IN RE: **PETITION FOR VARIANCE** 

NE/S Taylor Avenue, 228' NE of c/line of Loch Raven Boulevard (Md. Rt. 542)

(8100 Loch Raven Boulevard)

9<sup>th</sup> Election District

5<sup>th</sup> Council District

Saul Subsidiary I Limited Partnership,

**Owners** Giant of Maryland, LLC, Lessee Petitioners

**BEFORE THE** 

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2011-0037-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 Petitioner, Giant of Maryland, LLC through one of its senior managers of construction, Juan Carlos Vivas, and their attorney, Charles B. Marek, III, Esquire of Gildea and Schmidt, LLC. The Petition was also signed by Saul Subsidiary I Limited Partnership, property owner, by Stephanie Sanchez, an authorized signatory. Variance relief is requested from the Baltimore County Zoning Regulations (B.C.Z.R.) - Table of Sign Regulations - Attachment 1 (Chart), as follows: (1) Section 450.4 Chart 1.5(d) to permit nine (9) wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one (1) permitted, and (2) Section 450.4 Chart 1.7(b) for the retention of one (1) existing freestanding enterprise sign of 205 square feet for Giant supermarket in lieu of the joint identification sign permitted of 150 square feet. The subject property and requested relief are more particularly described on the site plan and sign package elevations, which were submitted into evidence and marked as Petitioners' Exhibits 1 and 2 respectively.

Appearing at the requisite public hearing in support of the requests were Ronald Brumbaugh, Senior Manager of Construction for Giant, Mark A. Johnston of Gutschick, Little &

Weber, P.A, the civil engineering firm that prepared the site plan(s) for the project, and Warren Weaver of Gable Signs. Charles B. Marek, III, Esquire represented the Petitioner at the hearing. There were no Protestants or other interested persons present.

Mr. Marek proffered the evidence presented at the hearing, and the proffer and exhibits were accepted into the record of the case. The property in question is the "Ravenwood" shopping plaza near the intersection of Taylor Avenue and Loch Raven Boulevard. While having access from the aforementioned public roads, the center can also be accessed from Pleasant Plains Road. The site is approximately eight (8) acres and is zoned B.L.-C.C.C. The center is improved with two (2) multi-tenant retail buildings and several stand-alone PAD site stores. The Giant supermarket is the largest tenant in the center and considered the "anchor" store. In addition to being the anchor store, testimony revealed that Giant has a total of twelve (12) stores in Baltimore County and employs roughly 1,200 people. The chain is an important economic driver of the County, as well as the State of Maryland, and works with local businesses and area farms.

Giant is going through a global reimaging of its stores, whereby the longstanding "big G" signage is being replaced with a "fruit-bowl" type logo and associated Giant lettering. As part of this change over from the old trademark to the new persona, Giant is upgrading not only the sign package, but also has allocated a significant sum to upgrade the interior of these stores. This reimaging to the "fruit-bowl" logo and associated signage will take place not only in Baltimore County, but across Maryland, Virginia, Pennsylvania and the other markets of Giant.

Testimony also focused on the aspects particular to the property that make it appropriate for variance relief. The shape of the property is irregular, almost rectangular but with the south-western and southeastern corners along Taylor Avenue removed. Those developed corners,

which are each improved with separate gas stations, work in concert with a grade change (that increases as you move away from Taylor Avenue into the site) to significantly block views into the site from both Taylor Avenue and Loch Raven Boulevard. In the short time where there is a clear view of the Giant store from Taylor Avenue, it is only at a great distance (in excess of 460 feet). Likewise, the view is impaired from Loch Raven Boulevard. While driving south along Loch Raven Boulevard, a major State thoroughfare, drivers would not realize there was a Giant supermarket in the center due to the orientation of the road to the center.

This finding is bolstered by the fact that a variance has previously been requested and approved for the center in Case No. 06-363-A. In that case the property was also deemed to possess inherent characteristics that necessitated a variance for stores other than the existing Giant supermarket.

These peculiar aspects of the property work in concert to create a practical difficulty for the supermarket, which is the inability to adequately alert the customers to their presence in the center as well as their multitude of services. This leads to decreased economic vibrancy of the store and the center as a whole. Due to the consolidation of uses under one roof, stores with large building footprints (i.e. big box) are unable to adequately advertise their services. I believe that through the granting of the variance the Petitioner is able to remedy this practical difficulty.

The testimony and evidence also showed that the granting of the variance would be in the spirit and intent of the zoning regulations. The wall mounted signage permitted at this center, without relief, would be one sign that is 600 square feet (two times the length of the wall to which the signage is affixed). The wall mounted sign package of 237 square feet would be less than half of this permitted square footage. Furthermore, the sign regulations do attempt to allow stores to adequately advertise their services and eliminate unsightly signage. I believe that this

relief and signage upgrade are in keeping with that and other goals of the sign regulations.

Lastly, customer recognition and identification of the stores is key as this reimaging is occurring not just in Baltimore County, but throughout all of Giant's operation across counties and states.

The testimony also bears that the granting of the variance will be in the interest of the public. The new sign package will utilize light-emitting-diode (LED) technology for illumination, thereby reducing the energy consumption by roughly ninety percent (90%). The freestanding signage will also assist the flow of traffic as it will alert customers to the presence of the store and give them the time they need to properly and safely adjust their driving to accommodate their supermarket trip. Given this is a heavily trafficked area and high speed traffic flow, this will be a benefit. Moreover, the freestanding signage will be located away from Pleasant Plains Road, which is closer to the residential development, and along Loch Raven Boulevard, a busier collector road.

Pursuant to the advertisement, 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

day of October 2010 that the Petition for Variance seeking relief from the

Baltimore County Zoning Regulations (B.C.Z.R.) - Table of Sign Regulations – Attachment 1

(Chart), to permit the following: (1) Section 450.4 Chart 1.5(d) for nine (9) wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one (1) permitted, and (2) Section 450.4 Chart 1.7(b) for the retention of one (1) existing freestanding enterprise sign of 205 square feet for Giant supermarket in lieu of the joint identification sign permitted of 150 square feet, in accordance with Petitioners' Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restriction:

ORDER RECEIVED FOR FILING
Date 10 - 20 - 10

<u>ADVISORY:</u> The Petitioner is advised that it may apply for any required sign permits and be granted same upon receipt of this Order; however, the Petitioner is 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, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this Order shall be taken in accordance with Baltimore County Code (B.C.C.) Section 32-3-401.

WILLIAM I WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

October 20, 2010

Charles B. Marek, III, Esquire Gildea & Schmidt 600 Washington Avenue, Suite 200 Towson, Maryland 21204

RE:

PETITION FOR VARIANCE

NE/S Taylor Avenue, 228' NE of c/line of Loch Raven Boulevard (Md. Rt. 542)

(8100 Loch Raven Boulevard)

9<sup>th</sup> Election District - 5<sup>th</sup> Council District

Saul Subsidiary I Limited Partnership, Owners;

Giant of Maryland, LLC, Lessee - Petitioners

Case No. 2011-0037-A

Dear Mr. Marek:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 of fice at 887-3391.

Very fully yours

Zoning Commissioner

for Baltimore County

WJW:dlw Enclosure

c: Giant of Maryland, LLC, 8301 Professional Place, Suite 115, Landover, MD 20785 Ronald Brumbaugh, Senior Manager of Construction, Giant of Maryland, LLC, 8100 Professional Place, Suite 115, Landover, MD 20785

Stephanie Sanchez, Saul Subsidiary I Limited Partnership, 7501 Wisconsin Avenue, Suite 1500, Bethesda, MD 20814

Mark A. Johnston, Gutschick, Little & Weber, P.A., 3909 National Drive, Suite 250, Burtonsville, MD 20866

Warren Weaver, Gable Signs, 7440 Ft. Smallwood Road, Baltimore, MD 21226 People's Counsel; File

# BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

DATE:

July 27, 2010

TO:

Zoning Commissioner and File

FROM:

Leonard Wasilewski, Planner II, Zoning Review

SUBJECT:

Petition for Variance Giant of MD LLC

Case No. 2011-0037-A (8100 Loch Raven Blvd) Ravenwood Shopping Center

- A. For clarification, this office accepted a Petition for sign Variances on July 27, 2010 from the petitioner Giant of MD LLC.
- B. During the filing appointment the petitioner was advised that, Bank of America has a wall sign on a side wall without a customer entrance in violation of Section 450.4 Attachment 1.5(d) of the Baltimore County Zoning Regulations (BCZR). Since the Attorney for the petitioner does not represent the owner of the shopping center he is not empowered to request a variance for the Bank of America's non-conforming sign. Failure to variance this sign creates a zoning enforcement problem thru October 18, 2012 at which time the non-conforming sign must be varianced or removed pursuant to Section 450.8.D.1 BCZR.
- C. Please call me if you have any questions. (410-887-3391)

LW



# **Petition for Variance**

### to the Zoning Commissioner of Baltimore County

for the property located at: 8100 Loch Raven Blvd.

which is presently zoned: BL-CCC

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 ATTACHMENT

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

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

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

ORDER RECEIVED FOR FILINGEWED BY

REV 9/15/98

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: Legal Owner(s): LILLAN (BOLOS VIUE Saul Subsidiary I Limited Partnership by pe or Print Authorized Signatory 8301 Professional Place, Suite 115 Telephone No. Name - Type or Print Address 20785 Landover MD State Zip Code Signature 7501 Wisconcin Avenue, Suite 1500 Attorney For Petitioner: Address Telephone No. Bethesda 20814 Charles B. Marek, III MD Name - Type or Print State Zip Code Representative to be Contacted: Signature Charles B. Marek, III Gildea & Schmidt, LLC Name Company 600 Washington Avenue, Suite 200 (410) 821-0070 600 Washington Avenue, Suite 200 (410) 821-0070 Address Telephone No. Address Telephone No. Towson MD 21204 21204 Towson MD State Zip Code City State Zip Code City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 2011 - 0007 A UNAVAILABLE FOR HEARING

#### ATTACHMENT TO PETITION FOR VARIANCE

8100 Loch Raven Boulevard 42<sup>nd</sup> Election District 5<sup>th</sup> Councilmanic District

- 1. To permit nine wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one permitted pursuant to BCZR § 450. Attachment 1.5.d.
- 2. To permit the retention of one existing freestanding enterprise sign of 204 sq. ft. for Giant supermarket in lieu of the joint identification sign permitted of 150 sq. ft. pursuant to BCZR § 450. Attachment 1.7.b.
- 3. For such other and further relief as may be required by the Zoning Commissioner.

# GLWGUTSCHICK, LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

#### **GIANT FOOD #353**

#### RAVENWOOD

#### ZONING DESCRIPTION

Beginning at a point on the northeast side of Taylor Avenue which is 100 feet wide at a distance of 228 feet ± northeast of the centerline of the nearest improved intersection at Loch Raven Boulevard which is variable width. Thence the following courses and distances:

- 1. 341.77 feet along the arc, having a radius of 1365.50 feet and chord bearing and distance of North 48°53'23" West, 340.88 feet
- 2. North 44°25'00" East, 166.15 feet
- 3. North 45°35'00" East, 159.17 feet
- 4. North 44°25'00" East, 481.90 feet
- 5. South 51°17'00" East, 563.86 feet
- 6. South 44°11'39" West, 15.07 feet
- 7. South 01°03'35" East, 40.02 feet
- 8. 159.22 feet along the arc, having a radius of 5000.00 feet and chord bearing and distance of South 42°41'47" West, 159.21 feet
- 9. 238.43 feet along the arc, having a radius of 1751.00 feet and chord bearing and distance of South 37°48'06" West, 238.25 feet
- 10.North 56°05'56" West, 165.00 feet
- 11. South 33°56'24" West, 219.00 feet to the point of beginning as recorded in Liber 10683, Folio 1.

2011-0037A

## 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: 2011 - 2037A
Petitioner: Giant of Maryland
Address or Location: 8100 Loch Paven Blud,
PLEASE FORWARD ADVERTISING BILL TO:
Name: Debbie Sterrett
Address: 600 Washington Ave.
Ste 200
Towson, MD 21204
Telephone Number: 410 -821 - 0070

OFFIC	CE OF BU	DGET AN	MARYLAN ID FINANC I RECEIPT	E			586	7	PAID RECEIPT
Fund 00 /	Dept'	Unit Ø600	Sub Unit	Rey Source/ Obj	Sub Rev/ Sub Obj	Dapt Ob	BS Acct		ESINESS ACTION TOWN TOWN AND THE PROPERTY AND THE PROPERT
Rec From:	GIA	ed f.				Total:	/ Rionec	315.29	A
DISTRIBU WHITE - 0		PLEAS	VCY Y	ELLOW - C	USTOMER		OLD - ACC	OUNTING	CASHIER'S VALIDATION

#### NOTICE OF ZONING HEARING

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

Case: # 2011-0037-A
8100 Loch Raven Boulevard
N/east side of Taylor Avenue, 228 feet n/east of the centerline of Loch Raven Boulevard
9th Election District - 5th Councilmanic District
Legal Owner(s): Saul Subsidiary I Ltd. Partnership,
Saul Centers Inc.
Contract Purchaser: Glant of Mb. LLC

Contract Purchaser: Glant of MD, LLC

Variance: to permit nine wall-mounted enterprise signs for the existing Glant supermarket in lieu of the one permitted; to permit the retention of one existing freestanding enterprise sign of 205 square feet for Glant Supermarket in lieu of the joint identification sign permitted of 150 square feet; for such other and further relief as may be required by the Zoning Commissioner.

ling Commissioner.

Hearing: Thursday, October 7, 2010 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III Zonling Commissioner for Baltimore County NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zonling Commissioner's Office at (410) 887-4386.

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

JT/9/729 Sept. 21

## CERTIFICATE OF PUBLICATION

9/23, 20/0
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 9/21 ,20 10.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

Wilkingon

## **CERTIFICATE OF POSTING**

	2011-0037-A RE: Case No.:
	Petitioner/Developer:
	Oct 7, 2010  Date of Hearing/Closing:
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristin Matthews:	
Ladies and Gentlemen:	
This letter is to certify under the penalties of p posted conspicuously on the property located a	erjury that the necessary sign(s) required by law were
8100 Loch Raven Boulevard	
The sign(s) were posted on	September 22, 2010
	(Month, Day, Year)
	Sincerely,
	Rout Black September 23, 2010
	(Signature of Sign Poster ) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 21, 2010 Issue - Jeffersonian

Please forward billing to:

Debbie Sternett Gildea & Schmidt 600 Washington Ave., Ste. 200 Towson, MD 21204 410-821-0070

#### **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: 2011-0037-A

8100 Loch Raven Boulevard

N/east side of Taylor Avenue, 228 feet n/east of the centerline of Loch Raven Boulevard

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Saul Subsidiary I Ltd Partnership, Saul Centers Inc.

Contract Purchaser: Giant of MD, LLC

Variance to permit nine wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one permitted; to permit the retention of one existing freestanding enterprise sign of 205 square feet for Giant Supermarket in lieu of the joint identification sign permitted of 150 square feet; for such other and further relief as may be required by the Zoning Commissioner.

Hearing: Monday, October 7, 2010 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WIŠEMAN 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

September 1, 2010

#### 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: 2011-0037-A 8100 Loch Raven Boulevard

N/east side of Taylor Avenue, 228 feet n/east of the centerline of Loch Raven Boulevard 9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Saul Subsidiary I Ltd Partnership, Saul Centers Inc.

Contract Purchaser: Giant of MD, LLC

Variance to permit nine wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one permitted; to permit the retention of one existing freestanding enterprise sign of 205 square feet for Giant Supermarket in lieu of the joint identification sign permitted of 150 square feet; for such other and further relief as may be required by the Zoning Commissioner.

Hearing: Monday, October 7, 2010 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

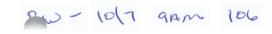
Director

TK:kl

C: Charles Marek, III, Gildea & Schmidt, 600 Washington Ave., Ste. 200, Towson 21204 Stephanie Sachez, Saul Centers Inc., 7501 Wisconsin Avenue, Ste. 1500, Bethesda 20814 Giant of MD, LLC, Mr. Vivas, 8301 Professional Place, Ste. 115, Landover 20785

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., SEPTEMBER 22, 2010.

- (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.



**DATE:** August 30, 2010

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 11-037- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

**Prepared By:** 

**Division Chief:** 

CM/LL

RECEIVED

AUG 3 1 2010

ZONING COMMISSIONER

#### **BALTIMORE COUNTY, MARYLAND**

#### **Inter-Office Correspondence**



RECEIVED

SEP 082010

**ZONING COMMISSIONER** 

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 8, 2010

SUBJECT: Zoning Item # 11-037-A

Address 8100 Loch Raven Boulevard

(Saul Subsidiary I Limited Partnership)

Zoning Advisory Committee Meeting of August 23, 2010

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: <u>JWL</u> Date: <u>9/8/10</u>



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: AUGUST 25, 2010

RE:

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

Baltimore County

Item No. 201-0037-A

MD 542 (Loch RAVEN BLVD)

RAVENWOOD CENTER

GIANT FOOD # 353

VARIANCE -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 8/25/2010. A field inspection and internal review reveals that an entrance onto M0542 16 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Capt of MD LLC. Case Number 2011-0937-A

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (<a href="mailey@sha.state.md.us">mbailey@sha.state.md.us</a>). Thank you for your attention.

Very truly yours,

For

Steven D. Foster, Chief Engineering Access Permits

Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA

Mr. Michael Pasquariello, Utility Engineer, SHA

My telephone number/toll-free number is

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street . Ballimore, Maryland 21202 . Phone 410.545,0300 . www.shx.maryland.gov



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

August 25, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 23, 2010

Item No.:

Administrative Variance: 2011-0039A, 0059A, 0062A - 0064A, 0067A, 0069A, 0070A, 0072A

Variance: 2011-0037A, 0038A, 0040A, 0041A, 0046A, 0058XA, 0059A, 0065A, 0066A, 0068A, 0071A

Special Exception: 2011-0058XA

Special Hearing: 2011-0061SPH

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore** County Fire Marshal's Office and the comment below is applicable for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant Baltimore County Fire Marshal's Office 700 E. Joppa Road, 3<sup>RD</sup> Floor Towson, Maryland 21286 410-887-4880 Mail Stop 1102

cc: File

## BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** August 26, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

**Zoning Advisory Committee Meeting** 

For September 6, 2010

Item Nos. 2011- 037, 038, 039, 040, 041, 046, 059, 060, 061, 062, 063, 064, 066, 067, 069, 070 and 071

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09062010 -NO COMMENTS.doc

RE: PETITION FOR VARIANCE

8100 Loch Raven Blvd; NE/S Taylor

Avenue, 228' NE of c/line Loch Raven Blvd\*

9th Election & 5th Councilmanic Districts

Legal Owner(s): Saul Subsidiary I Partnership\*

Contract Purchaser(s): Giant of Maryland, LLC

Petitioner(s) \*

**BEFORE THE** 

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

2011-037-A

#### ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of August, 2010, a copy of the foregoing Entry of Appearance was mailed to Charles Marek, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

RECEIVED

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

AUG 2 7 2010

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

## CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ No Comment
8-26	DEVELOPMENT PLANS REVIEW	None
9-8	DEPRM (if not received, date e-mail sent)	NC
8-25	FIRE DEPARTMENT	Done
8-30	PLANNING (if not received, date e-mail sent)	None
8-25	STATE HIGHWAY ADMINISTRATION	No esjection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	)
	ADJACENT PROPERTY OWNERS	
ZONING VIOL	ATION (Case No	
PRIOR ZONING	G (Case No. 2006-0363-A+19	755-33)44 is not -1998-0088 Savadore
	ADVERTISEMENT Date: 9-21-10	
SIGN POSTING	Date: 9-23-10	(Incorrect week do referred - should be Thursday - da
	INSEL APPEARANCE Yes No D	or)
Comments, if an	y: Se Mend from Wasilewskie	7-27-10
* No c	veor photos in this file. all of ionee this to Keey on 10-4 - She'll	hard have photo.

attention

Maryland Department of Assessments and Taxation Real Property Data Search (vw4.3) BALTIMORE COUNTY Go Back View Map New Search

Accour				Dist	rict - 09 Accou	nt Number	- 090	7271100			
					Owner Info	rmation					
Owner	Name:		SUBSIDIA ED PARTI		Use: Principa	al Residence	e:	COMMEI NO	RCIAL		
Mailing	g Address:	7501 W	ISCONSI	X ADMINISTR N AVE STE 15 20814-6522	ATOR <u>Deed Re</u>	eference:		1) /10683/ 2)	/ 1		
				Loca	ation & Structu	ire Inform	ation			306	
8102 H	es Address LOCH RAV MORE MD					Legal Dese 7.997 AC TAYLOR A NW COR I	AV		BL .		
<b>Map</b> 70	Grid 22	Parcel 286	Sub Dis	trict Subd	ivision Sec	ction E	lock	Lot	Assessment A	Area	Plat No:
Special	Tax Areas	Town Ad Va	lorem								
Primar	Tax Areas	Ad Va		Enclosed 7,604 SF	Area	Proper 7.99 A		nd Area		County 14	y Use
Primar 0000	y Structure	Ad Va Tax Cl	lass		Area			nd Area			y Use
Primar 0000	y Structure	Ad Va Tax Cl	lass	7,604 SF	Area Value Info	7.99 A		nd Area			y Use
	y Structure	Ad Va Tax Cl Built	lass	7,604 SF		7.99 Acrmation	C C	nd Area			y Use
Primar 0000 Stories	y Structure Baseme	Ad Va Tax Cl Built ent Typ Base 4,79	e Exte	7,604 SF erior Value As Of 01/01/2008 4,798,200	Value Info	7.99 Acres 7.90 Acres		nd Area			y Use
Primar 0000 Stories Land Improv	y Structure	Ad Va Tax Cl Built ent Typ Base 4,79 12,7	e Extended E	7,604 SF erior Value As Of 01/01/2008 4,798,200 12,790,700	Value Info	7.99 At	E F /2011				y Use
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Primar 0000 Stories Land Improv Total:	Basemo	Ad Va Tax Cl Built ent Typ Bass 4,79 12,7 17,5	e Extended E	7,604 SF erior  Value As Of 01/01/2008 4,798,200 12,790,700 17,588,900	Value Info Phase-in A As Of 07/01/2010	7.99 At	E F /2011	L			y Use
Primar 0000 Stories Land Improv Total:	Basemovements:	Ad Va Tax Cl Built  Base 4,79 12,7 17,5 0	e Ext e Value 8,200 90,700 88,900	7,604 SF erior  Value As Of 01/01/2008 4,798,200 12,790,700 17,588,900 0	Value Info Phase-in A As Of 07/01/2010 17,588,900 0 Transfer Inf	7.99 At	S F /2011 AVAI	L		\$4	y Use ,337,069

#### PLEASE PRINT CLEARLY

Save Subsidiary I Jetha, Parther.,

CASE NAME 8100 Joh Rover Blod.

CASE NUMBER 2011-0037-A

DATE 10-7-10

## PETITIONER'S SIGN-IN SHEET

ADDRESS	CITY, STATE, ZIP	E- MAIL
8100 Professional Place Sute	is landougmo 20785	Ronald. Brumbaughe
600 washington Ave. Ste. 200	Tousan, My 21204	Giant of Maryland. Com
Lieute and		-> cmarek@ gildeallc.com
3909 NATUNAL Dr. SUITE 250	Burrasuille mo 20866	M JOHNSON & GLUPA.Com
7440 FT. SMALLWOOD BD	BALTIMORE, MD	WARREN - WEAVERO GableSIGN
GABLESIGNS		
a graphics, inc.		
www.gablesigns.com		
aphics for Every Environment		
		0
	8100 Professional Place 550 600 washington Ave. Ste. 200 3909 NATUNAL Dr. SUITE 250 7440 FT. SMALLWOOD BD	8100 Professional Place Step 115 Landoug md 20785 600 Washington Ave. Ste. 200 Townson, MD 21204  3909 NATURAL Dr. SOITE 250 BUTTONIE MD 20866 7440 FT. SMALLOCOD BD BLATTIMORE, MD  CABLESIGNS a GRAPHICS, INC.

Case No.: 2011-0037-A 8100 LOCH RAVEN BLD.

### **Exhibit Sheet**

## Petitioner/Developer

#### **Protestant**

No. 1	SITE PLAN	
No. 2	SIGN ECENATION	
No. 3	RESUME - MARK JOHNSTON	
No. 4	06-363-A Variance	
No. 5 A/G	MARK JOHNSTON  06-363-A Variance Case - for Mult. Tenant store Photo's OF GISTING  CONDITIONS	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

### MARK A. JOHNSTON Professional Engineer Surveyor in Training

#### **EDUCATION**

Bachelor of Science, Civil Engineering University of Illinois, 1994 (Areas of Concentration: Water Resources and Geotechnical Engineering)

#### EXPERIENCE

Mr. Johnston has performed site development engineering as well as senior project management rezonings and special exceptions in Baltimore/Montgomery/Prince George's/Howard/Frederick/Harford Counties, Maryland as well as in Texas, Illinois, Pennsylvania and Virginia for: shopping centers (ranging in size from 1 to 30 acres); religious and institutional facilities; multi-family/apartment sites; public and private schools; office buildings; warehouse complexes; industrial sites; public roads; water, sewer and storm drains; on-site and regional storm water management facilities; and related projects such as traffic impact studies and site development feasibility studies.

He has made project presentations in Maryland to Prince George's County Board of Appeals, M-NCP&PC (Montgomery and Prince George's Counties); City of Rockville Planning Commission, City of Gaithersburg Planning Commission and many other jurisdictions in other states.

#### PROFESSIONAL REGISTRATIONS

Professional Engineer, Maryland Surveyor in Training, Illinois Registration

PETIT:	ONER'	S	
EXHIBIT	NO.	3	

EXHIBIT NO.

#### IN RE: PETITION FOR VARIANCE

NE/Corner Loch Raven Boulevard and Taylor Avenue (8100 Loch Raven Boulevard) 9<sup>th</sup> Election District 4<sup>th</sup> Council District

Saul Subsidiary I Limited Partnership Petitioners

- \* BEFORE THE
- \* ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- \* Case No. 06-363-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 property, Saul Subsidiary I Limited Partnership, by Saul QRS, Inc., a General Partner, through their attorney, Joseph R. Woolman, III, Esquire. As originally filed, the Petitioner requested relief from Section 450.4(I)5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 16 wall-mounted enterprise signs in lieu of the permitted six signs. However, in response to the Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning, and at the request of the Loch Raven Community Council, the Petitioners amended their request in open hearing and now seek relief to allow 12 wall-mounted enterprise signs in lieu of the permitted six. The subject property and requested relief are more particularly described on the redlined 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 Joss, a representative of Saul Subsidiary I Limited Partnership, owners of the subject property, Dean Hoover, the Professional Engineer who prepared the site plan for this property, and Joseph R. Woolman, III, Esquire, attorney for the Petitioners. Donna Spicer and Leslea Knauff appeared as interested citizens on behalf of the Loch Raven Community Council and Loch Raven Village community, respectively. There were no Protestants or other interested persons present.



#### Address 8101 Loch Raven Boulevard

Address is approximate





Looking W from & Lock Raven

PETITIONER'S

EXHIBIT NO. 5A



#### Address Loch Raven Boulevard

Address is approximate





Looking N from Lock Raven

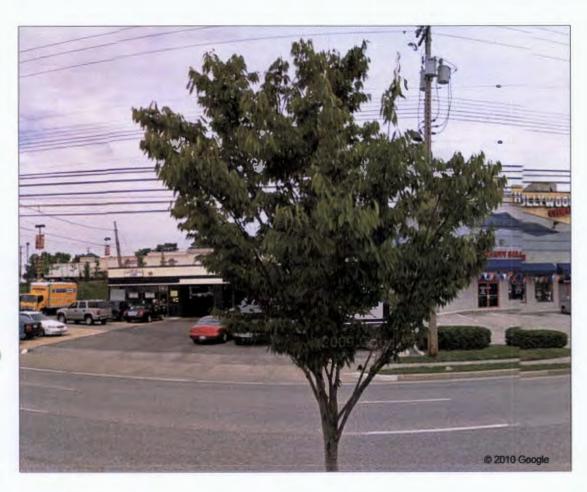
58



## Address Taylor Avenue

Address is approximate





Taylor Ave looking NE

5C



#### Address 1041 Taylor Avenue

Address is approximate





Looking North from Taylor Ave. cross walk at intersection with Lock Teaven

50



#### Address Taylor Avenue

Address is approximate





Taylor Ave. 100king NE ~ 480 Feet

58



#### Address Taylor Avenue

Address is approximate





Looking N/E along Taylor Ave.

5F



#### Address Pleasant Plains Road

Address is approximate





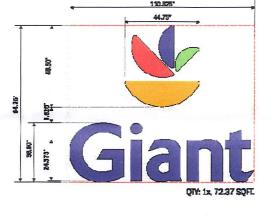
Looking ENE at Taylor Ave & Plesant Plains Road

56

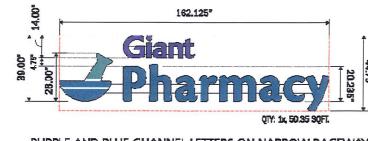








CHANNEL LOGO WITH WHITE PLEX FACES, A" RELIEF FOR 3M TRANS VINYLS,



PURPLE AND BLUE CHANNEL LETTERS ON NARROW RACEWAY PAINTED TO MATCH BUILDING



the quality food people

PURPLE CHANNEL LETTERS ON NARROW RACEWAY PAINTED TO MATCH BUILDING

GLWGUTSCHICK LITTLE &WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE — SUITE 250 — BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866

TEL: 301-421-4024 BALT: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

L:\CADD\DRAWNGS\87027\Design\87027-SITE-PLAN | DES. MAJ | DRN. JGJ | CHK.

# flavorful meat

120,30\*

natural foods

fresh bakery

fresh picked produce

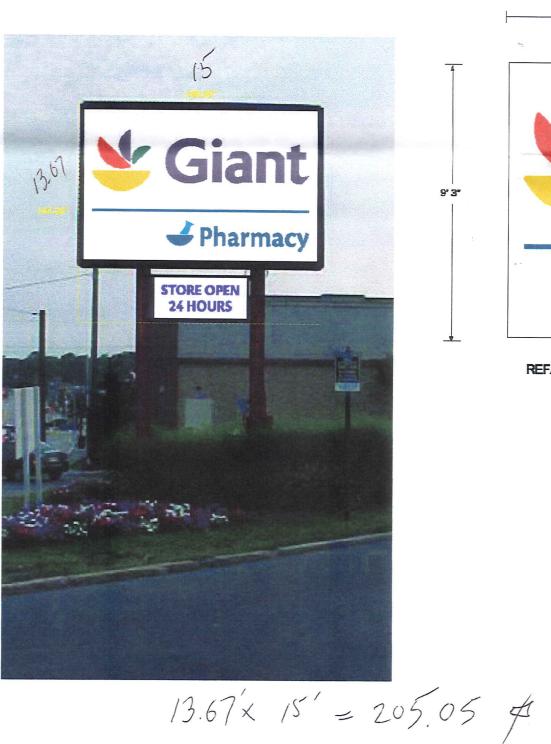
PURPLE ACRYLIC LETTERS STUD-MOUNTED TO WALL



BOX SIGNS WITH ILLUMINATED LETTERS IN WHITE. BACKGROUND OF SIGN FACE, SIGN CABINET AND RETURN ALL TO MATCH PURPLE PMS 259

## STORE #353 Baltimore, MD







DF ILLUMINATED PYLON SIGN 14'-3" X 9'-3" (V.O.) REFACE WITH FLEXFACE MATERIAL AND 3M TRANSLUCENT VINYL

STORE OPEN
24 HOURS

DF ILLUMINATED PYLON SIGN 14'-3" X 9'-3" (V.O.)
REFACE WITH LEXAN MATERIAL AND 3M TRANSLUCENT VINYL

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

SIGNAGE SCALE: 1/4"- 1'-0"

AGNOLI	AGNOLI SIGN COMPANY, INC. • 722 WORTHINGTON STREET, SPRINGFIELD, MA 01105 • TEL. (413) 732-5111 • FAX (413) 787-2169									
FRONT	GIANT LOGO	72.37 SQFT	FRONT	, ,			DATE	2 20 40	CUSTOMER: GIANT	STORE: GIANT #353
FRONT			FRONT				3	2-20-10	Crati	8100 LOCH RAVEN BLVD
FRONT			FRONT				걸	0.040		BALTIMORE, MD
FRONT			FRONT	THE QUALITY FOOD PEOPLE 18" X 22'-2.5"	33.3 SQFT		24	0-0-10		
FRONT	PHARMACY LOGO	50.35 SQFT	FRONT	LOW PRICES 18" X 9'-6"	14.25 SQFT	TOTAL OF ALL	>: ⊭	0-0-10	DRAWING CODE:	
FRONT			FRONT			SQUARE	22	0-0-10	BALTIMORE, MD #353 ELEVATIO	N.CDR / MD / GIANT
FRONT			FRONT			FOOTAGE	>:≝	0-0-10		
FRONT			FRONT	FLAVORFUL MEAT 14" X 10'-9"	12.5 <b>SQFT</b>		22	U-U-10		
FRONT			FRONT	NATURAL FOODS 14" X 10'	11.6 SQFT	236.61 SQFT	>:≝	0.0.45	SALESPERSON: CHRIS	DRAWN BY: MARIANNE
FRONT			FRONT	FRESH BAKERY 14" X 9'-4"	10.B SQFT		물건	0-0-10	THIS DESIGN IS THE EXCLUSIVE PROPERTY OF	
FRONT	WELCOME 1'-10" X 7'-2"	13.14 SQFT	FRONT	FRESH PICKED PRODUCE 14" X 15'-8"	18.3 SQFT		>."	0-0-10	AGNOLI SIGN COMPANY INCORPORATED AND	
FRONT			FRONT				받음	U-U-10	ALL RIGHTS TO ITS USE OR REPRODUCTION AR	E RESERVED

REVISION

DATE

SIGN CLASSIFICATION	MAX AREA/ FACE	MAX No./ PREMISES	ADDITIONAL LIMITATIONS	HEIGHT
Wall Mounted	2 x length of the wall to which it's affixed	I per tenant with separate exterior customer entrance	N/A	N/A
Freestanding- Joint ID	150'	1 per frontage	No more than 5 lines displayed	25'

PETTTTONER'S

EXHIBIT NO.

BY	APP'R.	

	The second secon			
PREPARED FOR:	SCALE	ZONING	PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING	G. L. W. FILE No.
GIANT OF MARYLAND, LLC 1385 HANCOCK STREET QUINCY, MA 02169	AS SHOWN	BL-CCC	RAVENWOOD SHOPPING CENTER GIANT FOOD STORE No. 353	87027
ATTN: MR. SCOTT HALEY (617)-770-8119	DATE NOV, 2009	TAX MAP - GRID 70, B-3	P.286  ELECTION DISTRICT No. 9, COUNCILMANIC DISTRICT No. 5  BALTIMORE COUNTY, MARYI AND	SHEET 2 OF 2

