

BALTIMORE COUNTY DEPT. OF PDM
Project No. T-415/05048 B
DEVELOPMENT REGULATIONS
Exempt from Sections 26-202 & 26-208
CERTIFICATION of Limited Exemption Plan Approval
By *Christine Feltz* Date: 5/15/98
This plan approval shall expire five (5) years
from the above approval date.

NOTES

1. This site is not located in a 100 year flood zone.
2. There are no wooded areas on this site.
3. Landscaping for this project is shown on a separate plan.
4. A request for waiver of stormwater management quantity and quality has been granted by Thomas L. Valmar.
5. Asbestos in the buildings to be razed will be removed in accordance with all Maryland Department of the Environment and DEPRM requirements.
6. There are no known historical or archaeological sites on the property.
7. There are no existing wells, septic systems, or underground storage tanks on the site.
8. All on-site utilities will be private.
9. No modifications will be made on any existing service and no fire supply service may be converted to a domestic water supply service. The developer will apply for the abandonment of any services which are not needed.
10. Any and all signs proposed for this site shall comply with Section 413 of the 2001 Zoning Ordinance.
11. Lighting used to illuminate the off-street parking areas shall reflect away from the residential areas and public streets.
12. This property is not subject to Forest Conservation pursuant to B&E No. 163-93, adopted November 15, 1993. Building and grading permits will not be issued prior to December 30, 1993, the effective date of B&E No. 163-93.
13. Fire Flow Test (Building Side of Sprinkler Entrance)
Static Pressure: 43 PSI @ 1150 GPM flow
Residual Pressure: 43 PSI @ 1150 GPM flow
14. The Wal-Mart store is to be designed and constructed to meet the applicable provisions of the fire prevention code and the NFPA 101 Life Safety Code, 1991 Edition.
15. Fire Hydrants shall be spaced in accordance with Baltimore County Standard Design Manual, Section 2-1.4, Fire Hydrants.
16. Access roads on the site shall be located with fire lane signs along its entire length pursuant to Baltimore County Ordinance 102-74.
17. There are no delinquent accounts for any other development with respect to any of the following: a person with a financial interest in the proposed development, or a person who will provide contractual services on behalf of the proposed development.
18. As an integral element of the project, S&A comments and requirements will be addressed and met as part of the development and acquisition of the access permit.

Site Data

Item	Existing	Proposed
Front Setback	50 feet	270 feet
Left Side Setback	30 feet	80 feet
Right Side Setback	30 feet	30 feet
Floor Area Ratio	4.0	0.05
Building Height	40 feet max	23 feet
Parking Spaces	634	678
Handicap Spaces	21	22
Interior Open Space	26,975 sf	36,813 sf

LEGEND

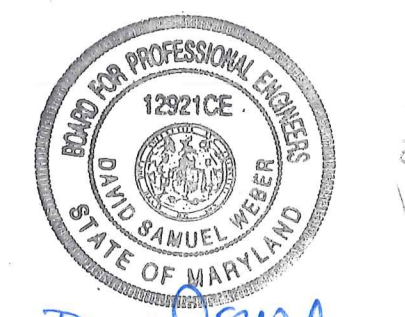
existing	proposed	description
● C.O.		MONITORING WELL
□		CLEANOUT
□		TELEPHONE MANHOLE
□		WATER MANHOLE
□		FIRE PROTECTION
□		GUARD POST
□		LIGHT (STANDARD)
□		IRON PIN FOUND
□		IRON PIN SET
□		TRAFFIC BOX
□		POWER POLE
□		LIGHT POLE
□		SIGNAL POLE
□		GUY ANCHOR
□		BENCHMARK
□		SANITARY SEWER MANHOLE
□		STORM DRAIN MANHOLE
□		CATCH BASIN
□		WATER VALVE
□		WATER METER
□		GAS VALVE
□		FIRE HYDRANT
□		TELEPHONE BOX
□		OVERHEAD POWER LINE
□		UNDERGROUND POWER LINE
□		WATER LINE
□		GAS LINE
□		SANITARY SEWER LINE
□		TELEPHONE LINE
□		UNDERGROUND TELEPHONE
□		REINFORCED CONCRETE PIPE
□		CORROGATED METAL PIPE
□		POLYETHYLENE PIPE
□		INVERT ELEVATION
□		STORM DRAIN
□		CORR POLYETHYLENE PIPE
□		CONTIGUE
□		SPOT ELEV.
□		AVERAGE DRAIN TIE

LEGEND

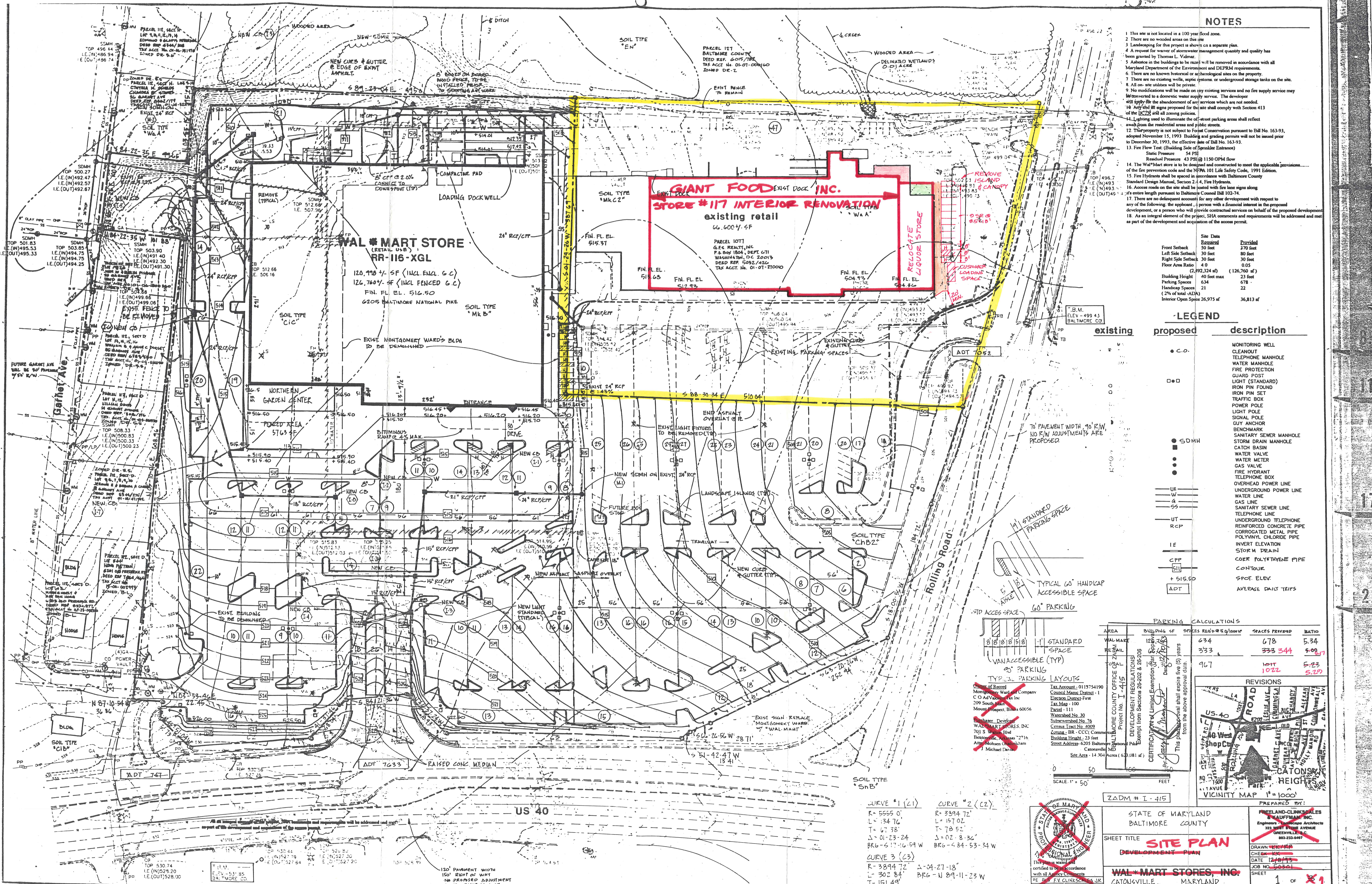
- AREA TO BE DEMOLISHED
- AREA TO BE CONSTRUCTED
- PROPOSED SIDEWALK

DEVELOPMENT PROPOSAL
① INTERIOR RENOVATION OF GIANT
② RELOCATION OF LIQUOR STORE
③ STRIPE 11 NEW SPACES

CERTIFICATION
RED-LINE REVISION TO THIS PLAN
ARE THE RESPONSIBILITY OF
GUTSCHICK, LITTLE & WEBER, P.A.

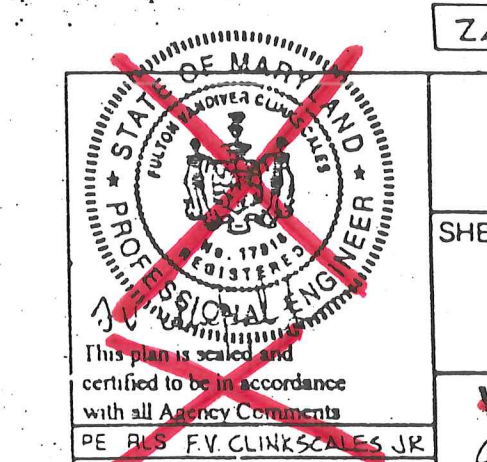
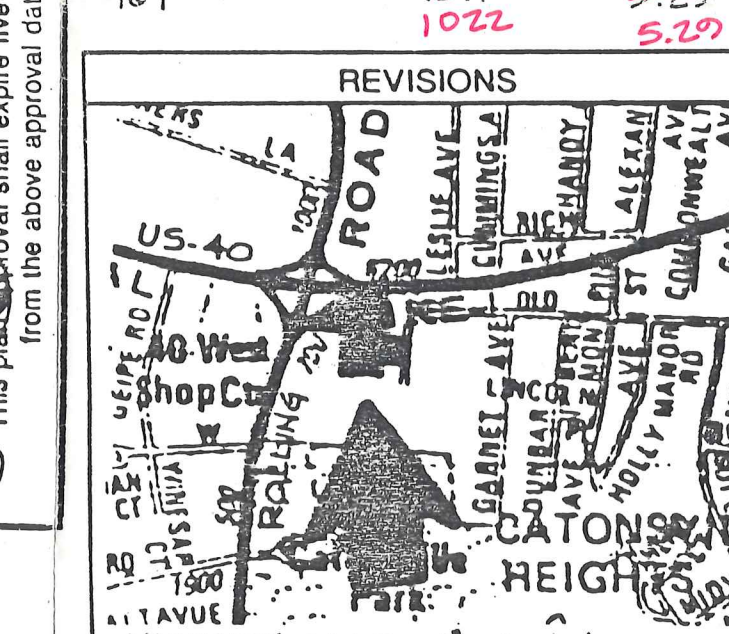


David E. Weber
5/11/98



PARKING CALCULATIONS

AREA	BUILDING SF	SPACES REQUIRED @ 500/sf	SPACES PROVIDED	RATIO
WAL-MART	185,760	372	678	5.34
LIQUOR STORE	10,000	20	333	5.00
TOTAL	195,760	392	1011	5.29



STATE OF MARYLAND
BALTIMORE COUNTY
SHEET TITLE
SITE PLAN
DEVELOPMENT PLAN
WAL-MART STORES, INC.
CATOWSVILLE, MARYLAND

PREPARED BY:
FRELAND-CLARK/CLARK
ENGINEERS
323 WEST PINE AVENUE
GREENBELT, MD 20740
800-233-6487
DRAWN BY:
CHESTER
DATE: 12/10/97
JOB NO.: 05048
SHEET
1 OF 2

PRIOR APPLICATION PDM FILE #1-415
APRIL 1998
87-058

FIRST AMENDED SITE PLAN AS A B-9 REFINEMENT

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

1. or we, MONTGOMERY WARD REALTY CORPORATION, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 and Public Land zone to an CCG zone, for the following reasons:

- Error in the original zoning map.
- Change in the character of the neighborhood.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

MONTGOMERY WARD REALTY CORPORATION

Contract purchaser:

Joseph R. Petri, Legal Owner
Assistant Secretary
Address: 1000 South Monroe Street
Baltimore, Maryland 21232

Address:

Petitioner's Attorney

Protestant's Attorney

Address:

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of February, 1969, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of February, 1969, at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County

(over)

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

1. or we, MONTGOMERY WARD REALTY CORPORATION, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-districted, pursuant to the Zoning Law of Baltimore County, from Un-Districted to a CCG district, for the following reasons:

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above redistricting and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

MONTGOMERY WARD REALTY CORPORATION

Contract purchaser:

Joseph R. Petri, Legal Owner
Assistant Secretary
Address: 1000 South Monroe Street
Baltimore, Maryland 21232

Address:

Petitioner's Attorney

Protestant's Attorney

Address:

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of January, 1969, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of February, 1969, at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County

Re: Petition for Reclassification
From R-6 Zone & Public Land
to B-R Zone - Redistricting
From Undistricted to C, C, C, Dist.,
S/E Cor. Baltimore National Pike
and Old Frederick Road, 1st Dist.
Montgomery Ward Realty Corp.,
Petitioner

Before

Zoning Commissioner

of

Baltimore County

No. 69-173-R

The petitioner has requested reclassification from an R-6 Zone and Public Land Zone to a B-R Zone and redistricting from undistricted to C, C, C, district of property at the southeast corner of Baltimore National Pike and Old Frederick Road, in the First District of Baltimore County.

The major portion of the tract is already zoned B-R and the subject site is a small portion that was zoned because of the ownership being different from the major portion of the tract. Montgomery Ward Realty Corporation now owns the entire tract and is going to utilize the entire tract.

For the above reasons the reclassification should be granted and the redistricting from undistricted to a C, C, C, District should be granted.

It is this 20th day of March, 1969, by the Zoning Commissioner of Baltimore County ORDERED that:

1. Reclassification from R-6 Zone and Public Land zone to a B-R Zone, should be and the same is reclassified, and
2. Redistricting from undistricted to C, C, C, District, is hereby redistricted from undistricted to C, C, C, District, from and after the date of this Order.

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 69-173-R

OPINION

The petitioner in this case seeks a reclassification of two very small parcels of land from an R-6 zone and an unzoned parcel (formerly public land) to a B-R zone, and also requests a CCC District be placed on the parcels requested to be reclassified.

The total area involved in the two parcels is .81 acre. The first parcel is a very narrow sliver of land at the easternmost boundary of the petitioner's property, being at its widest point 35 feet, and extending northerly and narrowing to an apex for a distance of 767 feet. This parcel contains .31 acre. In addition, the petitioner requested the reclassification and districting of .5 of an acre of land at the northeast corner of its property. This parcel of land was formerly the bed of Old Frederick Road, and as this parcel was in the bed of the road when the map was adopted for the area in 1960, no zoning was placed on it. In the Fall of 1968, Old Frederick Road was closed by Baltimore County and the property deeded to the petitioner, the Montgomery Ward Realty Corporation. Testimony of the witnesses produced by the petitioner indicates that these two small parcels are part of a large 19.25 acre parcel owned by the petitioner at the southeast corner of Baltimore National Pike and Rolling Road, in the First Election District of Baltimore County.

An engineer testifying for the petitioner stated that the proposed shopping center entrance had been carefully worked out with County and State authorities, and they have received approval of the entrance as shown on Petitioner's Exhibit No. 2. He further stated that the County required the petitioner to improve Cummings Avenue to 36 feet of pavement, and that the off-site improvements requested by Baltimore County and agreed to by the petitioner in working out the site plan for the proposed shopping center could amount to \$45,000 to \$50,000. He further stated that the property would be screened as required by the County along the east and southern side of the shopping center where it abuts R-6 properties.

An expert realtor, testifying on behalf of the petitioner, stated without contradiction that he felt that the County intended to place B-R zoning on the entire Hauswald tract when the map was adopted in 1960. Hauswald was the owner of the property when the map was adopted, and subsequently sold to the petitioner who proposes to construct the large shopping center. He further felt that the R-6 zoning on the sliver on the east boundary of the property is confiscatory in that the land cannot be used for anything.

Montgomery Ward - #69-173-R

He further stated that it would be confiscatory to zone the former bed of Old Frederick Road for any use but Business Roadside, and that the reclassification requested would have no detrimental effect on residential property; nor did he consider this a change that could constitute a "change in the character of the neighborhood" that could be used as a basis for other reclassification requests in the immediate vicinity; that in his opinion the request here is only one for an adjustment of zoning lines to conform with the property lines of the petitioner.

The protestants' main opposition is that they felt that the reclassification here would constitute a "change in the character of the neighborhood" that would lead to other reclassification requests. The Board cannot conceive how this could occur. Several of the protestants conceded that they could conceive of no use for this one-half acre parcel of land other than same use in conjunction with the nineteen acre shopping center now under construction. One of the protestants testified that he had discussed this parcel with the Planning Department, and was advised by the Planning Department that if and when a new map is adopted for the area that these parcels will be placed on the map to conform with the zoning on the balance of the property, and that he had no objection to such zoning, per se, but thought that it should be done comprehensively by the map rather than by individual petition. The Board is of the opinion that the instant case is a very good example of the need for the petition process as everyone virtually concedes that the property is unusable except in conjunction with the shopping center, and we are of the opinion that the petitioner should have this error corrected rather than have to wait for possibly two years to have it corrected.

We find as a fact that the zoning on the sliver of property along the east boundary is erroneous, as it was obviously the intention of the County Council to zone the entire ownership of the property B-R, at the time of the map's adoption. We further agree with the petitioner's real estate witness that the R-6 zoning presently on the property would be confiscatory in that there is no conceivable use for this triangle of land other than in conjunction with the shopping center. We also find that it is confiscatory to zone the one-half acre parcel at the northeast corner of the petitioner's property residential, and that the proper classification is B-R, so that the zoning on this parcel would conform with the zoning on the balance of the petitioner's property. We further find that the reclassification and districting of these two small parcels is in the nature of an adjustment of the zoning lines to conform to the property ownership lines, and cannot in our opinion have any detrimental effect on the residential properties in the area; nor can it constitute in our opinion a "change in the character of the neighborhood" that would justify future requests for reclassification of nearby properties.

Montgomery Ward - #69-173-R

ORDER

For the reasons set forth in the foregoing Opinion, it is this 26th day of June, 1969 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby GRANTED, and

FURTHER, that the CCC District petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

John A. Slonik

ROBERT J. BREHLER et al
Appellants
vs.
WILLIAM S. BALDWIN, Chairman
et al, Constituting the
County Board of Appeals for
Baltimore County

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

AT LAW

Misc. Docket 8, folio
462
File No. 4270

ORDER

For the reasons stated by the Court in its oral opinion delivered following hearing in this matter on December 22, 1969, it is this 22nd day of December, 1969 by the Circuit Court for Baltimore County ADJUDGED and ORDERED that the decision of the County Board of Appeals for Baltimore County be and the same is hereby affirmed.

John E. Raine, Jr.
John A. Raine, Jr., Judge

True Copy Test

ROBERT J. RUEHLER
319 Wayland Road
Baltimore, Md. 21228

and

CLIFTON S. COLEMAN
30 Dunbar Avenue
Baltimore, Md. 21228

and

ROBERT LOHRPINK
301 Wayland Road
Baltimore, Md. 21228

and

FRANCIS N. WINDFELDER
1416 Woodcliff Avenue
Baltimore, Md. 21228

and

FRANKLIN PADGETT
834 Ingleside Avenue
Baltimore, Md. 21228

and

RICHARD M. HENRY
987 Prestwood Road
Baltimore, Md. 21228

Appellants

v.

WILLIAM S. BALDWIN, Chairman
W. GILES PARKER and
JOHN A. SLOWIE, constituting
the County Board of Appeals for
Baltimore County,

Appellees

ORDER OF APPEAL

Dear Mr. Clerk:

Please enter an appeal to the Circuit Court for Baltimore County from
the decision of the County Board of Appeals of Baltimore County dated
June 26, 1968, in the case of Petition for Reclassification from an R-6 zone

IN THE

CIRCUIT COURT

FOR

BALTIMORE COUNTY

Misc. Docket _____

Folio _____

Case No. _____

and Public Land to a B.R. zone, and from Undistricted to a CCC District
S.E. corner Baltimore National Pike and Old Frederick Road, 1st District,
Montgomery Ward Realty Corp., Petitioner, Case No. 88-178-R.

C. Victor McFarland
C. Victor McFarland
922 Frederick Avenue
Baltimore, Md. 21228
Telephone: 744-0431
Attorney for Appellants

I hereby certify that a copy of the foregoing Order of
Appeal was mailed this 28th day of July, 1968, to Frank E. Cicone, Esq.,
attorney for petitioner, R. Bruce Alderman, Esq., County Solicitor, and
Baltimore County Board of Appeals of Baltimore County (2 copies).

C. Victor McFarland
C. Victor McFarland
Attorney for Appellants

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 7, 1969

FROM: George E. Gowell, Director of Planning

SUBJECT: Petition #69-173-R. Reclassification from R-6 and Public Land
to B.R. Zone. Redistricting from Undistricted to C.C.C. District.
Southeast corner of Baltimore National Pike and Old Frederick Road.
Montgomery Ward Realty Corporation, Petitioner.

1st District

HEARING: Wednesday, February 19, 1969 (10:00 A.M.)

In light of changed ownership, we have no adverse recommendation
to make. This petition would create zoning and districting which is
consistent with the remainder of the larger tract.

Received 4:27 2/7/69
JEG

GEG:am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: December 10, 1968

FROM: Captain Charles F. Morris, Jr.,
Fire Department

SUBJECT: Property owner: Montgomery Ward Realty Corp.
Item #134 - Zoning Agenda, Tuesday, December 10, 1968.
Location: S/E Corner Baltimore National Pike and Old Frederick Road
District: 1st

- On site to approved type fire hydrants and water mains shall be
required so as to serve this site, and shall be installed
in accordance with Baltimore County Standards.
- Revised site plans will be required to show location of fire
hydrants and size mains.
- Owner shall be required to meet all Fire Department require-
ments when construction plans are submitted for approval.

cc: Mr. Martin Jay Hanna,
Fire Protection Engineer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: JOHN G. ROSE
Zoning Commissioner Date: December 12, 1968
FROM: PROJECT PLANNING DIVISION
SUBJECT: Zoning Advisory Agenda Item #134

December 10, 1968
Montgomery Ward Realty Corp.
S/E cor. Baltimore National Pike
& Old Frederick Road

The overall plan has been reviewed, prior to this submission, for
subdivision processing and there are no comments regarding the
portion affected by this petition.

AVQ:wh

Albert V. Quimby
ALBERT V. QUIMBY, Chief

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rose
Zoning Commissioner Date: December 10, 1968
FROM: Ellsworth N. Rivers, P.E.
SUBJECT: Zoning Advisory Committee Meeting
Friday, December 13, 1968

Attached are comments for the zoning petitions for the Zoning
Advisory Committee Meeting to be held on Friday, December 13, 1968.

Ellsworth N. Rivers
ELLSWORTH N. RIVERS, P.E.
Chief, Bureau of Engineering

ENCLOSURE
Enclosures

ZONING ADVISORY COMMITTEE MEETING
OF Dec. 10, 1968

Petitioner: MONTGOMERY WARD REALTY CORP.
Location: S/E Cor. BALTIMORE NATL. PIKE & OLD FREDERICK RD.
District: 1st
Present Zoning: R-6 & C-6
Proposed Zoning: R-6 & C-6
No. of Acres: 0.5

Comments:

NOT ENOUGH SEWER TO HAVE AN APPROPRIATE
EFFECT ON THE DENSE POPULATION

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John Rose Date: December 11, 1968
FROM: William N. Greenwalt
SUBJECT: Item 134 - Zoning Advisory Committee Meeting, December 10, 1968

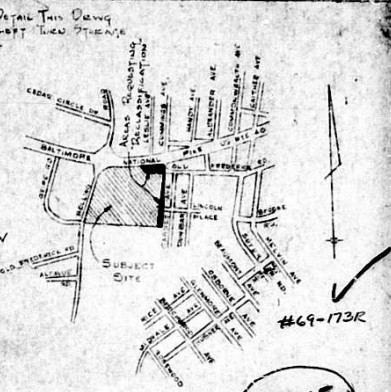
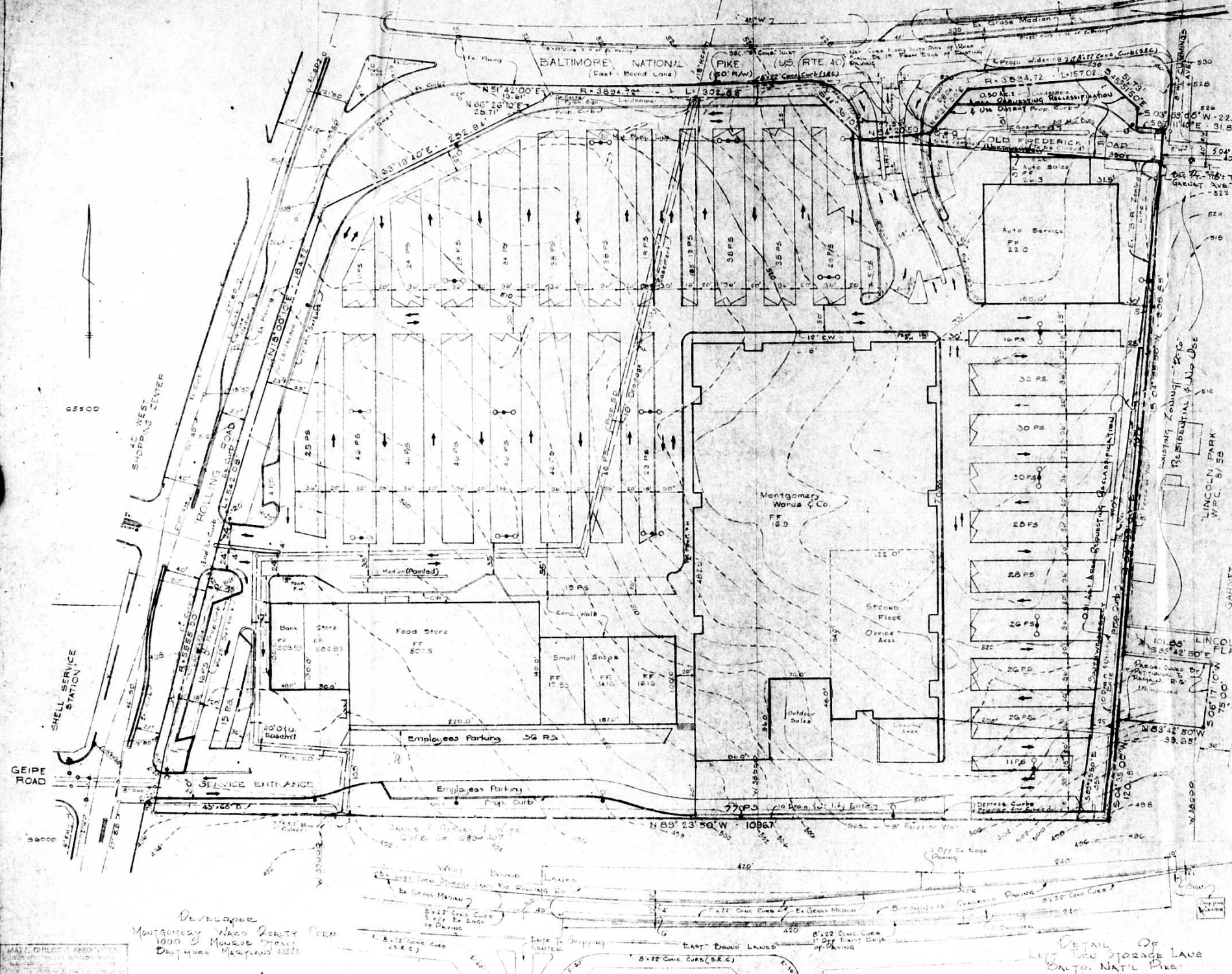
134. Property Owner: Montgomery Ward Realty Corp.
Location: SE/Cor. Baltimore Natl. Pike and
Old Frederick Rd.
District: 1st
Present Zoning: R-6 & C-6
Proposed Zoning: R-6 & C-6
No. Acres: 0.5

Public water and sewers are available to the site.

Air Pollution Comments: The building or buildings on this
site may be subject to registration and compliance with the Maryland
State Health Air Pollution Control Regulations. Additional information
may be obtained from the Division of Air Pollution, Baltimore County
Department of Health.

William N. Greenwalt
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

WNC/ca



OFFICE COPY
 Map #1 Sec 2A
 20 (Dist Map)
 2A (Dist Map)
 SW-20
 SW-20 (Dist Map)
 BR
 CCC
 DIST

- GENERAL NOTES**
1. AREA OF PROPERTY: 19.2474 ACRES
 2. EXISTING 20' x 20' & "PUBLIC LAND"
 3. NET AREA OF PROPERTY: 18.1 ACRES
 4. AREA OF PROPERTY FOR LANDSCAPING (5%)
 5. 0-0-0 TWIN ARM LUMINAIRE POST BASE TYPE A
 6. 0-0-0 SINGLE ARM LUMINAIRE POST BASE TYPE B
 7. ROAD IMPROVEMENTS IN US 40 TO BE CONSTRUCTED AND IN ACCORDANCE TO BR & PERMIT
 8. AREA OF PROPERTY REQUESTING RECLASSIFICATION EQUALS 0.01 ACRES
 9. AREA OF PROPERTY REQUESTING EXTENSION OF USE DISTRICT EQUALS 20 ACRES (USE DISTRICT W-CC)
 10. PROPOSED USE OF TRACT: REGIONAL SHOPPING CENTER

OFF-STREET PARKING REQUIREMENTS (100' x 100' LOT)

USE	FLOOR AREA	REQD. PARKING	PROV. PARKING
BANK	4,000 SQ. FT.	14	14
RETAIL	100,000 SQ. FT.	305	210
OFFICE	23,000 SQ. FT.	46	16
AUTO SERVICE	21,000 SQ. FT.	73	71
TOTAL	230,000 SQ. FT.	1040	1072

PLAN TO ACCOMPANY PETITION FOR RECLASSIFICATION AND EXTENSION OF USE DISTRICT VICINITY
 CUMMINGS AVE. & BALTO. NATL PIKE
 ELECT. DIST. 1
 SCALE 1"=50'

REVISIONS: JAN. 22, 1969



REVISED PLANS