

6/1

RE: **PETITION FOR VARIANCE**
SW/Corner Eastern Blvd. & Marlyn Ave.
(Parcels 983, 779, 277, & 841)
15th Election District
7th Council Districts

Alfred & Marjorie Brennan, Owners, Parcel #983;
Paul Goodman, Owner, Parcels 277 & 779
Philip W. Ruby, Owner, Parcel 841
Contract Purchaser(s): Pace Properties, Inc.
By: David LaPee

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* **Case No. 05-361-A**
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner pursuant to an **Order of Remand** by the County Board of Appeals dated August 23, 2005. That Order states, in part, that the above captioned case is remanded to the Zoning Commissioner for proceedings and further review consistent with the purposes stated in the Joint Motion for Remand. That Joint Motion was filed on or about July 19, 2005 by the Petitioners and the Office of People's Counsel of Baltimore County.

The subject property under consideration consists of three adjacent tracts owned by different parties. The Petitioner Paul Goodman owns two tracts (Parcels 277 and 779) and the third (Parcel 841) is currently owned by Phillip Ruby. The contract purchaser, Pace Properties, Inc., intends to acquire these parcels, raze all improvements thereon and redevelop the property with a Walgreen's Pharmacy. In addition, Pace Properties, Inc. has entered into an agreement with Alfred L. Brennan Sr. and his wife, Marjorie L. Brennan, the owners of a fourth adjacent tract, known as Parcel 983, to utilize a shared parking arrangement and reciprocal access easement to provide egress/ingress to these properties to and from Eastern Avenue.

The four properties, which all lie adjacent to one another and abut the southwest corner of Eastern Boulevard and Marlyn Avenue, collectively contain 1.70 acres, predominantly zoned BM (Business Major) with a small area zoned BL (Business Local). A new pharmacy building is proposed, which will be approximately 120 feet by 105 feet in dimension, with a maximum height of 27 feet. The building will total 14,706 square feet in area and will feature a drive-through window along the rear of the building. Initially, the Petitioners sought variance relief from certain signage requirements as contained in Section 450 of the BCZR, as well as relief to permit certain landscape transition areas that were slightly less than required.

That matter came in for public hearing on March 9, 2005. By Order of the undersigned dated April 26, 2005, the variances were granted with certain restrictions. Specifically, the Order required the developer to comply with certain recommendations made by the Office of Planning, as set forth in their Zoning Advisory Committee (ZAC) comment dated February 1, 2005.

Following the issuance of that Order, an appeal was filed to the County Board of Appeals by the Office of People's Counsel on May 4, 2005. That appeal largely challenged the propriety of certain of the variance relief granted relative to signage.

Following the appeal, the parties met and resolved the open issues between them. The Petitioners and People's Counsel agreed to amend the Petition for Variance to revise the request for one of the freestanding signs proposed for the property. Specifically, for the freestanding sign on Eastern Avenue, the parties agreed to limit the area of the enterprise face to 75 sq.ft., and the changeable copy face not to exceed 25 sq.ft., or a total 100 sq.ft. Additionally, for a proposed "monument sign" along Marlyn Avenue, it was agreed that said sign would be no greater in area than 40 sq.ft. and with a maximum height of 8 feet. Having reached that agreement, the Petitioners jointly requested a remand of the matter to the undersigned Zoning Commissioner for

a modification of the prior order as it related to this signage issue. In this regard, the matter was then scheduled for further public proceedings on October 4, 2005. Appearing at that hearing was counsel for the Petitioner and Matthew Allen of Bohler Engineering. An amended, two-page, site/signage plan was submitted, which was accepted into evidence and marked collectively as Exhibit 5, which depicts the proposed signage as amended. The parties requested the undersigned approve this amended site plan and revise the prior Order as described hereinabove.

Based upon the testimony and evidence presented, I am satisfied that the proposed modifications to the sign package are appropriate and that variance relief should be granted. In this regard, I find the requirements of Section 307 of the BCZR have been satisfied, and the following new Order will be issued reflecting this revision. Additionally, the applicable provisions of the prior Order shall remain in full force and effect and shall be incorporated herein.

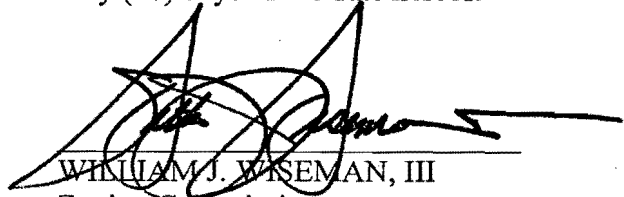
Pursuant to the advertising, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of June 2006 that the Petition for Variance, as amended, seeking approval of a freestanding sign on Eastern Avenue with an enterprise face not to exceed 75 sq.ft. and a changeable copy face not to exceed 25 sq.ft., or 100 sq.ft. total, in accordance with the revised site plan submitted into evidence as Petitioner's Exhibit 5, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance as amended, seeking approval of a monument sign on Marlyn Avenue, to be no greater than 40 sq.ft. in area and with a height of 8 feet, in accordance with Petitioner's Exhibit 5, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that but for the amended relief described above, all other terms and conditions of the Order issued on April 26, 2005 shall remain in full force and effect.

Any appeal of this decision must be entered within thirty (30) days of the date hereof.

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", is written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

RE: PETITION FOR VARIANCE	*	BEFORE THE COUNTY
Eastern & Marlyn Ave, Parcels 983, 779, 277 & 841	*	
W/side Marlyn Ave, NW corner Eastern Ave	*	BOARD OF APPEALS
15 th Election & 7 th Councilmanic Districts		
Legal Owner(s): #1-Alfred & Marjorie Brennan,	*	FOR
#2- Paul Goodman, & #3 - Philip Ruby		
Contract Purchaser(s): Pace Properties, Inc	*	BALTIMORE COUNTY
by David LaPee		
Petitioner(s)	*	05-361-A

* * * * *

REMAND ORDER TO ZONING COMMISSIONER

This matter comes before this Board on appeal filed by the People's Counsel for Baltimore County from a decision of the Zoning Commissioner dated April 26, 2005 in which the subject request for variances was approved. On May 4, 2005, People's Counsel filed a timely appeal to this Board.

On August 19, 2005, the parties submitted a Joint Motion for Remand. The purpose of the Motion is to afford the Zoning Commissioner the opportunity to consider a revised site plan and specified conditions.

Upon consideration of said request for REMAND, therefore, it is this 25th day of August, 2005, by the Board of Appeals of Baltimore County

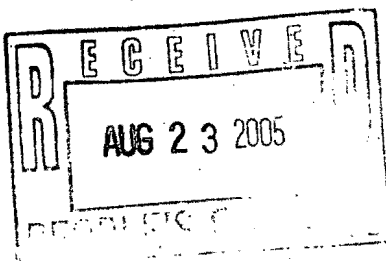
ORDERED that said request be and is hereby GRANTED; and it is further

ORDERED that the above captioned case is REMANDED to the Zoning Commissioner for Baltimore County for proceedings and further review consistent with the purpose stated in the Joint Motion for Remand.

**COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY**

Ram S. Wiscott

Edmund V. G.



RE: PETITION FOR VARIANCE	*	BEFORE THE COUNTY
Eastern & Marlyn Ave, Parcels 983, 779, 277 & 841		
W/side Marlyn Ave, NW corner Eastern Ave	*	BOARD OF APPEALS
15 th Election & 7 th Councilmanic Districts		
Legal Owner(s): #1-Alfred & Marjorie Brennan,	*	FOR
#2- Paul Goodman, & #3 – Philip Ruby		
Contract Purchaser(s): Pace Properties, Inc	*	BALTIMORE COUNTY
by David LaPee		
Petitioner(s)	*	05-361-A
* * * * *	*	* * * * *

REMAND ORDER TO ZONING COMMISSIONER

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On August 19, 2005, the parties submitted a Joint Motion for Remand. The purpose of the Motion is to afford the Zoning Commissioner the opportunity to consider a revised site plan and specified conditions.

Upon consideration of said request for REMAND, therefore, it is this _____ day of _____, 2005, by the Board of Appeals of Baltimore County

ORDERED that said request be and is hereby GRANTED; and it is further

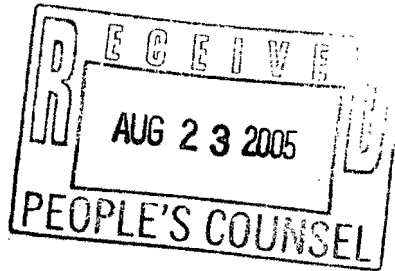
ORDERED that the above captioned case is REMANDED to the Zoning Commissioner for Baltimore County for proceedings and further review consistent with the purpose stated in the Joint Motion for Remand.

**COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY**



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182



August 23, 2005

Carole S. Demilio, Deputy
People's Counsel for Baltimore County
Room 48 – Old Courthouse
400 Washington Avenue
Towson, MD 21204

D. Dusky Holman, Esquire
Gildea & Schmidt, LLC
300 E. Lombard Street
Suite 1440
Baltimore, MD 21202-3228

RE: *In the Matter of: Alfred & Marjorie Brennan, Paul Goodman
and Philip W. Ruby, Legal Owners and
Pace Properties, Contract Purchasers
Case No.: 05-361-A*

Dear Counsel:

Enclosed please find a copy of the Board's Remand Order issued this date in the
above-captioned matter.

Very truly yours,

Kathleen C. Bianco
Kathleen C. Bianco *LF*
Administrator

Enc.

c: William J. Wiseman, III
Zoning Commissioner
Timothy Kotroco, Director of PDM
David LaPee
Adam Valanth and Michael Giesell
Chris McCollum – Economic Dev.



RE: PETITION FOR VARIANCE	*	BEFORE THE COUNTY
Eastern & Marlyn Ave, Parcels 983, 779, 277 & 841		
W/side Marlyn Ave, NW corner Eastern Ave	*	BOARD OF APPEALS
15 th Election & 7 th Councilmanic Districts		
Legal Owner(s): #1-Alfred & Marjorie Brennan,	*	FOR
#2- Paul Goodman, & #3 – Philip Ruby		
Contract Purchaser(s): Pace Properties, Inc	*	BALTIMORE COUNTY
by David LaPee		
Petitioner(s)	*	05-361-A

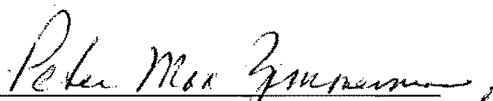
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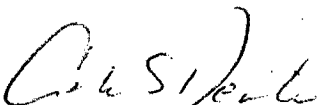
JOINT MOTION TO REMAND

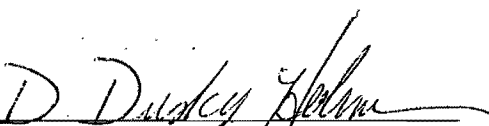
People's Counsel for Baltimore County and Petitioners, by their attorney D. Dusky Holman, Esquire and Gildea & Schmidt, LLC moves to remand this case to the Zoning Commissioner, and state as follows:

1. People's Counsel appealed the April 26, 2005 approval of the variances in this case.
2. Upon further review and discussions, Petitioners' attorney and People's Counsel agree that the Petition for Variance shall be amended to revise the request for the freestanding signs on the site as follows: for a single freestanding sign on the Eastern Avenue frontage consisting of a enterprise face not to exceed 75' and a changeable copy face not to exceed 25'; and for a "monument sign" of approximately 40 sq.ft. and approximately 8 feet in height on the Marlyn Avenue frontage, all subject to a revised petition, site plan and additional specific conditions.
3. People's Counsel is satisfied that the revised petition and site plan will be in the public interest.
4. The most efficient way to present the revised petition for review is to present it to the Zoning Commissioner, who is familiar with the case, for a hearing and for an Amended Order.

WHEREFORE, People's Counsel and Petitioner request that the case be remanded to the Zoning Commissioner for further proceedings consistent with this Motion.


Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County


Carole S. Demilio, Esquire
Deputy People's Counsel for Baltimore County
400 Washington Avenue, Room 47
Towson, Maryland 21204
410-887-2188


D. Dusky Holman, Esquire
Gildea & Schmidt LLC
300 E. Lombard Street, Suite 1440
Baltimore, MD 21202
410-234-0070
Attorney for Petitioners



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

August 19, 2005

RECEIVED
AUG 19 2005

**BALTIMORE COUNTY
BOARD OF APPEALS**

Kathleen Bianco, Administrator
County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

Re: In the Matter of: Alfred & Majorie Brennan, Paul Goodman and
Philip W. Ruby, Legal Owners, and Pace Properties, Contract Purchasers
Case No.: 05-361-A

Dear Ms. Bianco:

Enclosed please find a Joint Motion for Remand for filing with regard the above-referenced case, along with a proposed order.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel for Baltimore County

CSD/rmw
Enclosures

cc: D. Dusky Holman, Esquire
William J. Wiseman, Zoning Commissioner

GILDEA & SCHMIDT, LLC

DAVID K. GILDEA
DAVIDGILDEA@GILDEALLC.COM

LAWRENCE E. SCHMIDT
LSCHMIDT@GILDEALLC.COM

SEBASTIAN A. CROSS
SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III
JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN
DHOLMAN@GILDEALLC.COM

JASON T. VETTORI
JVETTORI@GILDEALLC.COM

300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070

FACSIMILE 410-234-0072

www.gildeallc.com

TOWSON, MD OFFICE

220 BOSLEY AVENUE

TOWSON, MARYLAND 21204

TELEPHONE 410-337-7057

August 18, 2005

Sent Via Federal Express

Carole DeMilio, Esquire
People's Counsel
400 Washington Avenue
Room 47
Towson, MD 21204

**Re: Pace Properties/Eastern & Marlyn
Case No.: 05-361-A**

Dear Carole:

Enclosed please find the Joint Motion to Remand with my original signature to be filed with the Baltimore County Board of Appeals in the above referenced matter. Once you and Peter have executed the original, please file the Motion with the Board and copy me on the correspondence so that I may provide my client's Lender with a copy of the correspondence and fully executed Motion.

Thank you for your kind assistance in this matter. I am glad we were able to amicably resolve this matter to the satisfaction of all involved. With kind regards, I remain

Very truly yours,



D. Dusky Holman

DDH:dls
Enc.

APPEAL

Petition for Variance
Parcels 983, 779, 277 & 841
S/W corner of Eastern Blvd., and Marlyn Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Alfred & Marjorie Brennan, Paul Goodman, & Philip Ruby
Contract Purchaser: Pace Properties

Case No.: 05-361-A

Petition for Variance (January 18, 2005)

Zoning Description of Property

Notice of Zoning Hearing (January 31, 2005)

Certification of Publication (The Jeffersonian – February 22, 2005)

Certificate of Posting (February 22, 2005) by SSG Robert Black

Entry of Appearance by People's Counsel (January 31, 2005)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit

- 1A. Site Plan
- 1B. Site Plan (Sign Details)
2. Building Elevations
3. Site Plan showing Existing Conditions Rendering
4. Comments Design Review Panel to Office of Planning

Protestants' Exhibits - None

Miscellaneous (Not Marked as Exhibit)

1. 200' Scale Zoning Map

Zoning Commissioner's Order (GRANTED – April 26, 2005)

Notice of Appeal received on May 4, 2005 from People's Counsel of Baltimore County

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner
Timothy Kotroco, Director of PDM
D. Dusky Holman, 300 E. Lombard St., Ste. 1440, Baltimore 21202
David LaPee, 1401 S. Brentwood Blvd., Ste. 100, St. Louis MO 63144
Adam Valanth, Michael Giesell, 810 Gleneagles Ct., Ste. 300, Towson 21286
Chris McCollum, Economic Development

date sent June 14, 2005, klm

**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

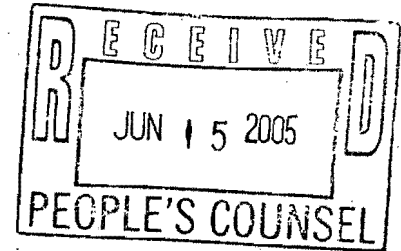


cad
PM2
Baltimore County

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

June 8, 2005

D. Dusky Holman
Gildea & Schmidt, LLC
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202



Dear Mr. Holman:

RE: Case: 05-361-A, Parcels 983, 779, 277 & 841

Please be advised that an appeal of the above-referenced case was filed in this office on May 4, 2005 by People's Counsel of Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
David LaPee, 1401 S. Brentwood Blvd., Ste. 100, St. Louis MO 63144
Adam Valanth & Michael Giesell, 810 Gleneagles Court, Ste. 300, Towson 21286
Chris McCollum, Economic Development





Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

May 4, 2005

Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR VARIANCE
Alfred L., Sr. & Majorie Brennan (Parcel 983), Paul Goodman (Parcels 277 &
779), and Philip W. Ruby (Parcel 841), Owners
Pace Properties, Inc, Contract Purchasers - Petitioners
SW Corner Eastern Boulevard & Marlyn Avenue
Case No.: 05-361-A

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law and Order dated April 26, 2005 by the Baltimore County Zoning Commissioner in the above-entitled case

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

RECEIVED

MAY 04 2005

Per *CUB*.....

PMZ/CSD/rmw

cc: D. Dusky Holman, Esquire

4/26/08
RE: PETITION FOR VARIANCE
SW/Corner Eastern Blvd. & Marlyn Ave.
(Parcels 983, 779, 277, & 841)
15th Election District
7th Council Districts

* BEFORE THE
* ZONING COMMISSIONER
* FOR

Alfred & Marjorie Brennan, Owners, Parcel #983; * BALTIMORE COUNTY
Paul Goodman, Owner, Parcels 277 & 779
Philip W. Ruby, Owner, Parcel 841 *
Contract Purchaser(s): Pace Properties, Inc. Case No.: 05-361-A

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 properties, Phillip W. Ruby, Paul Goodman, Alfred L. Brennan Sr. and Marjorie L. Brennan, and the Contract Purchasers, Pace Properties, Inc. through their attorney, D. Dusky Holman, Esquire. The Petitioners request variance relief from Section 450 of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: 1) From Section 450.4.5(A) to permit seven wall-mounted enterprise signs in lieu of the maximum permitted three wall-mounted enterprise signs; 2) to permit three wall-mounted enterprise signs on the east elevation façade in lieu of the permitted two maximum wall-mounted enterprise signs per façade; 3) to permit four wall-mounted enterprise signs on the north elevation façade in lieu of the maximum permitted one sign per façade; 4) from Sections 450.4.5(B) and 450.5.B.4.D(2) to permit a freestanding enterprise sign with an area face of 113.73 sq.ft. in lieu of the maximum permitted 100 sq.ft. per freestanding enterprise sign; 5) from Section 450.4.5(A) and (B) to permit a freestanding enterprise sign with an area face of 113.73 sq.ft. in lieu of the maximum allowed 75 sq.ft. per freestanding sign; 6) from Section 1B01.1.B.1.e to permit landscape transition areas of 3.66 feet, 6.96 feet, and 5.34 feet in lieu of the required 15 feet; 3.20 feet in lieu of the required 20 feet; and 4.33 feet in lieu of the required 10 feet; and, 7) for such other

ORDER RECEIVED FOR FILING

Date

By

and further relief as may be required by the Zoning Commissioner. The subject property and requested relief are more particularly shown 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 David LaPee on behalf of Pace Properties Inc, Contract Purchaser; Adam Valanth and Michael Giesell, on behalf of Bohler Engineering, the consultants who prepared the site plan for this property; and D. Dusky Holman, Esquire, attorney for the Petitioners. Chris McCollum from the Office of Economic Development appeared in support of the request. There were no Protestants or other interested persons present.

The subject property under consideration consists of three adjacent parcels presently owned by different parties. As noted above, Paul Goodman currently owns Parcels 277 and 779, and Phillip Ruby currently owns Parcel 841. Pace Properties, Inc. intends to acquire these parcels, raze all existing improvements and redevelop the property with a Walgreen's pharmacy building as shown on the plan. In addition, Pace Properties, Inc. has entered into an agreement with Alfred and Marjorie Brennan, the owners of a fourth adjacent tract (Parcel 983) to utilize a shared parking arrangement and reciprocal access easement to provide egress/ingress to these properties to and from Eastern Avenue. The Brennan tract is improved with a building containing law offices and will continue to be used in that fashion. The law office and pharmacy generate traffic/parking at different times and the shared parking arrangement is appropriate in this instance.

These four properties, which all lie adjacent to one another and abut the southwest corner of Eastern Boulevard and Marlyn Avenue, collectively contain 73,845 sq.ft. (1.70 acres), split zoned B.M. (Business Major) and B.L. (Business Local). The predominant zoning of the

ORDER RECEIVED FOR FILING
Date 4/26/16
By [Signature]

property is B.M., which encompasses the southern portion of the overall tract. The northern part of the parcel located immediately adjacent to the intersection of Eastern Boulevard and Marlyn Avenue is zoned B.L. As shown on the plan, the new pharmacy building will be approximately 120 feet by 105 feet in dimension, with a maximum height of 27 feet, for a total 14,706 sq.ft., and will feature a drive-through window along the rear of the building.

Access to the building will be by way of two curb cuts, one leading to the interior of the site from Eastern Boulevard, and the other from Maryln Avenue. The plan also shows a macadam parking area containing 75 parking spaces. Included in this total are 15 parking spaces that are located on the Brennan lot and will be utilized as part of a shared parking arrangement, pursuant to BCZR Section 409.6.B.3. All of the details of the proposed site redevelopment are more particularly shown on the plan.

A series of variances are requested. Generally they fall into two categories; one related to signage and one related to landscape transition areas. As to signage, there will be a freestanding sign located immediately adjacent to the intersection to advertise the site to traffic on both of the abutting public roads. That sign will be 113.7 sq.ft. in area and consist of two components, a panel containing the Walgreen's name and logo, and a changeable copy portion. Additionally, there will be signage on the building. That signage identifies the structure as a Walgreen's Pharmacy and also advertises that one-hour photo services and a pharmacy are available.

The proposed sign is required due to the unusual configuration and location of the site. Specifically, the building will face two different public roads, both of which are heavily traveled. Moreover, the property is irregularly shaped. It was indicated at the hearing that the proposed sign is necessary to adequately direct traffic in a safe manner into the property.

ORDER RECEIVED FOR FILING

Date

By

The second series of variances relate to landscape transition area requirements. As more particularly shown on the plan, the property abuts a series of commercial and institutional (American Legion Hall) uses. The parking lot has been designed to provide a sufficient number of spaces and due to the unusual configuration of the property, has necessitated a variance from landscape transition area requirements. The property will be landscaped where practical, and a fence will be installed to buffer the site and provide aesthetic enhancement.

Based upon the testimony and evidence offered, I find that the Petitioner has satisfied the requirements of Section 307.1 of the B.C.Z.R. for relief to be granted. The property is unique, given its unusual shape and location immediately adjacent to a well-traveled intersection. The shape/configuration of the property, in particular, is significant and drives the need for both landscape transition area relief and the sign variances. Moreover, I find that if relief were not granted, the Petitioner would suffer a practical difficulty. Specifically, strict application of the regulations would be unduly burdensome and restrictive on the proposed redevelopment of the site. Finally, I find that relief can be granted without detrimental impact to adjacent properties. In this regard, there was no opposition at the hearing, and the proposed redevelopment appears appropriate for this site. As noted above, adjacent and nearby uses are commercial in nature and there will be no detrimental impact upon adjacent or surrounding properties. For all of these reasons, I find that the relief requested should be approved.

Finally, the Baltimore County Design Review Panel (DRP) reviewed this proposal on October 15, 2004 to assure an appropriate design of the site so as to be compatible with the surrounding neighborhood. The findings of the DRP are binding on the Zoning Commissioner and were agreeable to the Petitioners. Thus, those findings shall be incorporated herein as

ORDER RECEIVED FOR FILING
Date 4/26/05
By [Signature]

conditions to the grant of the variance. A copy of the Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning setting out those findings is attached hereto.

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

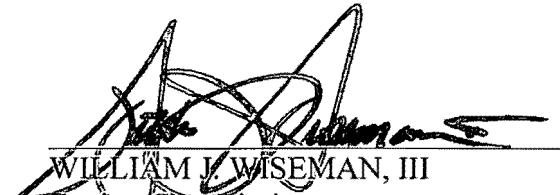
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of April 2005 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: 1) From Section 450.4.5(A) to permit seven wall-mounted enterprise signs in lieu of the maximum permitted three wall-mounted enterprise signs; 2) to permit three wall-mounted enterprise signs on the east elevation façade in lieu of the permitted two maximum wall-mounted enterprise signs per façade; 3) to permit four wall-mounted enterprise signs on the north elevation façade in lieu of the maximum permitted one sign per façade; and, 4) from Sections 450.4.5(B) and 450.5.B.4.D(2) to permit a freestanding enterprise sign with an area face of 113.73 sq.ft. in lieu of the maximum permitted 100 sq.ft. per freestanding enterprise sign; 5) from Section 450.4.5(A) and (B) to permit a freestanding enterprise sign with an area face of 113.73 sq.ft. in lieu of the maximum allowed 75 sq.ft. per freestanding sign; and, 6) from Section 1B01.1.B.1.e to permit landscape transition areas of 3.66 feet, 6.96 feet, and 5.34 feet in lieu of the required 15 feet; 3.20 feet in lieu of the required 20 feet; and 4.33 feet in lieu of the required 10 feet; and, 7) for such other and further relief as may be required by the Zoning Commissioner, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the 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.

- 2) Compliance with the DRP recommendations made by the Office of Planning as set forth in its ZAC comment dated February 1, 2005, a copy of which is attached hereto and made a part hereof.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING

Date

By

4/26

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
William J. Wiseman III, Zoning Commissioner

April 26, 2005

D. Dusky Holman, Esquire
Gildea & Schmidt, LLC
300 E. Lombard Street, Suite 1440
Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
SW/Corner Eastern Boulevard & Marlyn Avenue
(Parcels 983, 779, 277 & 841)
15th Election District – 7th Council District
Alfred & Marjorie Brennan (Parcel 983), Paul Goodman (Parcels 277 & 779), and
Philip W. Ruby (Parcel 841), Owners;
Pace Properties, Inc., Contract Purchasers - Petitioners
Case No. 05-361-A

Dear Mr. Holman:

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,

A handwritten signature in black ink, appearing to read "W. J. Wiseman III", is written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. David LaPee, Pace Properties, Inc.
1401 S. Brentwood Boulevard, Suite 100, St. Louis, MO 63144
Messrs. Adam Valanth & Michael Giesell, Bohler Engineering, Inc.
810 Gleneagles Court, Suite 300, Towson, Md. 21286
Mr. Chris McCollum, Department of Economic Development
Office of Planning; People's Counsel; Case File





PROPERTY OWNER #1

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Eastern & Marlyn Ave., Parcel 983which is presently zoned BL-AS

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 presented at time of 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:

Pace Properties, Inc.

Name - Type or Print

Signature David LaFee

Signature David LaFee

1401 S. Brentwood Blvd., Suite 100 (314)968-9898

Address Telephone No.

St. Louis, MD 63144

City State Zip Code

Attorney For Petitioner:

D. Dusky Holman

Name - Type or Print

Signature D. Dusky Holman

Signature Gildea & Schmidt, LLC

Company 300 E. Lombard Street, Suite 1440 (410)234-0070

Address Telephone No.

Baltimore, MD 21202

City State Zip Code

Legal Owner(s):

Alfred Brennan, Sr.

Name - Type or Print

Signature Alfred Brennan

Signature

Marjorie Brennan

Name - Type or Print

Signature Marjorie Brennan James C. Brennan

Signature

825 Eastern Boulevard (410)687-3434

Address Telephone No.

Baltimore, MD 21221

City State Zip Code

Representative to be Contacted:

D. Dusky Holman

Name

300 E. Lombard Street, Suite 1440 (410)234-0070

Address Telephone No.

Baltimore, MD 21202

City State Zip Code

OFFICE USE ONLYCase No. 05-361AESTIMATED LENGTH OF HEARING 3.00

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 1-18-05



PROPERTY OWNER #2

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Eastern & Marlyn Ave
which is presently zoned Parcels 779 & 277
BM-AS, BL-AS

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 presented 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:

Pace Properties, Inc.

Name - Type or Print

David C. Lapee

Signature David C. Lapee

1401 S. Brentwood Blvd, Suite 100

Address

Telephone No.

St. Louis, MO 63144 (314)753-8688

City

State

Zip Code

Attorney For Petitioner:

D. Dusky Holman

Name - Type or Print

City

D. Dusky Holman

Signature

Gildea & Schmidt, LLC

Company

300 E. Lombard St., Suite 1440

Address

Telephone No.

Baltimore, MD 21202 (410)234-0070

City

State

Zip Code

Legal Owner(s):

Paul Goodman

Name - Type or Print

Signature Paul Goodman

Name - Type or Print

Signature

1 Slade Avenue (202)494-1020

Address

Telephone No.

Baltimore, MD 21208

State

Zip Code

Representative to be Contacted:

D. Dusky Holman

Name

300 E. Lombard St., Suite 1440

Address

Telephone No.

Baltimore, MD 21202 (410)234-0070

City

State

Zip Code

OFFICE USE ONLY

Case No. 05-361 A

ESTIMATED LENGTH OF HEARING 3 hrs

UNAVAILABLE FOR HEARING

Reviewed By DAH/JLL

Date 1-18-05

PROPERTY OWNER #3



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Eastern & Marlyn Ave., Parcel 841
which is presently zoned EM-AS

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 presented at time of 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:

Pace Properties, Inc.

Name - Type or Print

David LaFée
Signature

1401 S. Brentwood Blvd., Suite 100

Address

Telephone No.

St. Louis, MO 63144 (314) 968-9898

City

State

Zip Code

Attorney For Petitioner:

D. Dusky Holman

Name - Type or Print

City

D. Dusky Holman
Signature

Gildea & Schmidt, LLC

Company

300 E. Lombard Street, Suite 1440

Address

Telephone No.

Baltimore, MD 21202 (410) 234-0070

City

State

Zip Code

Legal Owner(s):

Philip W. Ruby

Name - Type or Print

Philip W Ruby
Signature

Name - Type or Print

Signature

16 South Marlyn Ave.

410-391-4540

Address

Telephone No.

Baltimore, MD 21221

State

Zip Code

Representative to be Contacted:

D. Dusky Holman

Name

300 E. Lombard Street, Suite 1440

Address

Telephone No.

Baltimore, MD 21202 (410) 234-0070

City

State

Zip Code

OFFICE USE ONLY

Case No.

05-361A

ESTIMATED LENGTH OF HEARING

3rd hr

UNAVAILABLE FOR HEARING

Reviewed By

[Signature]

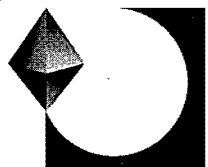
Date

1-18-05

Attachment to Petition for Variance

1. Variance from BCZR Section 450.4.5(A) – to permit 7 wall mounted enterprise signs in lieu of the permitted 3 wall mounted enterprise signs.
2. Variance from BCZR Section 450.4.5(A) – to permit 3 wall mounted enterprise signs on the east elevation façade in lieu of the permitted 1 maximum wall mounted enterprise signs per façade.
3. Variance from BCZR Section 450.4.5(A) – to permit 4 wall mounted enterprise signs on the north elevation façade in lieu of the permitted 1 maximum wall mounted enterprise signs per façade.
4. Variance from BCZR Sections 450.4.5(B) and 450.5.B.4.D(2) – to permit a freestanding enterprise sign with an area face of 113.73 square feet in lieu of the permitted 100 square feet maximum area face per freestanding enterprise sign.
5. Variance from BCZR Sections 450.4.5(A) and 450.5.B.4.D(2) – to permit a freestanding enterprise sign with an area face of 113.73 square feet in lieu of the permitted 75 square feet maximum area face per freestanding sign.
6. Variance from Landscape Manual Condition B – to permit a 3.66' landscape transition area in lieu of the required 15' landscape transition area.
7. Variance from Landscape Manual Condition B – to permit a 6.96' landscape transition area in lieu of the required 15' landscape transition area.
8. Variance from Landscape Manual Condition B – to permit a 7.55' landscape transition area in lieu of the required 15' landscape transition area.
9. Variance from Landscape Manual Condition B – to permit a 5.34' landscape transition area in lieu of the required 15' landscape transition area.
10. Variance from Landscape Manual Condition B – to permit a 3.20' landscape transition area in lieu of the required 10' landscape transition area.
11. Variance from Landscape Manual Condition B – to permit a 4.33' landscape transition area in lieu of the required 10' landscape transition area.

361



**BOHLER
ENGINEERING, P.C.**

810 Gleneagles Court, Suite 300
Towson, MD 21286
410.821.7900
410.821.7987 fax
md@bohlereng.com

January 13, 2004

**ZONING DESCRIPTION
OF PART OF THE LANDS KNOWN AS
PARCEL 841, TAX MAP 97 GRID 3 WITH DEED REFERENCE 7788/601,
PARCEL 277, TAX MAP 97 GRID 3 WITH DEED REFERENCE 5776/426
PARCEL 779, TAX MAP 97 GRID 3 WITH DEED REFERENCE 6648/407
AND
PARCEL 983, TAX MAP 97 GRID 3 WITH DEED REFERENCE 18570/577
WHICH IS OF VARIABLE WIDTH AT A DISTANCE OF 125 FEET
SOUTHWEST OF THE INTERSECTION OF
EASTERN BLVD (MD RTE 150) AND MARLYN AVE
AS RECORDED IN THE DATABASE OF
BALTIMORE COUNTY, MARYLAND
15TH DISTRICT**



BEGINNING AT A POINT ON THE WEST SIDE OF MARLYN AVE, AS WIDTH TO FORTY FEET,
AT THE DISTANCE OF 27' FROM THE CENTERLINE.

1. SOUTH 12 DEGREES 44 MINUTES 24 SECONDS EAST; 259.34 FEET TO A POINT.
2. SOUTH 77 DEGREES 12 MINUTES 48 SECONDS WEST; 144.88 FEET TO A POINT.
3. SOUTH 15 DEGREES 25 MINUTES 48 SECONDS WEST; 15.75 FEET TO A POINT.
4. SOUTH 77 DEGREES 12 MINUTES 48 SECONDS WEST; 139.52 FEET TO A POINT.
5. NORTH 27 DEGREES 21 MINUTES 12 SECONDS WEST; 89.08 FEET TO A POINT.
6. NORTH 62 DEGREES 38 MINUTES 48 SECONDS EAST; 80.00 FEET TO A POINT.
7. NORTH 27 DEGREES 21 MINUTES 12 SECONDS WEST; 55.00 FEET TO A POINT.
8. NORTH 62 DEGREES 38 MINUTES 48 SECONDS EAST; 102.16 FEET TO A POINT.
9. NORTH 27 DEGREES 21 MINUTES 12 SECONDS WEST; 144.41 FEET TO A POINT.
10. NORTH 62 DEGREES 57 MINUTES 31 SECONDS EAST; 48.00 FEET TO A POINT.
11. NORTHERNLY BY A LINE CURVING TO THE EAST WITH A RADIUS OF 2420.78 FEET FOR A DISTANCE OF 45.72 FEET THE CHORD OF SAID ARC BEING NORTH 62 DEGREES 05 MINUTES 17 SECONDS EAST; 45.72 FEET
12. SOUTHERLY BY A LINE CURVING TO THE EAST WITH A RADIUS OF 78.00 FEET FOR A DISTANCE OF 142.44 FEET THE CHORD OF SAID ARC BEING SOUTH 65 DEGREES 03 MINUTES 20 SECONDS EAST; 123.46 FEET TO A POINT.

BEING ALSO KNOWN AS PARCEL 841 AS RECORDED IN BALTIMORE COUNTY LIBER 7788 FOLIO 601, PARCEL 277 AS RECORDED IN BALTIMORE COUNTY LIBER 5776 FOLIO 426, PARCEL 779 AS RECORDED IN THE BALTIMORE COUNTY LIBER 6648 FOLIO 407, AND PARCEL 983, AS RECORDED IN THE BALTIMORE COUNTY LIBER 18570 FOLIO 577 CONTAINING IN ALL 1.579 ACRES OF LAND MORE OR LESS.

Other Office Locations:

Prepared by: ENJ
Reviewed by: GHR
■ Watchung, NJ 908.668.8300
■ North Wales, PA 215.393.8300

■ Melville, NY 516.872.2000

■ Sterling, VA 703.709.9500

■ Southborough, MA 508.480.9900

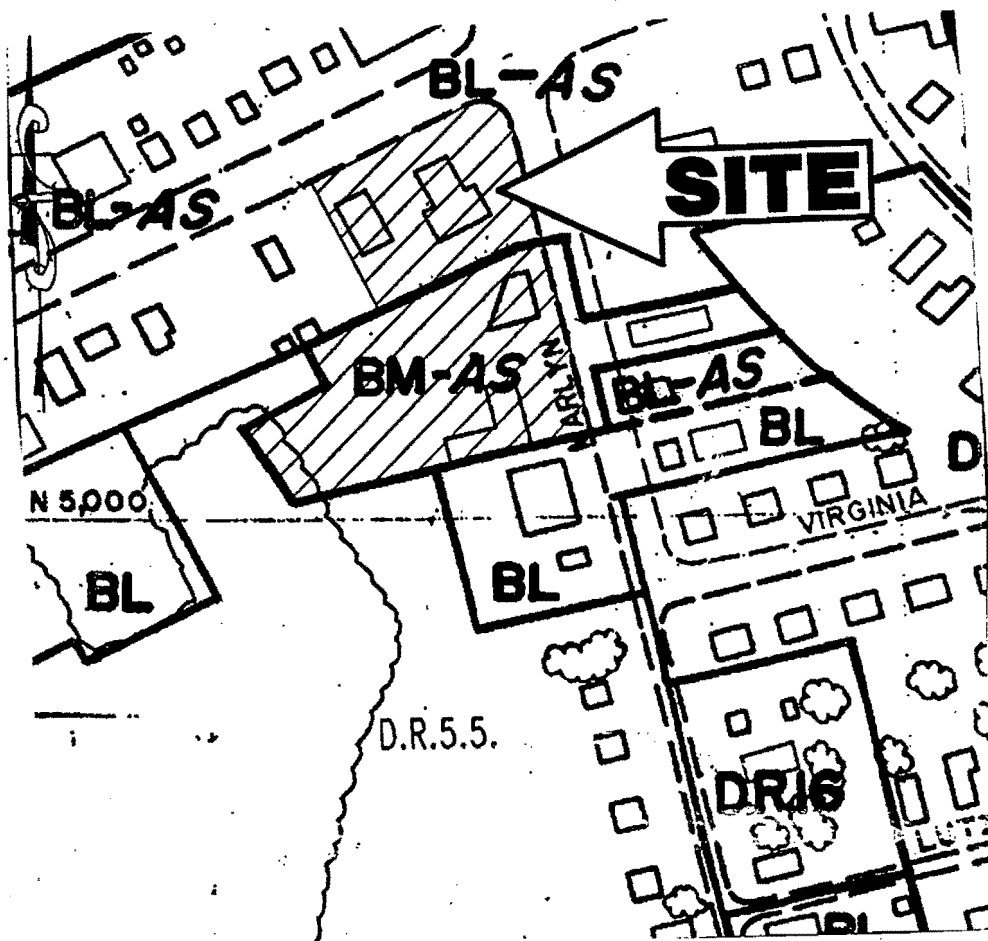
■ Albany, NY 518.438.9900

CIVIL & CONSULTING ENGINEERS ■ SURVEYORS ■ TRAFFIC CONSULTANTS ■ ENVIRONMENTAL & GEOTECHNICAL ENGINEERS

www.bohlereng.com

PACE PROPOERTIES
WALGREEN'S -EASTERN
16 S. MARYLN
ESSEX, MARYLAND

ZONING MAP -SE3
SCALE 1"=200'





Plan Sheet: 097B1

Note: Section 32-3-20 of the Baltimore County, 2003 Code establishes the zoning geocoding database. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Legend

- Zoning
- Streams
- Vegetation
- Buildings
- Roads

Baltimore County Office of Planning and Zoning Official Zoning Map

089C3	090A3	090B3	090C3	091A3
096C1	097A1	097B1	097C1	098A1
096C2	097A2	097B2	097C2	098A2

Scale

1" = 200'

0 100 200 400 Feet

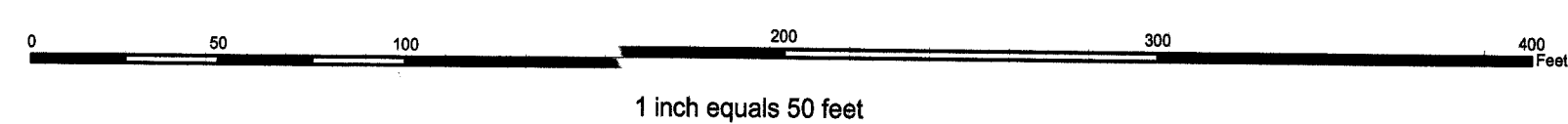
1

Data Sources:
Planometric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

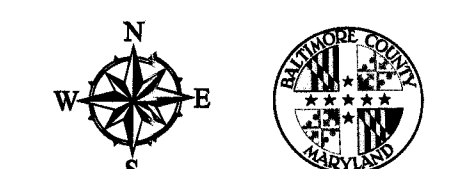
05-361-A



Produced by Baltimore County
GIS Services Unit
May 04, 2005
Date of Imagery: 2002



05-361-A



**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

March 2, 2005

D. Dusky Holman, Esq.
Gildea & Schmidt, LLC
300 E. Lombard Street Suite 1440
Baltimore, Maryland 21202

Dear Mr. Holman:

RE: Case Number:05-361-A, Eastern & Marlyn Avenue Parcel 983

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 18, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: People's Counsel
Alfred Brennan Sr., Marjorie Brenan 825 Eastern Blvd. Baltimore, Maryland 21221
Pace Properties, Inc. 1401 S. Brentwood Blvd. Ste 100, St. Louis Mo. 63144

Visit the County's Website at www.baltimorecountyonline.info



3/9
101

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 1, 2005

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

SUBJECT: Walgreen's

INFORMATION:

Item Number: 5-361

Petitioner: Alfred Brennan, Sr.

Zoning: BL-AS/BM-AS

Requested Action: Variance

RECEIVED

FEB - 4 2005

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The subject development was presented to the Baltimore County Design Review Panel on October 13, 2004. As a result of this meeting, the proposed development was revised and the revised plans (including building elevations and landscaping) was submitted to the Office of Planning on November 5, 2004. After careful review of the revised plans, this office has determined that the design review comments have been addressed and recommends that the petitioner's request be approved. The Panel's comments are listed below as a source of reference.

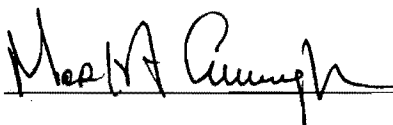
DESIGN REVIEW PANEL COMMENTS:

The following issues and recommendations were identified at the DRP meeting. These recommendations are binding on the Hearing Officer (Bill 56-04):

1. Extend the proposed landscaping along the street to include doing landscape improvements in front of the Brennan and Brennan Law Firm.
2. Break the landscaping edge at the corner of the site to provide pedestrian access.

3. Provide more significant landscaping in the triangle shaped area in front of the building instead of just sod.
4. Change the variety of the proposed shrubs for tall evergreen screening along the driveway next to the compactors.
5. Provide more significant foundation plantings at the bases of the two proposed signs to give them more solidity while not minimizing traffic visibility.
6. Provide lighting on the side and the rear of the building. Fixtures should be cut-off type.
7. Change the rear canopy over the pick up window to match the front canopies in style and color.

ADVISORY COMMENT - Incorporate signage to include both the Law Firm and Walgreen's.

Prepared by: 

Division Chief: 

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 9, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For February 7, 2005
Item Nos. 360, 361, 363, 365, 366, 367

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

RWB:CEN:cp

cc: File

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

January 28, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: 226, 361-360-364, 366-367

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.

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

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. JD
DATE: February 11, 2005
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 31, 2005

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

05-360

05-361

05-363

05-364

05-366

05-367

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 1, 2005

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

SUBJECT: Walgreen's

INFORMATION:

Item Number: 5-361

Petitioner: Alfred Brennan, Sr.

Zoning: BL-AS/BM-AS

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The subject development was presented to the Baltimore County Design Review Panel on October 13, 2004. As a result of this meeting, the proposed development was revised and the revised plans (including building elevations and landscaping) was submitted to the Office of Planning on November 5, 2004. After careful review of the revised plans, this office has determined that the design review comments have been addressed and recommends that the petitioner's request be approved. The Panel's comments are listed below as a source of reference.

DESIGN REVIEW PANEL COMMENTS:

The following issues and recommendations were identified at the DRP meeting. These recommendations are binding on the Hearing Officer (Bill 56-04):

1. Extend the proposed landscaping along the street to include doing landscape improvements in front of the Brennan and Brennan Law Firm.
2. Break the landscaping edge at the corner of the site to provide pedestrian access.

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



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

Maryland Department of Transportation

Date: 1.25.05

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

RE: Baltimore County
Item No. 361 JJS

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR VARIANCE * BEFORE THE
Eastern & Marlyn Ave, Parcels 983, 779, 277 & 841
W/side Marlyn Ave, NW corner Eastern Ave * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts
Legal Owner(s): #1-Alfred & Marhorie Brennan, * FOR
#2- Paul Goodman, & #3 – Philip Ruby
Contract Purchaser(s): Pace Properties, Inc * BALTIMORE COUNTY
by David LaPee
Petitioner(s) * 05-361-A

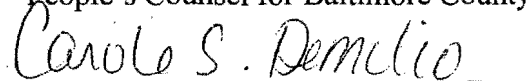
* * * * *

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 and all 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

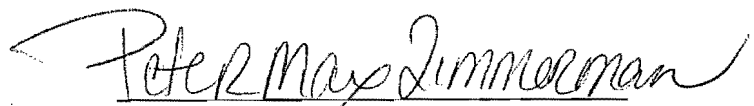
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to, D. Dusky Holman, Esquire, , Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

RECEIVED

JAN 31 2005

Per 



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

3/9
BU

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 1, 2005

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

RECEIVED

FEB - 4 2005

ZONING COMMISSIONER

SUBJECT: Walgreen's

INFORMATION:

Item Number: 5-361

Petitioner: Alfred Brennan, Sr.

Zoning: BL-AS/BM-AS

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The subject development was presented to the Baltimore County Design Review Panel on October 13, 2004. As a result of this meeting, the proposed development was revised and the revised plans (including building elevations and landscaping) was submitted to the Office of Planning on November 5, 2004. After careful review of the revised plans, this office has determined that the design review comments have been addressed and recommends that the petitioner's request be approved. The Panel's comments are listed below as a source of reference.

DESIGN REVIEW PANEL COMMENTS:

The following issues and recommendations were identified at the DRP meeting. These recommendations are binding on the Hearing Officer (Bill 56-04):

1. Extend the proposed landscaping along the street to include doing landscape improvements in front of the Brennan and Brennan Law Firm.
2. Break the landscaping edge at the corner of the site to provide pedestrian access.

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4/26/06
BPP
ad
K

3. Provide more significant landscaping in the triangle shaped area in front of the building instead of just sod.
4. Change the variety of the proposed shrubs for tall evergreen screening along the driveway next to the compactors.
5. Provide more significant foundation plantings at the bases of the two proposed signs to give them more solidity while not minimizing traffic visibility.
6. Provide lighting on the side and the rear of the building. Fixtures should be cut-off type.
7. Change the rear canopy over the pick up window to match the front canopies in style and color.

ADVISORY COMMENT - Incorporate signage to include both the Law Firm and Walgreen's.

Prepared by:

Mark A. Cunningham

Division Chief:

Lynne J. Fisher

AFK/LL:MAC:

ORDER RECEIVED FOR FILING
Date 4/26/15
By [Signature]

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: #05-361-A

Eastern & Marlyn Avenue, Parcel 983, Parcel 779 & 277, Parcel 841

W/side of Marlyn Avenue, n/west corner of Eastern Avenue
15th Election District — 7th Councilmanic District

Legal Owner(s): Alfred Brennan, Sr. & Marjorie Brennan (Owner #1); Paul Goodman (Owner #2); Phillip W. Ruby (Owner #3)

Contract Purchaser: Pace Properties, Inc., David LaPee

Variance: to permit 7 wall mounted enterprise signs in lieu of the permitted 3 wall mounted enterprise signs, to permit 3 wall mounted enterprise signs on the east elevation facade in lieu of the permitted 1 maximum wall mounted enterprise signs per facade, to permit 4 wall mounted enterprise signs on the north elevation facade in lieu of the permitted 1, to permit a free standing enterprise sign with an area face of 113.73 square feet in lieu of the permitted 100 sq. ft. maximum area face per freestanding enterprise sign, to permit a freestanding enterprise sign with an area face of 113.73 sq. ft. in lieu of the permitted 75 sq. ft. maximum area face per freestanding sign, to permit a 3.66 foot landscape transition area in lieu of the req'd 15 foot landscape transition area, to permit a 6.96 foot landscape transition area in lieu of the req'd 15 foot landscape transition area, to permit a 5.34 foot landscape transition area in lieu of the req'd 15 foot landscape transition area, to permit a 3.20 foot landscape transition area in lieu of the req'd 20 foot landscape transition area, and to permit a 4.33 foot landscape transition area in lieu of the req'd 10 foot landscape transition area.

Hearing: Wednesday, March 9, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN

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 2/743 Feb. 22

40297

CERTIFICATE OF PUBLICATION

2/24, 2005

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 2/22, 2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

MAR 08 2005 10:40AM

LASERJET 3200

ATTN-BILL WISEMAN

FROM : SSG BOB BLACK

FAX NO. : 410 282 7940

Feb. 23 2005 02:36PM P2

CERTIFICATE OF POSTINGRE: Case No. 05-361-APetitioner/Developer: PAGEPROPERTIES, INC. DAVID LAPEEDate of Hearing/Closing: MAR 16, 2005

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

ATTN: Kristen Matthews ((410) 887-3394)

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:

EASTERN & MARLYN AVES, PARCEL 983, PARCEL 779
+ 277 PARCEL 841

The sign(s) were posted on

2/22/05

(Month, Day, Year)

Sincerely,

Robert B. Black
(Signature of Sign Poster)

2/23/05
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

*Photo
not
clear on
fax*

(2)

✓

APPEAL SIGN POSTING REQUEST

CASE NO. 05-361-A

S/W CORNER OF EASTERN BLVD
AND MARLYN AVE.

15TH ELECTION DISTRICT

APPEALED: 5/4/2005

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, MD 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 05-361-A

ALFRED & MARJORIE BRENNAN
PAUL GOODMAN &
PHILIP RUBY

This is to certify that the necessary appeal sign was posted conspicuously on the property
located at:

S/W CORNER OF EASTERN BLVD
AND MARLYN AVE.

The sign was posted on 7/11, 2005

By: Gary Freund
(Signature of Sign Poster)

GARY FREUND
(Print Name)

**Department of Permits and
Development Management**



Baltimore County

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

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

January 31, 2005

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: 05-361-A

Eastern & Marlyn Avenue, Parcel 983, Parcel 779 & 277, Parcel 841
W/side of Marlyn Avenue, n/west corner of Eastern Avenue
15th Election District – 7th Councilmanic District

Legal Owners: Alfred Brennan, Sr. & Marjorie Brennan (Owner #1); Paul Goodman (Owner #2); Philip W. Ruby (Owner #3)

Contract Purchaser: Pace Properties, Inc., David LaPee

Variance to permit 7 wall mounted enterprise signs in lieu of the permitted 3 wall mounted enterprise signs, to permit 3 wall mounted enterprise signs on the east elevation façade in lieu of the permitted 1 maximum wall mounted enterprise signs per façade, to permit 4 wall mounted enterprise signs on the north elevation façade in lieu of the permitted 1, to permit a free standing enterprise sign with an area face of 113.73 square feet in lieu of the permitted 100 sq. ft. maximum area face per freestanding enterprise sign, to permit a freestanding enterprise sign with an area face of 113.73 sq. ft. in lieu of the permitted 75 sq. ft. maximum area face per freestanding sign, to permit a 3.66 foot landscape transition area in lieu of the req'd 15 foot landscape transition area, to permit a 6.96 foot landscape transition area in lieu of the req'd 15 foot landscape transition area, to permit a 5.34 foot landscape transition area in lieu of the req'd 15 foot landscape transition area, to permit a 3.20 foot landscape transition area in lieu of the req'd 20 foot landscape transition area, and to permit a 4.33 foot landscape transition area in lieu of the req'd 10 foot landscape transition area.

Hearing: Wednesday, March 9, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".
Timothy Kotroco
Director

TK:klm

C: Dusky Holman/ Mr. & Mrs. Brennan/ David LaPee/Paul Goodman/ Philip Ruby

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 22, 2005.**
- (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.

Visit the County's Website at www.baltimorecountyonline.info



APPEAL

Petition for Variance
Parcels 983, 779, 277 & 841
S/W corner of Eastern Blvd., and Marlyn Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Alfred & Marjorie Brennan, Paul Goodman, & Philip Ruby
Contract Purchaser: Pace Properties

Case No.: 05-361-A

- ✓ Petition for Variance (January 18, 2005)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (January 31, 2005)
- ✓ Certification of Publication (The Jeffersonian – February 22, 2005)
- ✓ Certificate of Posting (February 22, 2005) by SSG Robert Black
- ✓ Entry of Appearance by People's Counsel (January 31, 2005)
- ✓ Petitioner(s) Sign-In Sheet – One Sheet
- Protestant(s) Sign-In Sheet - None
- Citizen(s) Sign-In Sheet - None
- Zoning Advisory Committee Comments
- ✓ Petitioners' Exhibit
 - 1A. Site Plan
 - 1B. Site Plan (Sign Details)
 - 2. Building Elevations
 - 3. Site Plan showing Existing Conditions Rendering
 - ✓ 4. Comments Design Review Panel to Office of Planning
- Protestants' Exhibits - None
- ✓ Miscellaneous (Not Marked as Exhibit)
 - 1. 200' Scale Zoning Map
- ✓ Zoning Commissioner's Order (GRANTED – April 26, 2005)
- ✓ Notice of Appeal received on May 4, 2005 from People's Counsel of Baltimore County

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner
Timothy Kotroco, Director of PDM
D. Dusky Holman, 300 E. Lombard St., Ste. 1440, Baltimore 21202
David LaPee, 1401 S. Brentwood Blvd., Ste. 100, St. Louis MO 63144
Adam Valanth, Michael Giesell, 810 Gleneagles Ct., Ste. 300, Towson 21286
Chris McCollum, Economic Development

date sent June 14, 2005, klm

RECEIVED

JUN 15 2005

**BALTIMORE COUNTY
BOARD OF APPEALS**

Case No. 05-361-A

IN THE MATTER OF: Alfred & Marjorie Brennan; Paul Goodman;
and Philip Ruby – Legal Owners; Pace Properties – C.P.
15th E; 7th C

8/19/05 – Joint Motion for Remand filed by Carole S. Demilio, Deputy People's Counsel, and D. Dusky Holman, Esquire, Counsel for Petitioners; requesting remand to Zoning Commissioner as agreed with revised petition and site plan. Proposed Remand Order provided for CBA.

8/25/05 – Remand Order to Zoning Commissioner issued by the Board; remanded for further proceedings consistent with Joint Motion for Remand.

HOLD IN REMAND DRAWER – HOLD FILE UNTIL REQUESTED BY ZONING COMMISSIONER. IF FILE IS RETURNED TO Z.C., PULL BOARD'S ORDER AND COPY OF Z.C. ORDER.

CASE NAME _____
CASE NUMBER 05-361
DATE 03-09-05

[illegible]

Case No.:

05-361 A

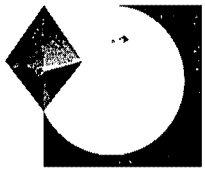
Tape 103
side 1
147 to 222

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	1A - SITE PLAN (13) SIGNAGE WALGREENS PROVISION SIGNAGE	
No. 2	Bldg Elevations - Brick Construction NORTHERN & EASTERN SIDES	
No. 3	EXISTING CONDITIONS Landscaping Borders	
No. 4	COMMENTS DESIGN REVIEW PANEL - Conforming to O.P. Comments	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



BOHLER ENGINEERING, P.C.

810 Gleneagles Court, Suite 300
Towson, MD 21286
410.821.7900
410.821.7987 fax
md@bohlereng.com

November 3, 2004
Via Hand Delivery

Baltimore County Government
Office of Planning Design Review Panel
111 W. Chesapeake Avenue
Towson, MD 21204

PETITIONER'S

EXHIBIT NO. 4

Attention: Jenifer German, Coordinator

Re: Walgreen's
Marlyn Ave. and Eastern Blvd.
Essex, MD
DRP # 449
BEPC #MD 022009

Dear Ms. German:

As you are aware, Pace Properties is proposing to construct a single-story 114 feet by 130 feet retail building at the southwest intersection of Eastern Boulevard and Marlyn Avenue. A design review panel meeting was held on October 13, 2004. The subsequent is in response to comments generated from that meeting.

Comment 1: Extend the proposed landscaping along the street to include doing landscape improvements in front of the Brennan and Brennan Law Firm.

Response: *The landscaping improvements will continue along the street to include the area in front of the Brennan and Brennan Law Firm.*

Comment 2: Break the landscaping edge at the corner of the site to provide pedestrian access.

Response: *The landscaping improvements plan has been modified to allow clear access at and for pedestrian crossings.*

Comment 3: Provide more significant landscaping in the triangle shaped area in front of the building instead of just sod.

Response: *The landscaping in the triangle shaped area in front of the building has been enhanced with perennials, evergreen shrubs and ornamental grass in addition to sod.*

Comment 4: Change the variety of the proposed shrubs for tall evergreen screening along the driveway next to the compactors.

Response: *The shrubs along the driveway next to the compactors have been replaced with evergreens. The evergreens will measure three feet in height at the time of their planting.*

Other Office Locations:

■ Watchung, NJ
908.668.8300

■ North Wales, PA
215.393.8300

■ Melville, NY
516.872.2000

■ Sterling, VA
703.709.9500

■ Southborough, MA
508.480.9900

■ Albany, NY
518.438.9900

CIVIL & CONSULTING ENGINEERS ■ SURVEYORS ■ TRAFFIC CONSULTANTS ■ ENVIRONMENTAL & GEOTECHNICAL ENGINEERS

www.bohlereng.com



Comment 5: Provide more significant foundation plantings at the bases of the two proposed signs to give them more solidity while not minimizing traffic visibility.

Response: Additional plantings have been proposed around the base of the signs. These plants will provide increased aesthetic value while minimizing the impact on traffic visibility.

Comment 7: Provide lighting on the side and the rear of the building. Fixtures should be cut-off type.

Response: Lighting has been provided on the side and rear of the building. The fixtures are the cut off type.

Comment 8: Change the rear canopy over the pick up window to match the front canopies in style and color.

Response: The rear canopy over the pick-up window has been altered to match the front canopies in style and color.

Enclosed for your review are two sets of design review plans sets. This set includes architectural elevations site and landscape plans.

If you have any questions, please contact our office at 410-821-7900.

Sincerely,
Bohler Engineering, P.C.

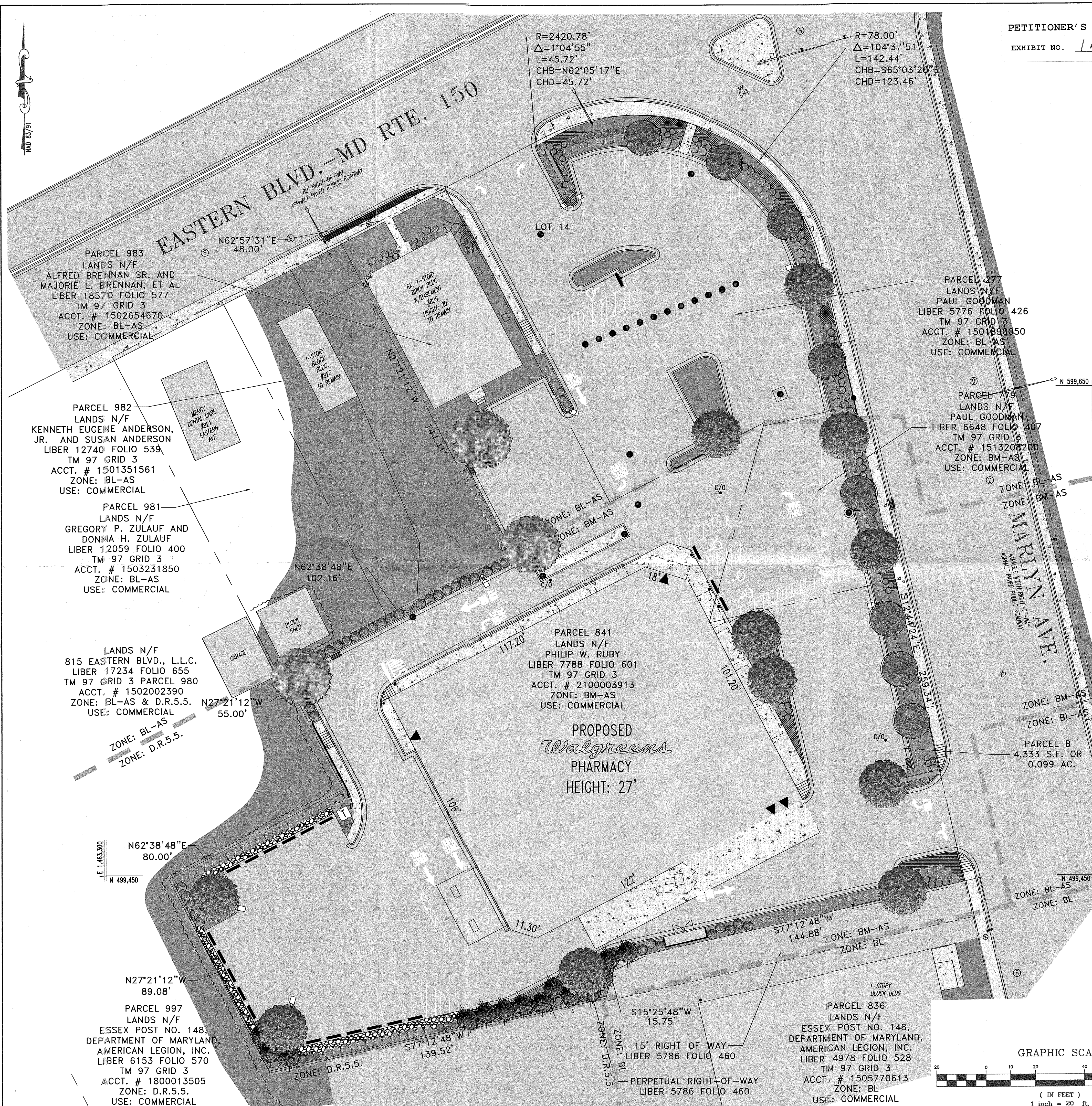
Erica Jackson
Project Engineer

Enclosures

Cc: ~~D~~usky Holman, Esq., Gildea & Schmidt (w/enclosures)
David Lapee, Pace Properties (w/enclosures)
Jim Brennan, Brennan and Brennan Law Firm (w/enclosures)
Timothy Kotroco, Director, Baltimore County Department of Permits and Development Management

ENJ/bh

Q/2002/Walgreen's/MD022009/110304 Jenifer German Response letter



PETITIONER'S

EXHIBIT NO. 1A

PROPERTY OWNERS

PARCEL 841
PHILIP W. RUBY
16 S. MARLYN AVENUE
BALTIMORE, MD 21221
ACCT. # 2100003913

PARCEL 779
PAUL GOODMAN
1 VILLAGE SQUARE
BALTIMORE, MD 21210
ACCT. # 1513208200

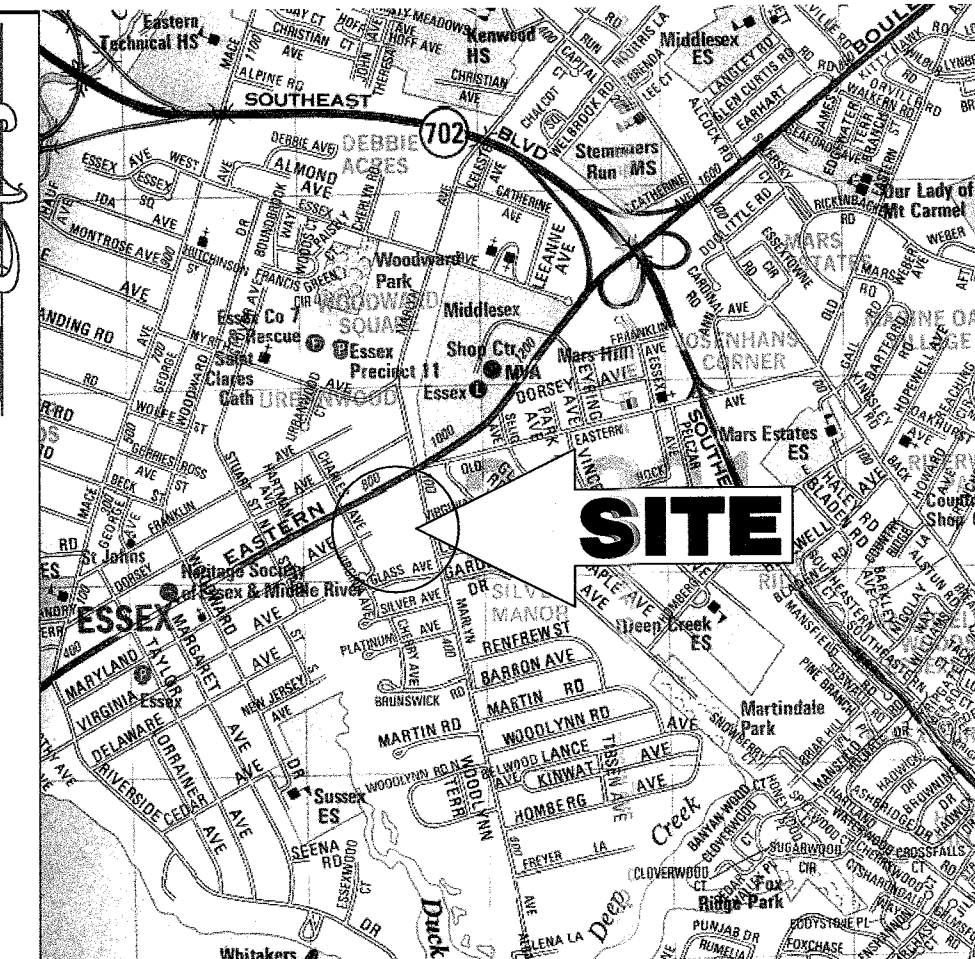
PARCEL 277
PAUL GOODMAN
1 SLADE AVENUE
BALTIMORE, MD 21208
ACCT. # 1501890050

PARCEL 983
ALFRED L. SR AND MARJORIE L. BRENNAN
825 EASTERN BOULEVARD
BALTIMORE, MD 21221
ACCT. # 1502654670

APPLICANT:
WALGREENS
C/O PACE PROPERTIES, INC.
1401 S. BRENTWOOD BLVD. SUITE 100
ST. LOUIS, MO 63144
CONTACT DAVID LAPEE
(314) 968-9898

SITE NOTES

1. THIS PLAN REFERENCES A SURVEY BY:
CONTROL POINT ASSOCIATES, INC.
22630 DAVIS DRIVE, SUITE 200
STERLING, VA 20164
(703) 709-9500
2. ZONE: BM (BUSINESS MAJOR)
BL (BUSINESS LOCAL), MAP NO. NE-2-H
3. TOTAL SITE AREA: 73,845 SQ. FT. OR 1.70 AC.
4. EXISTING FLOOR AREA: 17,173 SQ. FT.
5. PROPOSED FLOOR AREA: WALGREENS PHARMACY: 14,706 SQ. FT.
6. PERMITTED FLOOR AREA RATIO: 4.0
7. EXISTING FLOOR AREA RATIO: 0.13
8. PROPOSED FLOOR AREA RATIO: 0.22
9. DEED REFERENCE: LIBER 7788, FOLIO 601
LIBER 5778, FOLIO 426
LIBER 5848, FOLIO 407
LIBER 18570, FOLIO 577
10. CONTRACT PURCHASER: PACE PROPERTIES, INC.
11. TAX ACCOUNT NUMBER: PARCEL 841: 2100003913
PARCEL 277: 1501890050
PARCEL 779: 1513208200
PARCEL 983: 1502654670
12. ELECTION DISTRICT: 15TH
13. COUNCILMANIC DISTRICT: 7TH
14. WATERSHED: BACK RIVER
15. SUBWERSHED: 38
16. EXISTING USE: OFFICE AND AUTOMOTIVE REPAIR CENTER
17. PROPOSED USE: WALGREENS PHARMACY W/ A DRIVE-THRU WINDOW.
18. CENSUS TRACT: 450501
19. THERE ARE NO HISTORICAL STRUCTURES WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT.
20. IMPERVIOUS AREA: EXISTING 54,609 S.F. OR 1.25 AC.
PROP. 59,184 S.F. OR 1.36 AC.
21. LANDSCAPE AREA: EXISTING 19,236 S.F. OR 0.45 AC.
PROP. 14,661 S.F. OR 0.34 AC.
22. SITE IS NOT LOCATED IN THE 100 YEAR FLOODPLAIN.
23. THERE ARE NO WETLANDS OR STREAMS LOCATED WITHIN THE SITE BOUNDARY.
24. REQUIRED SETBACKS
A. BUILDINGS:
FRONT YARD (EASTERN BLVD.): 10'
SIDE YARD (MARLYN AVE.): 15'
REAR YARD: 20'
SIDE YARD: 0'
B. LANDSCAPE:
FRONT YARD (EASTERN BLVD.): 10'
SIDE YARD (MARLYN AVE.): 10'
REAR YARD: 15'
SIDE YARD: 6'



LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602/153-5
SCALE: 1"=2000'

25. PARKING:

REQUIRED:

*WALGREENS 14,706 S.F. x 5 SPACES / 1000 S.F. x SPA 100% = 74 SPACES

*OFFICES: 2,440 x 3.3 SPACES / 1000 S.F. x SPA 100% = 1 SPACE

TOTAL REQUIRED: 75 SPACES

PROVIDED: 75 PARKING SPACES (INCLUDING 4 HANDICAP SPACES)

*SPA = SHARED PARKING ADJUSTMENT PER BALTIMORE COUNTY ZONING REGULATIONS SECTION 409B.3 WAS USED. THE SHARED MAXIMUM REQUIREMENT WAS UTILIZED. WEEKEND DAYTIME WAS USED WHICH REQUIRES 10% OF THE OFFICE PARKING AND 100% OF THE RETAIL PARKING REQUIREMENT.

ZONING RELIEF REQUESTED

- A. BCZR SECTION 450.4.5(A) - TO PERMIT 7 WALL-MOUNTED ENTERPRISE SIGNS IN LIEU OF THE PERMITTED 3 WALL-MOUNTED ENTERPRISE SIGNS.
- B. BCZR SECTION 450.4.5(A) - TO PERMIT 3 WALL-MOUNTED ENTERPRISE SIGNS ON THE EAST ELEVATION FACADE IN LIEU OF THE PERMITTED 2 MAXIMUM WALL-MOUNTED ENTERPRISE SIGNS PER FACADE.
- C. BCZR SECTION 450.4.5(A) - TO PERMIT 4 WALL-MOUNTED ENTERPRISE SIGNS ON THE NORTH ELEVATION FACADE IN LIEU OF THE PERMITTED 1 MAXIMUM WALL-MOUNTED ENTERPRISE SIGNS PER FACADE.
- D. BCZR SECTIONS 450.4.5(B) AND 450.5.B.4.D.(2) - TO PERMIT A FREESTANDING ENTERPRISE SIGN WITH AN AREA FACE OF 113.73 SQUARE FEET IN LIEU OF THE PERMITTED 100 SQUARE FEET MAXIMUM AREA FACE PER FREESTANDING ENTERPRISE SIGN.
- E. BCZR SECTION 450.4.5(A) AND 450.5.B.4.D.(2) - TO PERMIT A FREE STANDING ENTERPRISE SIGN WITH AN AREA FACE OF 113.73 SQUARE FEET IN LIEU OF THE PERMITTED 75 SQUARE FEET MAXIMUM AREA FACE PER FREE STANDING SIGN.
- F. ANY OTHER SIGN VARIANCE DEEMED NECESSARY BY THE BALTIMORE COUNTY ZONING COMMISSIONER.
- G. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 3.66' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- H. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 6.96' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- I. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 7.55' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- J. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 5.34' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- K. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 3.20' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 10' LANDSCAPE TRANSITION AREA.
- L. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 4.33' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 10' LANDSCAPE TRANSITION AREA.

PLAN BASED ON THE MARYLAND COORDINATE SYSTEM

BOHLER ENGINEERING, P.C.

CIVIL & CONSULTING ENGINEERS • PROJECT MANAGERS • ENVIRONMENTAL & SITE PLANNERS • MUNICIPAL ENGINEERS •
810 GLENDALES COURT
SUITE 300
TOWSON, MARYLAND 21286
776 MOUNTAIN BOULEVARD
WATCHUNG, NEW JERSEY 07070
(908) 668-8300
PHONE: (410) 821-7900 FAX: (410) 821-7987
22630 DAVIS DRIVE, SUITE 200
STERLING, VA 20164
(703) 709-9500

PROJECT: PACE PROPERTIES
PROPOSED WALGREENS PHARMACY STORE #02446
16 S. MARLYN AVENUE
ESSEX, BALTIMORE COUNTY, MARYLAND

TITLE: RENDERING

A.J. VOLANTH

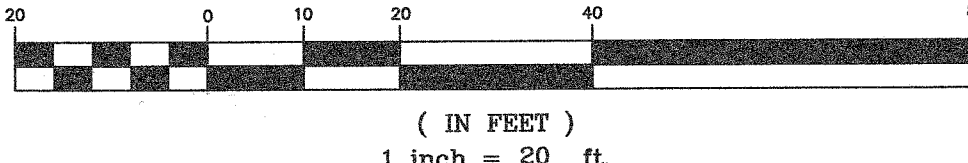
M.T. ALLEN

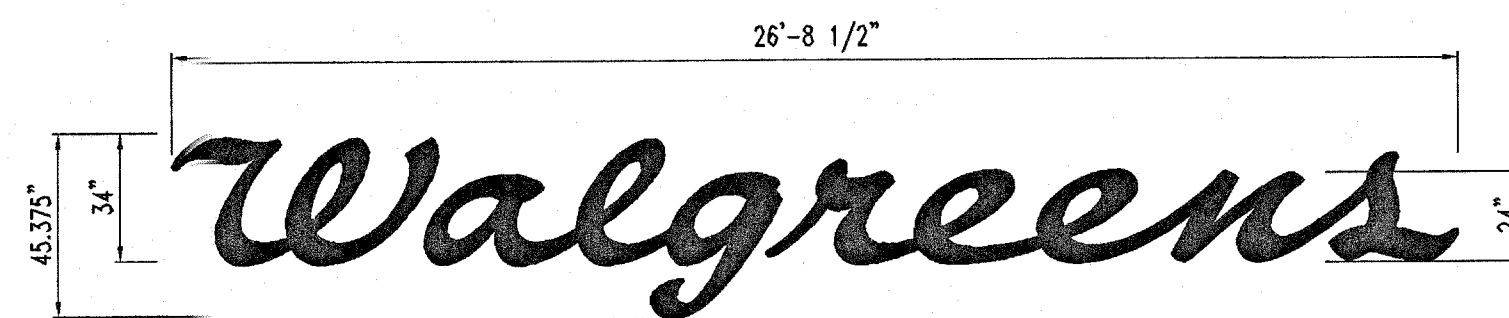
PROFESSIONAL ENGINEER
VIRGINIA LICENSE NO. 0402 031438
PENNSYLVANIA LICENSE NO. 21542
DISTRICT OF COLUMBIA LICENSE NO. 10726
PENNSYLVANIA LICENSE NO. 048314-E
DELAWARE LICENSE NO. 10734

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 28567
PENNSYLVANIA LICENSE NO. 081707
DISTRICT OF COLUMBIA LICENSE NO. 900965
VIRGINIA LICENSE NO. 0402 039979
DELAWARE LICENSE NO. 10734

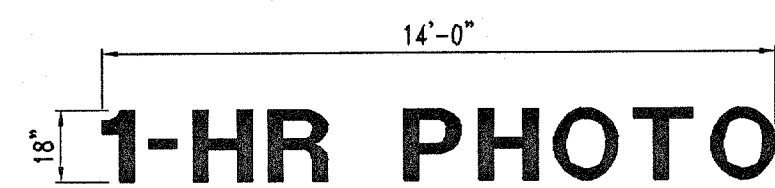
SCALE: (H) AS SHOWN
(V) T.A.C.
DATE: 02/15/05
PROJECT NO: M022009
CAD I.D. #: M22009REN
SHEET NO: 1
OF 1
REV. NO.
CONSTRUCTION CHECK DATE

GRAPHIC SCALE

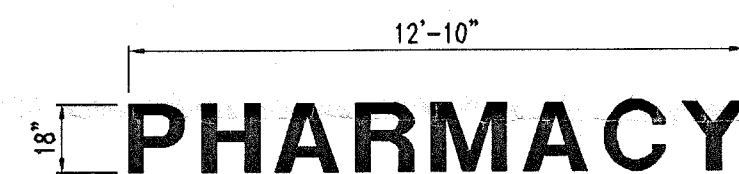




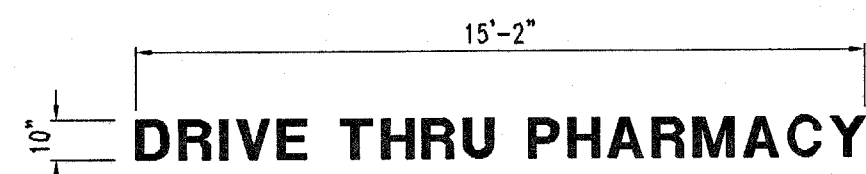
WALGREENS SCRIPT SIGN 101.00 S.F.
SCALE: 1" = 4'



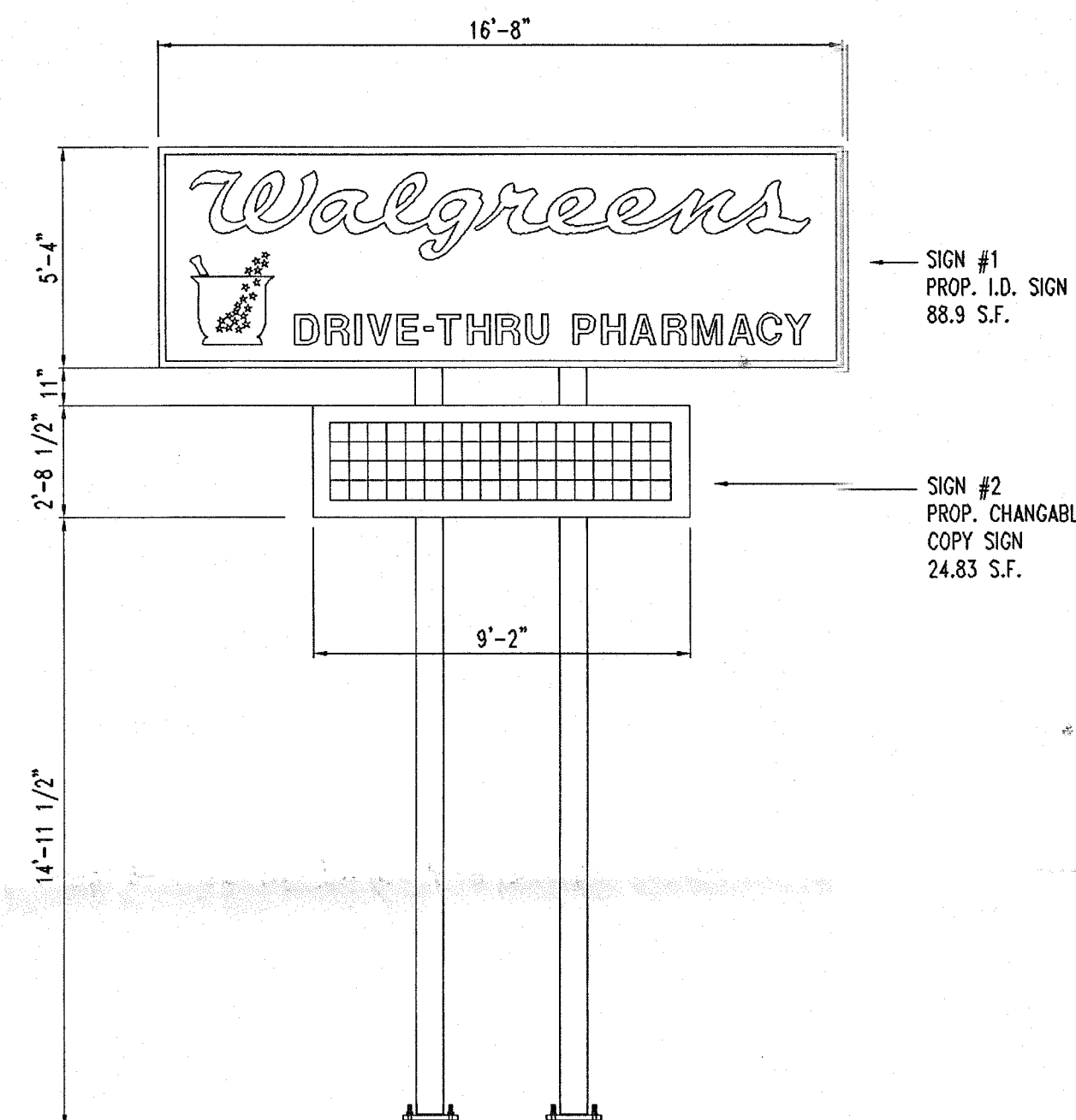
"1 HOUR PHOTO" SIGN 21.00 S.F.
SCALE: 1" = 4'



"PHARMACY" SIGN 18.00 S.F.
SCALE: 1" = 4'

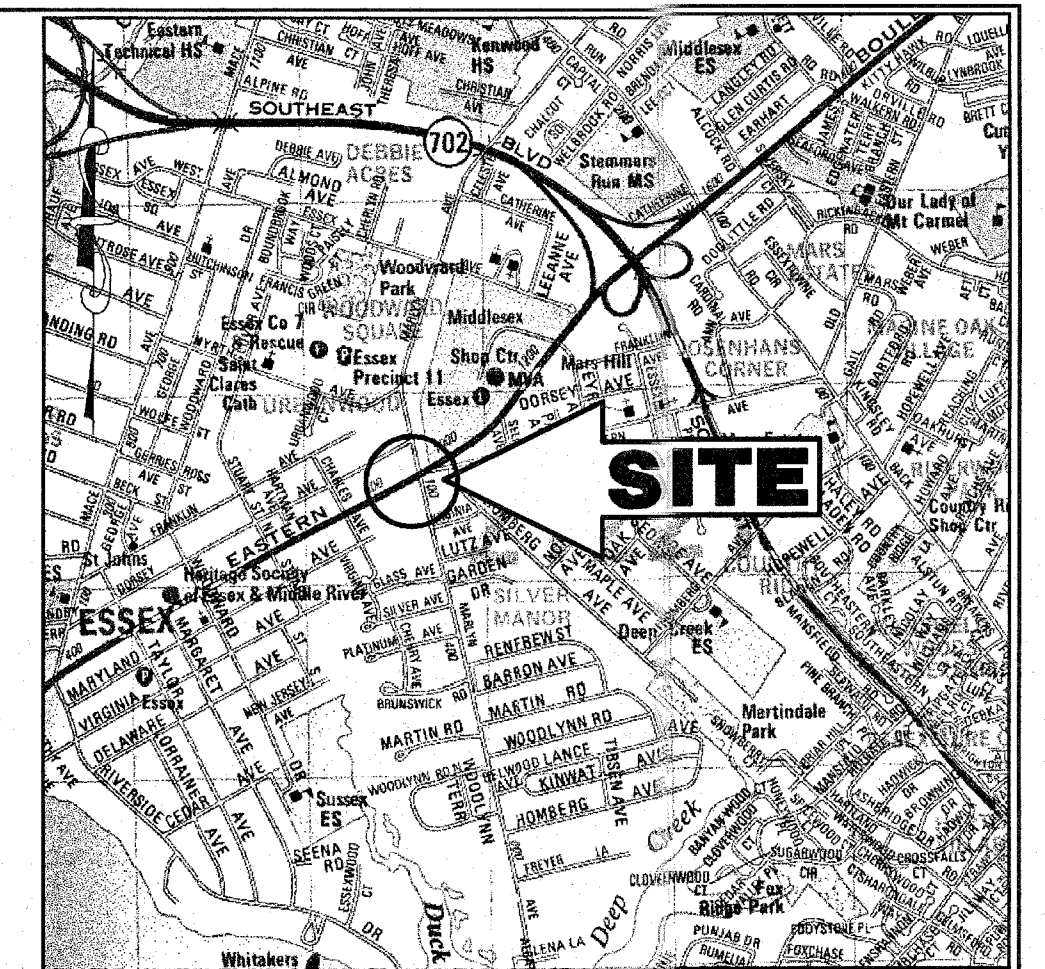


"DRIVE THRU PHARMACY" SIGN 12.64 S.F.
SCALE: 1" = 4'



WALGREENS PYLON SIGN 113.73 S.F.
SCALE: 1" = 4'

PETITIONER'S
EXHIBIT NO. B



LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20694276
SCALE: 1"=2000'

SIGNAGE CALCULATIONS

BUILDING SIGNAGE:	
EAST ELEVATION (MARLYN AVENUE)	
PERMITTED:	
A) 2 S.F. PER 1 LF OF THE WALL TO WHICH THE SIGN IS AFFIXED	
2 S.F. x 101 LF. = 202 S.F.	
B) THREE (3) NO MORE THEN TWO (2) PER FACADE	
PROPOSED:	
A) "WALGREENS" SIGN	= 101.00 S.F.
B) "1-HR PHOTO" SIGN	= 21.00 S.F.
C) "PHARMACY" SIGN	= 18.00 S.F.
TOTAL	= 140.00 S.F.
NORTH ELEVATION (MD ROUTE 150)	
PERMITTED:	
A) 2 S.F. PER 1 LF OF THE WALL TO WHICH THE SIGN IS AFFIXED	
2 S.F. x 117 LF. = 234 S.F.	
B) THREE (3) NO MORE THEN TWO (2) PER FACADE	
PROPOSED:	
A) "WALGREENS" SIGN	= 101.00 S.F.
B) "1-HR PHOTO" SIGN	= 21.00 S.F.
C) "PHARMACY" SIGN	= 18.00 S.F.
D) "DRIVE THRU PHARMACY" SIGN	= 12.64 S.F.
TOTAL	= 152.64 S.F.
I.D. SIGNS WALGREEN'S PROPERTY	
MARLYN AVENUE:	
PERMITTED:	
A) ONE (1) PER FRONTAGE	
B) 25' IN HEIGHT	
C) 100 S.F. IF ROAD FRONTAGE IS MORE THAN 300 L.F.	
PROPOSED:	
A) ONE (1) PER FRONTAGE	
B) 23.92' IN HEIGHT	
C) WALGREENS SIGN = 113.73 S.F.	
MARYLAND ROUTE 150 (EASTERN BLVD.):	
PERMITTED:	
A) ONE (1) PER FRONTAGE	
B) 25' IN HEIGHT	
C) 75 S.F. IF ROAD FRONTAGE IS LESS THAN 300 L.F.	
PROPOSED:	
A) ONE (1) SIGN ALONG MARYLAND ROUTE 150	
B) 23.92' IN HEIGHT	
C) WALGREENS SIGN = 113.73 S.F.	

MISS UTILITY



BEFORE YOU DIG CALL
1-800-257-7777
PROTECT YOURSELF, GIVE THREE
WORKING DAYS NOTICE

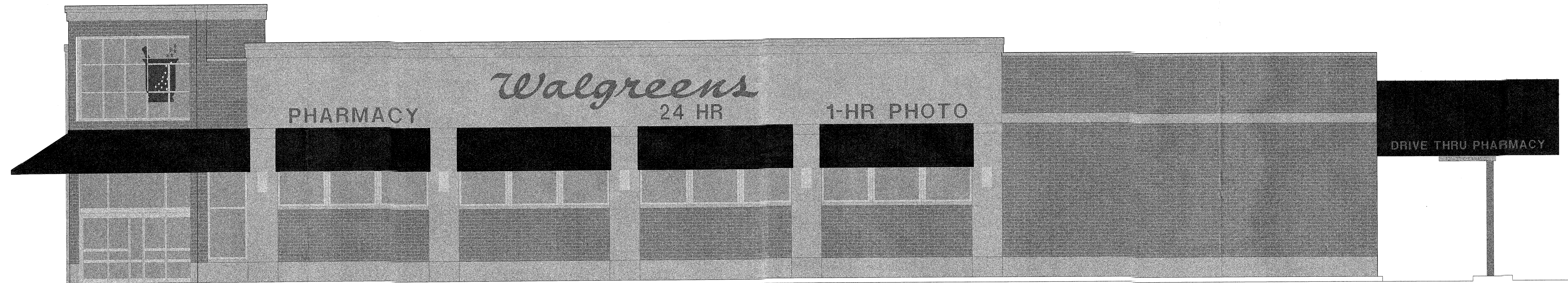
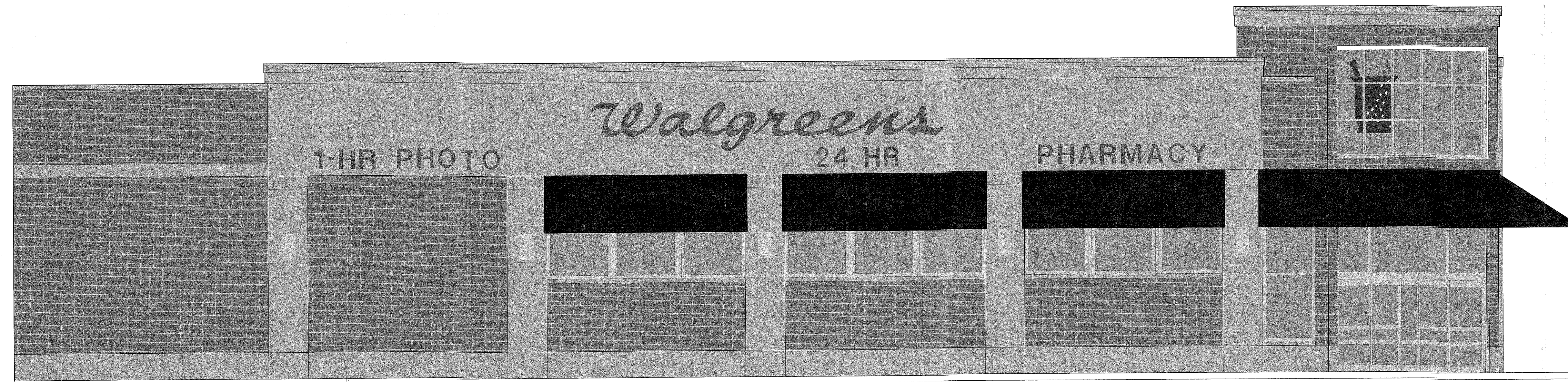
THIS DRAWING DOES NOT INCLUDE NECESSARY
COMPONENTS FOR CONSTRUCTION SAFETY. ALL
CONSTRUCTION MUST BE DONE IN COMPLIANCE
WITH THE OCCUPATIONAL SAFETY AND HEALTH
ACT OF 1970 AND ALL RULES AND REGULATIONS
HEREOF APPLICABLE.

THE CONTRACTOR TO CALL MISS UTILITY
TO MARK ALL EXISTING UTILITIES MINIMUM
72 HOURS PRIOR TO ANY CONSTRUCTION.

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22630 DAVIS DRIVE, SUITE 200 STERLING, VA 20164 (703) 709-9500			
DESIGN REVIEW PANEL			
PROJECT: PACE PROPERTIES PROPOSED WALGREENS PHARMACY STORE #02446 MARLYN AVENUE & EASTERN BLVD. ESSEX, BALTIMORE COUNTY, MARYLAND		TITLE: SIGN DETAILS	
A.J. VOLANTH PROFESSIONAL ENGINEER VIRGINIA LICENSE NO. 0402 031-1-038 MARYLAND LICENSE NO. 21342 DISTRICT OF COLUMBIA LICENSE NO. 10728 PENNSYLVANIA LICENSE NO. 048314-E DELAWARE LICENSE NO. 10734		E.L. STEINFELDT PROFESSIONAL ENGINEER VIRGINIA LICENSE NO. 024044 NEW JERSEY LICENSE NO. 34812 PENNSYLVANIA LICENSE NO. 40447 CONNECTICUT LICENSE NO. 17588	
SCALE: (H) AS SHOWN DATE: 10/26/04 DRAWN BY: R.L.B. CHECKED BY: A.J.V.		PROJECT NO. M022009 CADD ID. # M22009DRP3 DATE	
SHEET NO. 1 OF 1 REV. NO.			

PETITIONER'S

EXHIBIT NO. 2



Walgreens
200 WILMOT ROAD
DEERFIELD, IL 60015-4616

TITLE: 2004 NORTHERN PROTOTYPE - COLOR
ADDRESS: _____
LOCATION: _____
STORE #: _____

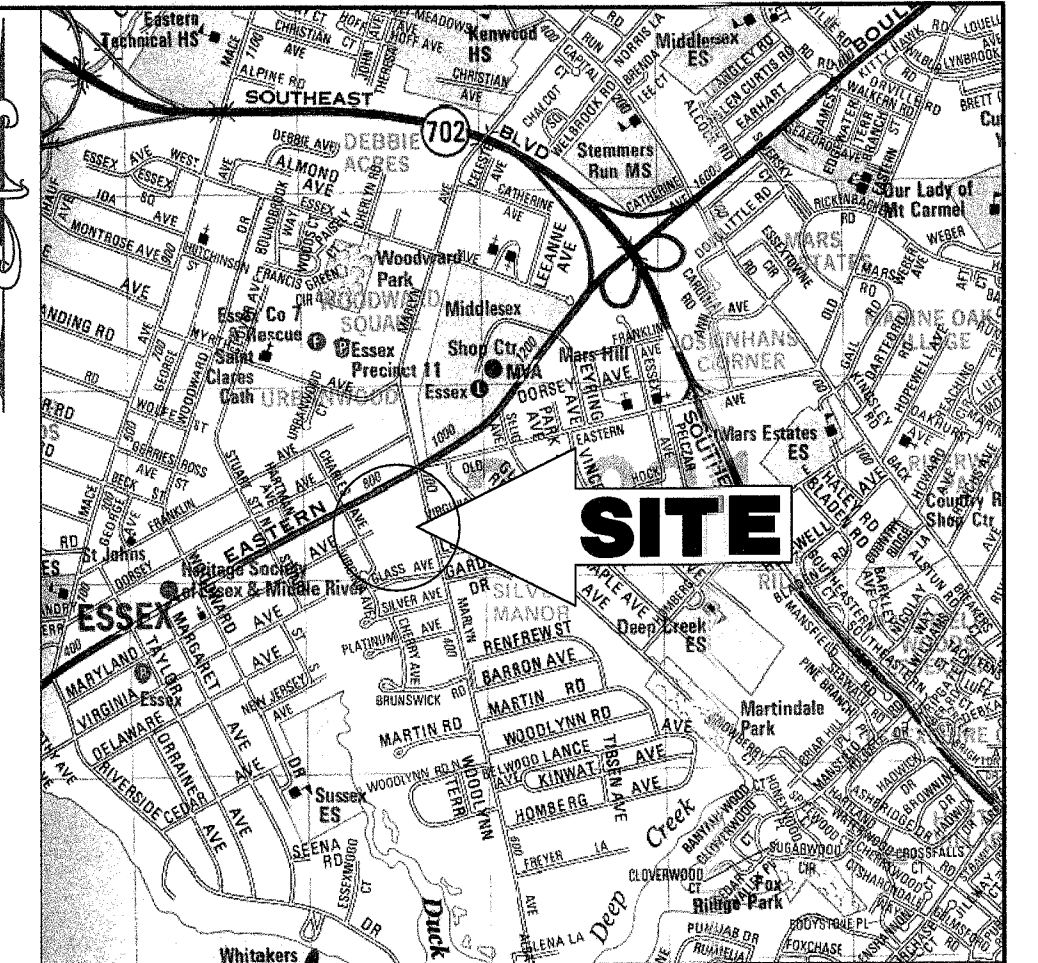
SCALE: 1" = 10'-0"
DRAWN BY: Joseph P. Wu
DATE: 7/29/03
CADD PLOT: 2004-north-clr

SHEET: D-5

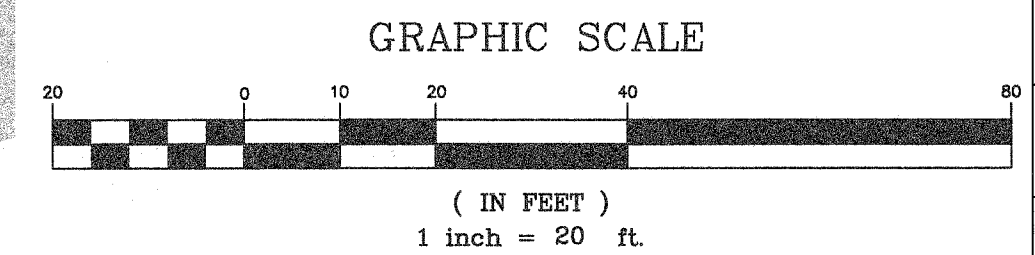
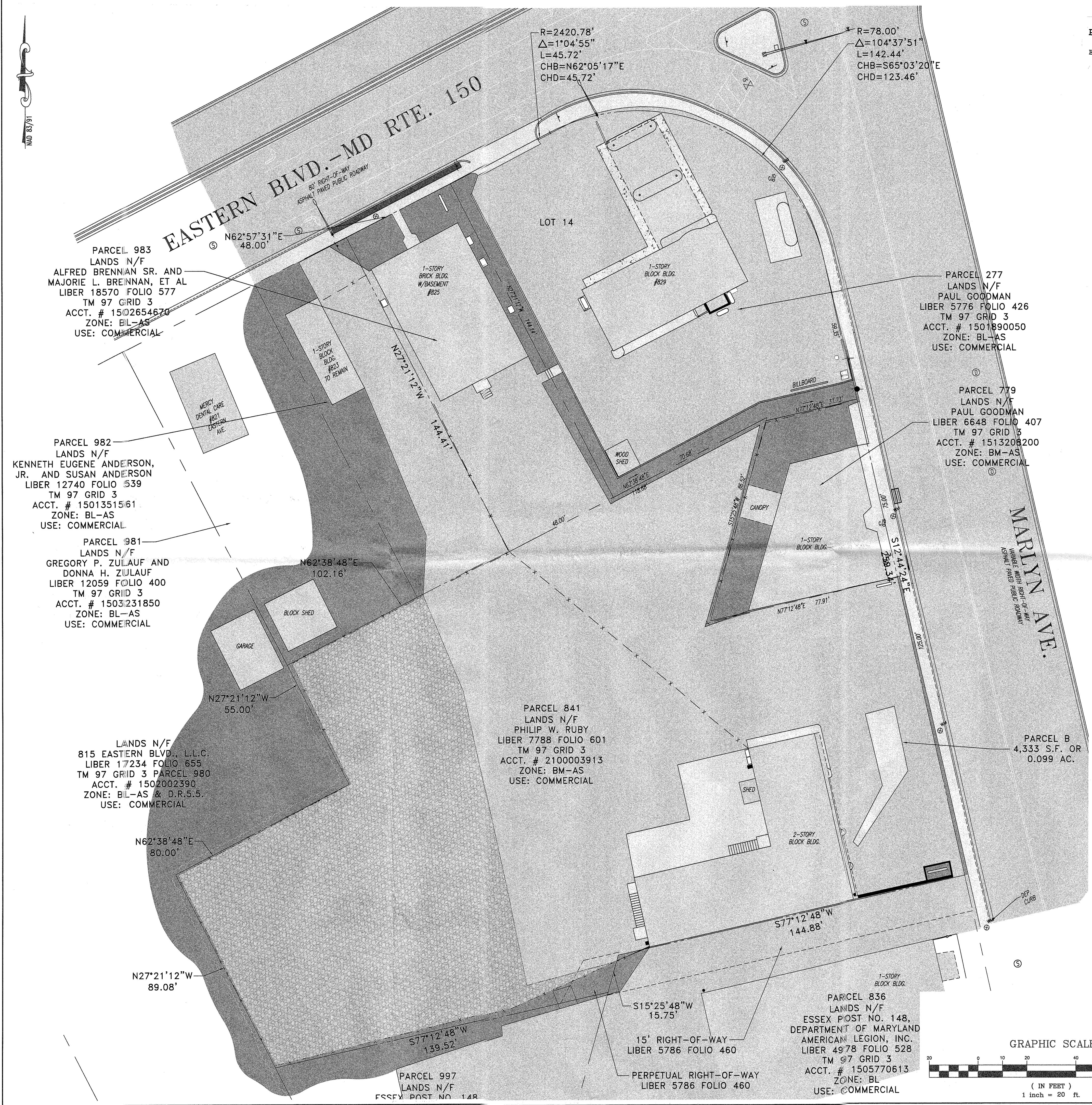
112

AND 83/91

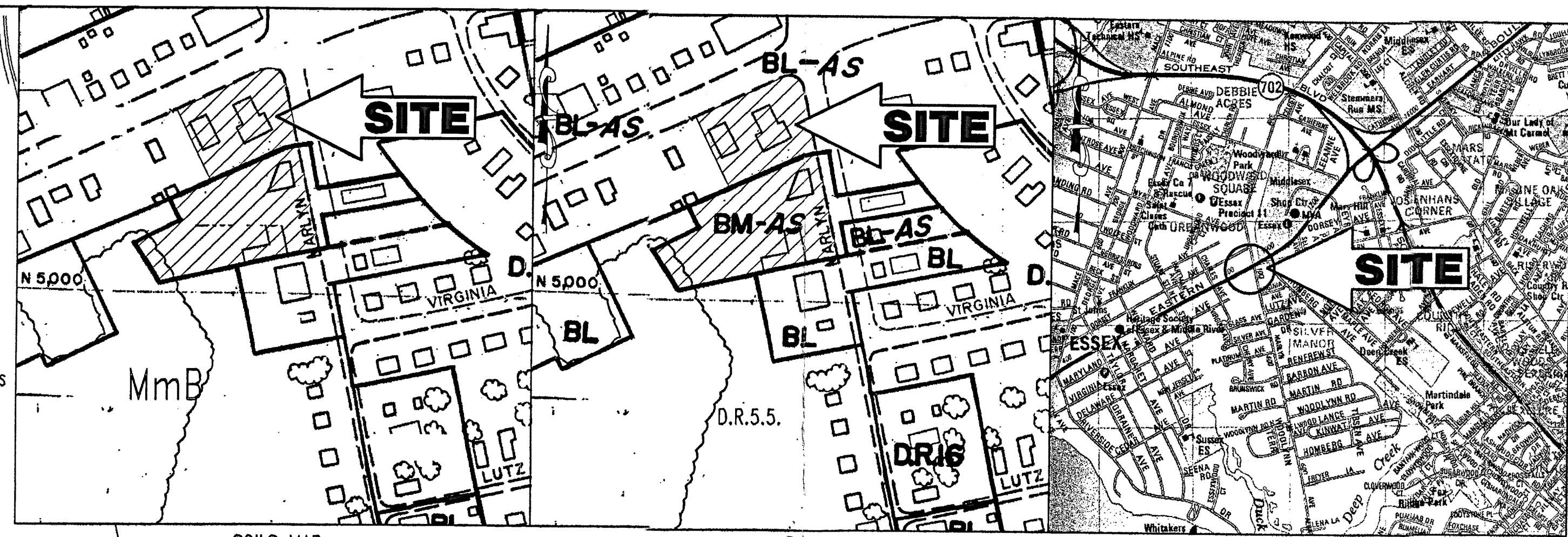
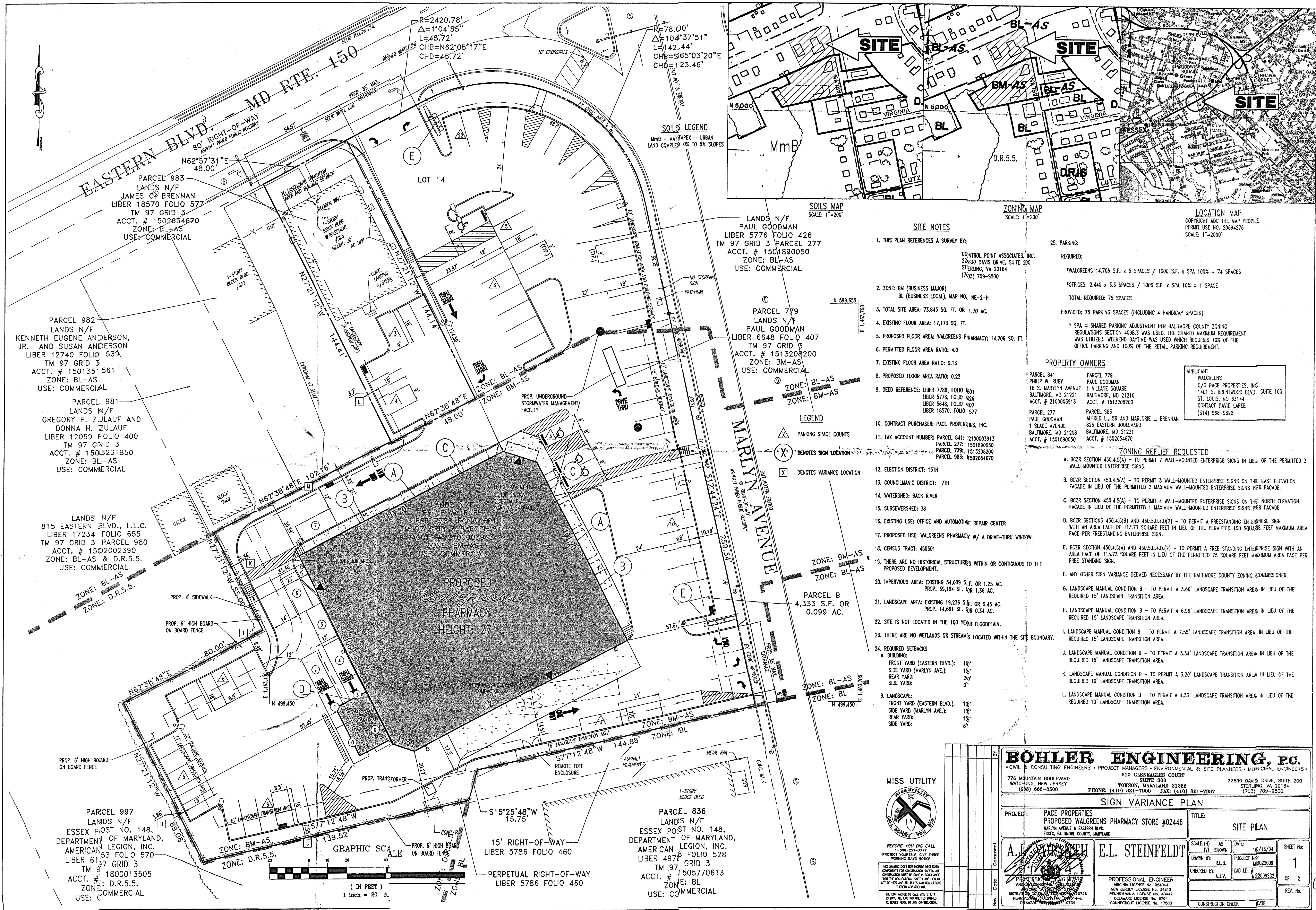
PETITIONER'S
EXHIBIT NO. 3



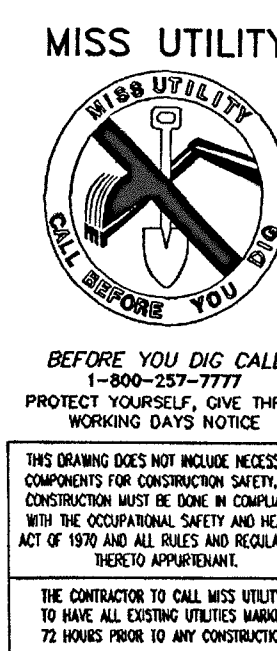
LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=2000'



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PROJECT: PACE PROPERTIES PROPOSED WALGREENS PHARMACY STORE #02446 16 S. MARLYN AVENUE ESSEX, BALTIMORE COUNTY, MARYLAND				TITLE: EXISTING CONDITIONS RENDERING			
A.J. VOLANTH PROFESSIONAL ENGINEER VIRGINIA LICENSE No. 0402 031438 MARYLAND LICENSE No. 21342 DISTRICT OF COLUMBIA LICENSE No. 10726 PENNSYLVANIA LICENSE No. 048314-E DELAWARE LICENSE No. 10734		M.T. ALLEN PROFESSIONAL ENGINEER MARYLAND LICENSE No. 28567 PENNSYLVANIA LICENSE No. 001707 DISTRICT OF COLUMBIA LICENSE No. 900965 VIRGINIA LICENSE No. 0402 039979 DELAWARE LICENSE No. 13499		SCALE: (H) AS SHOWN DATE: 02/15/05 PROJECT No: MD022009 CAD I.D. #: M22009REN SHEET No: 1 OF 1 REV. No.			
CONSTRUCTION CHECK				DATE			

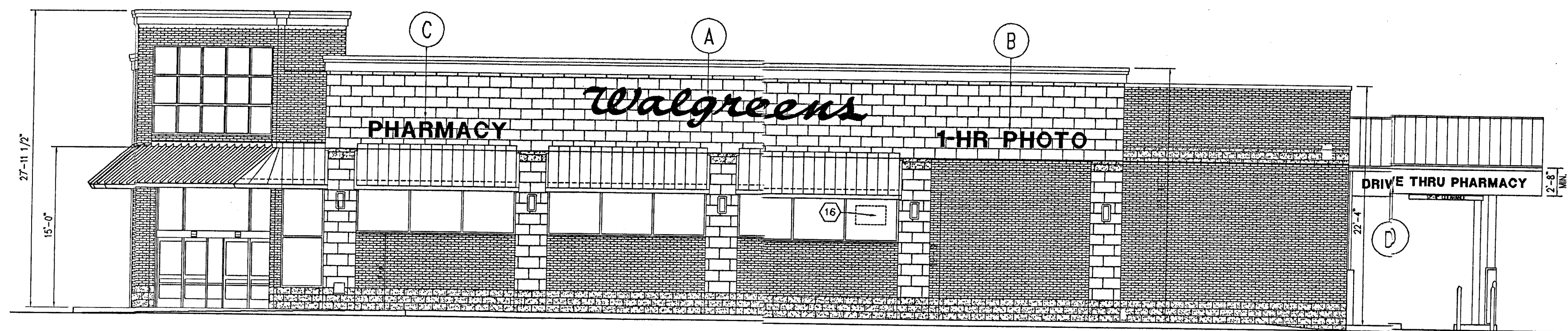


- SOILS LEGEND**
MmB - MATTAPLEX - URBAN
LAND COMPLEX 0% TO 5% SLOPES
- SOILS MAP**
SCALE: 1"=200'
- ZONING MAP**
SCALE: 1"=200'
- LOCATION MAP**
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20694276
SCALE: 1"=200'
- SITE NOTES**
1. THIS PLAN REFERENCE A SURVEY BY:
CONTROL POINT ASSOCIATES, INC.
22630 DAVIS DRIVE, SUITE 200
STERLING, VA 20164
(703) 709-9500
 2. ZONE: BM (BUSINESS MAJOR)
BL (BUSINESS LOCAL), MAP NO. NE-2-H
 3. TOTAL SITE AREA: 73,845 SQ. FT. OR 1.70 AC.
 4. EXISTING FLOOR AREA: 17,173 SQ. FT.
 5. PROPOSED FLOOR AREA: WALGREENS PHARMACY: 14,706 SQ. FT.
 6. PERMITTED FLOOR AREA RATIO: 4.0
 7. EXISTING FLOOR AREA RATIO: 0.13
 8. PROPOSED FLOOR AREA RATIO: 0.22
 9. DEED REFERENCE: LIBER 7788, FOLIO 601
LIBER 5778, FOLIO 426
LIBER 5648, FOLIO 407
LIBER 18570, FOLIO 577
 10. CONTRACT PURCHASER: PACE PROPERTIES, INC.
 11. TAX ACCOUNT NUMBER: PARCEL 841: 2100003913
PARCEL 277: 1501890050
PARCEL 779: 1513208200
PARCEL 983: 1502654670
 12. ELECTION DISTRICT: 15TH
 13. COUNCILMANIC DISTRICT: 7TH
 14. WATERSHED: BACK RIVER
 15. SUBWERSHED: 38
 16. EXISTING USE: OFFICE AND AUTOMOTIVE REPAIR CENTER
 17. PROPOSED USE: WALGREENS PHARMACY W/ A DRIVE-THRU WINDOW.
 18. CENSUS TRACT: 450501
 19. THERE ARE NO HISTORICAL STRUCTURES WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT.
 20. IMPERVIOUS AREA: EXISTING 54,609 S.F. OR 1.25 AC.
PROP. 59,184 S.F. OR 1.36 AC.
 21. LANDSCAPE AREA: EXISTING 19,236 S.F. OR 0.45 AC.
PROP. 14,661 S.F. OR 0.34 AC.
 22. SITE IS NOT LOCATED IN THE 100 YEAR FLOODPLAIN.
 23. THERE ARE NO WETLANDS OR STREAMS LOCATED WITHIN THE SITE BOUNDARY.
 24. REQUIRED SETBACKS
A. BUILDING:
FRONT YARD (EASTERN BLVD.): 10'
SIDE YARD (MARLYN AVE.): 15'
REAR YARD: 20'
SIDE YARD: 0'
B. LANDSCAPE:
FRONT YARD (EASTERN BLVD.): 10'
SIDE YARD (MARLYN AVE.): 10'
REAR YARD: 15'
SIDE YARD: 6'
- PROPERTY OWNERS**
- PARCEL 841
PHILIP W. RUBY
16 S. MARLYN AVENUE
BALTIMORE, MD 21221
ACCT. # 2100003913
- PARCEL 779
PAUL GOODMAN
1 VILLAGE SQUARE
BALTIMORE, MD 21210
ACCT. # 1513208200
- PARCEL 277
PAUL GOODMAN
1 SLADE AVENUE
BALTIMORE, MD 21208
ACCT. # 1501890050
- PARCEL 983
ALFRED L. SR AND MARJORIE L. BRENNAN
825 EASTERN BOULEVARD
BALTIMORE, MD 21221
ACCT. # 1502654670
- ZONING RELIEF REQUESTED**
- A. BCZR SECTION 450.4.5(A) - TO PERMIT 7 WALL-MOUNTED ENTERPRISE SIGNS IN LIEU OF THE PERMITTED 3 WALL-MOUNTED ENTERPRISE SIGNS.
- B. BCZR SECTION 450.4.5(A) - TO PERMIT 3 WALL-MOUNTED ENTERPRISE SIGNS ON THE EAST ELEVATION FACADE IN LIEU OF THE PERMITTED 2 MAXIMUM WALL-MOUNTED ENTERPRISE SIGNS PER FACADE.
- C. BCZR SECTION 450.4.5(A) - TO PERMIT 4 WALL-MOUNTED ENTERPRISE SIGNS ON THE NORTH ELEVATION FACADE IN LIEU OF THE PERMITTED 1 MAXIMUM WALL-MOUNTED ENTERPRISE SIGNS PER FACADE.
- D. BCZR SECTIONS 450.4.5(B) AND 450.5.B.4.D(2) - TO PERMIT A FREESTANDING ENTERPRISE SIGN WITH AN AREA FACE OF 113.73 SQUARE FEET IN LIEU OF THE PERMITTED 100 SQUARE FEET MAXIMUM AREA FACE PER FREESTANDING ENTERPRISE SIGN.
- E. BCZR SECTION 450.4.5(A) AND 450.5.B.4.D(2) - TO PERMIT A FREE STANDING ENTERPRISE SIGN WITH AN AREA FACE OF 113.73 SQUARE FEET IN LIEU OF THE PERMITTED 75 SQUARE FEET MAXIMUM AREA FACE PER FREE STANDING SIGN.
- F. ANY OTHER SIGN VARIANCE DEEMED NECESSARY BY THE BALTIMORE COUNTY ZONING COMMISSIONER.
- G. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 3.66' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- H. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 6.96' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- I. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 7.55' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- J. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 5.34' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 15' LANDSCAPE TRANSITION AREA.
- K. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 3.20' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 10' LANDSCAPE TRANSITION AREA.
- L. LANDSCAPE MANUAL CONDITION B - TO PERMIT A 4.33' LANDSCAPE TRANSITION AREA IN LIEU OF THE REQUIRED 10' LANDSCAPE TRANSITION AREA.

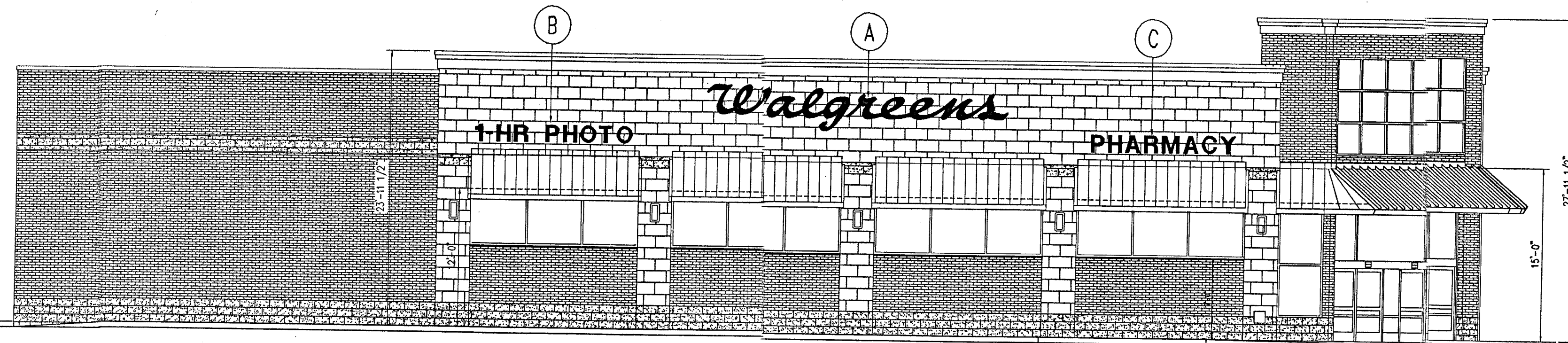


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SIGN VARIANCE PLAN			
PROJECT: PACE PROPERTIES PROPOSED WALGREENS PHARMACY STORE #02446 MARLYN AVENUE & EASTERN BLVD. ESSEX, BALTIMORE COUNTY, MARYLAND	TITLE: SITE PLAN		
PROJECT: A.J. STEINFELDT	DATE: 10/15/04	SHEET NO: 1	
DRAWN BY: R.L.B.	PROJECT NO: W022009	OF 2	
CHECKED BY: A.J.V.	CAD ID: 12200952	REV. NO.	
PROFESSIONAL ENGINEER E.L. STEINFELDT VIRGINIA LICENSE NO. 024044 NEW JERSEY LICENSE NO. 34812 PENNSYLVANIA LICENSE NO. 40447 DELAWARE LICENSE NO. 8704 CONNECTICUT LICENSE NO. 17588		CONSTRUCTION CHECK	

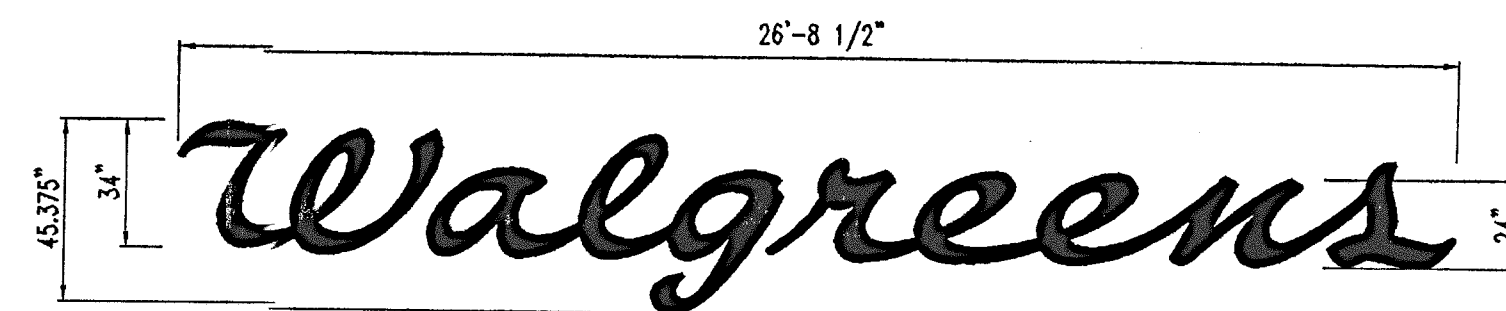
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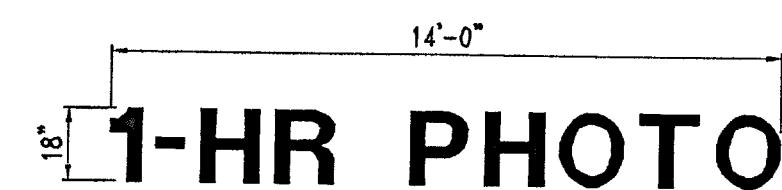
NORTH ELEVATION
NOT TO SCALE



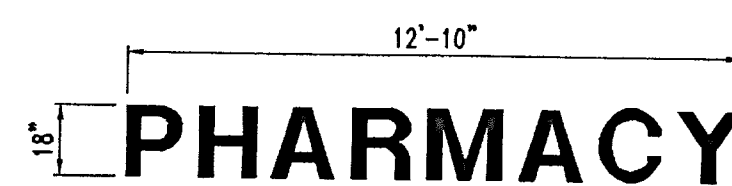
EAST ELEVATION
NOT TO SCALE



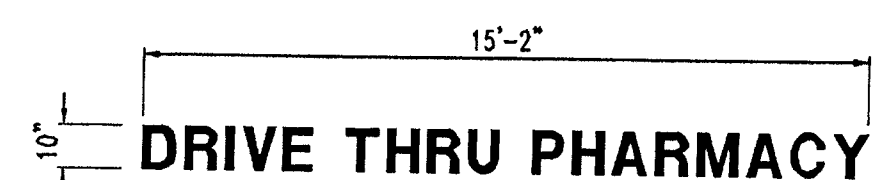
(A) WALGREENS SCRIPT SIGN 101.00 S.F.
SCALE: 1" = 4'



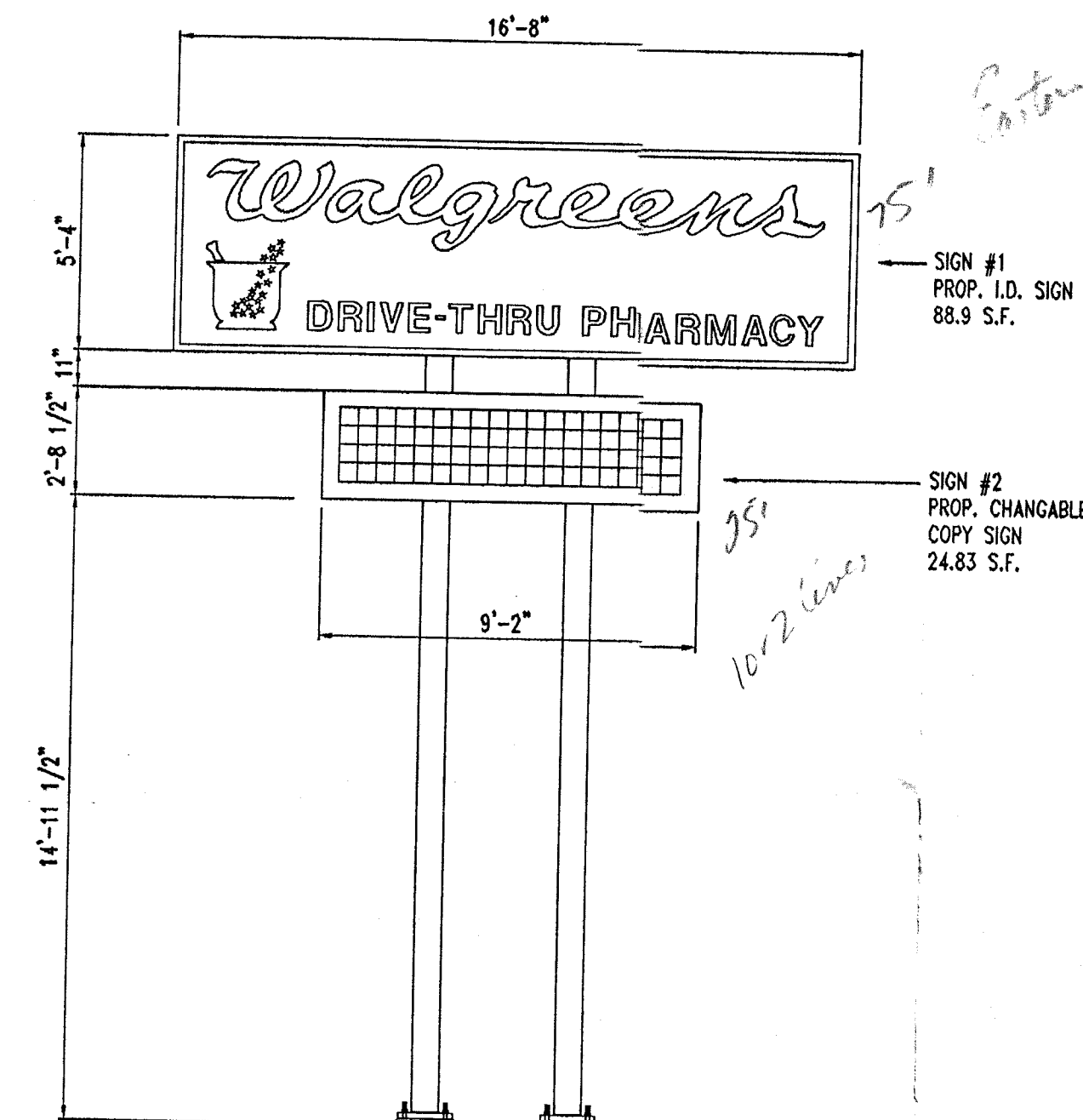
(B) "1 HOUR PHOTO" SIGN 21.00 S.F.
SCALE: 1" = 4'



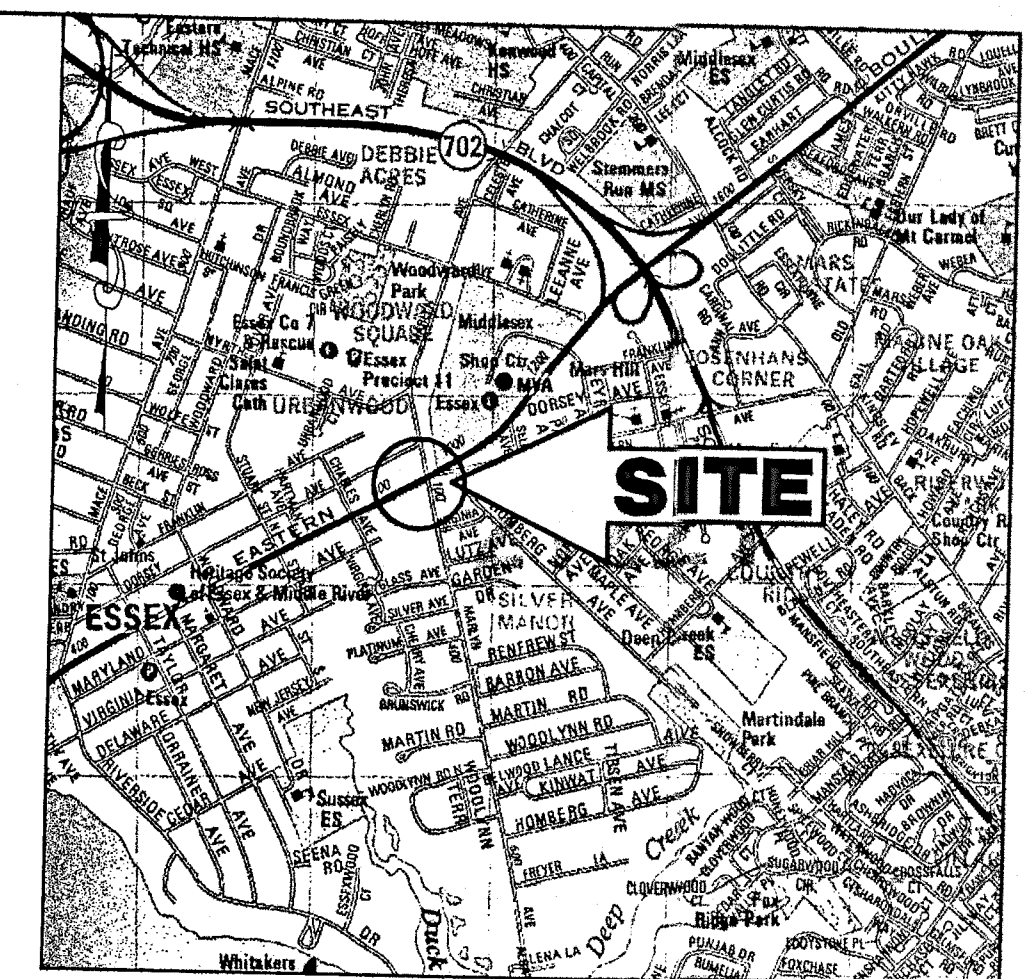
(C) "PHARMACY" SIGN 18.00 S.F.
SCALE: 1" = 4'



(D) "DRIVE THRU PHARMACY" SIGN 12.64 S.F.
SCALE: 1" = 4'



(E) WALGREENS PYLON SIGN 113.73 S.F.
SCALE: 1" = 4'



LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20694276
SCALE: 1"=2000'

SIGNAGE CALCULATIONS

BUILDING SIGNAGE:

EAST ELEVATION (MARLYN AVENUE)

PERMITTED:

- A) 2 S.F. PER 1 LF OF THE WALL TO WHICH THE SIGN IS AFFIXED
2 S.F. x 101 LF. = 202 S.F.
B) THREE (3) NO MORE THEN TWO (2) PER FACADE

PROPOSED:

- A) "WALGREENS" SIGN = 101.00 S.F.
B) "1-HR PHOTO" SIGN = 21.00 S.F.
C) "PHARMACY" SIGN = 18.00 S.F.
TOTAL = 140.00 S.F.

NORTH ELEVATION (MD ROUTE 150)

PERMITTED:

- A) 2 S.F. PER 1 LF OF THE WALL TO WHICH THE SIGN IS AFFIXED
2 S.F. x 117 LF. = 234 S.F.
B) THREE (3) NO MORE THEN TWO (2) PER FACADE

PROPOSED:

- A) "WALGREENS" SIGN = 101.00 S.F.
B) "1-HR PHOTO" SIGN = 21.00 S.F.
C) "PHARMACY" SIGN = 18.00 S.F.
D) "DRIVE THRU PHARMACY" SIGN = 12.64 S.F.
TOTAL = 152.64 S.F.

I.D. SIGNS WALGREEN'S PROPERTY

MARLYN AVENUE:

PERMITTED:

- A) ONE (1) PER FRONTAGE
B) 25' IN HEIGHT
C) 100 S.F. IF ROAD FRONTAGE IS MORE THAN 300 L.F.

PROPOSED:

- A) ONE (1) PER FRONTAGE
B) 23.92' IN HEIGHT
C) WALGREENS SIGN = 113.73 S.F.

MARYLAND ROUTE 150 (EASTERN BLVD.):

PERMITTED:

- A) ONE (1) PER FRONTAGE
B) 25' IN HEIGHT
C) 75 S.F. IF ROAD FRONTAGE IS LESS THAN 300 L.F.

PROPOSED:

- A) ONE (1) SIGN ALONG MARYLAND ROUTE 150
B) 23.92' IN HEIGHT
C) WALGREENS SIGN = 113.73 S.F.

MISS UTILITY



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22630 DAVIS DRIVE, SUITE 200 STERLING, VA 20164 (703) 709-9500			
SIGN VARIANCE PLAN			
PROJECT: PACE PROPERTIES PROPOSED WALGREENS PHARMACY STORE #02446 MARLYN AVENUE & EASTERN BLVD. ESSEX, BALTIMORE COUNTY, MARYLAND		TITLE: SIGNAGE PLAN	
DRAWN BY: T.A.C.		DATE: 07/02/04	
CHECKED BY: A.J.V.		PROJECT NO: M0022009	
		CAD L.D. #: M22009500	
PROFESSIONAL ENGINEER E.L. STEINFELDT NEW JERSEY LICENSE NO. 024044 PENNSYLVANIA LICENSE NO. 40447 DELAWARE LICENSE NO. 8704 CONNECTICUT LICENSE NO. 17398		SHEET NO: 2 OF 2 REV. NO.	
CONSTRUCTION CHECK DATE			