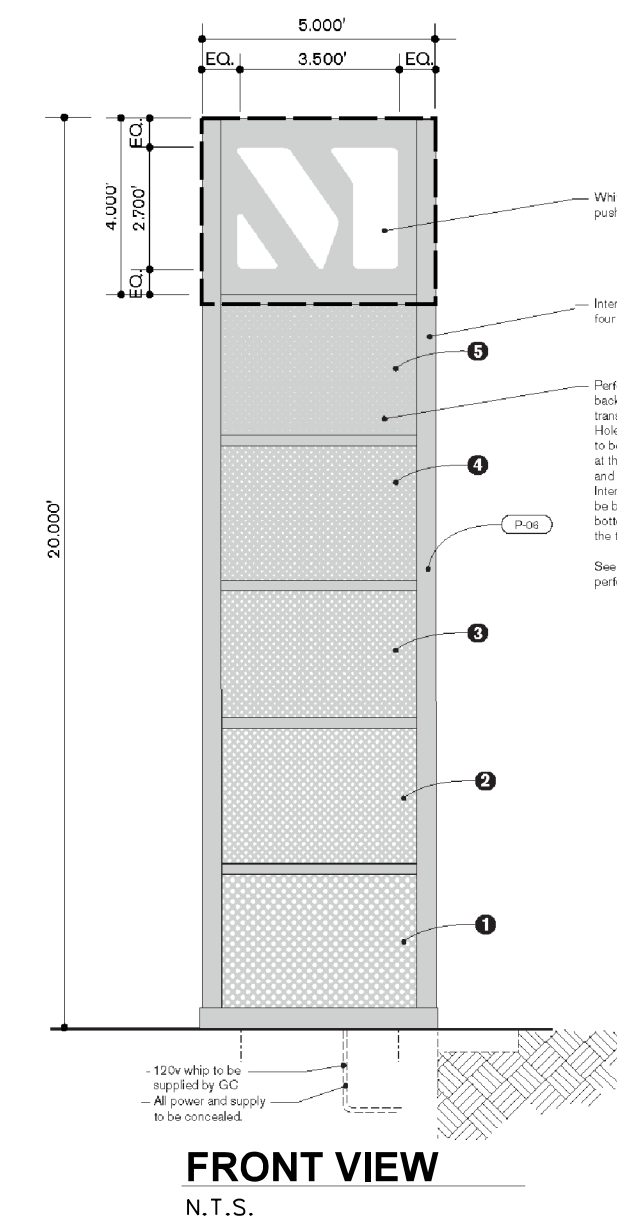
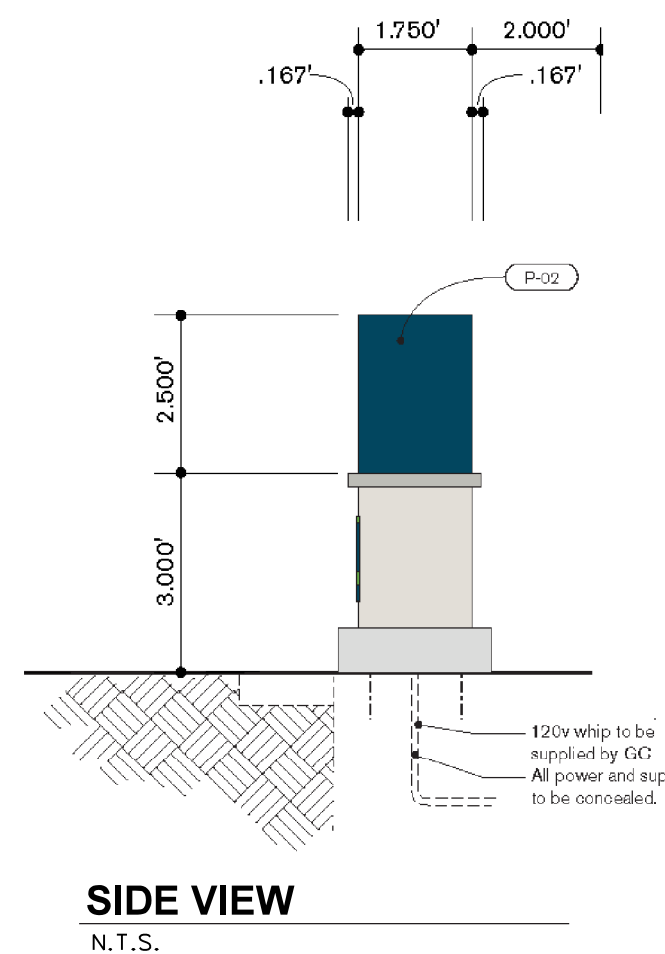
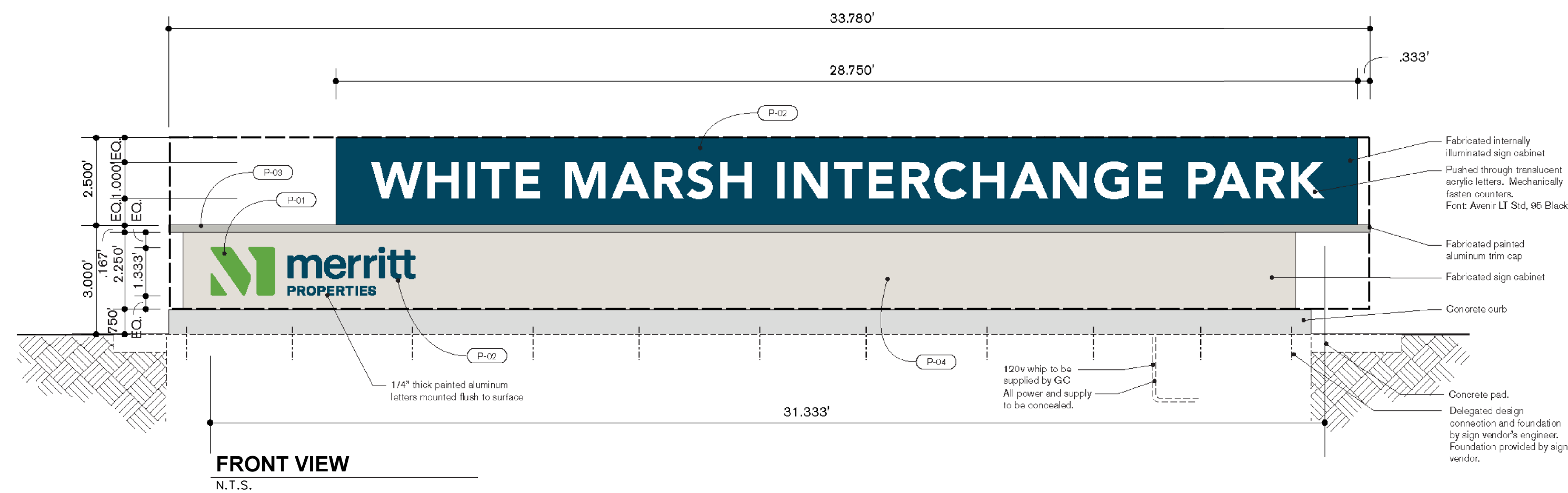
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

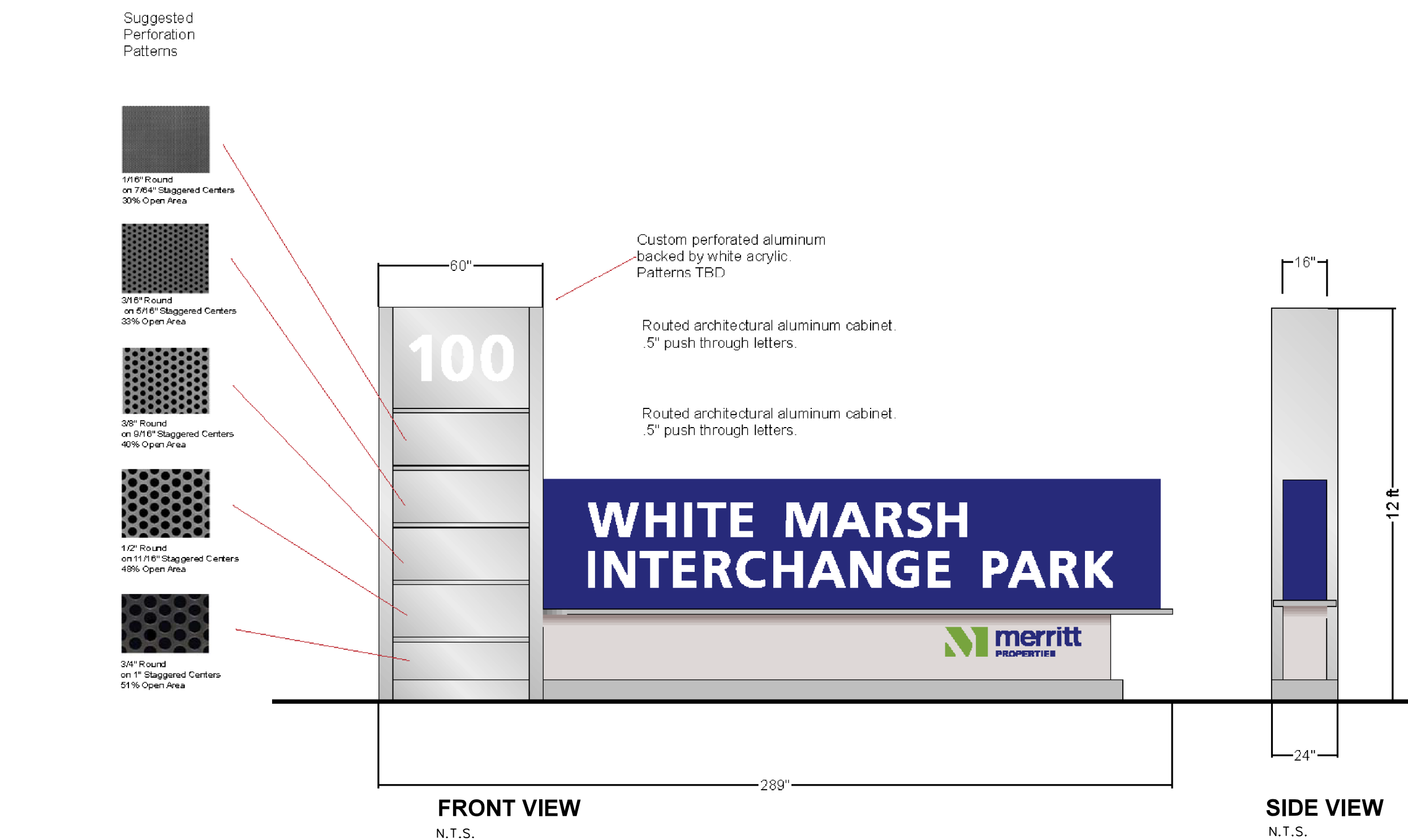
Homeowners' Tax Credit Application Status: No ApplicationDate:

2024-0146-A



A1-01	ROAD SIGN	
	CLASS:	JOINT IDENTIFICATION
	STRUCTURAL TYPE:	FREESTANDING
	FACE AREA:	4.917' x 33.780' = 166.096 SF
	QUANTITY:	1
	HEIGHT:	5.5 FT. +/-
	ILLUMINATION:	YES

A1-02	ROAD SIGN	
	CLASS:	JOINT IDENTIFICATION
	STRUCTURAL TYPE:	FREESTANDING
	FACE AREA:	5.000' x 4.000' = 20.000 SF
	QUANTITY:	1
	HEIGHT:	20.000 FT. +/-
	ILLUMINATION:	YES



Signage Colors					
P-01 PMS 369	P-02 SHERWIN WILLIAMS SW6510 "LOYAL BLUE"	P-03 SHERWIN WILLIAMS SW7065 "ARGENT"	P-04 SHERWIN WILLIAMS SW7028 "INCREDIBLE WHITE"	P-05 Black	P-06 Metallic Silver

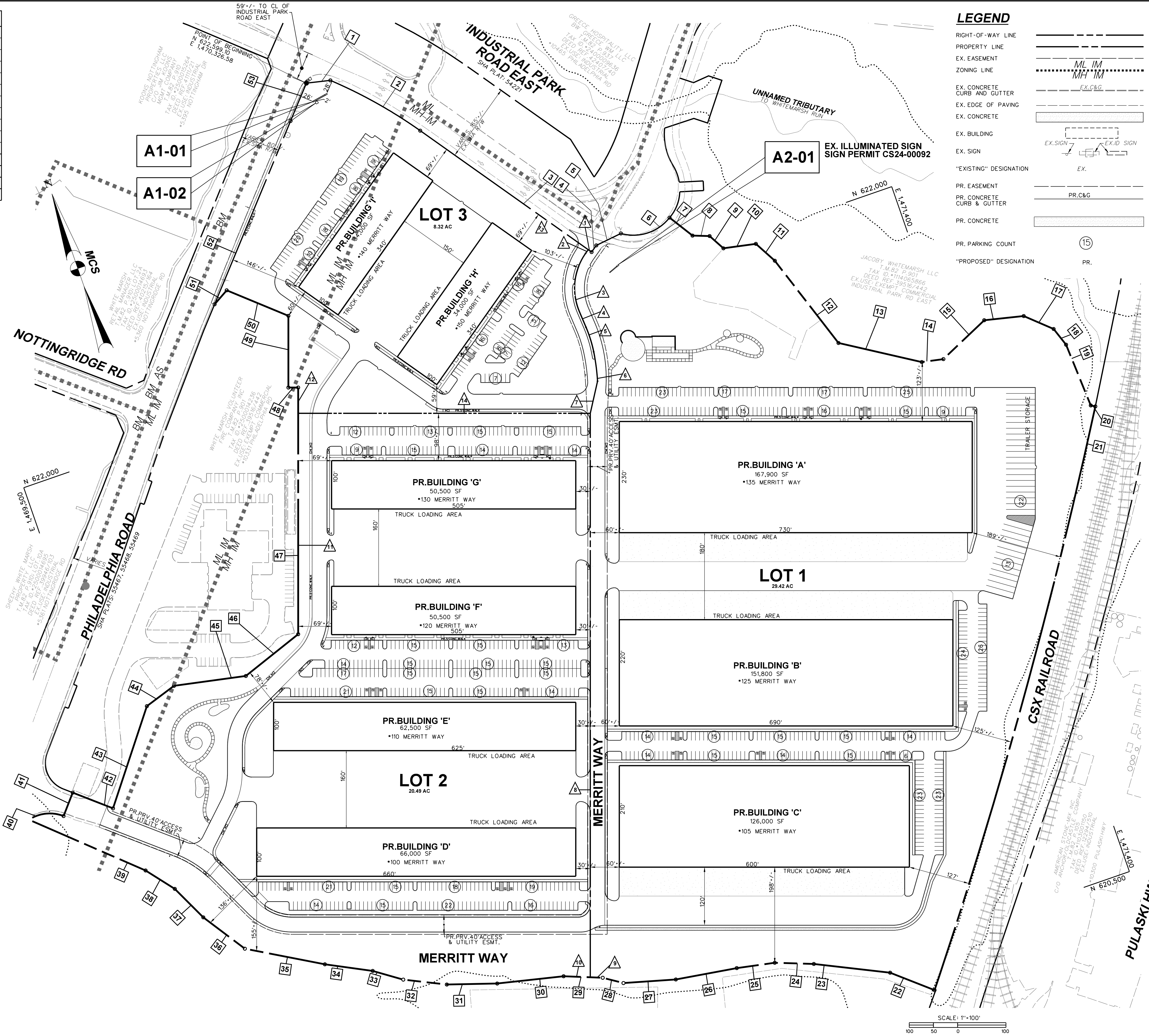
A2-01

THE COORDINATE SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN DATUM OF 1983. THE ELEVATION SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. HORIZ: NAD 83/91; VERT: NAVD 88

PROPOSED LOT LINE BEARINGS & DISTANCES		
SEGMENT	BEARING	DISTANCE
1	S35° 32'41"E	8.55'
2	N54° 22'51"E	9.36'
3	R=125.00'	L=126.79'
4	N03° 51'58"W	34.94'
5	R=270.00'	L=53.11'
6	R=416.22'	L=61.63'
7	S31° 52'36"W	68.01'
8	S19° 08'03"W	1,166.93'
9	N68° 39'57"W	25.80'
10	N68° 39'57"W	55.23'
11	N19° 08'03"E	457.07'
12	N19° 08'03"E	53.25'
13	S35° 32'41"E	425.83'
14	N70° 51'57"W	604.14'

EXISTING TRACT BEARINGS & DISTANCES		
SEGMENT	BEARING	DISTANCE
1	S77° 29'55"E	49.90'
2	R=1,006.74'	L=213.38'
3	S35° 32'41"E	434.38'
4	N 54° 27'19"E	16.88'
5	N83° 14'54"E	56.58'
6	R=95.00'	L=112.22'
7	S32° 45'02"E	60.32'
8	S69° 21'20"E	35.39'
9	S29° 17'21"E	38.20'
10	S78° 41'55"E	67.76'
11	S29° 07'40"E	52.48'
12	S18° 35'55"E	215.14'
13	S57° 57'16"E	176.79'
14	S78° 40'30"E	45.11'
15	N65° 32'20"E	116.65'
16	S76° 54'19"E	82.09'
17	S47° 28'44"E	67.43'
18	S19° 09'31"E	41.45'
19	S03° 00'12"E	135.63'
20	S58° 37'02"E	9.68'
21	R=11,411.16'	L=1,253.35'
22	N49° 24'42"W	98.76'
23	N64° 19'21"W	158.75'
24	N69° 07'41"W	80.93'
25	N78° 50'50"W	79.34'
26	N81° 27'40"W	128.18'
27	N74° 45'53"W	108.55'
28	N56° 32'09"W	44.24'
29	N68° 39'57"W	81.03'
30	N77° 07'04"W	138.13'
31	N72° 00'26"W	104.24'
32	N64° 26'06"W	90.63'
33	N54° 56'17"W	65.68'
34	N63° 00'40"W	99.90'
35	N59° 48'37"W	168.62'
36	N33° 51'41"W	107.67'
37	N25° 51'41"W	83.36'
38	N38° 38'19"W	71.35'
39	N47° 19'31"W	263.01'
40	R=78.00'	L=74.63'
41	N40° 28'20"E	52.00'
42	S49° 31'41"E	89.50'
43	N37° 27'33"E	222.81'
44	N72° 18'05"E	70.06'
45	S78° 41'55"E	150.00'
46	N70° 31'09"E	138.49'
47	N19° 08'03"E	510.32'
48	N70° 51'57"W	20.25'
49	N19° 08'03"E	148.37'
50	N48° 21'48"W	138.05'
51	S59° 58'13"W	38.33'
52	N41° 38'12"E	410.69'
53	R=12,274.06'	L=84.72'

NOTE
SEE SHEET 2 OF 2 FOR SIGN DETAILS



LEGEND
RIGHT-OF-WAY LINE
PROPERTY LINE
EX. EASEMENT
ZONING LINE
EX. CONCRETE CURB AND GUTTER
EX. EDGE OF PAVING
EX. CONCRETE
EX. BUILDING
EX. SIGN
"EXISTING" DESIGNATION
PR. EASEMENT
PR. CONCRETE CURB & GUTTER
PR. CONCRETE
PR. PARKING COUNT
"PROPOSED" DESIGNATION

ML IM
MF IM
EX. C&G

EX. SIGN
EX. ID SIGN

PR. C&G

PR.

SITE DATA

- AREA OF TRACT: 2,536,873 SF OR 58,239 AC
LOT 1: 29.42 AC
LOT 2: 20.49 AC
LOT 3: 8.32 AC
- OWNER: MERRITT-WM, LLC
2066 LORD BALTIMORE DRIVE
BALTIMORE, MARYLAND 21244
- APPLICANT/DEVELOPER: MERRITT PROPERTIES, LLC
2066 LORD BALTIMORE DRIVE
BALTIMORE, MARYLAND 21244
PHONE: 410-298-2600
- TAX MAP REFERENCES: T.M.82: G.11: P.90: TAX ID: *2500014235
- DEED REFERENCES: L.45039: F.271
- PLAT REFERENCE: WHITEMARSH ASSOCIATES, LLC PROPERTY: LOT 1A: L.79: F.112
- ELECTION DISTRICT: 11: COUNCILMANIC DISTRICT: 5
- EXISTING ZONING: MH-IM & ML-IM, MAP *82C1 & 82C2
- EXISTING USE: 2-STORY MASONRY MANUFACTURING BUILDING
PROPOSED USE: OFFICE / WAREHOUSE / FLEX BUILDINGS
- CENSUS TRACT: 411.02
TRANSPORTATION ZONE: 778
ZIP CODE: 21162
WATERSHED: BIRD RIVER
- MINIMUM SETBACK REQUIREMENT:
FRONT: 25 FT, 50 FT FROM A STREET CL, EXCEPT AS SPECIFIED IN SECTION 238.1 OF BCZR
SIDE & REAR: 30 FT PER SECTION 238.2 OF BCZR
- ADT: OFFICE: (12 X 225,000 SF) / 1,000 = 2,700 DAILY TRIPS
WAREHOUSE: (7 X 523,000 SF) / 1,000 = 3,662 DAILY TRIPS
TOTAL: 6,362 TRIPS
- A TRAFFIC IMPACT STUDY PREPARED BY TRAFFIC CONCEPTS DATED APRIL, 2022 HAS BEEN APPROVED BY MDOT ON JULY 21, 2022.
- LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL.
- STORM WATER MANAGEMENT (SWM):
THIS SITE IS A RE-DEVELOPMENT. SWM SHALL BE ADDRESSED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:
- REDUCTION OF EX. IMPERVIOUS AREAS WITHIN LIMIT OF DISTURBANCE (LOD) BY 50%
- IMPLEMENTATION OF ESD PRACTICES TO MEP TO PROVIDE WATER QUALITY TREATMENT FOR AT LEAST 50% OF EX. IMPERVIOUS AREA WITHIN LOD OR
- USE A COMBINATION OF IMPERVIOUS AREA REDUCTION AND ESD IMPLEMENTATION FOR AT LEAST 50% OF EX. IMPERVIOUS AREAS
- USE OF ALTERNATIVE SWM MEASURES
SINCE THE FULL REDUCTION OF EXISTING IMPERVIOUS AREAS COULD NOT BE ACHIEVED FOR THIS REDEVELOPMENT, PROPOSED ESD PRACTICES WILL BE PROVIDED TO TREAT THE REDUCED EXISTING AND PROPOSED ADDITIONAL IMPERVIOUS AREAS REQUIRED FOR SWM. ALSO, EXISTING BMP FACILITIES (3 WET PONDS) WILL TREAT SITE IMPERVIOUS AREAS.
- THERE ARE NO EXISTING OR PROPOSED WELL OR SEPTIC AREAS.
- PUBLIC WATER (W-1) AND SANITARY SEWER (S-1) FACILITIES EXIST.
- THERE ARE NO KNOWN WETLANDS REQUIRING REGULATION, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON SITE.
- FOREST CONSERVATION REQUIREMENTS:
FOREST CONSERVATION FOR THE SITE WAS PREVIOUSLY ADDRESSED AS PER APPROVED FCP 01-05B REVISED, SIGNED BY DEPS ON 06/22/2005.
- ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES.
- THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
- FLOOD MAP INFORMATION:
PREMISE IS SHOWN ON MAPS ENTITLED "FIRM FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND, UNINCORPORATED AREAS, PANEL 0435 OF 580, MAP NUMBER 240010, AND PANEL 0435 OF 580, MAP NUMBER 240010, MAPS REVISED MAY 5, 2014." IT IS ALSO SHOWN ON PRELIMINARY DFM DATED AUGUST 12, 2020 (ZONES A, AE, AND X).
- DETAILED 100 FLOODPLAIN STUDIES FOR WHITEMARSH RUN AND ITS UNNAMED TRIBUTARY, BETWEEN PHILADELPHIA RD CSX RAILROAD, REGULATED BY BALTIMORE COUNTY WERE PERFORMED BY MATIS WARFIELD, INC. IN JANUARY 2023 AND ACCEPTED FOR FILING BY BALTIMORE COUNTY ON 3/7/2023.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- LIGHTING SHALL BE ERCTED AS NOT TO REFLECT INTO ANY ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
- THE BOUNDARY SHOWN HEREON WAS TAKEN FROM ALTA/ACSM LAND TITLE SURVEY PREPARED BY MTLPS, LAND SURVEYORS LLC., DATED 2-22-21.
- "BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING" HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.

PARKING REQUIREMENTS

PARKING SPACES REQUIRED: 944 PS
PARKING SPACES PROVIDED: 1,034 PS

ZONING HISTORY

CASE NO. R-1953-2630:
RECLASSIFICATION REQUEST TO REZONE FROM RESIDENTIAL TO A LIGHT INDUSTRIAL ZONE WAS GRANTED JULY 2, 1953.
CASE NO. 1994-0337:
RECLASSIFICATION REQUEST TO REZONE FROM ML-IM & MH-IM TO A BR-IM ZONE WAS DISMISSED FEBRUARY 25, 2002.

DEVELOPMENT APPROVALS

DRC DETERMINED THAT THIS PROJECT MEETS THE REQUIREMENTS OF A LIMITED EXEMPTION UNDER SECTION 32-4-106 (b)(18). DRC *060821B ON JUNE 9, 2021.

THE COORDINATE SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN DATUM OF 1983. THE ELEVATION SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. HORIZ: NAD 83/91; VERT: NAVD 88

BLDG
Baltimore Land Design Group, Inc.
Consulting Engineers
230 SCHILLING CIRCLE, SUITE 364 • HUNT VALLEY, MARYLAND 21031
PHONE: 410.229.9851 • FAX: 410.229.9865 • BLDG@BLDGINC.COM

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, WILONA ROSTEK-ZARSKA, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2026.

OWNER
MERRITT-WM, LLC
2066 LORD BALTIMORE DRIVE
BALTIMORE, MARYLAND 21244
PHONE: 410-298-2600

DEVELOPER / APPLICANT

2066 LORD BALTIMORE DRIVE BALTIMORE, MD 21244
PHONE 410-298-2600 FAX: 410-298-9644
www.MerrittProperties.com

REVISIONS			
DATE	NO.	DESCRIPTION	BY

PLAN TO ACCOMPANY PETITION FOR SIGN VARIANCES
WHITE MARSH INTERCHANGE PARK
10301 PHILADELPHIA ROAD
WHITE MARSH, MARYLAND 21162
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 100'

PAI NO. 11-0839
DRC NO. 060821B

ELECTION DISTRICT: 11, C5
DATE: JUNE, 2024

DRAWING NO.
C-1
SHEET 1 OF 2



10301 PHILADELPHIA ROAD

