

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 for a Variance from Section 413.2(b) to permit a sign affixed to the roof of the building with a height of 38.35 feet in lieu of the required 16 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

The subject sign was designed to be a structural entity of the building and as such was approved for construction prior to the adoption of the current sign regulations. Said sign has been on the premises for approximately 30 years and the variance has been requested so the sign may remain as it is the only means of identification for the Giant Store other than the sign on the building face.

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

I, or we, agree to pay expenses of above Variance 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.

I/We do 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 Petition.

COMPANY BANKING AGENT

Giant Food Inc.
(Type or Print Name)
Signature
P.O. Box 1804
Address

Washington, D.C. 20013
City and State

Attorney for Petitioner

John P. McDonough
(Type or Print Name)
Signature
99 Commerce Place
Address

Upper Marlboro, MD 20772
City and State

Attorney's Telephone No.: 301-350-1300

Legal Owner(s):

Honolulu Rapid Transit Co.
(Type or Print Name)
Signature
Mc. Vineyard, Vice President
(Type or Print Name)

5519 Baltimore National Pike
Address
Baltimore, Maryland 21228
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Robert M. Varrath
Name
P.O. Box 1804 (301) 386-0576
Address
Washington, D.C. 20013
City and State

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of December, 1986, 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 27th day of January, 1987, at 9:30 o'clock A.M.

(over)

Zoning Commissioner of Baltimore County.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 20th day of March, 1987, that a variance to permit a sign affixed to the roof of the building with a height of 38.35', in accordance with Petitioner's Exhibits 1 and 5, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restriction:

The existing "Giant Food" sign may remain and be maintained and repaired as needed. However, if Giant Food, Inc. vacates the premises, any replacement sign shall comply with the BCZR in effect at that time.

Deputy Zoning Commissioner of Baltimore County

IN RE: PETITION FOR ZONING VARIANCE
153' N of Route 40
(Baltimore National Pike),
640' E of Ingleside Avenue
(5518 Baltimore National Pike)
1st Election District
Honolulu Rapid Transit Co.
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-315-A

The Petitioner herein requests a zoning variance to permit a sign affixed to the roof of the building with a height of 38.35 feet in lieu of the required 16 feet, as more particularly described on the plan submitted, prepared by Kidde Consultants, Inc., dated October 16, 1986 and identified as Petitioner's Exhibit 5.

Testimony and information proffered by Counsel for the Petitioner indicated that Giant Food, Inc. opened the store at the above-referenced location on November 16, 1955. According to existing documents and knowledge of the usual procedure and time schedules for new Giant stores, it appears that building and sign permits were issued in March or April 1955. The posts for the existing sign, which the instant Petition seeks to legalize, pass from the sign, through the roof and become the framing of the vestibule. The sign itself, as seen in the photograph identified as Petitioner's Exhibit 1, has remained the same through the years. There is a high-rise apartment building on one side of the property and a gas station on the other. The signs adjacent to Route 40 identify only a restaurant and the name of the shopping center.

There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 20, 1987

John P. McDonough, Esquire
99 Commerce Place
Upper Marlboro, Maryland 20772

RE: Petition for Zoning Variance
153' N of Route 40
(Baltimore National Pike),
640' E of Ingleside Avenue
(5518 Baltimore National Pike)
1st Election District
Case No. 87-315-A
Honolulu Rapid Transit Co.

Dear Mr. McDonough:

Enclosed please find a copy of the decision rendered in the above-referenced case. Your Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached Order.

If you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjs

Enclosure

cc: People's Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 21, 1987

John P. McDonough, Esquire
99 Commerce Place
Upper Marlboro, Maryland 20772

RE: PETITION FOR ZONING VARIANCE
153' N of Rt. 40 (Balto. Nat'l Pike), 640' E of
Ingleside Ave. (5518 Baltimore National Pike)
1st Election District
Honolulu Rapid Transit Co. - Petitioner
Case No. 87-315-A

Dear Mr. McDonough:

This is to advise you that \$67.85 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THIS ORDER SHALL NOT BE ISSUED.

Do NOT remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Baltimore County, Maryland.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 33058

DATE 3/19/87 ACCOUNT E-01-615-009

SIGN & POST FEE
RETURNED

AMOUNT \$ 77.85

John P. McDonough, Esq., O'Halley, Miles,
McCarthy & Harrell, 99 Commerce Place,
Upper Marlboro, MD 20772

ADVERTISING & POSTING 20515 RE CASE #87-315-A

FOR: B 6465 *****7785- 33058

VALIDATION OR SIGNATURE OF CARRIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
153' N of Rt. 40 (Baltimore : OF BALTIMORE COUNTY
National Pike), 640' E of
Ingleside Ave. (5518 Baltimore
National Pike), 1st District :
HONOLULU RAPID TRANSIT CO., : Case No. 87-315-A
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole-Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of January, 1987, a copy of the foregoing Entry of Appearance was mailed to John P. McDonough, Esquire, 99 Commerce Place, Upper Marlboro, MD 20772, Attorney for Petitioner; and Giant Food, Inc., P.O. Box 1804, Washington, D.C. 20013, Agent.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE

1st Election District
Case No. 87-315-A

LOCATION: 153 feet North of Route 40 (Baltimore National Pike), 640 feet East of Ingleside Avenue (5518 Baltimore National Pike)

DATE AND TIME: Tuesday, January 27, 1987, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a sign affixed to the roof of the building with a height of 38.35 feet in lieu of the required 16 feet

Being the property of Honolulu Rapid Transit Co., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

1020 Cromwell Bridge Road
Baltimore, Maryland 21204
(301) 321-5500

Direct Dial Number

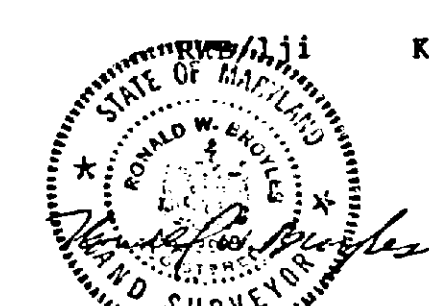
DESCRIPTION
1.4122 ACRE PARCEL 153 FEET NORTH OF ROUTE 40
640 FEET EAST OF INGLESIDE AVENUE
BALTIMORE COUNTY, MARYLAND

THIS DESCRIPTION IS FOR SIGN VARIANCE

BEGINNING AT A POINT on the first of the land conveyed to Honolulu Rapid Transit Co. LTD as recorded among the land records of Baltimore County in Liber 5050 page 24, said beginning point being located North 00 degrees 58 minutes 40 seconds East 152.85 feet from the beginning of said line on the northwest side of Baltimore National Pike - U.S. Route 40, said point on U.S. Route 40 being distant 988 feet more or less, as measured North 72 degrees 18 minutes 10 seconds East along the Northwest side of said Route 40, from its intersection with the centerline of Ingleside Avenue, running thence two courses (1) South 87 degrees 28 minutes 40 seconds West 287.00 feet and (2) North 02 degrees 31 minutes 20 seconds West 216.70 feet to a point on the second line of said land, thence binding on a part of the second and first lines thereof two courses (3) South 89 degrees 49 minutes 50 seconds East 299.72 feet and (4) South 00 degrees 58 minutes 40 seconds West 203.00 feet to the place of beginning. 5518 Baltimore National Pike in the 1st election district. CONTAINING 1.4122 acres of land

KCI Job No. 91-85157

October 21, 1986



CONSULTING ENGINEERS

OFFICE COPY

R. du Bois

1-301)-464-3912
P.O. County

B. du Ber...

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025684

DATE 11/12/66 ACCOUNT R-01-615-000

AMOUNT \$ 100.00

RECEIVED FROM Bumble McHugh

CHECK # 330 ITEM 192

FOR ZONE VARIANCE

B 13E *****122561A 2135F

VALIDATION OR SIGNATURE OF CASHIER

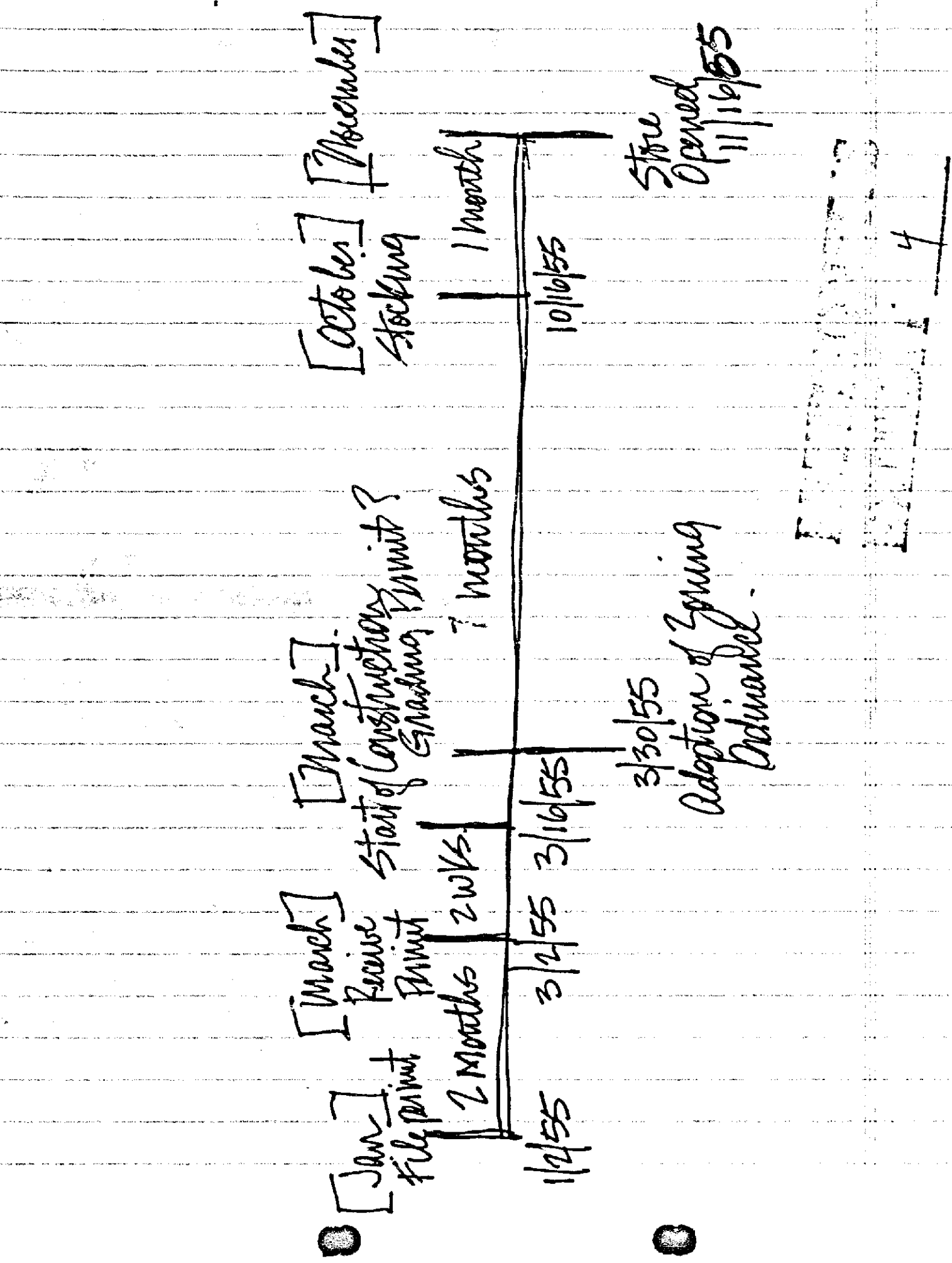
CERTIFICATE OF PUBLICATION OF

My telephone number is 333-1350
 Teletypewriter for Impaired Hearing or Speech
 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
 P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

NEG:JGH:sjb

JAN 22 1987
ZONING OFFICE

CPS-00



H. A. SCHULTZ AND COMPANY
Certified Public Accountants
COMMENCE BUILDING
HARRISBURG, PA.

August 17, 1956

IngleSide Shopping Center, Inc.
4441 Equitable Building
Baltimore 2, Maryland

Gentlemen:

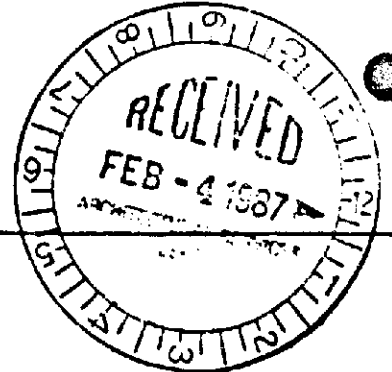
In accordance with the terms of the lease between IngleSide Shopping Center, Inc. and Barsam, Inc. (Giant Food Shopping Center, Inc.), this is to certify that the sales of the Giant Store #36 located at 5632 Baltimore National Pike, Baltimore, Maryland, for the period November 16, 1955 (date of opening) to April 28, 1956 (fiscal year), amounted to \$

Very truly yours,
H. A. SCHULTZ AND COMPANY
BY David Sorin

DS:Z
cc: Mr. E. Cohen
Mr. G. Ferson

COPY

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.



1020 Cromwell Bridge Road
Baltimore, Maryland 21204
(301) 321-5500
Dial Direct Number
321-5557

Date: 2/2/87

To: Giant Construction Company
Landover, Maryland

Re: Giant Sto, No. 36
Route 40 and Ingleside Avenue
KCI Job Order No. 01-85157

Attention: Mr. Robert Unrath
Gentlemen:

☐ We are submitting
☒ We are forwarding
☐ We are returning
☐ We request

☒ Herewith
☐ Under separate cover

No.	Description
1	Copy of Public Works Agreement for the Ingleside Shopping Center dated March 1955

Remarks:

☐ In accordance with your request
☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted
☐ For revision by you

☒ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Conference requested at your convenience

For further information, please contact the writer at this office.

Very truly yours,

KIDDE CONSULTANTS, INC.

Richard L. Smith
Richard L. Smith
Senior Associate

cc: Files
Enclosure

aeb ENGINEERS • PLANNERS • SURVEYORS

15503
Application No. DPW 15503

Director Of Public Works Copy

STREET AND UTILITY CONSTRUCTION
IN DEVELOPMENTS WITHIN BALTIMORE COUNTY

Application For County Assistance:

1. I/We, the owner/owners, herinafter referred to as the Developer, of a tract of land in Baltimore County situated on Ingleside Avenue and Baltimore National Pike, No. 153, to the 1st Election District respectfully request the County Commissioners of Baltimore County to undertake and complete the installation of water mains and service, sanitary sewers and house connections and storm drainage facilities and the construction of roads or streets within the

Development known as Ingleside Shopping Center.
2. Type of Proposed Development: (Check)
() Cottage () Semi-Detached () Group () Garden Apartment (X) Shopping Center.
3. List Name of Roads or Streets:

(1) Ingleside Avenue
From Baltimore National Pike to a point approximately 700' North of Baltimore National Pike
Length: _____
(2) _____
From _____ To _____
Length: _____
(3) _____
From _____ To _____
Length: _____
(4) _____
From _____ To _____
Length: _____
(5) _____
From _____ To _____
Length: _____

Seven Copies To Be Prepared And Forwarded To the Director of Public Works of Baltimore County, Court House, Towson 4, Maryland

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERDER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

January 19, 1987

Re: Zoning Advisory Meeting of November 25, 1986
Item # 192
Property Owner: HONOLULU RAPID TRANSIT CO.
Location: 153' N. OF ROUTE 40, 640' E. OF INGLESIDE AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is _____.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments: _____

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
STEPHEN E. COLLINS
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

January 7, 1987

Item No. 192 -ZAC-
Property Owner: Honolulu Rapid Transit Company
Location: 153 feet N of Route 40, 640 feet E of Ingleside Avenue
Existing Zoning: B.L. - CT
Proposed Zoning: Variance to permit a sign affixed to the roof of the building with a height of 38.35 feet in lieu of the required 16 feet 1.4122 acres
Area: 1st Election District

Dear Mr. Jablon:

The first entrance on the east side of Ingleside Avenue north of Route 40 should be closed or brought up to county standards.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500
PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

November 24, 1986

RE: Property Owner: Honolulu Rapid Transit Company

Location: 153' N. of Rt. 40, 640' E. of Ingleside Ave.

Item No.: 192

Zoning Agenda: Meeting of 11/25/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: John F. O'Neill Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

December 3, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 192 Zoning Advisory Committee Meeting are as follows:
Property Owner: Honolulu Rapid Transit Company
Location: 153 Feet N of Route 40, 640 Feet E of Ingleside Avenue
District: 1st.

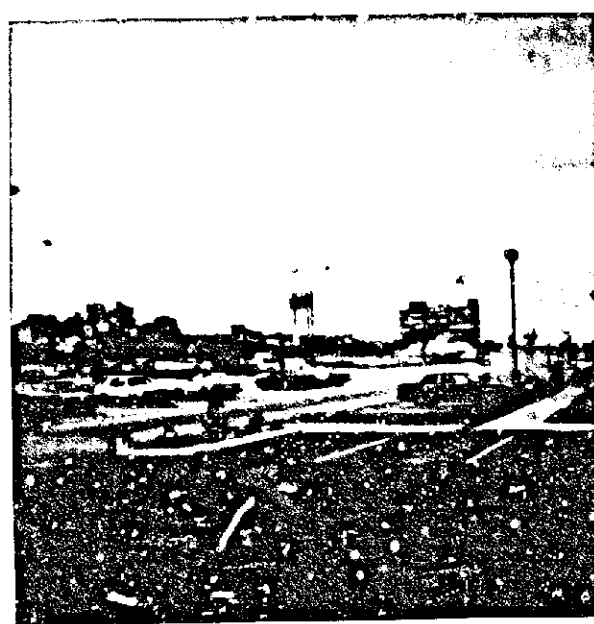
APPLICABLE ITEMS ARE CIRCLED:

- A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #11-1 - 1980) and other applicable Codes and Standards.
- B. A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except 2-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. 2-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The Change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____ See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- J. Comments: Sign shall comply with Article 19 as amended by Council Bill #17-85.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Burman
Mark E. Burman, Chief
Building Plans Review

L/22/86



CERTIFICATE OF PUBLICATION

TOWSON, MD., JANUARY 8, 1957

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 8, 1957.

THE JEFFERSONIAN,

Susan S. S. S. S.

Publisher

Cost of Advertising

27.50

PETITION FOR ZONING VARIANCE
1st Election District
Case No. 87-315-A
LOCATION: 153 Feet North of Route 40 (Baltimore National Plaza), 400 Feet East of Lehigh Avenue (5518 Baltimore National Plaza)
DATE AND TIME: Tuesday, January 22, 1957, at 9:30 a.m.
PUBLIC HEARING: From 1006 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Zoning Variance to permit a sign attached to the roof of the building with a height of 35 feet in lieu of the required 15 feet. Being the property of Honolulu Rapid Transit Co., as shown on plan filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of:
ARNOLD FARLON
Zoning Commissioner of Baltimore County
1064 Jan. 8

87-315-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this day of December, 1956.

ARNOLD FARLON
Zoning Commissioner

Petitioner: Honolulu Rapid Transit Co.
Petitioner's Attorney: John P. McDonough, Esquire.
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

87-315-A

District: 1st
Date of Posting: February 21, 1957
Posted for: Variance
Petitioner: Honolulu Rapid Transit Co.
Location of property: 153 N. of Rte. 40 (Baltimore National Plaza) 400 E. of Lehigh Ave. (5518 Baltimore National Plaza)
Location of Signs: 7/2 of Rte. 40 in front of subject property
Remarks:
Posted by: S. J. Davis
Signature
Number of Signs: 4
Date of return: February 27, 1957

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

87-315-A

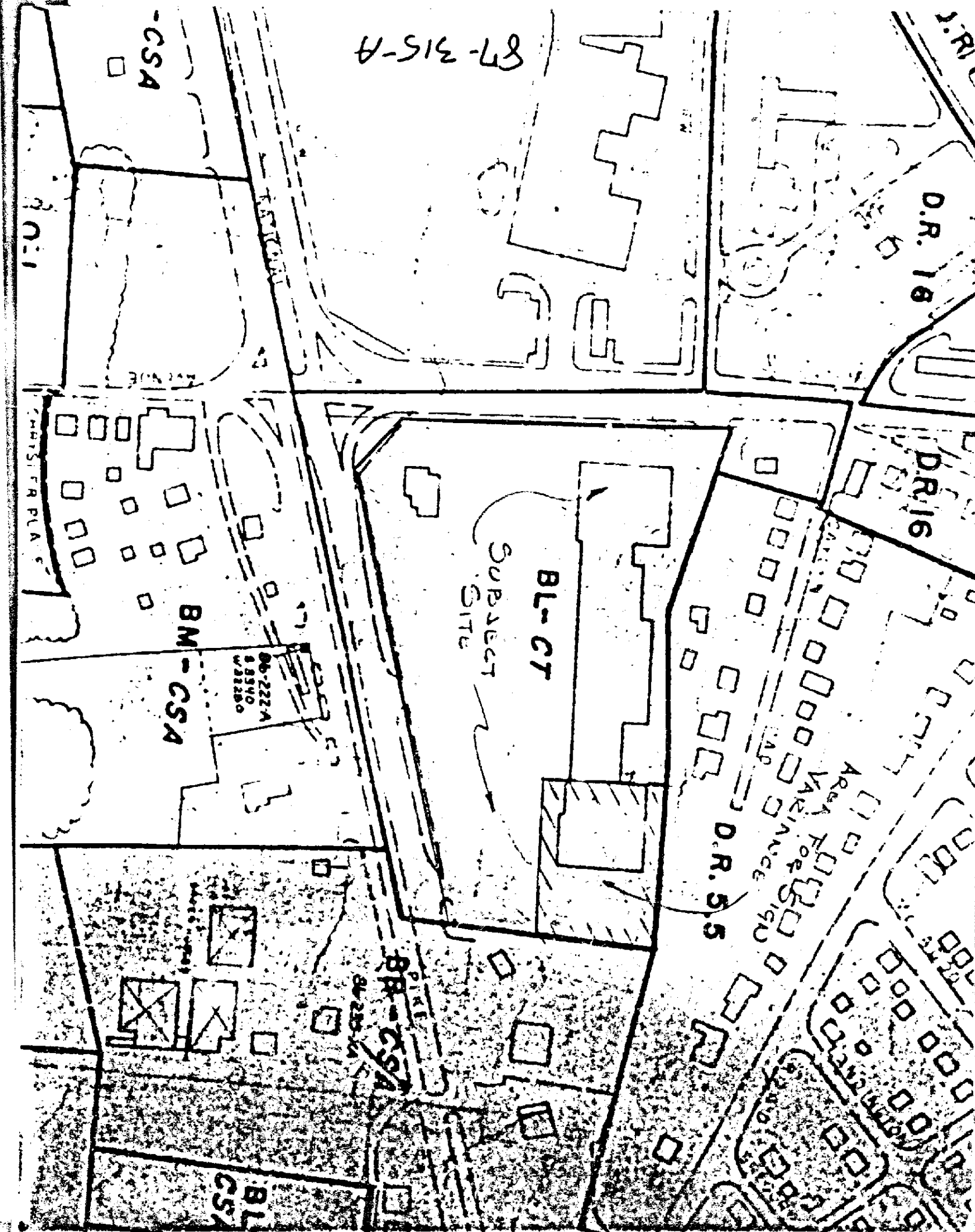
District: 1st
Date of Posting: 1-5-57
Posted for: Variance
Petitioner: Honolulu Rapid Transit Co.
Location of property: 153 N. of Rte. 40 (Baltimore National Plaza) 400 E. of Lehigh Ave. (5518 Baltimore National Plaza)
Location of Signs: 7/2 of Rte. 40 in front of subject property
Remarks:
Posted by: S. J. Davis
Signature
Number of Signs: 4
Date of return: Jan 6-57

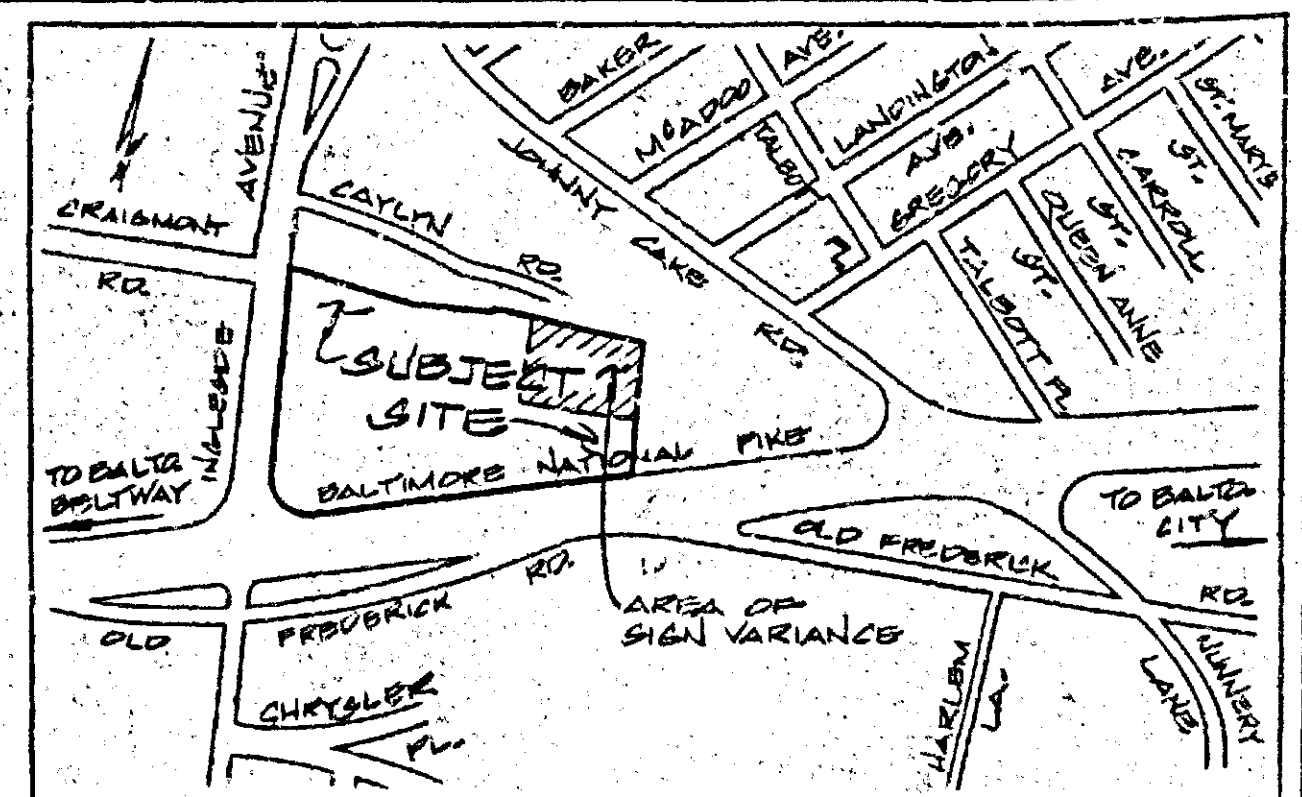
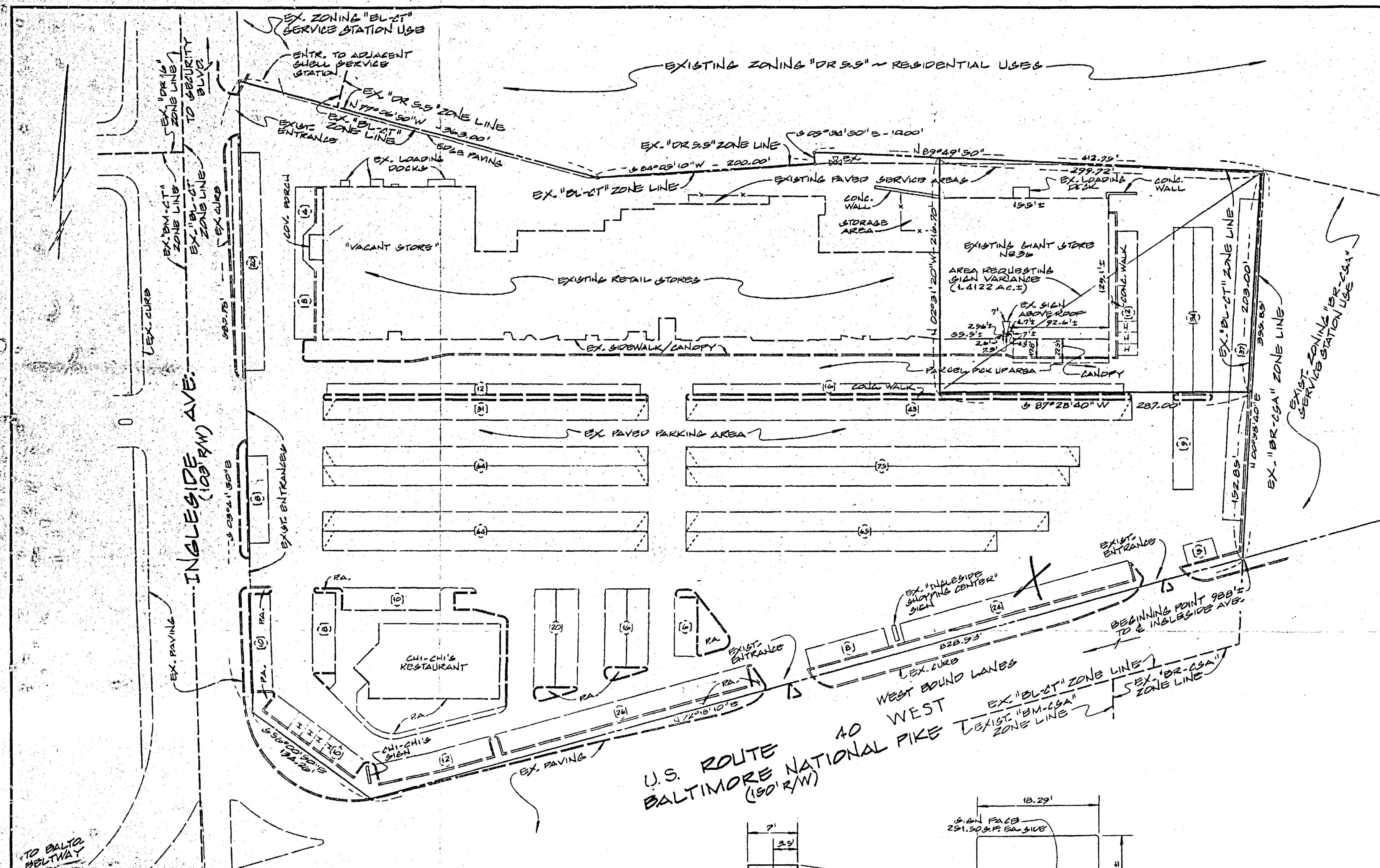
- The Developer agrees to complete the grading of the roads or streets to the established subgrade for the Full Width of the Right of Way prior to the cutting of the contractor by the County to proceed with the improvements; this grading to include show easements and to be done at the Developer's entire cost and expense. The Developer also agrees to grade all alleys and rights of way in which any utilities are to be located to final grade and in the event that this grading includes the placing of fill, the fill shall be free of all trash and shall be thoroughly compacted. The Right of Way for the utilities shall be cleared of trees, brush and debris; and this grading must be approved by the Department of Public Works before any contract is awarded.
- The Developer further agrees to construct such subgrade reinforcement or drainage structures that may be necessary due to soft spots or areas which develop during or after the construction of utilities and which require subgrade reinforcement or drainage structure before street paving can be accomplished.
- In the event that the Developer fails to carry out such subgrade reinforcement or drainage construction after proper notice by the Director of Public Works, the Director of Public Works is herewith authorized to order such work done by the Road Contractor as a part of the street construction with payment being made by the Developer on completion of the improvements.
- The Developer further agrees to construct sidewalks on all streets where curbs and gutters are required, and alleys where they are required in accordance with approved plans and specifications. This work shall be done at the Developer's entire expense under County inspection.
- The Developer further agrees to cut back the ground and/or trees in conjunction with grading of the right of way to the extent deemed necessary by the Director of Public Works to provide adequate sight distance at intersections of streets at which a traffic hazard may be indicated because of limited visibility.
- No work on road contracts will be permitted between December 15th and March 15th unless the Developers accept full responsibility for the work. In the event that the Developer wishes to proceed with paving during this period, the Developer agrees to deposit with the County Commissioners an amount deemed sufficient by the Department of Public Works to cover any damages due to weather.
- Where retaining walls are required by the Department of Public Works along streets, alleys or rights of way, plans and specifications for construction and grading must be approved by the Department of Public Works. No cinder block or concrete block retaining walls will be permitted.
- The Developer further agrees to grade the land in such a way that it will prevent the pocketing of storm water and will prevent storm water from concentrating on or causing a nuisance to other properties. Building elevations will be set with proper regard for Drainage, Sewer and Street grade requirements.
- If springs exist where ground water reaches the surface of the ground in this subdivision, the Developer agrees to direct the water from such springs through approved piping to the storm drainage system at the Developer's entire cost.
- If the required pipe size exceeds 48 inches in diameter, the Developer agrees to bear the difference in cost between a 48 inch reinforced concrete culvert pipe in place and the required pipe or box culvert in place. If a storm waterway exists through the Developer's property requiring a 24 inch diameter pipe or larger to enclose it, the County reserves the right at the County's discretion to require the waterway to remain as an open stream, and the Developer agrees to deed flood control strips to the County Commissioners of such width that the waterway may remain as an open stream. The Developer agrees to construct flood control strips, without charge, up to 10% of the gross area of the open stream. The Developer agrees to construct flood control area should exceed 10% of the gross area, the County Commissioners agree to purchase the property in excess of the 10%.
- For further details of Storm Drain Policy refer to the bulletin issued by the Director of Public Works.
- In the event that bridges, culverts or streets cross pipes (over 48" in diameter) are required, the Developer agrees to contribute one-half of the cost of the pipe, bridge or culvert. Street crossing pipes under 48" in diameter will be contributed as a part of the street paving system. If the bridge width required by the County is greater than that needed to serve the development as determined by County Policy, the Developer will be responsible for the approaches to the bridge are considered graph refers to bridges or culverts, as well as the placing of fill and paving over the bridge or culvert.
- The Developer shall assume the full cost of street paving, curbs and gutters in this development for the standard pavement width for this type of development. The County will assume the cost of any additional pavement width required by the Department of Public Works which is deemed necessary for facilitating traffic movement.
- Where roads or streets abut flood control strips or other areas set aside by the Developer without charge to the County for recreation and park purposes, the Developer shall pay for curbs and gutters on his side of the street only and for a pavement width of 24 feet from the face of the curb. Curbs and gutters on the opposite side of the street and any extra width of street pavement shall be paid for by the County.
- The Developer further agrees to be responsible for the protection of meter vaults and piping and to keep the vaults at the grade set by the Department of Public Works. The Developer will reset them at the proper grade. If any holes, inlets, etc. are knocked out of place, the Developer will pay for replacing same.
- Sanitary sewer house connections and water services will be installed by the Utility Contractor. Sanitary sewer house connections will be installed to the property line. Where the sidewalk is adjacent to the property line, water meters will be placed between the curb and sidewalk. Where the sidewalk is adjacent to the curb, the water meter will be placed between the property line and the sidewalk.
- If for any reason revisions to the work are requested after bids are received or construction started, such revisions to plans will be made by the Developer's Engineer; and if the contractor is required to suspend operations due to these revisions, the Developer will be financially responsible for time lost by the contractor.

- After bids for the utilities have been received and accepted as satisfactory by the County Commissioners and the undersigned, the Developer will deposit with the County Commissioners, in cash, or certified check, an amount equal to the aggregate cost of the proposed work plus overhead charges.
- The amount of this deposit will be based on the following formula:
(A) Estimated principal deficit for water main extensions (if any).
(B) Estimated principal deficit for sanitary sewers (if any).
(C) Cost of water services.
(D) Cost of sanitary sewer house connections.
(E) Estimated cost of curbs and gutters and street paving. This estimate shall include a cushion item of 10%.
(F) Estimated cost of Storm Drains, if required of the Developer, as determined by the above paragraph.
- It is understood that the cost of design and preparation of construction drawings (including storm drainage), title examinations, easement plans and deeds, will be borne by the Developer and that we can expedite the project by having these drawings prepared by our Engineer and presented to the Department for criticism, revision and final approval. When preparing estimates, advertising and award of contracts, determining and processing assessments, and field inspection and supervision.
- The Developer agrees to convey all easements for utilities and to submit a fee simple deed for storm drain flood control strips, the beds of the streets and widening strips for street rights of way following recording of the plat.
- If the actual financial deficits on water main and sanitary sewer extensions and the actual cost of street paving, all as determined by final costs, should exceed the deposits, the Developer agrees to pay such additional costs on receipt of a Bill from the County Commissioners, and if final costs are less than the deposits, adjustments will be made by the County to the Developer.
- Building Permits will not be released until this agreement has been completed.
- Date: March 15, 1955
Signed: Frederick B. Williams, President
Witness: Charles R. Scribner, Inc.
441 Equitable Building
Baltimore 2, Maryland
Received by the Chief Engineer: 3/18/55
Surveys made and plans prepared by: Charles R. Scribner, Co., Inc.
Preliminary plat approved (Comments by Director of Public Works): February 23, 1955

Remarks: Developer to bear cost of crossing under U.S. #40, also for extension and over existing beyond the Williams, Haquardt & Assoc. report, to permit adequate storm drain outlet.

29. ESTIMATED COST OF CONSTRUCTION				
(Based on preliminary plans and subject to change when final plans are approved and bids are received thereon)				
		Estimated Cost	Required Deposit	
A. Sanitary Sewer Mains	220 L.F.	2,700	Self-supporting (Deficit)	
B. Sanitary Sewer House Connections	1 Each	200	200	
C. Water Mains	18 L.F.	Existing	(Deficit)	
D. Water Services	18 Each	1,800	1,800	
E. Total Metropolitan District Cost		4,700		
F. Storm Drain Pipes	1400 L.F.	13,100		
G. Storm Drain Inlets	Each			
H. Developer's Storm Drain Cost			10,400	*See Remarks
I. Total Storm Drain Cost				
J. Concrete Curb and Gutter	520 L.F.	1,200		
K. Macadam Pavement	125 S.Y.	300		
L. Concrete Paving	855 S.Y.	3,400		
M. Contingencies	10 %	420		
N. Engineering and Inspection	5 %	215		
O. Total Paving Cost		5,635	5,635	
P. Grand Total		28,435	18,035	
Quantity Estimate Prepared By: C. R. Scribner				
Costs By: E. Davis 3/13/55				
10. Recommended for Approval and Authority to Advertise for Bids				
By: John B. Dwyer, Director of Public Works 3/22/55				
Approved: Robert B. Hamill, County Commissioners of Baltimore County				
By: Robert B. Hamill, County Solicitor				
County Funds Encumbered:				
Metropolitan District	4,700	Approved as to Form & Legal Sufficiency:		
Capital Improvement	1,700	Edward Paul Swiss		
Other		County Solicitor		





LOCATION PLAN
SCALE: 1" = 500'

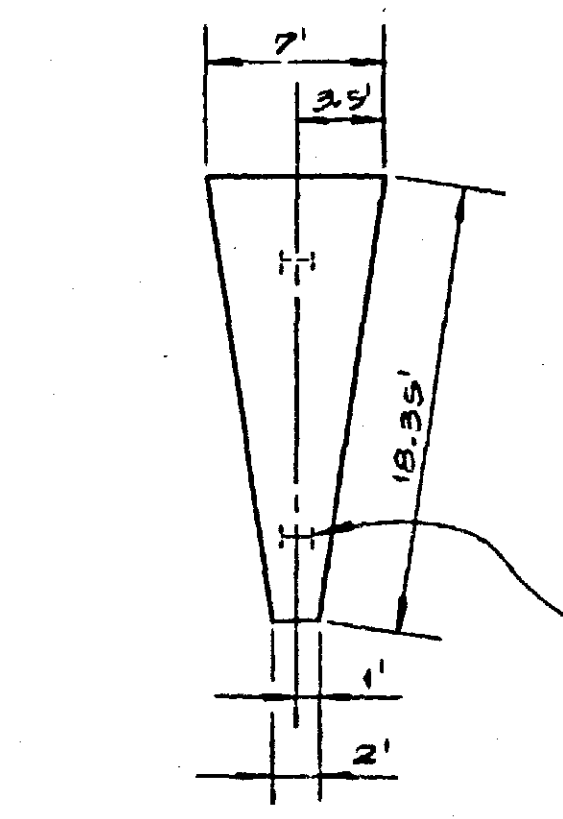
GENERAL NOTES

1. AREA OF SHOPPING CENTER EQUALS 10.41 ACRES.
2. EXISTING ZONING OF SITE IS "BL-CT".
3. EXIST USE OF SITE "NEIGHBORHOOD SHOPPING CENTER".
4. AREA OF SITE REQUESTING A SIGN VARIANCE EQUALS 1.4122 ACRES.
5. SITE IS LOCATED IN THE "DEAD RUN" DRAINAGE AREA.
6. PETITIONER IS REQUESTING A VARIANCE TO SECTION 413.2(b) OF THE BCZ TO ALLOW AN EXISTING SIGN TO EXTEND ABOVE THE EXISTING ROOF LINE A DISTANCE OF 38.5 FEET, MORE OR LESS, INSTEAD OF THE ALLOWED 16' (A VARIANCE OF 22.5').

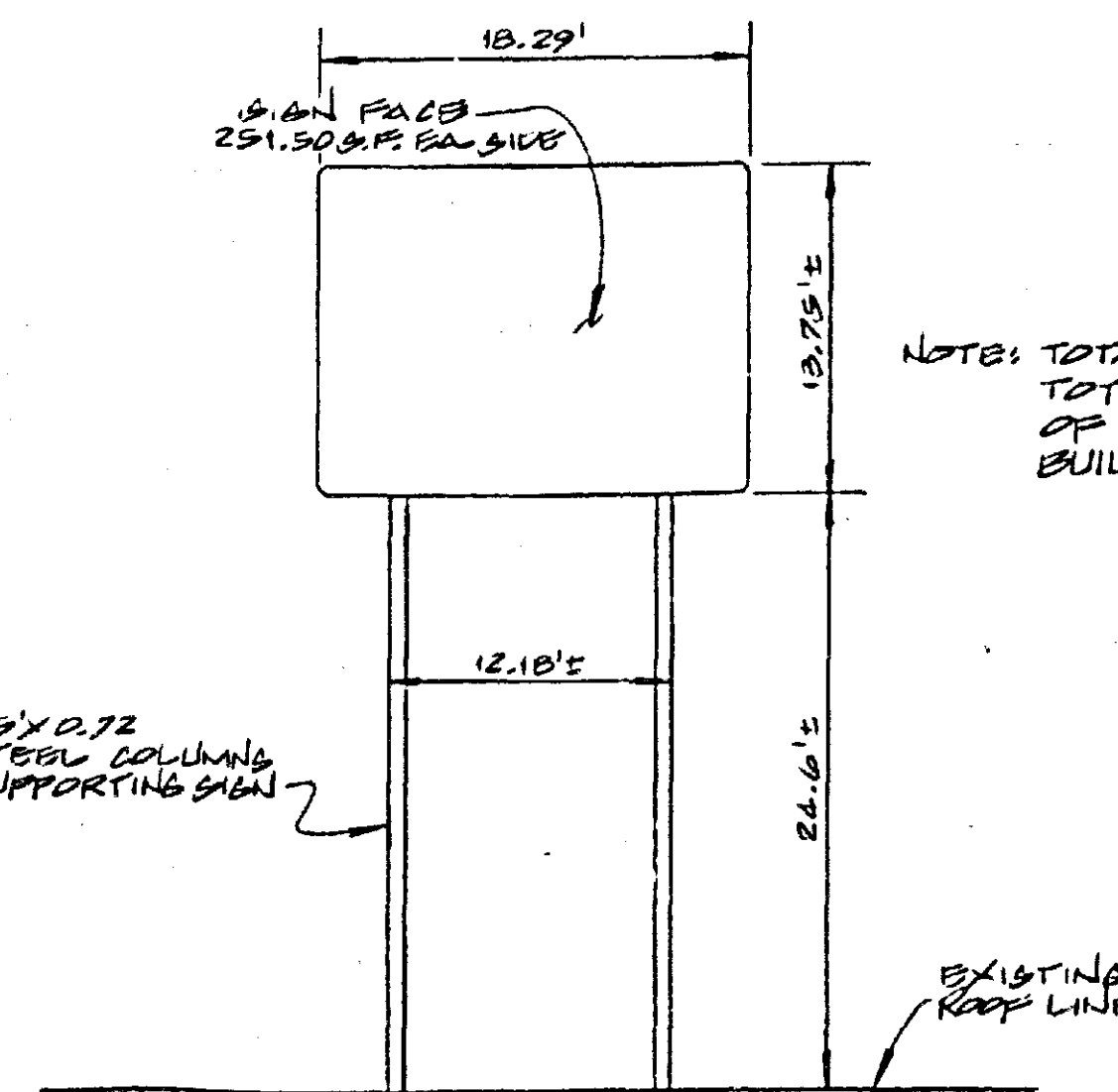
PARKING SPACES FOR GIANT STORE

1. TOTAL FLOOR AREA = 20,000 S.F. ±
2. REQUIRED PARKING = 100 SPACES
3. EXISTING PARKING ON SITE = 653 SPACES

U.S. ROUTE 40 WEST
BALTIMORE NATIONAL PIKE
(150' R/W)



PLAN VIEW EXISTING SIGN
SCALE: 1/8" = 1'-0"



ELEVATION OF EXISTING SIGN
SCALE: 1/8" = 1'-0"

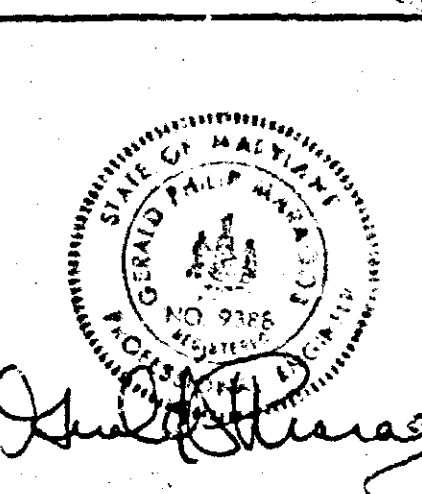
NOTE: TOTAL SIGN AREA EXISTING EQUALS 503 SQFT. ±
TOTAL SIGN AREA ALLOWED BY SECTION 413.2(b) OF THE BCZ IS 620 SQFT. ± (4 TIMES THE BUILDING LENGTH OF 155') ±

REASON FOR VARIANCE REQUEST

THE SUBJECT SIGN WAS DESIGNED TO BE A STRUCTURAL ENTITY OF THE BUILDING AND AS SUCH WAS APPROVED FOR CONSTRUCTION PRIOR TO THE ADOPTION OF THE CURRENT SIGN REGULATIONS. SAID SIGN HAS BEEN ON THE PREMISES FOR APPROXIMATELY 30 YEARS AND THE VARIANCE HAS BEEN REQUESTED SO THE SIGN MAY REMAIN AS IT IS THE ONLY MEANS OF IDENTIFICATION FOR THE GIANT STORE OTHER THAN THE SIGN ON THE BUILDING FACE.

PETITIONER'S
LEAD 5

1 Sign
87-315-A
192



Drafting R.T.S.	DATE	REVISIONS
Check R.L.A.		
Design		
Check		

KIDDE CONSULTANTS, INC.
ENGINEERS • SURVEYORS • PLANNERS
1020 CROMWELL BRIDGE ROAD, BALTIMORE, MARYLAND 21204, 301-321-5500

ELECTION DISTRICT 1
COUNCILMANS DISTRICT 1
CENSUS TRACT 4013.01

PLAT TO ACCOMPANY PETITION
FOR SIGN VARIANCE
GIANT STORE NO. 36
INGLESIDE AVENUE & BALTIMORE NATIONAL PIKE

SHEET	DATE	JOB NUMBER
1 OF 1	06/16/2006	1-B5157
	SCALE 1" = 50'	