

KATHERINE A. KLAUSMEIER County Executive

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

February 14, 2025

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

RE: Petitions for Special Hearing & Variances

Case No. 2024-0277-SPHA

Property: 1802 York Road 805-933 Taylor Avenue

Also: 1304-1322 Goucher Boulevard, 6810 & 6820 Loch Raven Boulevard

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,

MAUREEN E. MURPHY Chief Administrative Law Judge for Baltimore County

Mauren E. Murphy

MEM;dlm Enclosure

Mark Bradshaw <u>mbradshaw@dlcmgmt.com</u>
 David Thaler <u>dsthaler@dsthaler.com</u>
 Stacey McArthur <u>smcarthur@dsthaler.com</u>

IN RE: **PETITIONS FOR SPECIAL HEARING** * BEFORE THE

AND VARIANCE

805 -933 Taylor Ave. * OFFICE OF

937 Taylor Ave.

1304 -1322 Goucher Blvd. * ADMINISTRATIVE HEARINGS

6810 & 6820 Loch Raven Blvd.

9th Election District * FOR BALTIMORE COUNTY

6th Council District

Loch Raven Improvements, LLC

Legal Owner * Case No. 2024-0277-SPHA

Petitioner *

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as Petitions for Special Hearing and Variance filed by legal owner, Loch Raven Improvements, LLC., (the "Petitioner") for the Shopping Center property located at 805 – 933 Taylor Ave., 937 Taylor Ave., 1304-1322 Goucher Blvd., and 6810 and 6820 Loch Raven Boulevard (the "Property"). A Petition for Special Hearing was filed pursuant to the Baltimore County Zoning Regulations ("BCZR"), §409.12 to permit a modified parking plan. Petitions for Variance were also filed seeking relief from BCZR:

- (1) §409.6 to permit 593 off-street parking spaces in lieu of the required 719;
- (2) §409.8.A.3, to allow existing light standards in a surface parking lot without curbing or landscaping;
- (3) §409.8.4, to allow existing parking spaces in a surface parking facility as close as 3 ft from the right-of-way line of a public street in lieu of the required 10 ft;
- (4) §409.4, to permit an existing two-way aisle width a minimum of 19 ft for access to parking spaces in lieu of the required 20 feet or 22 ft; and

(5) Any relief necessary for compliance with the Baltimore County Landscape Manual ("BCLM").

A public WebEx hearing was conducted virtually in lieu of an in-person hearing February 11, 2025. The Petition was properly advertised and posted. Mark Bradshaw, Regional Manager for DLC Management, the parent company of the Petitioner, appeared in support of the Petition along with David Thaler, PE of DS Thaler & Associates, LLC, the civil engineering firm who prepared and sealed a redlined site plan (the "Redlined Site Plan"). (Pet. Ex. 1). David Karceski, Esquire and Adam Rosenblatt, Esquire of Venable, LLP represented the Petitioners. There were no Protestants or interested parties who appeared at the hearing.

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP"), Development Plans Review ("DPR")/Department of Public Works and Transportation ("DPWT") and Department of Environmental Protection and Sustainability ("DEPS") these agencies did not oppose the requested relief.

The Property is 10.262 acres +/- and improved with a Shopping Center known as Loch Raven Plaza which was developed in or about 1969 (the "Shopping Center"). The Property is surrounded by 3 streets: Taylor Ave., Loch Raven Blvd., and Goucher Blvd. It has frontage on both Taylor Avenue and Loch Raven Blvd. but does not occupy either the northeastern or the southeastern corners of the block. As shown in the aerial photograph, this results in an oddly shaped Property. (Pet. Ex. 3). The Redlined Site Plan identifies six (6) buildings, which are labeled as Buildings A – F, along with the individual addresses. (Pet. Ex. 1). ¹ The main Shopping Center building is located primarily along Goucher Blvd. and has a lower level which is accessible from Goucher Blvd. There are additional access points from Taylor Ave. and Loch Raven Blvd. The

¹ An Amended Petition was filed to add the address of 937 Taylor Ave. (Bldg. F) which is occupied by the Bank of America.

Property is zoned Business, Local with a Commercial, Community Core overlay district (BL-CCC).

At the hearing, the proffered evidence was that, as part of the refinancing of the Property, Petitioner, who has owned the Property for 20 years, was requested to obtain zoning approval to confirm the existing conditions. It was undisputed that no improvements, additions, or physical changes are proposed for the Property. In a prior case, Case No. 1982-127-A, Variance relief was granted to provide 655 parking spaces in lieu of the required 752 spaces.

In addition to the irregular shape of the Property, there are drastic grade changes and slopes which can be seen on both the Topography Exhibit and street view photographs. (Pet. Exs. 4, 5). The cross section on the Topography Exhibit reveals that the grade changes 12 ft. in one location, and 16 ft. in another. (Pet. Ex. 5). The topography makes compliance with the BCZR provisions difficult.

Because the Shopping Center has existed since 1969, it does not comply with current zoning regulations in regard to the parking lot including the lack of spaces, landscaping, lighting, drive aisle widths, and setbacks from the adjoining right of way. In regard to the required number of spaces, as calculated on the Redlined Site Plan, BCZR, §409.6.A.2 permits a Shopping Center with 100,000 sf or more of gross leasable area, to provide 5 spaces per 1,000 sf of gross leasable area, including restaurant space. The Redlined Site Plan itemizes the gross leasable area and gross floor area by the particular use, leaving a total gross leasable area of 143,657 sf, which calculates to 719 required parking spaces. In this Case, Petitioner is able to provide 593 spaces. As referenced on the Redlined Site Plan, there are an additional 16 parking spaces available which are subject to a shared parking agreement with the adjoining McDonald's Restaurant and Calvery Gospel Presbyterian Church. Those additional spaces are not included in the number of available

parking spaces (593) and are *not* subject to zoning relief here. Mr. Bradshaw testified that the peak hours for the Shopping Center are Fridays and Saturdays from 11:00 am to 3:00 pm. Mr. Bradshaw stated that 593 parking spaces meets the needs of the Shopping Center.

The Redlined Site Plan also identifies the location near the northern boundary line, where the two-way drive aisle width is 19 ft wide in lieu of the required 22 ft. It also identifies, along the western boundary line, where a parking space is as close as 3 ft. from the right-of-way of a public street (Goucher Blvd.). It was Petitioner's contention that if the two-way drive aisle width were required to be 22 ft., and/or if the parking space(s) within 3 ft. of the right-of-way was eliminated, the number of available parking spaces would be further reduced. As shown on the aerial and street view photographs, there is lighting in the parking lot, but without the required curbing or landscaping in BCZR, §409.8.A.3. The existing features of this Shopping Center prevent full compliance with the Baltimore County Landscape Manual as required in BCZR, §409.8.A.1. Those existing features notwithstanding, Petitioner seeks to enhance the appearance of the Shopping Center, by planting new trees, bushes and/or other vegetation in the five (5) areas labeled as 'Landscape Renovations' on the 'Landscape Exhibit.' (Pet. Ex. 6). The areas in green show existing landscaping.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in

any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

BCZR, §409.12 permits a modified parking plan for parking or loading spaces to be approved upon a finding of 'undue hardship.' Petitioner here seeks this Special Hearing relief as an alternative to the Variance relief. Since the Variance relief requested will be granted as below, thereby accomplishing the same end-goal, the Petition for Special Hearing will be dismissed as moot.

VARIANCE

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

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

The Property was previously adjudicated to be unique in Case No.: 1982-127-A due to its irregular shape and relatively steep topography. As a result, the Property's physical characteristics have not changed, that factual finding is applicable to this Case under the doctrine of collateral estoppel. *Garrity v. Maryland State Bd. of Plumbing*, 447 Md. 359, 368 (2016). (See also *Colandrea v. Wilde Lake Community Ass'n, Inc.*, 361 Md. 391 (2000); *Washington Suburban Sanitary Commission v. TKU Associates*, 281 Md. 1, 18-19 (1977)).

Having satisfied the uniqueness factor, there is a nexus between these unique physical features and the requested zoning relief for parking spaces, drive aisle widths, parking space setbacks, and parking lot landscaping and lighting. As it currently exists, the parking lot provides as many parking spaces as possible while also providing landscaping and lighting. However, Petitioner here is not developing or improving the Property but merely refinancing. If Petitioner were required to comply with curbing and landscaping on parking lot islands, or to widen the drive aisles, or eliminate the parking space which is as close as 3 ft. to the right of way of Goucher Blvd., then the already deficient number of parking spaces would be further reduced. Those facts notwithstanding, and in the interest of enhancing the Shopping Center, Petitioner provided a Landscape Exhibit proposing to add vegetation where space is available in 5 designated areas. Other than the requested Variance relief, the uncontroverted evidence confirmed that the Property meets the requirements of BCZR, §409.1 et seq. I find that the Petitioner would suffer a practical difficulty and unreasonable hardship if the requested Variance relief were not granted because this is an older, built-out Shopping Center with multiple uses, where no improvements or development are being proposed. I further 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 <u>14th</u> day of February 2025, by the Administrative Law Judge for Baltimore County that the Petition for Special Hearing pursuant to BCZR, §500.7 seeking approval under BCZR, §409.12 to permit a modified parking plan be, and it is hereby **DISMISSED AS MOOT**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §409.6, to permit 593 off-street parking spaces in lieu of the required 719 be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §409.8.A.3, to allow existing light standards in a surface parking lot without curbing or landscaping be, and it is hereby, **GRANTED**, and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §409.8.4, to allow existing parking spaces in a surface parking facility as close as 3 ft from the right-of-way line of a public street in lieu of the required 10 ft, be, and it is hereby, **GRANTED**, and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §409.4, to permit an existing two-way drive aisle width at a minimum of 19 ft for access to parking spaces in lieu of the required 22 ft, be, and it is hereby, **GRANTED**, and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §409.8.A.1, for relief from compliance with the Baltimore County Landscape Manual be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

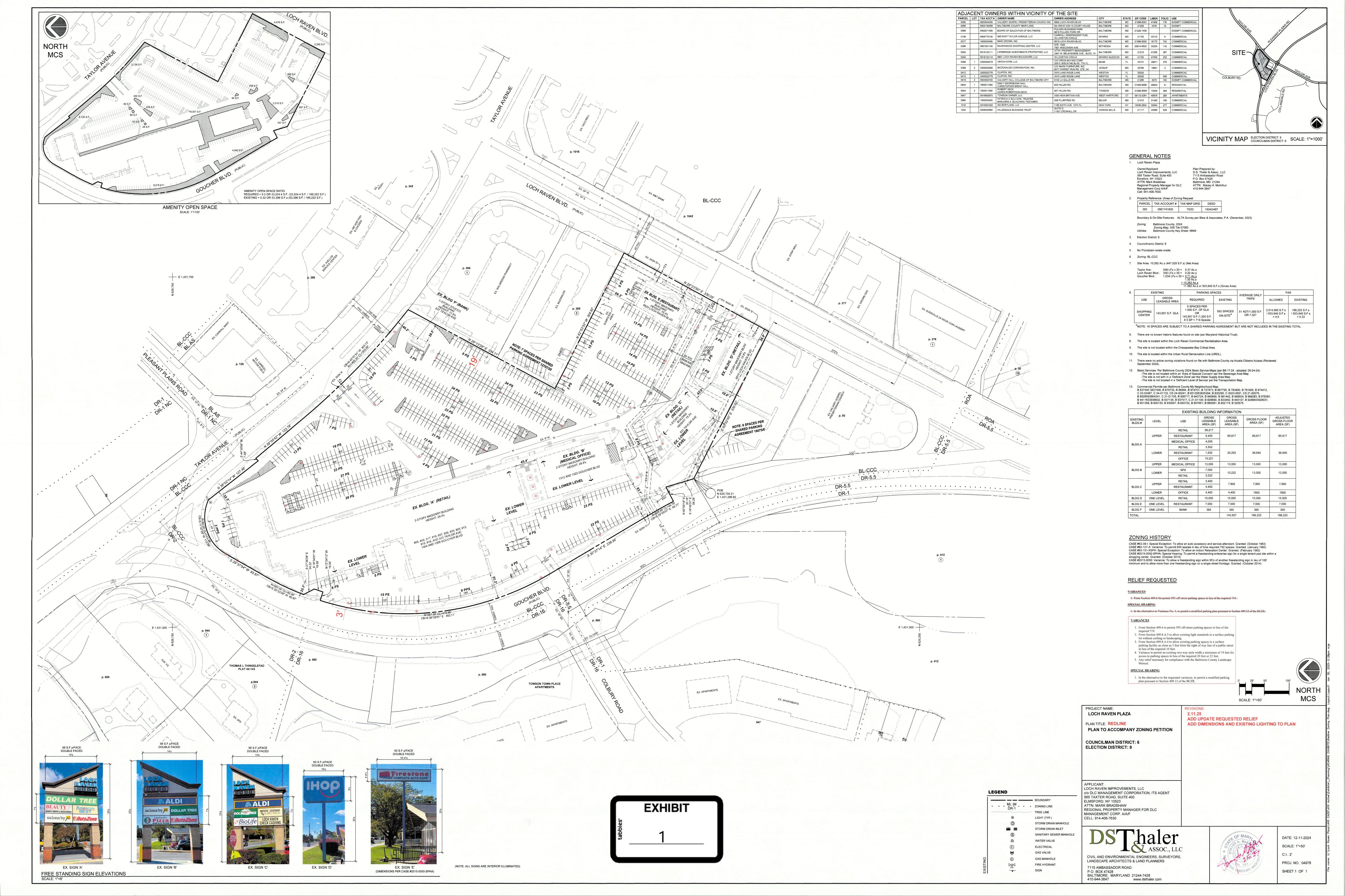
- 1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- 2. The Redlined Site Plan, (Pet. Ex. 1) a copy of which is attached hereto, is incorporated herein.
- 3. Using the Landscape Exhibit (Pet. Ex. 6), a copy of which is attached hereto and incorporated herein, Petitioner shall work with the Baltimore County Landscape Architect to comply, to the greatest extent possible, with the Baltimore County Landscape Manual, and provide new trees, bushes, vegetation and/or other landscaping as the Landscape Architect shall direct, in the five (5) areas designated on the Landscape Exhibit. Petitioner and all subsequent owners shall maintain all landscaped areas and replace and supplement all landscaping as needed.

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

MAUREEN E. MURPHY
Chief Administrative Law Judge

for Baltimore County

MEM:dlm





_21204__ Zip Code

410-494-6271

Telephone #

CASE NUMBER 2024 - 0277 - SPHA Filing Date 12/24/24

/ dkarceski@venable.com

Email Address

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:

805-933 Taylor Ave., 1304-1322 Goucher Blvd., 6810 and which is presently zoned

Peed References: 19343/497

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Deed References: 19343/497	10 Digit Tax Account # 0 9 0 1 7 4 1 8 3
Property Owner(s) Printed Name(s) Loch Rave	en Improvements LLC
(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE APPROX	PRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	n Baltimore County and which is described in the description ade a part hereof, hereby petition for:
1. X a Special Hearing under Section 500.7 of the Zon	ning Regulations of Baltimore County, to determine whether
SEE ATTACHED.	and the second of the second o
SEE ATTACHED.	
2 a Special Exception under the Zoning Regulation	s of Baltimore County to use the herein described property for
	N. C.
3.X a Variance from	
SEE ATTACHED.	
GELATIAGNED.	
of the zoning regulations of Baltimore County, to the	zoning law of Baltimore County, for the following reason
	or indicate below "TO BE PRESENTED AT HEARING".
you need additional space, you may add an attachm	ent to this petition)
Property is to be posted and advertised as prescribed by the zoning regu	detions
, 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 t	for Baltimore County.
which is the subject of this / these Petition(s).	under the penalties of perjury, that I / We are the legal owner(s) of the proper
Contract Purchaser/Lessee:	Logal Owners (Patitionars)
	Legal Owners (Petitioners):
N/A Name- Type or Print	SEE ATTACHED / Name #1 – Type or Print Name #2 – Type or Print
Name- Type of Pfint	Name #1 – Type or Print Name #2 – Type or Print
Signature	Circotus #4
signature	Signature #1 Signature # 2
Mailing Address City State	Mailing Address City State
oity State	Mailing Address City State
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
Section 2012 Section 2012 In the Control of	
Attorney for Petitioner: (Legal Owner)	Representative to be contacted:
David H. Karceski/Adam Rosenblatt	David H. Karceski/Adam Rosenblatt
Name- Type or Print	Name – Type or Frint
Som belth	and how him
Signature	Signature
210 W. Penn. Ave, Suite 500 Towson MD	210 W. Penn. Ave, Suite 500 Towson MD
Mailing Address City State	Mailing Address City State

21204

Zip Code

Reviewer Do Not Schedule Dates:

/_410-494-6271_/

Telephone #

dkarceski@venable.c

Email Address

RELIEF ATTACHMENT TO ZONING PETITION

2024-0277-SPHA

LOCH RAVEN PLAZA
TAYLOR AVENUE
TAX ACCOUNT NO. 0901741830

VARIANCES

- 1. From Section 409.6 to permit 593 off-street parking spaces in lieu of the required 719.
- 2. From Section 409.8.A.3 to allow existing light standards in a surface parking lot without curbing or landscaping.
- 3. From Section 409.8.A.4 to allow existing parking spaces in a surface parking facility as close as 3 feet from the right of way line of a public street in lieu of the required 10 feet.
- 4. Variance to permit an existing two-way aisle width a minimum of 19 feet for access to parking spaces in lieu of the required 20 feet or 22 feet.
- 5. Any relief necessary for compliance with the Baltimore County Landscape Manual.

SPECIAL HEARING

1. In the alternative to the requested variances, to permit a modified parking plan pursuant to Section 409.12 of the BCZR.

Revised



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 6820 Loch Raven Blvd.

Deed References: 19343/497

10 Digit Tax Account # 0 9 0 1 7 4 1 8 3 0 Property Owner(s) Printed Name(s) Loch Raven Improvements 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:

a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether SEE ATTACHED. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for a Variance from

SEE ATTACHED.

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)

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:	Legal Owners (Petitioners):
N/A	SEE ATTACHED	/ Name #2 – Type or Print
Name- Type or Print	Name #1 – Type or Print	Name #2 - Type on Fina
Signature	Signature #1	Signature # 2
Mailing Address City State	Mailing Address	City State
Zip Code Telephone # Email Address	Zip Code Telephone #	Email Address
Attorney for Petitioner (Legal 3 mm)	Representative to be cont	acted:
David H. Karceski/Adam Rosenblatt	David H. Katoeski/Adam Ro	osenblatt
Name- Type or Print	Name - Type of Frint	for Finn
Signature	Signature	
210 W. Penn. Ave, Suite 500 Towson MD	210 W. Penn. Ave, Suite 50	
Mailing Address City State	Mailing Address	City State
_21204/_410-494-6271/ dkarceski@venable.com Zip Code Telephone # Email Address	21204/_410-494-6271_/_ Zip Code Telephone #	dkarceski@venable.ce Email Address
CASE NUMBER 2024 - 0277 - 5P44 Filing Date 12/24/24	Do Not Schedule Dates:	Reviewer_J5

ATTACHMENT TO ZONING PETITION

LOCH RAVEN PLAZA TAYLOR AVENUE TAX ACCOUNT NO. 0901741830

PROPERTY OWNER

LOCH RAVEN IMPROVEMENTS LLC 565 Taxter Road Suite 400 Elmsford, New York 10523

By:

Manager, Adam Ifshin aifshin@dlcmgmt.com

(914) 631-3131

RELIEF ATTACHMENT TO ZONING PETITION

LOCH RAVEN PLAZA TAYLOR AVENUE TAX ACCOUNT NO. 0901741830

VARIANCES

1. From Section 409.6 for permit 593 off-street parking spaces in lieu of the required 719.

SPECIAL HEARING

1. In the alternative to Variance No. 1, to permit a modified parking plan pursuant to Section 409.12 of the BCZR.

2024-6277 - SPHA

PROPERTY DESCRIPTION (for Zoning Purposes Only)

LOCH RAVEN PLAZA

Beginning for the same at a point on the east side of Goucher Boulevard (a 110 foot wide right-of-way) at a distance southeasterly 352 feet, more or less, from the centerline of Colbury Road (a 70 foot wide right-of-way), thence binding on the property outline with all bearings referenced to the Maryland Coordinate System, NAD 83/2011,

- 1. South 62°52'45" East 330.62 feet to a point; thence,
- 2. North 28°23'50" East 330.05 feet to a point; thence,
- 3. North 62°53'33" West 304.92 feet to a point; thence,
- 4. North 28°13'28" East 334.11 feet to a point; thence,
- 5. Northwesterly 303.69 feet by a curve to the right, having a radius of 1,465.50 feet and a chord bearing North 45°51'51" West 303.15 feet to a point; thence,
- 6. North 39°55'42" West 123.78 feet to a point; thence,
- 7. South 44°15'06" West 7.08 feet to a point; thence,
- 8. North 38°02'14" West 127.48 feet to a point; thence,
- 9. Southwesterly 123.38 feet by a curve to the left, having a radius of 84.00 feet and a chord bearing South 71°47'26" West 112.58 feet to a point; thence,
- 10. South 29°37'54" West 93.87 feet to a point; thence,

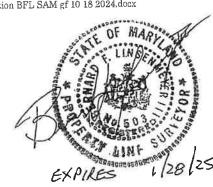
2024-027-5PHA

- 11. Southwesterly 82.94 feet by a curve to the left, having a radius of 567.00 feet and a chord bearing South 25°23'28" West 82.87 feet to a point; thence,
- 12. South 27°38'28" East 24.22 feet to a point; thence,
- 13. South 18°34'01" West 18.59 feet to a point; thence,
- 14. North 72°24'12" West 18.00 feet to a point; thence,
- 15. Southeasterly 475.96 feet by a curve to the left, having a radius of 567.00 feet and a chord bearing South 06°29'51" East 462.11 feet to a point; thence,
- 16. South 30°37'14" East 238.96 feet to a point; thence,
- 17. Southeasterly 49.78 feet by a curve to the right, having a radius of 928.88 feet and a chord bearing South 29°05'07" East 49.77 feet to a point; thence,
- 18. North 62°05'18" East 32.16 feet to a point; thence,
- 19. South 16°45'31" East 58.29 feet to the point of beginning.

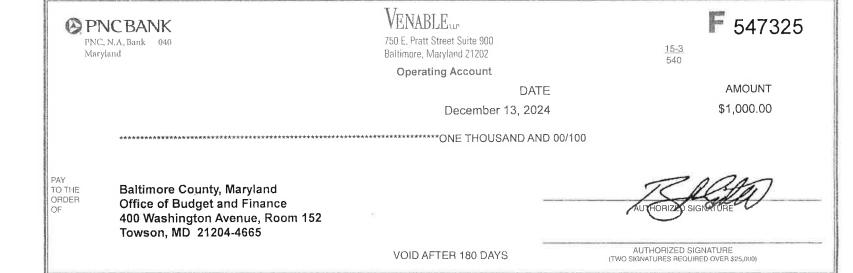
Containing 447,028 square feet or 10.262 acres of land, more or less.

Being located in the Sixth Councilmanic District in the Ninth Election District of Baltimore County, Maryland.

H;\D.S. THALER & ASSOC., LLC\Projects DST&A, LLC\LOCH RAVEN PLAZA\Zoning Description BFL SAM gf 10 18 2024,docx



OFFICE	OF BUD	GET AN	MARYLANI D FINANC RECEIPT	E	O. Is		235		
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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 <u>two</u> signs 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 Adverti	sing:				
Case Number:	2024-077	7-5844	1977 6	hu Blad., 6810 on	16820 BlyD
Property Address: 60	15- 433 Taylor	HVETUE, 1301	- 13 00 0 000	22 0100., 001001	TI C
Legal Owners (Petition		Loch Ray	en Im	provements	
Contract Purchaser/Les	ssee: X	MA			
PLEASE FORWARD A		V4195			
Address: D	avi'd H.	KARLES	onia A	ve. suite	200
	OWSON	MD	21204		
Telephone Number:	(410) 40	74-62	85		

*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.



PETITION FOR ZONING HEARING(S) the filed with the Department of Permits. Approvals and Inspections

To be filed with the Department To the Office of Administrative Law of 805-933 Taylor Ave. 1304-1322 Goucher Blv	Baltimore County for the property located at: d., 6810 and			
Address 6820 Loch Raven Blvd.	10 Digit Tax Account # 0 9 0 1 7 4 1 8 3 0			
Property Owner(s) Printed Name(s) Loch Raven In	nprovements 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. X a Special Hearing under Section 500.7 of the Zoning	Regulations of Baltimore County, to determine whether			
SEE ATTACHED.				
2. a Special Exception under the Zoning Regulations of	Baltimore County to use the herein described property for			
3. X a Variance from				
SEE ATTACHED.				
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)				
Property is to be posted and advertised as prescribed by the zoning regulation I, or we, agree to pay expenses of above petition(s), advertising, posting, etc and restrictions of Baltimore County adopted pursuant to the zoning law for Elegal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under which is the subject of this / these Petition(s).	and further agree to and are to be bounded by the zoning regulations			
Contract Purchaser/Lessee:	Legal Owners (Petitioners):			
N/A	SEE ATTACHED			
Name- Type or Print	Name #1 – Type or Print Name #2 – Type or Print			
Signature	Signature #1 Signature # 2			
Mailing Address City State	Mailing Address City State			
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address			
Attorney for Petitioner (Legal 3 mm)	Representative to be contacted:			
David H. Karceski/Adam Rosenblatt	David H. Kataeski/Adam Rosenblatt Name – Type of Finit			
Name- Type or Print	John John			
Sigbeture	Signature 210 W. Penn. Ave. Suite 500 Towson MD			
210 W. Penn. Ave, Suite 500 Towson MD Mailing Address City State	Mailing Address City State			
_21204/_410-494-6271/ dkarceski@venable.com Zip Code Telephone # Email Address				
CASE NUMBER 3034-0377-5PHA Filing Date 13134134	Do Not Schedule Dates: Reviewer			

ATTACHMENT TO ZONING PETITION

LOCH RAVEN PLAZA TAYLOR AVENUE TAX ACCOUNT NO. 0901741830

PROPERTY OWNER

LOCH RAVEN IMPROVEMENTS LLC 565 Taxter Road Suite 400 Elmsford, New York 10523

By:

Manager, Adam Ifshin aifshin@dlcmgmt.com (914) 631-3131

2024-0277-SPMA

RELIEF ATTACHMENT TO ZONING PETITION

LOCH RAVEN PLAZA TAYLOR AVENUE TAX ACCOUNT NO. 0901741830

VARIANCES

1. From Section 409.6 for permit 593 off-street parking spaces in lieu of the required 719.

SPECIAL HEARING

1. In the alternative to Variance No. 1, to permit a modified parking plan pursuant to Section 409.12 of the BCZR.

2024-6777-5844

PROPERTY DESCRIPTION (for Zoning Purposes Only)

LOCH RAVEN PLAZA

Beginning for the same at a point on the east side of Goucher Boulevard (a 110 foot wide right-of-way) at a distance southeasterly 352 feet, more or less, from the centerline of Colbury Road (a 70 foot wide right-of-way), thence binding on the property outline with all bearings referenced to the Maryland Coordinate System, NAD 83/2011,

- 1. South 62°52'45" East 330.62 feet to a point; thence,
- 2. North 28°23'50" East 330.05 feet to a point; thence,
- 3. North 62°53'33" West 304.92 feet to a point; thence,
- 4. North 28°13'28" East 334.11 feet to a point; thence,
- 5. Northwesterly 303.69 feet by a curve to the right, having a radius of 1,465.50 feet and a chord bearing North 45°51'51" West 303.15 feet to a point; thence,
- 6. North 39°55'42" West 123.78 feet to a point; thence,
- 7. South 44°15'06" West 7.08 feet to a point; thence,
- 8. North 38°02'14" West 127.48 feet to a point; thence,
- 9. Southwesterly 123.38 feet by a curve to the left, having a radius of 84.00 feet and a chord bearing South 71°47'26" West 112.58 feet to a point; thence,
- 10. South 29°37'54" West 93.87 feet to a point; thence,

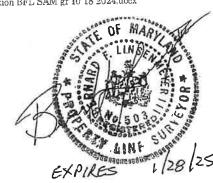
2024-027-5PHA

- 11. Southwesterly 82.94 feet by a curve to the left, having a radius of 567.00 feet and a chord bearing South 25°23'28" West 82.87 feet to a point; thence,
- 12. South 27°38'28" East 24.22 feet to a point; thence,
- 13. South 18°34'01" West 18.59 feet to a point; thence,
- 14. North 72°24'12" West 18.00 feet to a point; thence,
- 15. Southeasterly 475.96 feet by a curve to the left, having a radius of 567.00 feet and a chord bearing South 06°29'51" East 462.11 feet to a point; thence,
- 16. South 30°37'14" East 238.96 feet to a point; thence,
- 17. Southeasterly 49.78 feet by a curve to the right, having a radius of 928.88 feet and a chord bearing South 29°05'07" East 49.77 feet to a point; thence,
- 18. North 62°05'18" East 32.16 feet to a point; thence,
- 19. South 16°45'31" East 58.29 feet to the point of beginning.

Containing 447,028 square feet or 10.262 acres of land, more or less.

Being located in the Sixth Councilmanic District in the Ninth Election District of Baltimore County, Maryland.

H:\D.S. THALER & ASSOC., LLC\Projects DST&A, LLC\LOCH RAVEN PLAZA\Zoning Description BFL SAM gf 10 18 2024,docx



CERTIFICATE OF POSTING

	2024-0277-SPHA RE: Case No.:
	Petitioner/Developer:
	Lock Raven Improvements, LLC
	February 11, 2025 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 per posted conspicuously on the property located at:	jury that the necessary sign(s) required by law were
805-933 Taylor Avenue SIGN	I 1A & 1B REVISED
	anuary 20, 2025
The sign(s) were posted on(N	Month, Day, Year)
NOTICE TT-SPHA TT-SPHA TOWNS MILLS MILL MAN TOWNS MILLS MILL MILL MILL MILL MILL MILL MI	SSG Robert Black
ZONING ASE# 2024-0 SIE-333 Taylor Avenue The state of	
CAA 88	(Print Name)
01/20/2028	1508 Leslie Road
	(Address)
A A A A A A A A A A A A A A A A A A A	Dundalk, Maryland 21222
NOTICE NOTICE NOTICE NOTICE PROPERTY SHAPE To brown M418 To	(City, State, Zip Code)
VGG 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-0 0224-	(410) 282-7940

(Telephone Number)

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: January 31, 2025

SUBJECT: DEPS Comment for Zoning Item # 2024-0277-SPHA

Address: 805-933 TAYLOR AVENUE Legal Owner: Loch Raven Improvements, LLC

Zoning Advisory Committee Meeting of January 31, 2025.

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

Additional Comments:

Reviewer: Earl D. Wrenn

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: January 21, 2025

SUBJECT: DEPS Comment for Zoning Item # 2024-0277-SPHA

Address: 805-933 TAYLOR AVENUE Legal Owner: Loch Raven Improvements, LLC

Zoning Advisory Committee Meeting of January 21, 2025.

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

Additional Comments:

Reviewer: Earl D. Wrenn

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald. Director **DATE:** January 14, 2025

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

Zoning Advisory Committee Meeting Case 2024-0277-SPHA SUBJECT:

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:

Recreations & Parks:

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director **DATE:** January 27, 2025

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

Case 2024-0277-SPHA

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: If Special Hearing and or zoning relief is granted a Landscape Plan is required per the Baltimore Landscape Manual. A Lighting Plan is also required for any proposed Lighting.

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

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald **DATE:** 1/23/2025

Director, Department of Permits, Approvals and Inspections

FROM: Steve Lafferty

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

INFORMATION: Case Number: 2024-0277-SPHA **Property Address:** Loch Raven Plaza, Taylor Avenue

Petitioner: LOCH RAVEN IMPROVEMENTS, LLC.

Zoning: BL-CCC

Requested Action: Variance and Special Hearing

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

Variance – Under Section 409.6 of the Zoning Regulations of Baltimore County, to determine whether the Zoning Commissioner should permit 593 off-street parking spaces in lieu of the required 719.

Special Hearing – Under Section 409.12 of the Zoning Regulations of Baltimore County, to permit a modified parking plan as an alternative to the requested variance.

The subject site is an existing shopping center with established parking. The Petitioner/Owner intends to enter into shared parking agreements with two adjacent property owners. One agreement would share 9 spaces with an existing church, and the second would share 7 spaces with an existing drive-thru restaurant. The parking space locations will remain unchanged and will only be considered "off-street" where they extend beyond the shared property boundaries into their respective parking areas.

The Department of Planning has no objections to the Special Hearing or Variance request. The existing shopping center has established parking space locations which will remain unchanged by the shared agreements.

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

Prepared by:

Kyr Rt

Krystle Patchak

Jenifer G. Nugent

Division Chief:

SL/JGN/KP

c: David H. Karceski and Adam Rosenblatt, Attorneys for Petitioner

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Megan Oliver, Community Planner for District 6 Jeff Perlow, Zoning Review Office of Administrative Hearings People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald **DATE:** 2/4/2025

Director, Department of Permits, Approvals and Inspections

FROM: Steve Lafferty

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS - Revised

INFORMATION: Case Number: 2024-0277-SPHA **Property Address:** Loch Raven Plaza, Taylor Avenue

Petitioner: LOCH RAVEN IMPROVEMENTS, LLC.

Zoning: BL-CCC

Requested Action: Variance and Special Hearing

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

Variance(s) -

- 1. From Section 409.6 of the Zoning Regulations of Baltimore County, to determine whether the Zoning Commissioner should permit 593 off-street parking spaces in lieu of the required 719.
- 2. From Section 409.8.A.3 to allow existing light standards in a surface parking lot without curbing or landscaping.
- 3. From Section 409.8.A.4 to allow existing parking spaces in a surface parking facility as close as 3 feet from the right-of-way line of a public street in lieu of the required 10 feet.
- 4. Variance to permit a minimum 19-foot existing two-way aisle width in lieu of the required 20 or 22 feet, allowing access to existing parking.
- 5. Any necessary relief to comply with the Baltimore County Landscape Manual.

Special Hearing – Under Section 409.12 of the Zoning Regulations of Baltimore County, to permit a modified parking plan as an alternative to the requested variance.

The subject site is an existing shopping center with established parking facilities. According to the site plan submitted with this filed petition, dated December 24, 2024, the Petitioner/Owner intends to enter into shared parking agreements with two adjacent property owners. One agreement would share 9 spaces with an existing church, and the second would share 7 spaces with an existing drive-thru restaurant. The parking space locations will remain unchanged and will only be considered "off-street" where they extend beyond the shared property boundaries into their respective parking areas.

Additional variance requests 2-5 listed above were received by the Department of Planning as a revised petition for further review and comment. The Department of Planning has no objections to the additional variance requests for an existing shopping center with established parking facilities.

Furthermore, the Department of Planning has no objections to the Special Hearing or Variance request from Section 409.6 to allow 593 off-street parking spaces in-lieu of the required 719. The existing shopping center has established parking space locations which will remain unchanged by the proposed shared agreements. The Department of Planning recommends to the Administrative Law Judge that any

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future improvements to the existing parking facilities or any new development at this site should comply with the existing Zoning Regulations of Baltimore County.

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

Prepared by:

Krystle Patchak

Division Chief:

lenifer G. Nugent

SL/JGN/KP

 c: David H. Karceski and Adam Rosenblatt, Attorneys for Petitioner Megan Oliver, Community Planner for District 6
 Jeff Perlow, Zoning Review
 Kristen Lewis, Zoning Review
 Office of Administrative Hearings
 People's Counsel for Baltimore County

Real Property Data Search () Search Result for BALTIMORE COUNTY

View GroundRent Redemption

View GroundRent Registration

Special Tax Recapture: None

Account Identifier:

View Map

District - 09 Account Number - 0901741830

Owner Information

Owner Name:

LOCH RAVEN IMPROVEMENTS LLCUse:

COMMERCIAL

Principal Residence:NO

Mailing Address:

565 TAXTER ROAD 4TH FLR

Deed Reference:

/19343/ 00497

ELMSFORD NY 10523-

Location & Structure Information

Premises Address:

TAYLOR AVE

Legal Description:

10,274 AC

BALTIMORE 21286-8309

SWS TAYLOR AVE

300 NW OF LOCH RAVEN BL

Map: Grid: Parcel: Neighborhood:

Town: None

Subdivision:

Section: Block: Lot: Assessment Year:

Plat No: Plat Ref:

0070 0022 0383 20000.04

0000

1969

Primary Structure Built Above Grade Living Area Finished Basement Area 9,283 SF

10.2700 AC

Property Land Area County Use

Stories Basement Type RESTAURANT /

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

Value Information

Phase-in Assessments Value **Base Value** As of As of 01/01/2023 07/01/2024 5,135,000 5,135,000

Land: Improvements Total:

6,189,500 11,324,500

13,332,100 18,467,100

18,467,100 16.086.233

As of

07/01/2025

Preferential Land: 0

Transfer Information

Price: \$9,875,000 Seller: HIGH EQUITY PARTNERS SERIES 85 Date: 12/23/2003 Deed2: Deed1: /19343/ 00497

Type: ARMS LENGTH IMPROVED Seller: A & R INC

Date: 06/27/1986 Deed1: /07195/ 00121 Price: \$9,451,510

Type: ARMS LENGTH IMPROVED Seller: Deed1: Type:

Deed2: Price: Deed2:

Exemption Information

07/01/2025 Partial Exempt Assessments:Class 07/01/2024 0.00 County: 0.00 000 State: 0.00|0.00 0.00|0.00 000 Municipal:

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

