

IN RE: PETITION FOR VARIANCE
S/S Reisterstown Road, 190' SE
and across from Olive Lane
(9900 Reisterstown Road)
3rd Election District
2nd Councilmanic District

St. Thomas Joint Venture
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-436-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as the St. Thomas Shopping Center, located at 9900 Reisterstown Road in Owings Mills. The Petition was filed by the owners of the property, the St. Thomas Joint Venture, LLC, by Herbert M. Bank, through their attorney, Richard B. Talkin, Esquire. The Petitioner seeks relief from Section 413.2.F of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dual faced sign of 200 sq.ft. total (100 sq.ft. per face) in lieu of the maximum permitted 100 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Herbert M. Bank, representing the St. Thomas Joint Venture, L.L.C., a general partner, Melanie Moser, with Daft-McCune-Walker, Inc., the engineering firm which prepared the site plan for this property, and Richard B. Talkin, Esquire, attorney for the Petitioner. Also appearing in support of the request were numerous representatives of the tenant businesses occupying the site, including C. Victor Brick, Gail Randal, Gary Rosenbaum, Harry Sommer, and John McKinney. There were no Protestants or other interested parties present.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

The uncontradicted testimony and evidence presented by way of proffer disclosed that the subject property consists of 12.5774 acres, more or less, zoned B.L., and is the site of the St. Thomas Shopping Center. A primary tenant within the center is the Giant food store and there are a variety of other business/commercial uses on the property. This Zoning Commissioner is familiar with the site, having approved a health club use on the property several years ago.

Additional testimony and evidence offered was that currently, there is only one freestanding sign to identify the businesses on the property. As shown in a series of photographs submitted at the hearing, the single sign advertises the Giant food store. The Petitioners seek approval to construct an additional freestanding sign which will advertise the other businesses on the property. The sign will be a double-faced sign of 100 sq.ft. per face, or 200 sq.ft. total.

In support of the variance, Mr. Talkin noted that the subject site is unique in terms of its topography and orientation to Reisterstown Road. The grade of the property slopes downward from Reisterstown Road, thereby making the businesses difficult to see from passing motor vehicles. Moreover, landscaping on the front portion of the site abutting Reisterstown Road further screens the uses. For these reasons, the Petitioner believes that construction of the sign is appropriate. Moreover it is noted that other similar uses along this stretch of Reisterstown Road contain signage similar to that being requested by the Petitioner.

Based upon the testimony and evidence provided, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. It is of particular note that despite the property's large area (12.5774 acres), only two freestanding signs will exist on the site. In my judgment, the

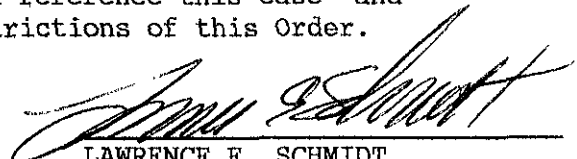
ORDER RECEIVED FOR FILING
Date 6/2/96
By [Signature]

signage which is proposed does not overwhelm or unduly crowd the property or cause confusion to passing motorists. Moreover, the uniqueness of the site is found in its unusual slope and topography. These conditions justify the granting of the variance and a departure from the strict adherence to the zoning regulations.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of June, 1996 that the Petition for Variance seeking relief from Section 413.2.F of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dual faced sign of 200 sq.ft. total (100 sq.ft. per face) in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Pursuant to the Zoning Plans Advisory Committee (ZAC) comments submitted by the Development Plans Review Division of the Department of Permits and Development Management (DPDM) dated May 20, 1996, the proposed sign must not disturb the existing street trees along Reisterstown Road.
- 3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 21, 1996

Richard B. Talkin, Esquire
9175 Guilford Road, Suite 301
Columbia, Maryland 21046

RE: PETITION FOR VARIANCE
S/S Reisterstown Road, 190' SE and across from Olive Lane
(9900 Reisterstown Road)
3rd Election District - 2nd Councilmanic District
St. Thomas Joint Venture - Petitioners
Case No. 96-436-A

Dear Mr. Talkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Herbert M. Bank, St. Thomas Joint Venture, LLC
106 Old Court Road, Suite 202, Pikesville, Md. 21208

Ms. Melanie Moser, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286

People's Counsel
File

ENCLOSURE





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at St. Thomas Shopping Center, Owings Mills, MD

which is presently zoned BL

96-436-A
This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 413.2.F

To allow a dual faced sign of 200 sq. ft. (100 sq. ft. per face) in lieu of the maximum permitted 100 sq. ft.
413.2.F.

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

So as to allow building signs of 100 square feet on both sides of a sign structure.
See attached.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Richard B. Talkin, Esq.

(Type or Print Name)

Signature

9175 Guilford Road, 410 730-7733
Address Suite 301 Phone No.
Columbia, MD 21046
City State Zipcode

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

Legal Owner(s): St. Thomas Joint Venture

By: St. Thomas Joint Venture I, L.L.C., General Partner

By: Herbert M. Bank

(Type or Print Name)

Signature

(Type or Print Name)

Signature

106 Old Court Road 410 486-3100
Address Suite 202 Phone No

Pikesville, MD 21208
City State Zipcode
Name, Address and phone number of representative to be contacted.

Herbert Bank
Name
106 Old Court Road, Suite 202 410 486-3100
Address Pikesville, MD 21208 Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER ☐
REVIEWED BY: JAB DATE 5-3-96



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

ATTACHMENT TO PETITION FOR VARIANCE

96-436-A

Unreasonable hardship and practical difficulty result from the location and topography of the site. Special circumstances exist that are peculiar to the land and structure comprising the property which is the subject of the variance request. The St. Thomas Center is located on a parcel that slopes away from Rt. 140 and in order to properly place the parking and buildings on the parcel, it was necessary to locate the buildings toward the rear of the parcel. While this made it convenient for the public to use it made is inconvenient for the public to determine the names of the stores within the center. If the buildings were located closer to Rt. 140 this problem would not exist and this practical difficulty results from the necessity to locate the buildings away from the road so as to conform to the topographic requirements of the site. It is necessary, therefore, for a sign to be placed near Rt. 140 so that the store names can be seen and identified. The slopping topography and site interference at the property boundary with Rt. 140 necessitates this. This could be done with the sign facing Rt. 140 without a variance, but because Rt. 140 carries 2 way traffic that can enter the center, the location of a sign facing Rt. 140 would serve little purpose. It is necessary for the sign to face each directions so that it can be seen by cars on Rt. 140 from both directions.

John C. Mellema, Sr. Inc.
5409 East Drive
Baltimore, Maryland 21227
July 11, 1994

96-436-A

435

DEED DESCRIPTION FOR ST. THOMAS SHOPPING CENTER

Parcel One

Beginning for the same at a point in the Southwest side of Reisterstown Road, said beginning point also being the beginning of the 22.196 acre parcel of land described in the deed from Leon Wolfe and others to St. Thomas Joint Venture dated May 5, 1972 and recorded among the land records of Baltimore County Maryland in liber O.T.G. 5267, page 994, thence running in the Southwest side of said Reisterstown Road and on part of the first line of the 22.196 acre parcel (1) South 48 degrees 18 minutes 30 seconds East a distance of 590.30 feet, thence leaving said Reisterstown Road and binding on a part of the Southwesterly 1010.69 foot line of the right-of-way easement described in the second supplemental right-of-way agreement between Horatio Parker Matthai and others and the Transcontinental Gas Pipe Line Corporation, dated October 2, 1961 and recorded among the aforementioned land records in liber W. J. R. 3912 page 512 (2) South 33 degrees 52 minutes 18 seconds West a distance of 656.10 feet to a point on the fifth line described in the 8.8004 acre parcel of land described in a deed from St. Thomas Joint Venture to the Garrison Industrial Partnership dated August 22, 1975 and recorded among said land records in liber E.H.K. Jr. 5709 folio 858, thence binding reversely on a part of said fifth line (3) North 48 degrees 18 minutes 30 seconds West a distance of 804.56 feet to a point on the second line of the land described in the 1.4798 acre parcel (Parcel B) described in a deed of exchange between St. Thomas Joint Venture and Sweetheart Properties, Inc., dated August 22, 1975 and recorded among said land records in liber E.H.K. Jr. 5709 folio 841, thence binding reversely on a part of said last mentioned line (4) North 41 degrees 41 minutes 30 seconds East a distance of 212.87 feet to the beginning of the second line of the land described in the 0.6272 acre parcel (Parcel A) in the aforementioned deed of exchange as recorded among said land records in liber E.H.K. Jr. 5709 page 841, thence binding on said last mentioned line (5) North 41 degrees 41 minutes 30 seconds East a distance of 437.13 feet to a point in the Southwest side of said Reisterstown Road , thence running in the Southwest side of said Road and also binding on the third line of the said 0.6272 acre parcel (6) 48 degrees 18 minutes 30 seconds East a distance of 125.00 feet to the place of beginning containing 11.3396 acres of land more or less.

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96-436-A

Being all of Parcel A. described in a deed dated August 22, 1975, by and between Sweetheart Properties, Inc. party of the first part and St. Thomas Joint Venture, party of the second part and recorded among the land records of Baltimore County Maryland in liber 5709 folio 841 and part of the land described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife and Gerald Laborwit and Lee Laborwit his wife, parties of the first part and St. Thomas Joint Venture, parties of the second part and recorded among the land records of Baltimore County Maryland in liber 5267 folio 994.

parcel two

Beginning for the same at a point in the Southwest side of Reisterstown Road at the end of the first or South 48 degrees 13 minutes 40 seconds East 678.12 foot line of the land conveyed from Leon Wolfe and others to St. Thomas Joint Venture by deed dated May 5, 1972 and recorded among the land records of Baltimore County Maryland in liber O.T.G. 5267 folio 994 running thence binding on a part of the second line of said land (1) South 34 degrees 40 minutes 00 seconds West a distance of 654.92 feet to the end of the last line of the 8.8004 acre parcel of land described in a deed from St. Thomas Joint Venture to the Garrison Industrial Partnership dated August 22, 1975 and recorded among said land records in liber E.H.K. Jr. 5709 folio 858, thence binding reversely on a part of said last line (2) North 48 degrees 18 minutes 30 seconds West a distance of 78.37 feet to a point on the second or Southwesterly 1010.69 foot line of the right-of-way easement described in the second supplemental right-of-way agreement between Horatio Parker Matthai and others and the Transcontinental Gas Pipe Line Corporation dated October 1, 1961 and recorded among the above mentioned land records in liber W.J.R. 3912 folio 512, thence binding reversely on a part of said last mentioned second line (3) North 33 degrees 52 minutes 18 seconds East a distance of 656.10 feet to a point in the Southwest side of Reisterstown Road, thence running in said Southwest side and binding in part on said first line of first mentioned land (4) South 48 degrees 18 minutes 30 seconds East a distance of 87.53 feet to the place of beginning containing 1.2378 acres of land more or less.

Being the second parcel described in a deed dated August 22, 1975 by and between St. Thomas Joint Venture, party of the first part and The Garrison Industrial Partnership, party of the second part and recorded among the land records of Baltimore County Maryland in liber 5709 folio 858.

RECEIVED
SEP 17 1975

96-436-A

Parcel A. Special Exception

Beginning for the same at the beginning of the third or South 48 degrees 18 minutes 30 seconds East 125.00 foot line of Schedule A. described in a deed dated August 22, 1975 by and between Sweetheart Properties, Inc. and St. Thomas Joint Venture, thence running reversely with part of the second or North 41 degrees 41 minutes 30 seconds East 437.13 foot line of the above mentioned deed South 41 degrees 41 minutes 30 seconds West a distance of 426.00 feet, thence leaving said second line South 48 degrees 18 minutes 30 seconds East a distance of 93.50 feet to the place of beginning for the herein described property, thence running the following nine courses (1) South 41 degrees 41 minutes 30 seconds West a distance of 214.00 feet, thence (2) South 48 degrees 18 minutes 30 seconds East a distance of 85.00 feet, thence (3) North 41 degrees 41 minutes 30 seconds East a distance of 267.00 feet, thence (4) South 48 degrees 18 minutes 30 seconds East a distance of 20.00 feet, thence (5) North 41 degrees 41 minutes 30 seconds East a distance of 99.00 feet, thence (6) North 48 degrees 18 minutes 30 seconds West a distance of 125.00 feet, thence (7) South 41 degrees 41 minutes 30 seconds West a distance of 99.00 feet, thence (8) South 48 degrees 18 minutes 30 seconds East a distance of 20.00 feet, thence (9) South 41 degrees 41 minutes 30 seconds West a distance of 53.00 feet to the place of beginning containing 35,070 square feet more or less.

Being part of the property described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife, and Gerald Laborwit and Lee Laborwit, his wife, parties of the first part and St. Thomas Joint Venture party of the second part and recorded among the land records of Baltimore County Maryland in liber 5267 folio 994.

Lease Area One

Beginning for the same at the beginning of the third or South 48 degrees 18 minutes 30 seconds East 125.00 foot line of Schedule A described in a deed dated August 22, 1975 by and between Sweetheart Properties Inc. and St. Thomas Joint Venture, thence running reversely with part of the second or North 41 degrees 41 minutes

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30 East 437.13 foot line of the above mentioned deed South 41 degrees 41 minutes 30 seconds West a distance of 73.00 feet, thence leaving said second line South 48 degrees 18 minutes 30 seconds East a distance of 79.00 feet, to the place of beginning for the herein described property, thence running the following four courses (1) South 48 degrees 18 minutes 30 seconds East a distance of 120.00, thence (2) South 41 degrees 41 minutes 30 seconds West a distance of 110.00 feet, thence (3) North 48 degrees 18 minutes 30 seconds West a distance of 120.00 feet, thence (4) North 41 degrees 41 minutes 30 seconds East a distance of 110.00 feet to the place of beginning containing 13,200 square feet more or less.

Being part of the property described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife, and Gerald laborwit and Lee Laborwit, his wife, parties of the first part and St. Thomas Joint Venture parties of the second part and recorded among the land records of Baltimore County, Maryland in liber 5267 folio 994.

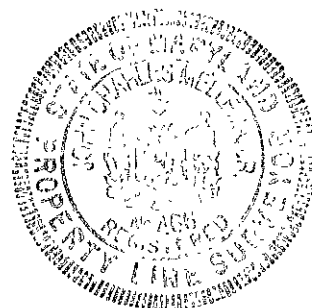
Also being part of the property known as Schedule A described in a deed dated August 22, 1975 by and between Sweetheart Properties, Inc. and St. Thomas Joint Venture and recorded among the land records of Baltimore County, Maryland in liber 5709 folio 841.

Lease Area Two

Beginning for the same at a point on the second or South 48 degrees 13 minutes 40 seconds East 678.12 foot line 129.53 feet the end thereof described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife, and Gerald Laborwit and Lee laborwit, his wife, parties of the first part and St. Thomas Joint Venture, Party of the second part and recorded among the land records of Baltimore County, Maryland in liber 5267 folio 994, thence running the following four courses (1) South 41 degrees 41 minutes 30 seconds West a distance of 126.50 feet, thence (2) North 48 degrees 18 minutes 30 seconds West a distance of 150.00 feet, thence (3) North 41 degrees 41 minutes 30 seconds East a distance of 126.50 feet to a point on said second line of the above mentioned deed, thence running with part of said second line (4) South 48 degrees 18 minutes 30 seconds East a distance of 150.00 feet to the place of beginning containing 18,975 square feet more or less

Being part of the property described in a deed dated May 5, 1992 by and between Leon Wolfe and anne Wolfe, his wife, and Gerald Laborwit and Lee Laborwit, his wife, parties of the first part and St. Thomas Joint Venture, party of the second part and recorded among the land records of Baltimore County Maryland in liber 5267 folio 994.

(MICROFILMED)



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

96-436-A

District S-1 Date of Posting 5/24/96
Posted for: Various
Petitioner: ST. Thomas Joint Venture
Location of property: 9900 Reisterstown Rd.

Location of Signs: Along roadway on property being zoned

Remarks: _____
Posted by: [Signature] Date of return: 5/31/96
Number of Signs: 1 **MICROFILMED**



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #56-436-A
(Item 495)

9900 Reisterstown Road
St. Thomas Shopping Center
99 Reisterstown Road, 190'
SE of of opposite Olive Lane
3rd Election District
2nd Councilmanic

Legal Owner(s):
St. Thomas Joint Venture

Variance: To allow a dual
lot split of 200 sq. ft. (100
sq. ft. per lot) in lieu of the
maximum permitted 100 sq.
ft.

Hearing: Thursday, June 13,
1996 at 2:30 p.m. in Rm. 118,
Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.

(2) For information concern-
ing the file and/or Hearing,
Please Call 887-3381.

5/23/ May 16 CS2622

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 17, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 16, 1996.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 435 Petitioner: JA

Location: St. Thomas Shopping CTR # 9900 Reisterstown Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Richard Talkin

ADDRESS: 9175 Guilford Rd
Columbia, Md 21046

PHONE NUMBER: 410-730-7733

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY
May 16, 1996 Issue - Jeffersonian

Please forward billing to:

Richard B. Talkin, Esq.
9175 Guilford Road
Suite 301
Columbia, Maryland 21046
730-7733

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-436-A (Item 435)
9900 Reisterstown Road
St. Thomas Shopping Center
SS Reisterstown Road, 190' SE of c/l opposite Olive Lane
3rd Election District - 2nd Councilmanic
Legal Owner(s): St. Thomas Joint Venture

Variance to allow a dual faced sign of 200 sq. ft. (100 sq. ft. per face) in lieu of the maximum permitted 100 sq. ft.

HEARING: THURSDAY, JUNE 13, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 13, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-436-A (Item 435)
9900 Reisterstown Road
St. Thomas Shopping Center
SS Reisterstown Road, 190' SE of c/l opposite Olive Lane
3rd Election District - 2nd Councilmanic
Legal Owner(s): St. Thomas Joint Venture

Variance to allow a dual faced sign of 200 sq. ft. (100 sq. ft. per face) in lieu of the maximum permitted 100 sq. ft.

HEARING: THURSDAY, JUNE 13, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: St. Thomas Joint Venture
Herbert Bank
Richard B. Talkin, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECORDED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 7, 1996

Richard B. Talkin, Esquire
9175 Guilford Road
Suite 301
Columbia, MD 21046

RE: Item No.: 435
Case No.: 96-436-A
Petitioner: St. Thomas Joint

Dear Mr. Talkin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a circular stamp that contains the same name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: May 21, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: St. Thomas Shopping Center

INFORMATION:

Item Number: 435

Petitioner: St. Thomas Joint Venture

Property Size: _____

Zoning: BL

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, it appears the subject variance is excessive and staff can find no justification for the relief requested.

Therefore, this office recommends that the applicant's request be denied.

Prepared by: Jeffrey M. Long

Division Chief: Carol Keen

PK/JL/lw

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: May 20, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for May 20, 1996
Item No. 435

The Development Plans Review Division has reviewed the subject zoning item. Any new signage must not disturb the existing street trees along Reisterstown Road. These trees were provided in accordance with the required landscaping for the recently added parking lot.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: May 9, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. Nos. 423, 425, 426, 428, 431, 434, 435, and 436

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Dan L. Kerns

PK/JL

RECEIVED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 05/16/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 13, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 423, 424, 425, 426, 428,
429, 430, 431, 432, 433, 435 AND 436.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 6-4-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: May 13/1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 423 432
424 433
425 434
426 435
428 436
429
430
431

Seeley

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

PETITION PROBLEMS

#423 --- JRF

1. No telephone number for legal owner.
2. No hardship or practical difficulty on petition form.
3. Notary section is incomplete.

#426 --- JLL

1. Who signed for attorney? Need authorization for person signing for attorney.
2. No review information on bottom of petition form.
3. Need better description.

#428 --- CAM

1. No wording (just section number) on petition form for variance.
2. Address and telephone number for legal owner not in proper place on petition form.

#429 --- JLL

1. Only one legal owner signed petition form. Need other signatures or authorization for this person to sign for all.

#431 --- CAM

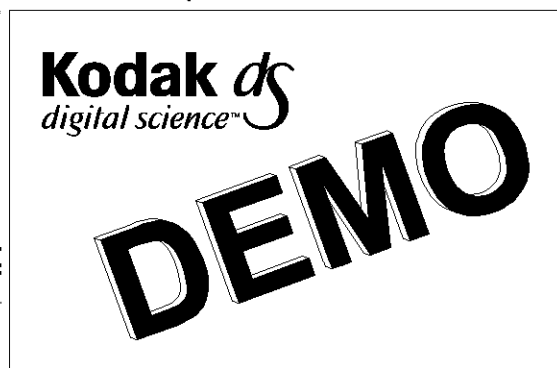
1. No review information on bottom of petition form.

#433 --- JRA

1. No wording or section number of petition form for variance.
2. Folder says zoning is "M.R." - which is correct
3. Checks and receipt still

#435 --- JJS

1. Need title of person signing for person signing for I



MICROFILMED

5/7/96

RE: PETITION FOR VARIANCE	*	BEFORE THE
9900 Reisterstown Road (St. Thomas Shop-	*	ZONING COMMISSIONER
ng Center), SS Reisterstown Road,	*	OF BALTIMORE COUNTY
190' SE of c/l opposite Olive Lane	*	
3rd Election District, 2nd Councilmanic	*	
St. Thomas Joint Venture	*	CASE NO. 96-436-A
Petitioner	*	
* * * * *		

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Richard B. Talkin, Esquire, 9175 Guilford Road, Suite 301, Columbia, MD 21046, attorney for Petitioner.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

MICROFILMED

96-4473

8/9/96
ccf

RICHARD B. TALKIN, P.A.
ATTORNEYS AT LAW
SUITE 301
QUARRY PARK PLACE
9175 GUILFORD ROAD
COLUMBIA, MARYLAND 21046

(410) 730-7733 (COLUMBIA)
(410) 792-8111 (BALTIMORE)
(301) 953-3033 (WASHINGTON)
(410) 792-4694 (FAX)

August 5, 1996

Baltimore County Government
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 96-436-A
St. Thomas Joint Venture - Petitioners

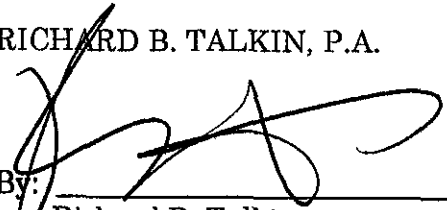
Dear Sir or Madam:

Please advise whether an appeal has been filed in the above-referenced case.

Thank you.

Very truly yours,

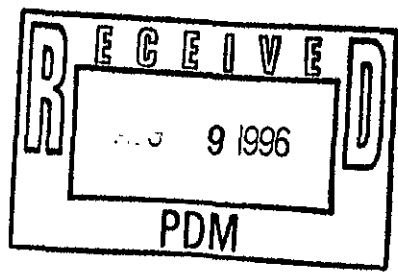
RICHARD B. TALKIN, P.A.

By: 
Richard B. Talkin

RBT/g

Speed
Letter

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



Zoning Commissioner's Order dated June 21, 1996. There has been no Appeal filed.

RECEIVED

P08059601

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

C/ Victor Brink

Sail Kandel

GARY ROSENBAUM

Harry Sommer

JOHN MCKINNEY

Harriet M. BARK

MELANIE MOSER

~~200~~ St. Thomas Shopping Center
9946 Reisterstown Rd "

910406 REISTERSTOWN RD, ST. THOMAS CTR.
3343 Washington Blvd. 21227

8155 GREENSPRING VLY RD O. M. 21117

18005 BARNETT RD
BWINKS MILLS 21117

DMW
200 E Pennsey/Vania Ave 21286

IN RE: PETITION FOR VARIANCE
S/S Reisterstown Road, 190' SE
and across from Olive Lane
(9900 Reisterstown Road)
3rd Election District
2nd Councilmanic District
St. Thomas Joint Venture
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-436-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as the St. Thomas Shopping Center, located at 9900 Reisterstown Road in Owings Mills. The Petition was filed by the owners of the property, the St. Thomas Joint Venture, LLC, by Herbert M. Bank, through their attorney, Richard B. Talkin, Esquire. The Petitioner seeks relief from Section 413.2.F of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dual faced sign of 200 sq.ft. total (100 sq.ft. per face) in lieu of the maximum permitted 100 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Herbert M. Bank, representing the St. Thomas Joint Venture, L.L.C., a general partner, Melanie Moser, with Daft-McCune-Walker, Inc., the engineering firm which prepared the site plan for this property, and Richard B. Talkin, Esquire, attorney for the Petitioner. Also appearing in support of the request were numerous representatives of the tenant businesses occupying the site, including C. Victor Brick, Gail Randal, Gary Rosenbaum, Harry Sommer, and John McKinney. There were no Protestants or other interested parties present.

The uncontradicted testimony and evidence presented by way of proffer disclosed that the subject property consists of 12.5774 acres, more or less, zoned B.L., and is the site of the St. Thomas Shopping Center. A primary tenant within the center is the Giant food store and there are a variety of other business/commercial uses on the property. This Zoning Commissioner is familiar with the site, having approved a health club use on the property several years ago.

Additional testimony and evidence offered was that currently, there is only one freestanding sign to identify the businesses on the property. As shown in a series of photographs submitted at the hearing, the single sign advertises the Giant food store. The Petitioners seek approval to construct an additional freestanding sign which will advertise the other businesses on the property. The sign will be a double-faced sign of 100 sq.ft. per face, or 200 sq.ft. total.

In support of the variance, Mr. Talkin noted that the subject site is unique in terms of its topography and orientation to Reisterstown Road. The grade of the property slopes downward from Reisterstown Road, thereby making the businesses difficult to see from passing motor vehicles. Moreover, landscaping on the front portion of the site abutting Reisterstown Road further screens the uses. For these reasons, the Petitioner believes that construction of the sign is appropriate. Moreover it is noted that other similar uses along this stretch of Reisterstown Road contain signage similar to that being requested by the Petitioner.

Based upon the testimony and evidence provided, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. It is of particular note that despite the property's large area (12.5774 acres), only two freestanding signs will exist on the site. In my judgment, the

- 2 -

signage which is proposed does not overwhelm or unduly crowd the property or cause confusion to passing motorists. Moreover, the uniqueness of the site is found in its unusual slope and topography. These conditions justify the granting of the variance and a departure from the strict adherence to the zoning regulations.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of June, 1996 that the Petition for Variance seeking relief from Section 413.2.F of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dual faced sign of 200 sq.ft. total (100 sq.ft. per face) in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Pursuant to the Zoning Plans Advisory Committee (ZAC) comments submitted by the Development Plans Review Division of the Department of Permits and Development Management (DPM) dated May 20, 1996, the proposed sign must not disturb the existing street trees along Reisterstown Road.

3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

- 3 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 21, 1996

Richard B. Talkin, Esquire
9175 Guilford Road, Suite 301
Columbia, Maryland 21046

RE: PETITION FOR VARIANCE
S/S Reisterstown Road, 190' SE and across from Olive Lane
(9900 Reisterstown Road)
3rd Election District - 2nd Councilmanic District
St. Thomas Joint Venture - Petitioners
Case No. 96-436-A

Dear Mr. Talkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Herbert M. Bank, St. Thomas Joint Venture, LLC
106 Old Court Road, Suite 202, Pikesville, Md. 21208

Ms. Melanie Moser, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286

People's Counsel
File

Printed on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at St. Thomas Shopping Center, Owings Mills, MD

96-436-A
which is presently zoned B.L.
This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated 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(s) 413.2.F
To allow a dual faced sign of 200 sq. ft. (100 sq. ft. per face) in lieu of the maximum permitted 100 sq. ft.
413.2.F.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
So as to allow building signs of 100 square feet on both sides of a sign structure.
See attached.

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.
Legal Owner(s): St. Thomas Joint Venture
By: St. Thomas Joint Venture L.L.C., General Partner
By: Herbert M. Bank
Date of Petition: 6/21/96

Signature: [Signature]
(Type or Print Name)

Address: [Address]
City: [City] State: [State] Zipcode: [Zipcode]

Signature: [Signature]
(Type or Print Name)

Address: [Address]
City: [City] State: [State] Zipcode: [Zipcode]

Signature: [Signature]
(Type or Print Name)

Address: [Address]
City: [City] State: [State] Zipcode: [Zipcode]

Signature: [Signature]
(Type or Print Name)

Address: [Address]
City: [City] State: [State] Zipcode: [Zipcode]

ATTACHMENT TO PETITION FOR VARIANCE

96-436-A

Unreasonable hardship and practical difficulty result from the location and topography of the site. Special circumstances exist that are peculiar to the land and structure comprising the property which is the subject of the variance request. The St. Thomas Center is located on a parcel that slopes away from Rt. 140 and in order to properly place the parking and buildings on the parcel, it was necessary to locate the buildings toward the rear of the parcel. While this made it convenient for the public to use it made is inconvenient for the public to determine the names of the stores within the center. If the buildings were located closer to Rt. 140 this problem would not exist and this practical difficulty results from the necessity to locate the buildings away from the road so as to conform to the topographic requirements of the site. It is necessary, therefore, for a sign to be placed near Rt. 140 so that the store names can be seen and identified. The slopping topography and site interference at the property boundary with Rt. 140 necessitates this. This could be done with the sign facing Rt. 140 without a variance, but because Rt. 140 carries 2 way traffic that can enter the center, the location of a sign facing Rt. 140 would serve little purpose. It is necessary for the sign to face each directions so that it can be seen by cars on Rt. 140 from both directions.

Zoning: Bank, 001:120895:RB1

John C. Mellema, Sr. Inc.
9409 East Drive
Baltimore, Maryland 21227
July 11, 1994

96-436-A
435

DEED DESCRIPTION FOR ST. THOMAS SHOPPING CENTER

Parcel One

Beginning for the same at a point in the Southwest side of Reisterstown Road, said beginning point also being the beginning of the 22.196 acre parcel of land described in the deed from Leon Wolfe and others to St. Thomas Joint Venture dated May 5, 1972 and recorded among the land records of Baltimore County Maryland in Liber O.T.G. 5267, page 994, thence running in the Southwest side of said Reisterstown Road and on part of the first line of the 22.196 acre parcel (1) South 48 degrees 18 minutes 30 seconds East a distance of 590.30 feet, thence leaving said Reisterstown Road and binding on a part of the Southwesterly 1010.69 foot line of the right-of-way easement described in the second supplemental right-of-way agreement between Horatio Parker Matthai and others and the Transcontinental Gas Pipe Line Corporation, dated October 2, 1961 and recorded among the aforementioned land records in Liber W. J. R. 3912 page 512 (2) South 33 degrees 52 minutes 18 seconds West a distance of 656.10 feet to a point on the fifth line described in the 8.8004 acre parcel of land described in a deed from St. Thomas Joint Venture to the Garrison Industrial Partnership dated August 22, 1975 and recorded among said land records in Liber E.H.K. Jr. 5709 folio 841, thence binding reversely on a part of said last mentioned line (4) North 41 degrees 41 minutes 30 seconds East a distance of 212.87 feet to the beginning of the second line of the land described in the 0.6272 acre parcel (Parcel A) in the aforementioned deed of exchange as recorded among said land records in Liber E.H.K. Jr. 5709 page 841, thence binding on said last mentioned line (5) North 41 degrees 41 minutes 30 seconds East a distance of 437.13 feet to a point in the Southwest side of said Reisterstown Road, thence running in the Southwest side of said Road and also binding on the third line of the said 0.6272 acre parcel (6) 48 degrees 18 minutes 30 seconds East a distance of 125.00 feet to the place of beginning containing 11.3396 acres of land more or less.

page 2 St. Thomas Deed

96-436-A

Being all of Parcel A, described in a deed dated August 22, 1975, by and between Sweetheart Properties, Inc. party of the first part and St. Thomas Joint Venture, party of the second part and recorded among the land records of Baltimore County Maryland in Liber 5709 folio 841 and part of the land described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife and Gerald Laborvit and Lee Laborvit his wife, parties of the first part and St. Thomas Joint Venture, parties of the second part and recorded among the land records of Baltimore County Maryland in Liber 5267 folio 994.

parcel two

Beginning for the same at a point in the Southwest side of Reisterstown Road at the end of the first or South 48 degrees 13 minutes 40 seconds East 678.12 foot line of the land conveyed from Leon Wolfe and others to St. Thomas Joint Venture by deed dated May 5, 1972 and recorded among the land records of Baltimore County Maryland in Liber O.T.G. 5267 folio 994 running thence binding on a part of the second line of said land (1) South 34 degrees 40 minutes 00 seconds West a distance of 654.92 feet to the end of the last line of the 8.8004 acre parcel of land described in a deed from St. Thomas Joint Venture to the Garrison Industrial Partnership dated August 22, 1975 and recorded among said land records in Liber E.H.K. Jr. 5709 folio 858, thence binding reversely on a part of said last line (2) North 48 degrees 18 minutes 30 seconds West a distance of 78.37 feet to a point on the second or Southwesterly 1010.69 foot line of the right-of-way easement described in the second supplemental right-of-way agreement between Horatio Parker Matthai and others and the Transcontinental Gas Pipe Line Corporation dated October 1, 1961 and recorded among the above mentioned land records in Liber W.J.R. 3912 second line (3) North 33 degrees 52 minutes 18 seconds East a distance of 656.10 feet to a point in the Southwest side of Reisterstown Road, thence running in said Southwest side and binding in part on said first line of first mentioned land (4) South 48 degrees 18 minutes 30 seconds East a distance of 87.53 feet to the place of beginning containing 1.2378 acres of land more or less.

Being the second parcel described in a deed dated August 22, 1975 by and between St. Thomas Joint Venture, party of the first part and The Garrison Industrial Partnership, party of the second part and recorded among the land records of Baltimore County Maryland in Liber 5709 folio 858.

Parcel A. Special Exception

Beginning for the same at the beginning of the third or South 48 degrees 18 minutes 30 seconds East 125.00 foot line of Schedule A described in a deed dated August 22, 1975 by and between Sweetheart Properties, Inc. and St. Thomas Joint Venture, thence running reversely with part of the second or North 41 degrees 41 minutes 30 seconds East 437.13 foot line of the above mentioned deed South 41 degrees 41 minutes 30 seconds West a distance of 425.00 feet, thence leaving said second line South 48 degrees 18 minutes 30 seconds East a distance of 93.50 feet to the place of beginning for the herein described property, thence running the following nine courses (1) South 41 degrees 41 minutes 30 seconds West a distance of 214.00 feet, thence (2) South 48 degrees 18 minutes 30 seconds East a distance of 85.00 feet, thence (3) North 41 degrees 41 minutes 30 seconds East a distance of 267.00 feet, thence (4) South 48 degrees 18 minutes 30 seconds East a distance of 20.00 feet, thence (5) North 41 degrees 41 minutes 30 seconds East a distance of 99.00 feet, thence (6) North 48 degrees 18 minutes 30 seconds West a distance of 125.00 feet, thence (7) South 41 degrees 41 minutes 30 seconds West a distance of 99.00 feet, thence (8) South 48 degrees 18 minutes 30 seconds East a distance of 20.00 feet, thence (9) South 41 degrees 41 minutes 30 seconds West a distance of 53.00 feet to the place of beginning containing 35,070 square feet more or less.

Being part of the property described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife, and Gerald Laborvit and Lee Laborvit, his wife, parties of the first part and St. Thomas Joint Venture party of the second part and recorded among the land records of Baltimore County Maryland in liber 5267 folio 994.

Lease Area One

Beginning for the same at the beginning of the third or South 48 degrees 18 minutes 30 seconds East 125.00 foot line of Schedule A described in a deed dated August 22, 1975 by and between Sweetheart Properties Inc. and St. Thomas Joint Venture, thence running reversely with part of the second or North 41 degrees 41 minutes

30 East 437.13 foot line of the above mentioned deed South 41 degrees 41 minutes 30 seconds West a distance of 73.00 feet, thence leaving said second line South 48 degrees 18 minutes 30 seconds East a distance of 79.00 feet, to the place of beginning for the herein described property, thence running the following four courses (1) South 48 degrees 18 minutes 30 seconds East a distance of 120.00, thence (2) South 41 degrees 41 minutes 30 seconds West a distance of 110.00 feet, thence (3) North 48 degrees 18 minutes 30 seconds West a distance of 120.00 feet, thence (4) North 41 degrees 41 minutes 30 seconds East a distance of 110.00 feet to the place of beginning containing 13,200 square feet more or less.

Being part of the property described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife, and Gerald Laborvit and Lee Laborvit, his wife, parties of the first part and St. Thomas Joint Venture parties of the second part and recorded among the land records of Baltimore County, Maryland in liber 5267 folio 994.

Also being part of the property known as Schedule A described in a deed dated August 22, 1975 by and between Sweetheart Properties, Inc. and St. Thomas Joint Venture and recorded among the land records of Baltimore County, Maryland in liber 5709 folio 841.

Lease Area Two

Beginning for the same at a point on the second or South 48 degrees 13 minutes 40 seconds East 678.12 foot line 129.53 feet the end thereof described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife, and Gerald Laborvit and Lee Laborvit, his wife, parties of the first part and St. Thomas Joint Venture, Party of the second part and recorded among the land records of Baltimore County, Maryland in liber 5267 folio 994, thence running the following four courses (1) South 41 degrees 41 minutes 30 seconds West a distance of 126.50 feet, thence (2) North 48 degrees 18 minutes 30 seconds West a distance of 150.00 feet, thence (3) North 41 degrees 41 minutes 30 seconds East a distance of 126.50 feet to a point on said second line of the above mentioned deed, thence running with part of said second line (4) South 48 degrees 18 minutes 30 seconds East a distance of 150.00 feet to the place of beginning containing 18,975 square feet more or less

Being part of the property described in a deed dated May 5, 1972 by and between Leon Wolfe and Anne Wolfe, his wife, and Gerald Laborvit and Lee Laborvit, his wife, parties of the first part and St. Thomas Joint Venture, party of the second part and recorded among the land records of Baltimore County Maryland in liber 5267 folio 994.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 334 Date of Posting: 5/24/96
Petition for: Revision
Petitioner: St. Thomas Joint Venture
Location of property: 9900 Reisterstown Rd.
Location of Sign: 9900 Reisterstown Rd. near 9900
Remarks:
Posted by: [Signature] Date of return: 6/1/96
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 17, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 16, 1996

THE JEFFERSONIAN,
A. H. H. H.
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, on Thursday, June 13, 1996 at 2:30 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-436-A (Item 435)
9900 Reisterstown Road
St. Thomas Shopping Center
SS Reisterstown Road, 190' SE of c/l opposite Olive Lane
3rd Election District - 2nd Councilmanic
Legal Owner(s): St. Thomas Joint Venture

Variance to allow a dual faced sign of 200 sq. ft. (100 sq. ft. per face) in lieu of the maximum permitted 100 sq. ft.

HEARING: THURSDAY, JUNE 13, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHWARTZ
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3353.

5/27/96 16 C5202



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 435 Petitioner: [Signature]
Location: St. Thomas Shopping CTR #9900 Reisterstown Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Richard Talkin
ADDRESS: 9175 Guilford Rd
Columbia, Md 21046
PHONE NUMBER: 410-730-7233

TO: TOWSON PUBLISHING COMPANY
May 16, 1996 Issue - Jeffersonian

Please forward billing to:

Richard B. Talkin, Esq.
9175 Guilford Road
Suite 301
Columbia, Maryland 21046
730-7733

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-436-A (Item 435)
9900 Reisterstown Road
St. Thomas Shopping Center
SS Reisterstown Road, 190' SE of c/l opposite Olive Lane
3rd Election District - 2nd Councilmanic
Legal Owner(s): St. Thomas Joint Venture

Variance to allow a dual faced sign of 200 sq. ft. (100 sq. ft. per face) in lieu of the maximum permitted 100 sq. ft.

HEARING: THURSDAY, JUNE 13, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHWARTZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 13, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-436-A (Item 435)
9900 Reisterstown Road
St. Thomas Shopping Center
SS Reisterstown Road, 190' SE of c/l opposite Olive Lane
3rd Election District - 2nd Councilmanic
Legal Owner(s): St. Thomas Joint Venture

Variance to allow a dual faced sign of 200 sq. ft. (100 sq. ft. per face) in lieu of the maximum permitted 100 sq. ft.

HEARING: THURSDAY, JUNE 13, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: St. Thomas Joint Venture
Herbert Bank
Richard B. Talkin, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 7, 1996

Richard B. Talkin, Esquire
9175 Guilford Road
Suite 301
Columbia, MD 21046

RE: Item No.: 435
Case No.: 96-436-A
Petitioner: St. Thomas Joint

Dear Mr. Talkin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP
SUBJECT: St. Thomas Shopping Center

DATE: May 21, 1996

INFORMATION:
Item Number: 435
Petitioner: St. Thomas Joint Venture
Property Size:
Zoning: BL
Requested Action:
Hearing Date:

SUMMARY OF RECOMMENDATIONS:
Based upon a review of the information provided, it appears the subject variance is excessive and staff can find no justification for the relief requested. Therefore, this office recommends that the applicant's request be denied.

Prepared by: *Jeffrey M. Long*
Division Chief: *Carol L. Kern*
PK/JL/lw

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
FROM: Robert W. Bowling, Chief
SUBJECT: Zoning Advisory Committee Meeting

Date: May 20, 1996

Department of Permits & Development Management
Development Plans Review Division
Department of Permits & Development Management

for May 20, 1996
Item No. 435

The Development Plans Review Division has reviewed the subject zoning item. Any new signage must not disturb the existing street trees along Reisterstown Road. These trees were provided in accordance with the required landscaping for the recently added parking lot.

RWB:HJO:jrb
cc: File

ZONE10F

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
FROM: Pat Keller, Director
SUBJECT: Petitions from zoning Advisory Committee

DATE: May 9, 1996

Office of Planning

The Office of Planning has no comments on the following petition(s):
Item No. Nos. 423, 425, 426, 428, 431, 434, 435, and 436
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey M. Long*
Division Chief: *Carol L. Kern*
PK/JL

ITEM423/PZONE/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 05/16/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 13, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 423, 424, 425, 426, 428, 429, 430, 431, 432, 433, 435 AND 436.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
SUBJECT: Zoning Advisory Committee Meeting

DATE: 6-4-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 423 432
424 433
425 434
426 435
428 436
429
430
431

RBS:sp
BRUCE2/DEPRM/TXTSBP

PETITION PROBLEMS

#423 --- JRF

1. No telephone number for legal owner.
2. No hardship or practical difficulty on petition form.
3. Notary section is incomplete.

#426 --- JLL

1. Who signed for attorney? Need authorization for person signing for attorney.
2. No review information on bottom of petition form.
3. Need better description.

#428 --- CAM

1. No wording (just section number) on petition form for variance.
2. Address and telephone number for legal owner not in proper place on petition form.

#429 --- JLL

1. Only one legal owner signed petition form. Need other signatures or authorization for this person to sign for all.

#431 --- CAM

1. No review information on bottom of petition form.

#433 --- JRA

1. No wording or section number of petition form for variance.
2. Folder says zoning is "B.M. & M.R."; petition says zoning is "M.R." - which is correct??
3. Checks and receipt still in folder - never cashed.

#435 --- JJS

1. Need title of person signing for legal owner. Need authorization for person signing for legal owner.

5/7/96

RE: PETITION FOR VARIANCE
9900 Reisterstown Road (St. Thomas Shopping Center), SS Reisterstown Road,
190' SE of c/l opposite Olive Lane
3rd Election District, 2nd Councilmanic
St. Thomas Joint Venture
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-436-A

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Richard B. Talkin, Esquire, 9175 Guilford Road, Suite 301, Columbia, MD 21046, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RICHARD B. TALKIN, P.A.
ATTORNEYS AT LAW
SUITE 301
QUARRY PARK PLACE
9175 GUILFORD ROAD
COLUMBIA, MARYLAND 21046

(410) 790-7733 (COLUMBIA)
(410) 792-8111 (BALTIMORE)
(410) 993-3000 (WASHINGTON)
(410) 792-4664 (FAX)

August 5, 1996

Baltimore County Government
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 96-436-A
St. Thomas Joint Venture - Petitioners

Dear Sir or Madam:

Please advise whether an appeal has been filed in the above-referenced case.

Thank you.

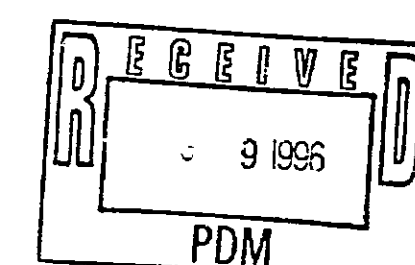
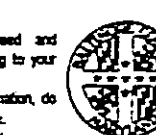
Very truly yours,

RICHARD B. TALKIN, P.A.
Richard B. Talkin
Richard B. Talkin

RBT/g

Speed
Letter

In the interest of speed and accuracy, we are relying on you to provide accurate information. If you need more information, or if you have any questions, please contact us at the address above. Thank you for your prompt response.



Zoning Commissioner's Order dated June 21, 1996. There has been no Appeal filed.

P08050601

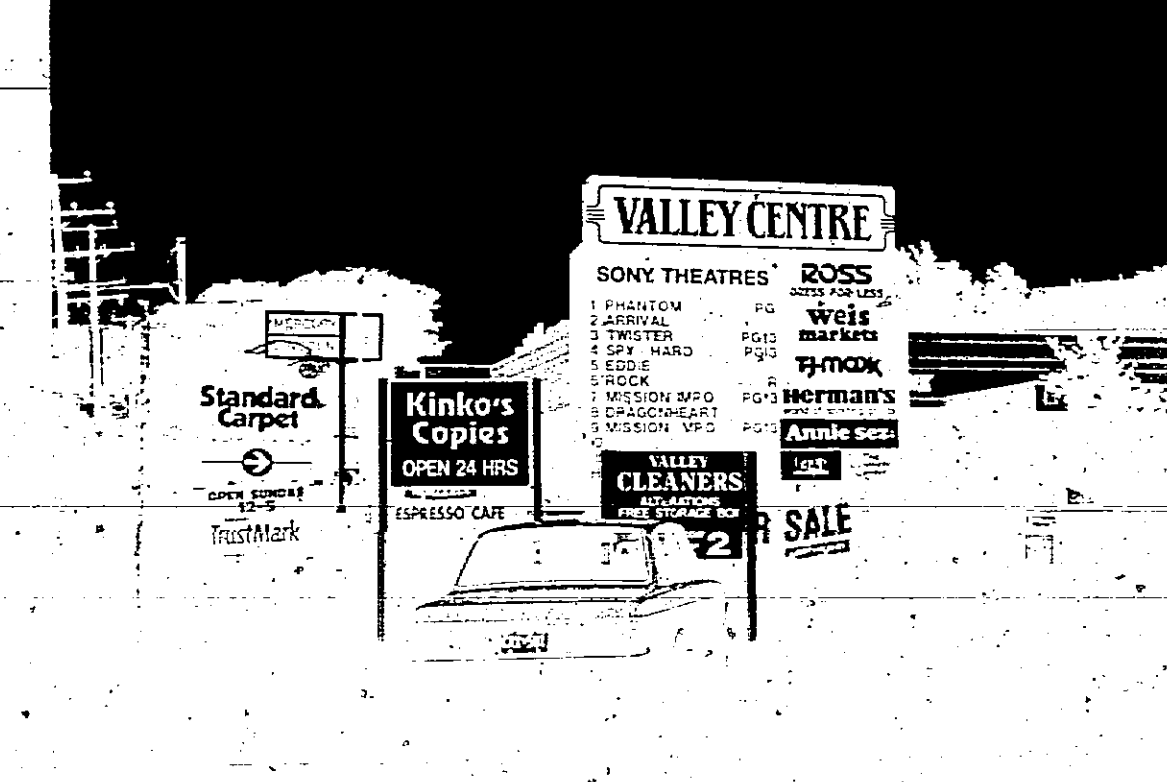
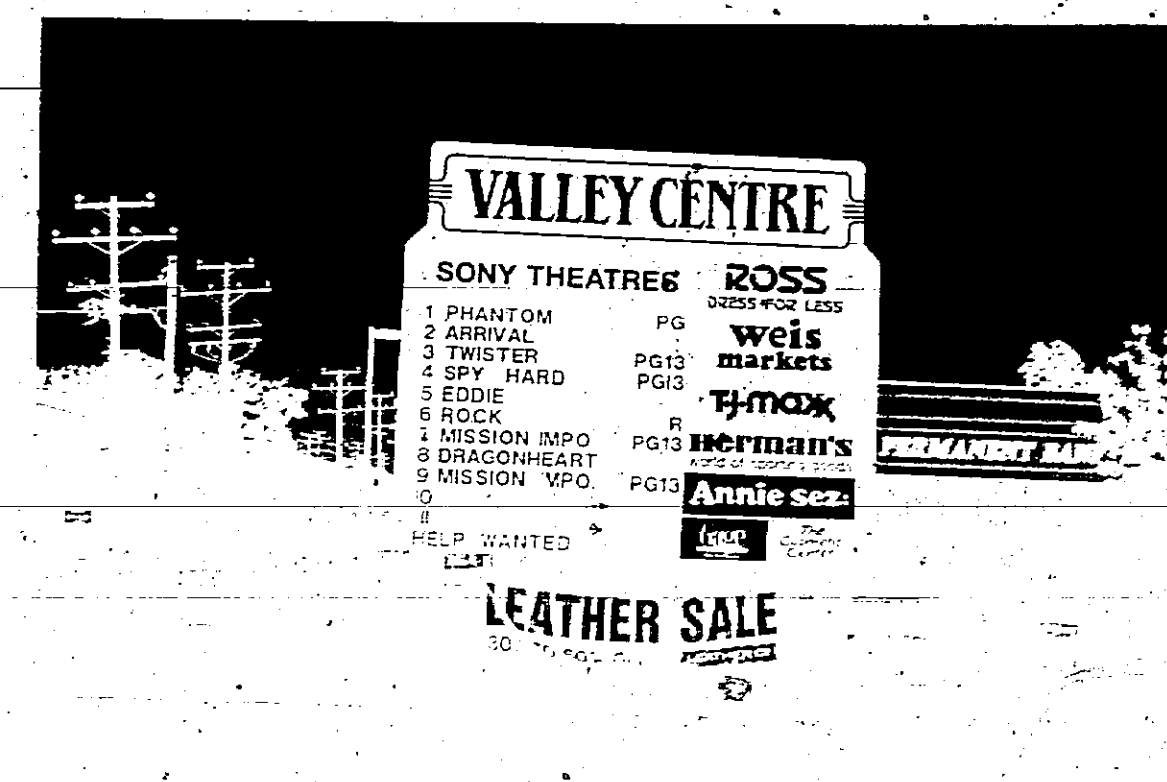
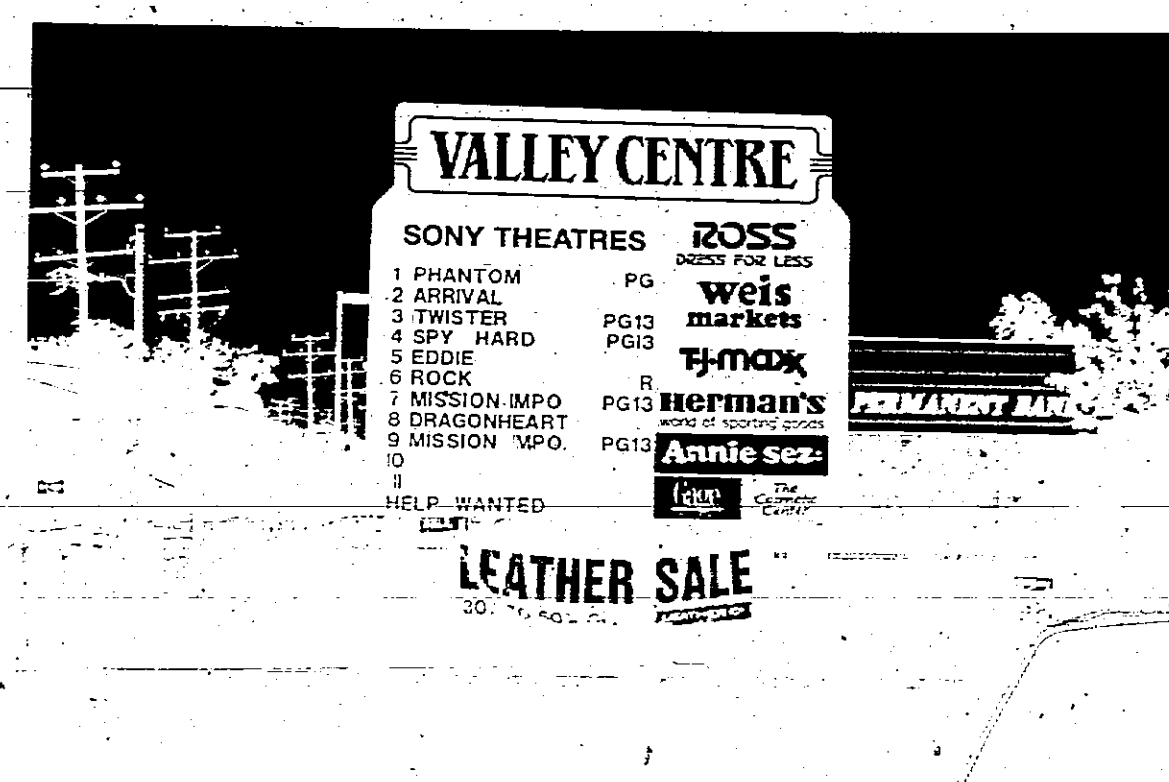
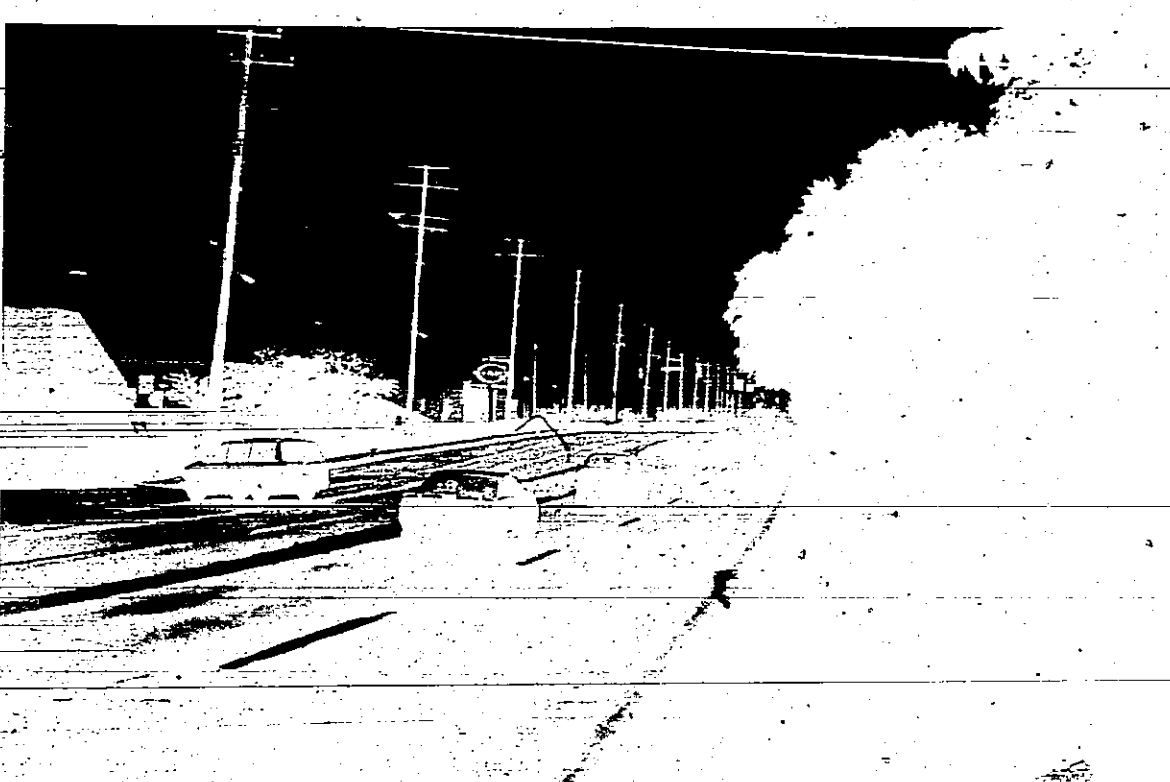
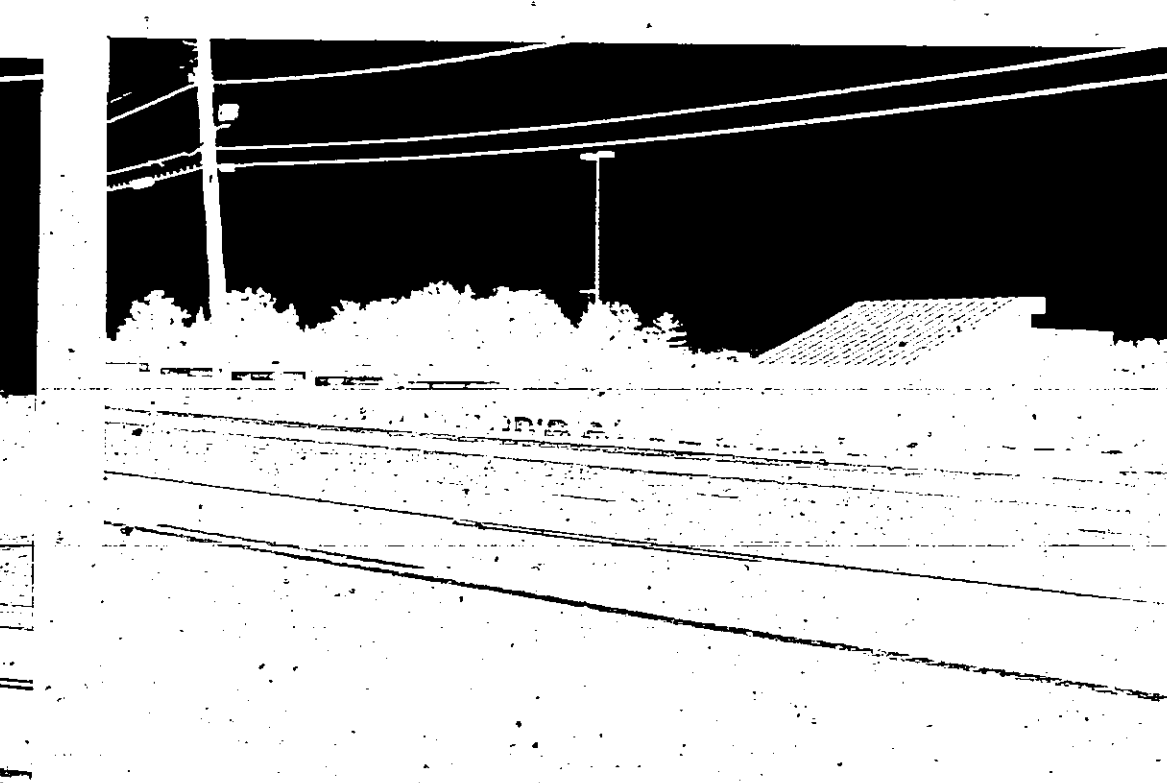
PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Walter Brink	St. Thomas Shopping Ctr.
Barbara	744 Redstone Rd.
GARY ROSENBAUM	110406 T.W. STOWARD ST. THOMAS CTR.
Harry Sommer	3343 Washington Blvd. 21229
James Mac	
HERBERT W. BARKER	18005 BARDOLPH RD.
MELANIE MOSER	8400 WILKES MILLS 21117
	DANW
	200 E. PENNSYLVANIA AVE 21206

photographs
Case 96-436-A

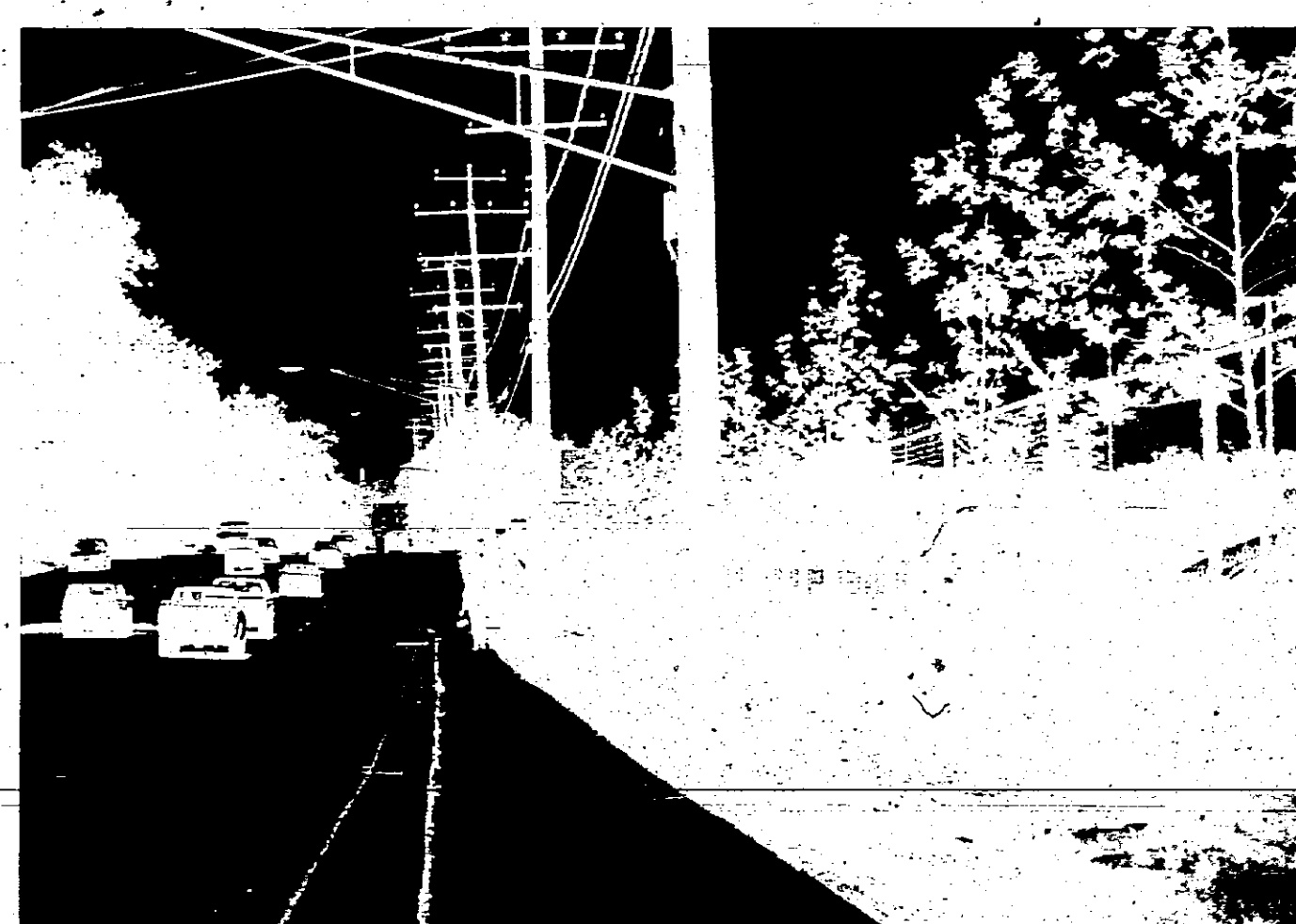




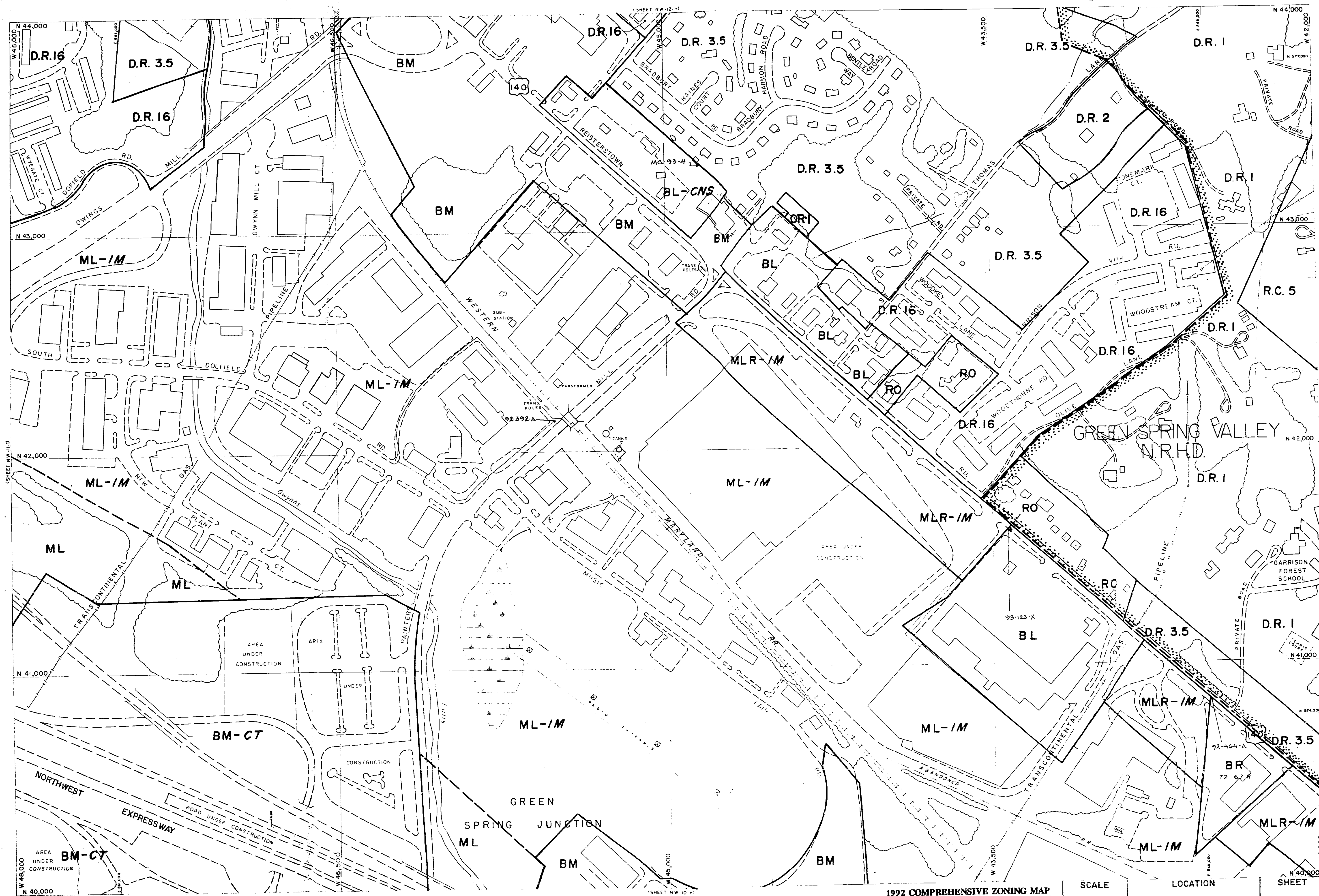
Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

96-436-A

PETITIONERS
EXHIBIT 12







T-SW T-SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Map Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard
Chairman, County Council

SCALE
1" = 200'

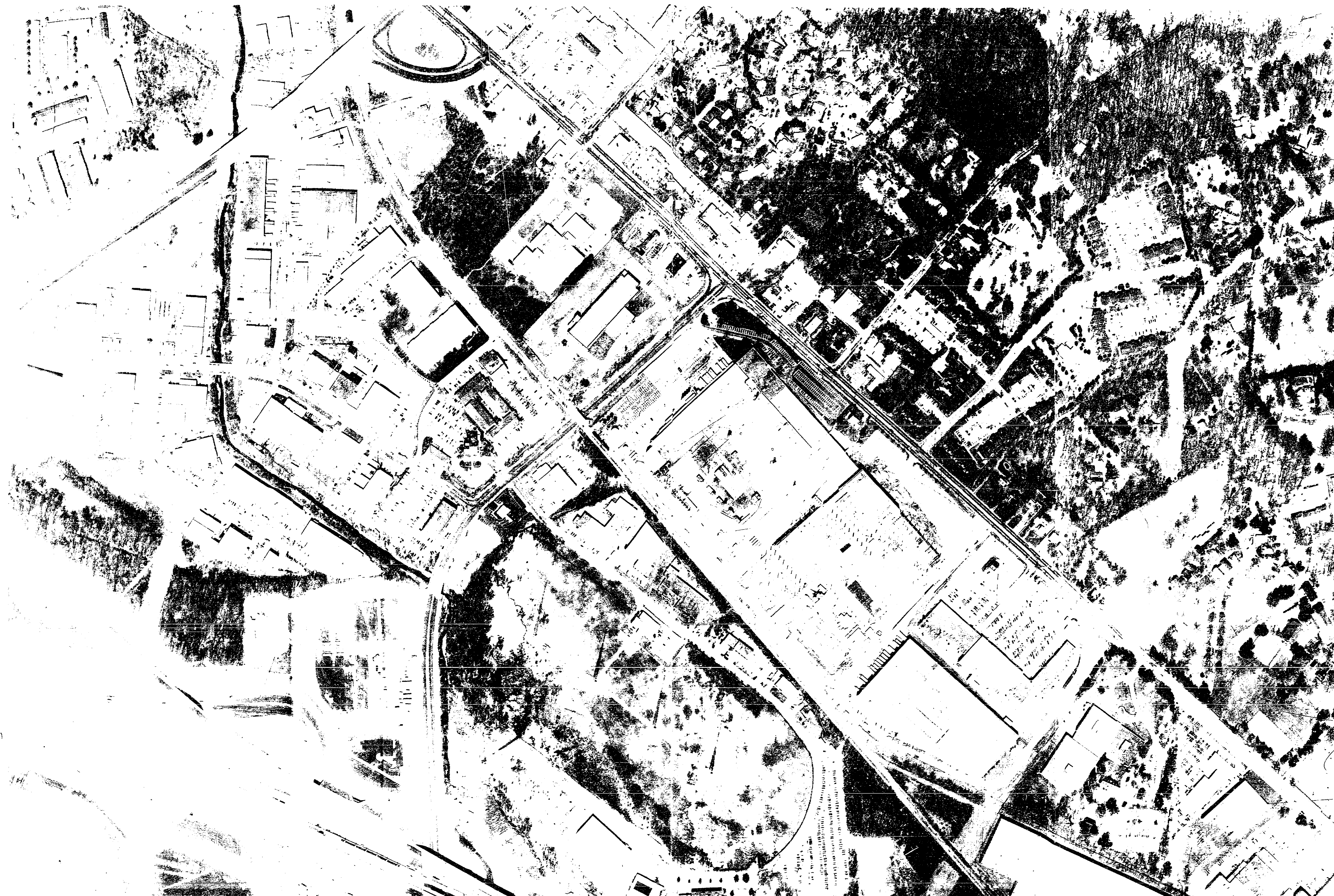
LOCATION
OWINGS MILLS
GREEN SPRING
JUNCTION

SHEET
N.W.
11-H

96-436-A
435

96-436-A

#435



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	OWINGS MILLS	N.W
DATE OF PHOTOGRAPHY	GREEN SPRING	11-H
JANUARY 1986	JUNCTION	