

To: LW  
10/25/13 uga

October 24, 2013

David H. Karceski

T 410.494.6285  
F 410.821.0147  
dhkarceski@venable.com

**Hand-Delivered**

Mr. W. Carl Richards, Jr., Supervisor  
Zoning Review Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

\$13-386  
\$150.00

Re: Spirit and Intent Letter – Case No. 01-466-A  
Home Depot Warehouse – Beltway Business Community, Lot 3-A  
3750 Commerce Drive  
13<sup>th</sup> Election District, 1<sup>st</sup> Councilmanic District

Dear Mr. Richards:

This firm represents HD Development of Maryland, Inc., in connection with its Home Depot Warehouse located on the above-referenced property (the "Property"). Our client intends to replace certain wall-mounted signs on the existing Home Depot building, as shown on the enclosed sign detail drawings, prepared by The Icon Companies and dated April 4, 2013 (the "Sign Details"). I am writing to request written confirmation that the proposed modifications to the existing signage are minor in nature and, therefore, within the spirit and intent of an order issued by the then Deputy Zoning Commissioner in Case No. 01-466-A (the "2001 Order").

By way of brief history, the Deputy Zoning Commissioner granted the following variances from the Sign Regulations contained in Section 450 of the Baltimore County Zoning Regulations ("B.C.Z.R.") that related to the front façade of the building: (1) to permit six wall-mounted enterprise signs on a premises in lieu of the permitted three signs; (2) to permit five wall-mounted enterprise signs on a façade in lieu of the allowed two signs; and (3) to permit two wall-mounted enterprise signs with an area of 488 square feet and 300 square feet respectively in lieu of the allowed 150 each. Sheet Nos. 1 and 2 of the site plan approved in the 2001 Case, entitled "PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES FOR HOME DEPOT – LANDSDOWNE" (the "2001 Plan"), show the approved signage arrangement on the front elevation. Specifically, the 2001 Plan shows the five signs approved by the Deputy Zoning Commissioner on the front elevation (Sign 1, 3, 4, 5, and 6). I have enclosed a copy of the 2001 Order and the 2001 Plan for your review and convenience.

As shown and indicated on Pages 3, 5, and 6 of the Sign Details, our client proposes to replace three existing signs on the front façade approved by way of the 2001 Order. First, our client intends to remove Signs 1 and 6 from the front elevation of the building, and replace them with one sign. This sign will have a total sign area/face of 417 square feet, approximately 371 square

Mr. W. Carl Richards, Jr., Supervisor  
October 24, 2013  
Page 2

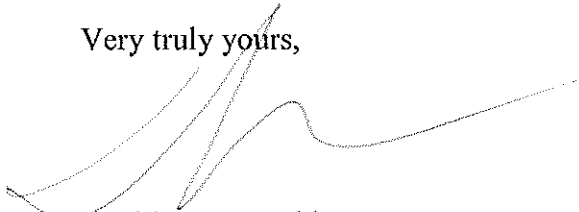
feet smaller in area than the two signs it will replace. Second, our client intends to replace Signs 4 and 5 with signs of the same size and configuration. Signs 4 and 5 will be reinstalled in the same location and on the same façade as the original approval.

We have recently met with Leonard Wasilewski of the Zoning Review Office, to discuss the above changes to the 2001 Plan and he was optimistic the replacement signs would be within the spirit and intent of the relief granted by way of the 2001 Order. If you are in agreement, I request that your office confirm, by countersignature below, that installation of the replacement signs, as described above and shown on the Sign Details, is within the spirit and intent of the 2001 Order and will not require another public hearing.

With this letter, I have enclosed a check in the amount of \$150.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your review. If you require any additional information to complete your review, please do not hesitate to contact me.

Thank you for your assistance with this matter.

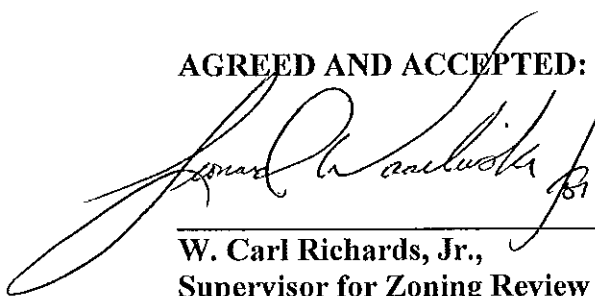
Very truly yours,



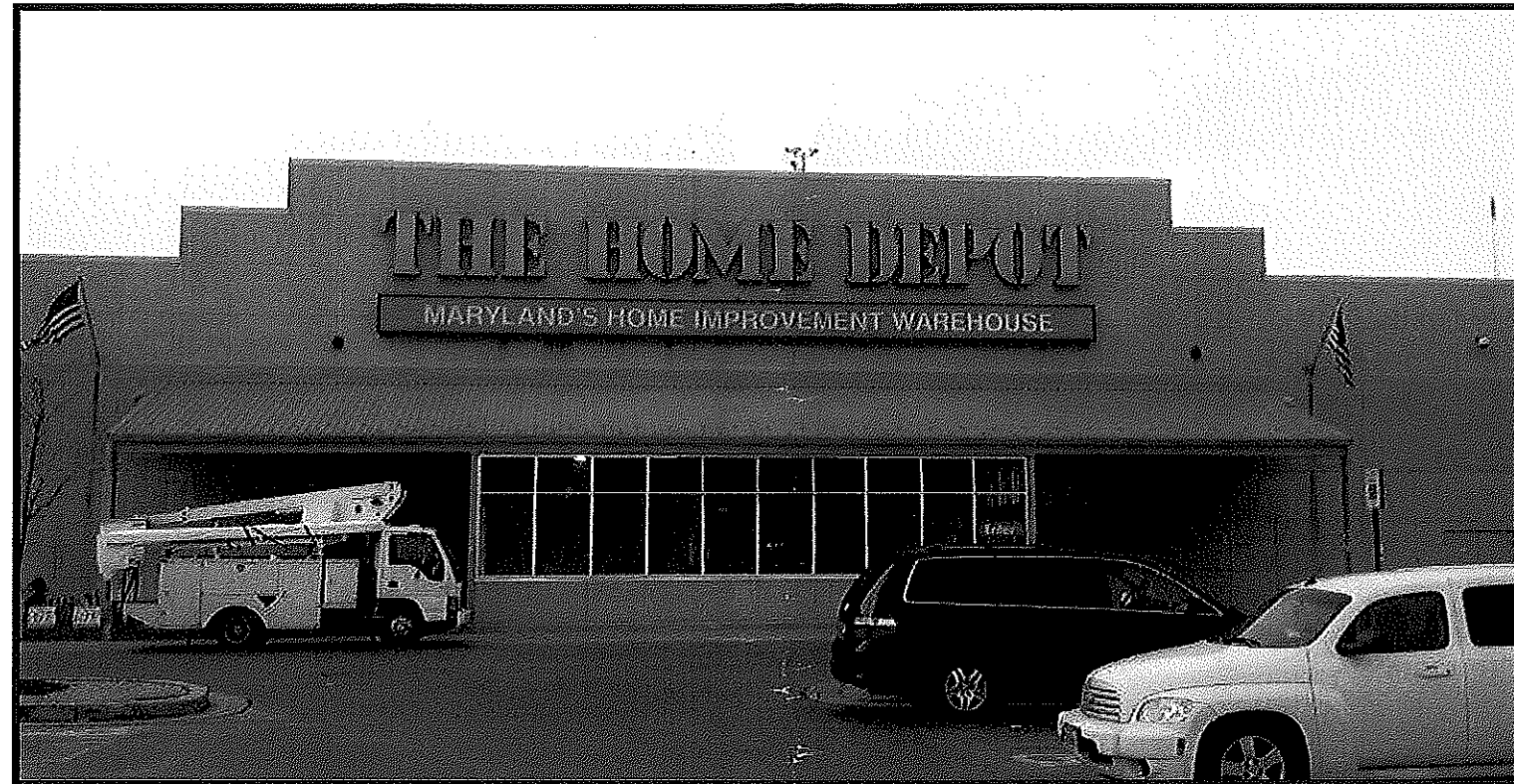
David H. Karceski

DHK/jaw  
Enclosures

AGREED AND ACCEPTED:

  
W. Carl Richards, Jr.,  
Supervisor for Zoning Review Office

10/31/13  

**Loc#: 2579**

**3750 Commerce Dr  
Halethorpe, MD.  
21227**

*The Icon Companies®*





**THE HOME DEPOT**

**SITE PLAN**

Location: 3750 Commerce Dr  
Halethorpe, MD. 21227

Proj #: 933

Loc #: 2579

Date: 04/04/13

Req #: 144835

Drawn By: JF

Page #: 2

| Rev #: | Req#:  | Date:    | Req. By: | Drawn By: | Revision Description: |
|--------|--------|----------|----------|-----------|-----------------------|
| Rev 1  | 000000 | 00/00/00 | XXX      | XXX       | Note                  |
| Rev 2  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 3  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 4  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 5  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 6  | 000000 | 00/00/00 | XXX      | XXX       |                       |

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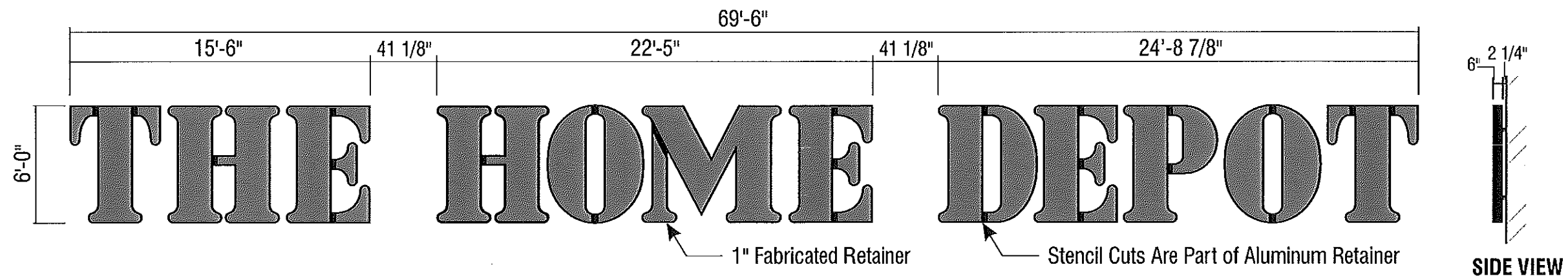
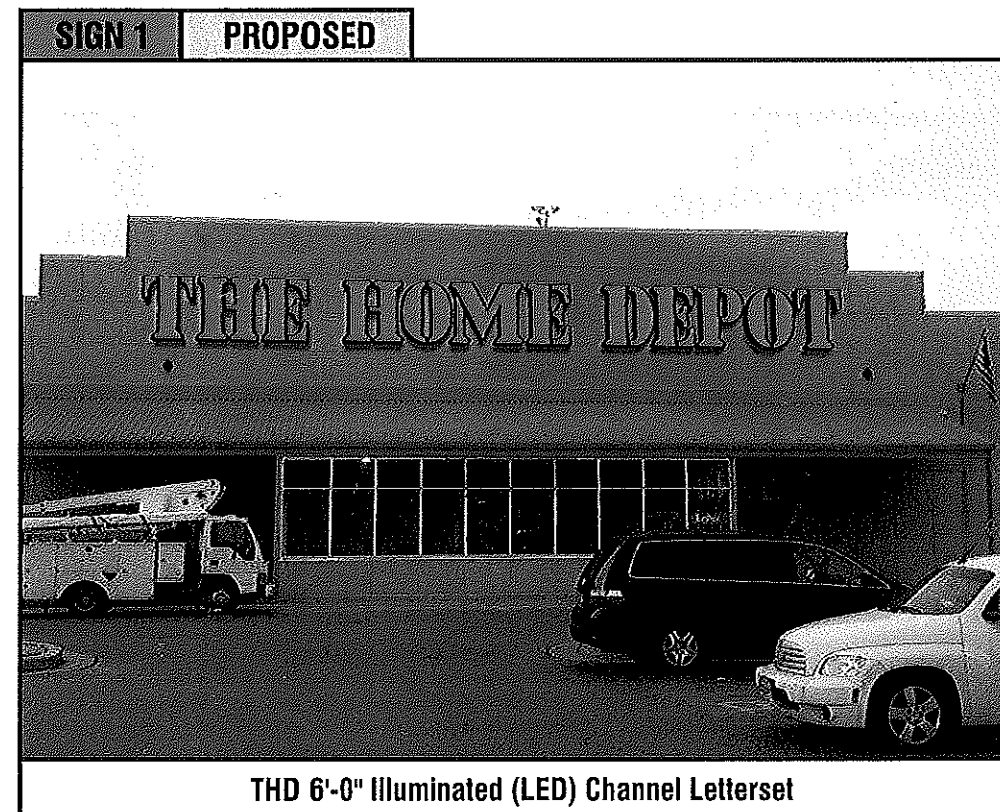
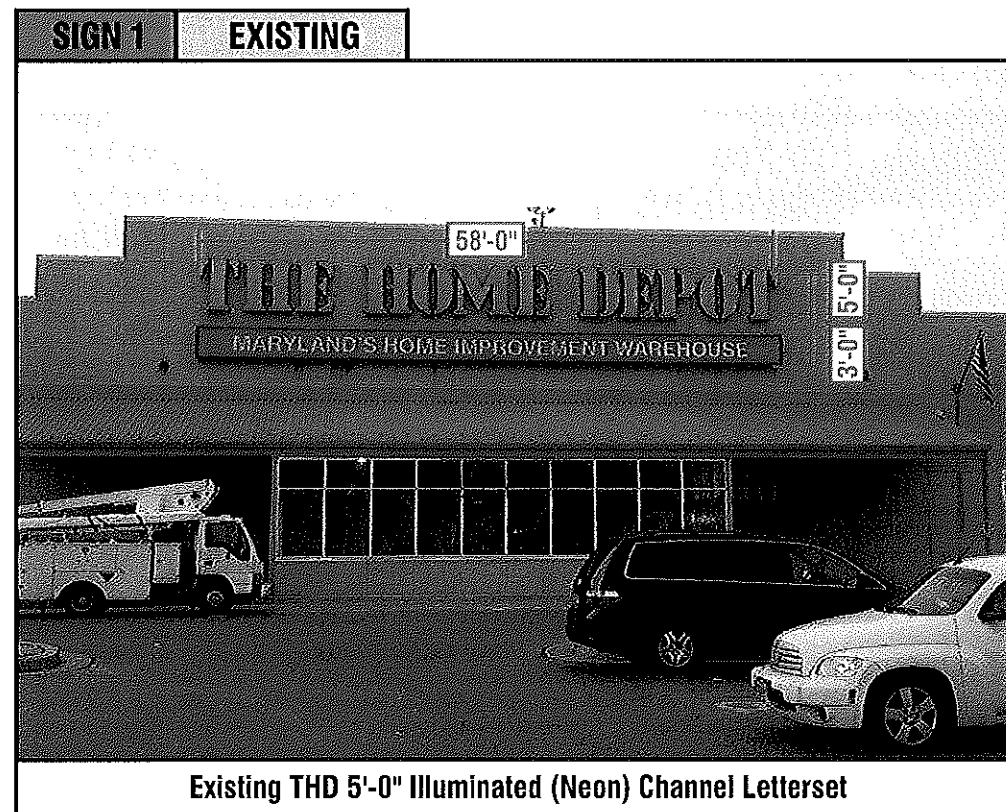
icon

ims

ess

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DRAWINGS PREPARED BY:



**HD-72CL - 6'-0" 'THD' ILLUMINATED CHANNEL LETTERSET - Sq.Ft. 417.0**

QTY: 1

NOTE:

- REMOVE EXISTING LETTERSET
- PATCH & REPAIR WALL TO 'LIKE NEW CONDITION'
- CENTER & INSTALL NEW LETTERSET ON FASCIA AS SHOWN

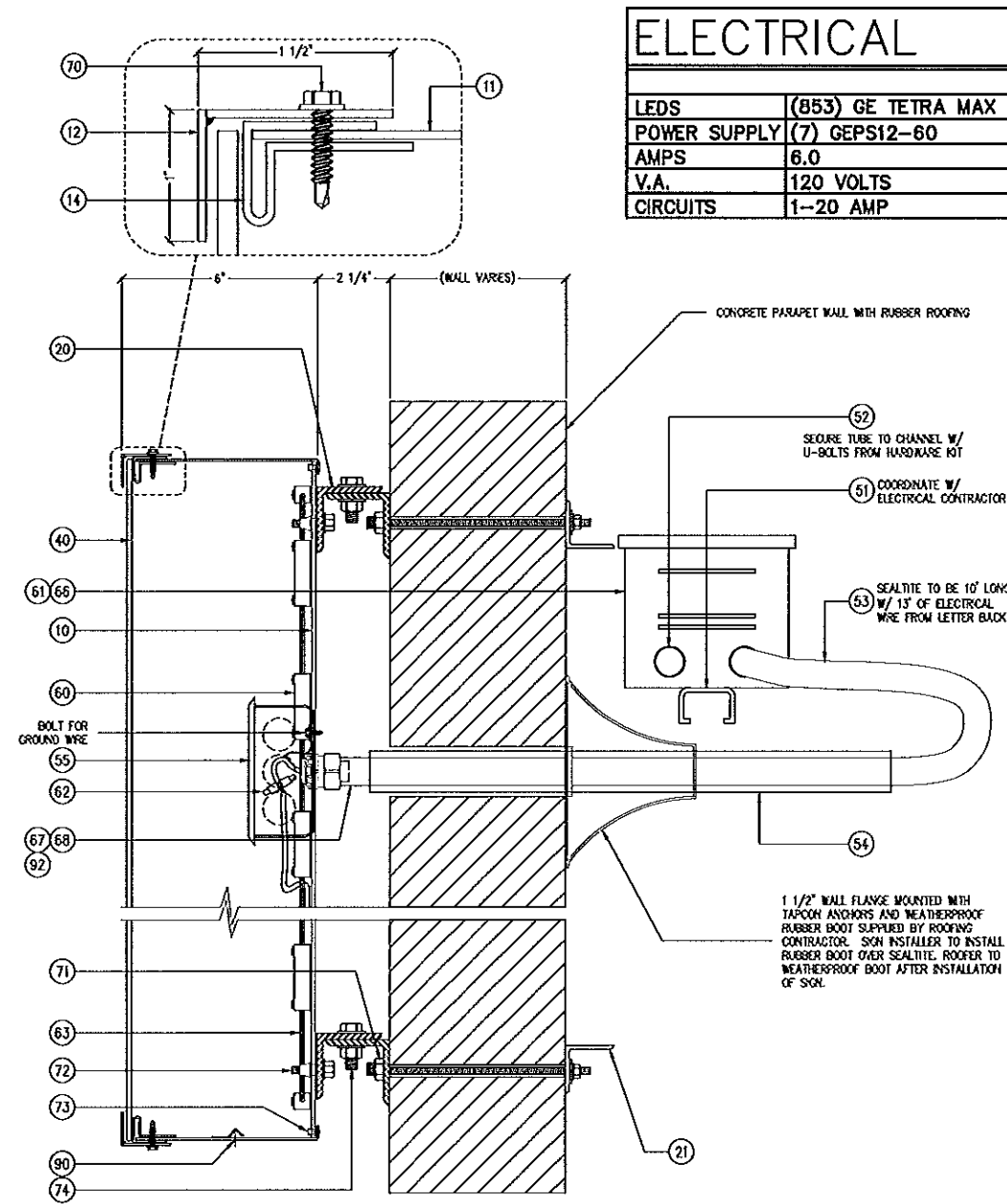
SCALE: 1/8" = 1'-0"

**COLORS**

- |                                                                               |                                                                           |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Letter Faces = .150 Sheffield Polycarbonate LD - 2119 Orange                  | Inside Letter = White (Akzo Nobel Epoxy Primer White 4.6) or Pre-finished |
| Letter Retainer = Fabricated Aluminum Retainers Gloss Black (Akzo Nobel B-15) | LED's = GE Tetra Max ( GE Part: GERCMXL6) Wide Angle LED - Red/Orange     |
| Letter Returns = Gloss Black (Akzo Nobel B-15) or Pre-finished                |                                                                           |

|                       |                                                                               |              |                |        |        |          |          |           |                       |
|-----------------------|-------------------------------------------------------------------------------|--------------|----------------|--------|--------|----------|----------|-----------|-----------------------|
| <b>THE HOME DEPOT</b> | <b>RECOMMENDATION</b>                                                         |              |                | Rev #: | Req#:  | Date:    | Req. By: | Drawn By: | Revision Description: |
|                       | Location: 3750 Commerce Dr<br>Halethorpe, MD. 21227                           |              |                | Rev 1  | 000000 | 00/00/00 | XXX      | XXX       | Note                  |
|                       | Proj #: 933                                                                   | Loc #: 2579  | Date: 04/04/13 | Rev 2  | 000000 | 00/00/00 | XXX      | XXX       |                       |
|                       | Req #: 144835                                                                 | Drawn By: JF | Page #: 3      | Rev 3  | 000000 | 00/00/00 | XXX      | XXX       |                       |
|                       | FILE PATH: Active\ACCOUNTS\H\Home Depot\Locations 2013\933-2579 Halethorpe MD |              |                | Rev 4  | 000000 | 00/00/00 | XXX      | XXX       |                       |

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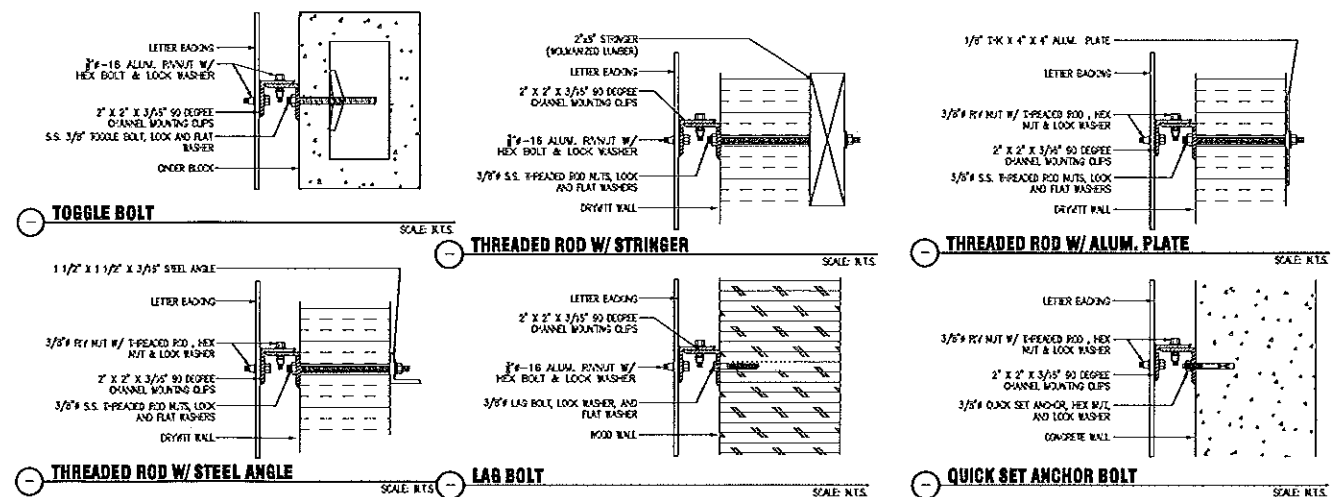
**A SECTION**

| ELECTRICAL   |                                               |       |        |
|--------------|-----------------------------------------------|-------|--------|
| LEDS         | (853) GE TETRA MAX RED-ORANGE MODULES (618nm) |       |        |
| POWER SUPPLY | (7) GEPS12-60                                 |       |        |
| AMPS         | 6.0                                           |       |        |
| V.A.         | 120 VOLTS                                     | WATTS | 714.00 |
| CIRCUITS     | 1-20 AMP                                      |       |        |

## BILL OF MATERIALS

| No.   | QTY.      | DESCRIPTION                                                              | SPEC. |
|-------|-----------|--------------------------------------------------------------------------|-------|
| 10    | AS REQ'D  | .080" ALUMINUM SHEET PRE-COAT WHITE, LETTER BACK                         | --    |
| 11    | AS REQ'D  | .063" ALUM. BLACK GLOSS PRECOAT, LTR. RETURN-(L) WRAPPED                 | --    |
| 12    | AS REQ'D  | .080" X 1" X 1 1/2" ALUM. RETAINER W/STENCIL CUTS, BLACK PRECOAT         | 3003  |
| 14    | AS REQ'D  | .063" ALUM, 3/4" X 3/4" X 5" FACE SUPPORT CLIP SYSTEM (SPACED 10"-12")   | ALUM  |
| ** 20 | AS REQ'D  | 2" X 2" X 3/16" GALV. STEEL 90 DEGREE MOUNTING CLIPS                     | --    |
| 21    | AS REQ'D  | 2" X 2" X 1/8" STEEL ANGLE                                               | --    |
| 40    | AS REQ'D  | .150 LEXAN #2119 ORANGE, (LTR FACE)                                      | --    |
| 51    | AS REQ'D  | UNI-STRUT "C" CHANNEL (SPANNING TOTAL LENGTH)                            | --    |
| 52    | AS REQ'D  | PVC TUBE                                                                 | --    |
| 53    | AS REQ'D  | 1/2" SEALTITE FLEXIBLE CONDUIT W/ WET LOCATION CORD & CABLE FITTINGS     | --    |
| 54    | AS REQ'D  | 1 1/4" ALUMINUM SLEEVE W/ 16" MIN. VISIBLE PROTRUSION THRU WALL          | --    |
| 55    | AS REQ'D  | JUNCTION BOX, UL LISTED                                                  | --    |
| 60    | SEE CHART | GE TETRA MAX RED-ORANGE LED MODULES (SEE CHART ON S2)                    | --    |
| 61    | SEE CHART | POWER SUPPLY (SEE CHART ON S2)                                           | --    |
| 62    | SEE CHART | SPLICE CONNECTORS (SEE CHART ON S2)                                      | --    |
| 63    | SEE CHART | SUPPLY WIRE (SEE CHART ON S2)                                            | --    |
| 65    | 1         | 20-AMP TOGGLE SWITCH, U.L.                                               | --    |
| 66    | AS REQ'D  | WEATHERPROOF ALUM. LED POWER SUPPLY HOUSING (UL CERTIFIED, CAS APPROVED) | --    |
| ** 67 | AS REQ'D  | 1/2" DIA. SEALTITE CONDUIT                                               | --    |
| ** 68 | AS REQ'D  | 1/2" SEALTITE FITTING, UL                                                | --    |
| 70    | AS REQ'D  | #8 S.S. HEX HEAD TEK SCREWS                                              | --    |
| ** 71 | AS REQ'D  | 3/8"-16 S.S. THREADED ROD W/ NUTS AND WASHERS                            | 18/8  |
| 72    | AS REQ'D  | 3/8" RIV NUT W/ HEX BOLT, WASHERS                                        | --    |
| 73    | AS REQ'D  | #54 POP RIVET                                                            | --    |
| ** 74 | AS REQ'D  | 3/8"-16 S.S. HEX BOLT W/NUT AND WASHERS                                  | --    |
| 90    | AS REQ'D  | PRE-DRILLED 5/16" DRAIN HOLE, w/ LIGHT BAFFLE MIN 2" LETTER              | --    |
| 91    | 1         | UNION, U.L. AND ELECTRICAL LABEL LOCATION                                | --    |
| 92    | AS REQ'D  | SILICONE CAULKING APPLIED TO ALL WALL PENETRATIONS                       | --    |

\*\*INCLUDED IN HARDWARE KIT



**3 MOUNTING OPTIONS**

**THE HOME DEPOT**

**B.O.M.**

Location: 3750 Commerce Dr  
Halethorpe, MD. 21227

Proj #: 933 Loc #: 2579 Date: 04/04/13  
Req #: 144835 Drawn By: JF Page #: 4

| Rev #: | Req #: | Date:    | Req. By: | Drawn By: | Revision Description: |
|--------|--------|----------|----------|-----------|-----------------------|
| Rev 1  | 000000 | 00/00/00 | XXX      | XXX       | Note                  |
| Rev 2  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 3  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 4  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 5  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 6  | 000000 | 00/00/00 | XXX      | XXX       |                       |

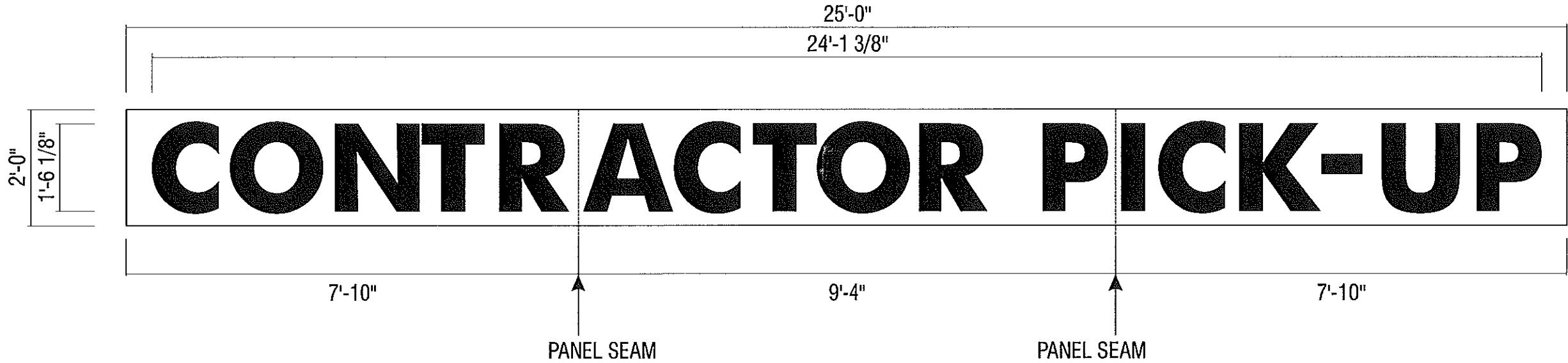
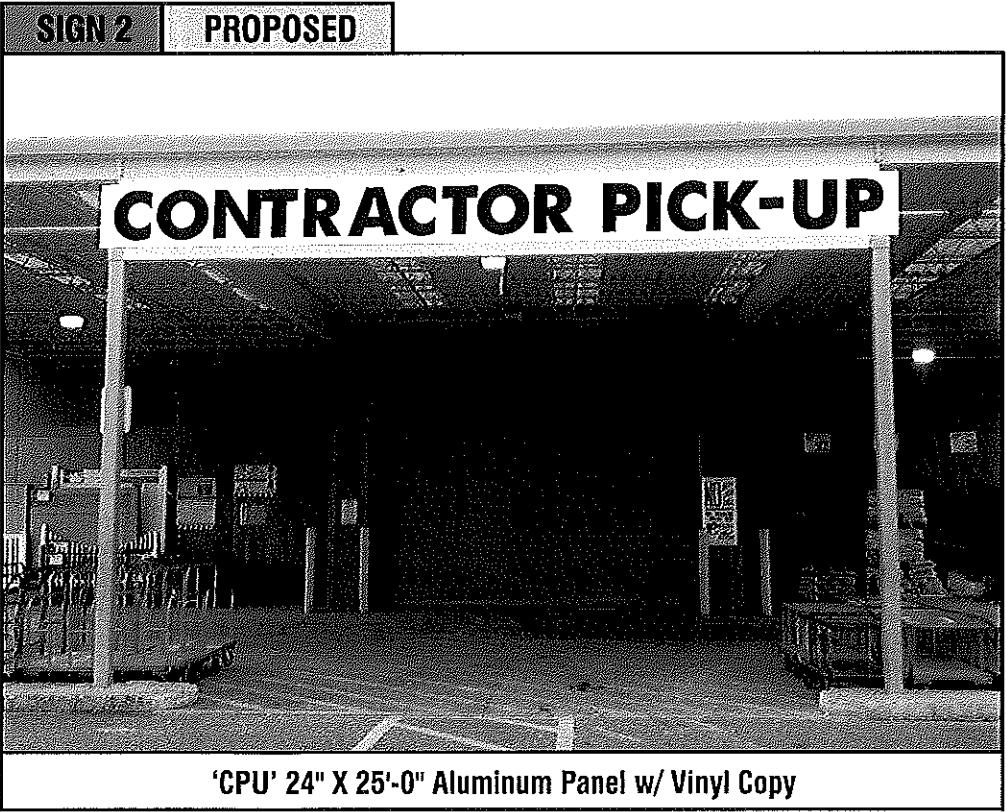
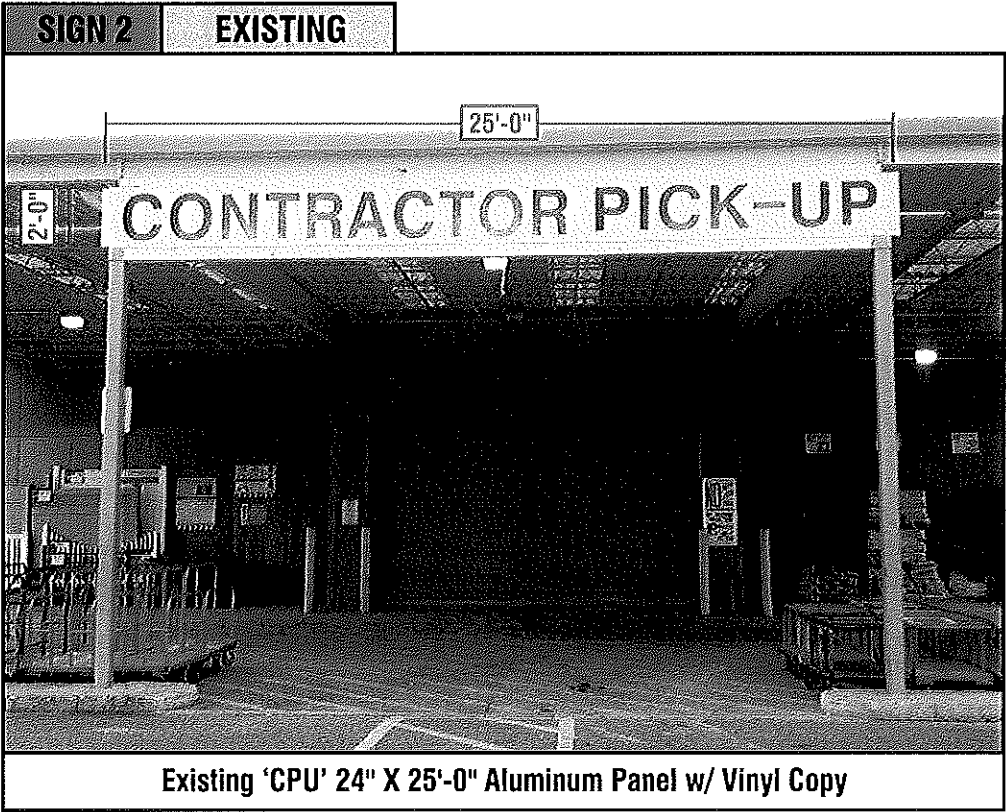
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Aluminum Panel w/ Vinyl Copy - Sq.Ft. 51.0

QTY: 1

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

NOTE: TYPESTYLE SHOWN IS 'FUTURA LT PRO BOOK BOLD'

COLORS

Sign Face = .080 Pre-finished White on White Aluminum Sheet

Vinyl 1st Surface Copy = 3M 7725-12 Black

THE HOME DEPOT

RECOMMENDATION

Location: 3750 Commerce Dr  
Halethorpe, MD. 21227

Proj #: 933    Loc #: 2579    Date: 04/04/13

Req #: 144835    Drawn By: JF    Page #: 5

| Rev #: | Req #: | Date:    | Req. By: | Drawn By: | Revision Description: |
|--------|--------|----------|----------|-----------|-----------------------|
| Rev 1  | 000000 | 00/00/00 | XXX      | XXX       | Note                  |
| Rev 2  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 3  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 4  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 5  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 6  | 000000 | 00/00/00 | XXX      | XXX       |                       |

FILE PATH: Active\ACCOUNTS\H\Home Depot\Locations 2013\933-2579 Halethorpe MD

DRAWINGS PREPARED BY:

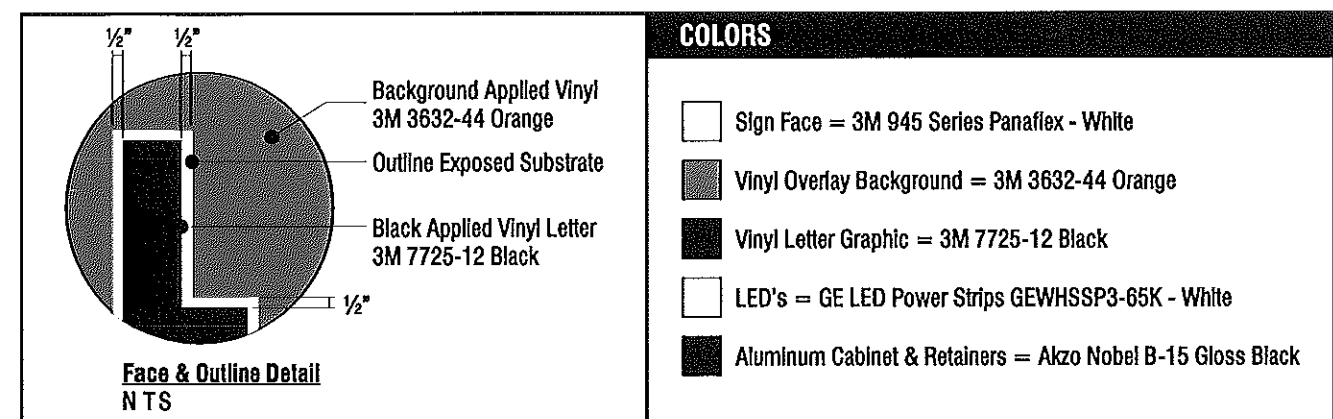
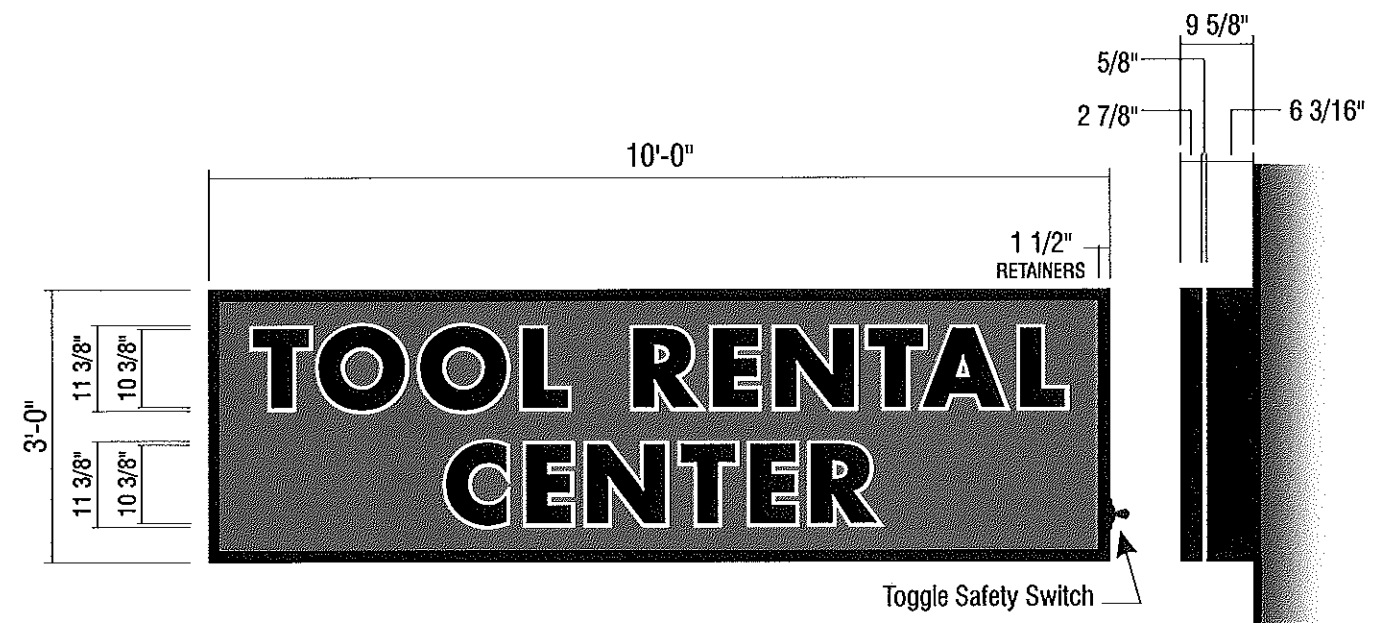
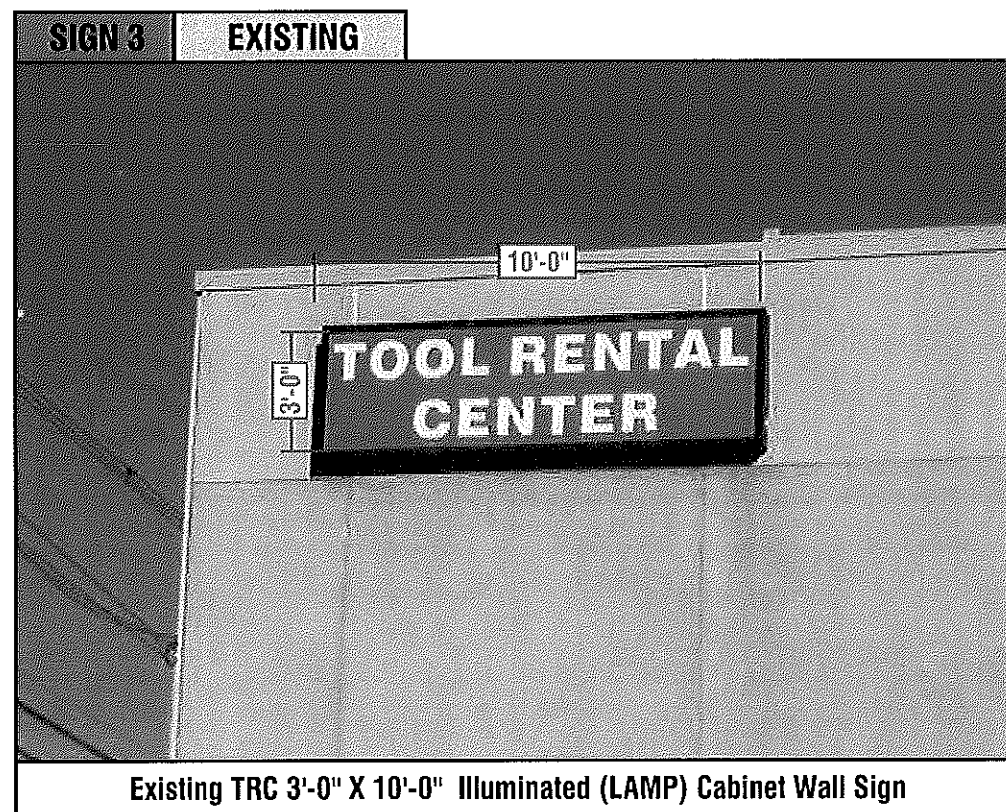
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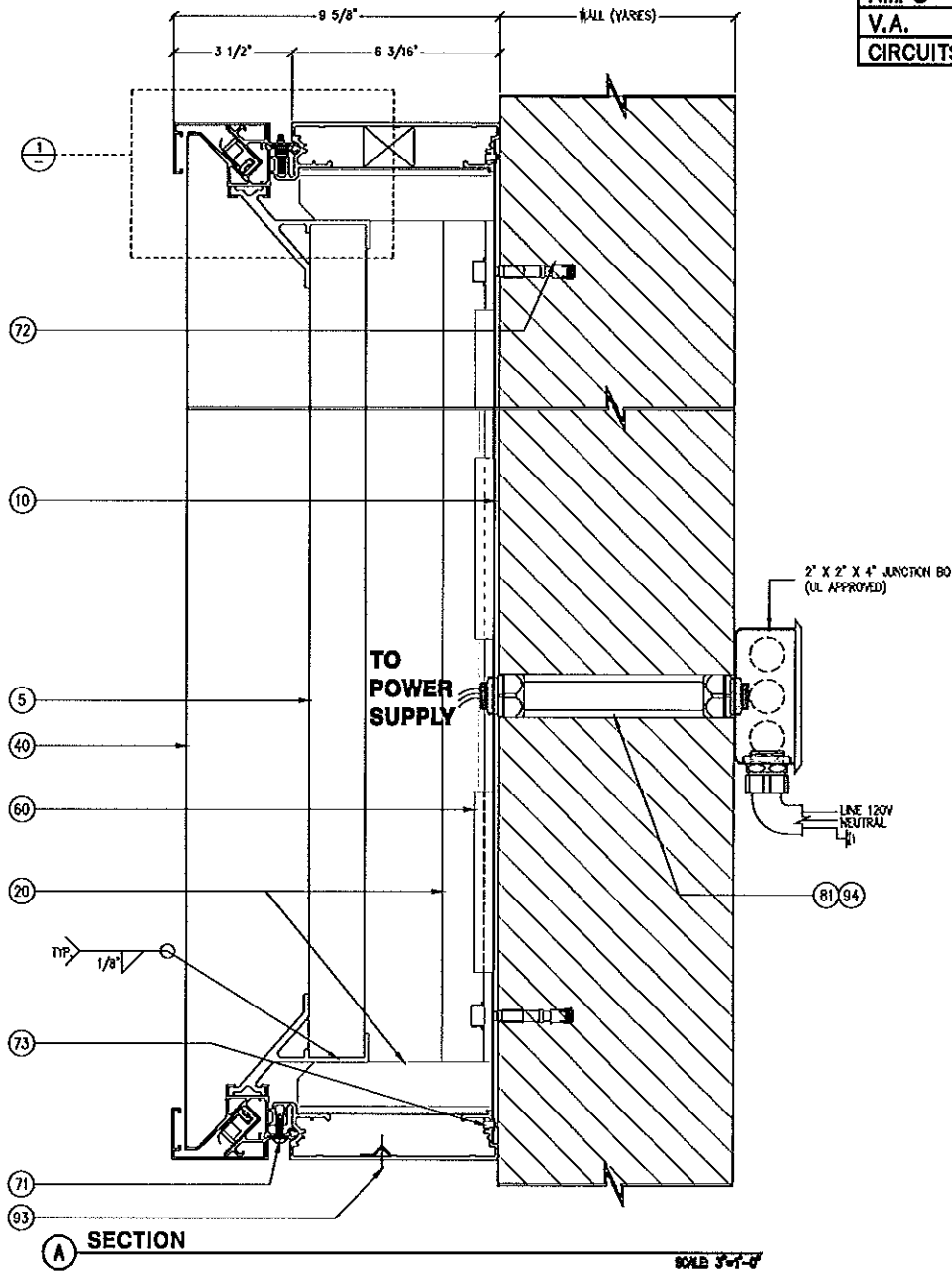
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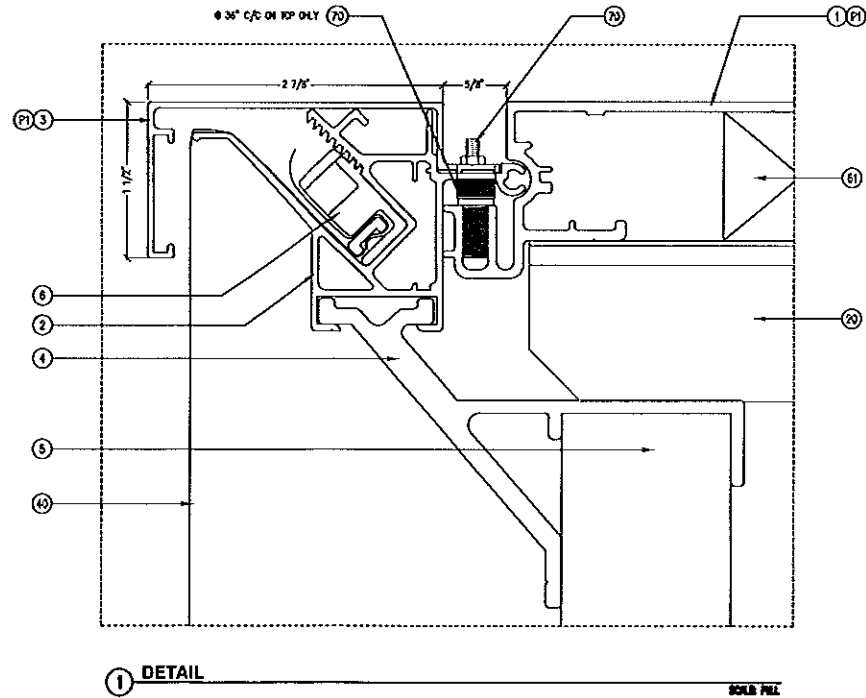
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|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--------------------------------------------------------------------------------|---------------|----------------|--------------|---------------|----------------------------|
|  | <b>RECOMMENDATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |  | Rev #: 1                                                                       | Req #: 000000 | Date: 00/00/00 | Req. By: XXX | Drawn By: XXX | Revision Description: Note |
|                                                                                     | Location: 3750 Commerce Dr<br>Halethorpe, MD. 21227                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  | Rev 2                                                                          | 000000        | 00/00/00       | XXX          | XXX           |                            |
|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  | Rev 3                                                                          | 000000        | 00/00/00       | XXX          | XXX           |                            |
|                                                                                     | Proj #: 933    Loc #: 2579    Date: 04/04/13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  | Rev 4                                                                          | 000000        | 00/00/00       | XXX          | XXX           |                            |
|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  | Rev 5                                                                          | 000000        | 00/00/00       | XXX          | XXX           |                            |
|                                                                                     | Req #: 144835    Drawn By: JF    Page #: 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  | Rev 6                                                                          | 000000        | 00/00/00       | XXX          | XXX           |                            |
|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  | FILE PATH: Active\ACCOUNTS\SH\Home Depot\Locations 2013\933-2579 Halethorpe MD |               |                |              |               |                            |
|                                                                                     | <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <br/>             icon<br/>Icon Identity Solutions           </div> <div style="text-align: center;"> <br/>             ims<br/>Imagery Management Services           </div> <div style="text-align: center;"> <br/>             ess<br/>Enhanced Site Solutions           </div> </div> <p>Drawings are the exclusive property of Icon Identity Solutions Inc.,<br/>Any unauthorized use or duplication is not permitted</p> |  |  |                                                                                |               |                |              |               |                            |



| ELECTRICAL   |                                      |
|--------------|--------------------------------------|
| LEDs         | (27) TETRA POWER STRIP (GEWHSP3 65K) |
| POWER SUPPLY | (2) GEPS12-60                        |
| AMPS         | 1.7                                  |
| V.A.         | 120 VOLTS      WATTS 96.7            |
| CIRCUITS     | 1-20 AMP                             |



## BILL OF MATERIALS

| No. | QTY.       | DESCRIPTION                                                             | SPEC. |
|-----|------------|-------------------------------------------------------------------------|-------|
| 1   | 26 FT.     | 6 3/4" S/F FRAME EXTRUSION (SIGNCOMP #2025)                             | ALUM  |
| 2   | 26 FT.     | TENSION FRAME EXTRUSION (SIGNCOMP #2085)                                | ALUM  |
| 3   | 26 FT.     | 1 1/2" COVER RETAINER EXTRUSION (SIGNCOMP #2084)                        | ALUM  |
| 4   | 26 FT.     | FRAME BRACE EXTRUSION (SIGNCOMP #5350)                                  | ALUM  |
| 5   | AS REQ'D   | SUPPORT TUBE EXTRUSION (SIGNCOMP #2175)                                 | ALUM  |
| 6   | AS REQ'D   | TENSION CLIP (SIGNCOMP #5360)                                           | ALUM  |
| 10  | 30 SQ. FT. | 0.050" ALUMINUM WHITE PRECOAT SHEET                                     | 3003  |
| 20  | AS REQ'D   | 1 1/2" X 1 1/2" X 3/16" ALUMINUM ANGLE                                  | ALUM  |
| 40  | 30 SQ. FT. | WHITE PANAFLEX SUBSTRATE, 945 SERIES                                    | 3M    |
| 60  | 27         | GE TETRA WHITE LED POWER STRIP MODULES, GEWHSP3-65K (SEE SHEET #4)      | -     |
| 61  | 2          | 60 WATT POWER SUPPLY (SEE SHEET #4)                                     | -     |
| 63  | 1          | TOGGLE SAFETY SWITCH, 20 AMPS                                           | -     |
| 70  | AS REQ'D   | #10 X 5/16" S.S. COUNTERSUNK BOLT w/NUT                                 | 18-8  |
| 71  | AS REQ'D   | SHEET METAL SCREW, #10 X 3/4" PAN HEAD, PHILLIPS                        | 18-8  |
| 72  | 6          | HEX KWK BOLT 3 KBJ 304SS 3/8"x2-1/4" (ITEM NO. 00282542) w/ LOCK WASHER | -     |
| 73  | AS REQ'D   | RIVET, ALUMINUM                                                         | -     |
| 74  | AS REQ'D   | HINGE SCREW, SIGNCOMP #5170, PRE-DRILL 3/8" HOLE THROUGH RETAINER       | -     |
| 80  | AS REQ'D   | 2" X 2" X 4" JUNCTION BOX, UL APPROVED                                  | -     |
| 81  | AS REQ'D   | 1/2" CONDUIT, FITTING, AND CONNECTOR, UL APPROVED                       | -     |
| 83  | 2          | 1/2" THIN WALL PROP LATCH w/ RUBBER END CAP (24" LONG)                  | -     |
| 90  | 1          | UNION, U.L. AND ELECTRICAL LABEL LOCATION                               | -     |
| 91  | 6          | 1/2" DIA. MOUNTING HOLE                                                 | -     |
| 92  | -          | WEDED OUT 1/2" AROUND LETTERS                                           | -     |
| 93  | AS REQ'D   | 5/16" DIA. DRAIN HOLE w/ LIGHT BAFFLE                                   | -     |
| 94  | AS REQ'D   | APPLY SILICON CAULK TO ALL WALL PENETRATIONS                            | -     |

## PAINT AND VINYL SPECS.

|    |            |                                       |    |
|----|------------|---------------------------------------|----|
| P1 | -          | PAINT AKZO NOBEL B-15 GLOSS BLACK     | -  |
| V1 | AS REQ'D   | 3M #7725-12 BLACK VINYL FOR LETTERING | 3M |
| V2 | 30 SQ. FT. | 3M #3632-44 ORANGE VINYL              | 3M |

**THE HOME DEPOT**

## BOM

Location: 3750 Commerce Dr  
Halethorpe, MD. 21227

Proj #: 933    Loc #: 2579    Date: 04/04/13  
Req #: 144835    Drawn By: JF    Page #: 7

| Rev #: | Req #: | Date:    | Req. By: | Drawn By: | Revision Description: |
|--------|--------|----------|----------|-----------|-----------------------|
| Rev 1  | 000000 | 00/00/00 | XXX      | XXX       | Note                  |
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| Rev 5  | 000000 | 00/00/00 | XXX      | XXX       |                       |
| Rev 6  | 000000 | 00/00/00 | XXX      | XXX       |                       |

FILE PATH: Active\ACCOUNTS\Home Depot\Locations 2013\933-2579 Halethorpe MD

**The Icon Companies®**

icon    ims    ess

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Any unauthorized use or duplication is not permitted

IN RE: PETITION FOR VARIANCE  
W/S Commerce Drive, 788' W  
of Washington Boulevard  
13th Election District  
1st Councilmanic District  
(Beltway Business Community Lot 3-A)  
  
Merritt-31 LLC, Merritt-091  
Scott E. Dorsey, President  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 01-466-A

\*

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Merritt-31 LLC, Merritt-091, LLC, by Scott Dorsey, its President. The Petitioners are requesting variance relief for property known as Lot 3-A of the Beltway Business Community. The subject property is zoned BL and is located on the northwest corner of the intersection of Washington Boulevard and the Baltimore Beltway. The subject property is the site of a Home Depot Warehouse store. The variance requests are as follows:

- (1) from Section 450.4.5.(a) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit six (6) wall-mounted enterprise signs on a premises in lieu of the allowed three (3) signs. (Signs #1-6);
- (2) from Section 450.4.5(a) of the B.C.Z.R., to permit five (5) wall-mounted enterprise signs on a façade in lieu of the allowed two (2) signs (Signs 1, 3, 4, 5 & 6);
- (3) from Section 450.4.5.(a) of the B.C.Z.R., to permit two (2) wall-mounted enterprise signs with an area of 488 square feet and 300 square feet respectively in lieu of the allowed 150 each (Front Façade Sign #1 & #6); and
- (4) from Section 450.4.5(a) of the B.C.Z.R., to permit one (1) wall-mounted enterprise sign with an area of 488 sq. ft. in lieu of the allowed 150 sq. ft. (Left Side Façade Sign #2).

ORDER RECEIVED FOR FILING

Date

7/10/01

By

*JP Johnson*

Appearing at the hearing on behalf of the variance requests were Rosalyn Holderfield, Keith Johnston and Iwona Rostek-Zarska, all appearing on behalf of the Petitioners, Merritt-31, LLC or Home Depot and Patricia A. Malone, attorney at law, representing the Petitioners. Cheryl Hale attended the hearing as an interested person.

Testimony and evidence indicated that the subject property is the site of a Home Depot Warehouse store. The Petitioners are requesting a variance for the sign package to be associated with the building itself. The signage for this Home Depot is the same signage that one sees at all their locations in and around the Baltimore metropolitan area. On the front of the Home Depot building itself, there are a number of signs identifying the tool rental center, contractor pick-up, the nursery, as well as the larger sign with the name "The Home Depot". The façade of the Home Depot building is very large and can easily accommodate the signs in question. However, in order for these signs to exist on the building in the fashion depicted on the site plan submitted into evidence as Petitioners' Exhibit No. 1, the sign variances are necessary.

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

ORDER RECEIVED FOR FILING

Date

7/10/12

By

*Patricia A. Malone*

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

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

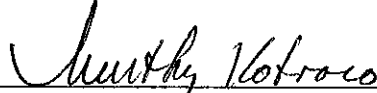
THEREFORE, IT IS ORDERED this 10<sup>th</sup> day of July, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variances:

- (1) from Section 450.4.5.(a) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit six (6) wall-mounted enterprise signs on a premises in lieu of the allowed three (3) signs. (Signs #1-6);
- (2) from Section 450.4.5(a) of the B.C.Z.R., to permit five (5) wall-mounted enterprise signs on a façade in lieu of the allowed two (2) signs (Signs 1, 3, 4, 5 & 6);
- (3) from Section 450.4.5.(a) of the B.C.Z.R., to permit two (2) wall-mounted enterprise signs with an area of 488 square feet and 300 square feet respectively in lieu of the allowed 150 each (Front Façade Sign #1 & #6); and
- (4) from Section 450.4.5(a) of the B.C.Z.R., to permit one (1) wall-mounted enterprise sign with an area of 488 sq. ft. in lieu of the allowed 150 sq. ft. (Left Side Façade Sign #2).

be and are hereby GRANTED.

COPIES RECEIVED FOR FILING  
Date 7/10/01  
By J. R. Jameson

IT IS FURTHER ORDERED that any appeal of this decision must be made 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 7/10/01  
By R. J. Johnson



Baltimore County  
Zoning Commissioner

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

July 10, 2001

Patricia A. Malone, Esquire  
Venable, Baetjer & Howard, LLP  
210 Allegheny Avenue  
Towson, Maryland 21204

Re: Petition for Variance  
Case No. 01-466-A  
Property: Lot 3-A of Beltway Business Community

Dear Ms. Malone:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has 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 Department of Permits and Development Management. 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 that reads "Timothy Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

Copies to:

Ms. Rosalyn Holderfield  
4255 Napiar Field Road  
Dothan, AL 36303

Mr. Keith Johnston  
Post Office Plaza  
Somerville, NJ 08753

Ms. Iwona Rostek-Zarska  
222 Schilling Circle, Suite 105  
Hunt Valley, MD 21030

Ms. Cheryl Hale  
201 E. Baltimore Street  
Suite 420  
Baltimore, MD 21202



# Petition for Variance

to the Zoning Commissioner of Baltimore County <sup>ALD</sup>  
for the property located at Lot 3-A of Beltway Business Community  
which is presently zoned BL

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)

SEE ATTACHED

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 and Howard, LLP  
Company \_\_\_\_\_  
210 Allegheny Avenue (410) 494-6200  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Towson, MD 21204  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Legal Owner(s):

Merritt-31, LLC, Merritt-091, LLC  
Name - Type or Print \_\_\_\_\_  
By: Scott E. Dorsey  
Signature \_\_\_\_\_  
Scott E. Dorsey, President  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
2066 Lord Baltimore Drive (410) 298-2600  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Baltimore, MD 21244  
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 \_\_\_\_\_

UNAVAILABLE FOR HEARING  
Reviewed By JNP Date 5/2/01

Case No. 01-466-A

Date 5/15/98

ORDER RECEIVED FOR FILING  
7/10/01  
Date

Variances Requested

1. Variance from the Baltimore County Zoning Regulations Section 450.4.5 (a) to permit six (6) wall-mounted enterprise signs on a premises in lieu of the allowed three (3) signs. (Signs #1-6)
2. Variance from the Baltimore County Zoning Regulations Section 450.4.5 (a) to permit five (5) wall-mounted enterprise signs on a facade in lieu of the allowed two (2) signs. (Signs #1, 3, 4, 5 & 6)
3. Variance from the Baltimore County Zoning Regulations Section 450.4.5 (a) to permit two (2) wall-mounted enterprise signs with an area of 488 square feet and 300 square feet respectively in lieu of the allowed 150 each. (Front Facade Sign #1 & #6)
4. Variance from the Baltimore County Zoning Regulations Section 450.4.5 (a) to permit one (1) wall-mounted enterprise sign with an area of 488 square feet in lieu of the allowed 150 square feet. (Left Side Facade Sign #2)

## Survey Services, LLC.

752 Camberley Circle  
Towson,, MD. 21204  
410-321-8692  
Fax: 410-321-8693

Description of Lot 3A  
Plat S.M. 73/65  
Containing 12.271 Ac.+/-

Page 1 of 2  
April 19, 2001

Beginning for the same at a point on the western side of Commerce Drive (70' wide), said point of beginning being the northernmost division corner of Lot 3 and Lot 3A, shown on a Plat entitled **"Lots 3 through 3D Beltway Business Community** dated November 15, 2000, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 73 folio 65, running thence leaving said point of beginning, binding on part of the western side of said Commerce Drive and binding on the perimeter of Lot 3A shown on said Plat,

- 1) southeasterly by a curve to the left having a radius of 922.09 feet for an arc length of 367.33 feet, said curve being subtended by a chord bearing S 47°18'41" E 364.91 feet, running thence leaving said Commerce Drive and binding on the perimeter of Lot 3A shown on said Plat, the four following courses;
- 2) S 33°40'21" W 58.43 feet,
- 3) S 51°10'01" W 137.42 feet to intersect the outline of said Plat,
- 4) N 89°50'25" W 5.54 feet to a point designated BD24 on said Plat, and
- 5) S 00°32'25" E 513.95 feet, running thence leaving said Plat outline and binding on the common division lines between Lot 3A and Lot 3B shown on said Plat, the three following courses;
- 6) S 51°11'46" W 336.92 feet,
- 7) S 38°48'14" E 90.68 feet to a point designated LL20 on said Plat and
- 8) southeasterly by a curve to the left having a radius of 1980.00 feet for an arc length of 161.65 feet said curve being subtended by a chord bearing S 41°08'34" E 161.61 feet to intersect the 9<sup>th</sup> or S 77°55'10" W 171.97 foot line of that parcel of land described in a Deed dated June 18, 1999 between **State Highway Administration of The Department of Transportation et al and Merritt-031, LLC.**, recorded among the Land Records of Baltimore County, Maryland in Liber 14097 folio 550, said 9<sup>th</sup> line also being shown on **State Highway Administration Plat No. 55105**, running thence binding on part of said 9<sup>th</sup> line and continuing to bind on the perimeter of Lot 3A shown on said first mentioned Plat (73/65),

01-466-A

Description of Lot 3A  
Plat S.M. 73/65  
Containing 12.271 Ac.+/-

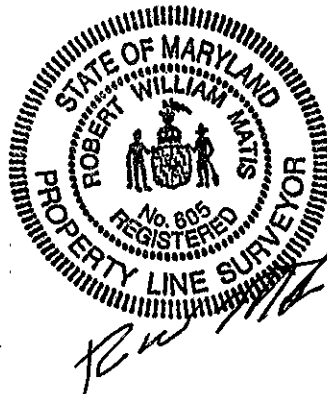
Page 2 of 2  
April 19, 2001

- 9) S 78°10'30" W 41.60 feet, running thence leaving said 9<sup>th</sup> line binding on the common division lines between Lot 3A and Lot 3C shown on said first mentioned Plat (73/65), the ten following courses;
- 10) N 34°26'09" W 168.60 feet to the point designated LL14 on said first mentioned Plat (73/65),
- 11) northwesterly by a curve to the left having a radius of 397.50 feet for an arc length of 30.51 feet said curve being subtended by a chord bearing N 36°38'05" W 30.50 feet to a point designated LL12 on said first mentioned Plat (73/65),
- 12) N 38°50'01" W 221.65 feet,
- 13) S 51°10'00" W 7.50 feet,
- 14) N 38°50'01" W 155.61 feet,
- 15) N 45°48'15" W 87.68 feet,
- 16) N 38°50'01" W 197.61 feet to a point designated LL7 on said first mentioned Plat (73/65),
- 17) northwesterly by a curve to the left having a radius of 140.00 feet for an arc length of 38.33 feet said curve being subtended by a chord bearing N 46°40'37" W 38.21 feet to a point designated LL5 on said first mentioned Plat (73/65),
- 18) northwesterly by a curve to the right having a radius of 200.00 feet for an arc length of 52.41 feet said curve being subtended by a chord bearing N 47°00'49" W 52.26 feet to a point designated LL3 on said first mentioned Plat (73/65) and
- 19) N 39°30'23" W 61.39 feet, running thence binding on the common division line between Lot Lot 3A and Lot 3 shown on said first mentioned Plat (73/65),
- 20) N 51°09'59" E 847.07 feet to the point of beginning.

Containing 12.271 acres of land more or less.

Being known and designated **Lot 3A** shown on a Plat entitled "**Lots 3 through 3D Beltway Business Community**" dated November 15, 2000, recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. 73 folio 65.

**For Title see:** Confirmatory Deed dated December 22, 1997 between **Leroy M. Merritt and Merritt-091, LLC.**, Confirmatory Deed dated December 19, 1997 between **BBC Associates and Merritt-031, LLC.** and Deed dated June 18, 1999 between **State Highway Administration Department of Transportation et al and Merritt-031, LLC**, recorded among the Land Records of Baltimore County, Maryland in Liber 12565 folio 772, Liber 12569 folio 260 and Liber 14097 folio 550, respectively.



01-466-A

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No.

92868

DATE

6/2/01

ACCOUNT

R000-006-6150

AMOUNT

\$ 250.00

RECEIVED  
FROM

Merritt 31, LLC; Merritt 091, LLC

FOR

Commercial Sign Variance (01-466-A)  
Lot B-A of Beltway Business Community  
~~8000 Lot B-A of Beltway Business Community~~

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT

ACTUAL

TIME

7/02/2001

5/02/2001

10:21:05

REG

WS04

CASHIER DIAR

IND. DRAWER

RECEIPT #

140151

Dep

5

520 ZONING VERIFICATION

Cr

092868

Recpt Tot

250.00

250.00 CK

00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

*Ink*

RE. Case No 01-466-A

Petitioner/Developer MERRITT, HOME DEPOT, ETAL

% VENABLE - AMY DONTALL

Date of Hearing/Closing ~~7/9/01~~ 7/2/01

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

Attention: Ms. Gwendolyn Stephens

|                 |                   |       |                   |
|-----------------|-------------------|-------|-------------------|
| it Fax Note 767 |                   | Date  |                   |
| To              | ROBIN/BETTY       | From  | O'KEEFE           |
| Co/Dept         | EDMUND COMMISSION | Co    |                   |
| Phone #         | 7 3 1             | Phone | 3 4 5 0 0         |
| Fax #           | 3 4 7 1 0 3 4 0 0 | Fax   | 3 4 7 1 0 3 4 0 0 |

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 HOME DEPOT LOCATION @  
BELTWAY BUSINESS COMMUNITY LOT ON COMMERCE DRIVE  
@ 788' W. OF WASHINGTON BLVD.

The sign(s) were posted on 6/13/01  
(Month, Day, Year)

Sincerely,

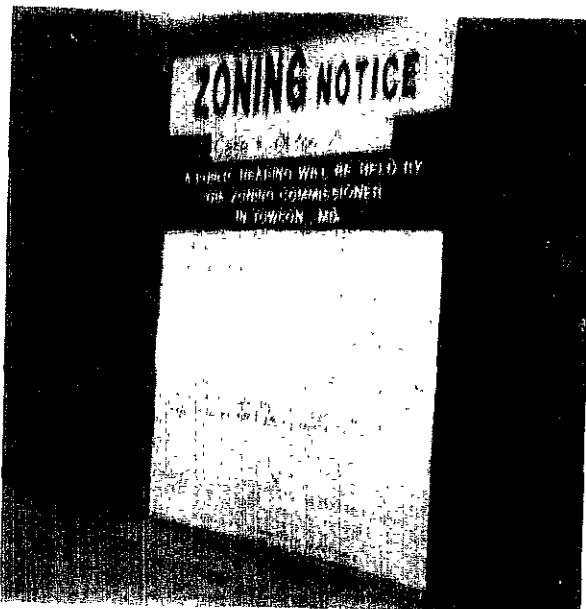
Patrick M. O'Keefe 6/15/01  
(Signature of Sign Poster and Date)

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  
(Telephone Number)



01-466-A  
HOME DEPOT @ COMMERCE DR.  
@ 788' W. OF WASH. BLVD  
7/9/01

# CERTIFICATE OF POSTING

RE: Case No.:

01-466-A

Petitioner Developer:

HOME DEPOTVENABLE

Date of Hearing/Closing:

JULY-2, 2001

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

W/5 COMMERCE DR. @ E  
WASHINGTON BLVD. - 7188' N/E of Baltimore Bay Lot 3-A

The sign(s) were posted on

6/14/01

(Month, Day, Year)



Sincerely,

*Patrick M. O'Keefe*  
6/25/01

(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

(Telephone Number)

HOME DEPOT 01-466-A

7/2/01

**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: 01-466-A  
Petitioner: Merritt - 31, LLC, Merritt - 091, LLC  
Address or Location: Lot 3-A of Beltway Bus. Comm. (Home Depot)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Dantell  
Address: 210 Allegheny Ave  
Towson, MD. 21204  
Telephone Number: 410-494-6244

TO: PATUXENT PUBLISHING COMPANY  
Thursday, June 14, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell  
Venable Baetjer & Howard LLP  
210 Allegheny Avenue  
Towson MD 21204

410 494-6244

---

## 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: 01-466-A

Beltway Business Community Lot 3-A

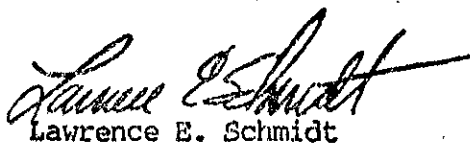
W/S Commerce Drive, 788' W Washington Boulevard

13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: Scott E Dorsey, President

Variance to permit six (6) wall-mounted enterprise signs on a premises in lieu of the allowed three (3) signs; Signs #1-6; to permit (5) wall-mounted enterprise signs on a façade in lieu of the allowed two (2) signs, Signs 1,3,4,5&6; to permit two (2) wall-mounted enterprise signs with an area of 488 square feet and 300 square feet respectively in lieu of the allowed 150 each, front façade sign #1 & #6; to permit one (1) wall-mounted enterprise sign with an area of 488 square feet in lieu of the allowed 150 square feet, left side façade sign #2.

HEARING: Monday, July 2, 2001 at 2:00 p.m. in Room 407, County Courts Building,  
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z  
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.



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

June 5, 2001

## 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: 01-466-A  
Beltway Business Community Lot 3-A  
W/S Commerce Drive, 788' W Washington Boulevard  
13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District  
Legal Owner: Scott E Dorsey, President

Variance to permit six (6) wall-mounted enterprise signs on a premises in lieu of the allowed three (3) signs; Signs #1-6; to permit (5) wall-mounted enterprise signs on a façade in lieu of the allowed two (2) signs, Signs 1,3,4,5&6; to permit two (2) wall-mounted enterprise signs with an area of 488 square feet and 300 square feet respectively in lieu of the allowed 150 each, front façade sign #1 & #6; to permit one (1) wall-mounted enterprise sign with an area of 488 square feet in lieu of the allowed 150 square feet, left side façade sign #2.

HEARING: Monday, July 2, 2001 at 2:00 p.m. in Room 407, County Courts Building,  
401 Bosley Avenue

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

Arnold Jablon 602  
Director



C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Ave,  
Towson 21204

Scott E Dorsey, President Merritt-31,LLC, Merritt-091,LLC,  
2066 Lord Baltimore Drive, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 16, 2001.**
- (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.



Baltimore County  
Department of Permits and  
Development Management

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

June 29, 2001

Robert A Hoffman  
Venable Baetjer & Howard LLP  
210 Allegheny Avenue  
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 01-466-A, Beltway Business Community, Lot 3-A

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 2, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

*W. Carl Richards, Jr.*

W. Carl Richards, Jr. GDZ  
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Scott E Dorsey, President, Merritt-31 LLC, Merritt-091 LLC, 2066 Lord Baltimore Drive, Baltimore 21244  
People's Counsel

Sign  
7/2

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** June 8, 2001

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

JUN 13

**SUBJECT:** Commerce Drive

**INFORMATION:**

**Item Number:** 01-466

**Petitioner:** Merritt - 31, LLC Merritt - 091, LLC

**Zoning:** BL

**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

It is incumbent upon the petitioner to demonstrate practical difficulty and unreasonable hardship.

**Prepared by:** Mark A. Cunningham

**Section Chief:** Jeffrey W. Long  
**AFK:MAC:**



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

June 5, 2001

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 21, 2001

Item No.: See Below

Dear Ms. Stephens:

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:

461, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474,  
477, 478, 479, 482, 483,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development Mgmt.

**DATE:** June 5, 2001

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 29, 2001  
Item Nos. 461, 463, 464, 465, 466, 467,  
469, 470, 472, 473, 474, 475, 478, 480,  
483, and 006

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

RWB:HJO:jrb

cc: File

RE: PETITION FOR VARIANCE  
Beltway Business Community, Lot 3-A,  
W/S Commerce Dr, 788' W of Washington Blvd  
13th Election District, 1st Councilmanic

Legal Owner: Merritt-31, LLC and Merritt-091, LLC  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 01-466-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. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



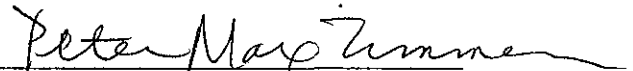
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



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 4th day of June, 2001 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 Petitioner(s).



PETER MAX ZIMMERMAN

**Case Number**

01-466-A

**PLEASE PRINT LEGIBLY**

## Interested Persons

## PROTESTANT'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

01-466-A

NAME

ADDRESS

Patricia A. Malone

210 Allegheny Avenue  
Towson MD 21204

Iwona ROSTEK-ZARSKA

272 SCHILLING CIRCLE, ITE 105  
HUNT VALLEY, MD 21030

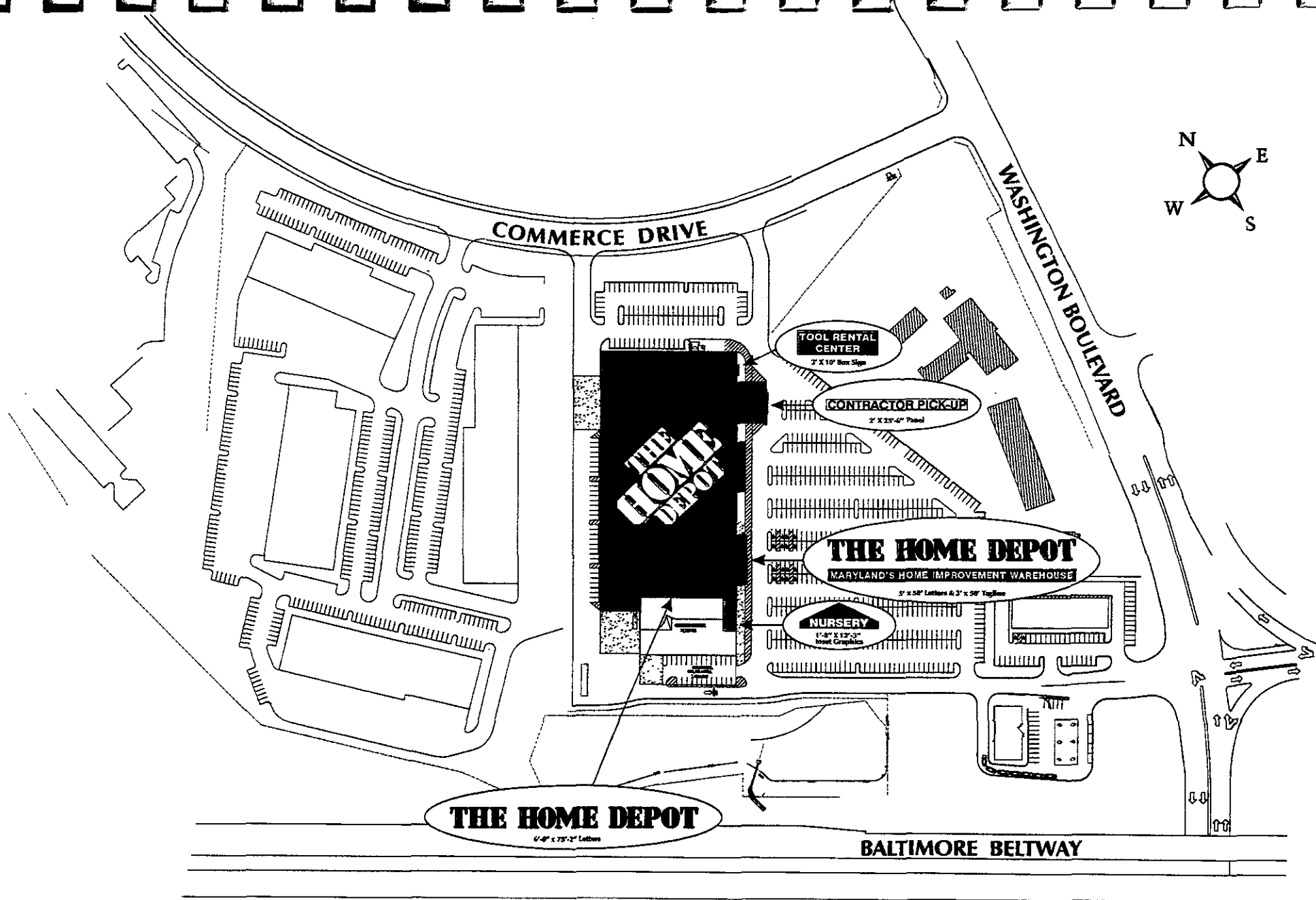
Rosalyn Hobbsfield

4255 Napier Field Rd  
DOTHAN, AL 36303

LETH JOHNSTON

POST OFFICE PLAZA, SOMERVILLE,  
NJ 08853





COLLINS SIGNS



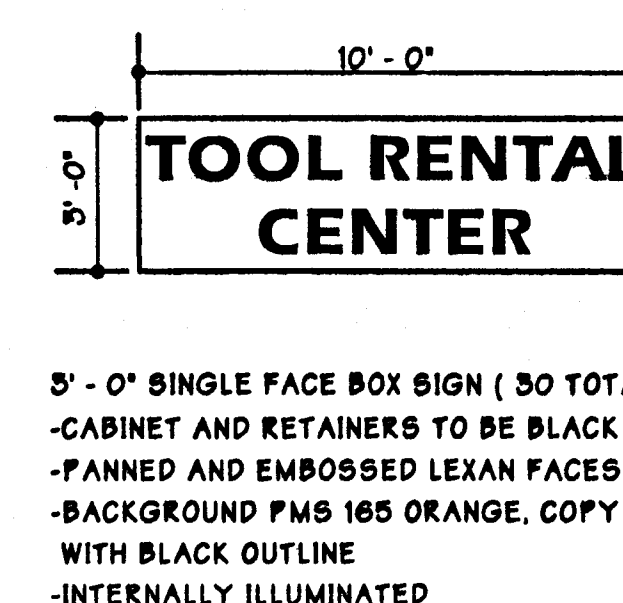
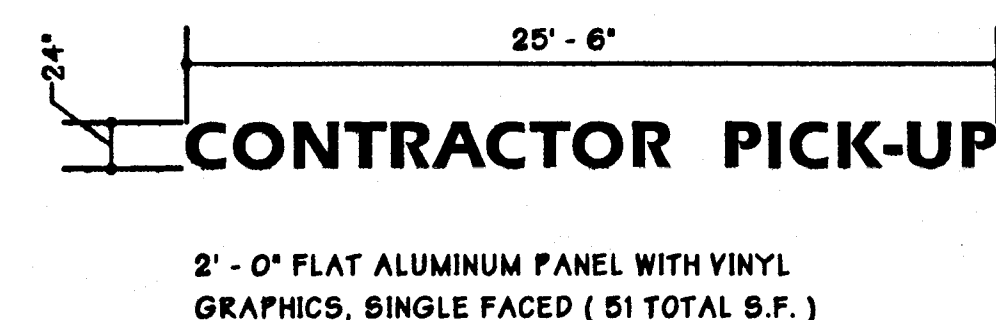
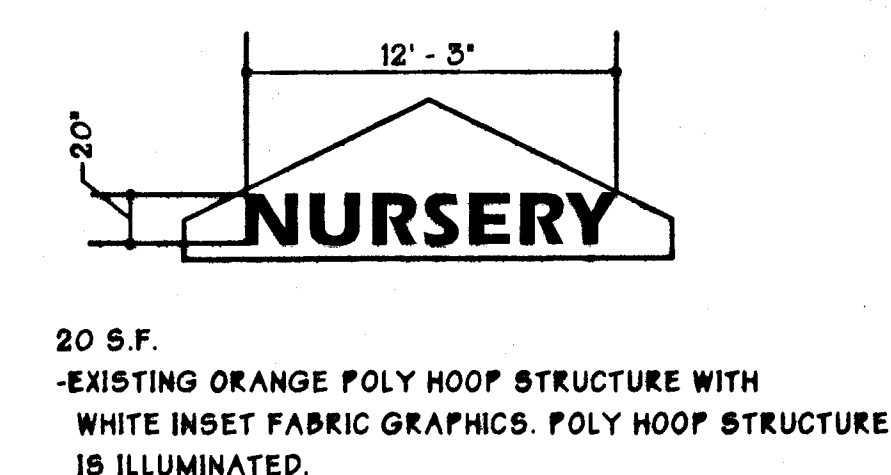
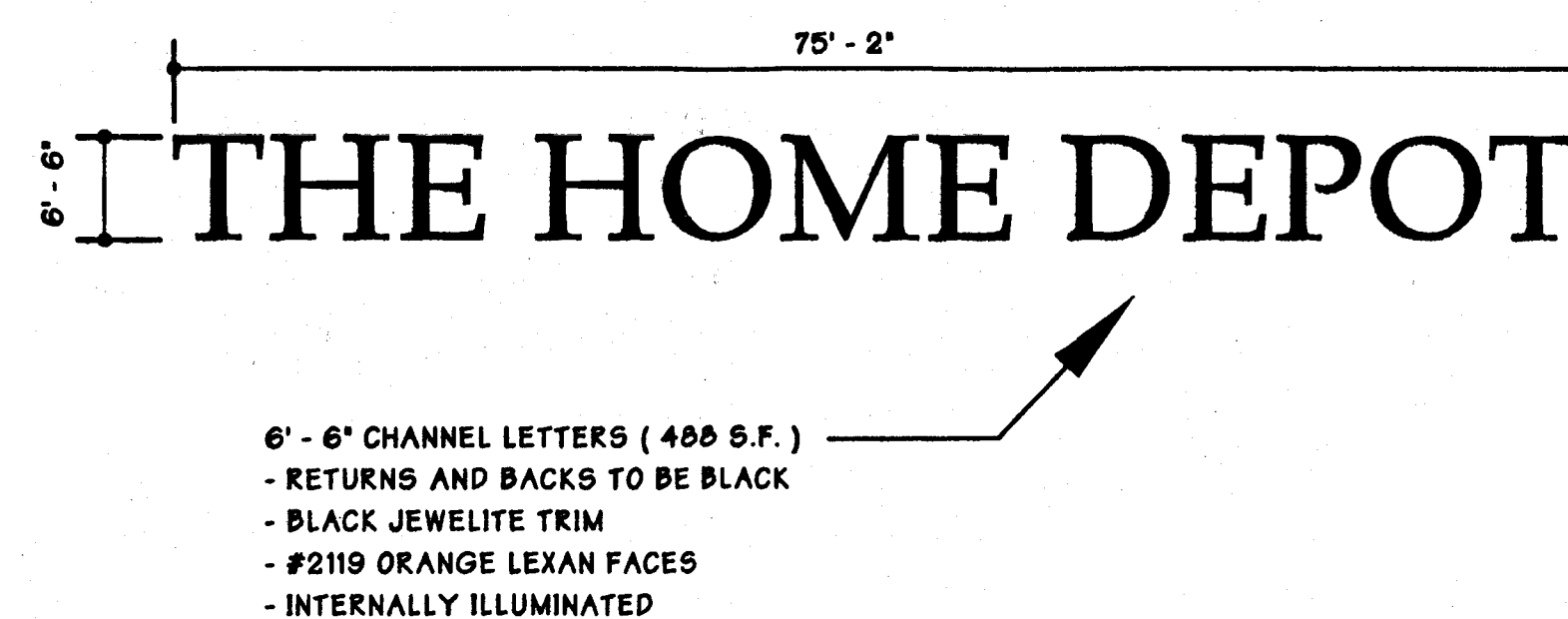
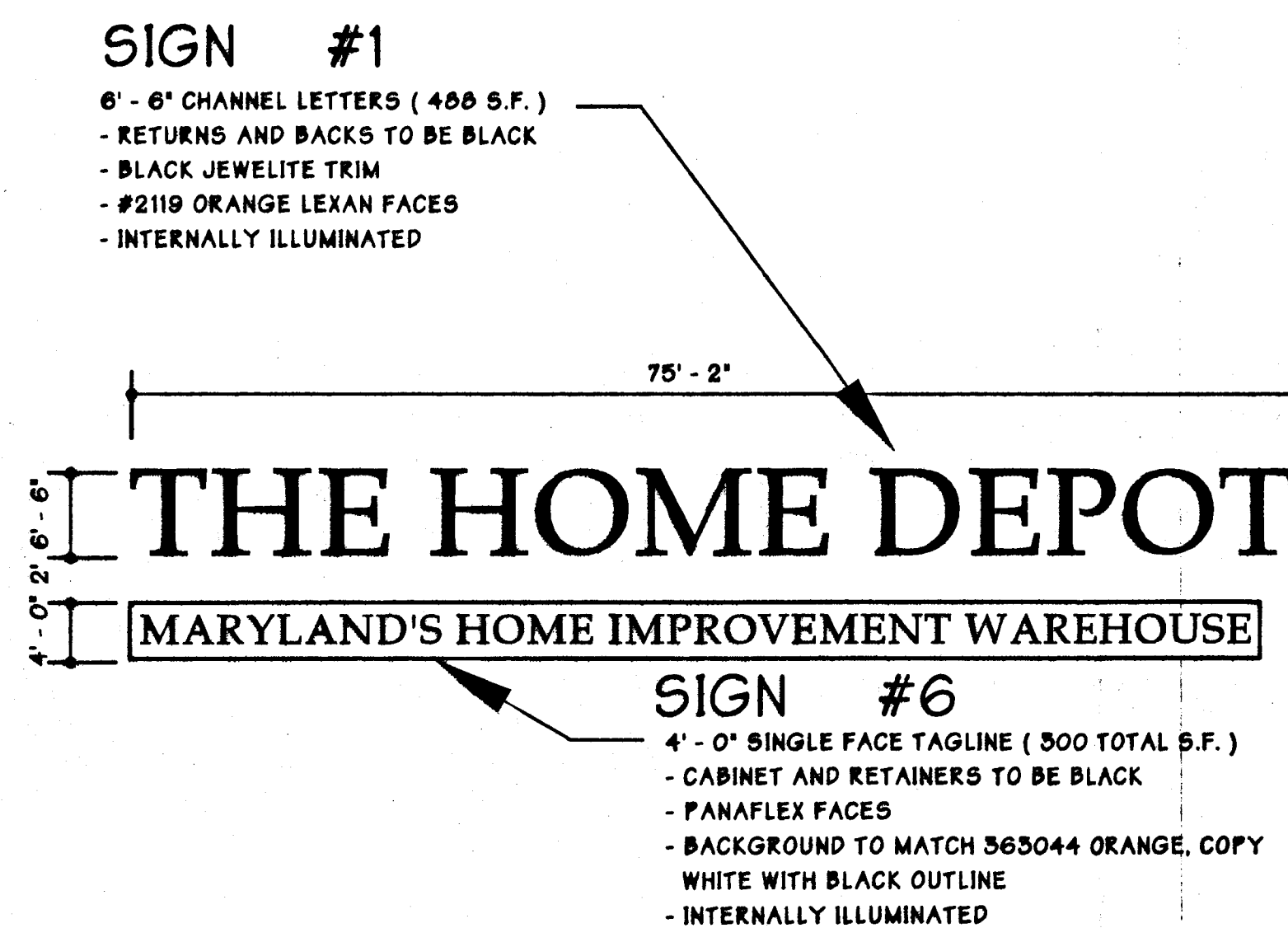
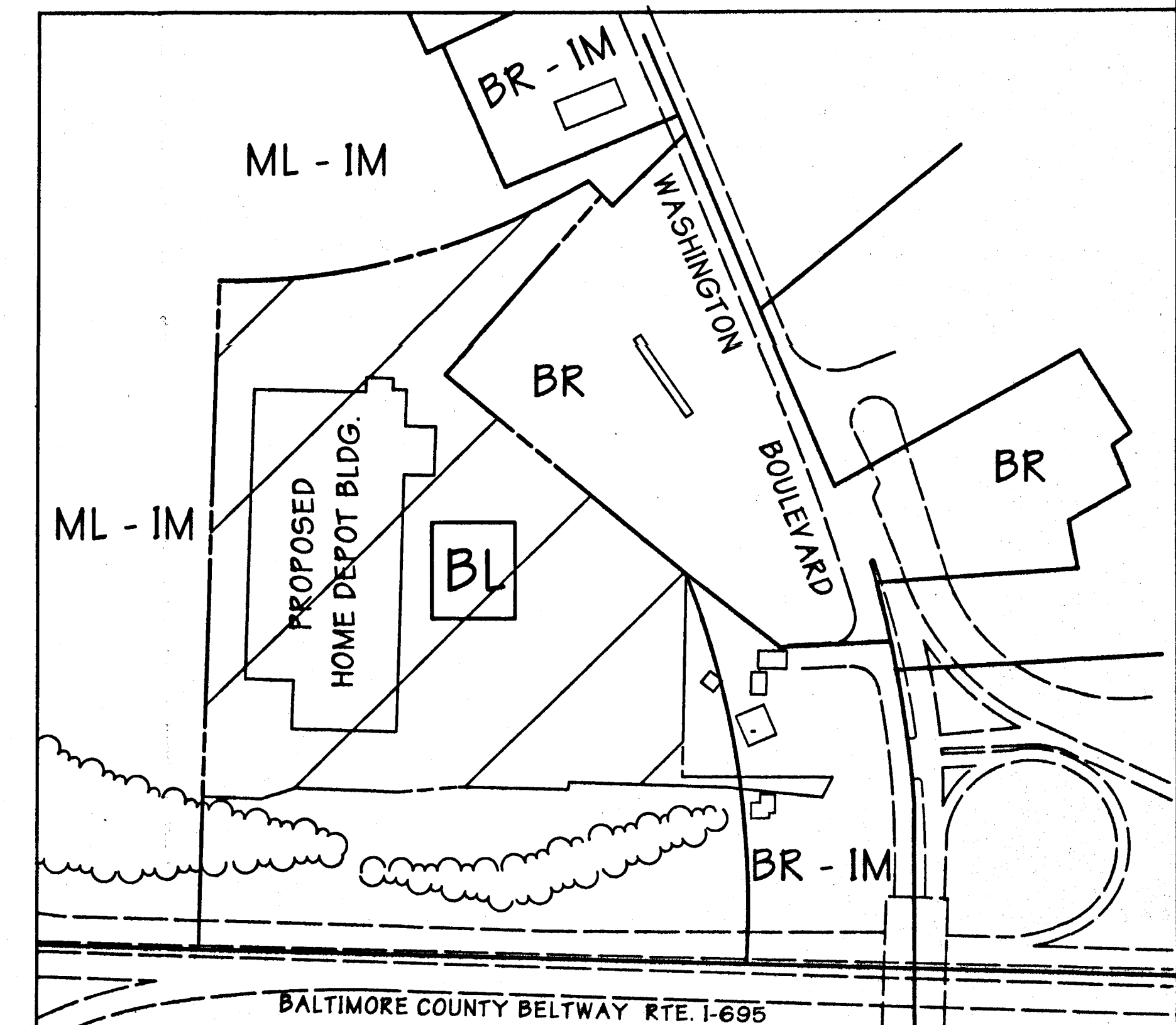
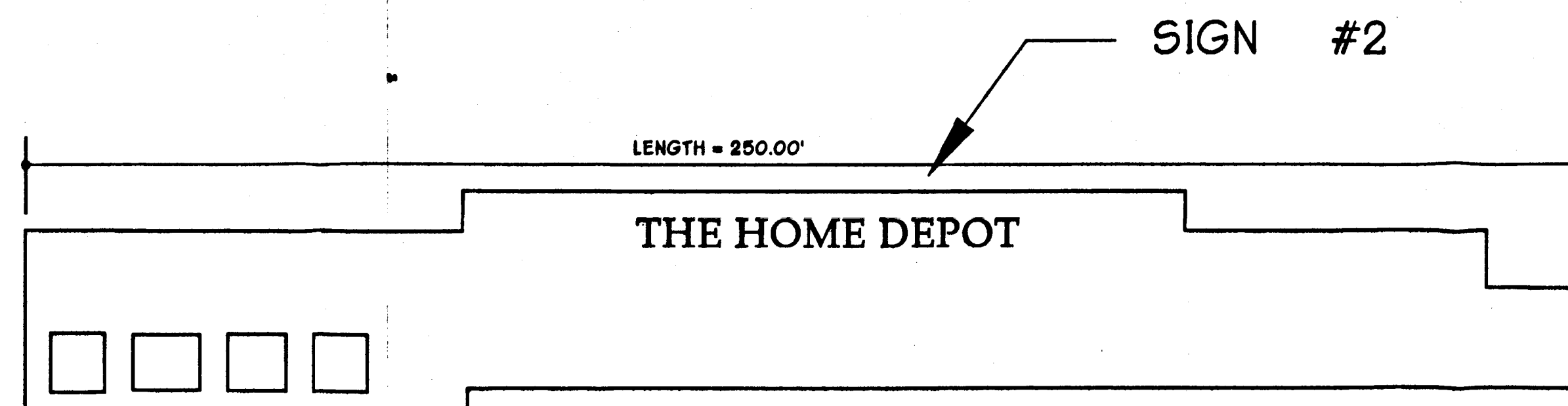
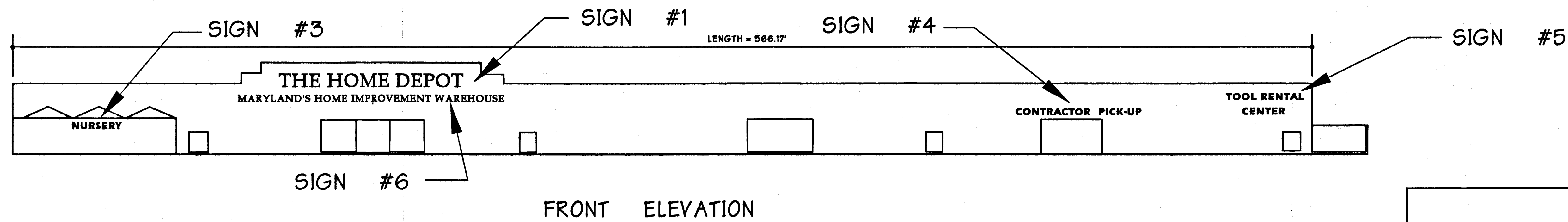
4255 Napier Field Road  
Dothan, Alabama 36303  
334.983-8000 Telephone  
334.983-1379 Fax



The Home Depot  
Landsdowne, MD

1004.CDR AAA  
Created: 03/08/2001  
Revised: 06/29/2001

This is an original unaltered drawing created by Collins Signs, Inc. It is submitted for your personal use, in connection with a project being planned for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Collins Signs, Inc. This proposal remains the exclusive property of Collins Signs, Inc. until approved and accepted then purchased by the client named above.



#### SIGN DATA

- FRONT FACADE - LENGTH 566.17'  
SQUARE FEET ALLOWED - 2 WALL MOUNTED ENTERPRISE SIGNS OF 150 S.F. EACH  
SQUARE FEET PROPOSED - SIGN #1 - 400 S.F.  
SIGN #3 - 20 S.F.  
SIGN #4 - 51 S.F.  
SIGN #5 - 30 S.F.  
SIGN #6 - 300 S.F.  
TOTAL = 801 S.F. (FIVE SIGNS)
- LEFT SIDE FACADE - LENGTH 250.00'  
SQUARE FEET ALLOWED - 1 WALL MOUNTED ENTERPRISE SIGN OF 150 S.F.  
SQUARE FEET PROPOSED - SIGN #2 - 400 S.F. (ONE SIGN)
- MAXIMUM NUMBER OF SIGNS ON PREMISES  
- ALLOWED - 5  
- PROPOSED - 6

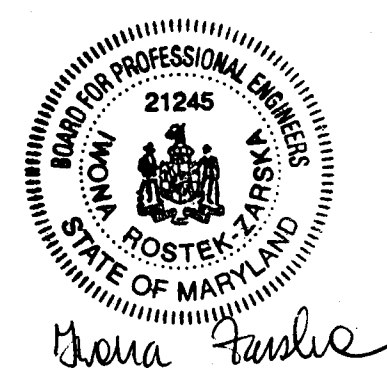
#### SIGN DETAILS

PLAT TO ACCOMPANY PETITION  
FOR ZONING VARIANCES  
FOR  
**HOME DEPOT - LANSDOWNE**  
BALTIMORE BELTWAY (I-695) &  
WASHINGTON BOULEVARD (US RT. 1)

BALTIMORE COUNTY  
SCALE: NOT TO SCALE  
SHEET 2 OF 2  
ELECTION DIST. NO. 13 c1  
DATE: MARCH, 2001

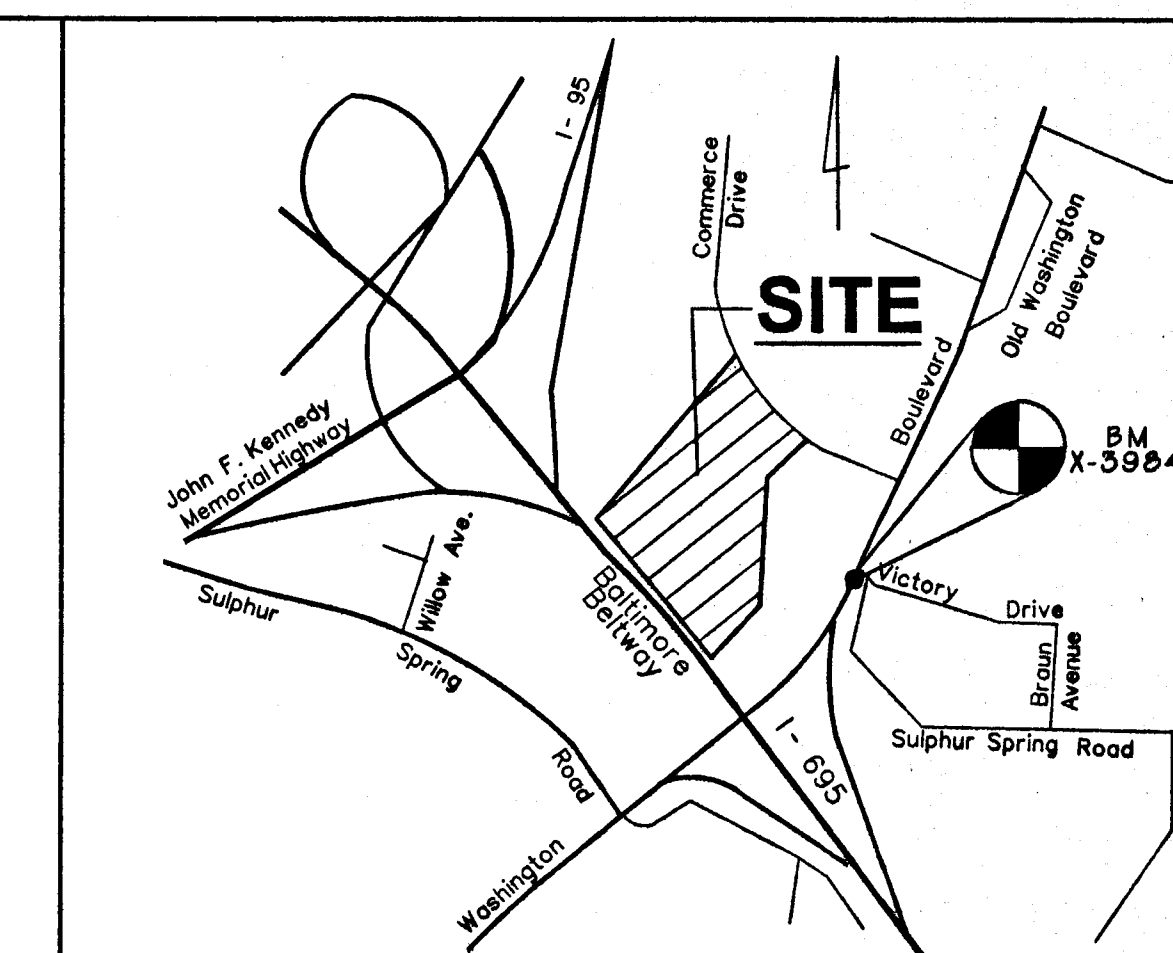
**BLDG**  
Baltimore Land Design Group Inc.  
Consulting Engineers

222 SCHILLING CIRCLE SUITE 105 • HUNT VALLEY, MARYLAND 21030  
PHONE: 410-229-9851 • FAX: 410-229-9863 • BLDG@WINSTARMAIL.COM



**OWNER**  
MERRITT-31, LLC., MERRITT-091, LLC.  
2066 LORD BALTIMORE DRIVE  
BALTIMORE, MARYLAND 21244  
TEL: 410-298-2600

**DEVELOPER**  
HOME DEPOT, U.S.A., INC.  
2455 PACES FERRY ROAD  
ATLANTA, GEORGIA 30339  
PHONE: 1-770-384-2740



SCALE 1" = 1000'

1. SITE AREA = NET AREA = 554,525 SF OR 12,571 +/- ACRES
2. OWNER: MERRITT -51, LLC., MERRITT -091, LLC.  
2666 LORD BALTIMORE DRIVE  
RECORD PLAT: 62/112 (LOTS 3 & 4 BELTWAY BUSINESS COMMUNITY )  
TEL: 410-289-2600
3. DEED REF: LIBER 12565/ FOLIO 772; LIBER 12569/ FOLIO 260; LIBER 14097/ FOLIO 550  
BALTIMORE, MARYLAND 21244  
RECORD PLAT: 66/06 ( PLAT OF BDC ASSOCIATES PROPERTY)
4. TAX ACCOUNT NO: 15-05-340023 THROUGH 15-05-340025 INCLUSIVE; 22-00-003651;  
22-00-026537 AND 23-00-007028
5. TAX MAP 102. GRID 19, PARCEL 109
6. ELECTION DISTRICT - 13TH
7. COUNCILMANIC DISTRICT: 15T
8. ZONING: BL
9. EXISTING USE: VACANT  
PROPOSED USE: RETAIL - HOME DEPOT BUILDING
10. SETBACK REQUIREMENTS:  
  
A) FRONT BUILDING LINE SHALL BE NO LESS THAN 10 FEET FROM THE FRONT PROPERTY LINE  
NOT LESS THAN 40 FEET FROM THE CENTER LINE OF THE STREET.  
B) SIDE AND REAR YARDS, NONE REQUIRED  
  
C) STORAGE AND DISPLAY OF MATERIALS, VEHICLES AND EQUIPMENT ARE PERMITTED IN THE FRONT  
YARD, BUT NOT MORE THAN 5 FEET IN FRONT OF THE EQUIPMENT FRONT BUILDING LINE.
11. BUILDING COVERAGE  
PROPOSED = 156,797 SQUARE FEET
12. FLOOR AREA RATIO  
MAX. PERMITTED - 3.0  
PROPOSED: 156,797 S.F (ADJ. GR05B) / 534,525 S.F. = 0.255
13. BUILDING HEIGHT - 36 FEET
14. PARKING:  
REQUIRED = 156,797 S.F. @ 5 SPACES/1000 S.F. = 684 SPACES  
PROVIDED = 699 SPACES (INCL 16 HDCT)  
NOTE: PARKING SPACES ARE 8.5'x10', & 9'x10'; HC SPACES ARE: 21'x10' AND 24'x10';
15. LIGHTING SHALL BE ERCTED AS NOT TO REFLECT INTO ANY  
ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
16. ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL  
ZONING POLICIES.
17. THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
18. THERE ARE NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES,  
ENDANGERED SPECIES HABITAT, WELLS, SEPTIC SYSTEMS OR  
HAZARDOUS MATERIALS ON THE SITE.
19. SITE IS NOT LOCATED WITHIN 100 YEAR FLOOD PLAIN.
20. FOREST CONSERVATION REQUIREMENTS: N / A  
DEVELOPMENT IN ACCORDANCE WITH A VALID CRG APPROVED BEFORE  
JANUARY 1, 1993 FOR A COMMERCIAL OR INDUSTRIAL CRG, PURSUANT  
TO TITLE 26 OF THE BALTIMORE COUNTY CODE, 1989, AS AMENDED.
21. STORM WATER QUANTITY AND QUALITY MANAGEMENT IS PROVIDED  
IN PRIVATE S.W.M. FOND. S.W.M. PLANS HAVE BEEN PREPARED BY  
G.W.STEPHENS, JR. AND ASSOC. INC. AND APPROVED ON 08/10/10.
24. DEVELOPMENT APPROVALS:  
CRG PLAN NO: 90014 & 91032 APPROVED ON 2/22/90  
1ST REFINEMENT CRG PLAN NO: 90014 & 91032 APPROVED ON 5/19/100  
(DRC # 040300)
25. ZONING HISTORY:  
CASE NO. CR 89- 451 (11-14-89)  
ISSUE NO. 1-030; BALTIMORE COUNTY COMPREHENSIVE ZONING MAP PROCESS
26. SIGN #1 AND SIGN #2 SHALL BE ATTACHED TO THE BUILDING WALL  
AS A WIND MOUNTED ENTERPRISE SIGN, THEREFORE THE SIGNS ARE  
NOT TO BE CONSIDERED AS ROOF SIGNS. (SECTION 440 5.B)

CRG NO. 90014 - CR #89-451  
PLANNING # XIII - 70  
PUBLIC SERVICES # 90014

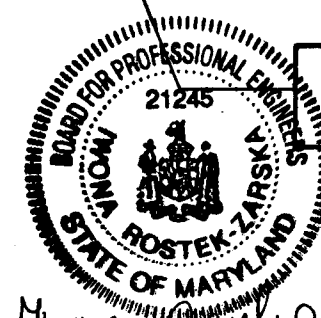
CRG NO. 91032  
PLANNING # XIII 144  
PUBLIC SERVICES #91032

PLAT TO ACCOMPANY PETITION  
FOR ZONING VARIANCES  
FOR  
HOME DEPOT - LANSDOWNE  
BALTIMORE BELTWAY (I-695) &  
WASHINGTON BOULEVARD (US RT. 1)

BALTIMORE COUNTY  
SCALE: 1" = 50' SHEET 1 OF 2  
ELECTION DIST. NO. 13 c  
DATE: MARCH, 2001

JNP 01-466-A

222 SCHILLING CIRCLE SUITE 105 • HUNT VALLEY, MARYLAND 21030  
PHONE: 410 229 9851 • FAX: 410 229 9865 • BLDGNC@WINSTARMAIL.COM



THE PROPERTY LINE SHOWN HEREON IS BASED ON THE  
SURVEY PREPARED BY SURVEY SERVICES, LLC IN AUGUST, 2000.

1. *Variance from B.C.Z.R. Section 450.4.5 (a) to permit six wall mounted Enterprise signs on a premises in lieu of the allowed three signs. (Signs #1-6)*
2. *Variance from B.C.Z.R. Section 450.4.5 (a) to permit five wall mounted Enterprise signs on a facade in lieu of the allowed two signs. (Signs #1,3,4, 5 & 6)*
3. *Variance from B.C.Z.R. Section 450.4.5 (a) to permit two wall mounted Enterprise signs with an area of 488 square feet and 300 square feet in lieu of the allowed 150 square feet each. (Front Facade Sign #1 and #6)*
4. *Variance from B.C.Z.R. Section 450.4.5 (a) to permit one wall mounted Enterprise sign with an area of 488 square feet in lieu of the allowed 150 square feet. (Left Side Facade Sign #2)*

OWNER  
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TEL: 410-298-2600

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