

IN RE: PETITION FOR VARIANCE
SW/Corner York Road and
Pennsylvania Avenue
(435 York Road)
9th Election District
4th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-059-A

Utah State Retirement Investment Fund, Owners;
AT&T Wireless PCS, Inc., Contr. Lessees *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Utah State Retirement Investment Fund, by C.B. Richard Ellis Investors, LLC, and AT&T Wireless PCS, Inc., tenant, through their attorneys, Paul Dorf, Esquire and S. Leonard Rottman, Esquire. The Petitioners seek relief from Section 413.2.A of the Baltimore County Zoning Regulations (B.C.Z.R.) (1992) to permit a wall-mounted sign of 183 sq.ft. in lieu of the maximum allowed 92 sq.ft. The subject property and relief sought are more particularly described on the 4-page site plan submitted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite hearing held on this case were Paul George, Store Manager for AT&T Wireless PCS, a tenant of the subject site; Diana Pajtis, a representative of Jones, Lang, LaSalle, property managers; and Charles Mann, II, Professional Engineer with Daft-McCune-Walker, Inc., the land use consulting firm which prepared the site plan for this property. The Petitioners were represented by Paul A. Dorf, Esquire. There were no Protestants or other interested persons present.

The subject property is well-known to this Zoning Commissioner and is a landmark in the downtown Towson business community. The property consists of a gross area of 2.26 acres, more or less, zoned B.M.-C.T, and is located adjacent to York Road (Maryland Route 45), Pennsylvania Avenue to the north, and Chesapeake Avenue to the south. This property was redeveloped as the Towson Commons complex in 1992 and is improved with a large building

ORDER RECEIVED FOR FILING
Date 10/19/99
[Signature]

which houses a variety of retail, office and restaurant uses. Additionally, the facility contains a large movie theater operation and parking garage.

The subject Petition was filed on behalf of one of the tenants in the building, namely AT&T Wireless PCS, Inc. The AT&T Wireless PCS store occupies approximately 3,100 sq.ft. on the ground level of the Towson Commons complex and has frontage on Pennsylvania Avenue. The subject of the variance request concerns a proposed sign to be located on the east face of that part of the building fronting York Road. Obviously, York Road is the major traffic corridor in the area and AT&T wishes to advertise the location of its store to traffic on that roadway. Although the store generally fronts Pennsylvania Avenue, the side wall of the store's leased space faces York Road. Presently there exists a temporary banner type sign on that wall. The Petitioner proposes replacing that banner with a sign of the same size and dimension. Computer enhanced photographs submitted at the hearing show the proposed location and size of the sign. Also, this Zoning Commissioner observed the existing banner during a site visit.

From a practical standpoint, it is clear that the sign is appropriate. This is a highly intensive business area, and the proposed sign is in keeping with the existing use and surrounding property. Moreover, the fact that a banner has apparently existed on the side of the building for some time without comment is of note. The proposed AT&T sign is attractively designed and clearly will not be detrimental to the use of the subject property and surrounding locale. The desire of AT&T to have this small sign facing York Road is understandable.

The question presented relates to what, if any, relief is necessary under the B.C.Z.R. This variance Petition was filed pursuant to Section 413.2.A of the B.C.Z.R. as it existed in 1992, the year the Towson Commons complex was constructed. Apparently, the authority for this filing was pursuant to Section 450.8.A.3. A review of that Section shows that it reads "A sign for which a special exception, development plan, use permit or variance has been approved prior to the effective date of Bill 89-1997 (the sign legislation) may be erected in accordance with the provisions in effect at the time of said approval, subject to the abatement provisions of Section 450.8.D." Although, clearly the Towson Commons complex was built pursuant to development

plan approval and variances were granted in connection with that case, that process did not relate to the subject sign. That is, although approval to develop the property as it presently exists was through the development review process, the development plan approval granted and variances approved did not relate to this specific sign. In my judgment, it is the intent of Section 450.8.A.3 of the B.C.Z.R. to grandfather those signs for which specific special exception, development plan, use permit or variance relief was granted. In my judgment, that Section is not applicable to the current circumstances since the proposed sign was not envisioned at that time. Thus, the Petitioner is required to comply with the present sign requirements contained within Section 450 of the B.C.Z.R.

In my judgment, the proposed sign appears to be an "enterprise sign" which is defined in the current regulations as a sign that "...displays the identity and which may otherwise advertise the products or services associated with the individual organization" on the premises. An enterprise sign is permitted by right in the B.M. zone. Moreover, enterprise signs are permitted to be no larger than 150 sq.ft. in area. Thus, variance relief is necessary to permit the proposed sign of 183 sq.ft.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the relief requested. Surely, there is a legitimate rationale for the limitation of the size of an enterprise sign. However, in this case, a mitigating factor is the scope and size of the Towson Commons complex in its entirety. This is a huge structure, containing multiple tenants. The sign is appropriate for this tenant and not at odds with the use of the property and the character of the neighborhood. In my judgment, the sign should be approved in that it will provide reasonable visibility of the subject store to traffic on York Road and will be consistent with the sign regulations. The Petitioner presented sufficient proof that it complies with Section 307 of the B.C.Z.R. Thus, variance relief shall be granted. Specifically, relief shall be approved to permit an enterprise sign of 183 sq.ft., which is greater than the 150 sq.ft. allowed under Section 450.4 of the B.C.Z.R. The requested variance from Section 413.2.A shall be dismissed as inapplicable for the reasons set forth herein above.

OPEN RECORD REQUEST
Date 10/19/19
Jep

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore county this 19th day of October, 1999 that a variance to permit a wall-mounted "enterprise" sign of 183 sq.ft. in lieu of the maximum allowed 150 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 450.8.A.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 413.2.A of the 1992 Regulations) to permit a wall-mounted sign of 183 sq.ft. in lieu of the maximum allowed 92 sq.ft., be and is hereby DISMISSED.

LES:bjs



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
date 10/19/99
BY [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October 18, 1999

Paul Dorf, Esquire
S. Leonard Rottman, Esquire
Mercantile Bank & Trust Building
Two Hopkins Plaza, Suite 600
Baltimore, Maryland 21201

RE: PETITION FOR VARIANCE
SW/Corner York Road and Pennsylvania Avenue
(435 York Road)
9th Election District - 4th Councilmanic District
Utah State Retirement Investment Fund & AT&T Wireless PCS, Inc. - Petitioners
Case No. 00-059-A

Dear Messrs. Dorf & Rottman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance, as modified herein, 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 black ink, appearing to read "Lawrence E. Schmidt", is written over a large, stylized, cursive signature that is partially obscured by the printed name below.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Paul George
25 Thomas Road, Glen Burnie, Md. 21061
Ms. Diana Pajtis, Jones, Lang & LaSalle
1 W. Pennsylvania Avenue, Towson, Md. 21204
Mr. Charles Mann, II, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at

435 York Road (Towson Commons)

which is presently zoned BM-C.T.

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) 450.8A3

Section 413.2 A of the Zoning Regulations of 1992.

(The subject building was built in 1992)(see below) *ly*:

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

To permit 183 square feet of wall mounted signage on the east face of the AT&T retail store in lieu of the permitted 92 square feet. See attached Justification for Variance.

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:

AT&T Wireless PCS, Inc.

(Type or Print Name)

Signature

Dominick Vietri, VP & GM

11710 Beltsville Drive

Address

Beltsville

MD

20750

City

State

Zipcode

Attorney for Petitioner: Paul A. Dorf

S. Leonard Rottman

(Type or Print Name)

Signature

S. Leonard Rottman

Two Hopkins Plaza, Suite 600

Mercantile Bank & Trust Building

Address

Phone No. 410-539 5195

Baltimore

MD

21201

State

Zipcode

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): Utah State Retirement Investment Fund

By: CB Richard Ellis Investors, LLC

(Type or Print Name)

Signature

James H. Patterson, II, Senior Director

MANAGING

(Type or Print Name)

Michael J. Everly, Managing Director

Towson Commons

1 West Pennsylvania Ave., Suite 210

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

S. Leonard Rottman

Name

Two Hopkins Plaza, Suite 600

Mercantile Bank & Trust Building

Address

Baltimore

MD

21201

410-539-5195

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1-2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: mmk

DATE

8/10/99

00-059-A



Printed with Soybean Ink
on Recycled Paper

ORDER REBUILT BY: *mmk*

Date: 8/10/99
By: *mmk*

JUSTIFICATION FOR VARIANCE:

AT&T Wireless leases store #120 in Towson Commons, a multi-story commercial/office building located at the corner of York Road and Pennsylvania Avenue in Towson, Maryland. AT&T's store faces, and has its street entrance on, Pennsylvania Avenue. The east side of the store faces York Road. Neither the rear or the west side of the store are adjacent to a roadway.

AT&T is requesting a variance from the sign regulations to permit a sign on the exterior east wall of its store facing York Road. A variance from the sign regulations is required because of the unique design and shape of the subject building. The AT&T store is part of and projects north from the curved front of Towson Commons. The unusual architectural design of Towson Commons, and the unique location of the AT&T store, results in an exterior east wall for the store of only 23 feet in length. The length of the east wall is reduced due to the practical restrictions imposed by the abutting property -- the curved main entrance to Towson Commons. The actual length of the Towson Common building east to west on York Road is several hundred feet.

An existing General Cinema theater sign is located on the exterior east wall of AT&T's store. The General Cinema sign advertises which movies are playing at the theaters located inside Towson Commons. AT&T would be permitted to place its sign on the east wall of its store as a matter of right, if it were not for the General Cinema sign, which is 17'4" by 8'4".

Strict compliance with the 1992 Zoning Regulations would result in practical difficulty for AT&T. Strict compliance with the Regulations permits signs on the east wall of the AT&T store in Towson Commons equal only to four times the length of the east wall of the store, though the length of the east side of the Towson Commons building along York Road is much longer. The purpose of AT&T's sign is to give notice of its location within the Towson Commons building, which location is, effectively, on the corner of York Road and Pennsylvania Avenue. Given the unusual architectural design of the building, strict compliance with the Zoning Regulations unreasonably prevents AT&T from maintaining its sign on its store facing York Road, and affects its ability to compete with similar businesses in the Towson area.

Towson Commons is in a commercial/retail area, with no homes nearby. The variance would not impact the community, will be in strict harmony with the spirit and intent of the sign regulations and will not injure the public health, safety and general welfare.

The relief being sought is to permit 183 square feet of wall mounted signage on the east face of the AT&T retail store in lieu of the permitted 92 square feet, as stated in Section 413.2A of the Zoning Regulations of 1992.

075/at&t sign.pct/042399

DATE 10/19/99
BY [Signature]

Description to Accompany

Zoning Petition

2.71 Acre Parcel

West Side of York Road

North Side of Chesapeake Avenue

South Side of Pennsylvania Avenue

Ninth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the intersection of the west side of York Road (66 feet wide) with the south side of Pennsylvania Avenue (80 feet wide), thence leaving said point of beginning and binding on the west side of York Road (1) South 12 degrees 03 minutes 28 seconds West 340.17 feet, thence binding on the north side of Chesapeake Avenue (2) North 82 degrees 13 minutes 24 seconds West 140.18 feet, thence running for the nine following courses and distances, viz: (3) North 11 degrees 02 minutes 20 seconds East 14.75 feet, thence (4) North 82 degrees 30 minutes 58 seconds West 11.08 feet, thence (5) North 07 degrees 01 minute 11 seconds East 33.20 feet, thence (6) North 82 degrees 58 minutes 49 seconds West 265.00 feet, thence (7) South 07 degrees 01 minute 11 seconds West 31.01 feet, thence (8) North 82 degrees 30 minutes 58 seconds West 35.09 feet, thence (9) North 07 degrees 01 minute 36 seconds East 150.18 feet, thence (10) South 82 degrees 59 minutes 38 seconds East 139.48 feet, and thence (11) North 11 degrees 37 minutes 59 seconds East 166.78 feet, thence binding on the south side of Pennsylvania Avenue the two following courses and distances, viz: (12) South 84 degrees 08 minutes

29 seconds East 146.90 feet, and thence (13) South 83 degrees 04 minutes 32 seconds East 180.39 feet to the point of beginning; containing 2.71 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

May 26, 1999

Project No. 86112.II (L86112II)



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 069833

DATE 8/10/99 ACCOUNT 61-615

Items: 59
134: work AMOUNT \$ 250.00

RECEIVED FROM: 435 - York Rd
Adelberg, Rudolph, Hensler + Sameth, LLC

FOR: 680 - Comm Variance \$ 250.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

00-059-A

CASHIER'S VALIDATION

PAID RECEIPT

DATE 8/10/1999 8/10/1999 12:46:25
NEG #001 CASHIER: JRIC JMR DRAWER 1
Dept 5 528 ZONING VERIFICATION
Receipt # 112990 OPEN
CR NO. 069833
Receipt Tot 250.00
250.00 OK
Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No.: 00-059-A

Petitioner/Developer: _____

AT&T WIRELESS PCS, INC

Date of Hearing/Closing: 9/24/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

435 YORK RD. (TOWSON COMMONS)

The sign(s) were posted on 9/9/99
(Month, Day, Year)



Sincerely,

Richard E. Hoffman 9/9/99
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD. 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CASE # 00-059-A

435 YORK RD. (TOWSON COMMONS)

POSTED 9/9/99

Richard E. Hoffman 9/9/99

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-059-A

435 York Road, Towson Commons)

corner W/S York Road, N/S Chesapeake Avenue, S/S Pennsylvania Avenue

9th Election District

4th Councilmanic District

Legal Owner(s): Utah State Retirement Investment Fund

Contract Purchaser: AT&T Wireless PCS, Inc.

Variance: to permit 183 square feet of wall-mounted signage in lieu of the permitted 92 square feet.

Hearing: Friday, September 24, 1999 at 9:00 a.m. in Room 407, County Courthouse Bldg., 401 Bayley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or hearing, Contact the Zoning Review Office at (410) 887-3391.

9/120 Sept. 9

C3982508

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

9/9/1999

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 9/9/1999.

THE JEFFERSONIAN,

S. Williams

LOCAL ADVERTISING

RE: PETITION FOR VARIANCE
435 York Road (Towson Commons), Cor W/S York Rd,
N/S Chesapeake Ave, and S/S Pennsylvania Ave
9th Election District, 4th Councilmanic

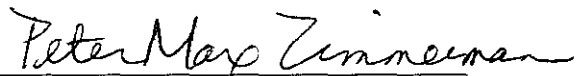
Legal Owner: Utah State Retirement Investment Fund
Contract Purchaser: AT&T Wireless PCS, Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-59-A

* * * * *

ENTRY OF APPEARANCE

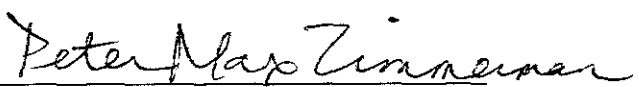
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of August, 1999 a copy of the foregoing Entry of Appearance was mailed to Paul A. Dorf, Esq. and S. Leonard Rottman, Esq., Adelberg, Rudow, Dorf, 2 Hopkins Plaza, Suite 600, Baltimore, MD 212012930, attorneys for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 31, 1999

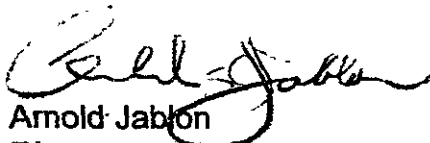
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-059-A
435 York Road (Towson Commons)
corner W/S York Road, N/S Chesapeake Avenue, S/S Pennsylvania Avenue
9th Election District – 4th Councilmanic District
Legal Owner: Utah State Retirement Investment Fund
Contract Purchaser: AT&T Wireless PCS, Inc.

Variance to permit 183 square feet of wall-mounted signage in lieu of the permitted 92 square feet.

HEARING: Friday, September 24, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Arnold Jablon
Director

c: S. Leonard Rottman, Esquire, 2 Hopkins Plaza, Suite 600, Baltimore 21201
Utah State Retire. Invest. Fund, 1 W. Pennsylvania Ave., Suite 210, Towson 21204
AT&T Wireless PCS, Inc., 11710 Beltsville Drive, Beltsville 20750

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SEPTEMBER 24, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, September 9, 1999 Issue – Jeffersonian

Please forward billing to:

S. Leonard Rottman 410-539-5195
Two Hopkins Plaza
Suite 600
Mercantile Bank & Trust Building
Baltimore, MD 21201

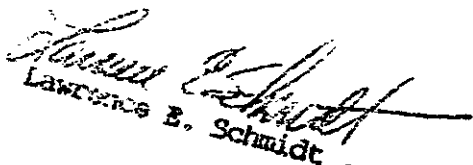
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corner W/S York Road, N/S Chesapeake Avenue, S/S Pennsylvania Avenue
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Legal Owner: Utah State Retirement Investment Fund
Contract Purchaser: AT&T Wireless PCS, Inc.

Variance to permit 183 square feet of wall-mounted signage in lieu of the permitted 92 square feet.

HEARING: Friday, September 24, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-59-A

Petitioner: ATT Wireless PCS, Inc.

Address or Location: 435 York Road (Towson Commons)

PLEASE FORWARD ADVERTISING BILL TO:

Name: S. Leonard Rottman

Address: Two Hopkins Plaza, Suite 600

Mercantile Bank + Trust Building, Balto. MD 21201

Telephone Number: 410-539-5195

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

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: September 2, 1999

FROM: *pub* Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for August 30, 1999
 Item Nos. 049, 051, 052, 053, 054,
 055, 056, 058, 059, 061, 062, 063,
 064, 065, 067, 068

and

Case Number 99-297-SPH
18414 Vernon Road)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

89
9/24

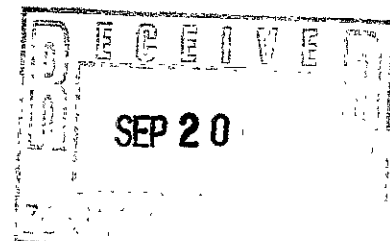
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 20, 1999

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning



SUBJECT: 435 York Road

INFORMATION:

Item Number: 00-59-A
Petitioner: AT&T Wireless PCS, Inc.
Property Size: 1.67 acres
Zoning: BM-C.T.
Requested Action: Variance
Hearing Date: September 24, 1999

REQUEST:

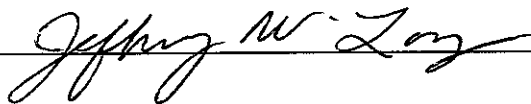
The variance being requested in this case is from Sections 450.8A3 and 413.2A of the B.C.Z.R. to permit 183 square feet of wall mounted signage on the east face of the building in lieu of the permitted 92 square feet.

The subject property, an AT & T retail store, leases space # 120 in Towson Commons, a multi-story commercial/office building located on southwest corner of York Road and Pennsylvania Avenue in the Towson Urban Center. The store faces, and has its street entrance on Pennsylvania Avenue with a small portion of the east side of the store facing York Road. The applicants have cited as justification for their request the unique location of the AT & T store within the Towson Commons complex. It is located next to the General Cinema, and their sign, which flanks either side of the main entrance to the Towson Commons complex, and a curved wall that limits signage opportunities on the east wall.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends disapproval of the requested variances. In spite of the proximity of the AT & T's store to the General Cinema theatre signs, and the curvature of the entrance wall, this store bears a greater similarity to the other retail storefronts that face both York Road and Pennsylvania Avenue. Those storefronts generally have awnings with signage, and/or a flat sign band along the fascia of the building frontage. It is the opinion of this office that signage of that nature and scale is adequate for this type of retail operation. There are several sections in the Towson Community Plan, adopted by the Baltimore County Council in 1992, which reference preferable sign type, location, and size. The plan suggests a uniform sign treatment for those retail operations with street frontage in this part of the town center, and discourages proliferation of signs on multi-use buildings. For these reasons, this Office does not believe that any additional signage at this location is warranted.

Section Chief

A handwritten signature in cursive script, reading "Jeffrey W. Long", is written over a horizontal line.



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 9 . 5 . 9 9

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 059

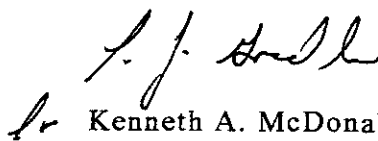
MJK

Dear Ms. Stephens:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


Kenneth A. McDonald Jr.
Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Charles Mann II DMW

200 E. Penn. Ave. 21286

Diana Pajtis Jones Lang LaSalle

1 W. Penns Ave. 21204

Paul George AT&T

25 Thomas Rd Glen Burnie MD

Paul A. Popp Eng.
Doug Utterback

4200 Wisconsin Ave, N.W.
Washington, D.C. 20016



ADELBERG, RUDOW, DORE, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

TELEPHONE
410-539-5195

S. LEONARD ROTTMAN

July 30, 1999

TELECOPIER
410-539-5834

Mr. Carl W. Richards, Jr.
Baltimore County Zoning Supervisor
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance for Sign - AT&T Towson Commons Building
Our File No. 9478-782

Dear Mr. Richards:

Pursuant to our recent telephone discussion, enclosed please find three forms of the Petition for Variance for a sign to be placed on the east wall of the AT&T store at the Towson Commons building on York Road. As per our telephone discussion, since these forms are filed on the old form used by your office, and not the new form, you have agreed to accept this Petition and process the matter for hearing, on the understanding that we will obtain as quickly as possible the Petition for Variance on the new form. We will have the Petition for Variance on the new form signed as quickly as possible and filed with your office as soon as we can, but in any event, before a hearing on this Petition is held.

I have carefully reviewed the difference between the old form of Petition and the new, and find no substantive difference at all. We will complete the new form Petitions for Variance in exactly the same manner as those submitted herewith.

I appreciate your courtesy and cooperation in this matter.

Kindest personal regards.

Sincerely,


S. Leonard Rottman

SLR/klk
Enclosure
073s/at&trich.ltr

59
00-059-A

ADELBERG, RUDOW, DORE, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

TELEPHONE
410-539-5195

TELECOPIER
410-539-5834

S. LEONARD ROTTMAN

July 30, 1999

VIA HAND DELIVERY

Mr. Charles Main
Daft McCune Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286

Re: Petition for Variance for Sign - AT&T - Towson Commons Building
Our File No. 9478-782

Dear Charlie:

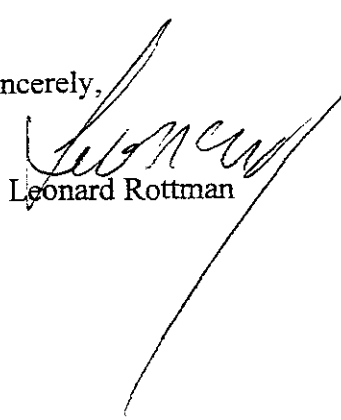
I am returning to you with this letter the three forms of Petition for Variance for the AT&T sign on the Towson Commons building. Note that I have added the relief sought to the petitions as requested, and I have signed all three forms. You should still have the check for \$250 that I sent you with my letter of July 13th.

Please deliver the enclosed Petitions and my letter to the Zoning Office and ask them to process the Petition and set the matter for hearing. In the meantime, I am sending out the new form of Petition for Variance and will have it signed as soon as I can.

If you or Mitch Kelman have any questions about this, please call me.

Kindest personal regards.

Sincerely,


S. Leonard Rottman

SLR/klk
Enclosure
073s/at&tmain.ltr

59
00-059-A

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

TELEPHONE
410-539-5195

S. LEONARD ROTTMAN

September 7, 1999

TELECOPIER
410-539-5834

Mr. Carl W. Richards, Jr.
Baltimore County Zoning Supervisor
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance for Sign
AT&T Towson Commons Building
Case No. 00-59-A
Our File No. 9478-782

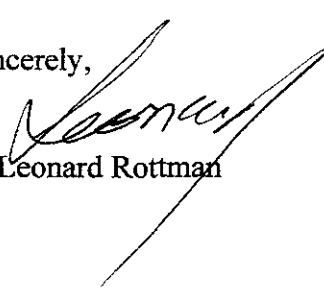
Dear Mr. Richards:

Pursuant to my letter to you of July 30, 1999 concerning the above case, enclosed please find six duplicate originals of Petition for Variance in this matter. There are six separate Petitions being filed because three of the Petitions have been signed by Dominick Vietri on behalf of AT&T Wireless Services, and three of the Petitions have been signed by James H. Patterson, II on behalf of CB Richard Ellis Investors, LLC. I understand that it is permissible to file the Petition with the signatures of the Contract Purchaser/Lessee and Legal Owner on separate pages. Please note that I have signed all six of the enclosed.

Thank you for your usual help and cooperation.

Kindest personal regards.

Sincerely,


S. Leonard Rottman

SLR/klk

Enclosure

cc: Mr. Dominick Vietri (w/o encl.)
Mr. M. Chris Pelesky (w/o encl.)
Ms. Diane L. Pajtis (w/o encl.)
Mr. Charles Main, II (w/o encl.)

0735/attrich.ltr

59

RECEIVED

SEP - 8 1999

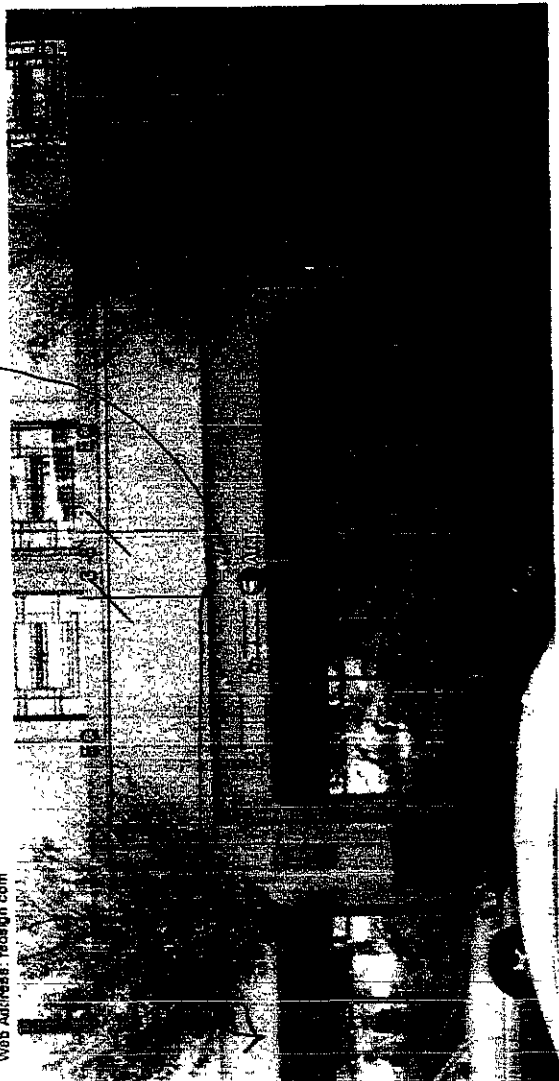
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

FEDERAL SIGN

Division Federal Signal Corporation

13348 1st Ave N.E. Seattle, WA 98125
Phone: (206) 881-8800 Fax: (206) 881-8800
Web Address: fesign.com

*This sign over
is center exterior
new*

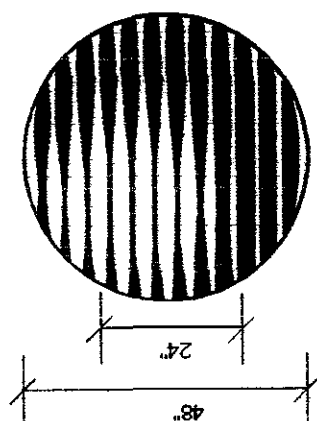


EXTERIOR FRONT ELEVATION (PENNSYLVANIA AVE.)

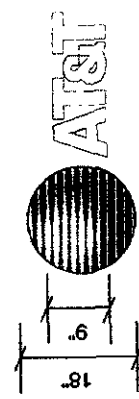
SCALE: NTS

9'-8" Over-all length

3'-8" Over-all length



AT&T



AT&T

SIGN DETAIL SCALE: 3/8" = 1'-0"

SIGN TYPE: CLT-B-1, CLT-B-CUSTOM, CLT-B-HALO CUSTOM
(THREE SIGNS REQ'D) (ONE INTERIOR, TWO EXTERIOR) TWO INTERIOR CLTWB-CUSTOM

AT&T TOWSON COMMONS, 435 YORK RD. #120, TOWSON MD 21204

JOB NUMBER: 00-000000	LOCATION NAME:	DESIGN NUMBER: ATT 1117	SHEET: 1 OF 2
SALESPERSON		DESIGNER: DAVID HINGTGEN	
PROGRAM TEAM: Seattle	JOB ADDRESS:	REVISION NUMBER	
CLIENT APPROVAL	see above	REVISION DATE 12 2 98	

Notice: This is an original unpublished drawing, submitted in connection with a project planned for you by Federal Sign. It is not to be copied, reproduced, exhibited or shown to anyone outside your organization without written permission of Federal Sign.

EXTERIOR FRONT ELEVATION

SCALE: NTS

NOTES:

two (2)

Patch & Paint Fascia as required.
Fabricate and install new Sign as indicated.
Globe and letter faces to be translucent .177 acrylic-white, with translucent 3-M Vinyl Process Blue #230-337 applied first surface.
3/4" trimpap (matte black). Globe 6" returns are pld Black (flat finish)
Letters to have 6" returns are pld Black (flat finish)

Illumination of globe and letter faces is 8500 white (long) = white.
30 me.

Remote transformer boxes, mounted behind fascia.

See control sheet attached for specific sign construction details

9'-8" Over-all length

EQ

EQ

EQ

EQ

EQ

AT&T

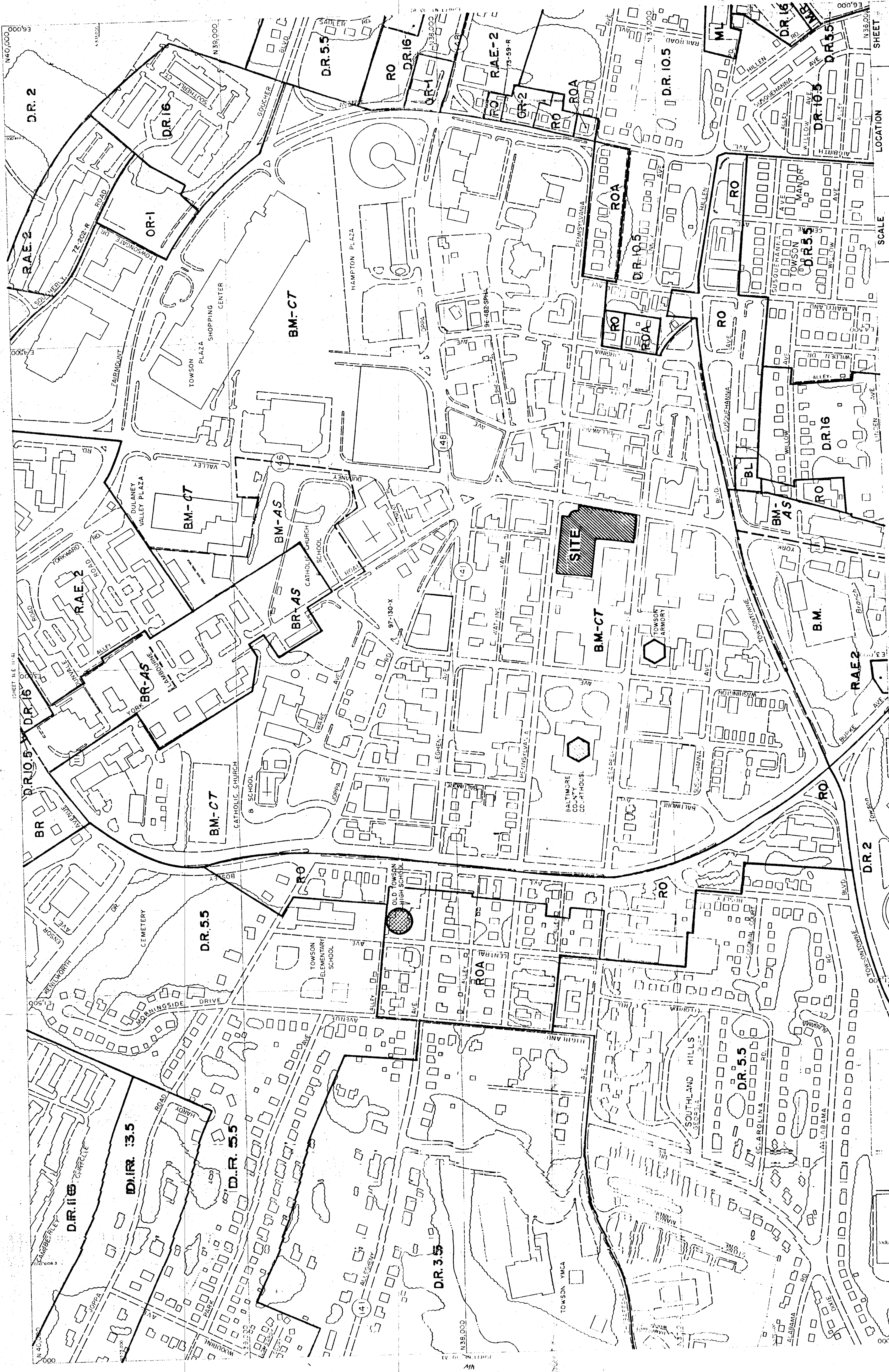
*vacant
pending
De Wot
Zustell*



Ref 2A



Ref 2B



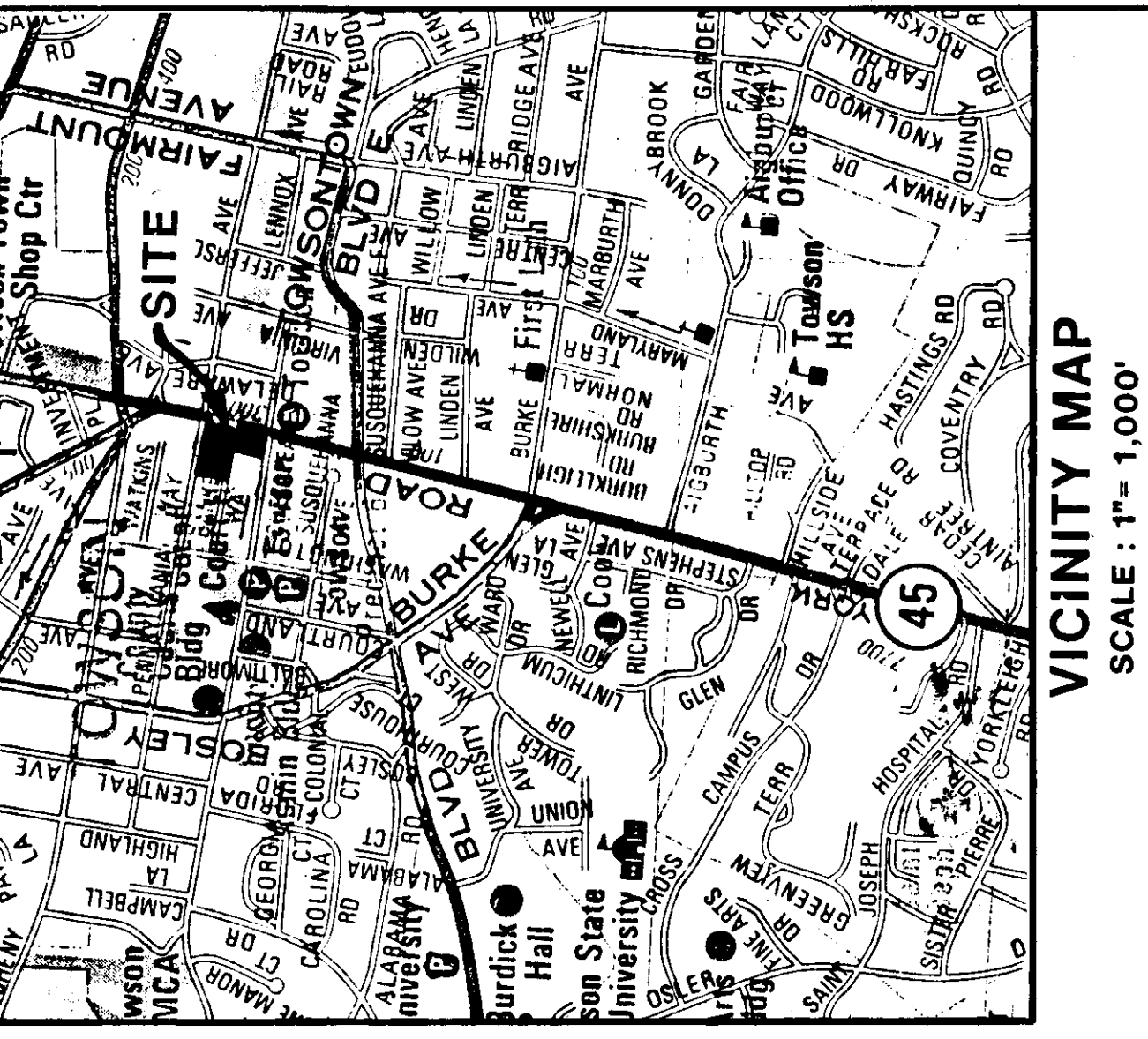
**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1996 COMPREHENSIVE ZONING MAP
THE BALTIMORE COUNTY PLANNING
DEPARTMENT
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kevin Kammerer
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD., 2212110

0-NE N-W
S-SE R-SW

SCALE
1" = 200' ±
DATE OF PHOTOGRAPHY
JANUARY 1996
LOCATION
TOWSON



VICINITY MAP
SCALE: 1" = 1,000'

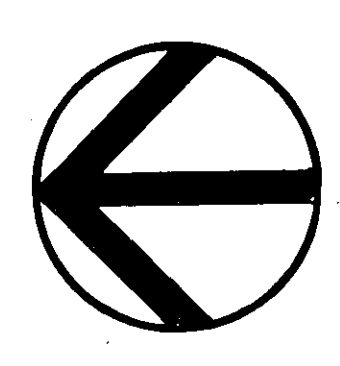
PRINTED
MAY 2, 1999
DAFT-MCNE-WALKER, INC.

RELIEF BEING SOUGHT:
To allow 183 s.f. sign for east face of AT & T retail store in lieu of the permitted 80 s.f. as stated in Section 413.2A of the Zoning Regulations of 1992.

DMW
Dart-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21206
(410) 286-3333
Fax: 286-4703

A Team of Land Planners,
Engineers, Surveyors &
Environmental Professionals

**TOWSON COMMONS
200 SCALE ZONING MAP**

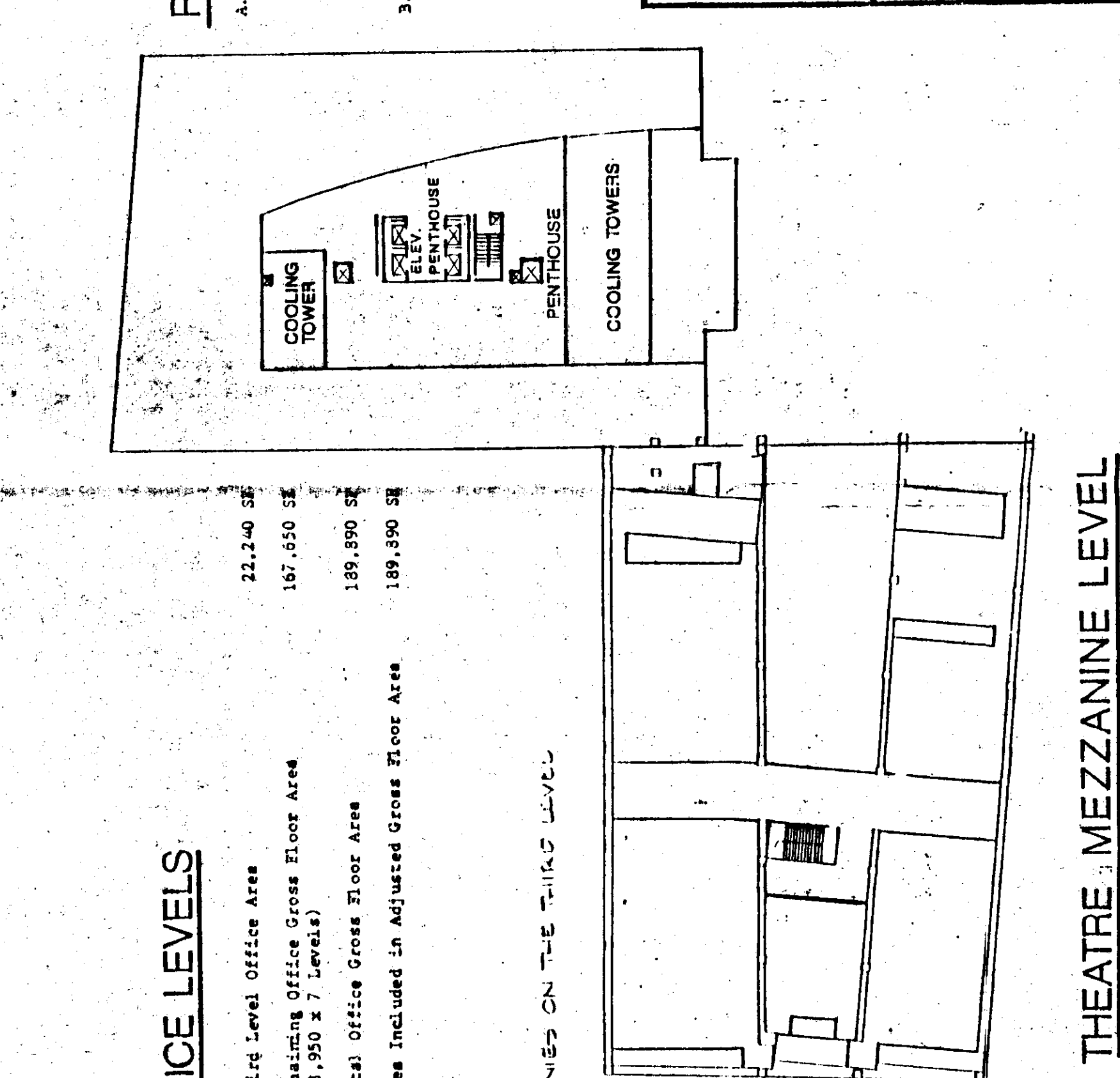


59

ISSUE DATES	
REVIEW:	
BID:	
PERMIT:	
CONSTRUCTION:	
BASE:	
DRAWN:	B.C.G.
DESIGNED:	DKH
CHECKED BY:	
DATE:	
BY:	
REVISIONS	
00-059-A	
DATE CHECKED: 05/18/99	
SCALE: 1" = 200'	
PROJECT NO.: 86112.11	
DRAWING:	

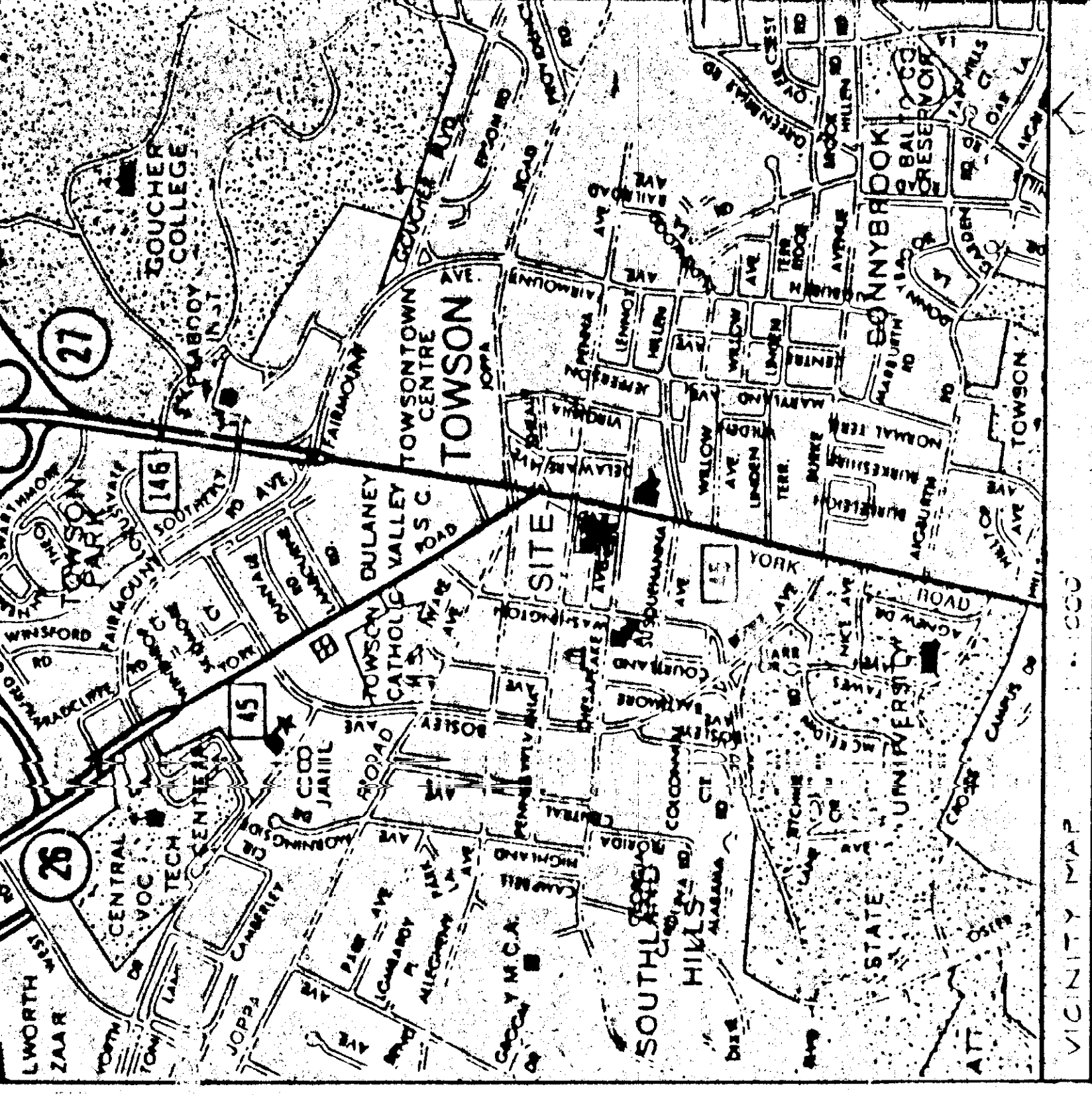


- A. Excluded from gross floor area part of theatre area which seats required parking on the number of seats.
 1. Horizontal and Vertical Circulation
 2. TO Theatre Area
- B. Included in Gross Floor Area
 1. Upper Level General Retail
 2. Required Parking at 3 Spaces/1,000 SF at 70.1
- C. Total Netting Floor Area
- D. Area included in Adjusted Gross Floor Area



3. Area Included in Adjusted Gross Floor Area

BUILDING PROGRAM

[illegible]

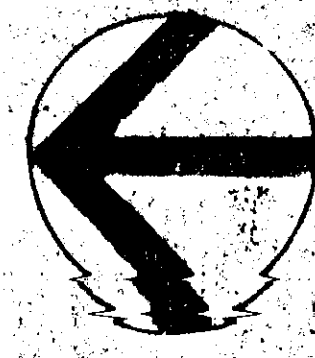
Township Citizens Builders Forum	BK0798
Foundations	C-1125-34
Building	C-1134-39
Grading	BK0471
	C-1216-40



DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS & SURVEYORS
200 E. PENNSYLVANIA AVE.
TOWSON, MD. 21204
TELEPHONE (301) 294-3232

PROXIMITY MAP

**TOWSON COMMONS
PLAN & PLAT TO ACCOMPANY
ZONING PETITION**



SCALE. 1" = 200'

JOB ORDER NO. 86112JH

ISSUE DATE 03/01/01

DATE	REVISIONS	1 of 4
00-059.A		

Assembly Open Space Required: (Adjusted Gross)	
Parking = 0.02	66 s.f.
398,771 s.f. Balance Adj. Gross @ 0.01 =	39,877 s.f.
Total Required	39,943 s.f.
Proposed:	22,980 s.f.

116. The 2nd Refinement to the CLG Plan was approved on 9-30-98.

[illegible]

7The following spending garage will be returned and is not for sale.

[illegible]

As per CIRCO comments 7/09, a waiver of discretionary management! Waived the prehistoric basis on Section 2-100.341(2) of antiquity management regulations. Water quality will be provided through a report of geotechnical testing etc.

GENERAL FINANCIALS

[illegible]

Police Cover Area Index

Requests

9,406 ST. Paul (p. 54) 1006 261
2,306 Santa Theresa (p. 11) 347 567
0,659 ST. Cate. Officers (request) 1,000 27
24,217 ST. Cate. Officers (request) 1,000 27
24,217 ST. Cate. Officers (request) 1,000 27
24,217 ST. Cate. Officers (request) 1,000 27

Cable Connections		Signal Information and Measurement	
Signal Frequency	Signal Amplitude	Signal Frequency	Signal Amplitude
100 Hz	100 mV	100 Hz	100 mV
1 kHz	100 mV	1 kHz	100 mV
10 kHz	100 mV	10 kHz	100 mV
100 kHz	100 mV	100 kHz	100 mV
1 MHz	100 mV	1 MHz	100 mV
10 MHz	100 mV	10 MHz	100 mV
100 MHz	100 mV	100 MHz	100 mV
1 GHz	100 mV	1 GHz	100 mV
10 GHz	100 mV	10 GHz	100 mV
100 GHz	100 mV	100 GHz	100 mV
1 THz	100 mV	1 THz	100 mV
10 THz	100 mV	10 THz	100 mV
100 THz	100 mV	100 THz	100 mV
1 PHz	100 mV	1 PHz	100 mV
10 PHz	100 mV	10 PHz	100 mV
100 PHz	100 mV	100 PHz	100 mV
1 EHz	100 mV	1 EHz	100 mV
10 EHz	100 mV	10 EHz	100 mV
100 EHz	100 mV	100 EHz	100 mV
1 ZHz	100 mV	1 ZHz	100 mV
10 ZHz	100 mV	10 ZHz	100 mV
100 ZHz	100 mV	100 ZHz	100 mV
1 YHz	100 mV	1 YHz	100 mV
10 YHz	100 mV	10 YHz	100 mV
100 YHz	100 mV	100 YHz	100 mV
1 RHz	100 mV	1 RHz	100 mV
10 RHz	100 mV	10 RHz	100 mV
100 RHz	100 mV	100 RHz	100 mV
1 QHz	100 mV	1 QHz	100 mV
10 QHz	100 mV	10 QHz	100 mV
100 QHz	100 mV	100 QHz	100 mV
1 SHz	100 mV	1 SHz	100 mV
10 SHz	100 mV	10 SHz	100 mV
100 SHz	100 mV	100 SHz	100 mV
1 MShz	100 mV	1 MShz	100 mV
10 MShz	100 mV	10 MShz	100 mV
100 MShz	100 mV	100 MShz	100 mV
1 GShz	100 mV	1 GShz	100 mV
10 GShz	100 mV	10 GShz	100 mV
100 GShz	100 mV	100 GShz	100 mV
1 TShz	100 mV	1 TShz	100 mV
10 TShz	100 mV	10 TShz	100 mV
100 TShz	100 mV	100 TShz	100 mV
1 PShz	100 mV	1 PShz	100 mV
10 PShz	100 mV	10 PShz	100 mV
100 PShz	100 mV	100 PShz	100 mV
1 EShz	100 mV	1 EShz	100 mV
10 EShz	100 mV	10 EShz	100 mV
100 EShz	100 mV	100 EShz	100 mV
1 ZShz	100 mV	1 ZShz	100 mV
10 ZShz	100 mV	10 ZShz	100 mV
100 ZShz	100 mV	100 ZShz	100 mV
1 YShz	100 mV	1 YShz	100 mV
10 YShz	100 mV	10 YShz	100 mV
100 YShz	100 mV	100 YShz	100 mV
1 RShz	100 mV	1 RShz	100 mV
10 RShz	100 mV	10 RShz	100 mV
100 RShz	100 mV	100 RShz	100 mV
1 QShz	100 mV	1 QShz	100 mV
10 QShz	100 mV	10 QShz	100 mV
100 QShz	100 mV	100 QShz	100 mV
1 SShz	100 mV	1 SShz	100 mV
10 SShz	100 mV	10 SShz	100 mV
100 SShz	100 mV	100 SShz	100 mV
1 MShz	100 mV	1 MShz	100 mV
10 MShz	100 mV	10 MShz	100 mV
100 MShz	100 mV	100 MShz	100 mV
1 GShz	100 mV	1 GShz	100 mV
10 GShz	100 mV	10 GShz	100 mV
100 GShz	100 mV	100 GShz	100 mV
1 TShz	100 mV	1 TShz	100 mV
10 TShz	100 mV	10 TShz	100 mV
100 TShz	100 mV	100 TShz	100 mV
1 PShz	100 mV	1 PShz	100 mV
10 PShz	100 mV	10 PShz	100 mV
100 PShz	100 mV	100 PShz	100 mV
1 EShz	100 mV	1 EShz	100 mV
10 EShz	100 mV	10 EShz	100 mV
100 EShz	100 mV	100 EShz	100 mV
1 ZShz	100 mV	1 ZShz	100 mV
10 ZShz			

Training Through the 21st Century

Executive Education Concepts

Executive Coaching Concepts

Executive Assessment Concepts

Executive Consulting Concepts

Executive Development Concepts

Executive Leadership Concepts

Executive Management Concepts

Executive Performance Concepts

Executive Strategy Concepts

Executive Training Concepts

Executive Learning Concepts

Executive Research Concepts

Executive Analysis Concepts

Executive Synthesis Concepts

Executive Evaluation Concepts

Executive Implementation Concepts

Executive Monitoring Concepts

Executive Control Concepts

Executive Communication Concepts

Executive Collaboration Concepts

Executive Conflict Resolution Concepts

Executive Decision Making Concepts

Executive Problem Solving Concepts

Executive Innovation Concepts

Executive Creativity Concepts

Executive Change Management Concepts

Executive Organizational Development Concepts

Executive Human Resources Concepts

Executive Financial Management Concepts

Executive Marketing Concepts

Executive Sales Concepts

Executive Customer Relationship Management Concepts

Executive Supply Chain Management Concepts

Executive Project Management Concepts

Executive Risk Management Concepts

Executive Compliance Concepts

Executive Ethics Concepts

Executive Social Responsibility Concepts

Executive Sustainability Concepts

Executive Globalization Concepts

Executive International Business Concepts

Executive Cross-Cultural Management Concepts

Executive Digital Transformation Concepts

Executive Artificial Intelligence Concepts

Executive Data Analytics Concepts

Executive Cloud Computing Concepts

Executive Cybersecurity Concepts

Executive Blockchain Concepts

Executive Internet of Things Concepts

Executive Augmented Reality Concepts

Executive Virtual Reality Concepts

Executive Robotics Concepts

Executive Automation Concepts

Executive Smart Manufacturing Concepts

Executive Smart Cities Concepts