

IN RE: **PETITION FOR VARIANCE**

W/S Merritt Boulevard (Md. Rt. 157), 710'
SW of c/line of German Hill Road
(1400 Merritt Boulevard)
12th Election District
7th Council District

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

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2011-0040-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 the property owner, VEI Dundalk, LLC by its Vice President and managing member Bradley S. Glaser. 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 eleven (11) wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one (1) permitted; (2) Section 450.4 Chart 1.5(d), to allow a wall-mounted enterprise sign for a bank tenant with a shared customer entrance and shared commercial space in lieu of the required separate customer entrance and separate commercial space, and (3) Sections 450.4 Chart 1.7(b) and 1.5(b), for retention of a freestanding joint identification sign and a freestanding enterprise sign on the same frontage of a shopping center in lieu of the one (1) permitted joint identification sign. 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.

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Date

By

10-20-10

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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.

As a preliminary issue, Mr. Marek noted that there had been a previous hearing focusing on signage that was part of the requested relief for this hearing. Specifically Case No. 84-327-A was a case that requested a variance to permit certain Pizza Hut signage at the center. This relief was granted allowing the freestanding enterprise sign for the Pizza Hut and some additional wall mounted signage. Due to the fact that a variance had been approved to allow the freestanding sign for the Pizza Hut PAD site, it was argued that the relief requested in regards to the freestanding joint identification signage was unnecessary. The existing freestanding joint identification sign is within the specifications required by the B.C.Z.R. in terms of number, size, height, etc. In light of this, it was agreed that the variance relief dealing with this particular aspect of the site was unnecessary and should be dismissed.

Continuing with the other aspects of the relief requested, 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 "German Hill" shopping plaza near the intersection of German Hill Road and Merritt Boulevard. The center has two (2) entrances on Merritt Boulevard. The site is approximately 9.9 acres and is zoned B.M.-C.C.C. The center is improved with a multi-tenant retail building and a stand-alone PAD site Pizza Hut. 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 farms.

Giant is going through a global reimagining 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, Giant is upgrading not only the sign package, but also has allocated a significant sum to upgrade the interior of these stores. This reimagining 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.

This particular Giant is also subletting interior space for PNC Bank. This space is granted to PNC from Giant and not from the landlord for the multi-tenant retail building. This bank space is not divided and exclusive of the general supermarket space, which is becoming more common in the supermarket arena. While Giant does not operate the space, it does want to provide this convenience banking to its clients as a time saving benefit of shopping at its stores.

Testimony also focused on the aspects specific to the property that make it appropriate for variance relief. The shape of the property is unusual for the area because of its significant depth. While it is clear that this area was originally planned to have two parcels, both a parcel fronting Merritt Boulevard, an alley and then a rear parcel away from Merritt Boulevard (as shown on Petitioners' Exhibit 6). Because these surrounding parcels have developed in this fashion and have improvements with minimal setbacks, as seen in Petitioners' Photo Exhibits 5A-E, the view into the subject site is constrained. Given that Merritt Boulevard is a high speed State thoroughfare, customers further have reduced time and opportunity to view the site.

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Date 10-20-10

By DJ

Additionally this center has two separate and distinct parcels that are under unrelated ownership and control. The Pizza Hut site, which sits along Merritt Boulevard and shares parking with the multi-tenant retail building, acts as a significant obstruction to the view of the Giant. Furthermore, this finding is bolstered by the fact that a variance has previously been requested and approved for the center in Case No. 84-327-A.

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. In addition the store, due to the consolidation of uses under one roof, these stores with large building footprints (i.e. big box) stores are unable to adequately advertise their services. I believe that the granting of the variance will allow the Petitioner a remedy vis-à-vis this practical difficulty. Allowing multiple signs will give customers an opportunity to recognize the store from various points along their drive and not just one vantage point.

Moreover, 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 464 square feet (two times the length of the wall to which the signage is affixed). The wall mounted sign package would be 320 square feet or only sixty-nine percent (69%) of the size permitted as of right. Furthermore, the sign regulations do attempt to allow stores to adequately advertise their services, and I believe that this relief is in keeping with that and other goals of the sign regulations. Lastly customer recognition and identification of the stores is important as this reimagining is occurring not just in Baltimore County, but throughout all of Giant's operation across counties and states.

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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. Therefore, the variance to permit eleven (11) wall mounted signs should be granted.

Legal argument was made during the hearing that the relief requested that related to the wall mounted signage was duplicative. Giant is proposing eleven (11) wall mounted signs, including the PNC sign. It also requested a sign for an interior bank sub-tenant with no customer entrance and no separate commercial space. Granting both of these variance requests would lead to the allowance of twelve (12) wall mounted signs (ten dedicated to the Giant and two for its bank tenant), which is one more bank sign than shown on Exhibit 2. The requirement of a separate commercial entrance and separate commercial space are only factors considered in determining the maximum number of signs permitted by right in a multi-tenant retail building and not a regulation that relates to the content of the sign. Consequently, the variance relief requesting an additional sign for an interior bank tenant with no customer entrance has been rendered moot by the granting of other relief and should be dismissed.

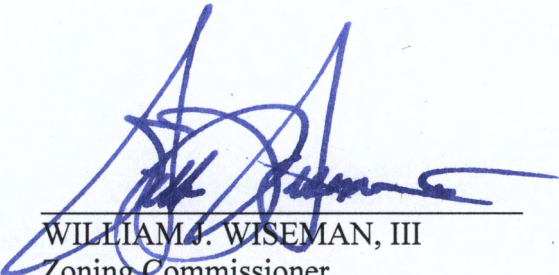
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the existing store having been determined to be a single commercial building, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of October 2010 that the Petition for Variance seeking relief from Section 450.4 Chart 1.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.) – Table of Sign Regulations – to permit eleven (11) wall-mounted enterprise signs for an existing Giant supermarket in lieu of the one (1) permitted, in accordance with the Petitioners' Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restriction:

ADVISORY: 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 its 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.

IT IS FURTHER ORDERED that the portion of the Variance Petition requesting approval to permit a wall-mounted enterprise sign for an interior bank tenant, and to permit the retention of a freestanding joint enterprise sign on the same frontage, be and are hereby DISMISSED AS MOOT.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date

10-20-10

By

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BALTIMORE COUNTY
MARYLAND

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**
W/Merritt Boulevard (Md. Rt. 157), 710' SW of c/line of German Hill Road
(1400 Merritt Boulevard)
12th Election District - 7th Council District
VEI Dundalk, LLC, *Owner*; Giant of Maryland, LLC, *Lessee* - Petitioners
Case No. 2011-0040-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 office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a circular stamp.

WILLIAM J. WISEMAN, III
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
Bradley S. Glaser, VEI Dundalk, LLC, 1500 Serpentine Road, #100, Baltimore, MD 21209
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



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 1400 Merritt Blvd.

which is presently zoned: BL-CCC

BM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s):

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

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Giant of Maryland, LLC by:

Name - Type or Print WILLIAM C. VIVAS, Authorized Signatory

Signature
8301 Professional Place, Suite 115

Address Telephone No.
Landover MD 20785
City State Zip Code

Attorney For Petitioner:

Charles B. Marek, III

Name - Type or Print Charles B. Marek, III

Signature
Gildea & Schmidt, LLC

Company
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

VEI Dundalk, LLC by: Bradley S. Glaser, v.p. of manager

Name - Type or Print Bradley S. Glaser, Authorized Signatory

Signature

Name - Type or Print

Signature

1500 Serpentine Road #100
Address Telephone No.
Baltimore MD 21209
City State Zip Code

Representative to be Contacted:

Charles B. Marek, III

Name
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2011-0040A

ESTIMATED LENGTH OF HEARING _____

ORDER RECEIVED FOR FILING

AVAILABLE FOR HEARING

REV 9/15/98

Date 10-20-10

Reviewed By [Signature]

Date 8/5/10

By [Signature]

ATTACHMENT TO PETITION FOR VARIANCE

1400 Merritt Boulevard

6th Election District

7th Councilmanic District

1. To permit eleven wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one permitted pursuant to BCZR § 450.4 Attachment 1.5.d.
2. To permit a wall-mounted enterprise sign for a bank tenant with a shared customer entrance and shared commercial space in lieu of the required separate customer entrance and separate commercial space pursuant to BCZR § 450.4 Attachment 1.5.d.
3. To permit retention of a freestanding joint identification sign and a freestanding enterprise sign on the same frontage of a shopping center in lieu of the one permitted joint identification sign pursuant to BCZR § 450.4 Attachment 1.7.b and 1.5.b.
4. For such other and further relief as may be required by the Zoning Commissioner.

2011-0040-A

GLW GUTSCHICK, LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

GIANT FOOD #363

TOWN CENTRE

ZONING DESCRIPTION

Beginning at a point on the west side of Merritt Boulevard which is 140 feet wide at a distance of 710 feet $\pm$ southeast of the centerline of the nearest improved intersection at German Hill Road which is variable width. Thence the following courses and distances:

1. South 15°07'54" East, 392.00 feet
2. South 74°52'06" West, 177.00 feet
3. South 15°07'54" East, 234.00 feet
4. North 74°52'06" East, 157.00 feet
5. North 29°52'06" East, 28.28 feet
6. South 15°07'54" East, 107.00 feet
7. North 60°07'54" West, 28.28 feet
8. South 74°52'06" West, 648.61 feet
9. North 22°50'33" West, 21.36 feet
10. North 24°12'28" West, 254.33 feet
11. North 14°47'35" West, 400.70 feet
12. North 74°52'06" East, 689.23 feet
13. North 29°52'06" East, 28.28 feet to the point of beginning.

Being Lot 7 in the subdivision of Town Centre as recorded in Baltimore County Plat Book # 42, folio # 129, containing 431,688 square feet or 9.9102 acres. Also known as 1400 Merritt Boulevard and located in the 12th Election District.

2011-0040-A

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2011-0040A

Petitioner: Giant of Maryland, LLC

Address or Location: 1400 Merritt Blvd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gilda S. Schmidt c/o Debbie Starrett

Address: 600 Washington Ave

Ste 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 7/11/05 - SCJ

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **58624**

Date: **7/24/10**

PAID RECEIPT

BUSINESS ACTUAL TIME

7/24/2010 2:02/2010 14:37:35

REC 0001 WALKIN ORTO INT

RECEIPT # 445719 7/23/2010 0611

5 020 ANNUAL CERTIFICATION

CL 0. 058624

Recpt Tot \$325.00

\$325.00 0.00 \$325.00

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acot	Amount
001	806	0000		6150				325.00

Total: **325.00**

Rec From: **Gildea + Schmidt**

For: **Grant of MD**
1400 Harriott Blvd **2011-0040-A**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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: # 2011-0040-A

1400 Merritt Boulevard

W/side of Merritt Boulevard, 710 feet s/west of the centerline of German Hill Road

12th Election District - 7th Councilmanic District

Legal Owner(s): VEI Dundalk, LLC

Contract Purchaser: Giant of MD, LLC

Variance: to permit eleven wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one permitted; to permit a wall-mounted enterprise sign for a bank tenant with a shared customer entrance and shared commercial space in lieu of the required separate customer entrance and separate commercial space; to permit retention of a freestanding joint identification sign and a freestanding enterprise sign on the same frontage of a shopping center in lieu of the one permitted joint identification sign; for such other and further relief as may be required by the Zoning Commissioner.

Hearing: Thursday, October 7, 2010 at 11:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

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) 887-4386.

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

JT/9/731 Sept. 21

254952

CERTIFICATE OF PUBLICATION

9/23, 20 10

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/21, 20 10.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0040-A

RE: Case No.: _____

Petitioner/Developer: _____
Giant of Maryland, LLC.

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:

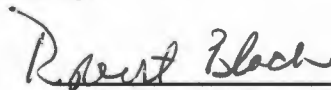
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1400 Merritt Boulevard

The sign(s) were posted on September 22, 2010
(Month, Day, Year)

Sincerely,

 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)

ZONING NOTICE

CASE #2011-0040-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

Room 106, County Office Building
PLACE: 111 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME THURSDAY, OCTOBER 7, 2010 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT ELEVEN WALL-MOUNTED
ENTERPRISE SIGNS FOR THE EXISTING GIANT SUPERMARKET
IN LIEU OF THE ONE PERMITTED. TO PERMIT A WALL-MOUNTED
ENTERPRISE SIGN FOR A BANK TENANT WITH A SHARED CUSTOMER
ENTRANCE AND SHARED COMMERCIAL SPACE IN LIEU OF THE
REQUIRED SEPARATE CUSTOMER ENTRANCE AND SEPARATE COMMERCIAL
SPACE TO PERMIT RETENTION OF A FREESTANDING JOINT
IDENTIFICATION SIGN AND A FREESTANDING ENTERPRISE SIGN ON THE
SAME FRONTAGE OF A SHOPPING CENTER IN LIEU OF THE ONE
PERMITTED JOINT IDENTIFICATION SIGN. FOR SUCH VARIANCE AND FURTHER
RELIEF AS MAY BE REQUIRED BY THE ZONING COMMISSIONER.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 21, 2010 Issue - Jeffersonian

Please forward billing to:

Debbie Starrett
Gildea & Schmidt
600 Washington Ave., Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

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CASE NUMBER: 2011-0040-A

1400 Merritt Boulevard

W/side of Merritt Boulevard, 710 feet s/west of the centerline of German Hill Road

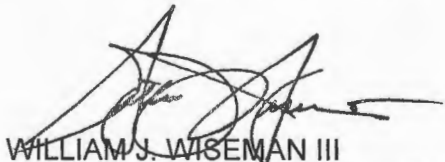
12th Election District – 7th Councilmanic District

Legal Owners: VEI Dundalk, LLC

Contract Purchaser: Giant of Maryland, LLC

Variance to permit eleven wall-mounted enterprise signs for the existing Giant supermarket in lieu of the one permitted; to permit a wall-mounted enterprise sign for a bank tenant with a shared customer entrance and shared commercial space in lieu of the required separate customer entrance and separate commercial space; to permit retention of a freestanding joint identification sign and a freestanding enterprise sign on the same frontage of a shopping center in lieu of the one permitted joint identification sign; for such other and further relief as may be required by the Zoning Commissioner.

Hearing: Thursday, October 7, 2010 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake 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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
September 8, 2010

NOTICE OF ZONING HEARING

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CASE NUMBER: 2011-0040-A

1400 Merritt Boulevard

W/side of Merritt Boulevard, 710 feet s/west of the centerline of German Hill Road

12th Election District – 7th Councilmanic District

Legal Owners: VEI Dundalk, LLC

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Hearing: Thursday, October 7, 2010 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Charles Marek, 600 Washington Ave, Ste. 200, Towson 21204
Bradley Glaser, VEI Dundalk, 1500 Serpentine Road, #100, Baltimore 21209
Juan Vivas, GIANT, 8301 Professional Place, Ste. 115, Landover 0785

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



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

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

RE: Baltimore County
Item No. 2011-0040-A
MD 157
GERMAN HILL CENTER
VEI DUNDALK, LLC
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 MD 157 is consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for VEI DUNDALK, LLC, Case Number 2011- 0040 - 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 (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael Bailey", is written over the typed name of Steven D. Foster.

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 • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

BW-10/11-11Am-106

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 08 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 8, 2010
SUBJECT: Zoning Item # 11-040-A
Address 1400 Merritt Boulevard
(VEI Dundalk, LLC)

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: JWL Date: 9/8/2010

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 26, 2010

FROM: ^{DAK}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



BALTIMORE COUNTY
M A R Y L A N D

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, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop 1102

cc: File

3W- 10/7 - 11 am - 106

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 13, 2010

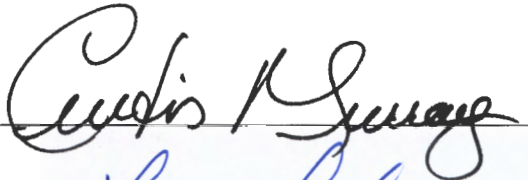
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-040- Variance**

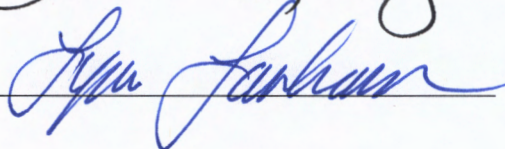
The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request. The requested wall mounted and freestanding signage is consistent with current commercial signage.

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

Prepared By:



Division Chief:
CM/LL



RECEIVED

SEP 17 2010

ZONING COMMISSIONER

RE: PETITION FOR VARIANCE * BEFORE THE
1400 Merritt Blvd, W/s Merritt Blvd, 710' *
SW c/line German Hill Road * ZONING COMMISSIONER
12th Election & 7th Councilmanic Districts *
Legal Owner(s): VEI Dundalk, LLC * FOR
Contract Purchaser(s): Giant of Maryland, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 2011-040-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

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).

RECEIVED

AUG 27 2010

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: M+ Extreme Email Engine <admin@baltimorecountymd.gov>
To: <dwiley@baltimorecountymd.gov>
Date: 11/21/2010 12:02 PM
Subject: Returned mail: Delivery Time Exceeded
Attachments: status.txt; 1022 Ingleside Ave. - Case No. 2010-0140-A

The original message was received Tue, 16 Nov 2010 11:39:45 -0500
from dwiley@baltimorecountymd.gov.

----- The following address had a permanent error -----
<HDBinc1@sprintblackberry.net>; originally to <HDBinc1@sprintblackberry.net>
The mail system tried to deliver the message for the last 5 days,
but was not able to successfully do so.

Rec'd Mon.
11-22
Unable to
make contact
w/ Mr.
Hudson

Please place in
file -

Proof of
email contact
ret'd.

Thanks.

11-22

Des

From: Debra Wiley
To: HDBinc1@sprintblackberry.net
Date: 11/16/2010 11:39 AM
Subject: 1022 Ingleside Ave. - Case No. 2010-0140-A

Mr. Hudson,

I am writing to you in reference to the above-captioned case. The address that you provided on the Petitioner's Sign-In Sheet has unfortunately resulted in the post office returning the cover letter and Order. The information is as follows: "Return to Sender - Attempted Not Known - Unable to Forward".

Please provide us with another address so that we can put this in the mail to you ASAP. If we do not hear from you, we will place this in the case file.

Thanks and have a great day.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>8-26</u>	DEVELOPMENT PLANS REVIEW	<u>N/C</u>
<u>9-8</u>	DEPRM (if not received, date e-mail sent _____)	<u>N/C</u>
<u>8-25</u>	FIRE DEPARTMENT	<u>N/C</u>
<u>9-13</u>	PLANNING (if not received, date e-mail sent _____)	<u>Does Not Oppose</u>
<u>8-25</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>84-327-A</u> ✓)	<u>Included in file</u>
NEWSPAPER ADVERTISEMENT	Date: <u>9-2-10</u>	
SIGN POSTING	Date: <u>9-22-10</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.3)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 12 Account Number - 1800004816

Owner Information

Owner Name: VEI DUNDALK L L C Use: COMMERCIAL
Principal Residence: NO
Mailing Address: 1500 SERPENTINE RD #100 Deed Reference: 1) /14595/ 189
BALTIMORE MD 21209-2010 2)

Location & Structure Information

Premises Address Legal Description
1400 MERRITT BLVD 9.910 AC
MERRITT BLVD
TOWN CENTRE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
103	5	617					7	1	
									Plat Ref: 42/ 129

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1979	114,682 SF	9.91 AC	18

Stories Basement Type Exterior

Value Information

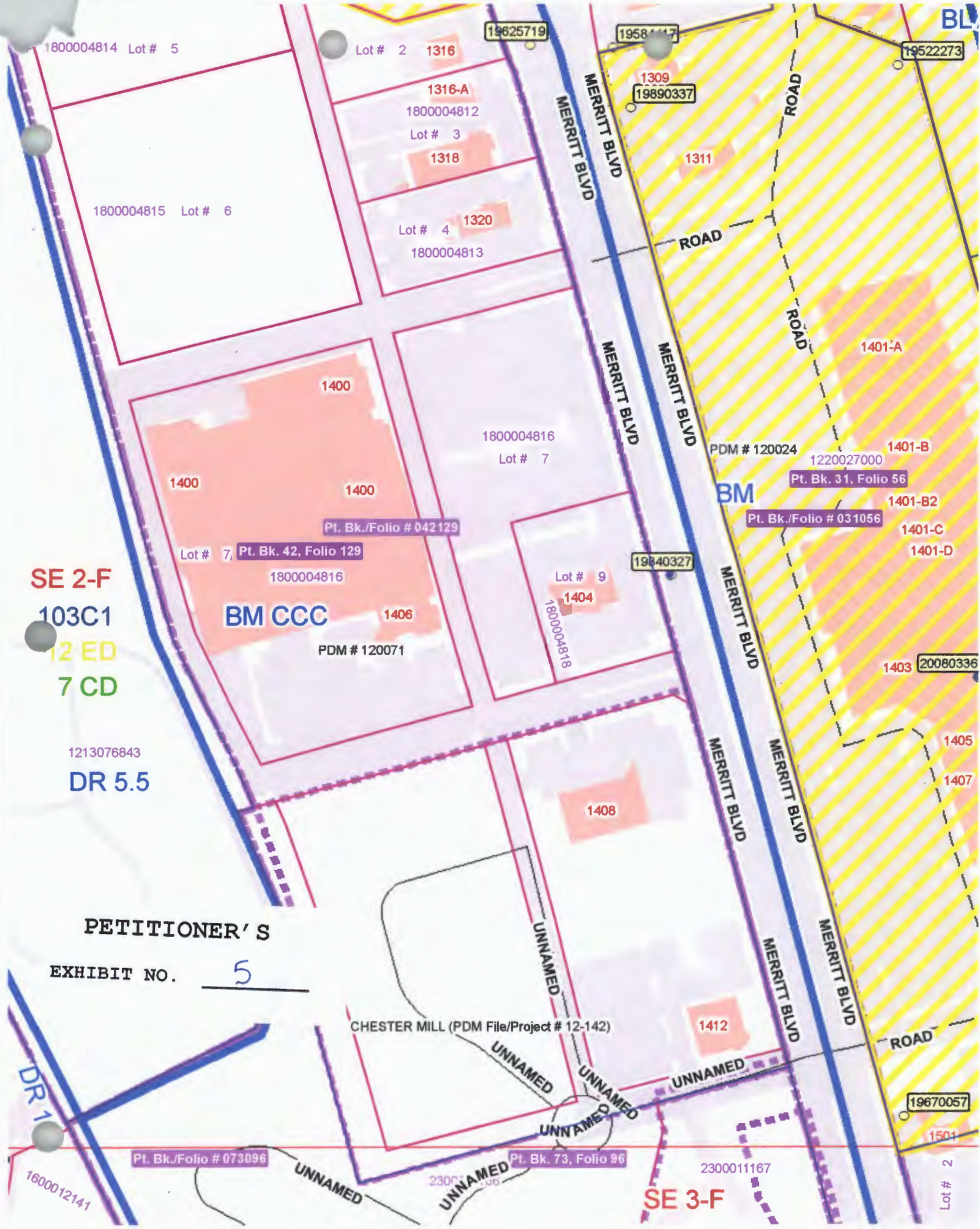
	Base Value	Value As Of 01/01/2010	Phase-in Assessments As Of 07/01/2010 As Of 07/01/2011	
Land	2,973,000	2,973,000		
Improvements:	6,450,900	7,488,000		
Total:	9,423,900	10,461,000	9,769,600	10,115,300
Preferential Land:	0	0	0	0

Transfer Information

Seller:	OTR	Date:	07/25/2000	Price:	\$4,150,000
Type:	IMPROVED ARMS-LENGTH	Deed1:	/14595/ 189	Deed2:	
Seller:	DAP ASSOCIATES	Date:	09/19/1980	Price:	\$4,744,000
Type:	IMPROVED ARMS-LENGTH	Deed1:	/ 6207/ 437	Deed2:	
Seller:		Date:		Price:	

VE1 Dundax LLC
First of me.
CASE NAME 1400 Newton Blvd.
CASE NUMBER 2011-0040-A
DATE 10-17-10

[illegible]



SE 2-F
103C1
12 ED
7 CD

1213076843
DR 5.5

PETITIONER'S
EXHIBIT NO. 5

DR 1
1600012141

SE 3-F

BL

Lot # 2

IN RE: PETITION ZONING VARIANCE
W/S of Merritt Boulevard,
1,112.34' SE of German Hill
Road - 12th Election District

Pizza Hut of Maryland, Inc.,

Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 84-327-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit three other business signs totaling 179 square feet instead of the permitted 100 square feet, as shown on Petitioner's Exhibit 1.

The Petitioner, by John Schulte, a Vice President for Pizza Hut of Maryland, Inc., appeared and testified. Also appearing on behalf of the Petitioner was David Billingslea, an engineer. There were no Protestants.

Mr. Schulte testified that Pizza Hut proposes to erect a 12'2" x 7'6" free-standing sign, 24'2" in height. The sign will be located at the right corner of the property as it fronts on Merritt Boulevard. Its purpose would be to provide a benchmark to the traffic on Merritt Boulevard to enable quick identification of the entrance to the Pizza Hut. There are four entrances into the shopping center and patrons often pass the entrance to the Pizza Hut before they realize they have done so. As a result, Mr. Schulte maintains there is a loss of business because those potential customers do not turn around but make use of other restaurants.

The property is zoned B.M.-C.C.C. and two other business signs, one for Brad's and the other for a medical center, totaling approximately 88 square feet already exist on the shopping center parcel. Pizza Hut has a roof sign attached to the building, but this sign is not included in the calculations since it is permitted under Section 413.2.b of the Baltimore County Zoning Regulations (BCZR).

ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING

DATE

BY

IN THE MATTER
OF THE APPLICATION OF
PIZZA HUT OF MARYLAND, INC.
FOR VARIANCE FROM
§413.2f OF THE BALTIMORE
COUNTY ZONING REGULATIONS
W/S OF MERRITT BLVD. 1112.34'
SE OF GERMAN HILL ROAD
12th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. 84-327-A

OPINION

The above captioned case comes before the Board of Appeals as an appeal from the decision of the Zoning Commissioner, dated May 29, 1984, granting the applicant's request for variance from §413.2f of the Baltimore County Zoning Regulations (BCZR). This Board's authority to grant variances is set forth in §307 of the BCZR. That section provides that in order to grant a variance, the Board must find that compliance with the regulations would result in practical difficulty or unreasonable hardship. The test for meeting this standard has been set forth in Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). Specifically, the text requires:

1. Whether strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome.
2. Whether the grant would do substantial injustice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief, and
3. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Before deciding whether a variance should be granted, however, the Board must address another issue raised by counsel for the applicant. Namely, counsel argued that a variance is not necessary in this case because the subject property is not part of the adjacent shopping center. Specifically, a deed for the property occupied by Pizza Hut was produced which showed that



FOOD & PHARMACY

 **Save 10¢** /gal
or more
this summer at Shell

 when you earn points with
Giant Gas Rewards

6040-A

NO
PARKING
FIRST
LANT

BIG LOTS

BARGAINS • CLOSEOUTS & FURNITURE

0040 -A

 **PNC BANK**

simply
delicious

Guard
Pharma
save
more
feel
good

**PNC Bank Inside
Now Open 7 Days
A Week**

 **PNC BANK**

0040-A



0040-A

GERMAN HILL
C • E • N • T • E • R



FOOD & PHARMACY

BIG LOTS

BARGAINS CLOSEOUTS & FURNITURE



Vanguard Equities Inc.

1400

0040-A

Case No.: 2011-0040-A 1400 Merritt Blvd

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN	
No. 2	SIGN ELEVATIONS	
No. 3	84-327-A - Variance for PIZZA HUT	
No. 4	RESUME - Mark Johnston	
No. 5 Arthur E	Photo's of Existing Conditions	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITION FOR ZONING VARIANCE 84-327A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 413.2 of the Zoning Regulations of Baltimore County to allow three business signs with a total square footage of 179 square feet in lieu of the permitted 100 square feet

~~under the Zoning Regulations of Baltimore County~~ to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Topographical conditions of the site and setback requirements in conjunction with the adjacent commercial uses make the permitted signage insufficient and inadequate. The franchise under which this property will be used requires the sign requested. It would be a particular hardship & practical difficulty for us to attempt to carry on business without the requested sign.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Pizza Hut of Maryland, Inc.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

9170 MD. RTE. 108 730-4311
Address Phone No.

COLUMBIA MD. 21045
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

MAP	241
SE	5-7
SECTION	12
DATE	4/19
TIME	1:30
BY	[Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day

of April, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 28th day of May, 1984, at 10:00 o'clock

A. M.

[Signature]

Zoning Commissioner of Baltimore County.

(over)

W/S Meritt Blvd., 1, 112.34' SE of German Hill Rd. 12th

EXHIBIT NO. 3

PETITIONER'S

ORDER RECEIVED FOR FILING

DATE May 28, 1984

BY [Signature]

GLWGUTSCHICK, LITTLE & WEBER, P.A.

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

PETITIONER' S

EXHIBIT NO. 4



Address **Merritt Boulevard**

Address is approximate



Merritt Blvd. looking NW

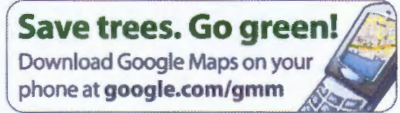
PETITIONER'S

EXHIBIT NO. 5A



Address **1428 Merritt Boulevard**

Address is approximate



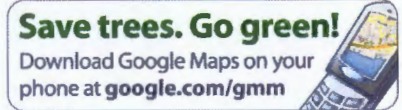
Merritt Blvd. looking NW

5B



Address **1428 Merritt Boulevard**

Address is approximate



Merritt Blvd. looking wsw

5c



Address **Merritt Boulevard**

Address is approximate



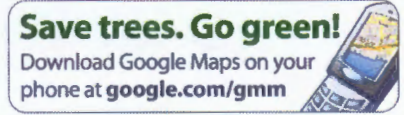
Merritt Blvd. looking SW

51)



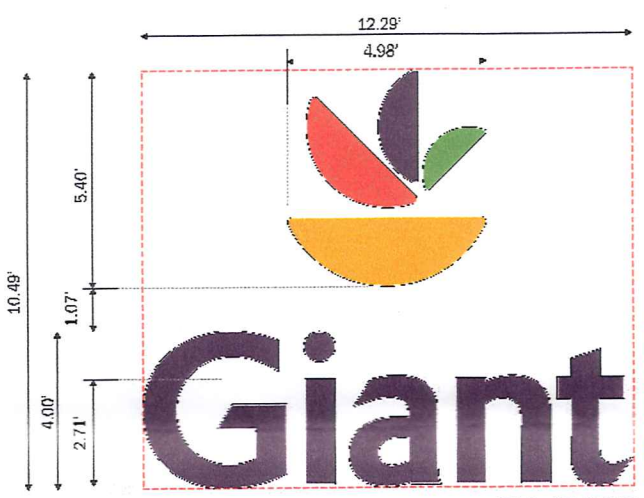
Address **Merritt Boulevard**

Address is approximate

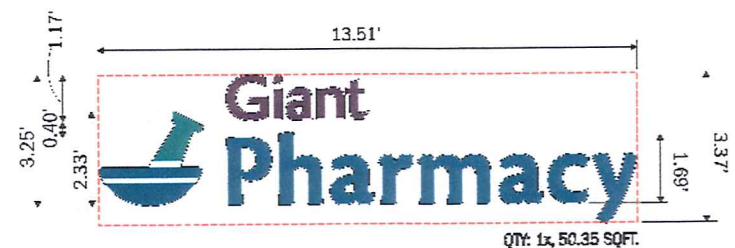


Merritt Blvd. looking SW

5E



CHANNEL LOGO WITH WHITE PLEX FACES,
4" RELIEF FOR 3M TRANS VINYL,
WHITE TRIM, WHITE RETURNS AND DEBOND BACKS



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



CHANNEL LETTERS INSTALLED ON
NARROW RACEWAY PTD TO MATCH BUILDING

low prices
the quality food people
PURPLE CHANNEL LETTERS ON NARROW RACEWAY
PAINTED TO MATCH BUILDING

flavorful meat
natural foods
fresh bakery
fresh picked produce
PURPLE ACRYLIC LETTERS STUD-MOUNTED TO WALL

welcome
2 SETS

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



Original



104 sq ft



EXISTING PIZZA HUT ENTERPRISE SIGN
LOCATED ON ADJACENT PROPERTY

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

AGNOLI SIGN COMPANY, INC. • 722 WORTHINGTON STREET, SPRINGFIELD, MA 01105 • TEL. (413) 732-5111 • FAX (413) 787-2169									
FRONT	GIANT LOGO	128.92 SQFT	FRONT	PNC BANK 18" X 8'-7"	12.74 SQFT	TOTAL OF ALL SQUARE FOOTAGE 319.39 SQFT	DATE	2-20-10	CUSTOMER: GIANT
FRONT			FRONT				REV. DATE	0-0-10	STORE: GIANT #363 1400 MERRITT BLVD DUNDALK, MD
FRONT			FRONT	THE QUALITY FOOD PEOPLE 18" X 22'-2.5"	33.32 SQFT		REV. DATE	0-0-10	DRAWING CODE: DUNDALK, MD #363 ELEVATION.CDR / MD / GIANT
FRONT	PHARMACY LOGO	50.39 SQFT	FRONT	LOW PRICES 18" X 9'-5"	14.25 SQFT		REV. DATE	0-0-10	SALESPERSON: CHRIS
FRONT			FRONT				REV. DATE	0-0-10	DRAWN BY: MARIANNE
FRONT			FRONT	FLAVORFUL MEAT 14" X 10'-9"	12.58 SQFT		REV. DATE	0-0-10	THIS DESIGN IS THE EXCLUSIVE PROPERTY OF AGNOLI SIGN COMPANY INCORPORATED AND ALL RIGHTS TO ITS USE OR REPRODUCTION ARE RESERVED
FRONT			FRONT	NATURAL FOODS 14" X 10'	11.70 SQFT		REV. DATE	0-0-10	
FRONT			FRONT	FRESH BAKERY 14" X 8'-4"	10.92 SQFT		REV. DATE	0-0-10	
FRONT	WELCOME 1'-10" X 7'-2" (X2)	26.24 SQFT	FRONT	FRESH PICKED PRODUCE 14" X 15'-8"	18.33 SQFT		REV. DATE	0-0-10	
FRONT			FRONT				REV. DATE	0-0-10	

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 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

L:\CADD\DRAWINGS\09068\Design\09068ec01 DES. ANL DRN. ANL CHK. MAJ

DATE REVISION BY APP'R

PREPARED FOR:
GIANT OF MARYLAND LLC
1385 HANCOCK STREET
QUINCY, MA 02169
ATTN: MR. SCOTT HALEY
(617) 770-8119

SCALE
NONE
DATE
NOV, 2009

ZONING
BM-CCC
TAX MAP - GRID
103-C1

PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING

**GERMAN HILL CENTER
TOWN CENTRE
GIANT FOOD STORE #363
PLAT BOOK 42, PAGE No. 129**

ELECTION DISTRICT No. 12, COUNCILMANIC DISTRICT No. 7

BALTIMORE COUNTY, MARYLAND

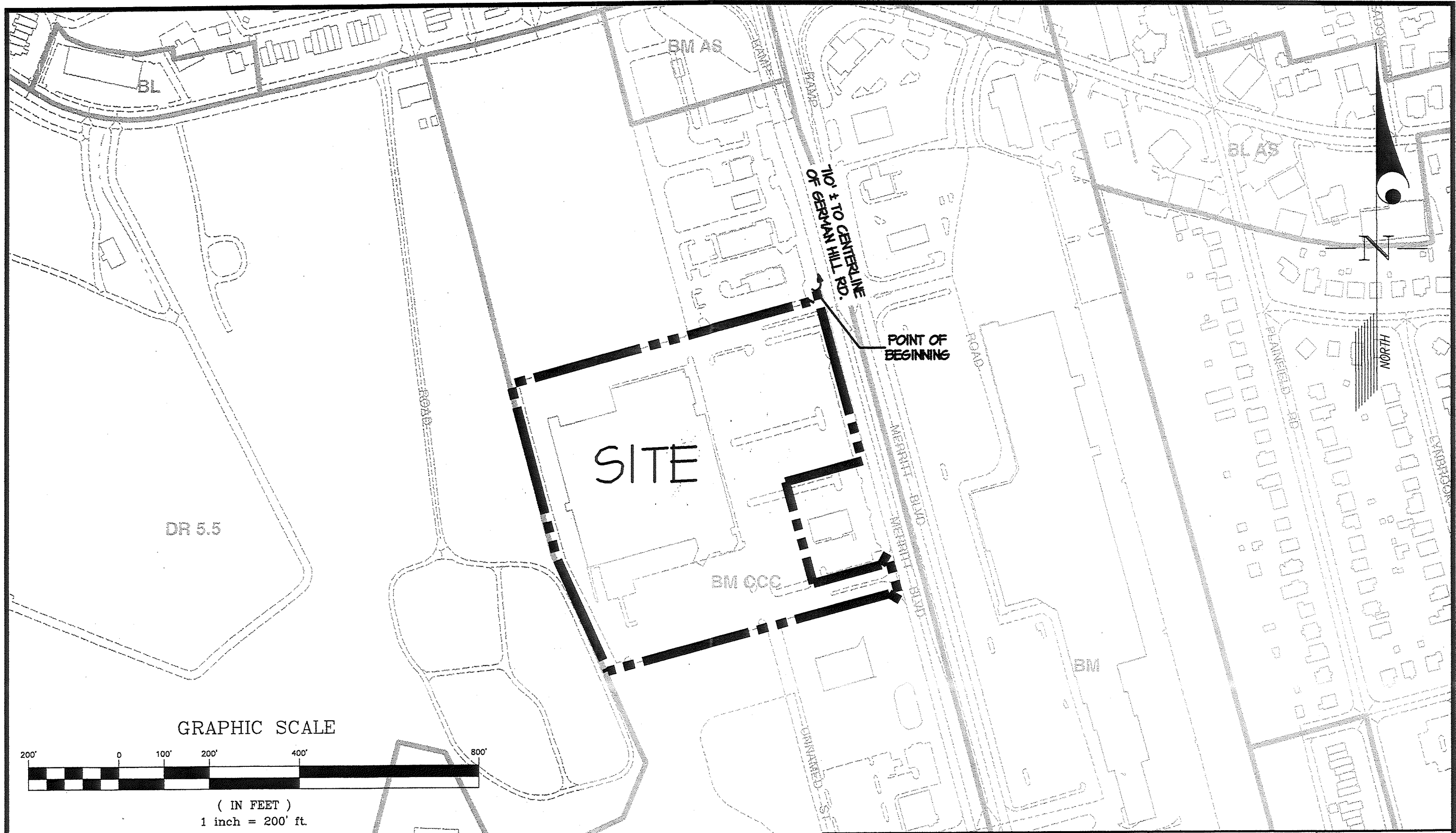
G. L. W. FILE No.

09068

SHEET
2 OF 2

PETITIONER'S

EXHIBIT NO. 2



GLW GUTSCHICK 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 BAL: 410-580-1820 DC/VA: 301-283-2524 FAX: 301-421-4186

L: \CADD\DRAWINGS\09068\Design\09068ex01.dwg

DES. MAJ

DRN. ANL

CHK.

PREPARED FOR :

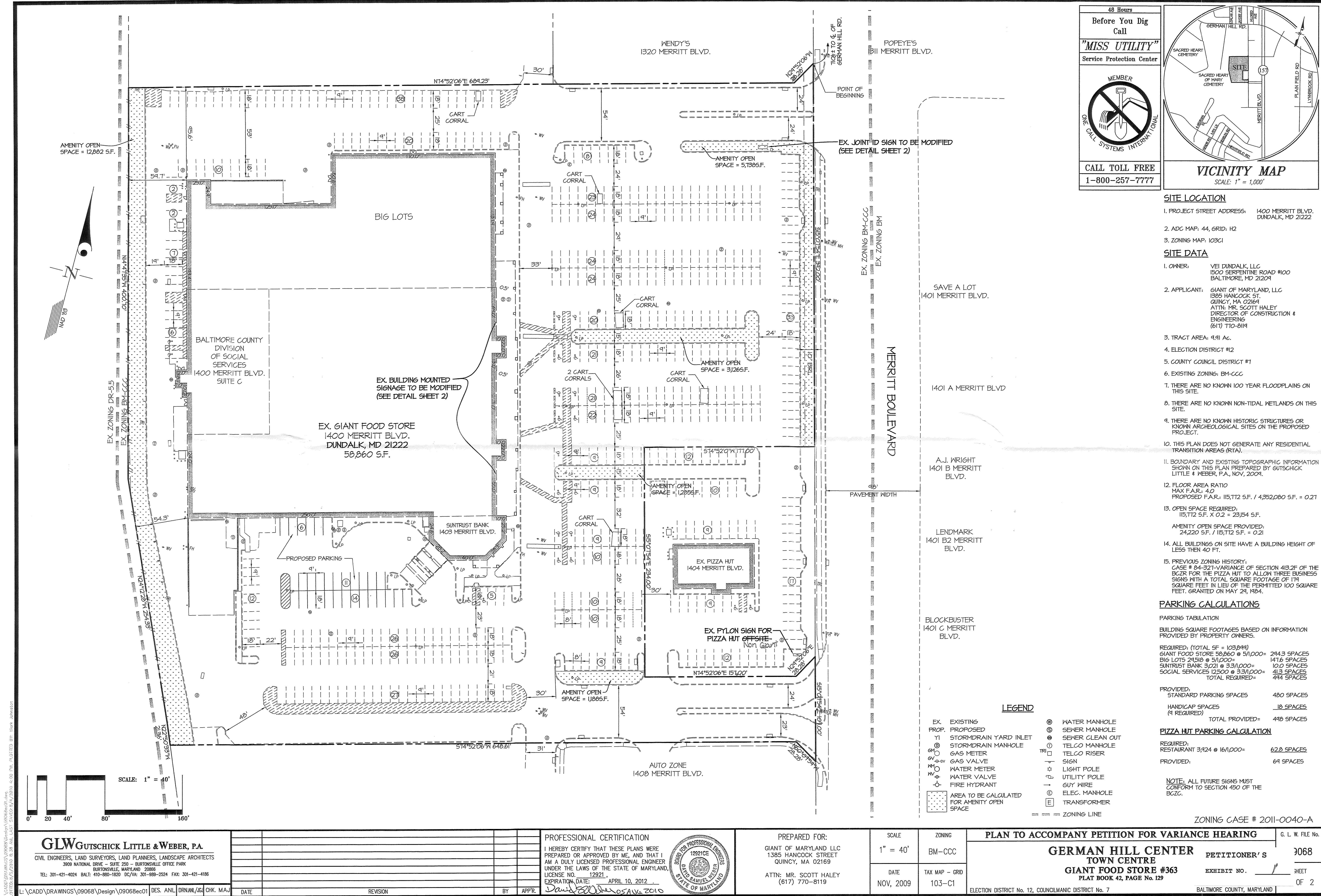
GIANT OF MARYLAND LLC
1385 QUINCY STREET
QUINCY, MA 02169

SCOTT HALEY
(617) 770-8119

GIANT FOOD #363
GERMAN HILL TOWNE CENTRE
ZONING MAP 103-C1

ZONING MAP EXHIBIT

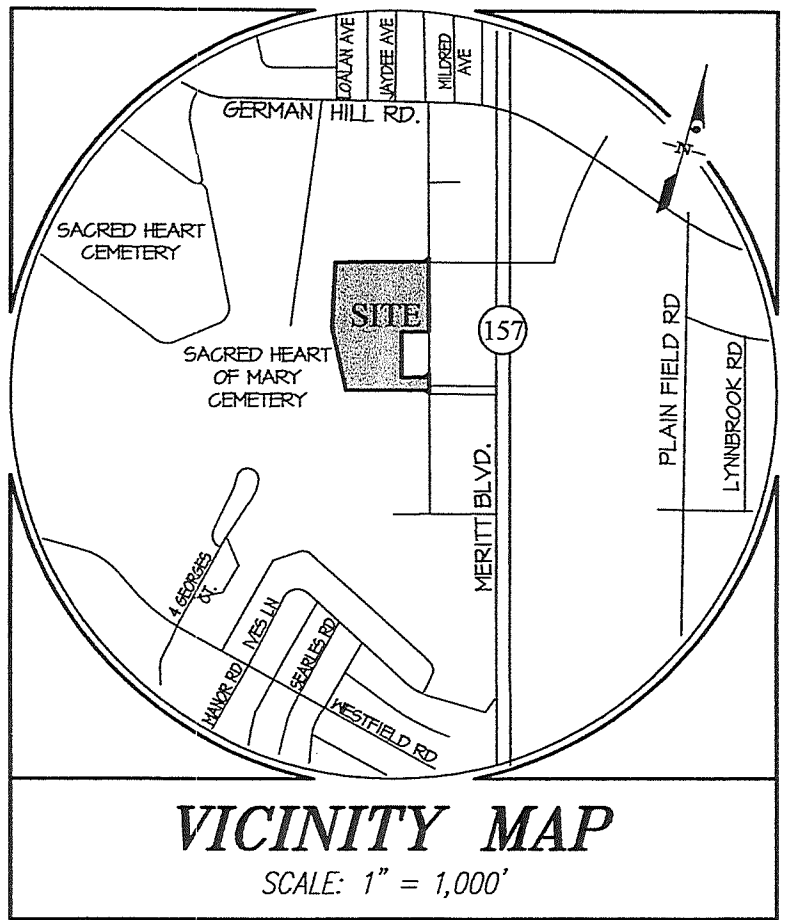
G. L. W. No.	09068
ZONING	BM CCC
TAX MAP/GRID	103-C1
DATE	JUNE, 2010
SCALE	1" = 200'
SHEET	1 OF 1



48 Hours
Before You Dig
Call
"MISS UTILITY"
Service Protection Center

MEMBER
ONE CALL SYSTEMS INTERNATIONAL

CALL TOLL FREE
1-800-257-7777



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 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186		PROFESSIONAL CERTIFICATION I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 12921. EXPIRATION DATE: APRIL 10, 2012 DATE: 05 AUG 2010		PREPARED FOR: GIANT OF MARYLAND LLC 1385 HANCOCK STREET QUINCY, MA 02169 ATTN: MR. SCOTT HALEY (617) 770-8119		SCALE 1" = 40' DATE NOV, 2009		ZONING BM-CCC TAX MAP - GRID 103-C1		PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING GERMAN HILL CENTER TOWN CENTRE GIANT FOOD STORE #363 PLAT BOOK 42, PAGE No. 129 ELECTION DISTRICT No. 12, COUNCILMANIC DISTRICT No. 7		PETITIONER'S 3068 EXHIBIT NO. 1 SHEET OF 2			
L:\CADD\DRAWINGS\09068\Design\09068ec01		DES. ANL		DRN.ANL/40		CHK. MAJ		DATE		REVISION		BY		APPR.	