

KEVIN KAMENETZ
County Executive

June 19, 2017

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

Troutman Sanders LLP Attorneys at Law 222 Central Park Avenue Suite 2000 Virginia Beach, Virginia 23462 Attention: Mr. Thomas C. Kline

Re:

Spirit and Intent Letter Walmart (RM), Store 3720 3601 Washington Boulevard Baltimore, Maryland 21227 Case #2007-577-A 13th Election District

Dear Mr. Kleine

Your spirit and intent letter sent to Arnold Jablon, Director of Permits, Administration and Inspections has been referred to this Office for reply. Based upon the information provided therein, and our research of the zoning records, the following has been determined:

- The proposed wall sign changes outlined in your letter would be the 2nd change from the
 original variance 2007-577-A. After meeting with the Administrative Law Judge, John
 Beverungen and Planner, Leonard Wasilewski, we have concluded that a new variances
 would be required for all the new and remaining signs at the existing location. Therefore,
 your Spirit and Intent request has been denied.
- 2. A copy of your letter and a copy of this response will be made a permanent part of the above listed case file for future reference.

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

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

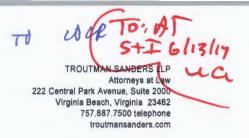
17-230/AT 2007-557-A

Aaron Tsui Planner II Zoning Review

ery truly yours

THOMAS CHANDLER KLEINE
757.687.7789 telephone
757.687.1512 facsimile
thomas.kleine@troutmansanders.com

TROUTMAN SANDERS



\$15000

June 9, 2017

DEPARTMENT OF PERMITS AND INSPECTIONS

BY FEDERAL EXPRESS

Mr. Arnold Jablon, Director PAI
Department of Permits, Approvals and Inspections
Baltimore County Office Building
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Request for Sprint and Intent Letter

Dear Mr. Jablon:

I write on behalf of my firm's client Wal-Mart Stores East, L.P. ("Wal-Mart"), with respect to the existing Wal-Mart Store located at 3601 Washington Boulevard (the "Wal-Mart Store") in Baltimore County (the "County"). The purpose of this letter is to request confirmation that the currently proposed signage package for the Wal-Mart Store meets the spirit and intent of previously-granted signage approvals.

Wal-Mart was previously granted a signage variance with respect to the Wal-Mart Store by Order dated September 17, 2007 in connection with County Case No. 07-577-A (the "Variance Order"), a copy of which is attached to this letter as **Exhibit A**. The Variance Order permits: (i) one (1) wall-mounted enterprise sign on the north side façade of the Wal-Mart Store, (ii) ten (10) wall-mounted enterprise signs on the west front façade of the Wal-Mart Store, (iii) two (2) wall-mounted enterprise signs on the south side façade of the Wal-Mart Store. As a result of the Variance Order, we understand that Wal-Mart originally installed a total of sixteen (16) enterprise and directional signs on the Wal-Mart Store totaling approximately 578.27 square feet in area.

By Spirit and Intent Letter dated March 21, 2011, the County confirmed that a decrease in the enterprise and directional signs on the Wal-Mart Store from sixteen (16) to ten (10) signs totaling 377.69 square feet met the spirit and intent of the Variance Order.

Wal-Mart now desires to modify the signage on the Wal-Mart Store as part of a refurbishment of the exterior of the store building. As shown on the new signage package (depicted on **Exhibit B** attached hereto), Wal-Mart now proposes one (1) wall-mounted enterprise sign on the north (side) facade, seven (7) wall-mounted enterprise signs on the west

TROUTMAN SANDERS

Mr. Arnold Jablon, Director PAI
Department of Permits, Approvals and Inspections
Baltimore County Office Building
June 9, 2017
Page 2

(front) façade, and one (1) wall-mounted enterprise sign on the south (side) façade of the Wal-Mart Store. Together with five (5) directional signs, the propose signage package would be approximately 564.72 square feet in area.

As the currently proposed signage package consists of four (4) fewer enterprise signs, two (2) fewer total signs, and 13.55 fewer total square feet of sign area than the signage permitted under the Variance Order, Wal-Mart respectfully requests verification that the currently proposed signage package meets the spirit and intent of the Variance Order, and that no new hearing is necessary in connection with the proposed signage package.

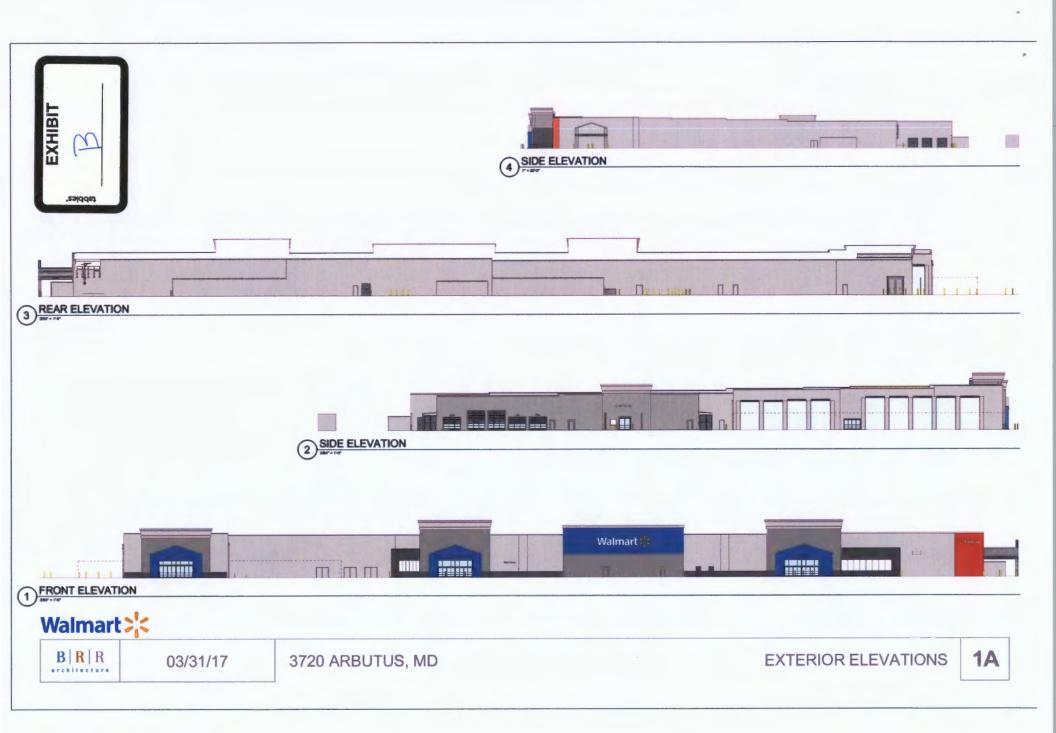
Thank you very much for your time and attention to this matter. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

Thomas C. Kleine

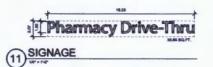
Thomas C. Wline

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BIGHNAIE LOCATION	OTY	LIGHTED	COLOR	SAZE		OMDUAL TOTAL AREA		REA	BIGHAGE LOCATION	atry	LIGHTED	COLOR	aze	NOIVE		TOTAL A	REA
FRONT SIGNAGE	_			_		_			FRONT BIGHAGE				_			_	_
WALMART	1	LED	WHITE	5.50	157.90	35	157.60	2F	WALMART	1	LED	WHITE	5.90	157.90	3F	157,90	a
SPARK	1	LED	YELLOW	8.01"	57.28	9F	57.28	96	SPARK	1	LED	ABITOM	8,01"	57.28	SF	57.26	Tor
OUTDOOR LANG	1	MO	WHITE	2.00	48.47	95	AR AT	96	LARM & GARDEN	1	MO	WHITE	2.54	40.20	BF	40.89	18
HOME & PHARMACY	1 1	NO	WHITE	2.76	41.85	95	81.05	-	HOME & PHARMACY	1	NO	WHITE	2.70	81.85	35	61.86	86
MARKET	1	MO	WHITE	2.00	17.97	er.	17.97		GROCERY	1	NO	WHITE	2.61"	25.50	-	25.58	T S
EXIT	1	NO	WHITE	1.04		95	2.34		EXCT	1	NO	WHITE	1.04	2.34	100	2.34	1 iii
				1	4.0		-	-	PICKUP (*)	1	LED	WHITEYELLOW	4.507	69.73	ar.	66.73	8
***				=					VISION CENTER	1	NO	WHITE	1.04"	8.80	85	8.80	87
TOTAL PRONT MIGNAGE						_	470.48	æ	TOTAL FRONT BIDWAGE							505.04	35
SIDE SIGNAGE		NO I	WHITE	T		96	20.00		BIDE SIGNAGE		NO.			30.86	1	30.85	1
PHARMACY DRIVE-THRU	1	NO	Munic.	2.07	39.85	8	38.86	85	PHARMACY DRIVE-THRU	1	RU	WHITE	ZDF	30.8%	20	30.80	۳
TOTAL SIDE SIGNAGE			***				39.65	SF	TOTAL SIDE SIGNAGE							30.86	25
REAR SIGNAGE									REAR BIGNAGE								
ENTER	1	Ю	WHITE	1.02	3.24	\$F	3.24	BF	ENTER	1	NO	WHITE	102	3.24	SF	3.24	85
TOTAL REAR SIGNAGE				_			3.24	85	TOTAL REAR SIGNAGE					_	_	3.24	95
AUTO CENTER SIGNAGE									AUTO CENTER SIGNAGE								
TIRE & LUBE	- 1	MO	WHITE	1.50		8F	17.00	8F	AUTO CENTER	1	NO	WHITE	1.58	17.73	SF	17.73	85
TIRE	2		WHITE	1.04"		9F	4.74		TRRE	2	NO	WHITE	1.04"	2.37	8F	4.74	95
LUBE	8	MO	WHITE	1.07	3.12	SF	2.12	9F	LUBE	1	NO	WHITE	1.07	3.12	3F	3.12	8
TOTAL AUTO CENTER SIG	NAGE			-		_	24.86	8 F	TOTAL AUTO CENTER SIG	HAGE						25.50	95
TOTAL BUILDING BISHAGE					40.40	95	TOTAL BUILDING BIGHAGE							694,72	-		







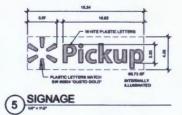
























03/31/17

3720 ARBUTUS, MD

SIGNAGE SCHEDULE

1B



KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 21, 2011

Advance Signs & Service P.O. Box 1090 596 Church Street Angier, North Carolina 27501 Attention: K. Scott Brown, President

Re: Spirit

Spirit and Intent Letter Wal-Mart (RM), Store 3720 3601 Washington Boulevard Baltimore, Maryland 21220 Case #2007-0577-A 13th Election District

Dear Mr. Brown,

Your spirit and intent letter sent to Arnold Jablon, Director of Permits, Approvals and Inspections has been referred to me for reply. Based upon the information provided therein, and our research of the zoning records, the following has been determined:

- 1. The proposed wall sign changes outlined in your letter and Exhibit 1 result in a decrease in total sign area from 578.27 square feet to 377.69 square feet and a reduction in the number of signs from 16 to 10, therefore your request does meet the spirit and intent of the Zoning Order Case no. 2007-0577-A.
- 2. Your letter, Exhibits 1 thru 7, and a copy of this response will be made a permanent part of the above listed case file for future reference.

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

Leonard Wasilewski

Planner II Zoning Review

Very truly yours.

c.c. File 11-83/lw

Case File: 2007-0577-A



POST OFFICE BOX 1090 596 CHURCH STREET ANGIER, NORTH CAROLINA 2750

March 14, 2011

11-83

County of Baltimore Attn: Mr. Arnold Jablon Deputy Adminstrative Officer 111 West Chesapeake Ave., Towson, MD 21204

RE: WAL*MART #3720 - 3601 Washington Blvd., Arbutus, MD

In reference to the above mentioned location it is our proposal to update the existing signage. Walmart* is currently undergoing a nationwide re-image campaign. Even with our proposed changes, it is our intent to keep within the spirit of the original signage variance for this property. A copy of the variance, Case No. 07-577-A, approved September 17, 2007, and the subsequent sign permits are attached for you convenience.

In this variance you will find that this proposal approved (1) wall mounted sign on the north side elevation, (10) wall mounted signs on the west front façade, and (2) wall mounted signs on the south side elevation. Our plan is to remove all existing wall mounted signage and place just (5) wall mounted signs on the west (front) elevation and (1) wall mounted sign on the south (right) elevation and (1) on the north (left) side elevation. Please find enclosed Exhibit 1, a spread sheet indicating each sign along with its respective location, size and reduction in total square footage. Also please find Exhibits 2-8 which provide additional, more specific information and reference material covering the project as a whole.

We hope you will agree that the changes we propose, which reduce the overall square footage and number of signs on the building, keeps with the spirit and intent of the previous variance approval. We respectively request, on behalf of our customer, your approval. Please feel free to contact me with any questions or concerns you may have with the information provided. I look forward to hearing from you soon. Thank you for your time and consideration.

Sincerely,

K. Scott Brown

cc: Lenny Wasilewski, County of Baltimore

Comparison Signage Schedule

Store #3720 Arbutus, MD

Proposed

Proposeu												
	QTY	LIGHTED	COLOR	SIZE	INDIVID	UAL	TOT	AL	1			
WEST (FRONT) ELEVATION SIGN	NAGE] -			
Walmart	1	LED	WHITE	5'-6"	157.44	SF	157.44	SF	replaces			
Spark	1	LED	YELLOW	8'-0"	57.00	SF	57.00	SF	replaces			
Market	1	N/A	WHITE	2'-0"	16.83	SF	16.83	SF	replaces			
Home & Pharmacy	1	N/A	WHITE	2'-0"	44.81	SF	44.81	SF	replaces			
Outdoor Living	1	N/A	WHITE	2'-0"	36.25	SF	36.25	SF	replaces			
TOTAL WEST ELEVATION							312.33	SF	1			
NORTH (LEFT) ELEVATION SIGN	AGE								1			
Tire & Lube	1	N/A	WHITE	2'-0"	28.94	SF	28.94	SF	replaces			
Tire (Directional)	2	N/A	WHITE	0'-6"	0.59	SF	1.18	SF	replaces			
Lube (Directional)	1	N/A	WHITE	0'-6"	0.78	SF	0.78	SF	replaces			
TOTAL NORTH ELEVATION							30.90	SF]			
SOUTH (RIGHT) ELEVATION SIG	NAGE				_							
Pharmacy Drive-Thru	1	N/A	WHITE	1'-6"	28.88	SF	28.88	SF	replaces			
Enter (Directional)	1	N/A	WHITE	1'-0"	3.24	SF	3.24	SF	replaces			
Exit (Directional)	1	N/A	WHITE	1'-0"	2.34	SF	2.34	SF	replaces			
TOTAL SOUTH ELEVATION							34.46	SF				
TOTAL BUILDING SIGNAGE				•			377.69	SF				

11

TOTAL REDUCTION IN OVERALL SIGNAGE OF 200.58 SF

Existing QTY COLOR SIZE INDIVIDUAL TOTAL AREA FRONT SIGNAGE WAL*MART 1 WHITE 5'-0" 190.00 SF 190,00 SF 1 WHITE 2'-0" 39.00 SF 39.00 SF Supercenter Food Center 1 WHITE 2'-0" 32.17 SF 32.17 SF 34.95 SF 34.95 SF Retail Center 1 WHITE 2'-0" 38.33 SF 38.33 SF Garden Center 1 WHITE 2'-0" TOTAL FRONT SIGNAGE 334.45 SF AUTO CENTER SIGNAGE Tire & Lube BLUE 26.20 SF 26.20 SF 0.82 SF 2 WHITE 0'-6" 1.64 SF Tires 1 WHITE 0'-6" 2.24 SF 2.24 SF L'ube Express TOTAL AUTO CENTER SIGNAGE 30.08 SF DRIVE-THRU PHARMACY SIGNAGE Pharmacy Drive-Thru BLUE 1'-6" 30.88 SF 61.76 SF BLUE 1'-0" 3.25 SF 3.25 SF Enter 1 WHITE 1'-0" 2.42 SF 2.42 SF TOTAL DRIVE-THRU PHARMACY SIGNAGE 67.43 SF Signage to be Completely removed Tire & Lube (front elevation) WHITE 2'-0" 30.33 SF 30.33 SF <---- Express (front elevation) WHITE 2'-0" 28.09 SF 28.09 SF 2'-6" 39.69 SF 39.69 SF Express (TLE elevation) BLUE 48.20 SF 48.20 SF WAL*MART (drive-thru canopy) WHITE 2'-6" 30.88 SF Pharmacy Drive-Thru (drive-thru canopy) BLUE 1'-6" 30.88 SF TOTAL TO BE REMOVED 177.19 SF TOTAL EXISTING SIGNAGE 578.27 SF

PROPOSED West (Front) Elevation



2 ft0 in Market

16.83 sq. ft.

Home & Pharmacy

44.81 Sq. ft.

Outdoor Living

36.25 sq. ft

28.94 sq. ft.

PROPOSED North (Left) Elevation

2 ft0 in Tire & Lube

28.88 sq. ft.

19 ft3 in

Pharmacy Drive-Thru

PROPOSED Directionals

a ft2 7/8 in

1 ft0 in Enter

3.24 sq. ft.

1 ft2 1/2 in
6 in Tire
00.59sg.ft.

1 ft6 3/4 in
6 in Lube
00.78 sq. ft.

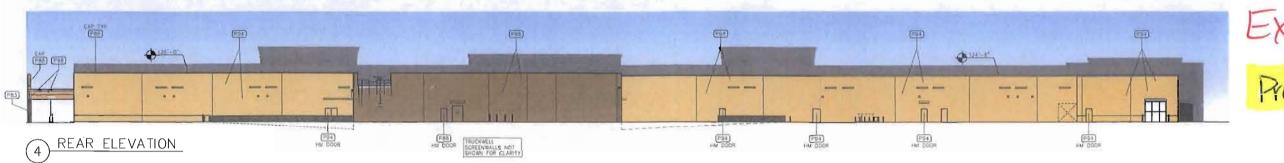
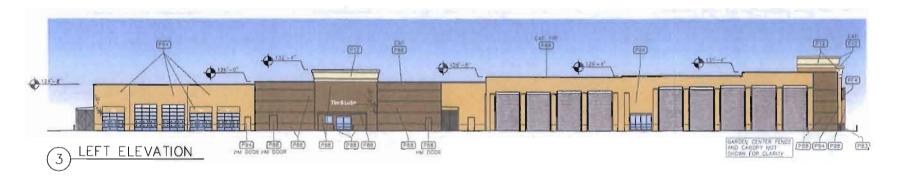
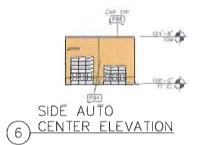
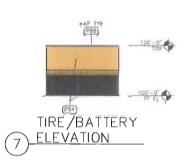
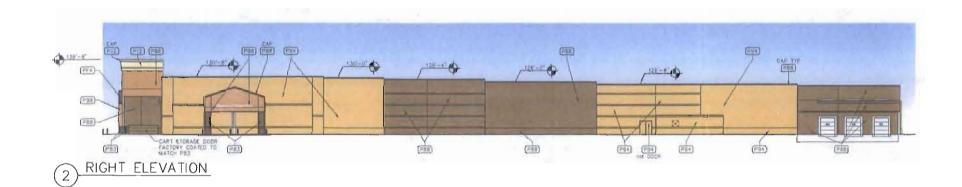


Exhibit 6













Walmart :

DARDEN CENTER
FENCE SHOWN
DASHED FOR CLAWITY PF4 - Dark Zinc P103 - Toasty P98 - Oak Creek

Arbutus, MD

#3720

P12 - Biscuit

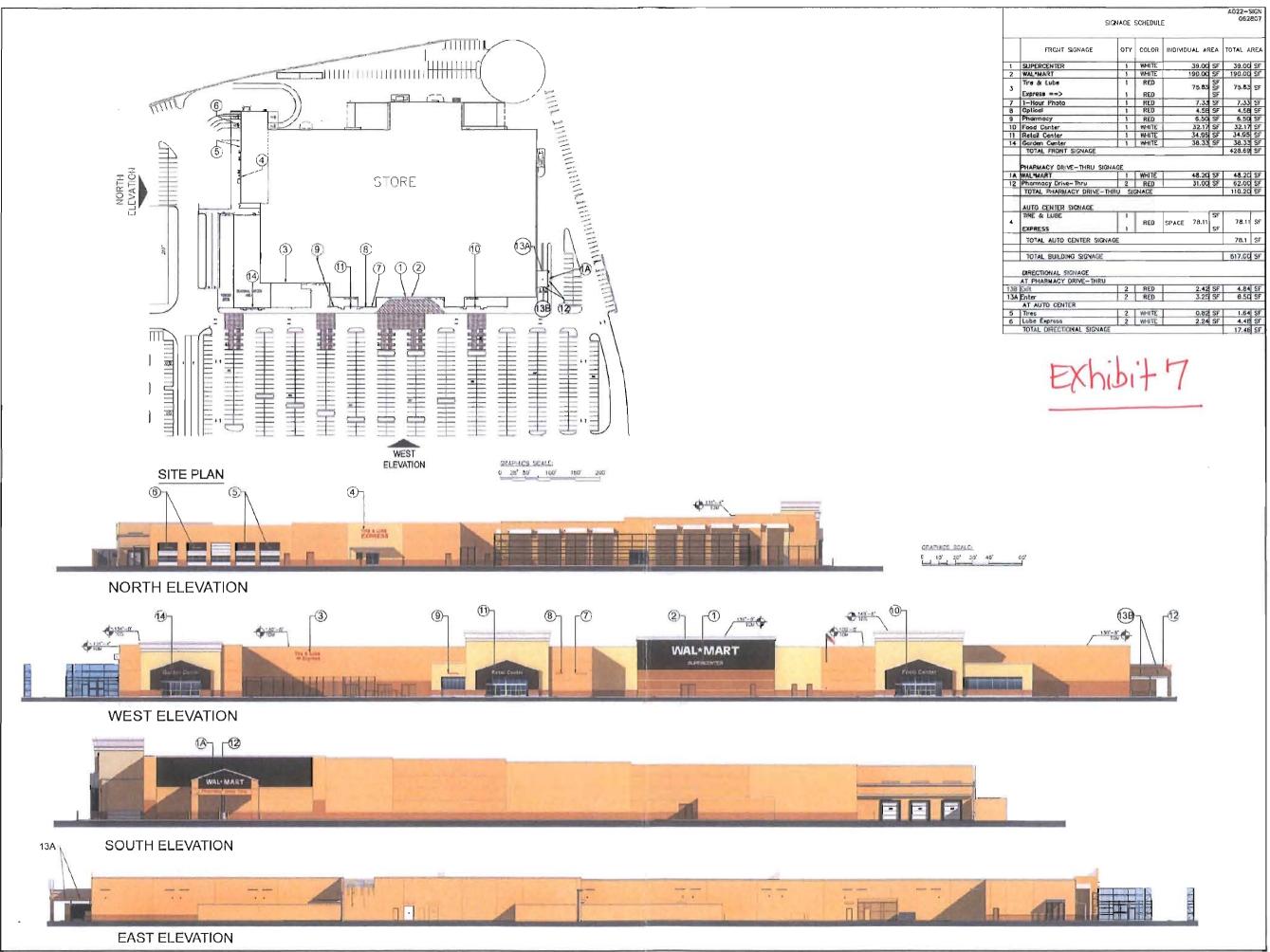
P83 - Cobble Brown





710 West Rosetown Drive Rogers, Arkansos 72756 Phone: 479.636.3545 Fax: 479.636.1209 www.pb2ae.com





Pertowitz-Ruth Architects
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TANK TENDO

W//A/L*/M/A/R/T SUPERCENTER ARBUTUS, MD STORE, NO.ST20-20



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VARIANCE Sept. 2007

SIGNAGE

A2.2.1

IN RE: PETITION FOR VARIANCE	*	BEFORE THE				
E/S Washington Boulevard and Robert Young Way	*	ZONING COMMISSIONER				
(3601 Washington Boulevard)	*	OF				
13 th Election District 1 st Council District	*	BALTIMORE COUNTY				
Venture B.G. LLC, Legal Owner	*	Case No. 07-577-A				
Wal-Mart Stores East, LP, <i>Lessee</i> Petitioners	*					

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner of Baltimore County for consideration of a Petition for Variance filed by lessee, Wal-Mart Stores East, LP, along with the legal owner of the property, Venture B.G. LLC, by and through their attorneys, Robert A. Hoffman, Esquire and Venable LLP. Petitioners request a variance from Section 450.4.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit additional wall-mounted signage for a new Wal-Mart Supercenter store. Specifically, Petitioner is requesting variances to permit: (1) a wall-mounted enterprise sign on a wall where no enterprise sign is permitted by right (north side façade/proposed sign no. 4); (2) to permit ten wall-mounted enterprise signs on a wall on which one wall-mounted enterprise sign is permitted by right (west front façade/proposed sign nos. 1, 3, 7, 8, 9, 10, 11, 12, 14); and (3) to permit two wall-mounted enterprise signs on a wall where no enterprise sign is permitted by right (south side façade/proposed sign nos. 1A, 12). The subject property and requested relief are more particularly described on the site plan, which was submitted into evidence and marked as Petitioners' Exhibit Nos. 1A - 1C.

At the requisite public hearing, Robert A. Hoffman, Esquire appeared as attorney for Petitioners along with Thomas Kleine, Esquire of Troutman Sanders LLP, Corporate Counsel for Wal-Mart. Also appearing in support of the Petition for Variance were Rhoda Washington, a representative of Wal-Mart; Matthew Allen, licensed professional engineer with Bohler Engineering, P.C., the firm responsible for the preparation of the site plan filed in this case; Ron Moore and Christina Sorrento, Esquire, project architects with Perkowitz and Ruth. There were no Protestants or other interested persons present, and the hearing proceeded on a proffer from counsel for Petitioner.

The testimony and evidence offered disclosed that the 60.98± acre subject property is located northeast of I-695, between Washington Boulevard and Hammonds Ferry Road, in the Lansdowne area of the County. The legal owner is redeveloping the site as a shopping center, which will include a Wal-Mart Supercenter store. The property is split-zoned B.L.-A.S., M.L.-I.M. and D.R.5.5. The Wal-Mart store is located within the B.L.-A.S. zoned portion of the property. An aerial photograph was submitted as Petitioners' Exhibit 2 and helps place the site into context in terms of the surrounding uses. To the north and west, the property is bordered by industrial or office type uses. To the south is a residential neighborhood, and to the east is an unimproved property, which fronts Hammonds Ferry Road.

The requested variance relief pertains to wall-mounted signage for the new Wal-Mart store. As explained by the Wal-Mart representatives, the proposed "superstore" contains not only the traditional retail store items, but also offers groceries and various services, such as a pharmacy and tire and lube center, all within a single structure approximately 217,630± square feet in size. Wal-Mart's proposed sign package, which is the subject of the Petition for Variance, includes specific, targeted signage to assist its customers and to direct them to the location within the building of the products or services they need.

As explained by the project architect, Ron Moore, the primary purpose of the signage, with the exception of one "Wal-Mart" sign and one "Wal-Mart Supercenter" sign, is not to

Date S-VED FOR FILING

attract customers into the site, but to direct customers once they are on site. The other signs will display certain aspects of Wal-Mart's business contained within the store, specifically the retail, garden, and food centers of the Supercenter, a pharmacy, optical and one-hour photo services, and the tire and lube components of the business. The ten enterprise signs proposed on the west or front façade of the building will face the center's parking lot. One enterprise sign is also proposed on the north side façade of the building, and two enterprise signs are proposed on the south side façade. As indicated on the site plan, other directional signs are proposed for the front, rear, and north side façades, which do not require variance relief.

Without a variance, the requested number of signs and the proposed configuration of enterprise signage would not be permitted by B.C.Z.R. Section 450.4.5(d), which governs commercial signage in multi-tenant centers. The proposed signs are "enterprise" signs, which are defined as those which display the identity of a business or advertise products or services associated with a business. See B.C.Z.R. Section 450.4.5. Section 450.4.5(d) permits only one wall-mounted sign for each tenant having an exterior customer entrance with a maximum square footage for such signs of two times the length of the wall containing the exterior customer entrance.

A strict interpretation of Baltimore County's sign regulations would only allow one wall-mounted sign for this entire Supercenter and that being on the western front façade of the building with a total maximum square footage of 1,260 square feet. Clearly, the Zoning Regulations do not take into account this type of large retail store. The arrangement of Wal-Mart's multiple uses within a single structure of this size and without individual customer access points for each of the particular services offered represents a departure from the configuration of other strip retail centers found in Baltimore County, which have traditionally contained smaller

By By STANGER FILM

storefronts, each being entitled to their own separate wall-mounted signs. Under the proposed request, the total sign face area on the three façades where enterprise signs are requested will not exceed the maximum sign face area that would be permitted for an individual tenant with an exterior customer entrance. Rather, that sign face area simply will be divided between multiple signs. In each case, the sign face area requested is actually well-below what would be permitted for individual tenants.

Having considered all of the evidence and testimony on this issue, I am persuaded to grant the Petition for Variance. Based on my review of the site plan and the colored elevations presented by Perkowitz and Ruth, I find the requirements of B.C.Z.R. Section 307.1 to be satisfied. The proposed signs are appropriate, given the use of the property as a major retail center and the commercial nature of the area. The signs are certainly not out of scale, given the size of the building and its location on the property, nor are they inappropriately large or visually disruptive.

I note, from the site plan, that the building is located a significant distance from Washington Boulevard. As the testimony provided indicates, the primary purpose for this signage is not to draw customers into the site, but to assist them in locating the goods and services they need once on the shopping center property. Moreover, specific testimony and evidence was offered that the property is unique, given the nature of the use on it, and that Petitioner would suffer a practical difficulty if the relief was denied. It is also to be noted that there were no Protestants present at the hearing and no adverse Zoning Advisory Committee (ZAC) comments submitted by any of the County's reviewing agencies.

Pursuant to the Zoning Regulations of Baltimore County, the advertising and posting of the property, and public hearing held thereon, and for the reasons set forth above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of September 2007, that the Petition for Variance, seeking relief as shown on the site plan entered into evidence as Petitioners' Exhibit Nos. 1A - 1C, from: (1) Baltimore County Zoning Regulations (B.C.Z.R.) Section 405.4.5(d) to permit a wall-mounted enterprise sign on the north side façade of the building, a façade on which no wall-mounted enterprise signs are permitted; (2) Baltimore County Zoning Regulations (B.C.Z.R.) Section 450.4.5(d) to permit ten wall-mounted enterprise signs on the west front elevation façade of the building, a façade on which one wall-mounted enterprise sign is permitted; and (3) Baltimore County Zoning Regulations (B.C.Z.R.) Section 450.4.5(d) to permit two wall-mounted enterprise signs on the south side elevation façade of the building, a façade on which no wall-mounted enterprise signs are permitted, be and is hereby GRANTED, subject to the following restriction:

1. Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

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

WILLIAM V. WISEMAN, I Coming Commissioner

for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

September 17, 2007

Robert A. Hoffman, Esquire Venable, LLP 210 Allegheny Avenue Towson, MD 21204

RE: PETITION FOR VARIANCE

E/S Washington Boulevard and Robert Young Way

(3601 Washington Boulevard)

13th Election District — 1st Council District

Venture B.G. LLC, Legal Owner; Wal-Mart Stores East LP, Lessee- Petitioners

Case No. 07-577-A

Dear Mr. Hoffman:

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 tally yours,

WHALIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw Enclosure

c: Thomas Kleine, Esquire, Troutman Sanders LLP, 222 Central Park Avenue, Virginia Beach, VA 23462 Ron Moore, Christina Sorrento, Esquire, Eileen Hughes, Elaina B. Ricks & Bari R. Brooks, Perkowitz and Ruth Architects, 11911 Freedom Drive, Suite 1120, Reston, VA 20190 Brian Bailey & Erin Giannetti, 176 Main Street, Suite B, Annapolis, Md. 21401 Venture B.G. LLC, Howard S. Brown, Managing Member, 100 Painters Mill Road, Suite 900, Owings Mills, Md. 21117

Arthur Adler, 100 Painters Mill Road, Owings Mills, Md. 21117

Wal-Mart Stores East, LP, John Clarke, Regional Vice President, Design & Real Estate, 2001 S.E. 10th Street, Mail Stop #0550, Benton, Arkansas 72716-0550

Matthew Allen, P.E., Bohler Engineering, P.C., 810 Gleneagles Court, Suite 300, Towson, Md. 21286 People's Counsel; File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at	3601	Washington Boulevard	
		tly 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 determined at the hearing

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

REV 9115198			UNAVAILABLE FOR H Reviewed By	EARING Date	anaton
Case No	7-577-A		ESTIMATED LENGTH		
			<u>OFFICE</u>	USE ONLY	•
City	State	Zip Code	City	State	Zip Code
Towson	Maryland	21204	Towson	Maryla	
Address		Telephone No.	Address		Telephone No.
210 Allegher	ny Avenue	(410) 494-6200	210 Allegheny Av	venue	(410) 494-6200
Venable, LLI Company	: :		Robert A. Hoffma	111	
•) ,		Dobont A Hoffma	· •	
Signature	1 // // /		Representative to be	Contacted:	•
Name - Type of Print	1 1		City	State	Zip Code
Robert A. Ho	offman, Estuire	_	Address		Telephone No.
Attorney For P	etitioner:				
City	State	Zip Code	Signature		
Address	· i	Telephone No.	Name - Type or Print		<u> </u>
Signature	1		Signature		<u> </u>
·	i		Name - Type or Print		
See Attached	ì		See Attached		
Contract Purci	1		Legal Owner(s):		
0 4 4 - 0			perjury, that I/we are the least the subject of this Petition	egal owner(s) of the	e property which
			I/We do solemnly declare	anu amen, unuer	ME DELIAMPS OF

Petition for Variance

3601 Washington Boulevard

Variance from Section 450.4.5.(d) of the Baltimore County Zoning Regulations ("BCZR") to permit a wall-mounted enterprise sign on the north elevation façade of the building, a façade on which no wall-mounted enterprise sign is permitted by right.

Variance from Section 450.4.5.(d) of the BCZR to permit ten wall-mounted enterprise signs on the west elevation façade of the building, in lieu of the one wall-mounted enterprise sign permitted.

Variance from Section 450.4.5.(d) of the BCZR to permit two wall-mounted enterprise signs on the south elevation façade of the building, a façade on which no wall-mounted enterprise sign is permitted by right.

(SEE ATTACHED SHEET FOR DETAILED SIGNAGE LIST)

NORTH ELEVATION FACADE

Variance from Section 450.4.5.(d) of the BCZR to permit a wall-mounted enterprise sign of 78.11 square feet on the north elevation façade of the building, a façade on which no wall-mounted enterprise sign is permitted by right (Sign # 4 – TIRE & LUBE EXPRESS).

WEST ELEVATION FACADE

Variance from Section 450.4.5(d) of the BCZR to permit a second wall-mounted enterprise sign of 38.33 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 14 – Garden Center).

Variance from Section 450.4.5(d) of the BCZR to permit a third wall-mounted enterprise sign of 75.83 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 3 − Tire & Lube ← Express).

Variance from Section 450.4.5(d) of the BCZR to permit a fourth wall-mounted enterprise sign of 6.5 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 9 – Pharmacy).

Variance from Section 450.4.5(d) of the BCZR to permit a fifth wall-mounted enterprise sign of 34.94 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 11 – Retail Center).

Variance from Section 450.4.5(d) of the BCZR to permit a sixth wall-mounted enterprise sign of 4,56 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 8 – Optical).

Variance from Section 450.4.5(d) of the BCZR to permit a seventh wall-mounted enterprise sign of 7.33 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 7 - 1-Hr. Photo).

Variance from Section 450.4.5(d) of the BCZR to permit an eighth wall-mounted enterprise sign of 39 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 1 – SUPERCENTER).

Variance from Section 450.4.5(d) of the BCZR to permit a ninth wall-mounted enterprise sign of 32.17 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 10 – Food Center).

Variance from Section 450.4.5(d) of the BCZR to permit a tenth wall-mounted enterprise sign of 31 square feet on the west elevation façade, in lieu of the one wall-mounted enterprise sign permitted (Sign # 12 – Pharmacy Drive-Thru).

SOUTH ELEVATION FACADE

Variance from Section 450.4.5.(d) of the BCZR to permit a wall-mounted enterprise sign of 31 square feet on the south elevation façade, a façade on which no wall-mounted enterprise sign is permitted by right (Sign # 12 – Pharmacy Drive-Thru).

Variance from Section 450.4.5.(d) of the BCZR to permit a second wall-mounted enterprise sign of 48.20 square feet on the south elevation façade, a façade on which no wall-mounted enterprise sign is permitted by right (Sign # 1A – WAL*MART).

PETITION FOR VARIANCE SIGNATURE PAGE

3601 Washington Boulevard Baltimore, Maryland 21227

LEGAL OWNER:

Venture B.G. LLC

By Howard S. Brown, Managing Member 100 Painter Mills Road, Suite 900

Owings Mills, Maryland 21117

(410) 363-3434

PETITION FOR VARIANCE SIGNATURE PAGE

3601 Washington Boulevard Baltimore, Maryland 21227

LESSEE:

Wal-Mart Stores East, LP A Delaware limited partnership

By: 'WSE Management, LLC, its General Partner

By: John Clarke

Regional Vice President, Design and Real Estate

2001 S.E. 10th Street, Mail Stop #0550

Bentonville, Arkansas 72716-0550

Tel: 479-273-8106 (Attn: Brian Hooper)

Date:



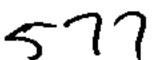
810 Gleneagles Court, Suite 300 Towson, MD 21286 410.821.7900 410.821,7987 fax

June 20, 2007

ZONING DESCRIPTION OF PART OF THE LANDS KNOWN AS PARCEL 254, TAX MAP 109, GRID 2 WITH DEED REFERENCE 24000/381 WHICH IS OF VARIABLE WIDTH AT A DISTANCE OF 900 FEET NORTHEAST OF THE INTERSECTION OF WASHINGTON BOULEVARD AND VICTORY DRIVE AS RECORDED IN THE DATABASE OF BALTIMORE COUNTY, MARYLAND 1ST COUNCILMANIC DISTRICT 13TH ELECTION DISTRICT

COMMENCING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF WASHINGTON BOULEVARD, ALSO KNOWN AS U.S. ROUTE 1, VARYING IN WIDTH; SAID POINT BEING SITUATE AT THE BEGINNING OF THE 18TH OR SOUTH 79 DEGREES 34 MINUTES 00 SECONDS EAST 595.77 FOOT LINE OF THAT CERTAIN TRACT, PARCEL OR PIECE OF LAND WHICH, BY A CONFIRMATORY DEED DATED AUGUST 29, 2002 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 22835, FOLIO 745, WAS GRANTED AND CONVEYED BY VENTURE B.G. TO VENTURE B.G. LLC; THENCE RUNNING WITH PART OF SAID 18TH LINE, REFERRING ALL BEARINGS OF THIS DESCRIPTION TO THE MARYLAND COORDINATE SYSTEM (NAD 83/91) AS SURVEYED, SOUTH 79 DEGREES 39 MINUTES 58 SECONDS EAST 5.28 FEET TO A POINT; THENCE RUNNING WITH THE PROPOSED EASTERLY HIGHWAY WIDENING RIGHT OF WAY LINE OF SAID WASHINGTON BOULEVARD BY A CURVE TO THE RIGHT HAVING A RADIUS OF 4,990.00 FEET, AN ARC LENGTH OF 152.19 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 25 DEGREES 04 MINUTES 45 SECONDS EAST 152.18 FEET: THENCE NORTH 25 DEGREES 57 MINUTES 11 SECONDS EAST 163.74 FEET; THENCE BY A CURVE TO THE RIGHT HAVING A RADIUS OF 58.78 FEET, AN ARC LENGTH OF 16.47 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 84 DEGREES 06 MINUTES 07 SECONDS EAST 16.42 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE RUNNING WITH SAID PROPOSED EASTERLY HIGHWAY WIDENING RIGHT OF WAY LINE OF SAID WASHINGTON BOULEVARD THE FOLLOWING TWO (2) COURSES AND DISTANCES, VIZ:

Other Office Locations:





1) NORTH 71 DEGREES 04 MINUTES 43 SECONDS EAST 27.90 FEET TO A POINT AND

NORTH 25 DEGREES 57 MINUTES 11 SECONDS EAST 63.96 FEET TO A POINT; THENCE LEAVING WASHINGTON BOULEVARD AND RUNNING THROUGH THE AFORESAID LANDS OF VENTURE B.G. LLC THE FOLLOWING COURSES AND DISTANCES, VIZ:

3) SOUTH 63 DEGREES 47 MINUTES 44 SECONDS EAST 307.35 FEET TO A

POINT; THENCE

4) NORTH 26 DEGREES 12 MINUTES 16 SECONDS EAST 110.85 FEET TO A POINT; THENCE

BY A CURVE TO THE LEFT HAVING RADIUS OF 265.00 FEET, AN ARC LENGTH OF 56.07 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 20 DEGREES 08 MINUTES 35 SECONDS EAST 55.97 FEET TO A POINT; THENCE

NORTH 63 DEGREES 47 MINUTES 44 SECONDS WEST 179.03 FEET TO A POINT; THENCE

7) NORTH 26 DEGREES 12 MINUTES 16 SECONDS EAST 30.50 FEET TO A POINT; THENCE

NORTH 63 DEGREES 47 MINUTES 44 SECONDS WEST 158.47 FEET TO A POINT ON THE SAID PROPOSED EASTERLY HIGHWAY WIDENING RIGHT OF WAY LINE OF SAID WASHINGTON BOULEVARD; THENCE BINDING THEREON THE FOLLOWING THREE (3) COURSES AND DISTANCES, VIZ:

9) NORTH 25 DEGREES 57 MINUTES 11 SECONDS EAST 291.43 FEET TO A

POINT; THENCE

BY A CURVE TO THE LEFT HAVING A RADIUS OF 5,069.00 FEET, AN ARC LENGTH OF 34.99 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 25 DEGREES 45 MINUTES 19 SECONDS EAST 34.99 FEET TO A POINT; AND

NORTH 25 DEGREES 33 MINUTES 27 SECONDS EAST 127.33 FEET TO A POINT; THENCE LEAVING WASHINGTON BOULEVARD AND RUNNING THROUGH THE AFORESAID LANDS OF VENTURE B.G. LLC THE

FOLLOWING COURSES AND DISTANCES, VIZ:

SOUTH 56 DEGREES 47 MINUTES 46 SECONDS EAST 70.09 FEET TO A POINT; THENCE

13) SOUTH 33 DEGREES 13 MINUTES 11 SECONDS WEST 49.06 FEET TO A POINT; THENCE

SOUTH 63 DEGREES 47 MINUTES 44 SECONDS EAST 35.24 FEET TO A POINT; THENCE

NORTH 31 DEGREES 15 MINUTES 04 SECONDS EAST 58.03 FEET TO A POINT; THENCE



Same to 🥻

- SOUTH 58 DEGREES 44 MINUTES 56 SECONDS EAST 31.97 FEET TO A POINT; THENCE
- NORTH 31 DEGREES 15 MINUTES 04 SECONDS EAST 103.02 FEET TO A POINT; THENCE
- 18) SOUTH 63 DEGREES 47 MINUTES 44 SECONDS EAST 87.14 FEET TO A POINT; THENCE
- NORTH 26 DEGREES 11 MINUTES 48 SECONDS EAST 45.10 FEET TO A POINT; THENCE
- 20) SOUTH 89 DEGREES 40 MINUTES 35 SECONDS EAST 95.77 FEET TO A POINT; THENCE
- 21) SOUTH 63 DEGREES 47 MINUTES 44 SECONDS EAST 478.05 FEET TO A POINT; THENCE
- NORTH 26 DEGREES 12 MINUTES 16 SECONDS EAST 190.96 FEET TO A POINT; THENCE
- 23) SOUTH 63 DEGREES 47 MINUTES 44 SECONDS EAST 149.80 FEET TO A POINT; THENCE
- 24) SOUTH 22 DEGREES 32 MINUTES 43 SECONDS EAST 56.03 FEET TO A POINT; THENCE
- 25) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 167.15 FEET, AN ARC LENGTH OF 71.85 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 10 DEGREES 13 MINUTES 50 SECONDS EAST 71.30 FEET TO A POINT; THENCE
- 26) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 365.62 FEET, AN ARC LENGTH OF 36.83 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 58 MINUTES 11 SECONDS WEST 36.81 FEET TO A POINT; THENCE
- 27) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 1,971.08 FEET, AN ARC LENGTH OF 106.36 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 09 DEGREES 24 MINUTES 04 SECONDS WEST 106.35 FEET TO A POINT; THENCE
- 28) SOUTH 10 DEGREES 56 MINUTES 50 SECONDS WEST 31.31 FEET TO A POINT; THENCE
- 29) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 1,418.50 FEET, AN ARC LENGTH OF 131.77 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 13 DEGREES 36 MINUTES 30 SECONDS WEST 131.72 FEET TO A POINT; THENCE
- 30) SOUTH 16 DEGREES 05 MINUTES 23 MINUTES WEST 129.88 FEET TO A POINT; THENCE
- 31) ! SOUTH 15 DEGREES 31 MINUTES 58 SECONDS WEST 162.38 FEET TO A POINT; THENCE



- 32) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 1,303.66 FEET, AN ARC LENGTH OF 56.61 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 16 DEGREES 46 MINUTES 36 SECONDS WEST 56.61 FEET TO A POINT; THENCE
- 33) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 389.77 FEET, AN ARC LENGTH OF 109.82 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 26 DEGREES 05 MINUTES 34 SECONDS WEST 109.46 FEET TO A POINT; THENCE
- BY A CURVE TO THE RIGHT HAVING A RADIUS OF 188.39 FEET, AN ARC LENGTH OF 32.30 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 39 DEGREES 04 MINUTES 38 SECONDS WEST 32.26 FEET TO A POINT; THENCE
- 35) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 46.17 FEET, AN ARC LENGTH OF 37.44 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 67 DEGREES 13 MINUTES 14 SECONDS WEST 36.42 FEET TO A POINT; THENCE
- 36) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 334.88 FEET, AN ARC LENGTH OF 53.79 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 84 DEGREES 56 MINUTES 49 SECONDS WEST 53.73 FEET TO A POINT; THENCE
- NORTH 80 DEGREES 35 MINUTES 34 SECONDS WEST 46.20 FEET TO A POINT; THENCE
- NORTH 79 DEGREES 36 MINUTES 22 SECONDS WEST 106.90 FEET TO A POINT; THENCE
- 39) NORTH 79 DEGREES 37 MINUTES 54 SECONDS WEST 161.15 FEET TO A POINT; THENCE
- 40) NORTH 79 DEGREES 49 MINUTES 01 SECONDS WEST 140.48 FEET TO A POINT; THENCE
- NORTH 79 DEGREES 02 MINUTES 54 SECONDS WEST 88.58 FEET TO A POINT; THENCE
- 42) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 3,162.38 FEET, AN ARC LENGTH OF 166.42 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 77 DEGREES 32 MINUTES 26 SECONDS WEST 166.40 FEET TO A POINT; THENCE
- 43) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 1,898.08 FEET, AN ARC LENGTH OF 105.42 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 74 DEGREES 26 MINUTES 31 SECONDS WEST 105.41 FEET TO A POINT; THENCE
- BY A CURVE TO THE RIGHT HAVING A RADIUS OF 989.30 FEET, AN ARC LENGTH OF 63.41 FEET AND A CHORD BEARING AND DISTANCE



577

- OF NORTH 70 DEGREES 52 MINUTES 53 SECONDS WEST 63.40 FEET TO A POINT; THENCE
- 45) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 489.27 FEET, AN ARC LENGTH OF 81.60 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 64 DEGREES 16 MINUTES 01 SECONDS WEST 81.51 FEET TO A POINT; THENCE
- 46) NORTH 58 DEGREES 26 MINUTES 55 SECONDS WEST 52.62 FEET TO A POINT; THENCE
- 47) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 107.66 FEET, AN ARC LENGTH OF 29.60 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 50 DEGREES 34 MINUTES 20 SECONDS WEST 29.51 FEET TO A POINT; THENCE
- 48) NORTH 39 DEGREES 57 MINUTES 41 SECONDS WEST 19.91 FEET TO A POINT; THENCE
- 49) BY A CURVE TO THE LEFT HAVING A RADIUS OF 65.62 FEET, AN ARC LENGTH OF 42.32 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 58 DEGREES 26 MINUTES 13 SECONDS WEST 41.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 916,210 SQUARE FEET OR 21.0333 ACRES OF LAND, MORE OR LESS.

BEING PART OF THAT CERTAIN TRACT, PARCEL OR PIECE OF LAND WHICH, BY A CONFIRMATORY DEED DATED AUGUST 29, 2002 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 22835, FOLIO 745, WAS GRANTED AND CONVEYED BY VENTURE B.G. TO VENTURE B.G. LLC.

Prepared by: BRR Reviewed by: MJG



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 07-577-A
Petitioner: WALMANT STORES ENSO LT
Address or Location: 2001 5 3001 WASHINTON BLVD
PLEASE FORWARD ADVERTISING BILL TO: Name: Amy Contell
Address: 210 Allegheny Avenue
Tauson 40. 21204
Tolombers illustration of the court
Telephone Number: (410) 494 - 10 244

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MOTICE OF ZOMPIG 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: # 07-577-A

Case: # 07-577-A
3601 Washington Boulevard
E/side of Washington Boulevard at Robert Young Way
13th Election District — 1st Councilmanic District
Legal Owner(s): Venture B.G., LLC
Legal Owner(s): Venture B.G., LLC
Lesse: Wal-Mart Stores East, LP
Variance: to permit a wall-mounted enterprise sign on the north elevation facade of the building, a facade on which no wall-mounted enterprise signs are permitted by right and to permit ten wall-mounted enterprise signs on the south elevation two wall-mounted enterprise signs on the south elevation facade of the building, in lieu of the one wall-mounted enterprise signs on the south elevation facade of the building, a facade on which no wall-mounted enterprise signs are permitted by right.

Hearing: Tuesday, August 28, 2007 at 10:00 a.m.in
Room 407, County Courts Building, 401 Bosiey Ave-

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 867-4366.

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

JT 8/641 August 14

TE OF PUBLICATION

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

女 The Jeffersonian

- Catonsville Times Arbutus Times
- Towson Times
- Owings Mills Times
- North County News

NE Booster/Reporter

Mulusy

LEGAL ADVERTISING

CERTIFICATE OF POSTING

<u> </u>	KK: Case No.:
	Petitioner/Developer: WAL MAR
; 1	STORES EAST, LP
: ?	Date of Hearing/Closing: 8-28.0
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 ne	rjury that the necessary sign(s) required by law were
posted conspicuously on the property located at	: Tora mer meressara sign(s) tedinted ba fam mete
3601 WASHING	TON BOULEUARD
The sign(s) were posted on	8-13-07
	(Month, Day, Year)
The second of th	Sincerely,
	Must Rank 8-14-07
	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
CASE #07-577A	(Print Name)
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD	1508 Lestie Road
HOTEL HOT COUNTY COURTE BULDING	
DATE AND TIME: TOWNS AGAIN 29.2507 AT 18 TO AM. REQUEST: VARIAGE TO PROMITE A MALL MOMENT A MALL MOMENT A MALL MOMENT AND	(Address)
HER CAPTURE HEAVEN TO THE PROPERTY OF THE BALLENGE, IN PROPERTY OF THE BALLENGE OF HEAVET AND TO HERE	Dundalk, Maryland 21222
Contracting of the Contracting of the State	(City, State, Zip Code)
In the state of the same of th	(410) 282-7940
	¥3
	(Telephone Number)



JAMES T. SMITH, JR. County Executive

NOTICE OF ZONING HEARING

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

July 11, 2007

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: 07-577-A

3601 Washington Boulevard

E/side of Washington Boulevard at Robert Young Way

13th Election District – 1st Councilmanic District

Legal Owners: Venture B.G., LLC Lessee: Wal-Mart Stores East, LP

<u>Variance</u> to permit a wall-mounted enterprise sign on the north elevation façade of the building, a façade on which no wall-mounted enterprise signs is permitted by right and to permit ten wall-mounted enterprise signs on the west elevation façade of the building, in lieu of the one wall-mounted enterprise sign permitted and to permit two wall-mounted enterprise signs on the south elevation façade of the building, a façade on which no wall-mounted enterprise signs is permitted by right.

Hearing: Tuesday, August 28, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Robert Hoffman, 210 Allegheny Avenue, Towson 21204
Howard S. Brown, 100 Painters Mill Road, Ste. 900, Owings Mills 21117
Brian Hooper, 2001 S.E. 10th Street, Mail Stop #0550, Bentonville, Arkansas 72716-0550

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 13, 2007.

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 14, 2007 Issue - Jeffersonian

Please forward billing to:

Amy Dontell 210 Allegheny Avenue Towson, MD 21204 410-494-6244

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-577-A

3601 Washington Boulevard

E/side of Washington Boulevard at Robert Young Way

13th Election District — 1st Councilmanic District

Legal Owners: Venture B.G., LLC Lessee: Wal-Mart Stores East, LP

<u>Variance</u> to permit a wall-mounted enterprise sign on the north elevation façade of the building, a façade on which no wall-mounted enterprise signs is permitted by right and to permit ten wall-mounted enterprise signs on the west elevation façade of the building, in lieu of the one wall-mounted enterprise sign permitted and to permit two wall-mounted enterprise signs on the south elevation façade of the building, a façade on which no wall-mounted enterprise signs is permitted by right.

Hearing: Tuesday, August 28, 2007 at 10:00 a.m. in Room 407, County Courts Building,

101 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 22, 2007

Robert A. Hoffman, Esquire Venable LLP 210 Alleghen'y Avenue Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Númber: 07-577-A, 3601 Washington Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 22, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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, U. Call Rills Of

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf Enclosures

c: People's Counsel

Venture B.G. LLC Howard S. Brown, Managing Member 100 Painter Mills Road, Suite 900 Owings Mills 21117

Wal-Mart Stores East, LP John Clarke, Regional Vice President 2001 S.E. 10th Street, Mail Stop #0550 Bentonville, Arkansas 72716-0550

RESUME

Matthew T. Allen, P.E. Project Manager

EDUCATION:

- M.B.A. Finance, The Pennsylvania State University, Middletown, PA
- B.S. Civil Engineering, The Pennsylvania State University, University Park, PA

LICENSE:

- Delaware Professional Engineer, #13499
- District of Columbia Professional Engineer, #PE900965
- Maryland Professional Engineer, #28567
- Pennsylvania Professional Engineer, #PE061707
- Virginia Professional Engineer, #040239979

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering, P.C. in numerous municipalities before Planning Commissions, Board of Supervisors, Zoning Hearing Boards and related municipal entities in Delaware, Maryland, and Pennsylvania.

EXPERIENCE:

Currently serves as a Project Manager in Bohler Engineering, P.C.'s Towson, Maryland Office. Experience includes seven years of design and project management. Primarily responsible for client and project management for various commercial, residential and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes and other related projects in municipalities in Maryland, Virginia, District of Columbia, Delaware, and Pennsylvania.

PROFESSIONAL AFFILIATIONS:

- National Society of Professional Engineers
- Maryland Society of Professional Engineers

PETITIONER'	S
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EXHIBIT NO.

4

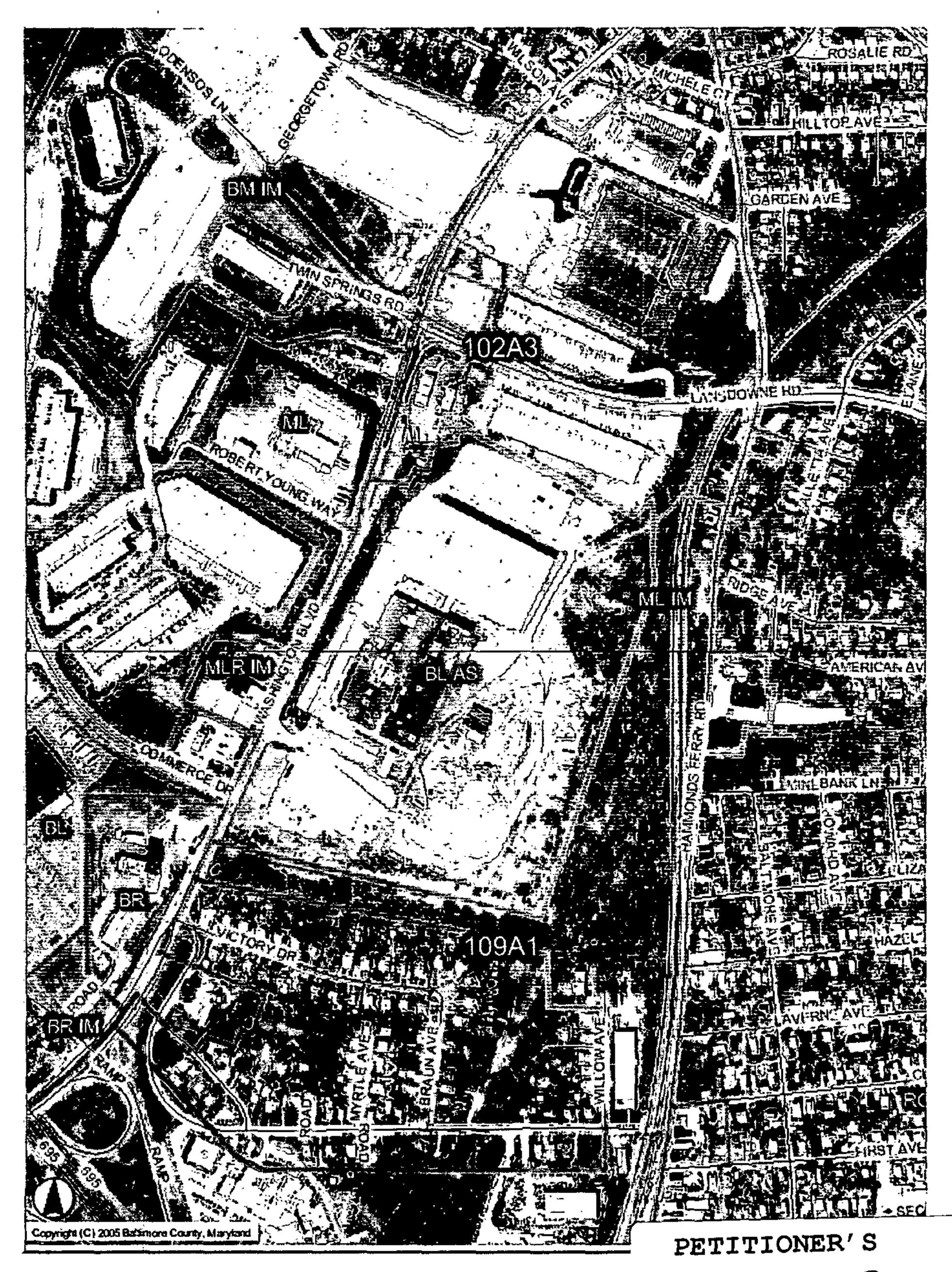


EXHIBIT NO.

LIMITED DEVELOPMENT AREA (LDA) — An overlay area delineated on the official Chesapeake Bay Critical Area Map of the county in accordance with COMAR 27.01.02.04.

LOCAL PROTECTION PROGRAM — The program for the Critical Area in the county prepared and approved in accordance with the Annotated Code of Maryland, Natural Resources Article, Section 8-1809.

MARINA — Any facility on tidal waters for the mooring, berthing, storing or securing of watercraft, but not including community piers and other noncommercial boat docking and storage facilities. Any other definition referring to boatyards, boat basins, etc., shall not be applicable.

PUBLIC WATER-ORIENTED RECREATION — Shore-dependent recreation facilities or activities provided by public agencies which are available to the general public.

REDEVELOPMENT — The process of developing land which is or has been developed.

RESOURCE CONSERVATION AREA (RCA) — An area zoned R.C.20 or R.C.50 on the official Zoning Map of the county in accordance with COMAR 27.01.02.05.

TRANSPORTATION FACILITIES — Anything that is built, installed or established to provide a means of transport from one place to another, including but not limited to trucking facilities, airports, railway stations and other uses which, in the judgment of the Director of the Department of Permits and Development Management, with the recommendation of the Director of the Department of Environmental Protection and Resource Management, are considered transportation facilities. Transportation facilities do not include boatyards, motorways, railways or water-dependent facilities.

UTILITY TRANSMISSION FACILITIES — Fixed structures that convey or distribute resources, wastes or both, including but not limited to electric lines, water conduits and sewer lines.

WATER-DEPENDENT — A temporary or permanent structure or activity which, by reason of its intrinsic nature or operation, requires location in or over state or private tidal wetlands or at or near the shoreline within the buffer.

YACHT CLUB — A use of waterfront land by a social club which provides recreational facilities, including boat docking, for members and their guests. [Bill No. 136-1996]

Section 102 General Requirements [BCZR 1955]

- No land shall be used or occupied and no building or structure shall be erected, altered; located or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use.
- No yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use.



- No portion of an alley shall be considered as any part of a side or rear yard.
- No dwelling, other than a multifamily building, shall be built on a lot containing less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel, except as provided for panhandle lots in Section 26-266 of the Baltimore County Code, 1988 Edition, as revised. [Bill Nos. 172-1989; 2-1992]
- On a corner lot in any residential zone, no planting, fence, wall, building or other obstruction to vision more than three feet in height shall be placed or maintained within the triangular area bounded on two sides by the front and side street property by a straight line connecting points on said lot lines (or their projections), each of which points is 25 feet distant from the point of intersection. At the intersection of a street and an alley, the dimension corresponding to the 25 feet noted above shall be 15 and for other utility services shall not be considered obstructions to vision within the meaning of this section. [Resolution, November 21, 1956]
- No building permit shall be issued for any commercial, industrial or apartment development until the proposed plan for vehicular access thereto shall have been first management. [Resolution, November 21, 1956]

Section 103 Application of Zoning Regulations [BCZR 1955]

These regulations shall apply as of the date of their adoption but the provisions pertaining to use, height, area and density of population shall not apply to any development, subdivision or parcel of land, the preliminary plan for which was planning Board) and approved or tentatively approved (including any approval made subject to any condition or conditions) under the then existing official procedure in Regulations applicable to any such development, subdivision or parcel of land as was originally submitted to the Baltimore County Planning Commission.

Provided further, however, that the use and development of land in M.L. Zones shall not be affected by the foregoing provision, but development is permitted in accordance with any preliminary development plan approved by the Office of Planning before the effective date of this further proviso, even though such development may be counter to then-current regulations for M.L. Zones, if, on the fifth anniversary of such effective date, construction either is completed or is substantially commenced and diligently being pursued to completion; otherwise, the

Editor's Note: Refers to the Baltimore County Zoning Regulations (BCZR) adopted March 30, 1955.

No.: 07-577-A 3601 WASHINGTON BLUD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	
	1A Thu /C
	5the PLAN - SIGN LOCATION - WASHING LOCALY
No. 2	ZONING MAP - LOCATION ExistiNG CONDITIONS
	LOCATION GUESTING CONDITIONS
NI- 2	
No. 3	SIGN DETAIL
No. 4	RESUME MATHEW AllEN PE
	AZSUME MANITOU MANITO
No. 5	PROJECT OVERLAY - WALMART & SHOWS ADDITIONAL 229,074 TA & Retail FOFFICE USS
1	SHOWS ADDITIONAL.
No. 6	ACT, 077 ARIAN COTTICE (SSS)
No. 7	
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PLEASE PRINT CLEARLY

CASE NAME O CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEE

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Henry Carolto-Strate	Annagh 1901	Mo Han St. Sufet	Spiler
brooks pranchitects. com			FUNT & BOOKS
FMORE OF SCAN Fed Com	Town IN 242 Make	810 Glevender G. Sut 300	Joshan Maha
	Town My 21204 Owneshing 21172 Weston, UR 20190	100 Rents Mall Mr. 122 Central frak Mr. 11911 Freedom Drive Sintelli	Charle Holman
E- MAIL	CITY, STATE, ZIP	ADDRESS	NAME

RE: PETITION FOR VARIANCE

3601 Washington Blvd; E/S Washington

Boulevard and Robert Young Way

13th Election & 1st Councilmanic Districts

Legal Owner(s): Venture B.G., LLC

Contract Purchaser(s): Wal-mart Stores, East

Petitioner(s)

BEFORE THE BOARD

OF APPEALS

FOR

BALTIMORE COUNTY

07-577-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 16th day of July, 2007, a copy of the foregoing Entry of Appearance was mailed to, Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JUL 1 & 2007

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PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....



INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 9, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III Director, Office of Planning ECEIVE JUL 1 1 2007

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-577- Variance

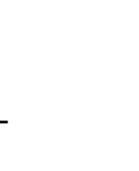
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz in the Office of Planning at 410-887-3480.

Division Chief:

CM/LL

Fire Department



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





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 July 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 2, 2007

517

Item Number: 573 through 578 and 580 through 594

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.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 5, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 9, 2007

Item Nos. 07-456, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, and 594

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-07052007.doc



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

July 5, 2007

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

RE: Baltimore County Item No. 07-577-A

> US 1 Alt (Washington Boulevard) opposite Robert Young Way Wal-Mart Store-Lansdowne 3601 Washington Boulevard

Variance- To permit signs

Dear Ms. Matthews:

This is in reference to our ongoing review of the ZAC Agenda plan on the subject of the above captioned. We understand that the aforementioned submission illustrates request to a permit wall-mounted sign as shown on the plan to accompany petition for variance.

Based on a review and evaluation of existing conditions, this office has determined that the proposed improvements do not affect access to a State road and are not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 07-577-A. Please include our remarks in your staff report to the Zoning Commissioner.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (<u>mbailey@sha.state.md.us</u>). Thank you for your attention.

Very truly yours,

1Steven D. Foster, Ch

Engineering Access Permits

Division

SDF/MB

Cc: Mr. Matthew T. Allen, Consultant Engineering, Bohler Engineering, P.C.

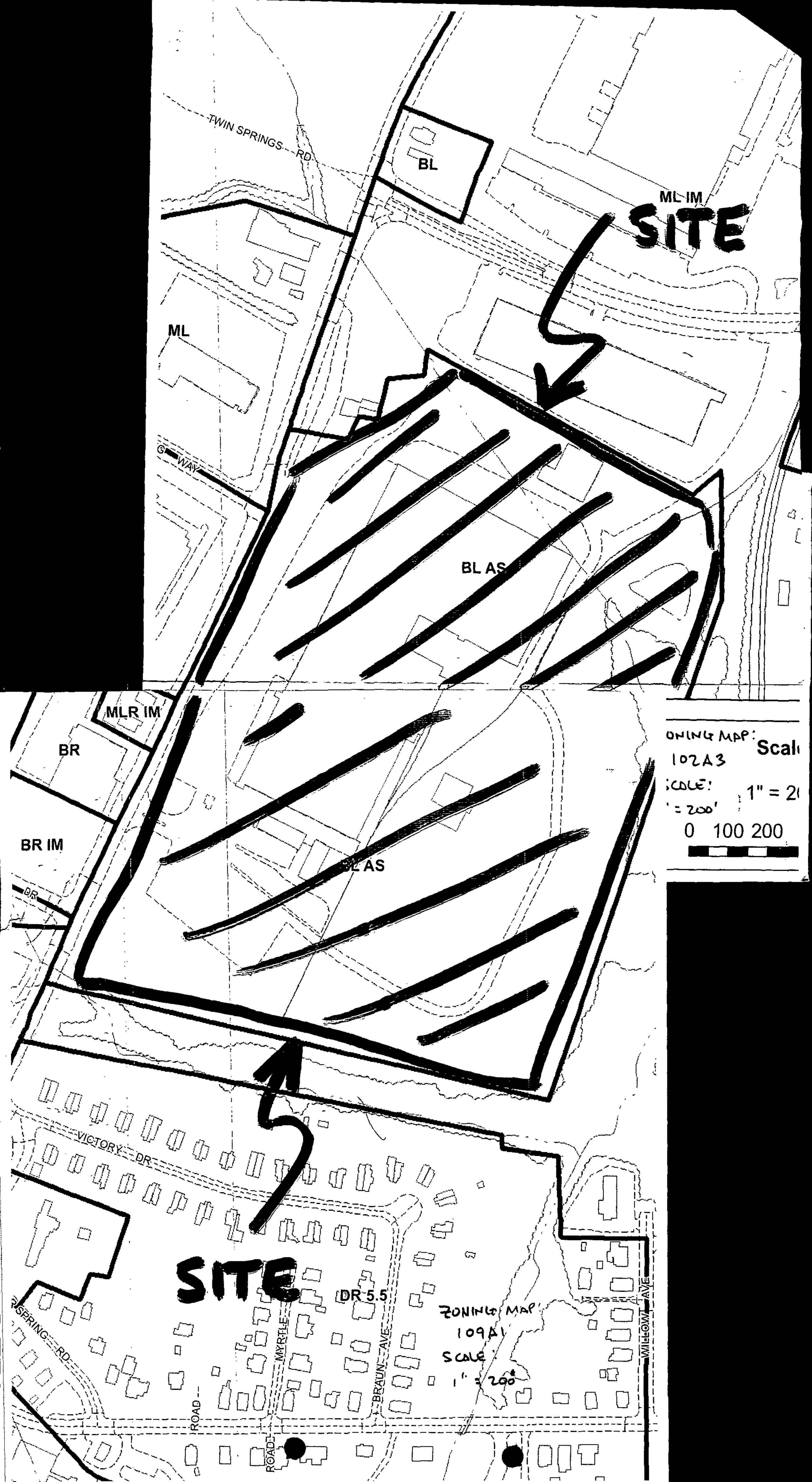
Mr. John Clarke, Applicant, Wal-Mart Stores East, LP.


Ms. Erin Kuhn, ADE-Traffic, SHA

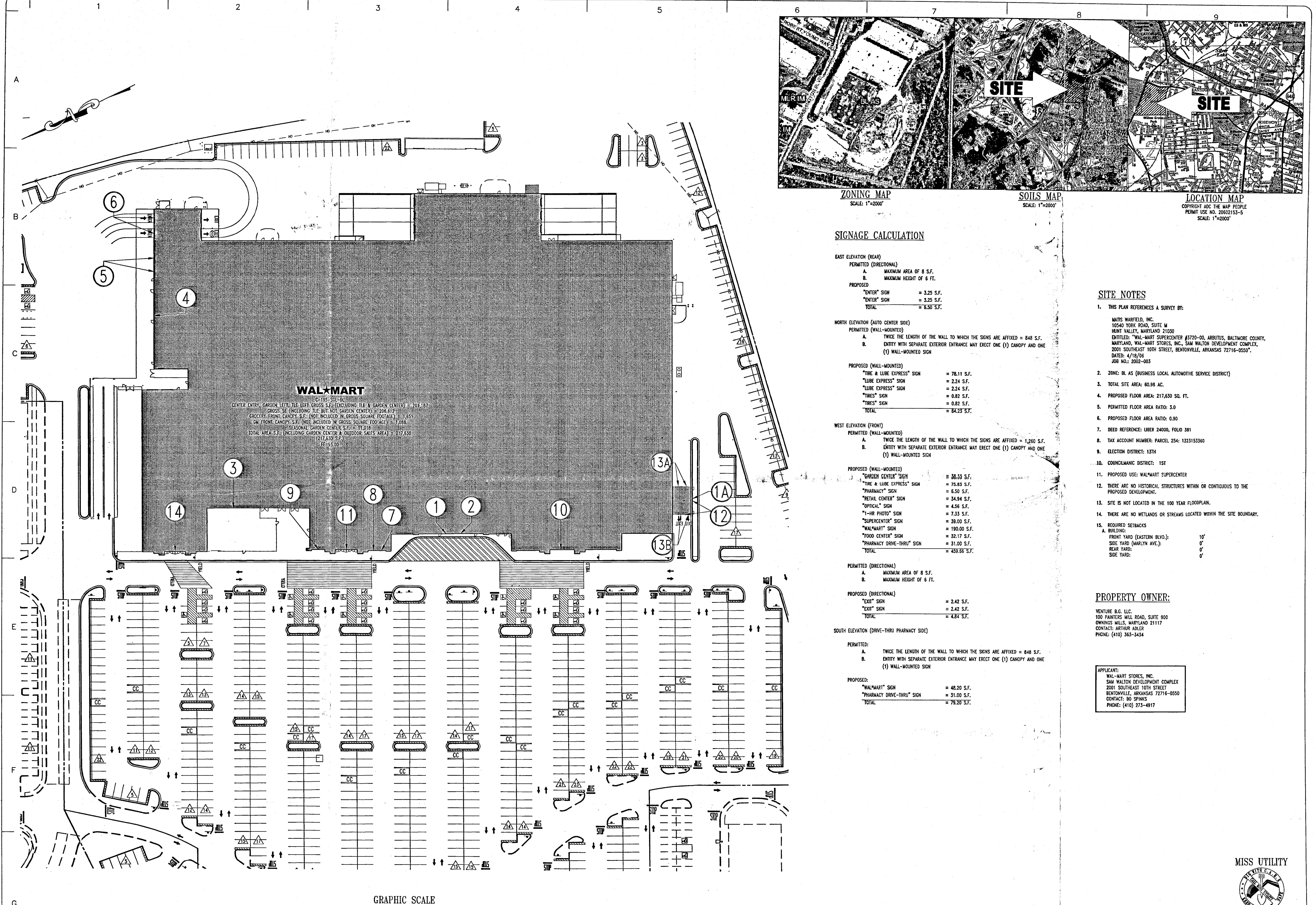
Mr. John Murphy, Zoning Commissioner, Baltimore County

Mr. David Malkowski, District Engineer, SHA

Mr. Michael Pasquariello, Utility Engineer, SHA







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1 inch = 40 ft.

BOHLER ENGINEERING,

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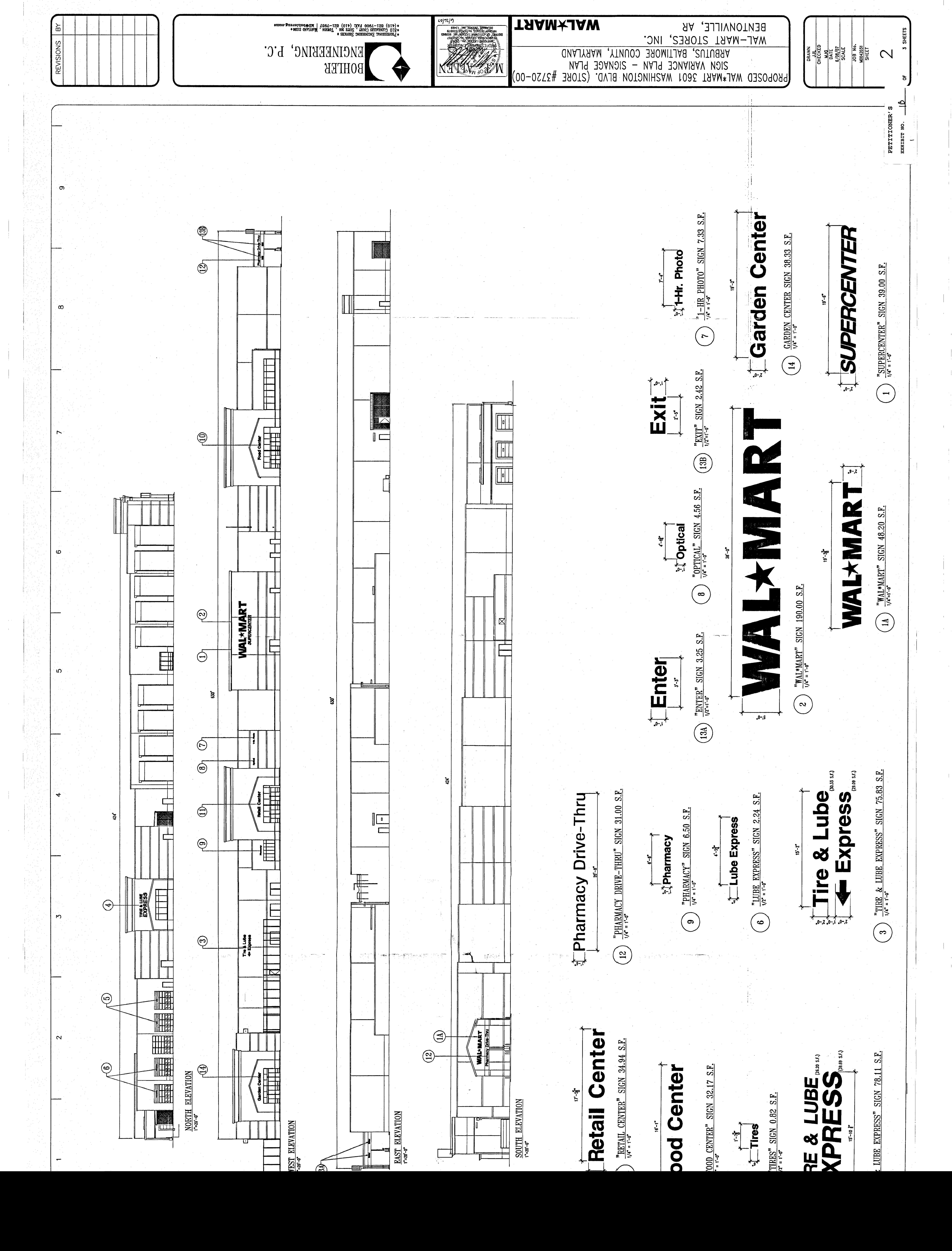
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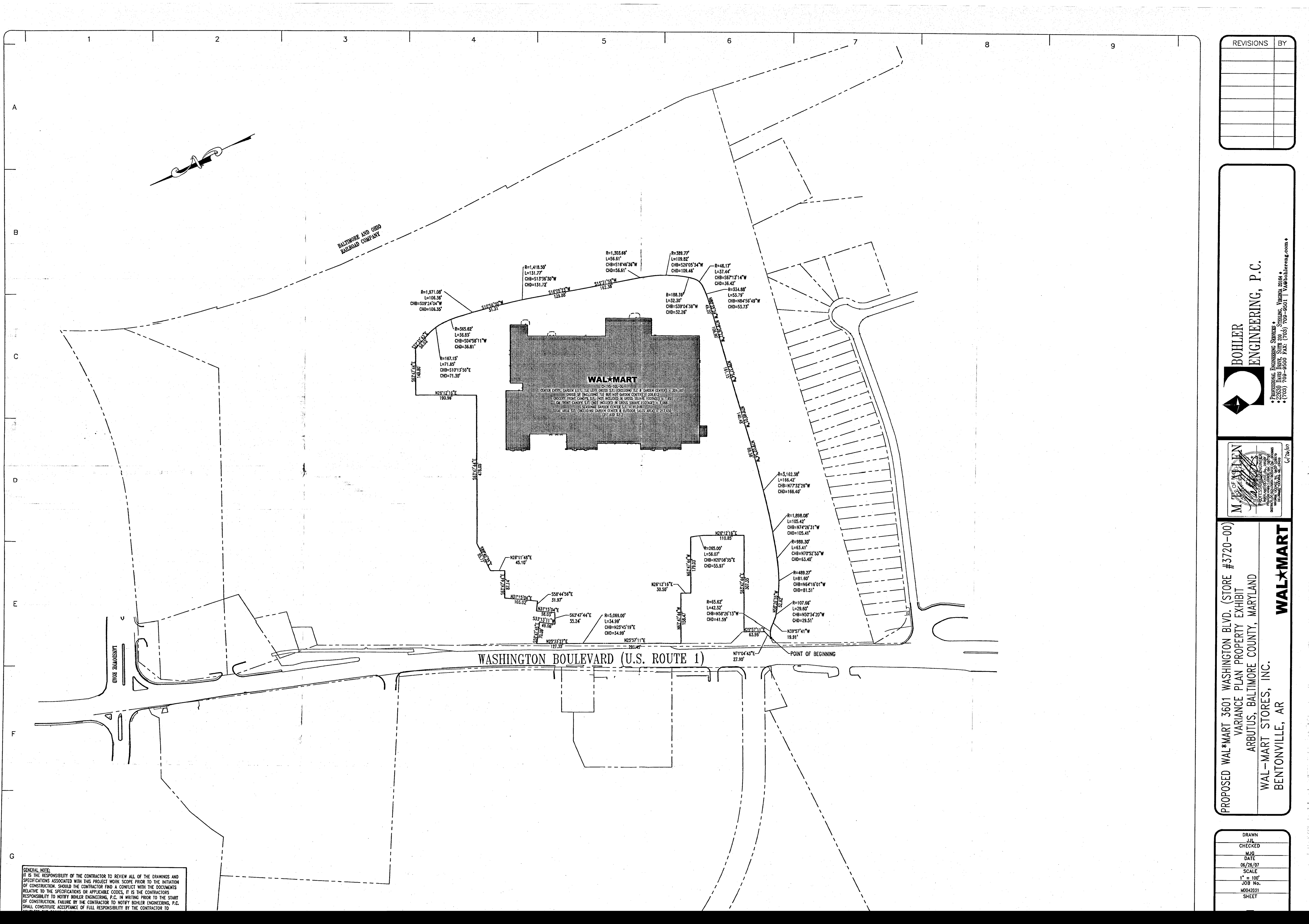
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PETITIONER'S

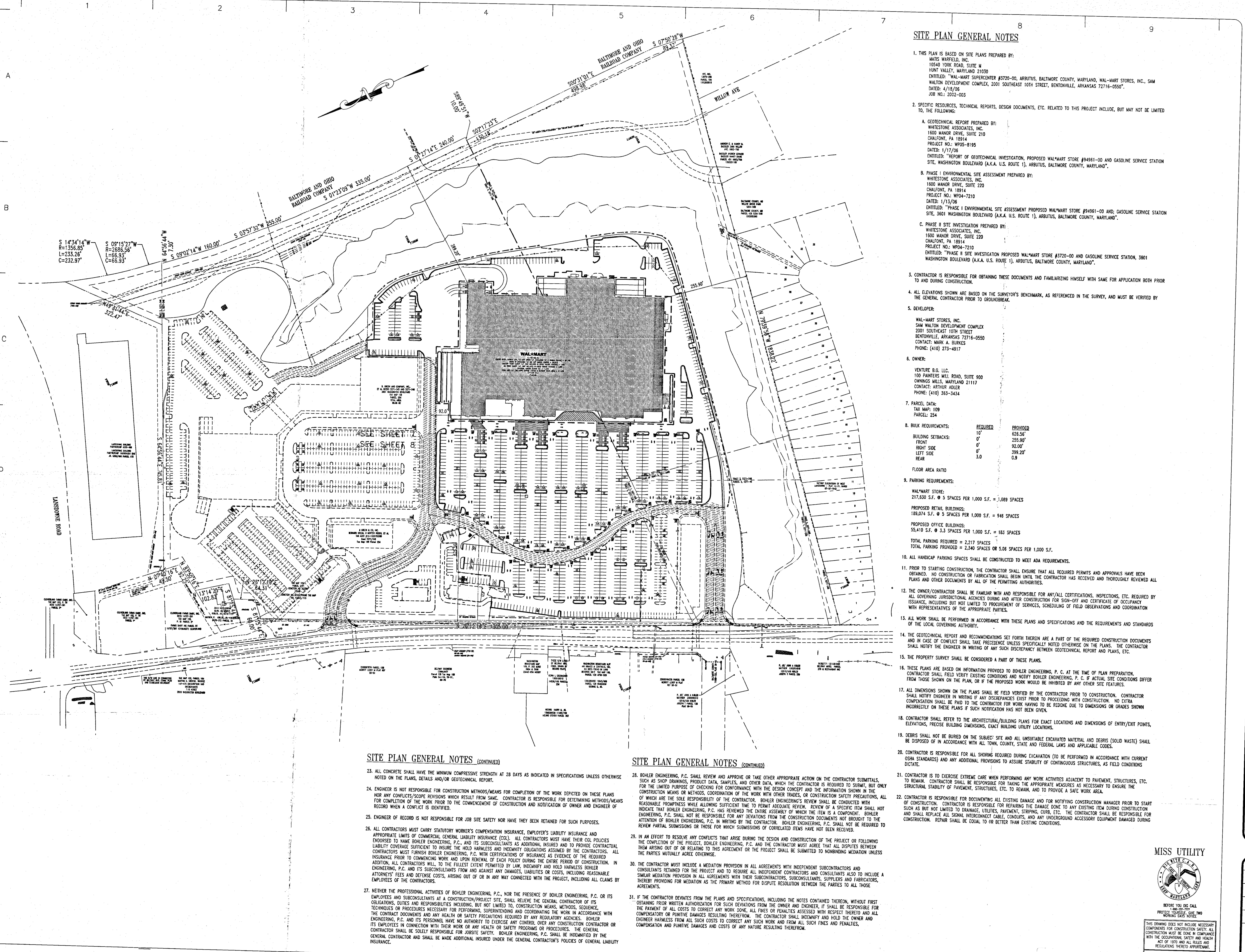
BEFORE YOU DIG CALL
1-800-257-7777
PROTECT YOURSELF, GIVE TWO
WORKING DAYS NOTICE

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





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