

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
W side of Bel Air Road; 331 feet S the	*	DEPUTY ZONING
c/l of Rossville Blvd.		
14 th Election District	*	COMMISSIONER
6 th Councilmanic District		
(7920 Bel Air Road)	*	FOR BALTIMORE COUNTY
 Putty Hill Associates, LLC	*	
<i>Legal Owner</i>		
	*	Case No. 2011-0126-SPHA
Giant of Maryland, LLC	*	
<i>Contract Lessee</i>		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the property owner, Putty Hill Associates, LLC by Gregg Birdsall, an authorized signatory, and the contract lessee, Giant of Maryland, LLC through one of its Senior Managers of Construction, Juan Carlos Vivas, and its attorney, Charles B. Marek, III, Esquire of Gildea and Schmidt, LLC. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- To confirm that the existing Putty Hill Plaza shopping center and the stand alone Dunkin Donuts retail store are not both within the same premises; and
- To confirm that it is permitted to retain a freestanding enterprise sign for a stand alone PAD site; and
- For such and further relief as may be required by Zoning Commissioner.

Petitioner is also requesting Variance relief as follows:

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Date 12-7-10

By PJ

- From Section 450.4 Attachment 1.5.d of the B.C.Z.R. to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted 1; and
- From Section 450.4 Attachment 1.7(b) of the B.C.Z.R. to permit retention of the existing freestanding joint identification sign of 192 square feet in lieu of the permitted 165 square feet; and
- From Section 450.4 Attachment 1.7 (b) of the B.C.Z.R. to permit retention of the existing freestanding joint identification sign that includes 6 lines in lieu of the permitted 5 lines; and
- For such other further relief as may be required by the Zoning Commissioner.

The subject property and requested relief are more fully described on the site plan and signage details that were marked and accepted into evidence as Petitioner's Exhibits 1 and 2, respectively.

Appearing at the public hearing in support of the Petition were Ronald Brumbaugh, Senior Manager of Construction for Giant, Mark Johnston of Gutcheck, Little and Weber, the civil engineer for the project, and Alan Nethen of Gable Signs. Charles B. Marek, III represented the Petitioner at the hearing. There were no Protestants or other interested persons present at the hearing.

The special hearing relief requests were each dealt with as preliminary issues. First, Mr. Marek requested a dismissal of the Special Hearing relief that dealt with a freestanding sign for a stand alone PAD site. He noted that he and the other parties present were there to represent the interests of Giant and the stand alone PAD site was for Bank of America. In light of this, it was agreed that the special hearing relief dealing with this particular aspect of the site was unnecessary and should be dismissed. The special hearing relief relating to the determination of what was

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By PB

considered the "premises" was also dealt with through oral argument. "Premises" is defined in B.C.Z.R. Section 450.3 as

A recorded lot, or in the case of a multi-occupant lot such as a shopping center, office park or industrial park, the total area of the development under common ownership or control. "Premises" also means two or more contiguous lots under common ownership, leasehold or other assignment of interest in real property which are used as a unified parcel.

While the subject of the hearing was the Putty Hill Plaza, contiguous to the site is a property improved with a Dunkin Donuts. The Dunkin Donuts has a separate entrance and is self parked; however, it does have direct vehicular access to the Putty Hill Plaza. If these two properties were considered one premises, the existing freestanding Dunkin Donuts sign and the existing freestanding joint enterprise sign for the Putty Hill Plaza, each along Belair Road, would exist within 100 feet of each other in violation of B.C.Z.R. Section 450.5.B.4.b. Mr. Marek entered into evidence as Petitioner's Exhibits 3 and 4 two separate deeds for each of the properties. It was shown that the Dunkin Donuts property was owned and operated by DB Real Estate Assets I, LLC, a non-affiliate of Putty Hill Associates, LLC. Therefore, because there is a lack of coordinated control over both properties, it is clear that the properties should not be considered part of the same "premises."

Continuing with the Petition for Variance 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 "Putty Hill Plaza" near the intersection of Belair Road and Rossville Boulevard. The property has one entrance on Belair Road and another off of Rossville Blvd. The site is approximately 10.7 acres and is zoned B.M.-A.S. The center is improved with a multi-tenant retail building and a stand-alone PAD site for Bank of America. The

Giant supermarket is the largest tenant in the center and considered the "anchor" store. In addition

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Date 12-7-10

By [Signature]

to being the anchor store, testimony revealed that Giant has a total of twelve (12) stores in Baltimore County and employs roughly 1200 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 re-imaging 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 changeover 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 re-imaging to the "fruit-bowl" logo and associated signage will take place not only in Baltimore County, but across Maryland, Virginia, Pennsylvania any 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 unusual for the area because of its significant depth. When driving along Belair Road potential patrons would be between 450 and 530 feet away from the building face. The property is also irregularly shaped and is much wider in the rear away from Belair Road (~790 ft.) and much narrower in the front (~390 ft.). Additionally, Belair Road in this area is a higher speed thoroughfare as it is very close to the Belair Road – Interstate 695 interchange. Additionally the off-site development, including the neighboring parcel to the east and the Dunkin Donuts site act as significant obstructions to the view into the property.

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 is able to remedy this practical

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Date 12-7-10

By ps

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 528 sq. ft. (two times the length of the wall to which the signage is affixed). The wall mounted sign package would be 336 square feet or only sixty-four percent (64%) 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 signage regulations. Lastly customer recognition and identification of the stores is important as this re-imaging 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. Therefore, the variance to permit ten (10) wall mounted signs and a freestanding joint id sign of 192 square feet and six lines should be granted.

Pursuant to the advertisement, posting of the property and public hearing on the Petitions held, and for the reasons set forth above, the Petitions for Special Hearing and Variance should be granted and the Special Hearing relief related to the freestanding signage and bank sign should be dismissed as moot.

ORDER RECEIVED FOR FILING

Date 12-7-10

By Bj

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of December, 2010 that Petitioner's Special Hearing request in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to confirm that the existing Putty Hill Plaza shopping center and the stand alone Dunkin Donuts retail store are not both within the same premises be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that the Special Hearing request to confirm that Petitioner is permitted to retain a freestanding enterprise sign for a stand alone be and is hereby **DISMISSED** as **MOOT**; and

IT IS FURTHER ORDERED that Petitioner's Variance requests as follows:

- From Section 450.4 Attachment 1.5.d of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted 1; and
 - From Section 450.4 Attachment 1.7(b) of the B.C.Z.R. to permit retention of the existing freestanding joint identification sign of 192 square feet in lieu of the permitted 165 square feet; and
 - From Section 450.4 Attachment 1.7 (b) of the B.C.Z.R. to permit retention of the existing freestanding joint identification sign that includes 6 lines in lieu of the permitted 5 lines,
- be and are hereby **GRANTED**.

The relief granted herein is subject to the following conditions:

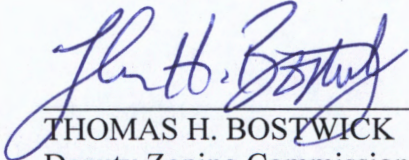
1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

Date 12-7-10

By [Signature]

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

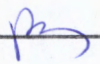


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 12-7-10

By 



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 7, 2010

CHARLES B. MAREK III, ESQUIRE
GILDEA & SCHMIDT LLC
600 WASHINGTON AVENUE, SUITE 200
TOWSON MD 21204

Re: Petition for Special Hearing and Variance
Case No. 2011-0126-SPHA
Property: 7920 Bel Air Road

Dear Mr. Marek:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "J. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

- c: Ronald Brumbaugh, Senior Manager of Construction for Giant, 8301 Professional Place, Suite 115,
Landover MD 20785
Mark Johnston, Gutcheck, Little and Weber PA, 3909 National Drive, Suite 250, Burtonsville MD
20866
Alan Nethen, Gable Signs, 7440 Ft. Smallwood Road, Baltimore MD 21226



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7920 Bel Air Road

which is presently zoned BM-AS/ DR 5.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attached

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

I, or we, agree to pay expenses of above Special Hearing, 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: SCOTT HALEY
Name - Type or Print
Signature
8301 Professional Place, Suite 115
Address
Landover MD 20785
City State Zip Code

Attorney For Petitioner:

Charles B. Marek, III
Name - Type or Print
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):

PUTTY HILL ASSOCIATES, LLC
Kimco Putty Hill, LP, Managing Member
Kimco Putty Hill GP, LLC General Partner
Belair Putty Hill Holding, LLC, Managing Member
Kimco Retail Opportunity Portfolio, LLC, Sole Member
Kigme, Inc., Managing Member

Signature
Authorized Agent
100 Light Street, Suite 1400
Address
Baltimore MD 21202
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

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2011-0126-SPHA

Reviewed By Zu Date 10/4/10

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 12-7-10

By Bz

ATTACHMENT TO PETITION FOR SPECIAL HEARING

7920 Bel Air Road

14th Election District

6th Councilmanic District

1. To confirm that the existing Putty Hill Plaza shopping center and the stand alone Dunkin Donuts retail store are not both within the same premises pursuant to BCZR § 500.7.
2. To confirm that it is permitted to retain a freestanding enterprise sign for a stand alone PAD site pursuant to BCZR § 500.7.
3. For such other and further relief as may be required by the Zoning Commissioner.



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 7920 Bel Air Road

which is presently zoned: BM-AS/DR 5.5

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

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Giant of Maryland, LLC by: SCOTT A. HALEY

Name - Type or Print _____, 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 _____

Signature CBM III

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):

Putty Hill Associates, LLC

Name - Type or Print _____, Authorized Signatory

Signature _____

Name - Type or Print _____

Signature _____

100 Light Street, Suite 1400

Address _____ Telephone No. _____

Baltimore MD 21202

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. 2011-0126 SPHA

ESTIMATED LENGTH OF HEARING _____

REV 9/15/98 ORDER RECEIVED FOR FILING

Reviewed By _____

UNAVAILABLE FOR HEARING

Date 10/4/10

Date 12-7-10

By [Signature]

ATTACHMENT TO PETITION FOR VARIANCE

7920 Bel Air Road

14th Election District

6th Councilmanic District

1. To permit ten wall-mounted enterprise signs for the existing Giant supermarket in lieu of the permitted one pursuant to BCZR § 450.4 Attachment 1.5.d.
2. To permit retention of the existing freestanding joint identification sign of 192 sq. ft. in lieu of the permitted 165 sq. ft. pursuant to BCZR § 450.4 Attachment 1.7(b).
3. To permit retention of the existing freestanding joint identification sign that includes six lines in lieu of the permitted five pursuant to BCZR § 450.4 Attachment 1.7(b).
4. 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 #144

PUTTY HILL PLAZA

ZONING DESCRIPTION

Beginning at a point on the west side of Belair Road which is 66 feet wide at a distance of 331 feet $\pm$ south of the centerline of the nearest improved intersection at Rossville Boulevard which is 75 feet wide. Thence the following courses and distances:

1. South $40^{\circ}16'19''$ West, 395.14 feet
2. North $50^{\circ}28'46''$ West, 367.06 feet
3. South $39^{\circ}10'44''$ West, 125.00 feet
4. North $49^{\circ}30'46''$ West, 362.36 feet
5. North $40^{\circ}16'19''$ East, 614.63 feet
6. South $89^{\circ}11'25''$ East, 76.66 feet
7. 421.55 feet along the arc, having a radius of 726.44 feet and chord bearing and distance of South $72^{\circ}33'57''$ East, 415.66 feet
8. South $23^{\circ}21'57''$ East, 183.86 feet
9. South $40^{\circ}16'19''$ West, 219.47 feet
10. South $49^{\circ}43'41''$ East, 120.00 feet to the point of beginning as recorded in Liber 21239, Folio 111.

2011-0126 ^{SPHA} _A

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

No. **58623**

Date: **7/27/10**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				650.00

Total: **650.00**

Rec From: _____

For: **Grant of MD**
7720 Belair Rd
2011-~~0000~~ SPHA

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

RECEIPT # 465717 7/27/2010
 Dept 5 528 ZONING VERIFICATION
 CR NO. 058623
DUPLICATE PAID RECEIPT
 \$650.00 CR \$1.00 CA
REVALIDATION
 Baltimore County, Maryland
 BUSINESS ACTUAL TIME NEW
 7/28/2010 7/27/2010 14:36:32 1
 RECD WALKIN JRIC JHR
 RECEIPT # 465717 7/27/2010 DEB
 Dept 5 528 ZONING VERIFICATION
 CR NO. 058623
 Recpt Tot \$650.00
 \$650.00 CR \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

NOTICE OF ZONING HEARING

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

Case: 4 2011-0128-SPHA

7920 Bel Air Road

W. side of Bel Air Road, 321 feet south of the centerline of Rossville Blvd.

14th Election District - 6th Councilmanic District

Legal Owner(s): Putty Hill Associates, LLC

Contract Purchaser: Giant of Maryland, LLC

Special Hearing: to confirm that the existing Putty Hill Plaza shopping center and the stand alone David's Denies retail store are not both within the same premises; to confirm that it is permitted to retain a freestanding enterprise sign for a stand alone F&D sign, for such other and further relief as may be required by the Zoning Commissioner; Variance: to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted one; to permit retention of the existing freestanding joint identification sign of 192 sq. ft. in lieu of the permitted 165 sq. ft.; to permit retention of the existing freestanding joint identification sign that includes 6 lines in lieu of the permitted 5; for such other further relief as may be required by the Zoning Commissioner.

Hearing: Friday, December 3, 2010 at 9:00 a.m. in Room 104, Jefferson Building, 105 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) 887-3291.

11/19/10 NW:JA 269277

CERTIFICATE OF PUBLICATION

11.30. 2010

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 11.18 2010.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0126-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Giant of Maryland, LLC

Dec.3 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:

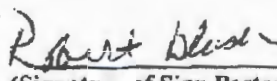
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously
7920 Bel Air Road

November 18 2010

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,



(Signature of Sign Poster)

November 20 2010

(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 # 2011-0126.SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
ON THURSDAY, DECEMBER 3, 2010 AT 9:00 AM

Room 101, Delaware Building

PLACE 105 West Cumberland Ave. Tallahassee, FL 32301

DATE AND TIME: FRIDAY, DECEMBER 3, 2010 AT 9:00 AM

SPECIAL HEARING TO CONSIDER THAT THE EXISTING

REQUEST: ONLY THE PLANNING COMMISSION AND THE ZONING

ALONE. DURING THE HEARING, STORES ARE NOT ALLOWED TO OPEN

PERMITS. TO CONSIDER THAT IT IS PERMITTED TO ACQUIRE A FRESHFISH

NO FURTHER SIGN FOR A STAND ALONE DRY GUN. FOR EACH OTHER

AND FURTHER VALUES AS MAY BE REQUIRED BY THE ZONING COMMISSION

VARIOUS TO VISIT TO ANY INDIVIDUAL ENTERING. CASE, FOR THE

EXISTING. SIGN, SIGNIFICANT IN VIEW OF THE EXISTING ONE, TO BE

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DO NOT REMOVE THIS SIGN AND POST 1 DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 18, 2010 Issue - Jeffersonian

Please forward billing to:

Debbie Starrett
Gildea & Schmidt
600 Washington Avenue, 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: 2011-0126-SPHA

7920 Bel Air Road

W/side of Bel Air Road, 331 feet south of the centerline of Rossville Blvd.

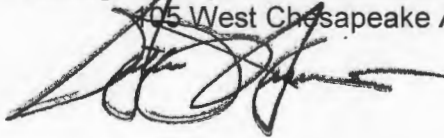
14th Election District – 6th Councilmanic District

Legal Owners: Putty Hill Associates, LLC

Contract Purchaser: Giant of Maryland, LLC

Special Hearing to confirm that the existing Putty Hill Plaza shopping center and the stand alone Dunkin Donuts retail store are not both within the same premises; to confirm that it is permitted to retain a freestanding enterprise sign for a stand alone PAD site, for such other and further relief as may be required by the Zoning Commissioner. Variance to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted one; to permit retention of the existing freestanding joint identification sign of 192 sq. ft. in lieu of the permitted 165 sq. ft.; to permit retention of the existing freestanding joint identification sign that includes 6 lines in lieu of the permitted 5; for such other further relief as may be required by the Zoning Commissioner.

Hearing: Friday, December 3, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
405 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

November 3, 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: 2011-0126-SPHA

7920 Bel Air Road

W/side of Bel Air Road, 331 feet south of the centerline of Rossville Blvd.

14th Election District – 6th Councilmanic District

Legal Owners: Putty Hill Associates, LLC

Contract Purchaser: Giant of Maryland, LLC

Special Hearing to confirm that the existing Putty Hill Plaza shopping center and the stand alone Dunkin Donuts retail store are not both within the same premises; to confirm that it is permitted to retain a freestanding enterprise sign for a stand alone PAD site, for such other and further relief as may be required by the Zoning Commissioner. Variance to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted one; to permit retention of the existing freestanding joint identification sign of 192 sq. ft. in lieu of the permitted 165 sq. ft.; to permit retention of the existing freestanding joint identification sign that includes 6 lines in lieu of the permitted 5; for such other further relief as may be required by the Zoning Commissioner.

Hearing: Friday, December 3, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Charles Marek, III, 600 Washington Ave., Ste. 200, Towson 21204
Scott Haley, Giant of MD, 8301 Professional Place, Ste. 115, Landover 20785
Greg Birdsall, 100 Light Street, Ste. 1400, Baltimore 21202

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, NOVEMBER 18, 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.**

**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/neighbor 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: 2011-0126 SPHA

Petitioner: Giant of Maryland, LLC

Address or Location: 7920 Belair Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Debbie Starrett

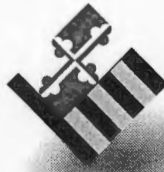
Address: 600 Washington Ave.

Ste 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 7/11/05 - SCJ



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

November 29, 2010

Gildea & Schmidt, LLC
Charles B. Marek III
600 Washington Ave Ste. 200
Towson, Maryland 21204

Dear Mr. Marek:

RE: 2011-126-A 7920 Bel Air Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 4, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: People's Counsel
Giant of Maryland, Att: Scott Haley 8301 Professional Place Suite 115 Landover Md. 20785
Putty Hill Associates 100 Light St. Ste 1400 Baltimore, Md 21202

TB- 12/3 9am 104

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 26, 2010

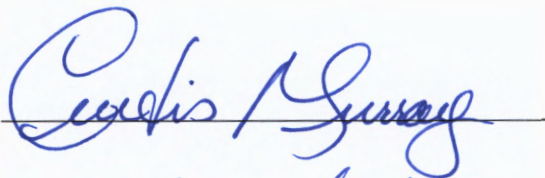
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-126- Special Hearing**

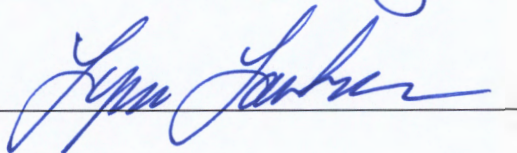
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:
CM/LL



RECEIVED

OCT 28 2010

ZONING COMMISSIONER

TB- 1213 9AM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

12-3

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

DATE: November 1, 2010

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For November 8, 2010
Item Nos. 2011-126, 137, 140, 141,
142, 144, 145, 146 and 147

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-11082010 -NO COMMENTS.doc

TB
12-3-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 01 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 1, 2010
SUBJECT: Zoning Item # 11-126-SPHA
Address 7920 Bel Air Road
(Putty Hill Associates. LLC Property)

Zoning Advisory Committee Meeting of October 25, 2010.

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

Reviewer: JWL Date: 12/1/10

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



MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Date: Oct. 27, 2010

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

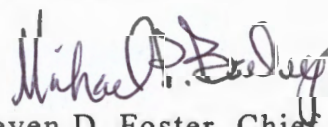
RE: Baltimore County
Item No. 2011-0126-SPHA
US 1 (BELAIR RD)
7920 BELAIR ROAD
PUTTY HILL ASSOC., LLC
SPECIAL HANDLING
VARIANCE

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 10/25/2010. A field inspection and internal review reveals that an entrance onto US 1 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for PUTTY HILL ASSOC., Case Number 2011-0126-SPHA.

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,


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

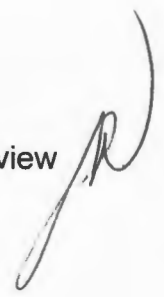
BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: October 4, 2010

TO: Zoning Commissioner and File

FROM: Leonard Wasilewski, Planner II, Zoning Review

SUBJECT: Petition for Variance Giant of MD LLC
Case No. 2011-0126-SPHA
(7920 Belair Road)
Putty Hill Plaza



- A. For clarification, this office accepted a Petition for sign Variances on October 4, 2010 from the petitioner Giant of MD LLC.
- B. During the filing appointment the petitioner was advised that, many of the stores in this shopping center appear to have non-conforming store front wall signs in violation of Section 450.4 Attachment 1.5(d). Since the Attorney for the petitioner does not represent the owner of the shopping center he is not empowered to request variances for the non-conforming store front signs. Failure to variance these signs creates a zoning enforcement problem thru October 18, 2012 at which time the non-conforming signs must be varianced or reduced in size to become compliant with the current regulations.
- C. Please call me if you have any questions. (410-887-3391)

LW

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
7920 Belair Road; W/S Belair Road,, 331' S * ZONING COMMISSIONER
of c/line of Rossville Boulevard *
14th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): Putty Hill Associates, LLC *
Contract Purchaser(s): Giant of Maryland, LLC* BALTIMORE COUNTY
Petitioner(s) *
2011-126-SPHA

* * * * *

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.

RECEIVED

OCT 26 2010

.....

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 October, 2010, a copy of the foregoing Entry of Appearance was mailed to Charles Marek, III, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Patricia Zook - Posting & Advertising Certifications needed for 2 Friday cases

From: Patricia Zook
To: Campbell, Rose; Lewis, Kristen
Date: 11/29/2010 4:17 PM
Subject: Posting & Advertising Certifications needed for 2 Friday cases
CC: Bostwick, Thomas

Ladies -

Please look and see if you can find the advertising certification for cases 2011-0140-SPH and 2011-0126-SPH which are scheduled for hearings on Friday, December 3.

I also need the posting certification for case 2011-0126-SPH.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

CASE NAME _____
CASE NUMBER 2011-0128-SPNA
DATE 12-3-10

[illegible]



Cap # 144 Putty Hill
EX. BANK OF AMERICA SKAL
CASE # 2011-0126-SPTA

GIANT

0126
~~0039~~. SPHA



THE QUALITY FOOD

0126
~~0029~~-SPHA



QUALITY FOOD PEOPLE

D126
~~0025~~ - SP14A



Save 10¢ /gal
or more
this summer at Shell


when you earn points with
Giant Gas Rewards

PRESCRIPTIONS

0126
~~0039~~-SPHA



SPORTS

GameStop

NEW and USED
FITNESS

Treadmills
Exercise Bikes
Weights/Benches
& Much More!

**BASEBALL
LAX**

NEW and USED
SPORTS

Buy
Sell
Trade
NEW & USED

FOR

SAVE \$20
79/2

50%
OFF

OPEN

PROHIBITED
IN PLAZA
SKATEBOARDING
SIDEWALK
BICYCLE
RIDING
AND
LOITERING

~~0033~~ - SP1A1

0126 -

PLAY IT AGAIN SPORTS

Buy
Sell
Trade
NEW & USED

FOOTBALL HOCKEY

OPEN

WE BUY
USED
SPORTS
EQUIPMENT

SOCCER

NEW and USED
FITNESS

Treadmills
Exercise Bikes
Weights/Benches
and Much More!

BASEBALL
LAX

Buy
Sell
Trade
NEW & USED

WOLF

0126
-SFAA

First Financial Federal
Credit Union of Maryland
24 HOUR
ATM

0126
~~0121~~-5PHH



Space Available
K...
410-818-3700

NO PARKING

7966

Buy
Sell
Trade
NEW & USED

Paul
Henderson

7966
MON-FRI 10AM-5PM
SAT 10AM-5PM
SUN 11AM-5PM

OPEN

FOOTBALL



PUTTY HILL
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AMERICA'S OLDEST
BREWERY

DOLLAR ? TREE



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SPECIAL



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ik Kopy
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PEKING HOUSE

(202) 591-5PH4
6126

PA

OPEN 10:00 AM - 10:00 PM

PEKING HOUSE
Szechuan
Human
Cuisine
661-1703

OPEN
7-10 PM

LUNCH
SPECIAL \$5.95

any man, woman, or child who is "different" is "different" by choice

SUNLESS
\$59

OPEN
10:00 AM - 10:00 PM



Quiznos Sub

Kwik Kop
Business Cen

S3
BULL'S
EYE

S4
TROPICALS

OPEN
SIDE MEAT

7914

LONGER HOURS

7914

FED EX

NO PARKING

009-SPH4

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amos SUB

Kwik Kopy
Business Center

PEKING H

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SPAA

Bank of America



0126
~~009~~-SPH





9210
444-1211

CLINES
MPANY

Benjamin Moore
Budake's Paint & Decorating

0126
~~0126~~ - 5 PM

7962

Paint
Sale

Kimco Realty
Corporation
**SPACE
AVAILABLE**
410-884-2008

1864

HEADLINES HAIR COMPANY

Ber

Budek

0126

~~5039~~-SPHA

7960

K
FOR LEASE
410-684-2000

7960
HEADLINES

Open

7962

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JACKSON HEWITT
TAX SERVICE

Sprint



COVERAGE

FREE
mobile broadband
USB Modem

30

OPEN
YEAR
ROUND

No App
Open Day Based
JACKSON HEWITT

19551

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Sprint



0126
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KING

cricket

JACKSON HEWITT
TAX SERVICE

0126 ~~0129~~ SPHA

Worldwide Services
Synchronizing the world of commerce

OPEN

FREE
mobile broadband
USB Modem

COVERAGE
now in all 50 states

We Are
Open Year Round
JACKSON HEWITT

OPEN
YEAR
ROUND!
WE'RE HERE WHEN
YOU NEED US!

Walk-ins
Welcome

TAX
SERVICE



SCRAPBOOKING

Preser

RS

0126
SP4A



138660

SCRAPBOOKING
IES & SE



AGE
GIFTS

VS NAILS

VS
NAILS

OPEN

79420

661-3600

WAXING
WALK-INS
WELCOME

PROHIBITED
IN PLAZA
SKATEBOARDING
SCOOTER
BICYCLE
RIDING
AND
LOITERING

DO NOT
ENTER

Window sign violation

1109-3844
20126

TY HILL
JORS

NEW AGE
BOOKS & GIFTS

0126

~~0000~~ - 3PH1A



Case No.: 2011-0126-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	signage details	
No. 3 A+B	Deeds	
No. 4	Mark Johnston resume	
No. 5	aerial photograph	
No. 6 A-H	photos from road	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



00212391 108

NOTE TO THE CLERK:

THIS DEED IS EXEMPT FROM
RECORDATION AND TRANSFER
TAXES PURSUANT TO MARYLAND
TAX-PROPERTY CODE ANNOTATED
SECTIONS 12-108(y), 13-207(a)(18) and
13-405(c)

AFTER RECORDING, PLEASE RETURN TO:
ATTN: MARIEA L. RICHARDS
FIRST AMERICAN TITLE INSURANCE CO.
401 EAST PRATT STREET, SUITE 323
BALTIMORE, MARYLAND 21202
RE: 122450

DEED

THIS DEED is made on this 29th day of December, 2004, by and between
BELAIR ROAD ASSOCIATES LIMITED PARTNERSHIP, a Maryland limited partnership
("Grantor"); and **PUTTY HILL ASSOCIATES LLC**, a Maryland limited liability company
("Grantee").

RECITALS

- A. Grantor holds record legal title to the "Property" (as defined and described below) located in Baltimore County, Maryland.
- B. Grantor has elected to convert from a limited partnership to a Maryland limited liability company under the name "Putty Hill Associates LLC," as Grantee hereunder, and, in accordance therewith, Articles of Organization were filed with the Maryland State Department of Assessments and Taxation converting Grantor to a limited liability company.
- C. The members of Grantee are identical to the partners of the converting limited partnership, which is the Grantor. Each member's allocation of the profits and losses of Grantee are identical to that member's allocation of the profits and losses of the converting limited partnership, and this instrument represents the dissolution of the Grantor for purposes of conversion to a limited liability company.
- D. This Deed is made in compliance with Section 12-108(y), Section 13-207(a)(18) and Section 13-405(c) of the Maryland Tax-Property Code Annotated, for the purpose of transferring title in and to the Property to Grantee in connection with the conversion of Grantor to a limited liability company.

CONVEYANCE

WITNESS: for no consideration whatsoever, Grantor does grant, convey, and transfer unto Grantee, successors, and assigns, in fee simple, that certain parcel of land situate in Baltimore County, Maryland, as more particularly described on Exhibit A attached hereto and made a part hereof (the "Property");

TOGETHER with all improvements thereon and all of the easements, rights, privileges, appurtenances and advantages thereto belonging or appertaining and all of the estate, right, title, interest and claim, either at law or in equity, of Grantor of, in, to or out of the Property.

TO HAVE AND TO HOLD the Property unto the Grantee, and its successors and assigns, in fee simple, forever.

GRANTOR COVENANTS that it will warrant specially the Property hereby conveyed and that Grantor shall execute such further assurances of the Property as may be required.

[SIGNATURES COMMENCE ON THE FOLLOWING PAGE]

PETITIONER'S

EXHIBIT NO.

3A

REVIEWED SDAT	
1/6/05	
BY	DATE

0024006 636

102

PREPARED BY:
 Richard J. Melnick, Esq.
 Greenberg Traurig, LLP
 1750 Tysons Blvd, 12th Floor
 McLean, VA 22102
 PHONE NO.: (703) 903-7505

TAX PARCEL ID NO.: 14-1800003618

NO CONSIDERATION DEED -
 BETWEEN RELATED PARTIES. ASSESSED
 VALUE IS ~~\$871,500.00~~ \$370,000.00

AND WHEN RECORDED, MAIL TO:
~~Annmarie Pavone~~
~~Ropes & Gray~~
~~One International Place~~
~~Boston, MA 02110-2624~~
~~PHONE NO.: (617) 951-7000~~

DEED

THIS DEED, made and entered into this ^{as of} 26th day of May, 2006, by **THIRD DUNKIN' DONUTS REALTY LLC**, a Delaware limited liability company, having an address at 130 Royall Street, Canton, Massachusetts 02021 ("Grantor"), to **DB REAL ESTATE ASSETS I LLC**, a Delaware limited liability company, having an address at P.O. Box 9141, Canton, Massachusetts 02021 ("Grantee").

RECITALS

WHEREAS, the property described herein was conveyed to Fifth Dunkin' Donuts Realty, Inc., a Delaware corporation ("Fifth Dunkin'"), by Deed dated October 6, 1981, and recorded among the Land Records of Baltimore County, Maryland in Liber 6340 at folio 811;

WHEREAS, Fifth Dunkin' was merged with Third Dunkin' Donuts Realty, Inc., a Massachusetts corporation ("Third Dunkin'"), pursuant to that certain Articles of Merger of Parent and Subsidiary Corporations effective April 30, 1994; and

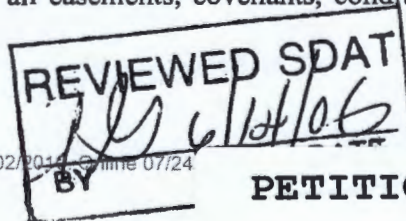
WHEREAS, Third Dunkin' was converted to Grantor pursuant to that certain Certificate of Conversion filed with the Secretary of State of the State of Delaware on March 1, 2006.

WITNESSETH, that for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) paid by Grantee to Grantor, Grantor does hereby grant, bargain, sell, transfer, convey and assign, onto Grantee and its successors and assigns, **in fee simple**, that real property located in Baltimore County, Maryland, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER with all improvements located thereon, and all rights, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

TO HAVE AND TO HOLD the property hereby conveyed unto Grantee, its successors and assigns.

This conveyance is expressly made subject to all easements, covenants, conditions and restrictions of record.



PETITIONER'S

EXHIBIT NO.

3B

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 testified as an expert witness in civil engineering before the Baltimore County Zoning Hearing Examiner. 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



[Get Directions](#) [My Maps](#)

[Print](#) [Send](#) [Link](#)



PETITIONER'S

EXHIBIT NO.

5



Address **Belair Road**

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm



PETITIONER' S

EXHIBIT NO. 6A-H





Address **Belair Road**

Address is approximate

Save trees. Go green!
Download Google Maps on your phone at google.com/gmm





Address **Belair Road**

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm





Address **7925 Belair Road**

Address is approximate

Save trees. Go green!
Download Google Maps on your phone at google.com/gmm





Address **Belair Road**

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm





Address **Belair Road**

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm





Address **7949 Belair Road**

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm





Address **7949 Belair Road**

Address is approximate

Save trees. Go green!
Download Google Maps on your phone at google.com/gmm



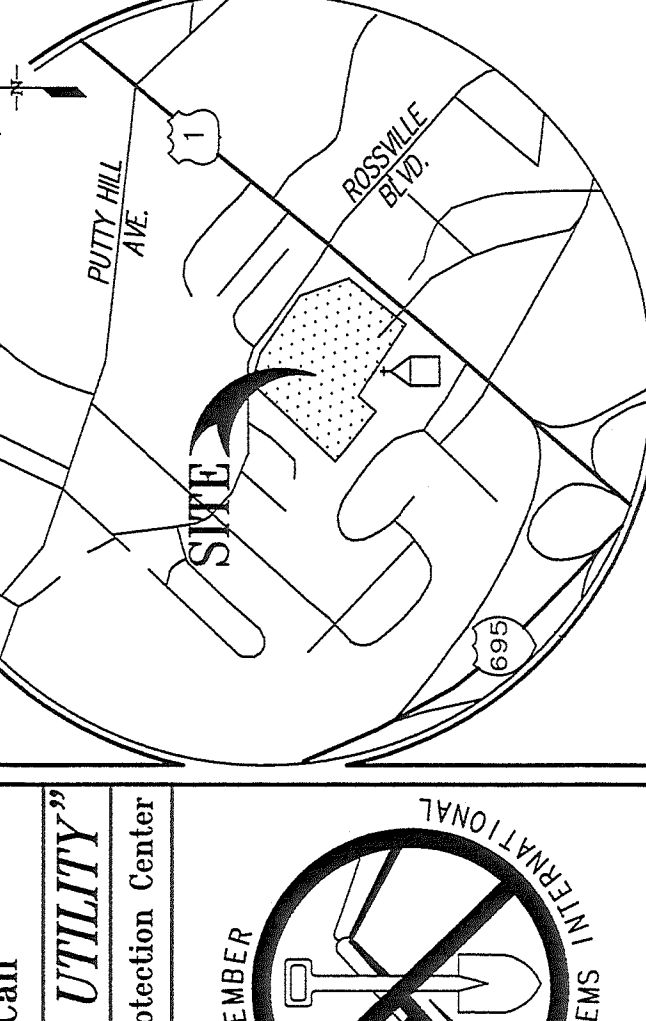


Address **7949 Belair Road**

Address is approximate

Save trees. Go green!
Download Google Maps on your phone at google.com/gmm



48 Hours Before You Dig Call "MISS UTILITY"SM Service Protection Center	 VICINITY MAP SCALE: 1" = 1,000'	CALL TOLL FREE 1-800-257-7777
--	---	---

SITE LOCATION

1. PROJECT STREET ADDRESS: 7420 BELAIR ROAD
BALTIMORE, MARYLAND 21236
2. ADC MAP: 2B, G-II
3. ZONING MAP: 8-BL, G-CI
4. CRG PLAN APPROVED ON JULY 25, 2001 - DRG #070201-0

SITE DATA

1. OWNER:
PUTTY HILL ASSOCIATES, LLC
C/O KIMCO REALTY CORPORATION
TO H. RIDGLEY ROAD, SUITE 210
LUTHERVILLE, MD 21048
2. APPLICANT:
GRANT OF MARYLAND, LLC
1935 HANCOCK ST.
QUINTON, MD 20664
DANIEL M. SCOTT HALEY
OWNER, 1935 HANCOCK ST.
CONSTRUCTION & ENGINEERING
(610) 710-8919
3. TRACT AREA: 10.73 Ac
4. ZONING: BH-ASDR5.5
5. ELECTION DISTRICT #14
6. COUNTY COUNCIL DISTRICT #6
7. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE.
8. THERE ARE NO KNOWN NON-TIDAL, METALDOGS ON THIS SITE.
9. THERE ARE NO KNOWN HISTORIC STRUCTURES OR KNOWN ARCHEOLOGICAL SITES ON THE PROPOSED PROJECT.
10. THIS PLAN DOES NOT GENERATE ANY RESIDENTIAL TRANSITION AREAS (RTA).
11. BOUNDARY AND EXISTING TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN PREPARED BY GUTSCHICK LITTLE & NEBER, P.A. MARCH 2010.
12. F.A.R.
MAXIMUM F.A.R. = 55
PROPOSED F.A.R. = (91802 SF BLDG + 471364 SF SITE) = 0.16
13. PREVIOUS WORK ON THIS SITE WAS APPROVED BY THE DRC JULY 2, 2001 WITH THE DRC NUMBER 0102010
14. PREVIOUS ZONING CASES FOR SITE:
CASE NO. 14973-0101 GRANTED SPECIAL HEARING TO APPROVE A VARIATION OF THE ZONING PERMIT FOR COMMERCIAL PARKING IN A RESIDENTIAL ZONE.
- CASE NO. 1492-0208 SPECIAL HEARING FOR A COMMERCIAL RECREATION INTERPRETIVE CONSISTING OF A FAMILY ORIENTED RECREATION CENTER WITH A 100' X 100' LOT, 100' X 100' LOT, 100' X 100' LOT WITH AMBERGENT DEVICES AS ACCESSORY IN A RM ZONE.
- CASE NO. 1492-0716 SPECIAL EXCEPTION FOR AN ARCADE IN A CONVENTION WITH RESTAURANT GRANTED BY DEPUTY ZONING COMMISSIONER JEAN JUNG ON 11-14-92

PARKING CALCULATIONS

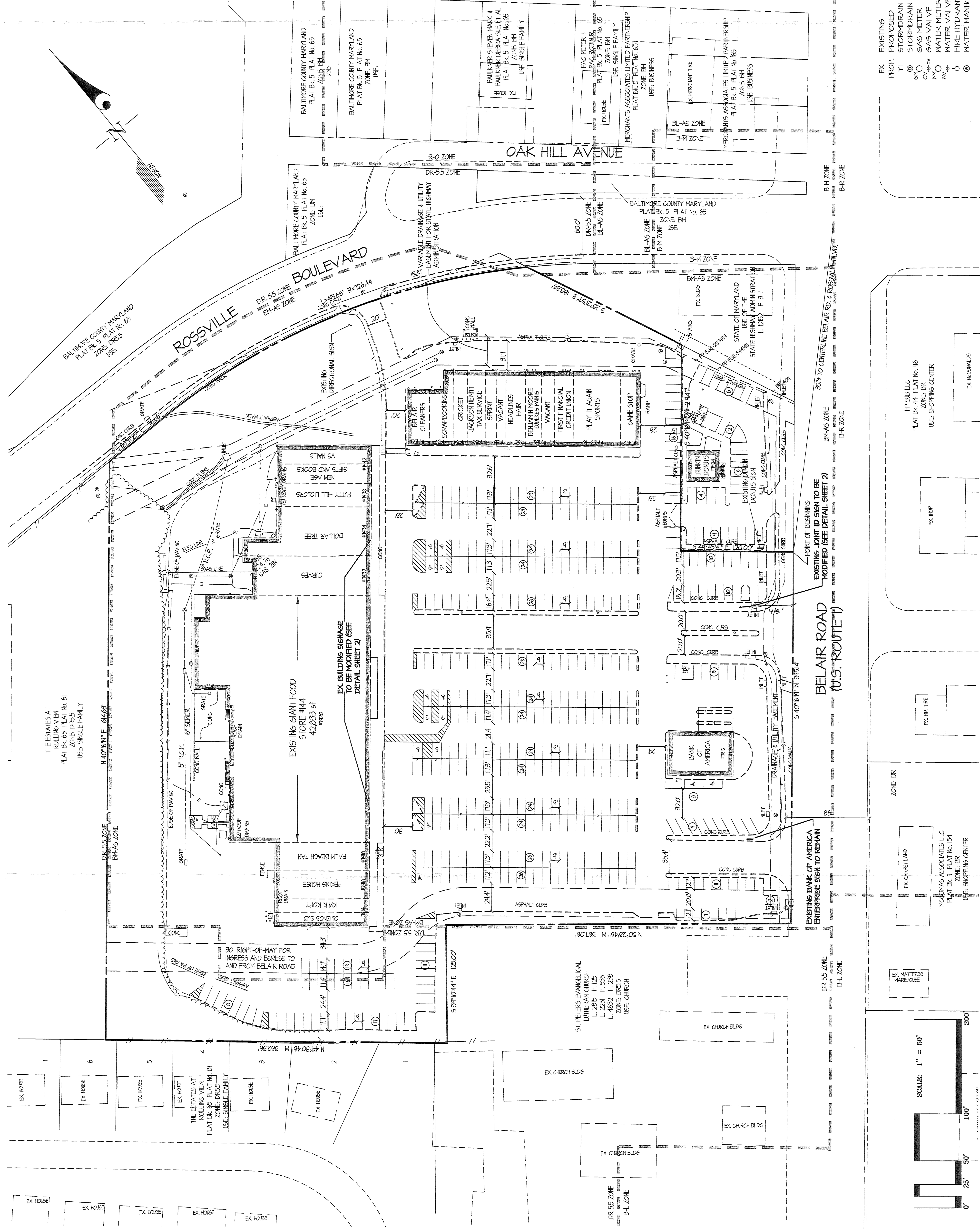
REQUIRED (TOTAL SF = 41,400)	
<u>GIANT FOOD STORE:</u>	
42,933 @ 5/1000 =	214.2 SPACES
<u>RETAIL:</u>	
36,430 @ 5/1000 =	182.2 SPACES
<u>BANK/OFFICE:</u>	
3,240 @ 3.3/1000 =	10.4 SPACES
<u>RESTAURANT:</u>	
5,131 @ 16/1000 =	41.8 SPACES
<u>SERVICE:</u>	
5,612 @ 3.3/1000 =	11.4 SPACES
<u>TOTAL REQUIRED</u>	<u>511 SPACES</u>

PROVIDED:
STANDARD PARKING SPACE = 505 SPACES
HANDICAP SPACES= 14 SPACES
(II REQUIRED)
TOTAL PROVIDED= 519 SPACES

NOTE: ALL FUTURE SIGNS MUST
CONFORM TO SECTION 450 OF THE
BCCZ.

2011-0126-SPTA

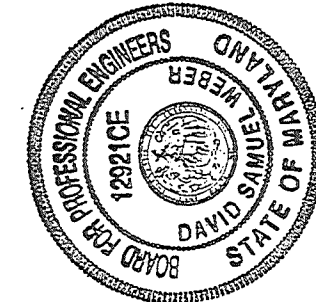
- | | | |
|---------------|-----------------------|-----------------|
| EX | EXISTING | SEWER MANHOLE |
| PROJ. | PROPOSED | SEWER CLEAN OUT |
| Y1 | STORMDRAIN YARD INLET | TELCO MANHOLE |
| MANHOLE | STORMDRAIN MANHOLE | TELCO RISER |
| GAS METER | GAS METER | SIGN |
| GAS VALVE | GAS VALVE | LIGHT POLE |
| WATER METER | WATER METER | UTILITY POLE |
| WATER VALVE | WATER VALVE | GUY WIRE |
| FIRE HYDRANT | FIRE HYDRANT | ELEC. MANHOLE |
| WATER MANHOLE | WATER MANHOLE | TRANSFORMER |



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 BALT: 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. 12421, EXPIRATION DATE: APRIL 10, 2012



PREPARED FOR:
DEPARTMENT OF MARYLAND,
1385 HANCOCK STREET
QUINCY, MA 02169

SCOTT HALEY
(617) 770-8119

SCALE	1" = 50'	ZONING	BM-AS/DR5.5
DATE	APRIL, 2010	TAX MAP -- GRID	81-B1, 81-C1

COMPANY PETITION FOR VARIANCE HEARING

GIANT FOOD STORE #144
PUTTY HILL PLAZA
PARCEL 1058

BALTIMORE COUNTY MARYLAND

G. L. W. FILE NO.

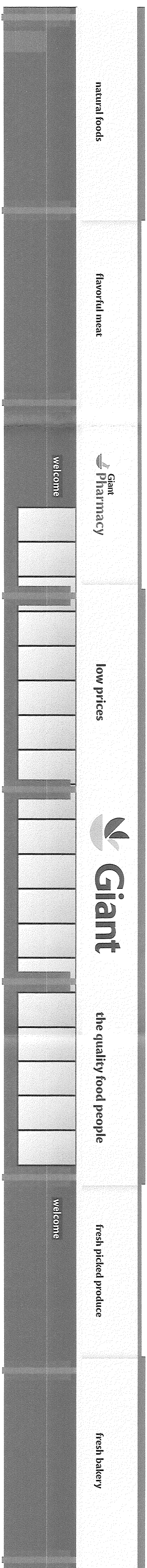
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1 OF 2

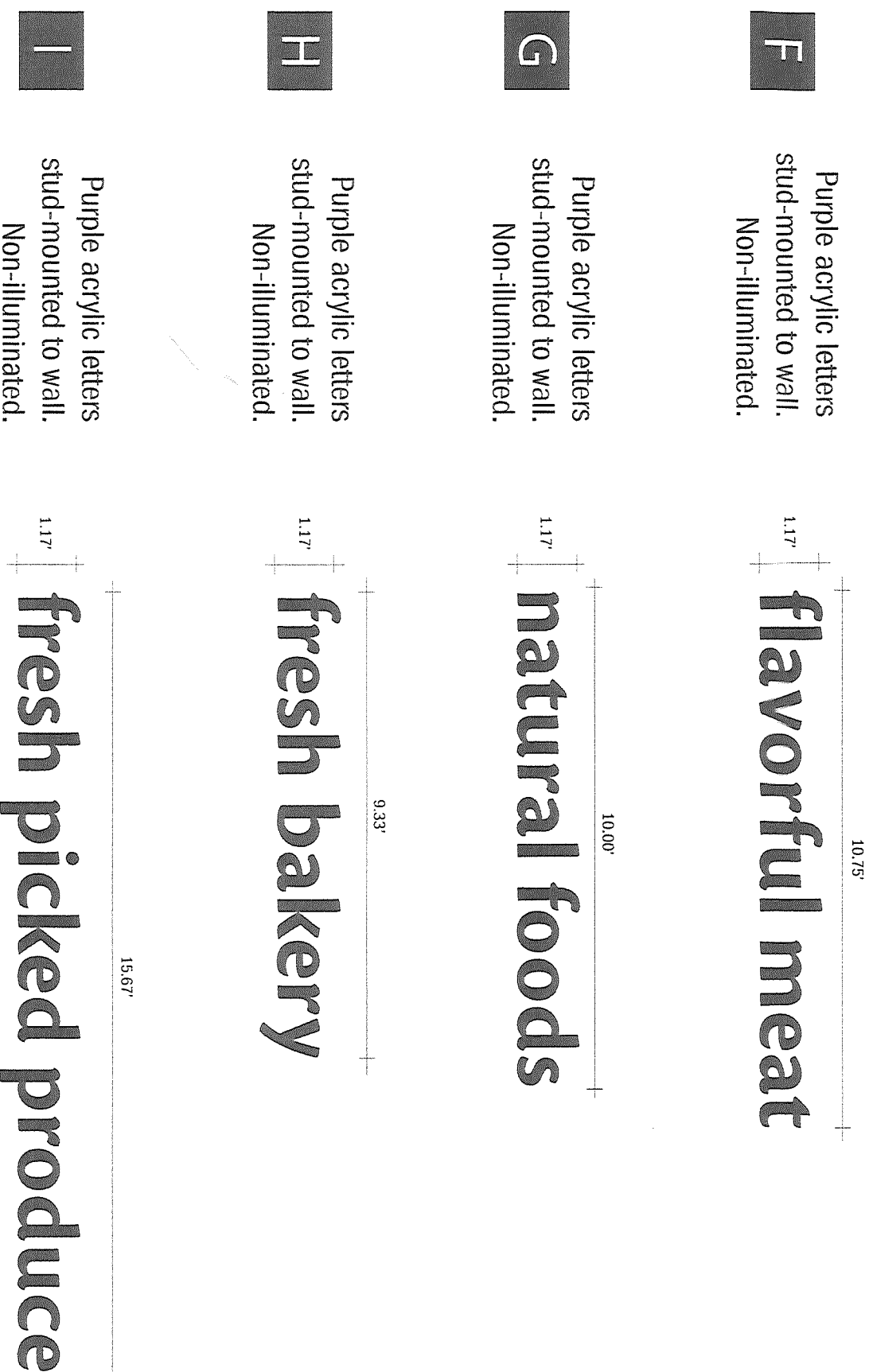
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STORE #144
7920-30 Belair Road
Putty Hill Plaza
Baltimore, MD 21236

Option 1



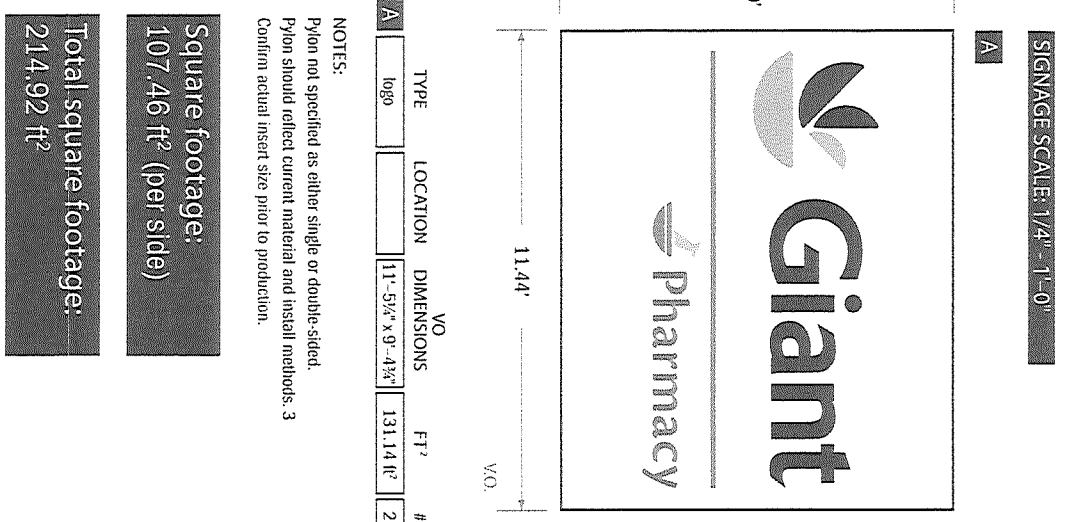
ELEVATION SIGNAGE SCALE: 1' = 10'-0"



	TYPE	LOCATION	DIMENSIONS	FT ²	#
A	logo	front	6.12' x 23.62'	158.73ft ²	1
B	logo	front	3.73' x 13.51'	50.39 ft ²	1
C	letters ip	front	9.50' x 1.50'	14.25 ft ²	1
D	letters gfp	front	22.21' x 1.5'	33.32 ft ²	1
E	letters welcome	front	7.17' x 1.83'	13.12 ft ²	2
F	letters fm	front	10.75' x 1.17'	12.58 ft ²	1
G	letters nf	front	10.00' x 1.17'	11.70 ft ²	1
H	letters rs	front	9.33' x 1.17'	10.92 ft ²	1
I	letters pp	front	15.67' x 1.17'	18.33 ft ²	1

Total square footage:
336.46 ft²

SIGN CLASSIFICATION	MAX. AREA / FACE	MAX. NO. / PERIMETER	ADDITIONAL LIMITATIONS	HEIGHT
Mail Mounted	2' x length of the wall to which it's affixed	1 per tenant with separate exterior customer entrance	N/A	N/A
Freestanding - Joint ID	65' (50' + 15' rooms add to distance from property line)	1 per frontage	No more than 5 lines duplicated	25'



Gable Signs & Graphics, Inc.
ERIC RAINES Account Manager
T 410-255-6400 x213 / 443-817-0047 (direct) / F 410-437-5366
C 443-623-1086 / eric_raines@gablesigns.com

DOCUMENTS DRAWN BY WID PARTNERS T 614.634.7000 / www.widpartners.com
SIGNAGE PROVIDED BY AGNOLI SIGN COMPANY, INC. T 413.732.5111 / www.agnolisigncompany.com

GLW
GUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3809 NATIONAL DRIVE - SUITE 250 - BURLINGAME OFFICE PARK
BURLINGAME, MARYLAND 20986
TEL: 301-421-4024 BAL: 410-860-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

[illegible]

PREPARED FOR

GIANT OF MARYLAND, LLC
1385 HANCOCK STREET
QUINCY, MA 02169

SCOTT HALEY
(617) 770-8119

SCALE	ZONING
AS SHOWN	BM-AS/DR5.5
DATE	TAX MAP - GRID
APRIL, 2010	81-B1, 81-C1

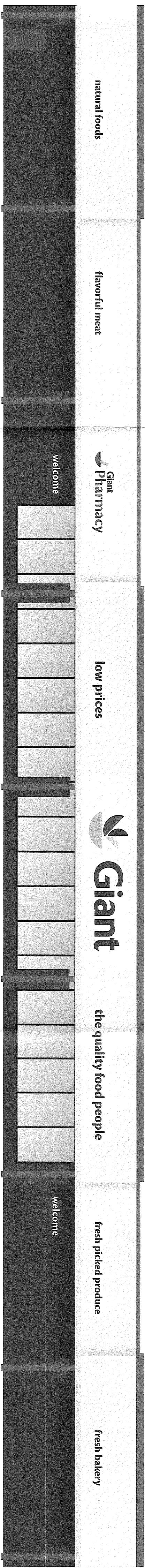
PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING

GIANT FOOD STORE #144
PUTTY HILL PLAZA
PARCEL 1058
PLAT BK. 38, PLAT NO. 115

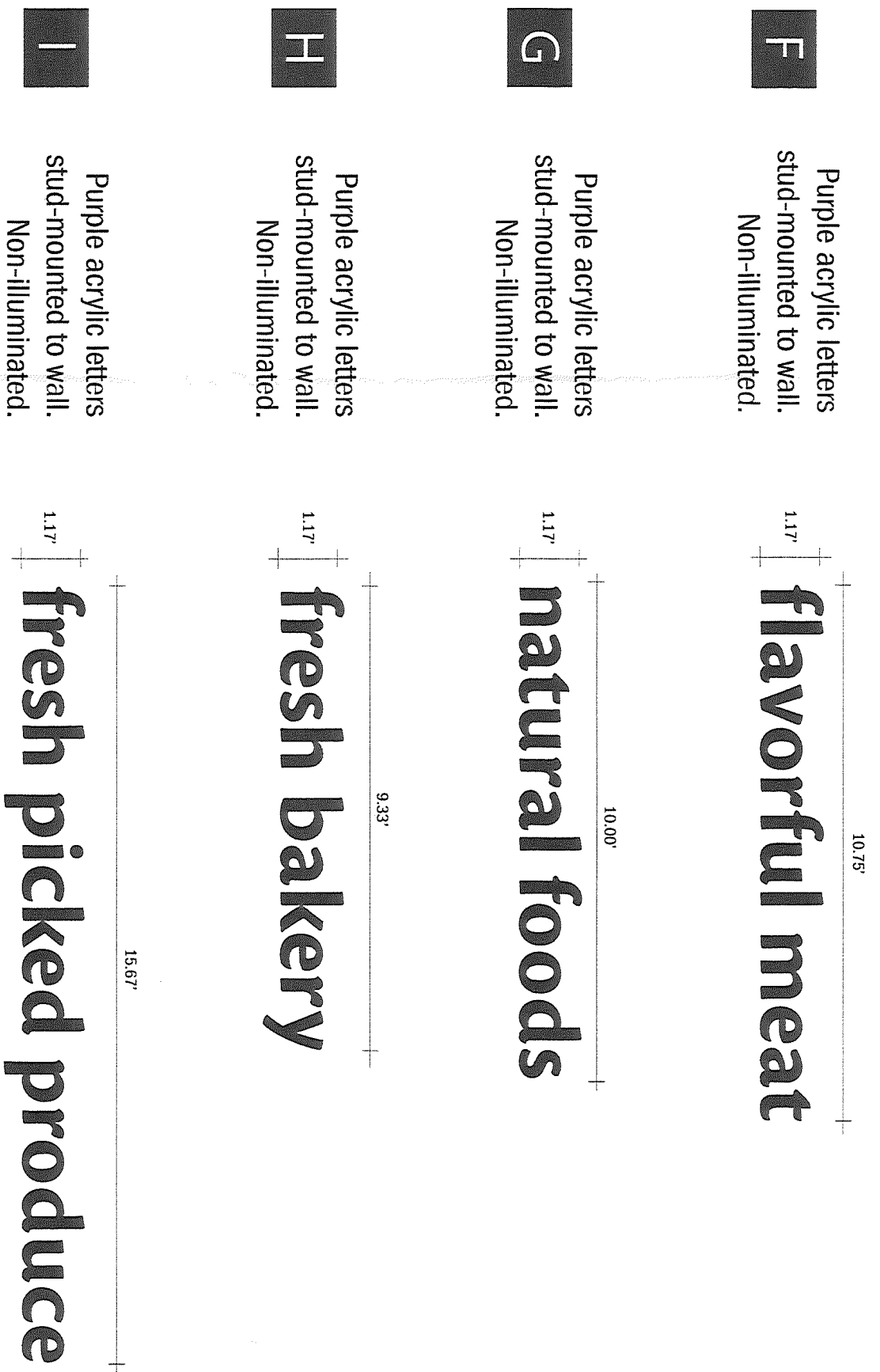
BALTIMORE COUNTY, MARYLAND	3 HEARING	G. L. W. FILE NO.
	90022	SHEET 2 OF 2

STORE #144
7920-30 Belair Road
Putty Hill Plaza
Baltimore, MD 21236

Option 1



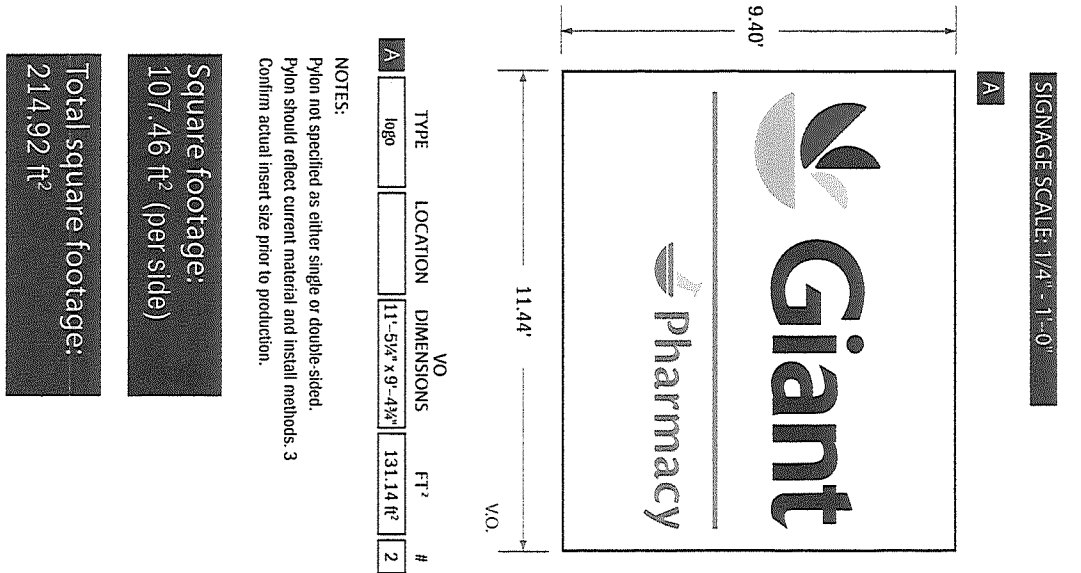
ELEVATION SIGNAGE SCALE: 1' = 10'-0"



	TYPE	LOCATION	DIMENSIONS	FT ²	#
A	logo	front	6.72 x 23.62'	158.73ft ²	1
B	logo	front	3.73 x 13.51'	50.39ft ²	1
C	letters up	front	9.50' x 1.50'	14.25ft ²	1
D	letters gfp	front	22.21' x 1.5'	33.32ft ²	1
E	letters welcome	front	7.17' x 1.83'	13.12ft ²	2
F	letters fm	front	10.75' x 1.17'	12.58ft ²	1
G	letters wf	front	10.00' x 1.17'	11.70ft ²	1
H	letters ra	front	9.33' x 1.17'	10.92ft ²	1
I	letters rrp	front	15.67' x 1.17'	18.33ft ²	1

Total square footage:
336.46 ft²

SIGN CLASSIFICATION	MAX AREA /FACE	MAX NO. PREMISES	ADDITIONAL LIMITATIONS	HEIGHT
Wall Mounted	2 x length of the wall to which it's affixed	per tenant with separate exterior customer entrances	N/A	N/A
Freestanding- Joint ID	165' (FO + COB) bonus (due to distance from property line)	per frontage	No more than 5 lines displayed	25'



10

\\CADD\DRAWINGS\90022\design\90022ecp02.dwg,
PLOTTED: 11/30/2010 1:54 PM, LAST SAVED: 9/8/2010 9:44 AM, PLOTTED BY: Mark Johnston

GLW Gutschick Little & Weber, P.A. CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS 3669 ARNOLD DRIVE BRIGHTONVILLE, MARYLAND 21066 TEL: 301-421-4024 FAX: 410-580-1820 DC/VA: 301-598-2524 FAX: 301-421-4186			
\CAD\DWG\DWG\MANAGES\900022.dwg 900022.dwg DES. MAJ.		BNN.ANL	CHK
DATE	REVISION	BY	APPR.

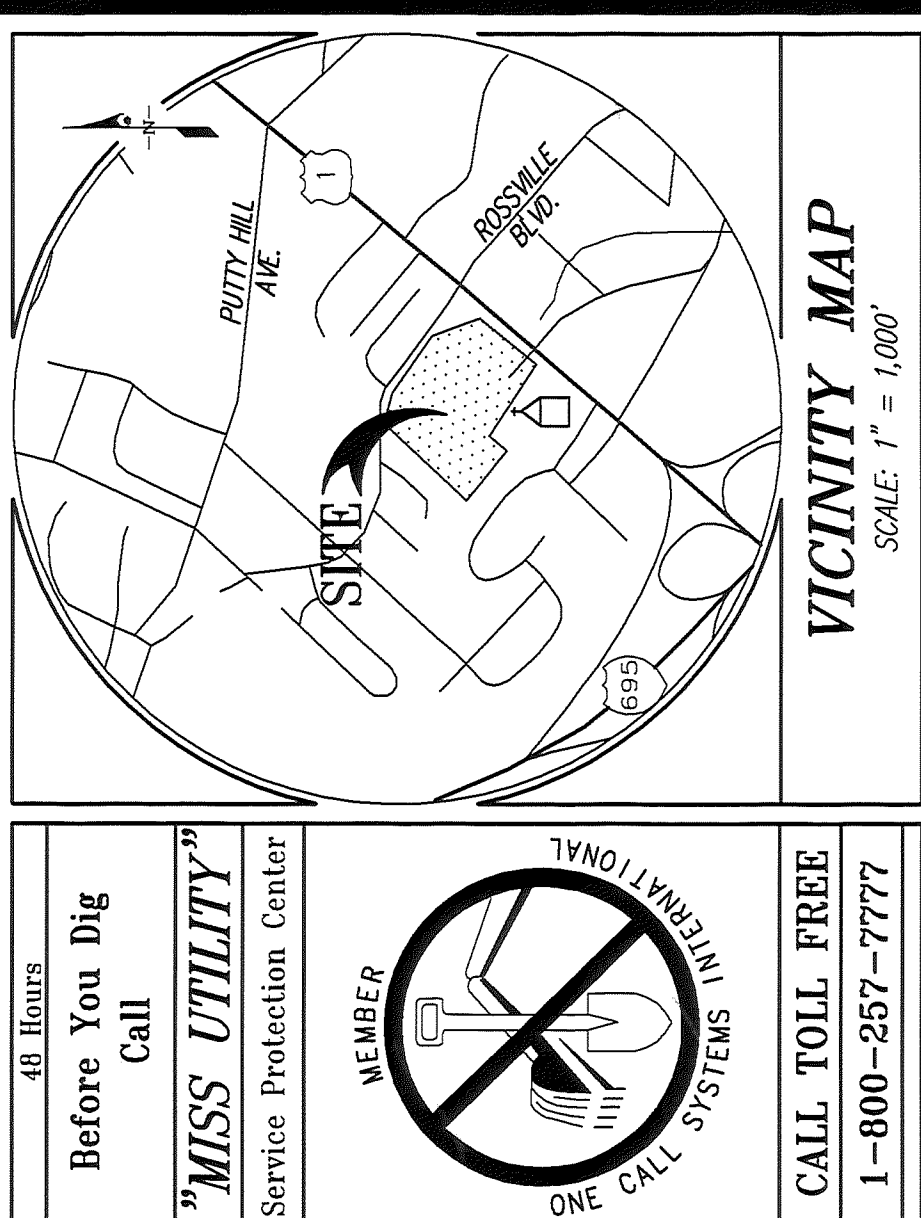
PREPARED FOR: GIANT OF MARYLAND, LLC 1363 HANCOCK STREET DUNWOODY, GA 02169 SCOTT HALEY (617) 776-8119	SCALE	ZONING	PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING GIANT FOOD STORE #144 PUTTY HILL PLAZA PARCEL 1058 PLAT DC 36, PLAT NO. 155 ELECTION DISTRICT No. 14 / CONGRESSIONAL DISTRICT No. 6 BALTIMORE COUNTY, MARYLAND	G. L. W. FILE NO. 90022
	AS SHOWN	BM-AS/DB5.5		
	DATE	TAX MAP - GRID		SHEET 2 OF 2
	APRIL, 2010	81-B1, 81-C1		

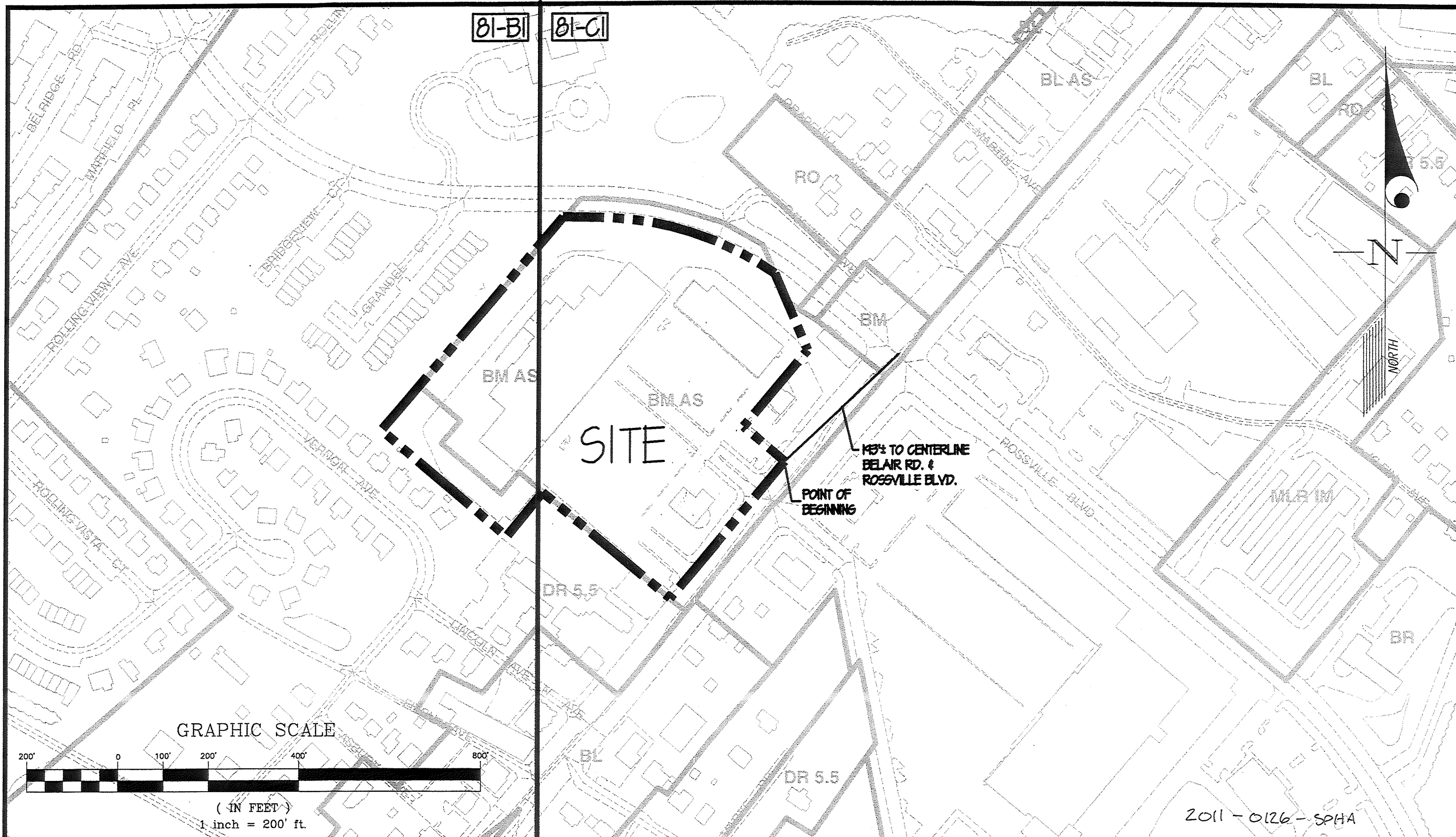
Gable Signs & Graphics, Inc.
ERIC KANES, Account Manager
C. 410.355.6000 / X213 / 443.517.0047 (direct) / F. 410.437.5536
E. 443.0231.0589 / eric.kanes@gablesigns.com

DOCUMENTS DRAWN BY AND PARTNERS

T 614.434.7007 / www.gablesigns.com
T 413.732.5111 / www.apollolighting.com

PETITIONER'S
 EXHIBIT NO. 2





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: 410-580-1820 DC/VA: 301-585-2524 FAX: 301-421-4186 L: \CADD\DRAWINGS\90022\design\90022ex01.dwg	DES. MAJ	PREPARED FOR : GIANT OF MARYLAND LLC 1385 HANCOCK STREET QUINCY, MA 02169 SCOTT HALEY (617)770-8119	GIANT FOOD #144 PUTTY HILL PLAZA ZONING MAPS 81-C1 & 81-B1	ZONING MAP EXHIBIT	G. L. W. No. 90022
	DRN. ANL				ZONING BM AS/DR 5.5
	CHK.				TAX MAP/GRID 81-C2/81-B1
					DATE JUNE, 2010
					SCALE 1" = 200'
					SHEET 1 OF 1