

IN RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

E/S Philadelphia Road, 260' N
of Campbell Boulevard
15th Election District
6th Councilmanic District
(10201 Philadelphia Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-098-SPHA

Carmax Auto Superstores, Inc.
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, Carmax Auto Superstores, Inc. requesting a special hearing to amend a site plan which was previously approved in Case No. 97-206-X. In addition, the Petitioner is seeking a variance from Section 450.4 to allow a second freestanding enterprise sign with an area of 50 sq. ft. per face in lieu of the permitted one sign.

Appearing at the hearing on behalf of the requests were Paul McClellan, appearing on behalf of Carmax Auto Superstores, Inc., Scott Rouk with Morris Ritchie & Associates, the engineers who prepared the site plan of the property, and Rob Hoffman, attorney at law, representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 15.72 acres, more or less, and is currently improved with a Carmax Automobile Superstore. The subject property is located on the northeast corner of the intersection of Campbell Boulevard and Philadelphia Road in the White Marsh area of Baltimore County. In addition to selling quality used automobiles, Carmax is now offering new Nissan automobiles for sale from the subject property. In accordance with the sales of new Nissans, the Petitioner is requesting to construct a pylon sign advertising the Nissan Dealership. The details of the sign in question are shown on Petitioner's Exhibit No. 1, the site plan of the property. As stated previously, the subject

ORDER RECEIVED FOR FILING

Date

10/27/99

By

R. J. Jemison

property is quite large, comprising 15.72 acres, with approximately 600 ft. of road frontage along Philadelphia Road. The subject property is quite capable of supporting a second enterprise sign on the subject site and therefore, based on the testimony and evidence submitted at the hearing, as well as the lack of opposition regarding the Nissan sign, I find that the special hearing and variance request should be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's special hearing and variance request should be granted.

THEREFORE, IT IS ORDERED this 27th day of October, 1999, by this Deputy Zoning Commissioner, that the Petitioner's special hearing request to amend a site plan which was previously approved in Case No. 97-206-X and Petitioner's request for variance from Section 450.4 to allow a second freestanding enterprise sign with an area of 50 sq. ft. per face in lieu of the permitted one sign, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any party has the right to file an appeal within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 10/27/99
By J.R. [Signature]



Baltimore County
Zoning Commissioner

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

October 27, 1999

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petitions for Special Hearing & Variance
Case No. 00-098-SPHA
Property: 10201 Philadelphia Road

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The Requests for Special Hearing and Variance have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Carmax Auto Superstores, Inc.
c/o Mr. Paul McClellan
Circuit City Stores, Inc.
9950 Maryland Drive
Richmond, Virginia 23233

Mr. Scott Rouk
Morris Ritchie & Associates
110 West Road
Towson, Maryland 21204



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10201 Philadelphia Road

which is presently zoned BR + C B

This Petition shall be filed with the Department of Permits and 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special hearing to amend the site plan previously approved in
Case No. 97-206-X.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. 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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer & Howard

Company

210 Allegheny Avenue

410-494-6200

Address

Telephone No.

Towson

MD

21204

State

Zip Code

Legal Owner(s):

Carmax Auto Superstores, Inc.

Name - Type or Print

By:

Signature Benjamin B. Cummings, Jr.

Vice President

Name - Type or Print

Signature

c/o Paul McClellan

Circuit City Stores, Inc. 804-527-4000

Address

9950 Maryland Drive

Telephone No.

Richmond

VA

23233

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue

410-494-6200

Address

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING 1 HR

Reviewed By JL

Date 9/2/99

Case No. 00-98-SPHA

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 10/27/99
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10201 Philadelphia Road

which is presently zoned BR & CB *PMH*

This Petition shall be filed with the Department of Permits and 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)

a second
450.4 to allow ~~one additional~~ freestanding enterprise sign with an area of 50 sf. per face. *in lieu of the permitted one sign* *PMH*

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

to be determined at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer & Howard

Company

210 Allegheny Avenue 401-494-6200

Address Telephone No.

Towson MD 21204

City State Zip Code

Legal Owner(s):

Carmax Auto Superstores, Inc.

Name - Type or Print

By: *Benjamin B. Cummings, Jr.*

Signature Benjamin B. Cummings, Jr.

Vice President

Name - Type or Print

Signature

c/o Paul McClellan

Circuit City Stores, Inc. 804-527-4000

Address Telephone No.

9950 Maryland Drive

Richmond VA 23233

City State Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue 410-494-6200

Address Telephone No.

Towson MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING

Reviewed By JL Date 9/2/99

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



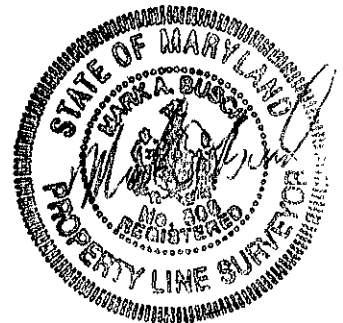
98

Zoning Description
22.185 Acre Parcel of Land
"The Carmax Site"
Election District 15
Councilmanic District 6
Baltimore County, Maryland

Beginning at a point on the east side of MD Rte 7, Philadelphia Road, which varies from 80 to 100 feet in width, at the distance of 260 feet $\pm$ from the centerline intersection of Campbell Boulevard, which is 100 feet in width, thence binding on Lot 1 of a Plat entitled "First Amended Final Plat, Carmax Site, Whitemarsh Complex" recorded in the Land Records of Baltimore County, Maryland in Plat Book SM 71 at folio 1, the following 10 courses and distances, viz:

1. North $30^{\circ}36'04''$ East, 290.55 feet,
2. 67.27 feet along the arc of a curve to the right, having a radius of 9,960.00 feet, and being subtended by a chord of North $30^{\circ}47'40''$ East, 67.27 feet,
3. North $30^{\circ}59'17''$ East, 488.73 feet,
4. South $59^{\circ}35'08''$ East, 741.17 feet,
5. South $30^{\circ}24'52''$ West, 852.17 feet,
6. North $59^{\circ}35'08''$ West, 378.50 feet,
7. South $30^{\circ}24'52''$ West, 290.81 feet,
8. 197.80 feet along the arc of a curve to the left, having a radius of 1,017.00 feet, and being subtended by a chord of North $44^{\circ}32'46''$ West, 197.48 feet,
9. North $30^{\circ}24'52''$ East, 244.40 feet,
10. North $59^{\circ}17'32''$ West, 178.24 feet to the place of beginning.

MAB:makls\10450\22.185acre\090199



☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9792 (301) 776-1690
FAX (410) 792-7395

00-098-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 069871

DATE 9/2/99 ACCOUNT R0016150

AMOUNT \$ 500.00

RECEIVED FROM: VB+H

FOR: (C) SPH A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

00-098-SPHA

CASHIER'S VALIDATION

PAID RECEIPT

RECEIVED BY: [Signature]
DATE: 9/2/99
AMOUNT: \$500.00
FOR: VB+H
OFFICE OF BUDGET & FINANCE
BALTIMORE COUNTY, MARYLAND

AH92-8P0-00

CERTIFICATE OF POSTING

RE Case No 00-98-SPHA
Petitioner/Developer CARMAX, ETAL
C/O R. HOFFMAN, ESQ
Date of Hearing/Closing 10/21/99

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 #10201-PHILA. RD.
(ONSITE)

The sign(s) were posted on

10/5/99
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 10/12/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

ZONING NOTICE

Case # : 00-098-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE SIGN 407, COUNTY OFFICE BUILDING
DATE : THURSDAY, OCTOBER 21, 1999 9:00AM

AND THE SITE PLAN PREVIOUSLY
37-200-X
SECOND FREE-STANDING SIGN
IN AREA OF 50 SQUARE FEET
PERMITTED ONE SIGN.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

HEARINGS ARE HANDICAPPED ACCESSIBLE

ZONING NOTICE

Case # : 00-098-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE SIGN
TIME & DATE

**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: #00-088-SPH4
10201 Philadelphia Road
ES Philadelphia Road, 260' N
of Campbell Boulevard
15th Election District
8th Councilmanic District
Legal Owner(s): Canmax Auto
Superstores, Inc.

Special Hearing: to amend the site plan previously approved in case number 97-206-X. Variance: to allow a second free-standing entrance sign with an area of 50 square feet per face in lieu of the permitted one sign.

Hearing: Thursday, October 21, 1999 at 9:00 a.m. in Room 407, County Courts Bldg., 401 Bosley 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.

JLU/10/618 Oct. 5 C343884

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/8/, 19 99

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 Tues 10/5/, 19 99.

THE JEFFERSONIAN,

S. Williams

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 00-98-SPHA
Petitioner/Developer CARMAX, ETAL
10 R. HOFFMAN, ESQ
Date of Hearing/Closing 10/21/99

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 #10201 PHILA. RD.
(ONSITE)

The sign(s) were posted on 10/5/99
(Month, Day, Year)

Sincerely,

Patrick O'Keefe 10/12/99
Patrick M. O'Keefe 10/12/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

ZONING NOTICE

Case # : 00-098-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

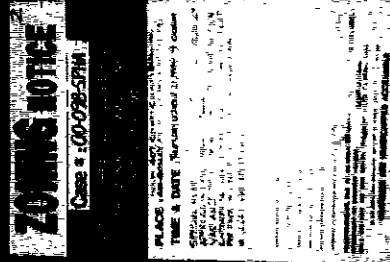
PLACE : 307, CARMAX BUILDING
& DATE : THURSDAY, OCTOBER 21, 1999 9:00AM

RECOMMEND THE SITE PLAN PREVIOUSLY
FILED 9/7/98-X
IN A SECOND FREE-STANDING SIGN
WITH AN AREA OF 50 SQUARE FEET
THE PERMITTED ONE SIGN.
-W, RD.

CARMAX

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 487-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS SIGN 1 DAY BEFORE HEARING. OTHER SIGNIFICANCE OF THE LAW
HEARINGS ARE HANDICAPPED ACCESSIBLE



00-98-SPHA
#10201 PHILA. RD.
CARMAX
10/21

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
10201 Philadelphia Road, E/S Philadelphia Rd,
260' N of Campbell Blvd.
15th Election District, 6th Councilmanic

Legal Owner: Carmax Auto Superstores, Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-98-SPHA

* * * * *

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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of September, 1999 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

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

September 22, 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: 00-098-SPHA
10201 Philadelphia Road
E/S Philadelphia Road, 260' N of Campbell Boulevard
15th Election District – 6th Councilmanic District
Legal Owner: Carmax Auto Superstores, Inc.

Special Hearing to amend the site plan previously approved in case number 97-206-X.
Variance to allow a second free-standing enterprise sign with an area of 50 square feet per face in lieu of the permitted one sign.

HEARING: Thursday, October 21, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a stylized "SJ" monogram below it.

Arnold Jablon
Director

c: Robert Hoffman, Esquire, 210 Allegheny Avenue, Towson 21204
Carmax Auto Superstores, Inc., c/o Paul McClellan, Circuit City Stores, Inc.,
9950 Maryland Drive, Richmond, VA 23233

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 6, 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
Tuesday, October 5, 1999 Issue – Jeffersonian

Please forward billing to:

Barbara W. Ormord, Legal Assistant
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

410-494-6201

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: 00-098-SPHA

10201 Philadelphia Road

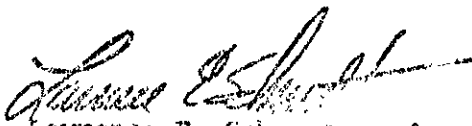
E/S Philadelphia Road, 260' N of Campbell Boulevard

15th Election District – 6th Councilmanic District

Legal Owner: Carmax Auto Superstores, Inc.

Special Hearing to amend the site plan previously approved in case number 97-206-X.
Variance to allow a second free-standing enterprise sign with an area of 50 square feet per face in lieu of the permitted one sign.

HEARING: Thursday, October 21, 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: 00-98-SPH
Petitioner: CARMAX AUTO SUPERSTORES, INC.
Address or Location: 10201 PHILADELPHIA RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA W. ORMORD, LEGAL ASSISTANT
Address: VENABLE, BAETJER & HOWARD, LLP
210 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
Telephone Number: 410-494-6201

Revised 2/20/98 - SCJ

00-098-SPHA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Jim
10/21
PV

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

DATE: September 22, 1999

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

SEP 22

SUBJECT: 10201 Philadelphia Road

INFORMATION:

Item Number: 98

Petitioner: Carmax Auto Superstore, Inc.

Zoning: BR and CB

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to place a second free-standing sign on the "Carmax" site, provided that the height of the proposed sign does not exceed the height of the existing "Carmax" sign. In addition, the temporary banner sign, which presently advertises the Nissan operation, should be removed.

Section Chief:



AFK/JL

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Rob Hoffman
Paul McKellan - CIRCUIT CITY
Scott Rouk MRA

ADDRESS

210 Allegheny Ave 21204
9950 Mayland Drive, RICHMOND VA, 23233
110 West Rd, Towson, MD 21204



FROM : COMMODARI DEVELOPMENT CONSULTA PHONE NO. : 4104679928

Oct. 18 1999 08:10AM P1

751 Jim Niccoli

(2 pages)

**BALTIMORE COUNTY, MARYLAND**
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204
DIRECTOR**BUILDING PERMIT**
BUILDINGS ENGINEERPERMIT #: B345366 CONTROL #: SI-1 DIST: 01 PREC: 01
DATE ISSUED: 07/02/1998 TAX ACCOUNT #: 2300001152 CLASS: 06PLANS: CONST PLOT R PLAT DATA ELEC PLUM
LOCATION: 10201 PHILADELPHIA RD
SUBDIVISION: CARMAX STE WHYMRSH CMPLX

OWNERS INFORMATION

NAME: CARMAX
ADDR: 10201 PHILADELPHIA RD 21162

TENANT: CARMAX

CONTR:

ENGR:

SELLR:

WORK:

INSTALL F/S D/F ILLUM PYLON 5'11"X16'10"=99.58F
ELECTRICAL PERMIT PC23567 25FT HIGH SIGN MUST
COMPLY W/ ANY RESTRICTIONS CASE 97-206-X
MORE THAN 300 FT OF FRONTAGE

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP:

PROPOSED USE:

EXISTING USE:

TYPE OF IMPRV:

USE:

FOUNDATION:

SEWAGE:

BASEMENT:

WATER:

LOT SIZE AND SETBACKS

SIZE: 0000.00 X 0000.00

FRONT STREET:

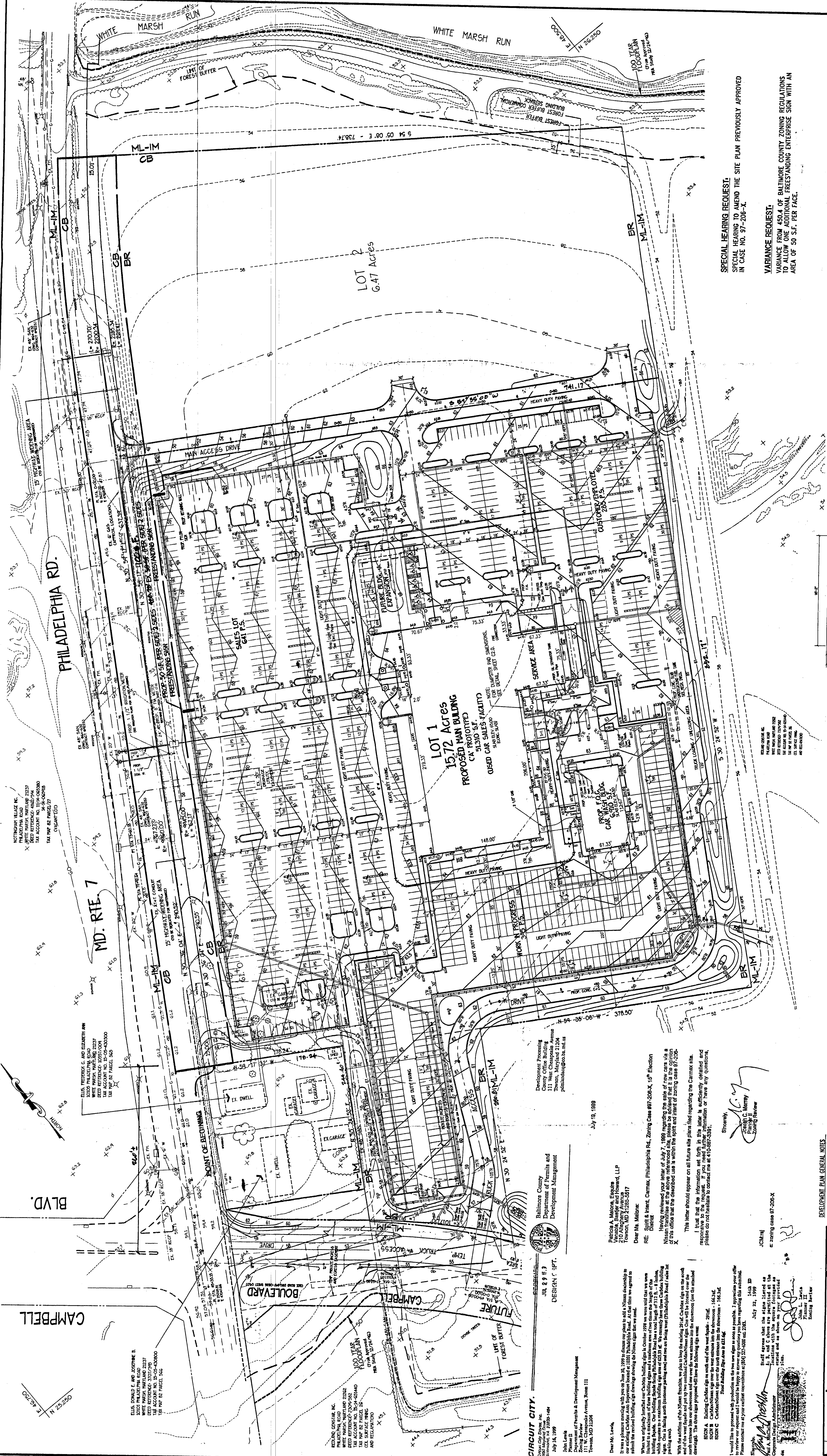
SIDE STREET:

FRONT SETB:

SIDE SETB:

SIDE STR SETB:

REAR SETB:



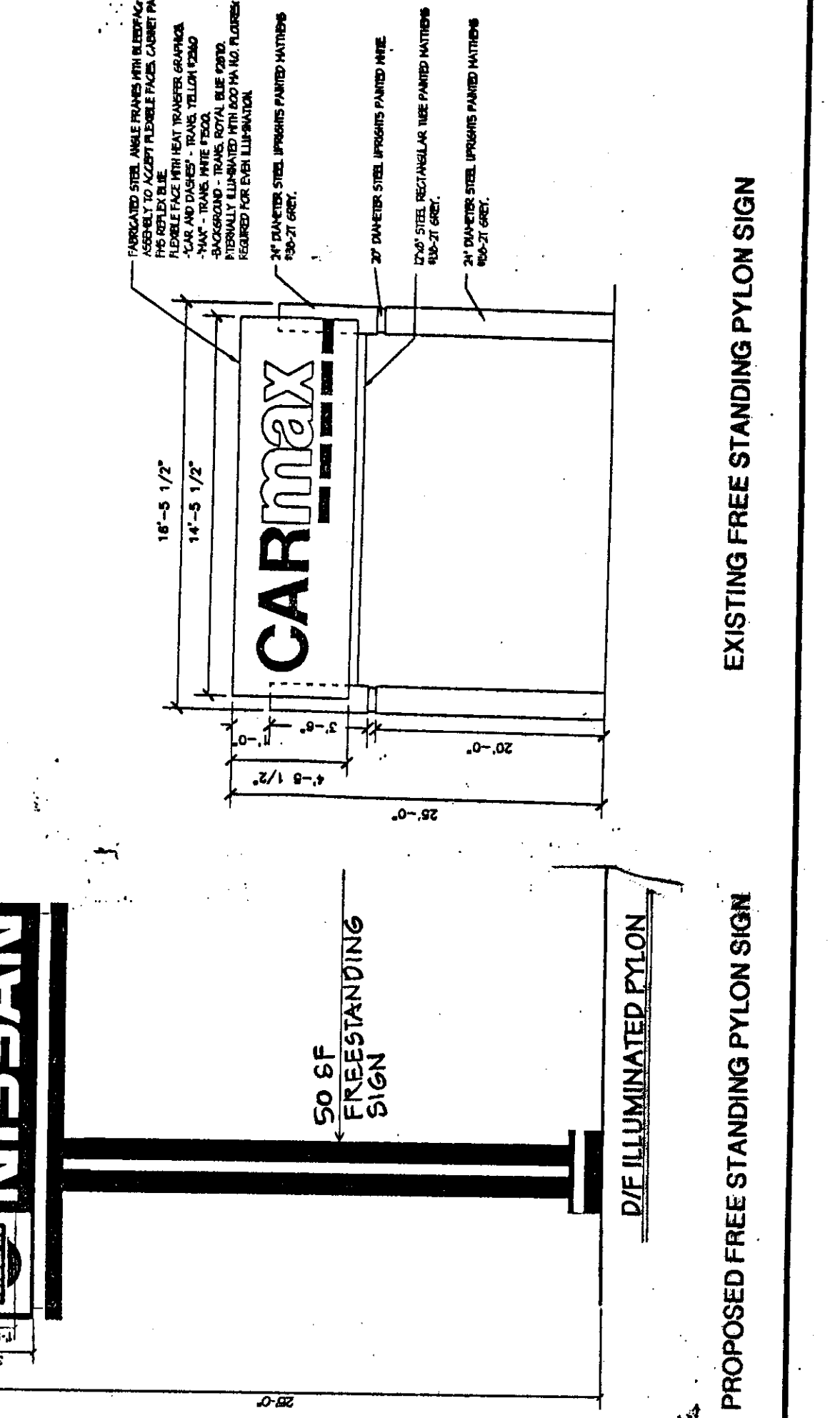
REPAIR EX. SIGNAGE SITE 10/21/00 BY 845366

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
110 WEST ROAD SUITE 245
TOWSON, MARYLAND 21204
FAX (410) 821-7418

**PLAT TO ACCOMPANY
SPECIAL HEARING & VARIANCE REQUEST
CARMAX - WHITE MARSH**
(Used Car Sales Facility)
PHILADELPHIA ROAD - MD. RTE. 7
ELECTION DISTRICT #15 - CONGRESSIONAL DISTRICT #6
PDM #XV-693

DATE: 2-2-98
REVISIONS: 2-2-98
8/10/98
3/19/99

DESIGNED BY: TD
DRAWN BY: TD
CHECKED BY: SR
REVIEW BY: SR
SHEET: 1 OF 1



EXISTING FREE STANDING PYLON SIGN

PROPOSED FREE STANDING PYLON SIGN

DEVELOPMENT PLAN GENERAL NOTES

1. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

2. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

3. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

4. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

5. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

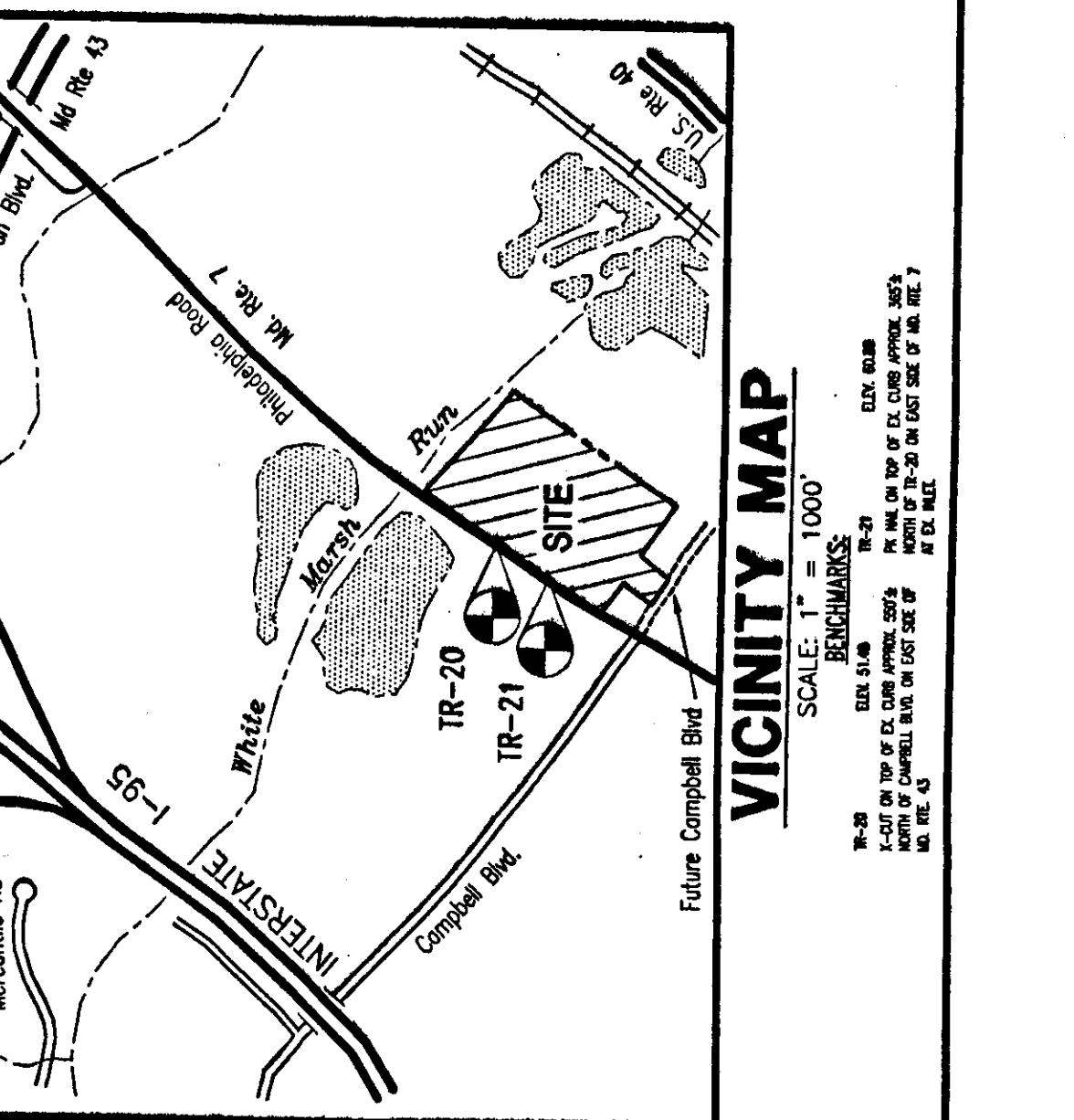
6. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

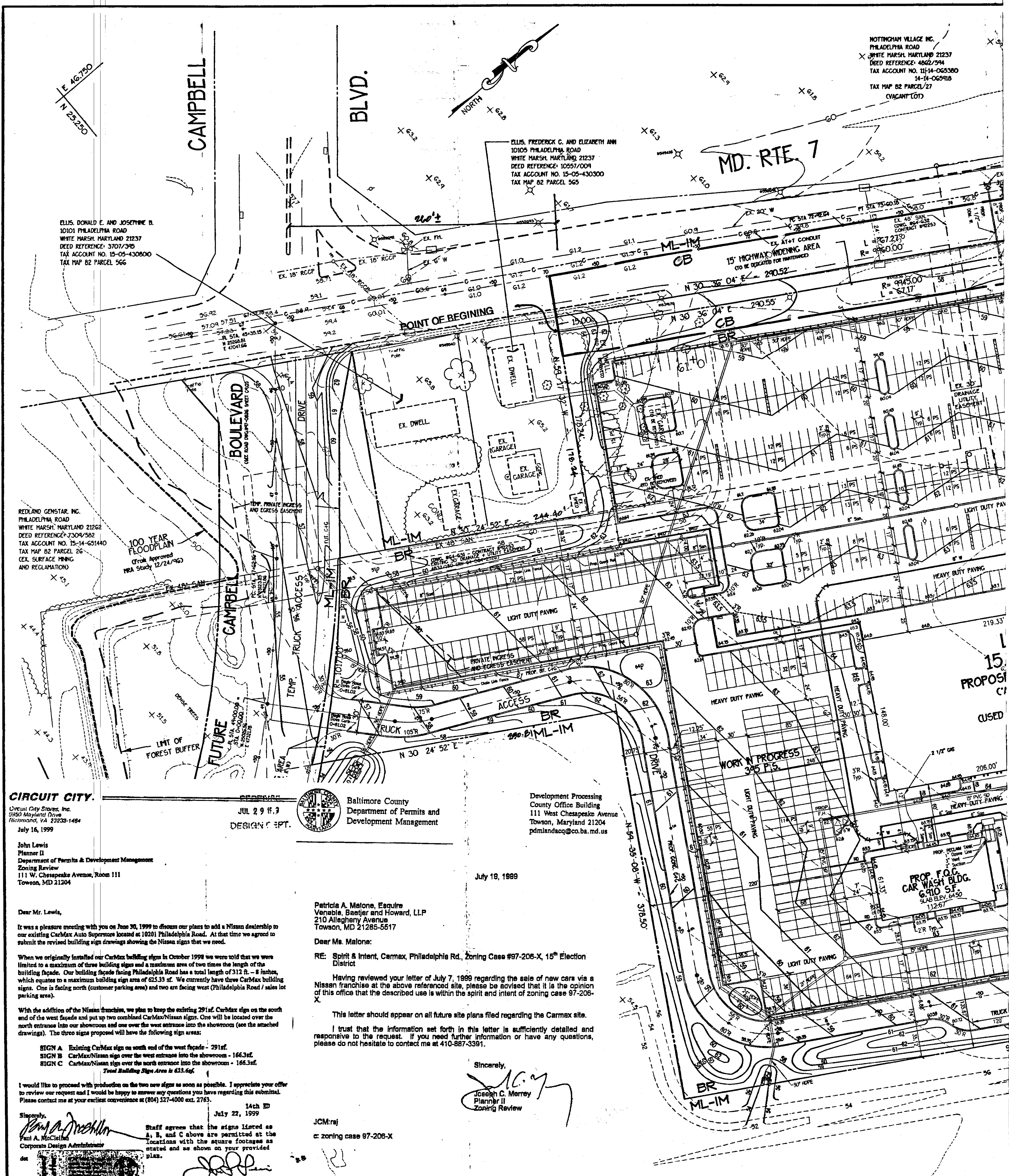
7. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

8. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

9. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.

10. All work shall be in accordance with the latest edition of the Maryland State Design Manual, 1997 Edition, and the latest edition of the Maryland State Traffic Manual, 1997 Edition.





CIRCUIT CITY.
Circuit City Stores, Inc.
2000 Mayfield Drive
Richmond, VA 23223-1494
July 16, 1999

John Lewis
Planner II
Department of Permits & Development Management
Zoning Review
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

JUL 29 1999
DESIGNER: CPT.
Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlndacc@co.ba.md.us

July 19, 1999

Dear Mr. Lewis,

It was a pleasure meeting with you on June 30, 1999 to discuss our plans to add a Nissan dealership to our existing CarMax Auto Superstore located at 10201 Philadelphia Road. At that time we agreed to submit the revised building sign drawings showing the Nissan signs that we need.

When we originally installed our CarMax building signs in October 1998 we were told that we were limited to a maximum of three building signs and a maximum area of two times the length of the building facade. Our building facade facing Philadelphia Road has a total length of 312.8' - 8 inches, which equates to a maximum building sign area of 625.33 sq. ft. We currently have three CarMax building signs. One is facing north (customer parking area) and two are facing west (Philadelphia Road / sales lot parking area).

With the addition of the Nissan franchise, we plan to keep the existing 291 sq. ft. CarMax sign on the south end of the west facade and put up two combined CarMax/Nissan signs. One will be located over the north entrance into the showroom and one over the west entrance into the showroom (see the attached drawings). The three signs proposed will have the following sign areas:

- SIGN A: Existing CarMax sign on south end of the west facade - 291 sq. ft.
 - SIGN B: CarMax/Nissan sign over the west entrance into the showroom - 166.3 sq. ft.
 - SIGN C: CarMax/Nissan sign over the north entrance into the showroom - 166.3 sq. ft.
- Total Building Sign Area is 623.6 sq. ft.

I would like to proceed with production on the two new signs as soon as possible. I appreciate your offer to review our request and I would be happy to answer any questions you have regarding this submittal. Please contact me at your earliest convenience at (804) 227-4000 ext. 2763.

Sincerely,
John A. McClinton
John A. McClinton
Corporate Design Administrator

Staff agrees that the signs listed as A, B, and C above are permitted at the locations with the square footages as stated and as shown on your provided plan.

Patricia A. Malone, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21286-5517

Dear Ms. Malone:

RE: Spirit & Intent, Carmex, Philadelphia Rd., Zoning Case #97-206-X, 15th Election District

Having reviewed your letter of July 7, 1999 regarding the sale of new cars via a Nissan franchise at the above referenced site, please be advised that it is the opinion of this office that the described use is within the spirit and intent of zoning case 97-206-X.

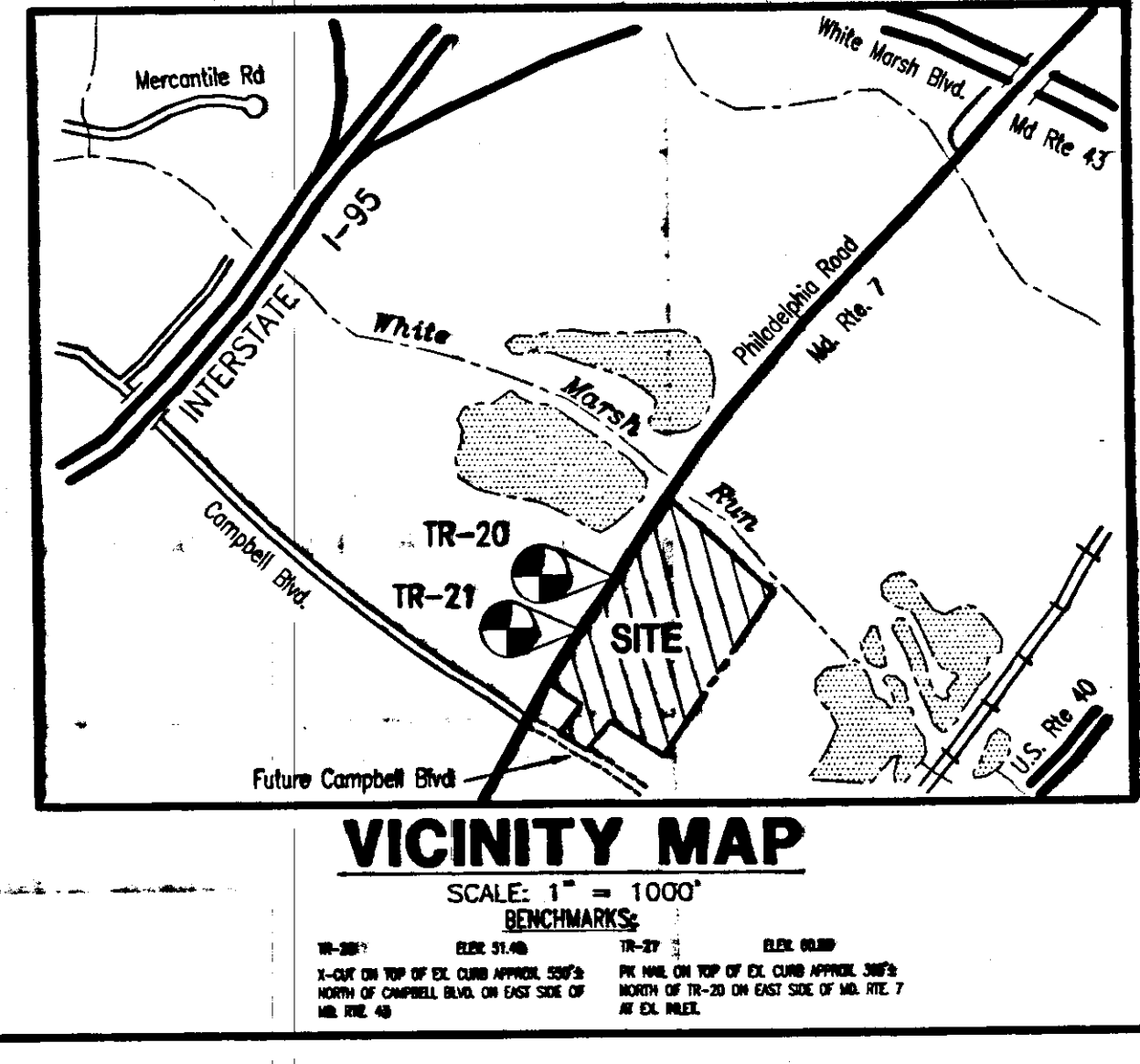
This letter should appear on all future site plans filed regarding the Carmex site.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,
Joseph C. Morrey
Joseph C. Morrey
Zoning Review

JCM:raj

c: zoning case 97-206-X



DEVELOPMENT PLAN GENERAL NOTES

1. DEVELOPER: Circuit City Stores, Inc.
c/o Individual Development International
2000 Mayfield Drive
Richmond, VA 23223-1494
Phone: (804) 227-4000
2. OWNER: Circuit City Stores, Inc.
2000 Mayfield Drive
Richmond, VA 23223-1494
Phone: (804) 227-4000
3. PLAN PREPARED BY: John A. McClinton
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204
Phone: (410) 887-3391
4. SITE LOCATION: 10201 Philadelphia Road (N. 7th St.)
White Marsh, MD 21202
5. ZONING DISTRICT: 15
1. Surrounding District: 15
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6. EXISTING SITE DATA AND ZONING:
1. Gross Site Area: 22.17 Ac.
2. Net Area: 12.37 Ac.
3. Existing Zoning: 15
4. Existing Use: CB (Community Business) - 0.40 Ac.
5. A Special Exception to permit use of site as a 15 Zone was approved on 12-9-98 by the Board of Zoning Adjustments.
6. A Special Exception to permit use of site as a 15 Zone was approved on 12-9-98 by the Board of Zoning Adjustments.
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15. A Special Exception to permit use of site as a 15 Zone was approved on 12-9-98 by the Board of Zoning Adjustments.
7. PROPOSED DEVELOPMENT INFORMATION:
1. LOT 1:
a. Proposed Use: 15
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xm. Proposed Use: 15
xn. Proposed Use: 15
xo. Proposed Use: 15
xp. Proposed Use: 15
xq. Proposed Use: 15
xr. Proposed Use: 15
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xv. Proposed Use: 15
xw. Proposed Use: 15
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yb. Proposed Use: 15
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yo. Proposed Use: 15
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yr. Proposed Use: 15
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zl. Proposed Use: 15
zm. Proposed Use: 15
zn. Proposed Use: 15
zo. Proposed Use: 15
zp. Proposed Use: 15
zq. Proposed Use: 15
zr. Proposed Use: 15
zs. Proposed Use: 15
zt. Proposed Use: 15
zu. Proposed Use: 15
zv. Proposed Use: 15
zw. Proposed Use: 15
zx. Proposed Use: 15
zy. Proposed Use: 15
zz. Proposed Use: 15

FABRICATED ALUMINUM EXTRUSION AND ALUMINUM RETAINERS PAINTED BLUE. CLEAR SOLAR GRADE POLYCARBONATE FACES. PAN FORMED AND DECORATED SECOND SURFACE. DISPLAYING NISSAN DIVISIONAL COLORS. INTERNALLY ILLUMINATED WITH 800MA FLUORESCENT LAMPS AS REQUIRED FOR EVEN ILLUMINATION.

FABRICATED COLUMN CLADDING AND BASE COVER MANUFACTURED OF 14 GAUGE STAINLESS STEEL.

Ref 642

49.9' SQUARE FEET

APPROVALS: CUSTOMER		DATE	DRAWN BY	Ed Davis	DATE	JULY 2, 1999
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OFFICIAL ZONING MAP
OFFICE OF PLANNING AND ZONING
BALTIMORE COUNTY

SCALE
1" = 200'
DATE
JANUARY
1988

LOCATION
FULLER
VICINITY

00-098-51

