IN RE: PETITION FOR VARIANCE NW/S Pulaski Highway, 690' NE of the c/l Baltimore Beltway (I-695) **(8652 Pulaski Highway)** 15th Election District 6th Council District	* * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 05-096-A
Golden Ring II, LLC, Property Owners; OCB Restaurant Co., Contract Lessee	* *	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Golden Ring II, LLC, and the Contract Lessee, OCB Restaurant Company, D/B/A Hometown Buffet, through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners seek relief from Section 450.4.5.d of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an enterprise sign on the west façade of a building on which a wall-mounted enterprise sign is not permitted by right. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Chuck Little on behalf of OCB Restaurant Company, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located between Philadelphia Road and Pulaski Highway, east of the Baltimore Beltway (I-695) and west of Rossville Boulevard in Rosedale. The property contains a gross area of 10.580 acres more or less, zoned B.M. and was formerly the site of the Golden Ring Mall. Much of the mall infrastructure has been razed and the parcel is being redeveloped with a series of "big box" tenants, including a Home Depot, Montgomery Ward, Sam's Club, and a Wal-Mart. Generally, the area is commercial/industrial/retail in character, owing to its location near major arterial roads in this area of Baltimore County. Vehicular access to the center at large is by way of

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Date 11/24/04
By

curb cuts in both Pulaski Highway to the east and Philadelphia Road (Maryland Route 7) to the west.

This Zoning Commissioner is acquainted with the subject property by virtue of reviewing recent zoning Petitions for Variance filed by other tenants on this site seeking similar relief. Specifically, in Case No. 03-326-A, similar variance relief was granted for a sign for a proposed Office Depot, Inc. Additionally, the Wal-Mart store obtained variance relief for a sign in Case No. 02-488-A, and in Case No. 02-486-A, similar relief was granted for the proposed Sam's Club. The Petitioners now come before me seeking similar relief for the OCB Restaurant Company for its Hometown Buffet restaurant. In this regard, the Hometown Buffet has contracted to lease a portion of a freestanding building which is located in the northeast corner of the Centre at Golden Ring. The large parking field that serves this center and the other tenants, including the Office Depot, Sam's Club, Wal-Mart and Home Depot is located in the center of the property, to the rear of the freestanding building. As shown on the site plan, the main entrance to the restaurant will face Pulaski Highway and thus, will not be visible to the main parking area and the other tenants. Thus, the Petitioners propose placing a sign on the rear wall of the building which faces the large parking field and the other big box tenants. The Petitioners testified that the sign is necessary to advise potential customers who enter the Centre from Philadelphia Road that the restaurant is located within the building. Moreover, the sign will identify the additional restaurant parking area to the rear of the building. A schematic representation of the proposed sign is more particularly shown on Petitioner's Exhibits 2A and 2B.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. As noted above, the main entrance to the restaurant will face Pulaski Highway and will not be visible to the other tenants or customers who enter the Centre property from Philadelphia Road. I find that a sign to advise customers of the restaurant's location before reaching Pulaski Highway is appropriate and will not detrimentally impact adjacent properties in that it will face the rear parking lot and will not be visible from public roads. To the contrary, the proposed sign will diminish vehicular congestion in the shopping center caused by restaurant

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Date 10/21/04
By

customers having to circle the building to park in the rear lot. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and no one appeared in opposition to the request. The relief requested meets the requirements of Section 450.4.5.d of the B.C.Z.R. and will not be detrimental to the health, safety and general welfare of the surrounding locale.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of October 2004 that the Petition for Variance seeking relief from Section 450.4.5.d of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an enterprise sign on the west (rear) façade of a building without an exterior customer entrance on which a wall-mounted enterprise sign is not permitted by right, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 10/26/04
By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

October 26, 2004

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/S Pulaski Highway, 690' NE of the c/l Baltimore Beltway (I-695)
(8652 Pulaski Highway)
15th Election District – 6th Council District
Golden Ring II, LLC, Owners; OCB Restaurant Co., Lessee - Petitioners
Case No. 05-096-A

Dear Mr. Borgerding:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Terry Richardson, VP of Construction, Golden Ring II, LLC c/o Petrie Ventures
170 Jennifer Road, Suite 300, Annapolis, MD 21401
Ms. Valerie Belmonte & Mr. Chuck Little, OCB Restaurant Company
1460 Buffet Way, Eagan, MN. 55121
People's Counsel; Case File

Printed on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8652 Pulaski Hwy, Suite B

which is presently zoned BM

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)

450.4.5(d), BCZR, to allow a wall-mounted enterprise sign on the West facade of the building, without an exterior customer entrance.

450.4.5.(d)

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

*See Attached

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.

Chuck Little

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:

OCB Restaurant Company
Name - Type or Print

Valerie Belmonte
Signature

1460 Buffet Way — 651-365-2142
Address — Telephone No.

Eagan, — MN — 55121
City — State — Zip Code

Legal Owner(s):

Golden Ring II, LLC c/o Petrie Ventures
Name - Type or Print

Signature

Terry Richardson, VP of Construction
Name - Type or Print

Signature

170 Jennifer Road, Suite 300 x 410 573 3800
Address — Telephone No.

Annapolis — MD — 21401
City — State — Zip Code

Attorney For Petitioner:

Frank Borgerding, Jr.
Name - Type or Print

Signature

Law Offices of Frank Borgerding, Jr.
Company

409 Washington Ave., Suite 600 — 410-296-6820
Address — Telephone No.

Towson — MD — 21204
City — State — Zip Code

Representative to be Contacted:

Valerie Belmonte, Development Manager
OCB Restaurant Co.
Name

1460 Buffet Way — 651-365-2142
Address — Telephone No.

Eagan — MN — 55121
City — State — Zip Code

ORDER RECEIVED FOR FILING
Date 11/29/04
By

Case No. 05-096-A

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP **Date** 8/20/04

REV 9/15/98

- **HomeTown Buffet – Rosedale, MD - Hardship Statement**

There will be a practical difficulty for HomeTown Buffet if our customers are unable to see our signage from both the east and west entrances of this development. Also, a substantial number of our customers' vehicles will approach the restaurant from the interior of this development. This road will bring them to the rear of our building, which is currently unsigned. Our objective is to have our customers be able to see our sign immediately and park in the rear lot. We feel that this would diminish vehicular congestion in the development caused by our customers having to circle the building in order to park in the rear area designated for our restaurant.

The inability to obtain this variance will cause hardship and leave us at a competitive disadvantage due to the fact that surrounding restaurants in the area have obtained variances for multiple exterior signs on their buildings.

05-096-A

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

Zoning Description

Beginning at a point located on the northwesterly side of Pulaski Highway (U.S. Route 40) which is 150 feet wide at the distance of 690 feet northeasterly of the centerline of the nearest improved intersecting street, Interstate I-695 (Baltimore Beltway) which is a variable width highway. **Thence** the following courses and distances:

South 55 degrees 24 minutes 53 seconds West, 82.70 feet; South 82 degrees 08 minutes 33 seconds West, 109.86 feet; North 74 degrees 45 minutes 19 seconds West, 160.50 feet; North 42 degrees 42 minutes 59 seconds East, 265.11 feet; North 47 degrees 17 minutes 01 seconds West, 282.98 feet; North 42 degrees 42 minutes 59 seconds East, 472.00 feet; South 47 degrees 17 minutes 01 seconds East, 20.00 feet; North 42 degrees 42 minutes 59 seconds East, 271.74 feet; South 47 degrees 17 minutes 01 seconds East, 71.40 feet; North 42 degrees 42 minutes 59 seconds East, 75.00 feet; South 45 degrees 14 minutes 45 seconds East, 451.14 feet; South 44 degrees 42 minutes 59 seconds West, 828.74 feet to the point and place of beginning, and being all of Parcel D as shown on plat entitled "Amended Plat of Golden Ring Mall" and recorded in Plat Book E.H.K. Jr. 38, folio 35.

Containing 10.580 acres and being located in the Fifteenth Election District of Baltimore County, Maryland.

STATE OF MARYLAND
MICHAEL LEE RAY
PROFESSIONAL LAND SURVEYOR
4/3/02

05-096-A

3445-A BOX HILL CORPORATE CENTER DRIVE, ABINGDON, MD 21009 ■ 410-515-9000 ■ FAX 410-515-9002
110 WEST ROAD, SUITE 245, TOWSON, MD 21204 ■ 410-821-1690 ■ FAX 410-821-1748
9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701 ■ 410 792-9792 ■ FAX 410-792-7395

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 39791

DATE 8/20/04 ACCOUNT R-001-006-6150

AMOUNT $ 325.00

RECEIVED FROM: Morris & Ritchie Associates, Inc.

FOR: Sign Variance - 8652 Pulaski Highway Suite B
05-096-A (Golden Ring II, LLC)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE	ACTIVITY DATE	TIME	TRAN
8/20/2004	8/20/2004	10:57:29	3

REF NUMB WALKIN LPET LMF
RECEIPT # 200835 8/20/2004 OPLN
TRAN 3 SIGN POSTING VERIFICATION
CK NO. 037771
Rcpt Tot $325.00
$325.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #05-096-A
8652 Pulaski Highway, Ste. B
N/west side of Pulaski Highway, 690 feet n/east of Interstate 695
15th Election District - 6th Councilmanic District
Legal Owner(s): Golden Ring, II, LLC, c/o Petrie Ventures, Terry Richardson, VP
Contract Purchaser: OCB Restaurant Company

Variance: to allow a wall-mounted enterprise sign on the west facade of the building, *without an exterior customer entrance.*

Hearing: Thursday, October 14, 2004 at 11:00 a.m. in Room 407, County Courts Building, 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.

JT/9/772 Sept. 28 23505

CERTIFICATE OF PUBLICATION

9/29/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/28/, 2004.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

Certificate Of Posting

RE: Case NO.: 05-096-A

Petitioner/Developer: PETRUE/VENTURES
OCB RESTAURANT COMPANY

Date of Hearing/Closing: 10/20/04

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

Attention:

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 at 8652 PULASKI HIGHWAY STE. B
HOMETOWN BUFFET

This sign(s) were posted on October 2, 2004.
(Month, Day, Year)

Sincerely,

Martin Ogle 10/2/04
(Signature of Sign Poster and Date)

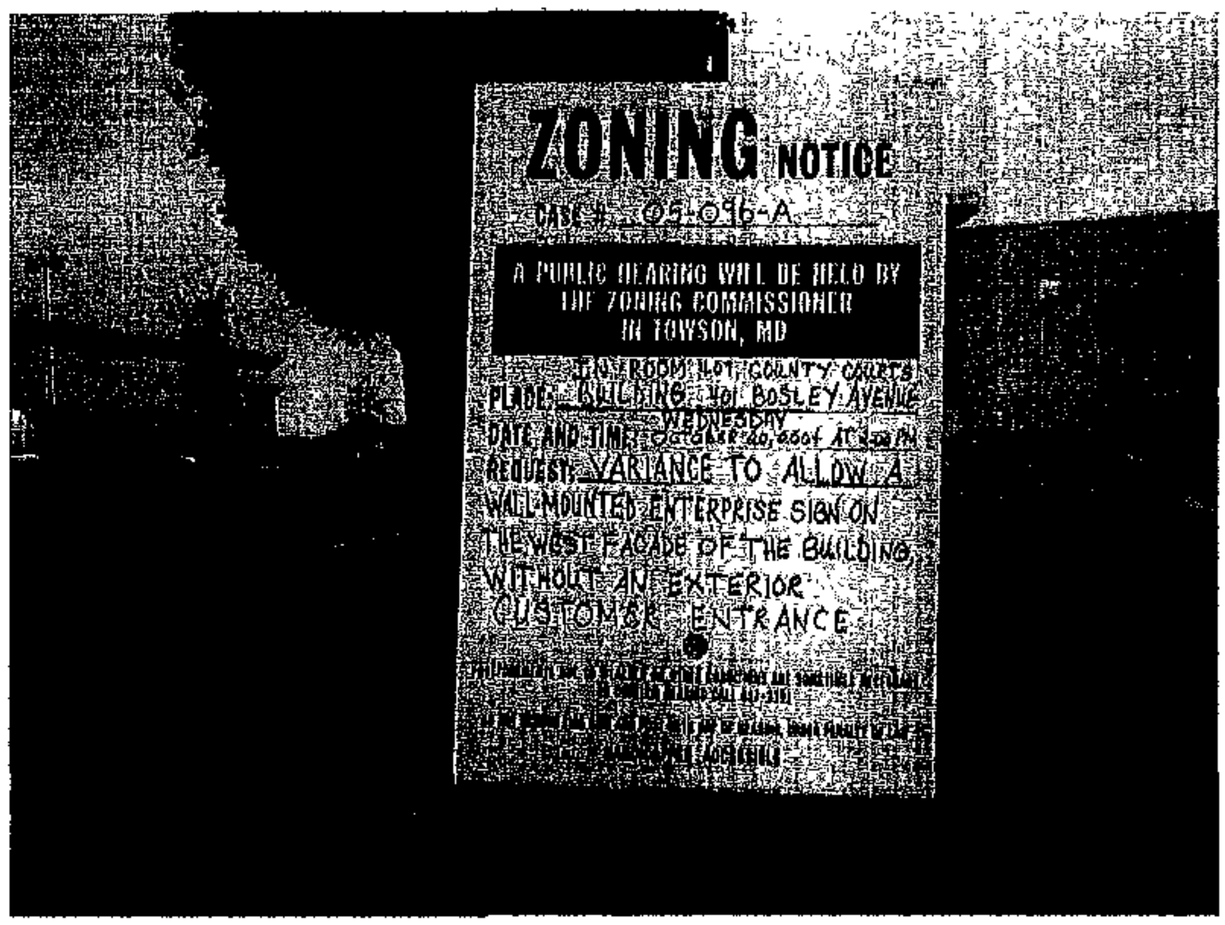
Martin Ogle
(Printed Name)

5016 Castlestone Drive
(Address)

Balto.MD 21237
(City,State,Zip Code)

(410)-933-9470
(Phone Number)

Im000087 (1152x864x24b jpeg)



10/2/04

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 28, 2004 Issue - Jeffersonian

Please forward billing to:
Valerie Belmonte
OCB Restaurant Co.
1460 Buffet Way
Eagan, MN 55121

651-365-2142

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: *05-096-A*
8652 Pulaski Highway, Ste. B
N/west side of Pulaski Highway, 690 feet n/east of Interstate 695
15th Election District – 6th Councilmanic District
Legal Owner: Golden Ring, II, LLC, c/o Petrie Ventures, Terry Richardson, VP
Contract Purchaser: OCB Restaurant Company

Variance to allow a wall-mounted enterprise sign on the west façade of the building, without an exterior customer entrance.

Hearing: Thursday, October 14, 2004, at 11:00 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

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

August 26, 2004

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: 05-096-A
8652 Pulaski Highway, Ste. B
N/west side of Pulaski Highway, 690 feet n/east of Interstate 695
15th Election District – 6th Councilmanic District
Legal Owner: Golden Ring, II, LLC, c/o Petrie Ventures, Terry Richardson, VP
Contract Purchaser: OCB Restaurant Company

Variance to allow a wall-mounted enterprise sign on the west façade of the building, without an exterior customer entrance.

Hearing: Thursday, October 14, 2004, at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: Frank Borgerding, Jr., 409 Washington Ave., Ste. 600, Towson 21204
Terry Richardson, 170 Jennifer Rd., Ste. 300, Annapolis 21401
OCB Restaurant, Valerie Belmonte, 1460 Buffet Way, Eagan MN 55121

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 29, 2004.**
(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.

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 1, 2004

CORRECTED 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: 05-096-A
8652 Pulaski Highway, Ste. B
N/west side of Pulaski Highway, 690 feet n/east of Interstate 695
15th Election District – 6th Councilmanic District
Legal Owner: Golden Ring, II, LLC, c/o Petrie Ventures, Terry Richardson, VP
Contract Purchaser: OCB Restaurant Company

Variance to allow a wall-mounted enterprise sign on the west façade of the building, without an exterior customer entrance.

Hearing: Wednesday, October 20, 2004, at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: Frank Borgerding, Jr., 409 Washington Ave., Ste. 600, Towson 21204
Terry Richardson, 170 Jennifer Rd., Ste. 300, Annapolis 21401
OCB Restaurant, Valerie Belmonte, 1460 Buffet Way, Eagan MN 55121

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 5, 2004.**
(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.

Printed on Recycled Paper

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: 05-096-A

Petitioner: [redacted] Golden Ring II, LLC

Address or Location: 8652 Pulaski Highway, Suite B, Rosedale, MD 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: Valerie Belmonte

Address: OCB Restaurant Company

1460 Buffet Way

Eagan, MN 55121

Telephone Number: 651-365-2142

MORRIS & RITCHIE ASSOCIATES, INC.
PLANNING
ARCHITECTURE
ENGINEERING
14280 PARK CENTER DRIVE, SUITE A
LAUREL MD 20707
410-792-9792 • 301-776-1690
FAX. 410-792-7395 • CELL 410-598-6467
tmadden@mragta.com
TIMOTHY F. MADDEN, ASLA, AICP
PRINCIPAL

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 14, 2004

Frank Borgerding, Jr.
Law Offices of Frank Borgerding, Jr.
409 Washington Avenue, Ste. 600
Towson, Maryland 21204

Dear Mr. Borgerding:

RE: Case Number: 05-096-A, 8652 Pulaski Highway

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 20, 2004.

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.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
OCB Restaurant Company Valerie Belmonte 1460 Buffet Way Eagan, MN 55121
Terry Richardson Golden Ring II 170 Jennifer Road, Ste. 300 Annapolis 21401

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Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500

Baltimore County

James T Smith, Jr, County Executive
John J Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 27, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: ~~August~~ 30, 2004
96

Item No.: 091, 092, 094-100

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 14, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For September 7, 2004
Item Nos. 091, 092, 094, 095, 096
097, 098, 099, and 100

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

RWB:CEN:jrb

cc: File

~~10/14 FIV~~ 10/20 9/13

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

SEP 1 4 2004

ZONING COMMISSIONER

TO: Tim Kotroco

FROM: John D. Oltman, Jr (JDO)

DATE: September 14, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 30, 2004

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-092
04-094
04-095
04-096
04-097
04-098
04-099
04-100

Reviewers: Sue Farinetti, Dave Lykens

~~10/14~~ 10/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: September 13, 2004

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-079, 5-084 and 5-096**
Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

RECEIVED

SEP 13 2004

ZONING COMMISSIONER

Prepared By: Mark A Cunningham

Division Chief: Lyn Lanham

MAC/LL

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA State Highway Administration Driven to Excel
Maryland Department of Transportation

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 8·27·04

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

RE: Baltimore County
Item No. 096 JMP

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to ~~MD~~/US 40.
are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

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

Very truly yours,

S. F. Foster

Steven D. Foster, Acting Chief
Engineering Access Permits Division

RE:	PETITION FOR VARIANCE 8652 Pulaski Highway Suite B; NW/side Pulaski Highway, 690' NE Interstate 695 15th Election & 6th Councilmanic Districts Legal Owner(s): Terry Richardson, VP of Construction Golden Ring II, LLC c/o Petrie Ventures Contract Purchaser(s): OCB Restaurant Co, Valerie Belmonte, Development Manager Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 05-096-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
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 26th day of August, 2004, a copy of the foregoing Entry of Appearance was mailed to, Valerie Belmonte, Development Manager, OCB Restaurant Company, 1460 Beffet Way, Eagan, MN 55121 and to Francis X. Borgerding, Jr, Esquire, 409 Washington Avenue, St 600, Towson, MD, 21204,, Attorney for Petitioner(s).

RECEIVED
AUG 26 2004
Per.....

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

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Chuck Little	8652 Pulaski Hwy Suite B	Golden Ring Mall	
Frank Borgerding	409 Wash Ave Suite 600	21204	

FRANK BORGERDING

Case No.: 05-096A

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Morris & Ritchie Site Plan	
No. 2	2A - Black + White Signage Plat 2B - Color Sign Plat	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

72-160-A

MONTGOMERY WARD DEV. CORP. W/Cor. of Pulaski Hwy. & Ramp to the Beltway 15th Dist. #72-160-A

RE: PETITION FOR VARIANCE from Section 409.2b(6) of the Zoning Regulations NW corner Pulaski Highway and Ramp to the Beltway 15th District	:	BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
Montgomery Ward Development Corporation, Petitioner	:	No. 72-160-A

ORDER OF DISMISSAL

Petition of Montgomery Ward Development Corporation for a variance from Section 409.2b(6) of the Zoning Regulations to permit 3,118 parking spaces instead of the required 3,848 parking spaces, on property located at the southwest corner of Pulaski Highway and the Ramp to the Beltway, in the Fifteenth Election District of Baltimore County,

WHEREAS, in open hearing before the Board of Appeals on October 24, 1972 and prior to the taking of any testimony, the attorney for the protestant-appellant (Pulaski Industrial Park) dismissed the appeal taken on behalf of the protestant-appellant in the above entitled matter; and

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal of Appeal filed July 18, 1972 from the attorney representing the protestant-appellant (C. J. Langenfelder & Son, Inc.) in the above entitled matter; and

WHEREAS, the said attorney for the said protestant-appellant requests that the appeal filed on behalf of said protestant be dismissed and withdrawn as of July 18, 1972; and

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal of Appeal filed July 17, 1972 from the attorneys representing the protestant-appellant (Nottingham Village, Inc.) in the above entitled matter; and

WHEREAS, the said attorneys for the said protestant-appellant request that the appeal filed on behalf of said protestant be dismissed and withdrawn as of July 17, 1972; and

WHEREAS, copies of the aforementioned dismissals are attached hereto and made a part hereof.

IT IS HEREBY ORDERED this 26 day of October, 1972 that said appeals be and the same are hereby dismissed.

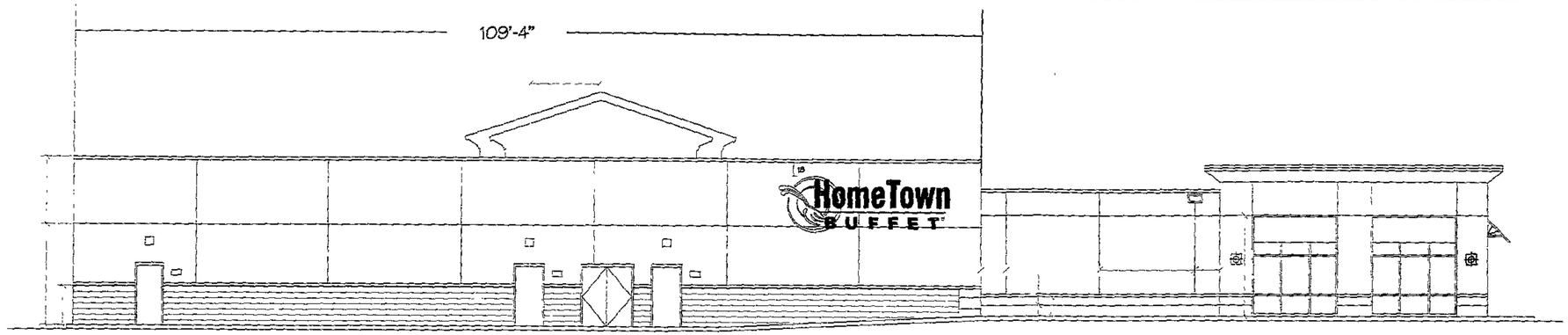
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Chairman

W. Giles Parker

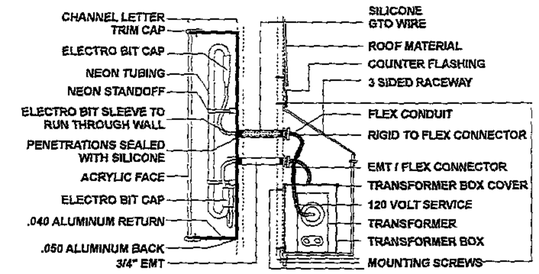
Walter A. Reiter, Jr.

THE COLORS SHOWN IN THIS DRAWING ARE FOR ILLUSTRATION PURPOSES ONLY AND MAY NOT BE A TRUE REPRESENTATION OF ACTUAL COLORS

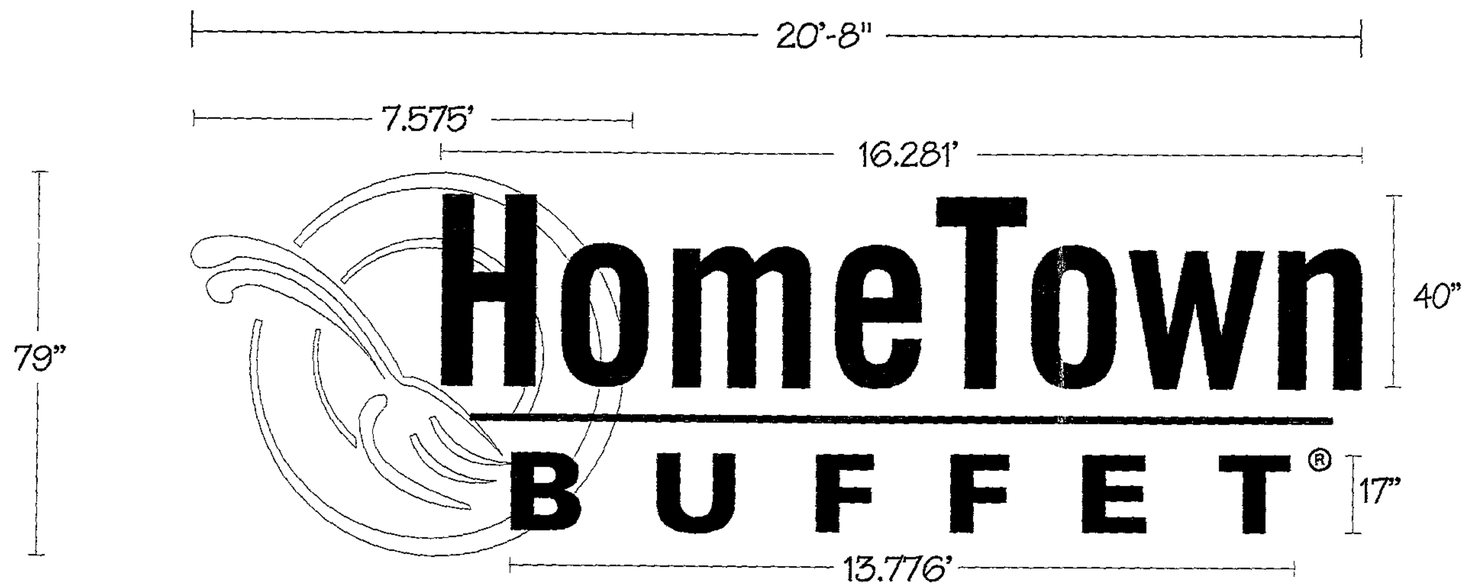


1 STS WEST ELEVATION
1/16" = 1'-0"

TYPICAL FLUSH MOUNT CHANNEL LETTER/ 3 SIDED RACEWAY SECTION DETAIL



ALL MANUFACTURING ACCORDING TO U.L.



139.8 SQUARE FEET

FORK AND PLATE GRAPHIC
7420 WHITE PLEXIGLASS ACRYLIC FACE
WHITE TRIM CAP
.040 WHITE ALUMINUM RETURN
WHITE NEON

HOMETOWN BUFFET COPY
2415 RED PLEXIGLASS ACRYLIC FACE
BURGUNDY TRIM CAP
.040 GREY ALUMINUM RETURNS
RED NEON

Exhibit 2B

CUSTOMER HTB	**DRAWN BY** DARREN	WITH APPROVAL OF THIS DRAWING I HEREBY GIVE SCHAD TRACY SIGNS PERMISSION TO BEGIN PRODUCTION OF THE SIGNAGE ILLUSTRATED IN THIS DOCUMENT. I AGREE THAT ALL THE SPECIFICATIONS, SPELLING, COLORS AND ELEVATIONS LISTED IN THIS DRAWING ARE CORRECT AND APPROVED. ANY CHANGES TO THIS DRAWING AFTER PRODUCTION HAS STARTED WILL RESULT IN ADDITIONAL CHARGES.
CITY ROSEDALE **STATE** MN	**SALES REP.** MIKE P.	**CUSTOMER APPROVAL** _____ **DATE** _____
FILE NAME MP-001943 - P8	**SCALE** 3/8"-1'-0"	

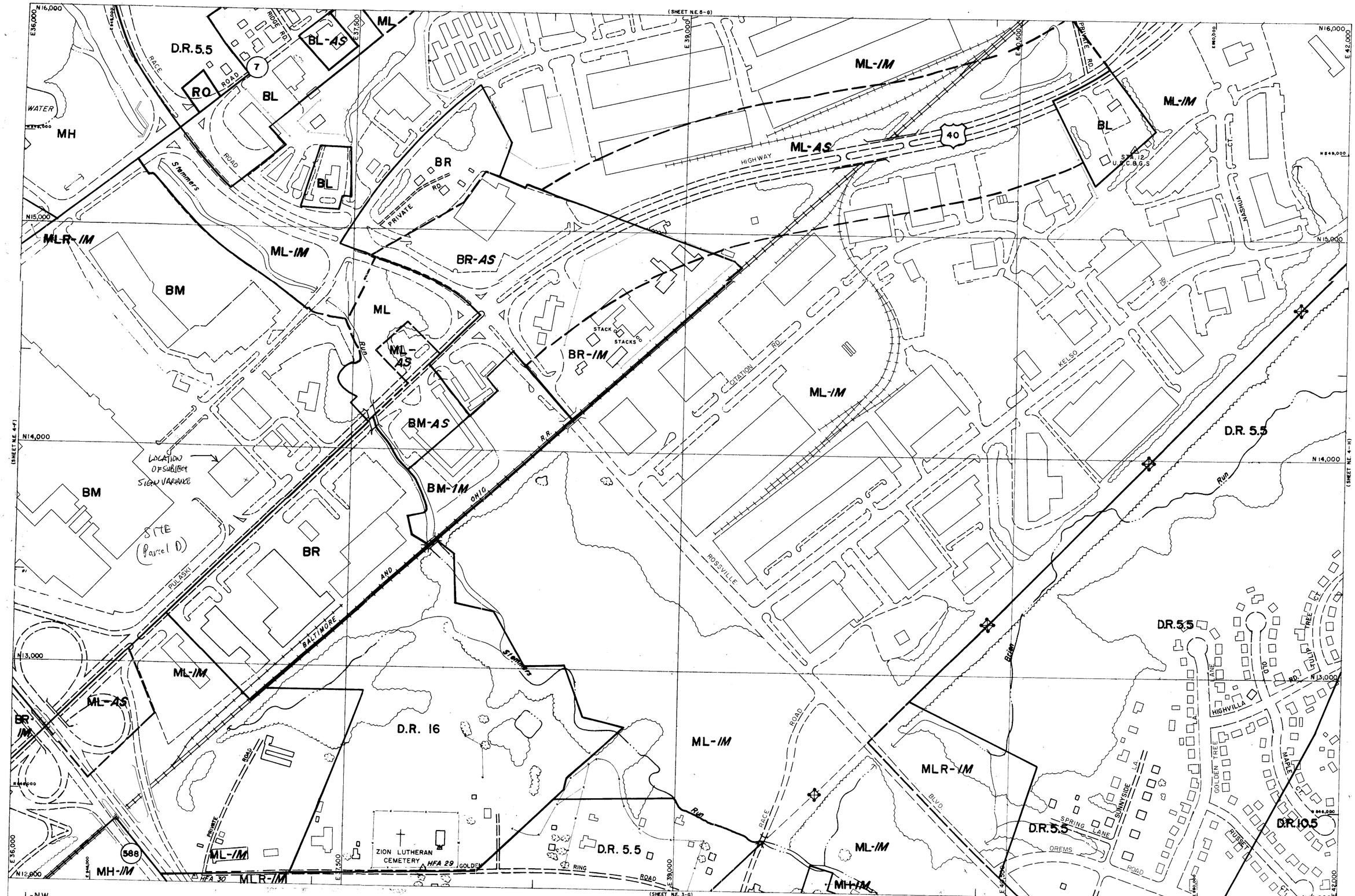
THIS DRAWING IS THE PROPERTY OF
325 MINNESOTA AVE. N.
P.O. BOX 357
ORONOCO, MN 55960
PHONE / 507-367-2631
FAX / 507-367-2633

schad tracy signs
The Sign of Quality

1610 E. CLIFF RD.
BURNSVILLE, MN 55337
PHONE / 952-894-2421
FAX / 952-894-2748

ORIG. DATE 04/05/04 **REV. DATE** 06/07/04 | **REVISION** 3 | **FONTS USED:** IMPORTED IMAGE

05-096-A



1-NW

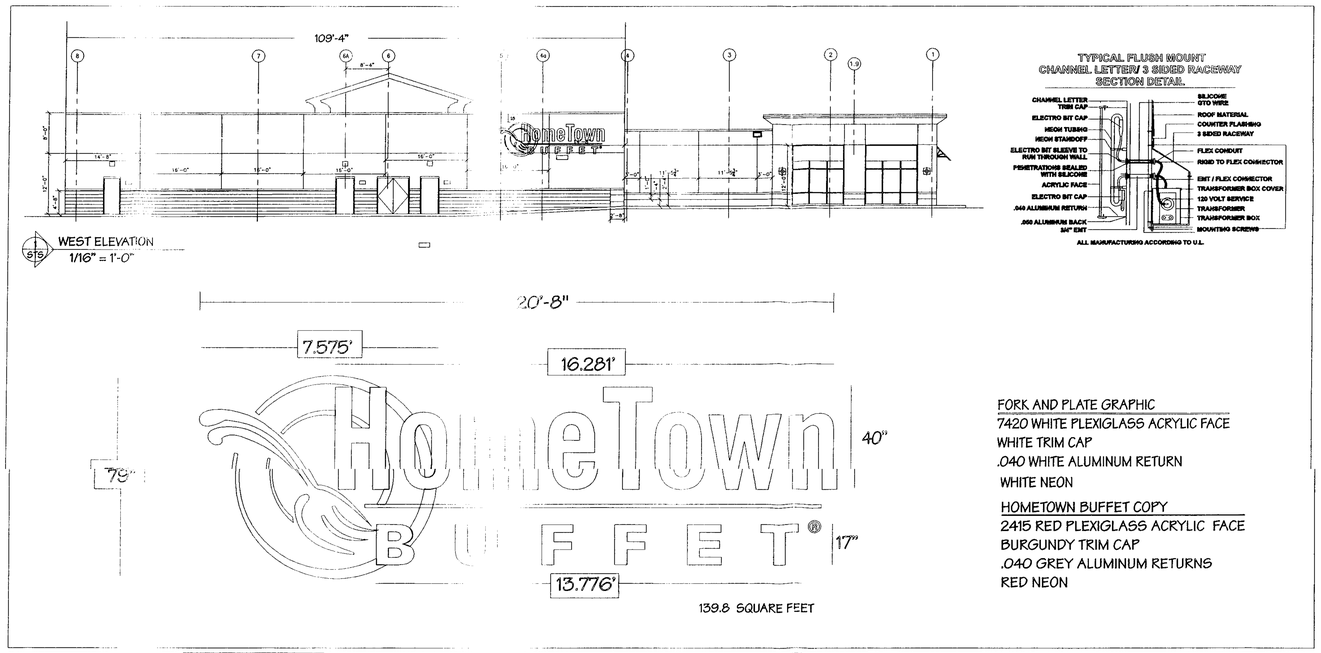
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

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

SCALE	LOCATION	SHEET
1" = 200'±	ROSSVILLE	N. E. 4-G
DATE OF PHOTOGRAPHY JANUARY 1986		

NE 4 G

05-096-A



CUSTOMER HTB	DRAWN BY DARREN		THIS DRAWING IS THE PROPERTY OF
CITY ROSEDALE STATE MN	SALES REP. MIKE P.		325 MINNESOTA AVE. N. P.O. BOX 357 ORONOCO, MN 55960 PHONE / 507-367-2631 FAX / 507-367-2633 — schad tracy signs The Sign of Quality — 1610 E. CLIFF RD. BURNSVILLE, MN 55337 PHONE / 952-894-2421 FAX / 952-894-2748
FILE NAME MF-001943 - P8	SCALE 3/8"-1'-0"		
ORIG. DATE 04/05/04	REV. DATE 07/02/04	REVISION 4	FONTS USED: IMPORTED IMAGE

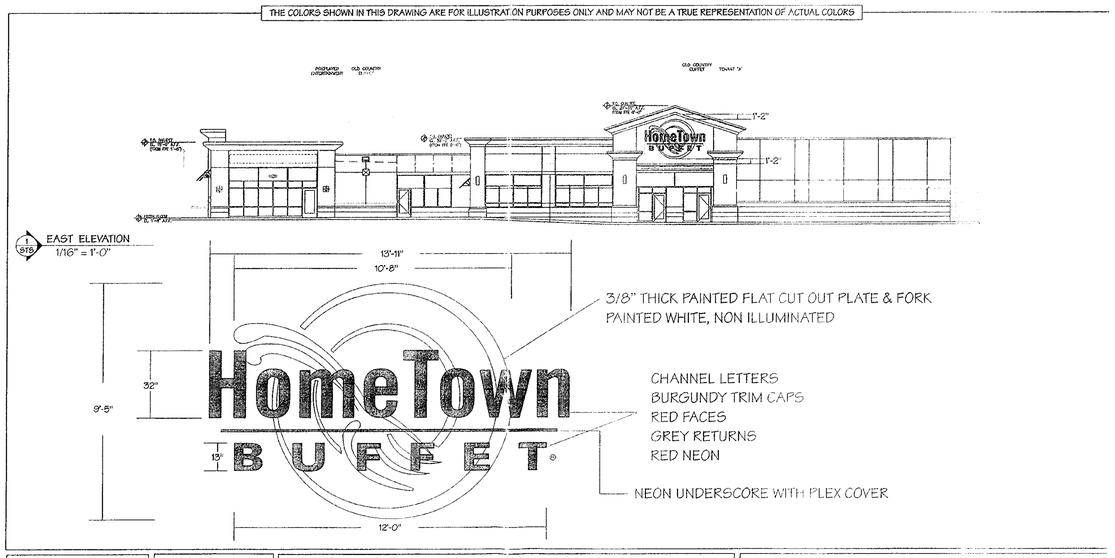
FRONT (EAST) ELEVATION DETAIL – EX SIGN

NOT TO SCALE

REAR (WEST) SIDE ELEVATION – PROP. SIGN

NOT TO SCALE

THE COLORS SHOWN IN THIS DRAWING ARE FOR ILLUSTRATION PURPOSES ONLY AND MAY NOT BE A TRUE REPRESENTATION OF ACTUAL COLORS



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CITY ROSEDALE STATE MD	SALES REP. MIKE P.		
FILE NAME MF-001943 - 32IN	SCALE 3/8"-1'-0"	CUSTOMER APPROVAL _____ DATE _____	
ORIG. DATE 04/05/04 REV. DATE 05/12/04	REVISION 1	FONTS USED: IMPORTED IMAGE	

LEGAL OWNER (PARCEL D)

PETRIE VENTURES

170 JENNIFER ROAD SUITE 300
ANNAPOLIS, MD 21401
PHONE (410) 573-3800 FAX (410) 573-3801

RESPONSE TO EXHIBIT 3A

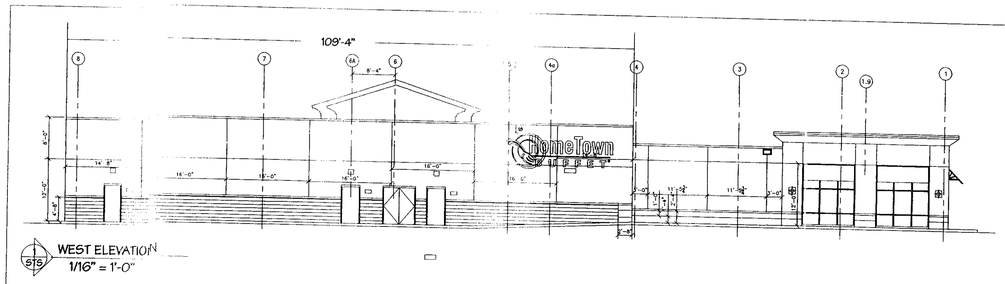
S-2

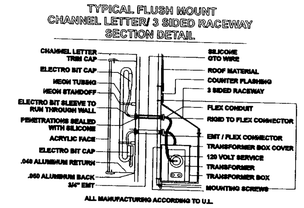
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
14280 PARK CENTER DRIVE, SUITE A
LAUREL, MARYLAND 20707
(410) 792-9792 OR (301) 776-1690
FAX (410) 792-7395

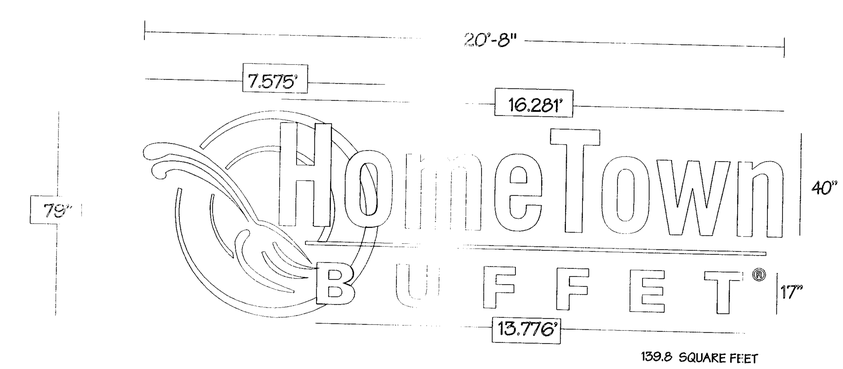
PDM FILE NO. XV-192 / DRC#: 052709G
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR THE HOME TOWN BUFFET SIGNAGE AT THE CENTRE AT GOLDEN RING III
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

8/20/04

DATE	REVISIONS	
		JOB NO.: 11452
		SCALE: AS NOTED
		DATE: 08/19/04
		DRAWN BY: RHS
		DESIGN BY: RFM
		REVIEW BY: RFM
		SHEET 2 OF 2







139.8 SQUARE FEET

FORK AND PLATE GRAPHIC
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WHITE TRIM CAP
.040 WHITE ALUMINUM RETURN
WHITE NEON

HOMETOWN BUFFET COPY
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RED NEON

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CITY ROSEDALE STATE MN	SALES REP. MIKE P.		
FILE NAME MP-001943 - P8	SCALE 3/8"-1'-0"		
ORIG. DATE 04/05/04 REV. DATE 07/02/04	REVISION 4	FONTS USED: IMPORTED IMAGE	

FRONT (EAST) ELEVATION DETAIL – EX. SIGN
NOT TO SCALE

REAR (WEST) SIDE ELEVATION – PROP. SIGN
NOT TO SCALE

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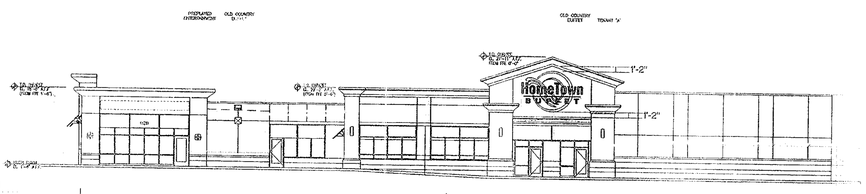
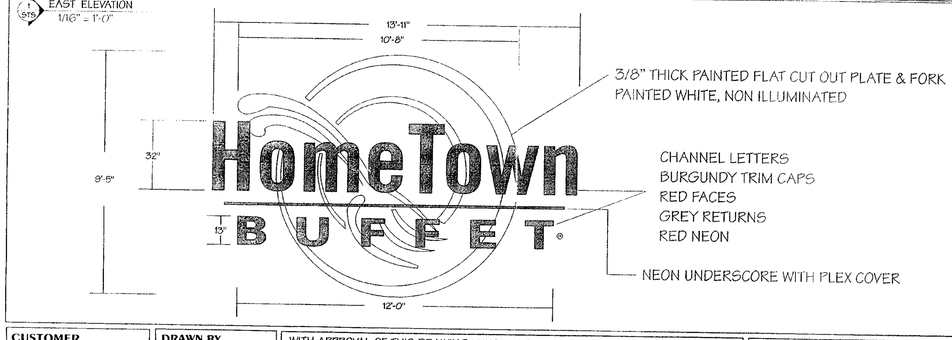


EAST ELEVATION
1/16" = 1'-0"



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CITY ROSEDALE STATE MD	SALES REP. MIKE P.		
FILE NAME MP-001943 - 32IN	SCALE 3/8"-1'-0"	CUSTOMER APPROVAL _____ DATE _____	
ORIG. DATE 04/05/04 REV. DATE 05/12/04	REVISION 1	FONTS USED: IMPORTED IMAGE	

Petitioner's Exhibit 2A (B) Color

S-2

MRA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
14280 PARK CENTER DRIVE, SUITE A
LAUREL, MARYLAND 20707
(410) 792-9792 OR (301) 776-1690
FAX (410) 792-7395

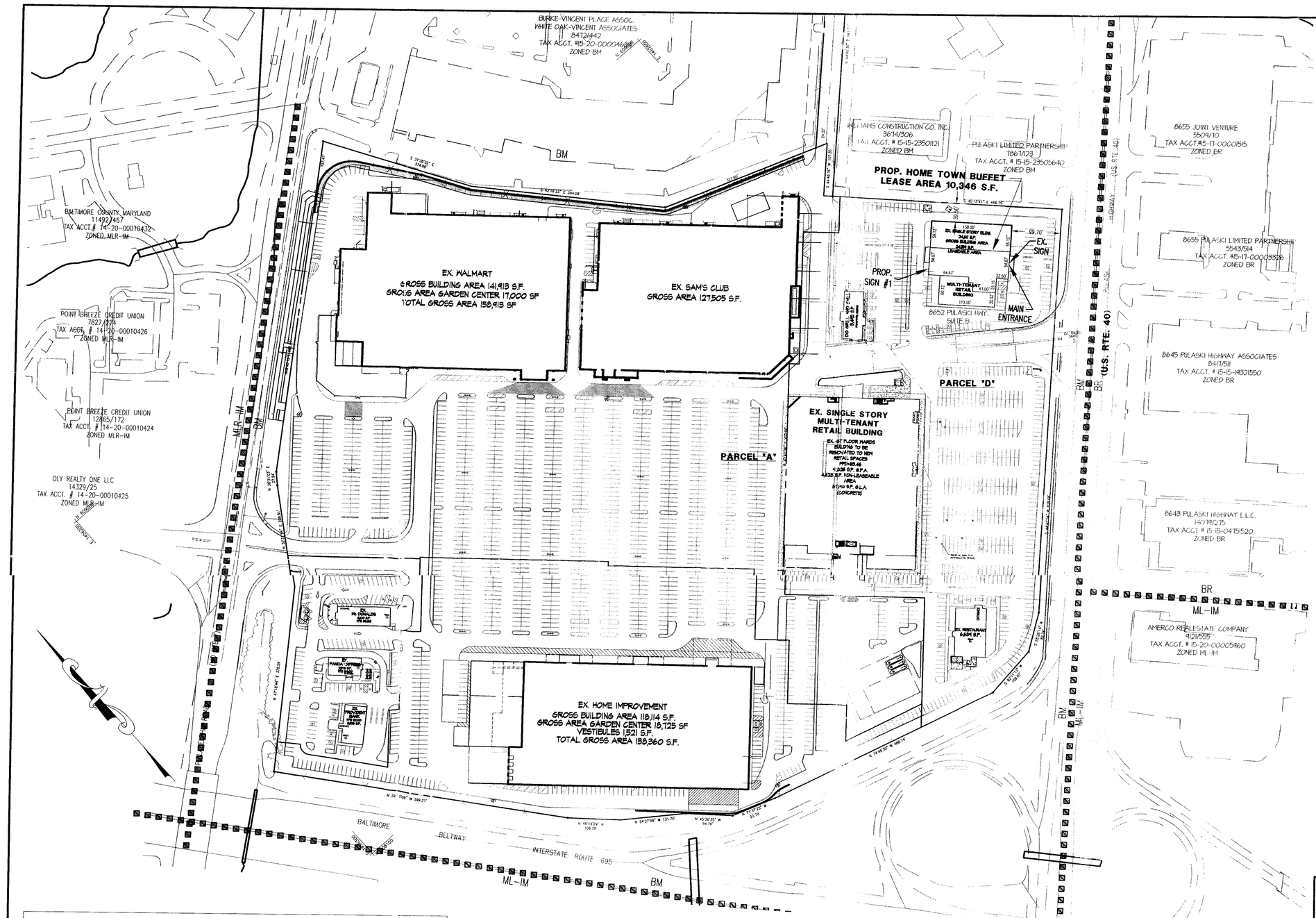
BOARD OF ENGINEERS OF LANDSCAPE ARCHITECTS 406 TIMOTHY E. MADDEN STATE OF MARYLAND
8/20/04

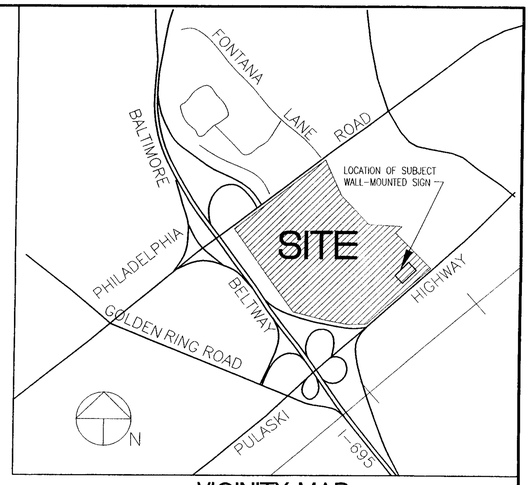
PDM FILE NO. XV-192 / DRC#: 052709G
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR THE HOME TOWN BUFFET SIGNAGE AT THE CENTRE AT GOLDEN RING III
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	
		JOB NO.: 11452
		SCALE: AS NOTED
		DATE: 08/19/04
		DRAWN BY: BRS
		DESIGN BY: TFM
		REVIEW BY: PVM
		SHEET: 2 OF 2

LEGAL OWNER (PARCEL D)

PETRIE VENTURIES.
170 JENNIFER ROAD SUITE 300
ANNAPOLIS, MD 21401
PHONE: (410) 573-3800 FAX: (410) 573-3801





VICINITY MAP

SCALE 1" = 1000'

GENERAL NOTES

1. SITE AREA: = NET AREA = ~~20.43~~ 15.655 AC. ~~OR 890,991.0 SF~~ (Parcel D)
2. PLAT REFERENCE: SM 73-103 PARCEL A
3. TAX ACCOUNT NO.: 15-1700000336 PARCEL A
4. TAX MAP 90 GRID 7
5. ELECTION DISTRICT: 15TH
6. COUNCILMANIC DISTRICT: 7TH
7. ZONING: BM (BUSINESS MAJOR)
8. EXISTING USE: EXISTING SHOPPING CENTER - THE CENTRE AT GOLDEN RING, FORMERLY THE GOLDEN RING MALL
   PROPOSED USE: RETAIL
9. ZONING HISTORY: #72-160-A
   NW CORNER OF PULASKI HIGHWAY AND RAMP TO THE BELTWAY
   PETITION FOR ZONING VARIANCE AND FROM AREA AND HEIGHT REGULATIONS TO PERMIT A TOTAL OF 3,118 PARKING SPACES INSTEAD OF THE REQUIRED 3,840 PARKING SPACES.
   LEGAL OWNER(S): MONTGOMERY WARD DEVELOPMENT CORPORATION
   AMENDED PETITION FROM MONTGOMERY WARD DEVELOPMENT CORPORATION TO ALLOW 3,263 SPACES IN LIEU OF THE REQUIRED 3,962 SPACES.
   PETITION GRANTED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY ON FEBRUARY 8, 1972.
   APPEAL TAKEN, LETTER OF DISMISSAL FROM PROTESTANT (PULASKI INDUSTRIAL PARK) RECEIVED BY THE BOARD OF APPEALS ON JULY 18, 1972.
   BOARD OF APPEALS DISMISSED APPEAL ON OCTOBER 24, 1972.
10. ALL SIGNS WILL COMPLY WITH BCZR SECTION 450 UNLESS PETITION FOR VARIANCE FOR SUCH IS GRANTED.
11. LATEST PLAN APPROVAL IS THE 4TH AMENDMENT TO THE DEVELOPMENT PLAN DATED 5-27-03, DRC# 052703G.
12. THIS SITE IS SERVED BY PUBLIC WATER AND SEWER.

Petition for Variance – HOME TOWN BUFFET

Variance from Section 450.4.5.d of the Baltimore County Zoning Regulations ("BCZR") to allow a ~~[illegible]~~ wall-mounted enterprise sign, on the West facade of the building ~~additional to the one permitted wall-mounted enterprise sign on the East Side (Rte. 40 frontage) of the building~~, without an exterior customer entrance.

Variance from BCZR Section 450.4.5.d to allow one wall-mounted enterprise sign on the west facade of the building, a facade on which no wall-mounted enterprise signs are permitted by right, is hereby requested.

(SEE SHEET 2 of 2 FOR SIGN DETAILS)

LEGAL OWNER (PARCEL D)
Golden Ring II, LLC
c/o PETRIE VENTURES.
170 JENNIFER ROAD SUITE 300
ANNAPOLIS, MD 21401
PHONE (410) 573-3800 FAX (410) 573-3801

SITE PLAN

SCALE 1" = 100'

S-1

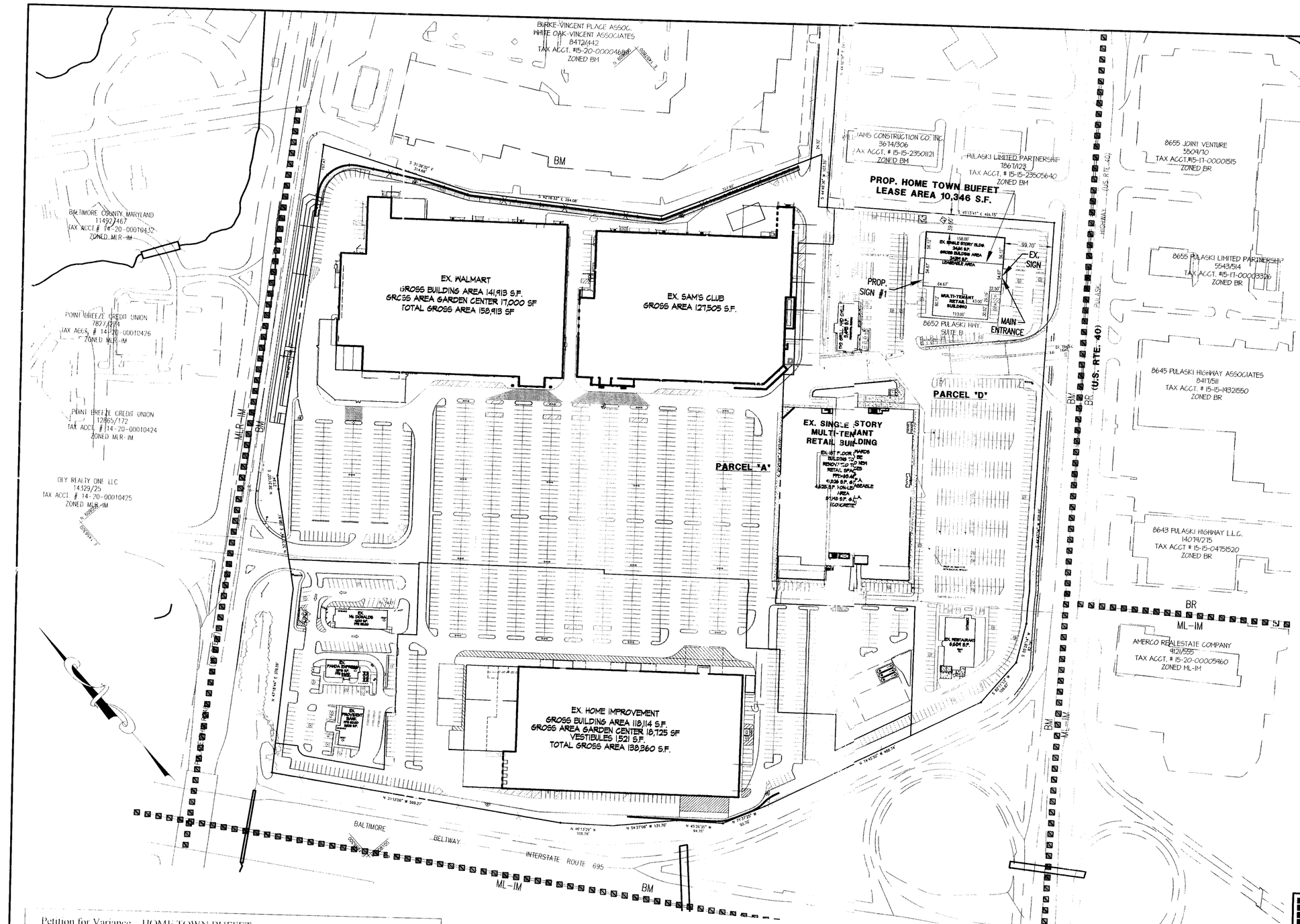
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
14280 PARK CENTER DRIVE, SUITE A
LAUREL, MARYLAND 20707
(410) 792-9792 OR (301) 776-1690
FAX (410) 792-7395

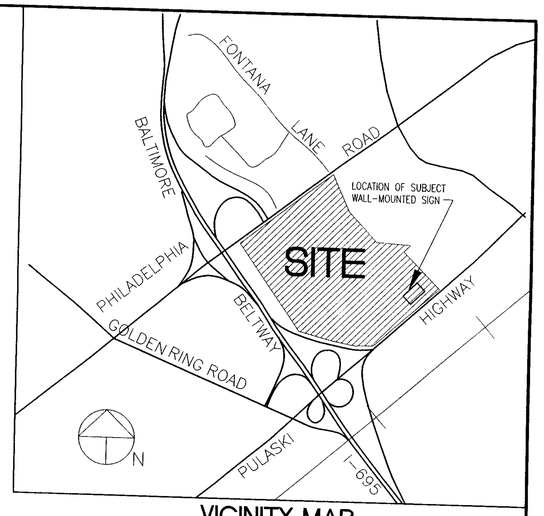
COUNTY ENGINEER OF LANDSCAPE ARCHITECTS 406 TIMOTHY F. MADDEN STATE OF MARYLAND
8/20/04

PDM FILE NO. XV-192 / DRC#: 052709G
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR THE HOME TOWN BUFFET SIGNAGE AT THE CENTRE AT GOLDEN RING III
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	
		JOB NO.: 11452
		SCALE: AS NOTED
		DATE: 08/19/04
		DRAWN BY: BRS
		DESIGN BY: TFM
		REVIEW BY: PVM
		SHEET: 1 OF 2

05-096-A





VICINITY MAP
SCALE 1" - 1000'

GENERAL NOTES

1. SITE AREA: = NET AREA = ~~20.41~~ 10.58 AC. ~~OR 889,2212 S.F.~~ Per 10
2. PLAT REFERENCE: SM 73-103 PARCEL A
3. TAX ACCOUNT NO.: 15-1700000336 PARCEL A
4. TAX MAP 90 GRID 7
5. ELECTION DISTRICT: 15TH
6. COUNCILMANIC DISTRICT: 7TH
7. ZONING: BM (BUSINESS MAJOR)
8. EXISTING USE: EXISTING SHOPPING CENTER - THE CENTRE AT GOLDEN RING, FORMERLY THE GOLDEN RING MALL
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12. THIS SITE IS SERVED BY PUBLIC WATER AND SEWER.

SITE PLAN
SCALE 1" - 100'

S-1

Petition for Variance HOME TOWN BUFFET
Variance from Section 450.4.5.d of the Baltimore County Zoning Regulations ("BCZR") to allow ~~an additional~~ wall-mounted enterprise sign, on the West facade of the building ~~additional to the one permitted wall-mounted enterprise sign on the East Side (Route 5, Rte. 40 frontage) of the building~~ without an exterior customer entrance.

Variance from BCZR Section 450.4.5.d to allow one wall-mounted enterprise sign on the west facade of the building, a facade on which no wall-mounted enterprise signs are permitted by right, is hereby requested.

(SEE SHEET 2 of 2 FOR SIGN DETAILS)

LEGAL OWNER (PARCEL D)
Golden Ring II, LLC
c/o PETRIE VENTURES
170 JENNIFER ROAD SUITE 300
ANNAPOLIS, MD 21401
PHONE: (410) 573-3800 FAX: (410) 573-3801

MORRIS & RITCHIE ASSOCIATES, INC.
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PDM FILE NO. XV-192 / DRC#: 052709G
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15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Petitioner's Exhibit #

DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE
406
TIMOTHY F. MADDEN
STATE OF MARYLAND
8/20/04

DATE	REVISIONS	
		JOB NO.: 11452
		SCALE: AS NOTED
		DATE: 08/19/04
		DRAWN BY: BRS
		DESIGN BY: TFM
		REVIEW BY: PVM
		SHEET: 1 OF 2

05-096-A