

**IN RE: PETITION FOR VARIANCE**

E/Side of f Pulaski Highway, 50 feet  
S of Mohrs Lane  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
(9991 Pulaski Highway)

DDRTC CP LLC, *Legal Owner*  
Dollar Tree Stores, Inc., *Contract Purchaser*  
Petitioners

\* BEFORE THE  
\* OFFICE OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* CASE NO. 2011-0189-A

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by Mark M. Viani, Esquire and Scott E. Adams, Esquire with McGuire Woods, LLP, on behalf of the legal owner, DDRTC CP LLC, and Dollar Tree Stores, Inc., the contract purchaser. Petitioners are requesting Variance relief from Section 450.4.5(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit 2 wall mounted enterprise signs on a multi-tenant retail building for a separate entity on wall that does not contain an exterior customer entrance - 1 on the side wall and 1 on the rear wall, and to permit 3 wall mounted enterprise signs on a multi-tenant retail building for a separate entity with 1 exterior customer entrance in lieu of the 1 sign permitted. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Mark M. Viani, Esquire and Scott E. Adams, Esquire of McGuire Woods, LLP attorneys for the Petitioners, and Bernt C. Petersen, R.L.A. with George William Stephens, Jr. and Associates, Inc., the registered landscape architect who prepared the site plan. Also attending as an interested citizen was Michael Pierce of 7448 Bradshaw Road, Kingsville MD.

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Date 2-14-11

By P

Mr. Petersen was called as a witness and, after offering his curriculum vitae was accepted as an expert in site development, land planning and zoning in Baltimore County.

He proceeded to describe the site in question, one of three lots comprising a 5.8± acre subdivision created in 1995 and known at that time as Price Club Plus. The site in question is Lot 2, and all three lots are zoned B.R.-A.S. and B.R.-I.M. Presenting the Plat to Accompany, the witness located Lot 2 and noted that Lot 3 is to the east on Pulaski Highway and that Lot 1 to the south on Pulaski Highway. He noted that the façade and front entrance of Lot 2 was located inward, facing the interior parking lot. He also pointed out, due to the constraints of the site, the only visibility was provided on Pulaski Highway or to the Mohrs Lane on the site's north side. He noted that the lot had been built under the pre-1977 sign regulations, in which signs were allowed "on any wall". He then described Section 450 of the existing Baltimore County Zoning Regulations, and explained the limitations that now existed as a result of that change in the law.

Photographs were provided showing the previous signage on the site. It included three signs, one on the front, one on the side facing Pulaski Highway, and one on the rear facing Mohrs Lane. It was pointed out that the signage for this particular site has always been at the same three locations; and is exactly the same as is now being requested under the variance. The witness proceeded to describe the actual signs, which include two signs of 171.73 square feet configured horizontally, one on the west side of the building facing Pulaski Highway and one to the south, facing the neighboring use, but likewise visible on Pulaski Highway. A third sign, considerably smaller at 57.04 square feet and configured vertically would be located on the north side facing Mohrs Lane. He reiterated that these were the same locations and approximate sizes as had existed at the site since prior to the 1977 change in the regulations. Testimony was then elicited from the witness as to the uniqueness of the site's situation and the practical difficulty resulting

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By [Signature]



there from. Referring to the photographs provided, he pointed that the front entry was not visible from any public thoroughfare. Mr. Petersen pointed out that the side wall is obscured by the neighboring Burger King property, and most important of all, that there was a 15 foot height difference in the north and west portions of the site, which was additionally obscured by a growth of mature existing trees. He therefore opined that the rear and side portions of the site, being the only visually accessible directions, were, by virtue of their position the only way that the Petitioners' business could be identified by the public. The screening of the trees and the position of the neighboring businesses, only signs such as those requested were allow for any identification from the right-of-way on Pulaski Highway or Mohrs Lane.

Mr. Petersen further opined that the viability of the use of the subject site by the Petitioners for a permitted purpose under the Zoning Regulations and these singularly and adversely effected by the topography, existing tree screening, and the already existing adjacent properties' sight line interruptions, and that such conditions would be particularly burdensome to the Petitioners and not to any other users of the adjacent sites. He concluded that the only way to resolve Petitioners' difficulties would be by the granting of the requested variance, and by doing so, allowed to exist those signs which had always been necessary by previous users to deal with the unique restrictions imposed upon the location.

Mr. Petersen concluded that it was his opinion that, for all of his given reasons, the requested variance was in strict compliance with the spirit and intent of the B.C.Z.R.

Mr. Michael Pierce, a citizen living in Kingsville, also appeared at the hearing and testified. He noted that this stretch of Pulaski Highway is well developed and is concerned with temporary signs and parked trucks on the north side of the site facing Mohrs Lane. He had no specific problem with the sign as it is proposed at that location. As a result of his testimony and

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Date 2-14-11 3

By pm

concerns, the Petitioners agreed that no temporary or additional signs other than those permanent signs requested would be placed on the site and that trucks would be removed once loading and unloading activities were completed. It was agreed that these restrictions would be made a part of any final Order.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Without a variance, the requested signs and the proposed configuration of enterprise signage would not be permitted by B.C.Z.R. Section 450.4.5(d), which governs commercial signage in multi-tenant centers. The proposed signs are "enterprise" signs which are defined as those which display the identity of a business or advertise products or services associated with a business. *See* B.C.Z.R Section 450.4.5. Section 450.4.5(d) permits only one wall-mounted sign for each tenant having an exterior customer entrance with a maximum square footage for such signs of two times the length of the wall containing the exterior customer entrance. The original construction of the site in question for its commercial use occurred prior to these regulations and at that time allowed the very same signage that has always existed at that site and is presented for approval in the instant case.

I find that the configuration of the subject site in relation to the other structures thereupon and the resultant interrupted sight lines as well as the topographical difference in elevation between the northwest corner and the rest of the site are unique to this property. Moreover, that northwest corner is screened from sight by an already existing stand of trees. In addition, the front entrance faces inward to the parking lot of the site and is not viewable at all from the major traffic source of Pulaski Highway.

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Date 2-14-11 4

By [Signature]



As a result the viability of use of the Petitioners' property for its permitted purpose is singularly adversely effected by the aforesaid topography and screening, as well as the already existing adjacent property sight line interruptions.

Petitioners did not nothing to create these conditions and I find that the existing regulations at this time are overly and particularly burdensome to the Petitioners' use unless a variance is granted. The effect of a variance would simply to allow that which has already and historically be utilized to ameliorate the unique restrictions of the commercial use of Petitioners' property. I further find that strict compliance with the regulations as they exist today would result in practical difficulty and unreasonable hardship upon the Petitioners. Finally, Petitioners' requested variances may be granted without injury to the public health, safety, and general welfare. Thus, the variances requested meet the requirements of Section 307 of the B.C.Z.R, as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Accordingly, after considering all of the testimony and evidence presented at the hearing, I am persuaded that, pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioners, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 14<sup>th</sup> day of February, 2011 by this Administrative Law Judge that Petitioners' Variance request from Section 450.4.5(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit 2 wall mounted enterprise signs on a multi-tenant retail building for a separate entity on wall that does not contain an exterior customer entrance - 1 on the side wall and 1 on the rear wall, and to permit 3 wall mounted enterprise signs on a multi-tenant retail building for a separate entity with 1 exterior customer entrance in lieu of the 1 sign permitted be and are hereby GRANTED.

ORDER RECEIVED FOR FILING

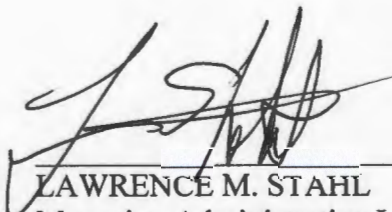
Date 2-14-11 5

By [Signature]

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners have agreed that they will not utilize any temporary signs of any size or description on the property, and that any trucks utilizing the north side of the property do so only for the loading and unloading of merchandize and would not use the space for truck parking.

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

  
\_\_\_\_\_  
LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS:pz

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Date 2-14-11

By 





KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
TIMOTHY M. KOTROCO  
*Administrative Law Judges*

February 14, 2011

MARK M. VIANI, ESQUIRE  
SCOTT E. ADAMS, ESQUIRE  
MCGUIRE WOODS, LLP  
1750 TYSONS BLVD., SUITE 1800  
MCLEAN, VA 22102

Re: Petition for and Variance  
Case No. 2011-0189-A  
Property: 9991 Pulaski Highway

Dear Messrs. Viani and Adams:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "LMS", is written over a horizontal line.

LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS/pz

Enclosure

c: Bernt C. Petersen, George William Stephens, Jr. and Associates, Inc., 235 Schilling Circle,  
Suite 103, Hunt Valley MD 21031  
Michael Pierce, 7448 Bradshaw Road, Kingsville MD 21087



# Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at 9991 Pulaski Highway

which is presently zoned BR-AS & BR-IM

Deed Reference: 25313 / 546 Tax Account # 2200005182

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)

Variance from B.C.Z.R. Section 450.4, 5 (d) to permit 2 wall mounted enterprise signs on a multi-tenant retail building for a separate entity on wall that do not contain an exterior customer entrance. - one on side wall & one on rear wall.

Variance from B.C.Z.R. Section 450.4, 5 (d) to permit 3 wall mounted enterprise signs on a multi-tenant retail building for a separate entity with one exterior customer entrance in lieu of the one sign permitted.

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

Practical Difficulty (see attached narrative statement)

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:

Dollar Tree Stores, Inc.

Name - Type or Print

Signature

500 Volvo Parkway

757-321-5517

Address

Telephone No.

Chesapeake, VA 23320

City

State

Zip Code

## Attorney For Petitioner:

Mark M. Viani and Scott E. Adams

Name - Type or Print

Signature

McGuireWoods, LLP

Company

1750 Tysons Blvd., Suite 1800

703-712-5000

Address

Telephone No.

McLean, VA 22102

City

State

Zip Code

## Legal Owner(s):

DDRTC CP LLC

Name - Type or Print

Signature

JOHN MARGUARET, TENANT COORDINATOR

Name - Type or Print

Signature

3300 Enterprise Parkway

216-755-6463

Address

Telephone No.

Beachwood, OH 44122

City

State

Zip Code

## Representative to be Contacted:

Mark M. Viani or Scott E. Adams

Name

1750 Tysons Blvd., Suite 1800

703-712-5000

Address

Telephone No.

McLean, VA 22102

City

State

Zip Code

Case No. 2011-0189-A

Office Use Only

Estimated Length of Hearing  
Unavailable For Hearing

REV 8/20/07

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Reviewed by D.T. Date 12/8/10

Date 2-14-11

By



**Variance Petition  
Dollar Tree Stores, Inc.  
9991 Pulaski Highway**

**Narrative Statement**

**Uniqueness of Site**

The requested variances are the result of special circumstances or conditions that are peculiar to the property and structure that is the subject of this request. The property is fully developed with a number of buildings. The location of the applicant's store has historically contained signs on the North and West facades, which are the same locations as the signs requested through this variance petition. Further, the requested signs are of the same size and character as those that historically existed on the property. The Baltimore County Zoning Regulations were amended in 2009, which effectively limited the permitted signs on the property. These changes created special circumstances related to this property that are not self-created by the Applicant or owner of the property.

**Practical Difficulty**

The requested variances meet the legal standard of practical difficulty for the following reasons. First, compliance with the strict requirements of the sign regulations will unreasonably prevent the Applicant from using the property for a permitted purpose, as it will not be able to fully take advantage of its land. The property is located in a commercial area with signs of a similar size and nature on all surrounding properties. Without the proposed signs, the property is not effectively usable as a commercial site. Second, the grant of the variances will do substantial justice to the applicant. The requested variances will permit signage of the same general size and character and in the same locations as has historically existed on the property. It would be an injustice to the applicant to prevent signs in locations where they have historically existed. Third, the relief requested meets the spirit of the ordinance and in no way affects public safety or welfare. Signs of a similar size and character have historically existed in the requested locations with no impact to public safety or welfare. Additionally, the property is located in a commercial area and the proposed signs are consistent with the existing development. Therefore, there is no impact on the public safety or welfare.

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2011-0189-A



FROM THE OFFICE OF

**GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.**

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS  
235 SCHILLING CIRCLE, SUITE 103 • HUNT VALLEY, MARYLAND 21031

December 8, 2010

**Description to Accompany Petition for  
Variance for 9991 Pulaski Highway, White Marsh, MD**

Beginning at a point on the easterly right-of-way of Pulaski Highway which is 150 feet in width, said point being South 22 degrees 17 minutes 10 seconds East 81.28 feet more or less, from a point formed by the intersection of the centerlines of Pulaski Highway and Mohrs Lane, thence leaving said point of beginning, along the following 5 courses:

1. Running thence along said westerly right-of-way of Pulaski Highway North 76 degrees 45 minutes 22 seconds East 16.17 feet to a point on the southerly right-of-way of Mohrs Lane which is 60 feet in width, thence
2. running along the said southerly right-of-way of said Mohrs Lane South 67 degrees 10 minutes 27 seconds East 364.81 feet, thence
3. leaving said southerly right-of-way of Mohrs Lane South 22 degrees 12 minutes 46 seconds West 543.26 feet, thence
4. North 67 degrees 47 minutes 17 seconds West 557.63 feet to a point on the easterly right-of-way of Pulaski Highway, thence
5. running along said easterly right-of-way of Pulaski Highway North 40 degrees 41 minutes 12 seconds East 567.02 feet to the point of beginning.

Being Lot #2 in the subdivision of First Amended Plat Price Club Plaza as recorded in Baltimore County Plat Book # S.M. 62, Folio #129, containing 5.8388 Acres of land more or less. Also known as 9991, 9997 & 9999 Pulaski Highway and located in Election District #15.

**Note: The above description is for zoning purposes only and is not to be used for contracts, conveyances or agreements.**



2011-0189-A

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

No. 62279

Date: 12/8/10

PAID RECEIPT

BUSINESS ACTUAL TIME DPM  
12/09/2010 12/08/2010 14:36:11 2

RED MS02 WALKIN JEVA JEE  
>>RECEIPT # 714967 12/08/2010 OPLH

Dept 5 52B ZONING VERIFICATION  
EX NO. 062279

Recpt Tot \$325.00  
\$325.00 OK \$1.00 CA  
Baltimore County, Maryland

| d | Dept | Unit | Sub Unit | Obj  | Sub Obj | Dept Obj | BS Acct | Amount |
|---|------|------|----------|------|---------|----------|---------|--------|
|   | 806  | 0000 |          | 6150 |         |          |         | 325.00 |
|   |      |      |          |      |         |          |         |        |
|   |      |      |          |      |         |          |         |        |
|   |      |      |          |      |         |          |         |        |
|   |      |      |          |      |         |          |         |        |

Total: 325.00

McGUIRE WOODS

2011-0189-A

9991 PULASKI HWY

D. THOMPSON

TION

CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING  
PLEASE PRESS HARD!!!!

CASHIER'S  
VALIDATION



## Zoning Description

### 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: # 2011-0189-A

9991 Pulaski Highway

E/s Pulaski Highway, 50 feet south of the centerline of Mohrs Lane

15th Election District - 6th Councilmanic District

Legal Owner(s): DDRTC CP, LLC

Contract Purchaser: Dollar Tree Stores, Inc.

**Variance:** to permit 2 wall mounted enterprise signs on a multi-tenant retail building for a separate entity on wall that does not contain an exterior customer entrance one on side wall and one on rear wall; to permit 3 wall mounted enterprise signs on a multi-tenant retail building for a separate entity with one exterior customer entrance in lieu of the one sign permitted.

**Hearing:** Tuesday, February 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, Director of Permits, Approvals and Inspections 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.  
1/101 Jan. 12 264812

## CERTIFICATE OF PUBLICATION

1/13/2011

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 1/13/2011.

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

*S. Wilkinson*

LEGAL ADVERTISING

2011-0188-A



# CERTIFICATE OF POSTING

2011-0189-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Dollar Tree Stores, Inc

Feb 1, 2011

Date of Hearing/Closing: \_\_\_\_\_

2/1  
Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen 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: \_\_\_\_\_

9991 Pulaski Highway

January 15, 2011

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)

Sincerely,

 January 17, 2011  
\_\_\_\_\_  
(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 # 2011-0189-A

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

Room 205, JEFFERSON BUILDING  
105 WEST CHESAPEAKE AVE, TOWSON

PLACE:

DATE AND TIME TUESDAY, FEBRUARY 1, 2011 AT 10:00 A.M.

REQUEST VARIANCE TO PERMIT 2 WALL MOUNTED ENTERP-

RISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPA-  
RATE ENTITY ON WALL THAT DOES NOT CONTAIN AN EXTERIOR  
CUSTOMER ENTRANCE ONE ON SIDE WALL AND ONE ON REAR WALL, TO  
PERMIT 3 WALL-MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT  
RETAIL BUILDING FOR A SEPARATE ENTITY WITH ONE EXTERIOR  
CUSTOMER ENTRANCE IN LIEU OF THE ONE SIGN PERMITTED

PROVISIONS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 807 3391

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



|                                                                    |   |                     |
|--------------------------------------------------------------------|---|---------------------|
| RE: PETITION FOR VARIANCE                                          | * | BEFORE THE          |
| 9991 Pulaski Highway; East side of                                 | * | ZONING COMMISSIONER |
| Pulaski Hwy. 50 ft S of Mohrs Lane                                 | * | FOR                 |
| 15 <sup>th</sup> Election & 6 <sup>th</sup> Councilmanic Districts | * | BALTIMORE COUNTY    |
| Legal Owner: DDRTC CP LLC,                                         | * | 2011-189-A          |
| John Marquart                                                      |   |                     |
| Contract Purchaser: Dollar Tree Stores                             |   |                     |
| Petitioner                                                         |   |                     |

\* \* \* \* \*

**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

RECEIVED  
DEC 21 2010  
*kl*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21st day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Mark M. Viani, Esquire and Scott E. Adams, Esquire, McGuire Woods LLP, 1750 Tysons Blvd., Suite 1800, McLean, Virginia 22102, Attorneys for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

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

January 7, 2011

**CORRECTED 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: 2011-0189-A**

9991 Pulaski Highway

E/s Pulaski Highway, 50 feet south of the centerline of Mohrs Lane

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: DDRTC CP, LLC

Contract Purchaser: Dollar Tree Stores, Inc.

Variance to permit 2 wall mounted enterprise signs on a multi-tenant retail building for a separate entity on wall that does not contain an exterior customer entrance one on side wall and one on rear wall; to permit 3 wall mounted enterprise signs on a multi-tenant retail building for a separate entity with one exterior customer entrance in lieu of the one sign permitted.

Hearing: Tuesday, February 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon  
Director

AJ:kl

C: Mark Viani, Scott Adams, 1750 Tysons Blvd., Ste. 1800, McLean VA 22102  
Deborah Miller, Dollar Tree Stores, Inc., 500 Volvo Parkway, Chesapeake VA 23320  
John Marquart, DDRTC CP LLC, 3300 Enterprise Parkway, Beachwood OH 44122

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 15, 2011.**
- (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.



## 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*

January 6, 2011

### NOTICE OF ZONING HEARING

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105 West Chesapeake Avenue, Towson 21204

Arnold Jablon  
Director

AJ:kl

C: Mark Viani, Scott Adams, 1750 Tysons Blvd., Ste. 1800, McLean VA 22102  
Deborah Miller, Dollar Tree Stores, Inc., 500 Volvo Parkway, Chesapeake VA 23320  
John Marquart, DDRTC CP LLC, 3300 Enterprise Parkway, Beachwood OH 44122

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 15, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY  
Thursday, January 13, 2011 Issue - Jeffersonian

Please forward billing to:

Scott Adams  
McGuire Woods, LLP  
1750 Tysons Blvd., Ste. 1800  
McLean, VA 22102

703-712-5000

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## 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: 2011-0189-A**

9991 Pulaski Highway  
E/s Pulaski Highway, 50 feet south of the centerline of Mohrs Lane  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: DDRTC CP, LLC  
Contract Purchaser: Dollar Tree Stores, Inc.

Variance to permit 2 wall mounted enterprise signs on a multi-tenant retail building for a separate entity on wall that does not contain an exterior customer entrance one on side wall and one on rear wall; to permit 3 wall mounted enterprise signs on a multi-tenant retail building for a separate entity with one exterior customer entrance in lieu of the one sign permitted.

Hearing: <sup>Tuesday</sup> Monday, February 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections 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.

**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/neighborhood property owners relative to property that is the subject of an upcoming zoning hearing. For those petitions that 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.**

---

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**For Newspaper Advertising:**

Item Number or Case Number:

2011-0189-A

Petitioner:

DOLLAR TREE STORES, INC.

Address or Location:

9991 PULASKI HIGHWAY  
WHITE MARSH, MD 21237

**Please Forward Advertising Bill to:**

Name:

SCOTT E. ADAMS

Address:

MCGUIRE WOODS, LLP

1750 TYKONS BLVD. SUITE 1800

MCLEAN, VA 22102

Telephone:

(703) 712-5000



KEVIN KAMENETZ  
County Executive

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

January 26, 2011

John Marquart  
Tenant Coordinator  
DDRTC-CP LLC  
3300 Enterprise Parkway  
Beachwood, Ohio 44122

Dear Mr. Marquart:

RE: Case Number 2011-0189-A Address 9991 Pulaski Highway

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 8, 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,  
A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:rjc  
Enclosures

c: People's Counsel  
Mark M. Viani Or Scott E. Adams 1750 Tysons Blvd. Ste. 1800 McLean, VA 22102  
Dollar Tree Stores Deborah Miller 500 Volvo Parkway Chesapeake, VA 23320  
Mark M. Viani and Scott E. Adams McGuire Woods LLP 1750 Tysons Blvd. Ste 1800 McLean Va 22102





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

State Highway  
Administration

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

Maryland Department of Transportation

Date: DEC. 17, 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. MC-2011-0189-A  
US 40  
9991 Pulaski Hwy.  
DOLLAR TREE STORE  
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 12-17-2010. A field inspection and internal review reveals that an entrance onto US 40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for DOLLAR TREE STORE. Case Number MC-2011-0189-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 ([m Bailey@sha.state.md.us](mailto:m Bailey@sha.state.md.us)). Thank you for your attention.

Very truly yours,

*Foster* Steven D. Foster, Chief  
Access Management 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.marylandroads.com](http://www.marylandroads.com)

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** December 15, 2010

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For January 3, 2011  
Item Nos. 2011- 189, 190 and 191

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-01032011 -NO COMMENTS.doc



KEVIN KAMENETZ  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

December 15, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: December 20, 2010

Item No.:

**Variance:** MC-2011-0189-A (R732461) and 2011-0190-A (R732479)

**Administrative Variance:** 2011-0191-A (R732487)

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.

**Comments:**

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

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

cc: .File



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** George Klunk, Interim Director  
Department of Permits and  
Development Management

**DATE:** December 20, 2010

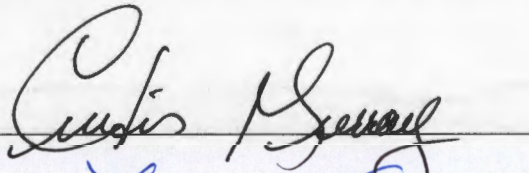
**FROM:** Michael J. Mayhew  
(Acting) Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 11-189- Variance**

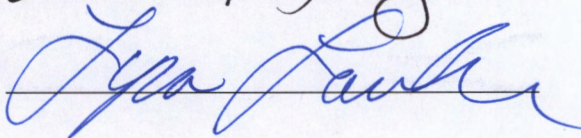
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

**Prepared By:**



**Division Chief:**  
CM/LL



**RECEIVED**

**DEC 30 2010**

**ZONING COMMISSIONER**

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** George Klunk, Interim Director  
Department of Permits and  
Development Management

**DATE:** December 20, 2010

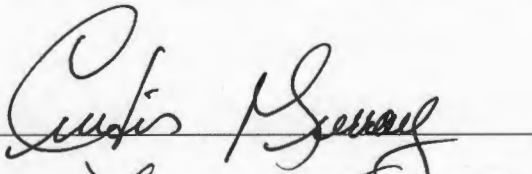
**FROM:** Michael J. Mayhew  
(Acting) Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 11-189- Variance**

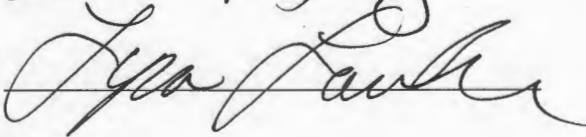
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For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:  
CM/LL



CASE NAME 9991 Pulaski Hwy  
CASE NUMBER 2011-0189-A  
DATE 2-1-11

[illegible]



CASE NAME 9991 Puleadi Mary.  
CASE NUMBER 2011-089-17  
DATE 2-1-11

[illegible]

Case No.: 2011-0189-A

Exhibit Sheet

Petitioner/Developer

Protestant

|        |                               |  |
|--------|-------------------------------|--|
| No. 1  | PCAT TO ACCOMPANY<br>PETITION |  |
| No. 2  | Sign exhibit                  |  |
| No. 3  | PHOTO exhibit                 |  |
| No. 4  | PREVIOUS USE PHOTOS           |  |
| No. 5  | Peterson C.V.                 |  |
| No. 6  |                               |  |
| No. 7  |                               |  |
| No. 8  |                               |  |
| No. 9  |                               |  |
| No. 10 |                               |  |
| No. 11 |                               |  |
| No. 12 |                               |  |

FROM THE OFFICE OF

**GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.**

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS  
235 SCHILLING CIRCLE, SUITE 103 • HUNT VALLEY, MARYLAND 21031

**CURRICULA VITAE**

**Bernt C. Petersen, R.L.A.**

**Director of Land Planning / Landscape Architecture  
George William Stephens, Jr. & Associates**

**Professional Registration:** Registered Landscape Architect - Maryland - No. 1095

**Education:**

State University of New York, College of Environmental Science and Forestry at  
Syracuse – Bachelor of Landscape Architecture -1977,  
Bachelor of Science, Environmental Studies -1976

**Professional Affiliations:** American Society of Landscape Architects,  
Maryland Chapter, No. 1108847

Professional practice includes 30 years of land planning, landscape architecture, comprehensive zoning, PUD master planning, site planning, and testimony regarding land use and zoning issues. Mr. Petersen has been practicing in the Greater Baltimore Metropolitan region since 1988 and has expertise in land planning, site planning, and zoning cases in Anne Arundel County, Baltimore County and Howard County, Maryland.

Principal duties for G. W. Stephens, Jr. & Assoc. include supervision of site development and land planning, zoning interpretation, community input meetings, development plans and Hearing Officer's Hearings, special exception petitions, variance request petitions and landscape plan preparation. Prior to his relocation to Maryland, Mr. Petersen practiced site design and land planning in New York and Massachusetts.

Significant local projects include: Powell Property, Forge Landing, The New England Motor Freight Trucking Facility, Cedar Lane Farms P.U.D., 1400 Taylor Avenue P.U.D., Westwicke, The Sanctuary, Kimbrook, Kopp Property, Green Spring Station, Home Depot of Owings Mills, Bel Air and Timonium, Ashland Market Place, Baker Property, Greenfields at White Marsh and The Clusters. A significant project of regional impact is Luther's Forest, a comprehensive mixed use development in Saratoga County, NY.

Mr. Petersen has prepared comprehensive-zoning petitions in Baltimore County during the 1996, 2000, 2004 & 2008 CZMP processes and has an understanding of the principles of Euclidean zoning and their application throughout the Baltimore Metro region. He has thorough experience dealing with the Baltimore Regional Area County's development regulations.

**PETITIONER' S**

410-785-6640 • FAX 410-785-6647  
www.gwstephens.com

**EXHIBIT NO.** 5



# Birdseye View of Property Looking South

PETITIONER'S

EXHIBIT NO.

4



Street View of Property Looking East





Birdseye View of Property Looking South





Street View of Property Looking East



Maryland Department of Assessments and Taxation  
Real Property Data Search (vw6.3A)  
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 2200005182

#### Owner Information

|                         |                                                                            |                             |                      |
|-------------------------|----------------------------------------------------------------------------|-----------------------------|----------------------|
| <b>Owner Name:</b>      | DDRTC CP LLC                                                               | <b>Use:</b>                 | COMMERCIAL           |
| <b>Mailing Address:</b> | C/O DEVELOPERS DIVERSIFIED<br>300 ENTERPRISE PARKWAY<br>BEACHWOOD OH 44122 | <b>Principal Residence:</b> | NO                   |
|                         |                                                                            | <b>Deed Reference:</b>      | 1) /25313/ 546<br>2) |

#### Location & Structure Information

|                         |                                      |
|-------------------------|--------------------------------------|
| <b>Premises Address</b> | <b>Legal Description</b>             |
| 9919 PULASKI HWY        | 19.0227 AC                           |
| BALTIMORE MD 21220-1411 | 9919 PULASKI HWY<br>PRICE CLUB PLAZA |

|            |             |               |                     |                    |                |              |            |                        |                  |        |
|------------|-------------|---------------|---------------------|--------------------|----------------|--------------|------------|------------------------|------------------|--------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Sub District</b> | <b>Subdivision</b> | <b>Section</b> | <b>Block</b> | <b>Lot</b> | <b>Assessment Area</b> | <b>Plat No:</b>  |        |
| 82         | 17          | 623           |                     |                    |                |              | 1          | 3                      | <b>Plat Ref:</b> | 68/ 24 |

|                          |                                  |
|--------------------------|----------------------------------|
| <b>Special Tax Areas</b> | <b>Town Ad Valorem Tax Class</b> |
|                          |                                  |

|                                |                      |                           |                   |
|--------------------------------|----------------------|---------------------------|-------------------|
| <b>Primary Structure Built</b> | <b>Enclosed Area</b> | <b>Property Land Area</b> | <b>County Use</b> |
| 1988                           | 168,640 SF           | 19.02 AC                  | 06                |

|                |                 |             |                 |
|----------------|-----------------|-------------|-----------------|
| <b>Stories</b> | <b>Basement</b> | <b>Type</b> | <b>Exterior</b> |
|                |                 |             |                 |

#### Value Information

|                           | <b>Base Value</b> | <b>Value As Of 01/01/2009</b> | <b>Phase-in Assessments</b> |                         |
|---------------------------|-------------------|-------------------------------|-----------------------------|-------------------------|
|                           |                   |                               | <b>As Of 07/01/2010</b>     | <b>As Of 07/01/2011</b> |
| <b>Land</b>               | 5,754,500         | 8,706,000                     |                             |                         |
| <b>Improvements:</b>      | 5,949,100         | 5,419,900                     |                             |                         |
| <b>Total:</b>             | 11,703,600        | 14,125,900                    | 13,318,466                  | 14,125,900              |
| <b>Preferential Land:</b> | 0                 | 0                             | 0                           | 0                       |

#### Transfer Information

|                |                       |               |             |               |     |
|----------------|-----------------------|---------------|-------------|---------------|-----|
| <b>Seller:</b> | I S WHITE MARSH TRUST | <b>Date:</b>  | 03/07/2007  | <b>Price:</b> | \$0 |
| <b>Type:</b>   | NOT ARMS-LENGTH       | <b>Deed1:</b> | /25313/ 546 | <b>Deed2:</b> |     |

**Seller:** PRICE REIT, INC  
**Type:** NOT ARMS-LENGTH

**Date:** 06/25/2003  
**Deed1:** /18279/ 360

**Price:** \$0  
**Deed2:**

**Seller:** PRICE COMPANY  
**Type:** IMPROVED ARMS-LENGTH

**Date:** 08/12/1993  
**Deed1:** / 9948/ 455

**Price:** \$6,250,000  
**Deed2:**

| Exemption Information             |              |            |            |
|-----------------------------------|--------------|------------|------------|
| <b>Partial Exempt Assessments</b> | <b>Class</b> | 07/01/2010 | 07/01/2011 |
| <b>County</b>                     | 000          | 0          | 0          |
| <b>State</b>                      | 000          | 0          | 0          |
| <b>Municipal</b>                  | 000          |            |            |

**Tax Exempt:** NO

**Special Tax Recapture:**

**Exempt Class:**

\* NONE \*





The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the



|                                    |                                                                                   |
|------------------------------------|-----------------------------------------------------------------------------------|
| LOT LINES                          |  |
| PARCEL LINES                       |  |
| EXIST. RIGHT-OF-WAY                |  |
| EXISTING EASEMENT                  |  |
| PRINCIPAL STRUCTURE ZONING SETBACK |  |
| ZONING LINE                        |  |
| EXISTING MAJOR CONTOUR             |  |
| EXISTING MINOR CONTOUR             |  |
| EX. CONC. CURB                     |  |
| EXIST. STREET CENTERLINE           |  |
| EXIST. STRUCTURE                   |  |
| EXISTING TREELINES                 |  |
| EXIST. MAJOR DECIDUOUS TREE        |  |
| EXIST. MINOR DECIDUOUS TREE        |  |
| EXIST. EVERGREEN TREE              |  |
| EXIST. FIRE HYDRANT                |  |
| EXIST. UTILITY POLE                |  |



1. APPLICANT: DOLLAR TREE STORES, INC.  
500 VOLVO PARKWAY  
CHESAPEAKE, VIRGINIA 23320
2. THERE ARE NO SIGNIFICANT GEOLOGICAL FORMATIONS, CRITICAL AREAS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES HABITATS KNOWN TO EXIST ON THIS SITE.
3. THERE ARE NO HISTORICAL BUILDINGS, PROPERTIES, OR SITES KNOWN TO EXIST WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT.
4. THERE ARE NO STREAMS, SEEPS, PONDS, WETLANDS OR 100 YEAR FLOODPLAINS KNOWN TO EXIST ON THIS SITE.
5. THERE ARE NO WELLS, SEPTIC SYSTEMS OR UNDERGROUND STORAGE TANKS KNOWN TO EXIST ON THIS SITE.
6. THE PROPOSED DEVELOPMENT CONFORMS TO THE BALTIMORE COUNTY MASTER PLAN.
7. ALL SIGNAGE SHALL BE IN CONFORMANCE WITH SECTION 450, B.C.Z.R. EXCEPT FOR THE PROPOSED SIGN VARIATION.
8. LIGHTING NOTE, ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS. SEE LIGHTING PLAN. ALL LIGHTING SHALL MEET MINIMUM STANDARDS OF ILLUMINATION ENGINEERING SOCIETY.
9. HANDICAPPED PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH THE MARYLAND PARKING CODE FOR THE HANDICAPPED, CONTAINED IN THE CODE OF MARYLAND REGULATIONS 05.01.07.

1. SITE AREA 254,330.13 SQ. FT. OR 5,038.8 AC.  
EXISTING ZONING: BR-A & BR-1M  
EXIST. USE: COMMERCIAL RETAIL  
PROP. USE: COMMERCIAL RETAIL  
TAX ACCOUNT NO. 22000005183  
DEED REFERENCE: 25319 / 546  
COUNCILMANIC DISTRICT 6  
CENSUS TRACT NO.  
WATER SHED NO. 6  
10. SUBSEWER SHED NO. 16

11. BUILDING HEIGHT  
MAXIMUM ALLOWED - 100' + HEIGHT PER HEIGHT TENT  
EXISTING HEIGHT 29.4'

12. FLOOR AREA RATIO  
ALLOWED - 2.0 F.A.R. 254,330.13 S.F. X 2 = 508,676.26 S.F.  
EXISTING 50,373.4 S.F. = 0.10 F.A.R.

13. PARKING REQUIRED  
RETAIL (8 SPACES PER 1,000 SQ. FT.) = 252 SPACES REQ'D  
50,373.4 SQ. FT. TOTAL  
PARKING PROVIDED = 265 SPACES PROVIDED  
(INCLUDING 8 HANDICAP)

FAST FOOD RESTAURANT (16 SPACES PER 1,000 SQ. FT.) = 47 SPACES REQ'D  
2,897.2 SQ. FT. TOTAL  
PARKING PROVIDED = 47 SPACES  
(INCLUDING 1 HANDICAPPED)

TOTAL PARKING PROVIDED ON LOT 2 = 312 SPACES

14. THIS SITE IS LOCATED IN AN "F" LEVEL OF SERVICE AREA AS INDICATED ON THE  
2009 BASIC SERVICES MAP FOR TRANSPORTATION ZONES.

15. THIS SITE IS ADEQUATELY SERVED BY PUBLIC WATER AND SEWER SYSTEMS.

16. ZONING HISTORY  
C.R.G. PLAN APPROVED ON DECEMBER 11, 1986 (C.R.G. NO. 86273)  
C.R.G. PLAN AMENDMENT APPROVED ON 6/21/90 (W-9C-217)  
C.R.G. PLAN ON LOT 1 APPROVED ON 1/16/92 (C.R.G. NO. 91347)

17. PLAT REFERENCE: FIRST AMENDED PLAT, PRICE CLUB PLAZA, S.M. 68 FOLIO 24

18. BUILDING DIMENSIONS, SETBACK DISTANCES AND PARKING SPACE COUNTS ARE  
ARE FROM AN ALTA/ACSM TITLE SURVEY BY LANDMARK-FLEET SURVEYORS, P.C.  
OF RICHMOND, VIRGINIA.

19. EXISTING TOPOGRAPHY, CURB & PAVING LOCATIONS, EXISTING STRUCTURES, ETC.  
ARE TAKEN FROM BALTIMORE COUNTY G.I.S.

SCALE: 1" = 40'  
DATE: 12/8/10  
JOB #: 11167  
DES: BCP  
DRN: BCP  
CHK: BCP  
FILE:  
DRAWING NUMBER  
**Z-1**  
SHEET 1 OF 2

SCALE: 1" = 40'-0"

1. VARIANCE FROM B.C.R. SECTION 450.4.5(d) TO PERMIT 2 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY ON WALLS THAT DO NOT CONTAIN AN EXTERIOR CUSTOMER ENTRANCE - ONE ON SIDE WALL AND ONE ON REAR WALL.
2. VARIANCE FROM B.C.R. SECTION 450.4.5(d) TO PERMIT 3 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY WITH ONE EXTERIOR CUSTOMER ENTRANCE IN LIEU OF THE ONE SIGN PERMITTED.

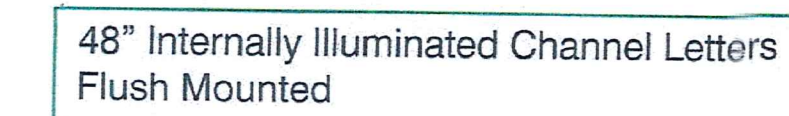
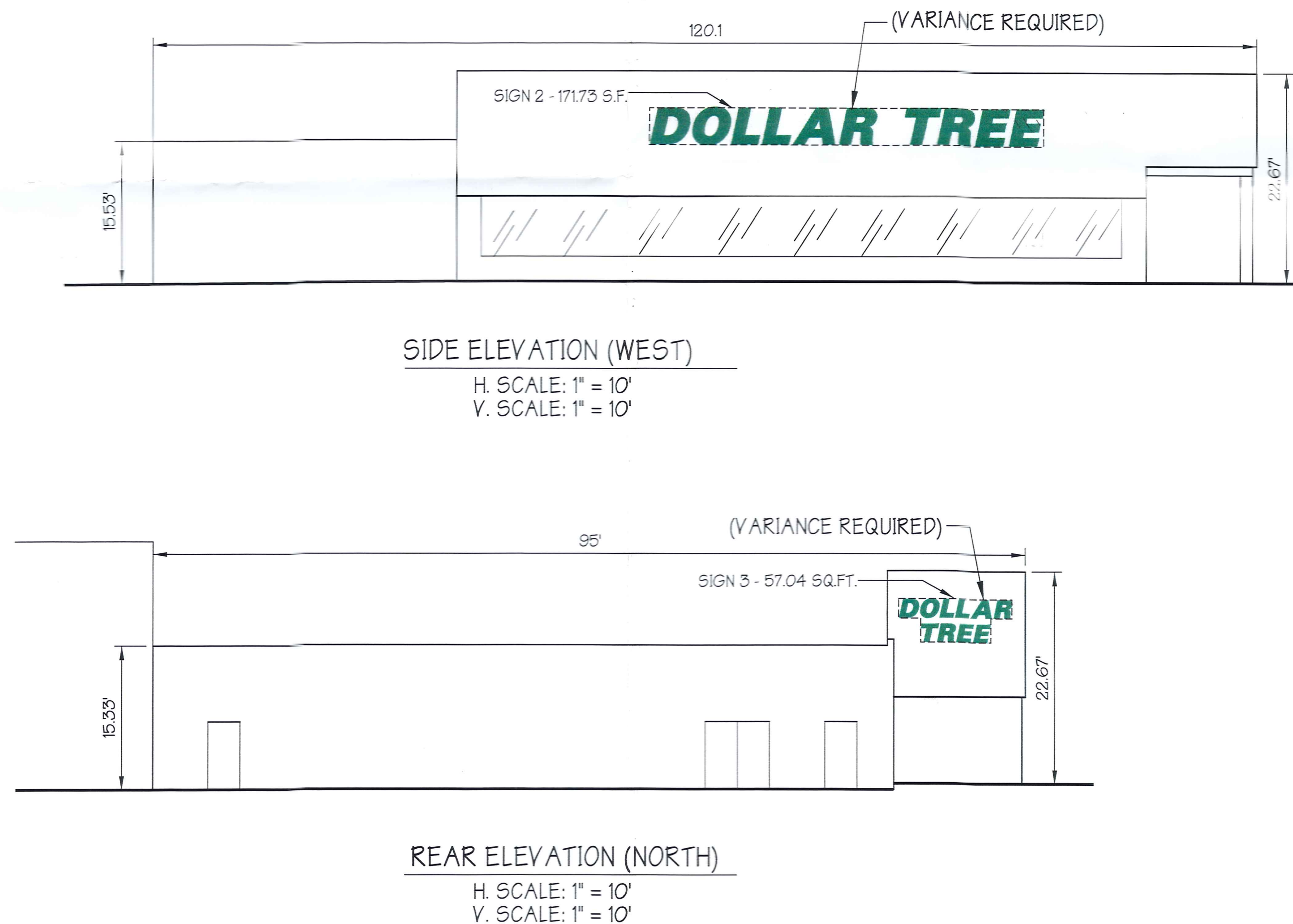
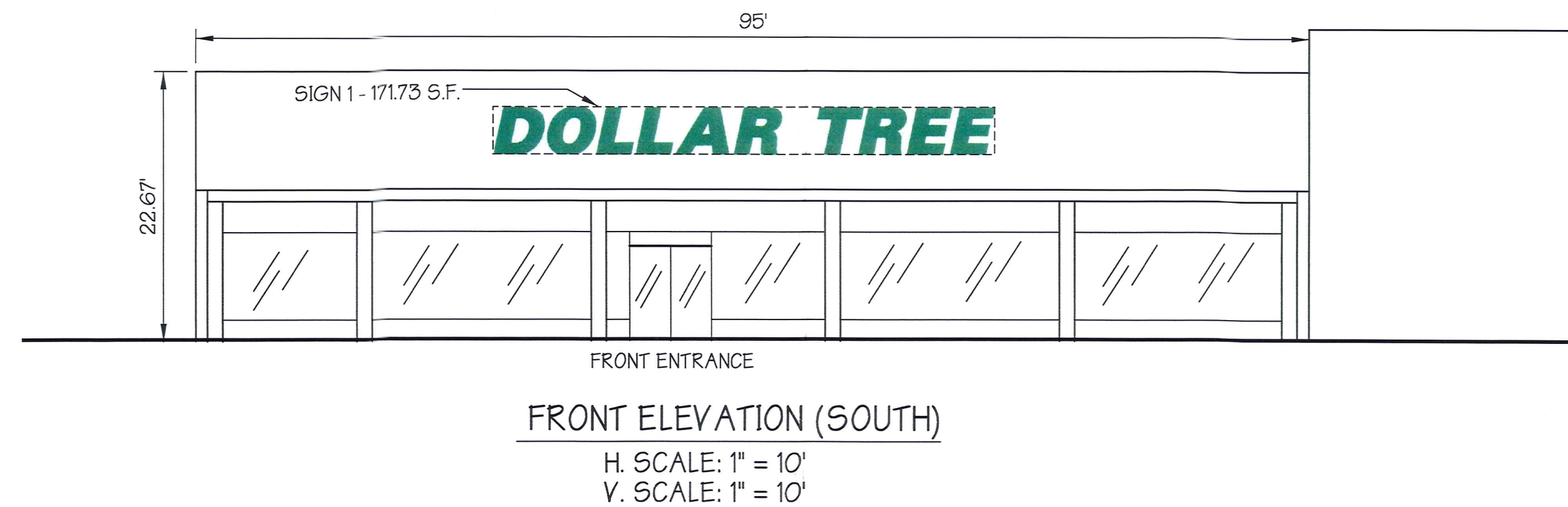
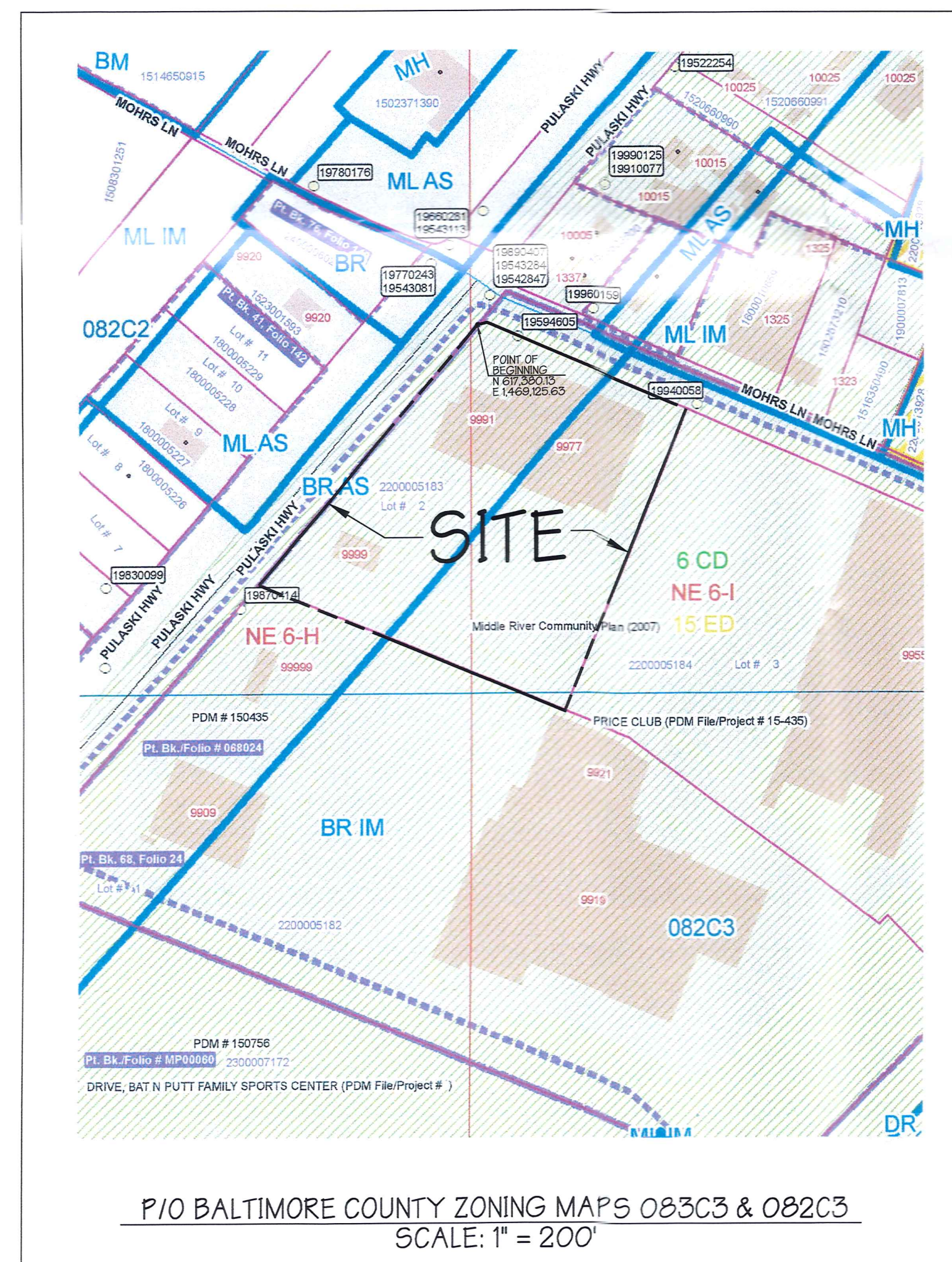
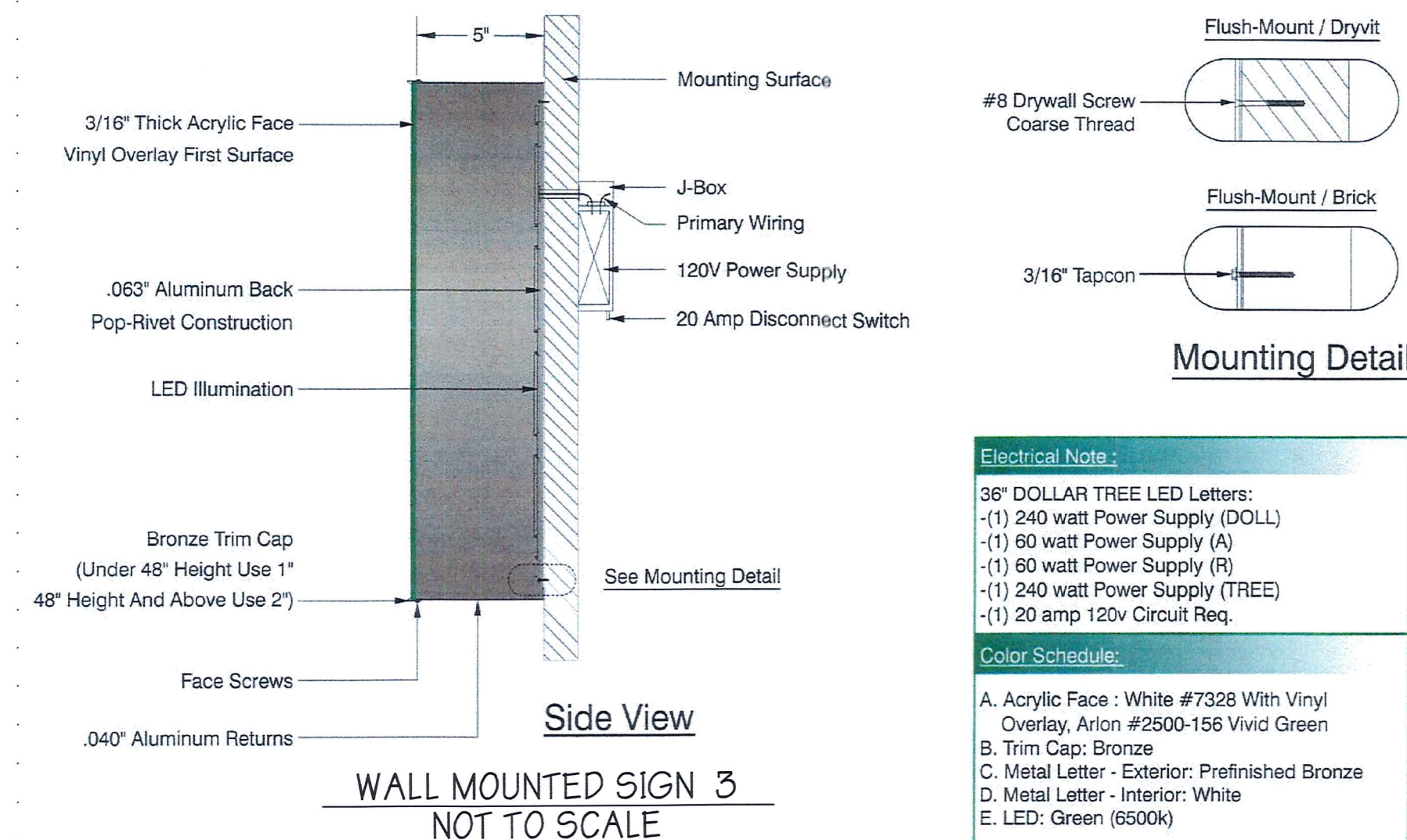
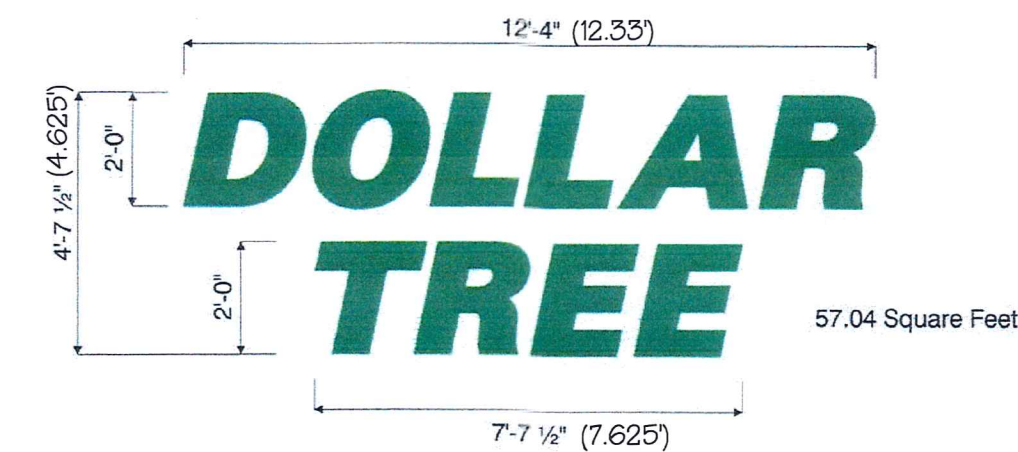
DDRTC CP LLC  
C/O DEVELOPERS DIVERSIFIED  
300 ENTERPRISE PARKWAY  
BEACHWOOD, OH 44122

[illegible]

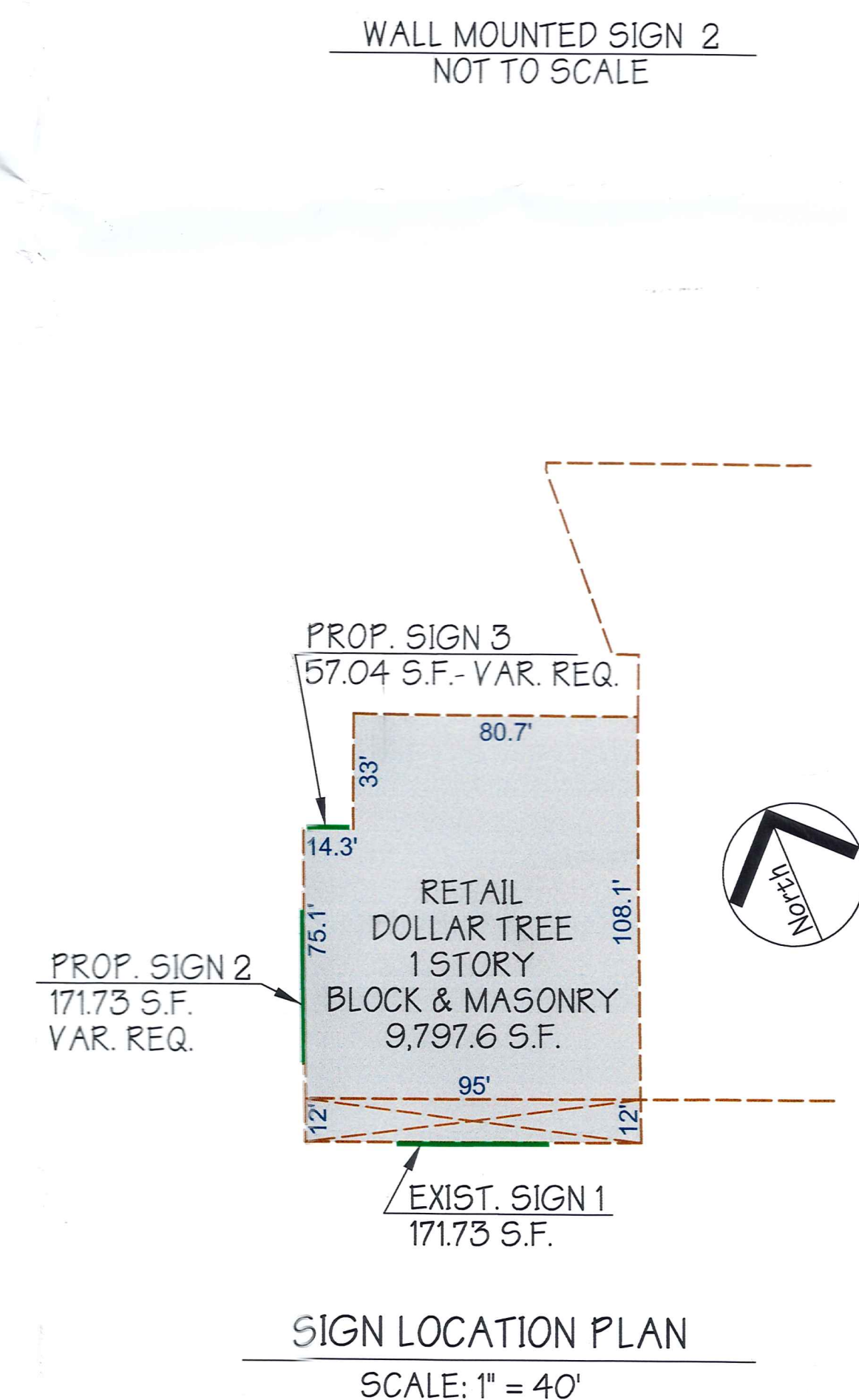
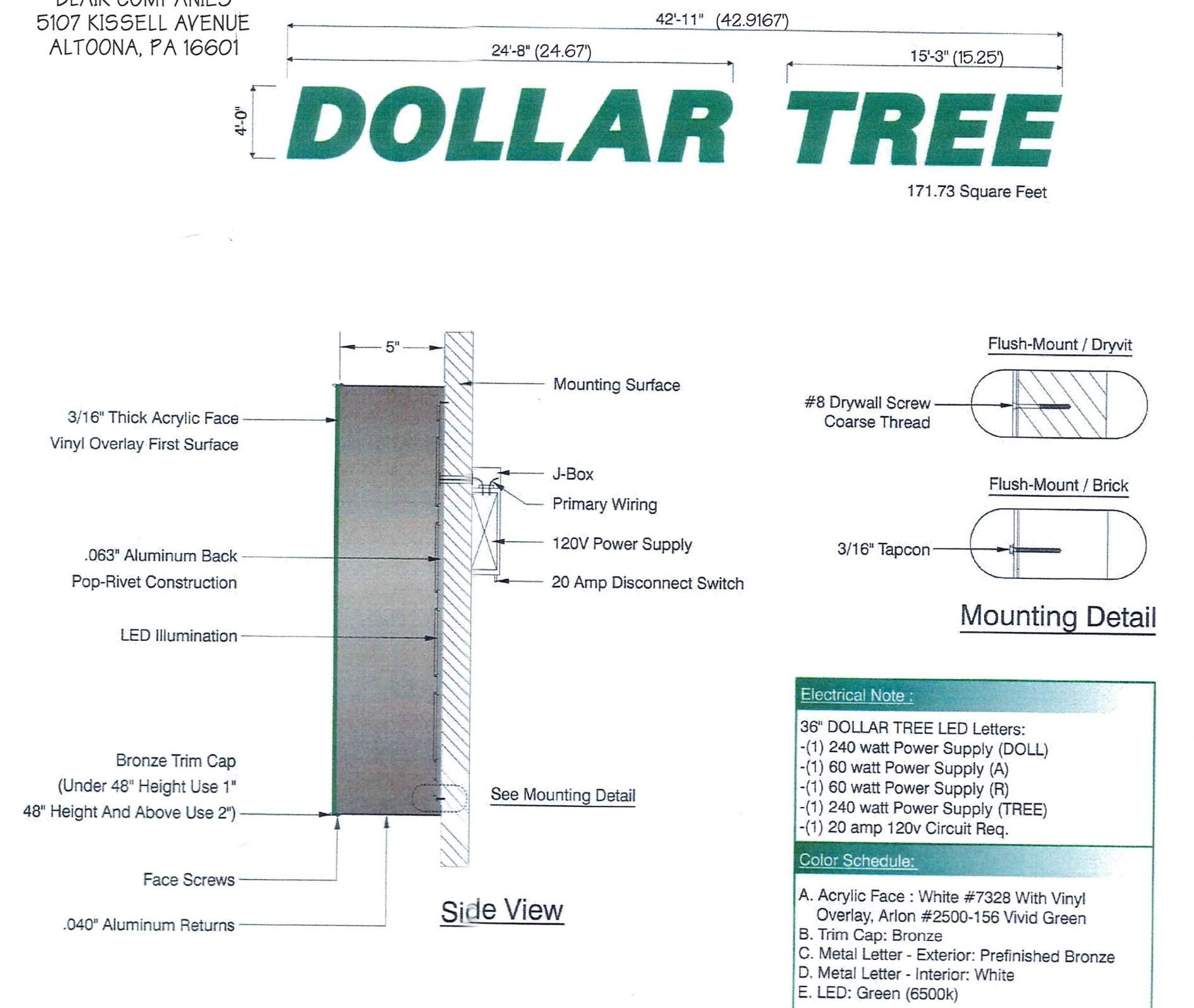
9991 PULASKI HIGHWAY  
TAX MAP 82, PARCEL 623  
ELECTION DISTRICT # 15, COUNCILMANIC DISTRICT # 6  
BALTIMORE COUNTY, MARYLAND



SIGN DESIGN BY:  
BLAIR COMPANIES  
5107 KISSELL AVENUE  
ALTOONA, PA 16601



SIGN DESIGN BY:  
BLAIR COMPANIES  
5107 KISSELL AVENUE  
ALTOONA, PA 16601



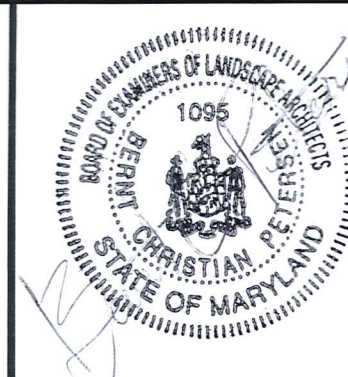
PETITIONER'S  
EXHIBIT NO. 2

**GWS**

GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.

CIVIL ENGINEERS &amp; LAND SURVEYORS

235 SCHILLING CIRCLE, SUITE 103  
HUNT VALLEY, MARYLAND 21031  
(410) 785-6640



1. VARIANCE FROM B.C.Z.R. SECTION 450.45(d) TO PERMIT 2 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY ON WALLS THAT DO NOT CONTAIN AN EXTERIOR CUSTOMER ENTRANCE - ONE ON SIDE WALL AND ONE ON REAR WALL.

2. VARIANCE FROM B.C.Z.R. SECTION 450.4.5(d) TO PERMIT 3 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY WITH ONE EXTERIOR CUSTOMER ENTRANCE IN LIEU OF THE ONE SIGN PERMITTED.

## Owner

DDRTC CP LLC  
C/O DEVELOPERS DIVERSIFIED  
300 ENTERPRISE PARKWAY  
BEACHWOOD, OH 44122

[illegible]

# DOLLAR TREE PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES

9991 PULASKI HIGHWAY  
TAX MAP 82, PARCEL 623  
ELECTION DISTRICT # 15, COUNCILMANIC DISTRICT # 6  
BALTIMORE COUNTY, MARYLAND

|                 |
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| CALE: AS SHOWN  |
| DATE: 12/8/2010 |
| OBJ #: 11167    |
| PES: BCP        |
| PRN: BCP        |
| CHK: BCP        |
| FILE:           |
| DRAWING NUMBER: |
| <b>Z-2</b>      |
| SHEET 2 OF 2    |





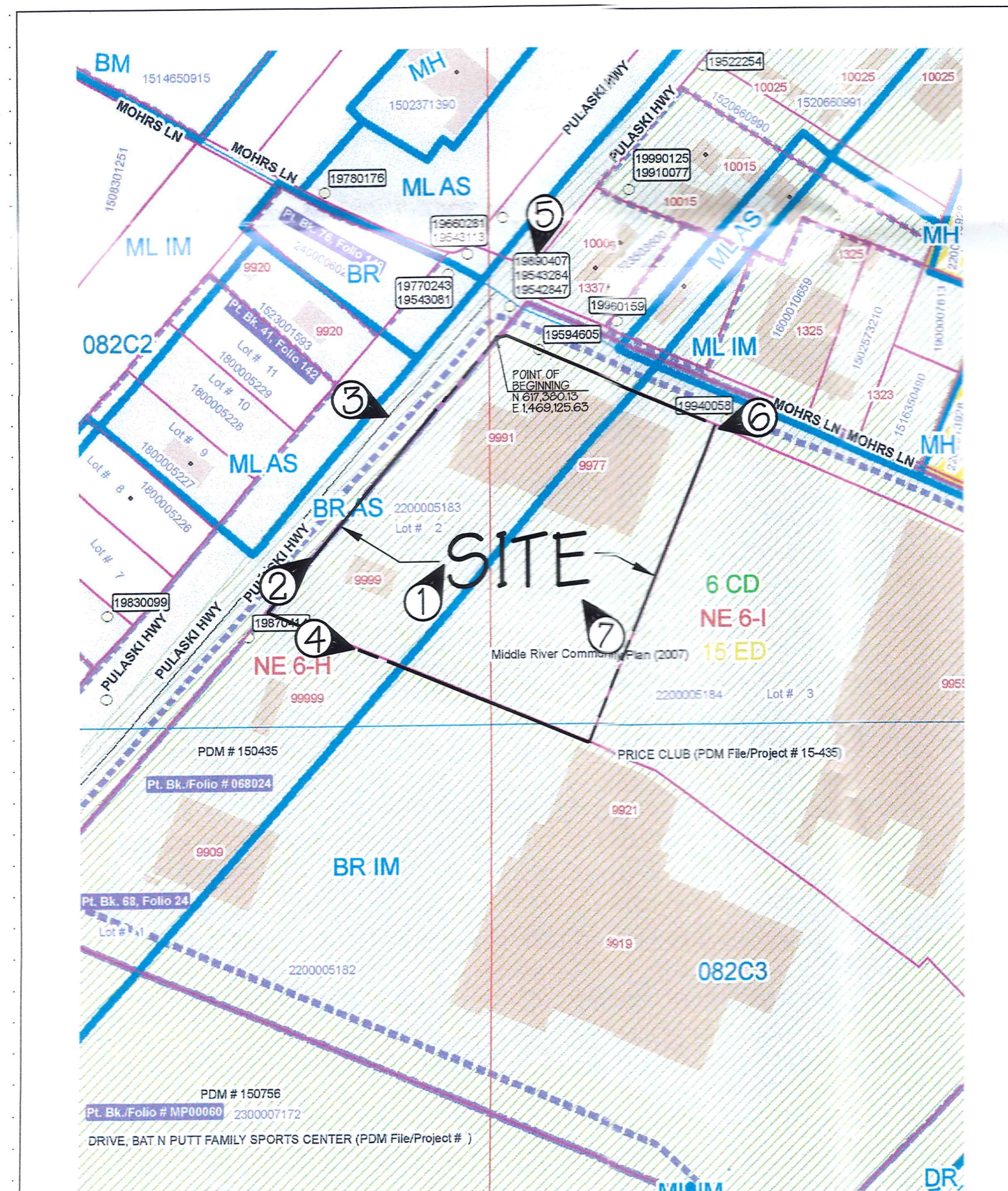
1- VIEW TO NORTH OF FRONT ENTRY FACADE



2- VIEW TO NORTH EAST FROM NORTHBOUND LANE OF PULASKI HIGHWAY



3- VIEW TO EAST FROM SOUTH BOUND SHOULDER OF PULASKI HIGHWAY



PHOTOGRAPH LOCATIONS  
SCALE: 1" = 200'



4- VIEW TO EAST FROM CENTRAL ENTRY LANE OF COSTCO PLAZA



5- VIEW TO SOUTH FROM MEDIAN AT INTERSECTION OF PULASKI HIGHWAY AND MOHRS LANE



6- VIEW TO WEST AT NORTHERN ENTRY OF MOHRS LAND



7- VIEW TO NORTHWEST AT ENTRY BUILDING FACADE

PETITIONER'S  
EXHIBIT NO. 3



GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

235 SCHILLING CIRCLE, SUITE 103  
HUNT VALLEY, MARYLAND 21031  
(410) 785-6640

### ZONING VARIANCE REQUESTED

- VARIANCE FROM B.C.Z.R. SECTION 450.4.5(d) TO PERMIT 2 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY ON WALLS THAT DO NOT CONTAIN AN EXTERIOR CUSTOMER ENTRANCE - ONE ON SIDE WALL AND ONE ON REAR WALL.
- VARIANCE FROM B.C.Z.R. SECTION 450.4.5(d) TO PERMIT 3 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY WITH ONE EXTERIOR CUSTOMER ENTRANCE IN LIEU OF THE ONE SIGN PERMITTED.

### Owner

DDRTC CP LLC  
C/O DEVELOPERS DIVERSIFIED  
300 ENTERPRISE PARKWAY  
BEACHWOOD, OH 44122

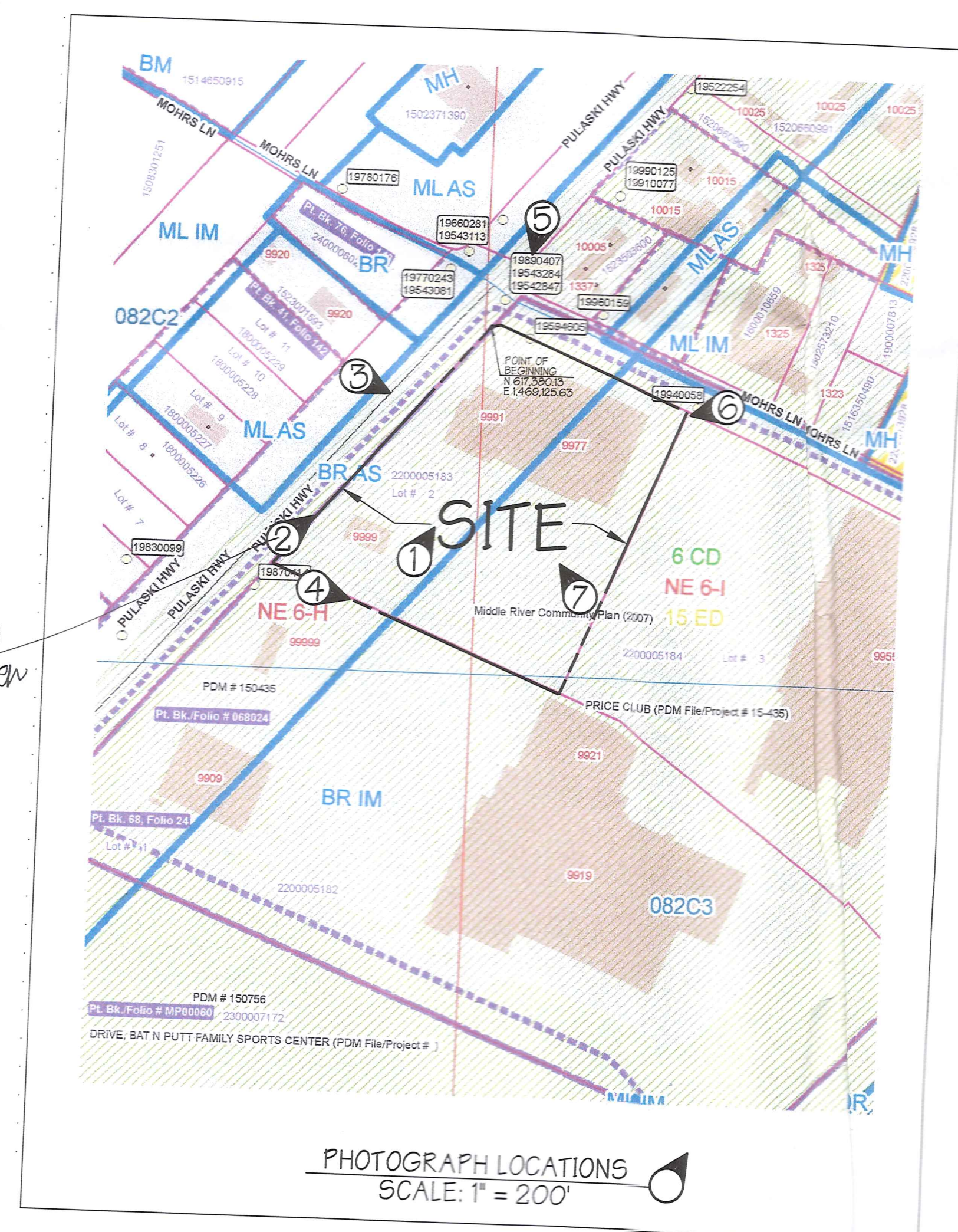
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### DOLLAR TREE PHOTOGRAPH EXHIBIT

9991 PULASKI HIGHWAY  
TAX MAP 02, PARCEL 023  
ELECTION DISTRICT # 15, COUNCILMANIC DISTRICT # 6  
BALTIMORE COUNTY, MARYLAND

SCALE: AS SHOWN  
DATE: 1/31/2011  
JOB #: 11167  
DES: BCP  
DRN: BCP  
CHK: BCP  
FILE:  
DRAWING NUMBER:  
**P-1**  
SHEET 1 OF 1





**GWS**

GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

235 SCHILLING CIRCLE, SUITE 103  
HUNT VALLEY, MARYLAND 21031  
(410) 785-6640

## ZONING VARIANCE REQUESTED

1. VARIANCE FROM B.C.Z. SECTION 450.45(d) TO PERMIT 2 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY ON WALLS THAT DO NOT CONTAIN AN EXTERIOR CUSTOMER ENTRANCE - ONE ON SIDE WALL AND ONE ON REAR WALL.

2. VARIANCE FROM B.C.Z. SECTION 450.45(d) TO PERMIT 3 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY WITH ONE EXTERIOR CUSTOMER ENTRANCE IN LIEU OF THE ONE SIGN PERMITTED.

Owner

DDRTC CP LLC  
610 DEVELOPERS DIVERSIFIED  
300 ENTERPRISE PARKWAY  
BEACHWOOD, OH 44122

[illegible]

**DOLLAR TREE  
PHOTOGRAPH EXHIBIT**

9991 PULASKI HIGHWAY  
TAX MAP 82, PARCEL 623  
ELECTION DISTRICT # 15, COUNCILMANIC DISTRICT # 6  
BALTIMORE COUNTY, MARYLAND

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| SCALE: AS SHOWN |
| DATE: 1/31/2011 |
| JOB #: 11167    |
| DES: BCP        |
| DRN: BCP        |
| CHK: BCP        |
| FILE:           |
| DRAWING NUMBER  |
| <b>P-1</b>      |



## LEGEND

|                                    |     |
|------------------------------------|-----|
| LOT LINES                          | --- |
| PARCEL LINES                       | --- |
| EXIST. RIGHT-OF-WAY                | --- |
| EXISTING EASEMENT                  | --- |
| PRINCIPAL STRUCTURE ZONING SETBACK | --- |
| ZONING LINE                        | --- |
| EXISTING MAJOR CONTOUR             | --- |
| EXISTING MINOR CONTOUR             | --- |
| EX. CONC. CURB                     | --- |
| EXIST. STREET CENTERLINE           | --- |
| EXIST. STRUCTURE                   | --- |
| EXISTING TREELINES                 | --- |
| EXIST. MAJOR DECIDUOUS TREE        | --- |
| EXIST. MINOR DECIDUOUS TREE        | --- |
| EXIST. EVERGREEN TREE              | --- |
| EXIST. FIRE HYDRANT                | --- |
| EXIST. UTILITY POLE                | --- |



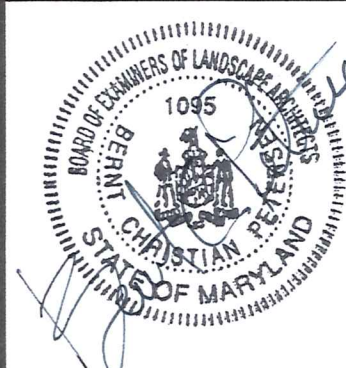
SCALE: 1" = 40'-0"



GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

235 SCHILLING CIRCLE, SUITE 103  
HUNT VALLEY, MARYLAND 21031  
(410) 785-6640



## ZONING VARIANCE REQUESTED

- VARIANCE FROM B.C.Z.R. SECTION 450.4.5 (4) TO PERMIT 2 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY ON WALLS THAT DO NOT CONTAIN AN EXTERIOR CUSTOMER ENTRANCE.
- VARIANCE FROM B.C.Z.R. SECTION 450.4.5 (4) TO PERMIT 3 WALL MOUNTED ENTERPRISE SIGNS ON A MULTI-TENANT RETAIL BUILDING FOR A SEPARATE ENTITY WITH ONE EXTERIOR CUSTOMER ENTRANCE IN LIEU OF THE ONE SIGN PERMITTED.

## Owner

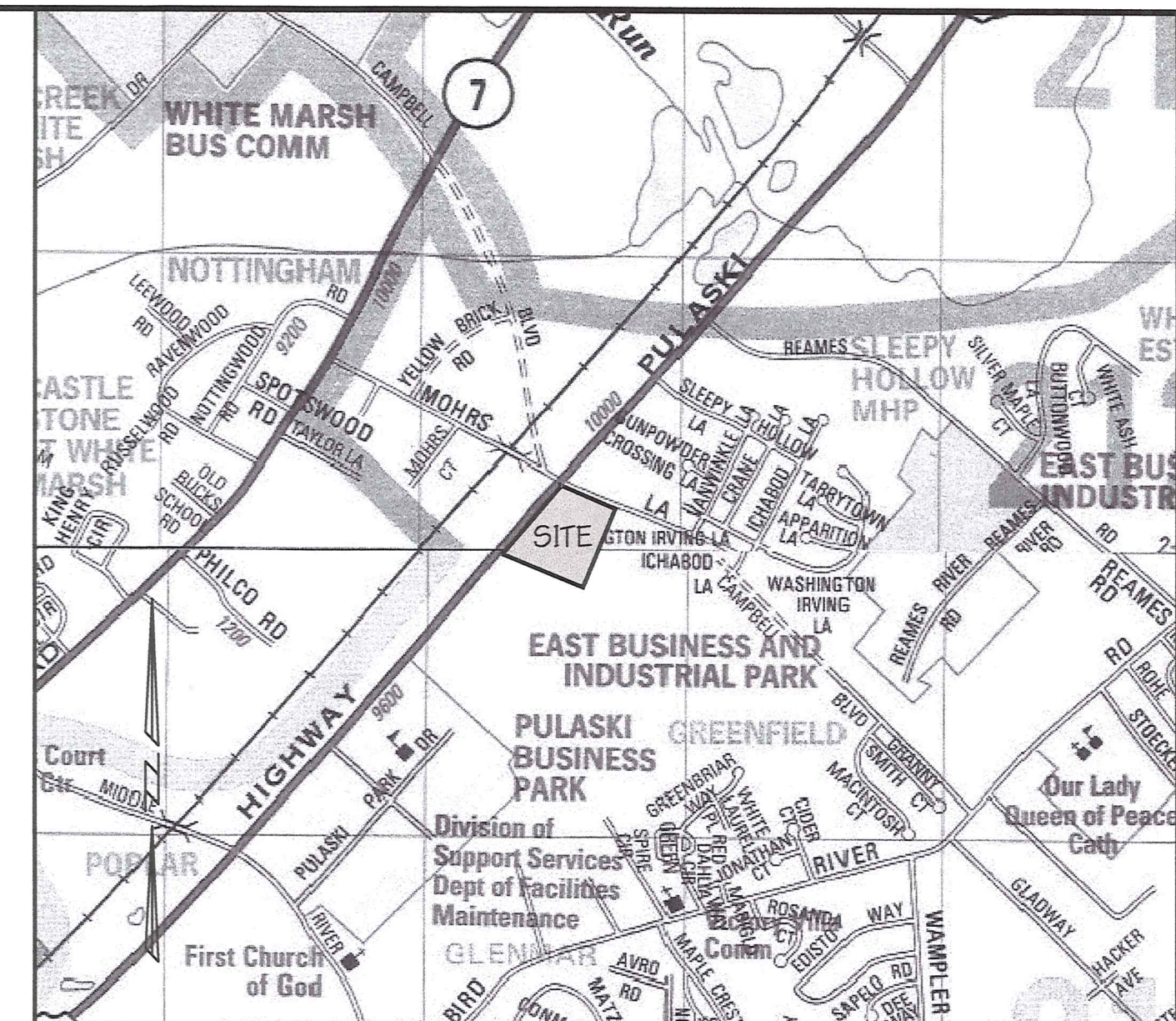
DDRTC CP LLC  
C/O DEVELOPERS DIVERSIFIED  
300 ENTERPRISE PARKWAY  
BEACHWOOD, OH 44122

| NO. | DATE | REVISIONS: | BY |
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## DOLLAR TREE PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES

9991 PULASKI HIGHWAY  
TAX MAP 82, PARCEL 623  
ELECTION DISTRICT # 15, COUNCILMANIC DISTRICT # 6  
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 40'  
DATE: 12/8/10  
JOB #: 11167  
DES: BCP  
DRN: BCP  
CHK: BCP  
FILE:  
DRAWING NUMBER:  
**Z-1**  
SHEET 1 OF 2



VICINITY MAP

1" = 1000'  
ADC Permitted Use No. 20805134

## General Notes

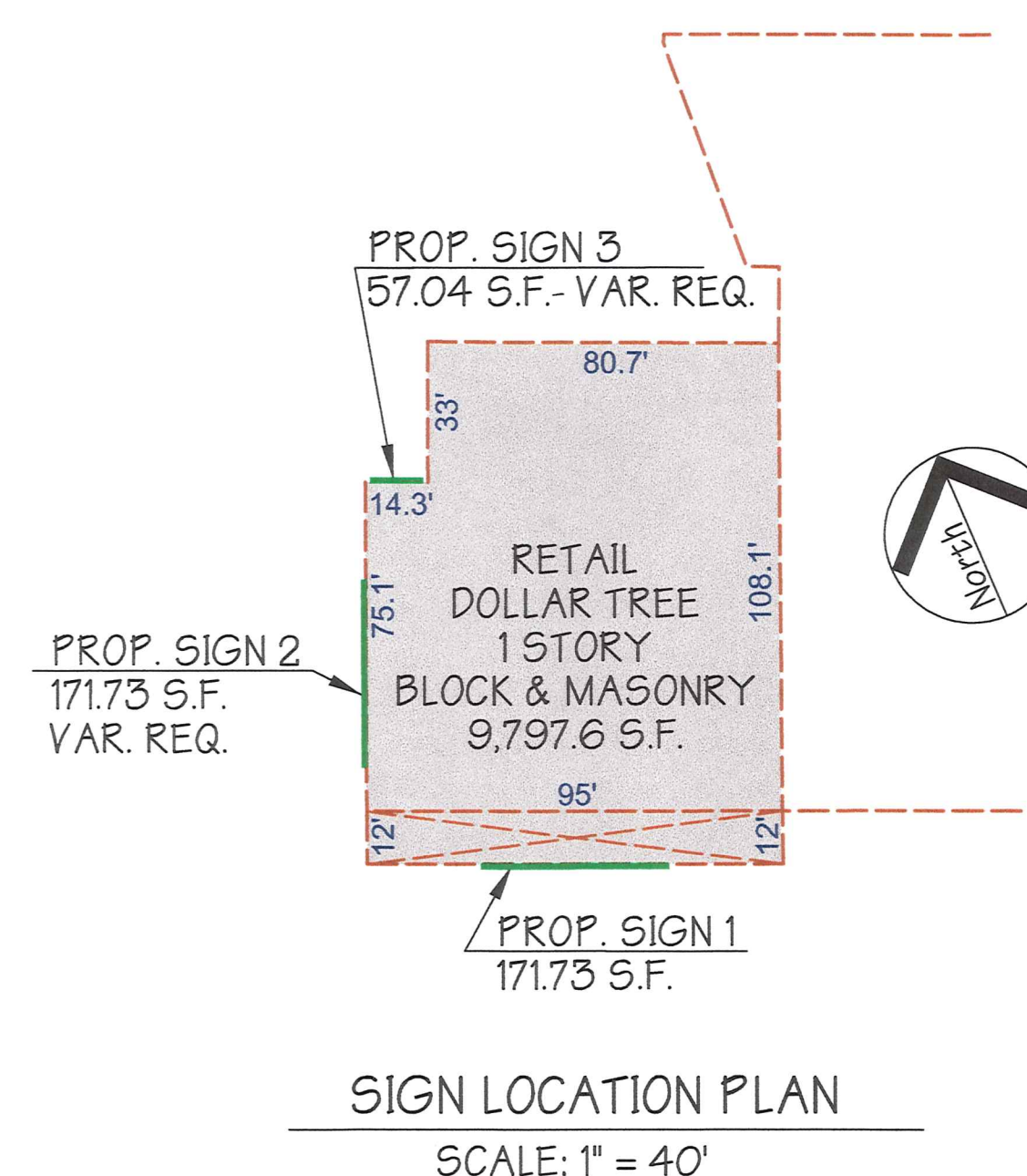
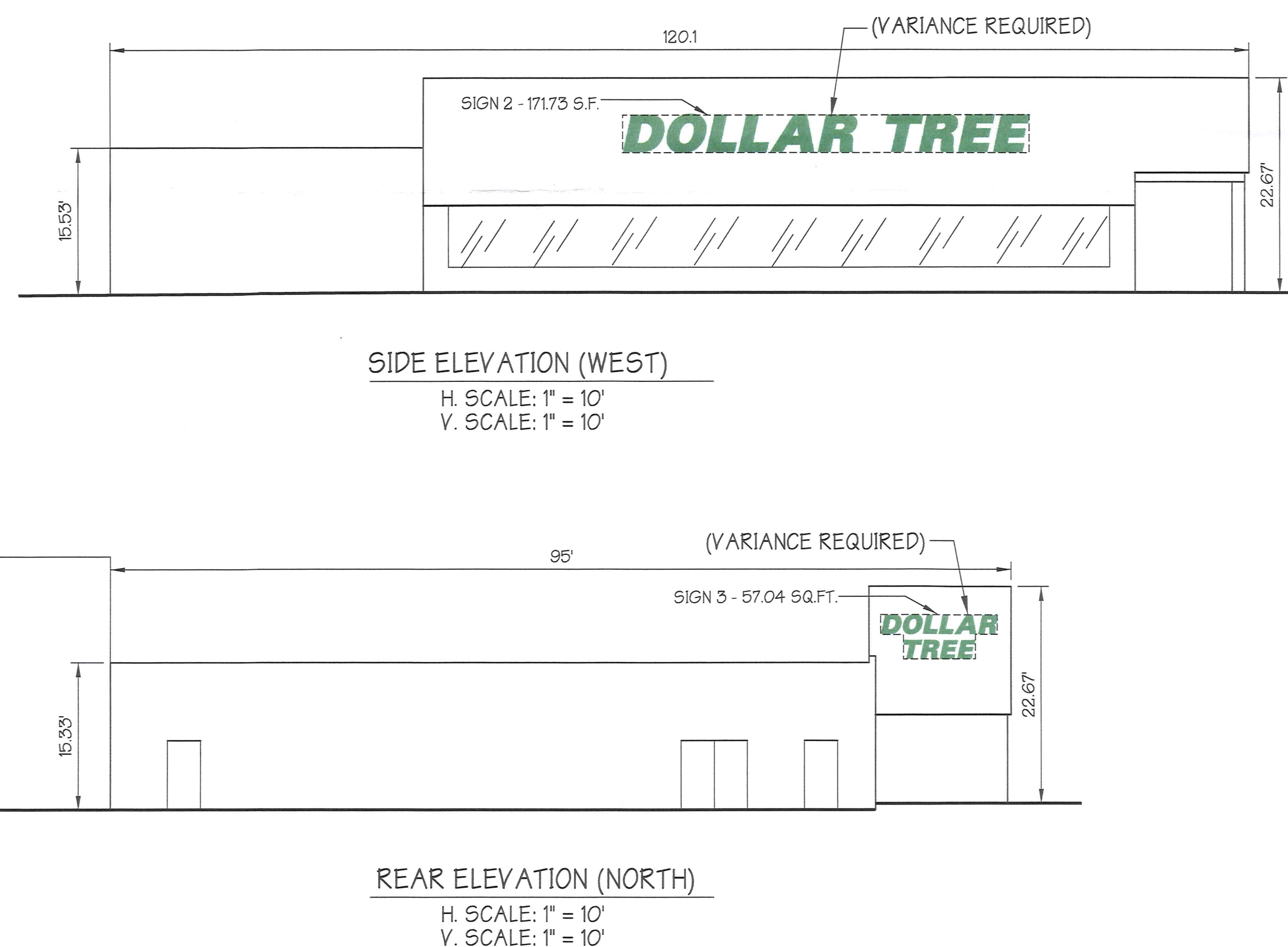
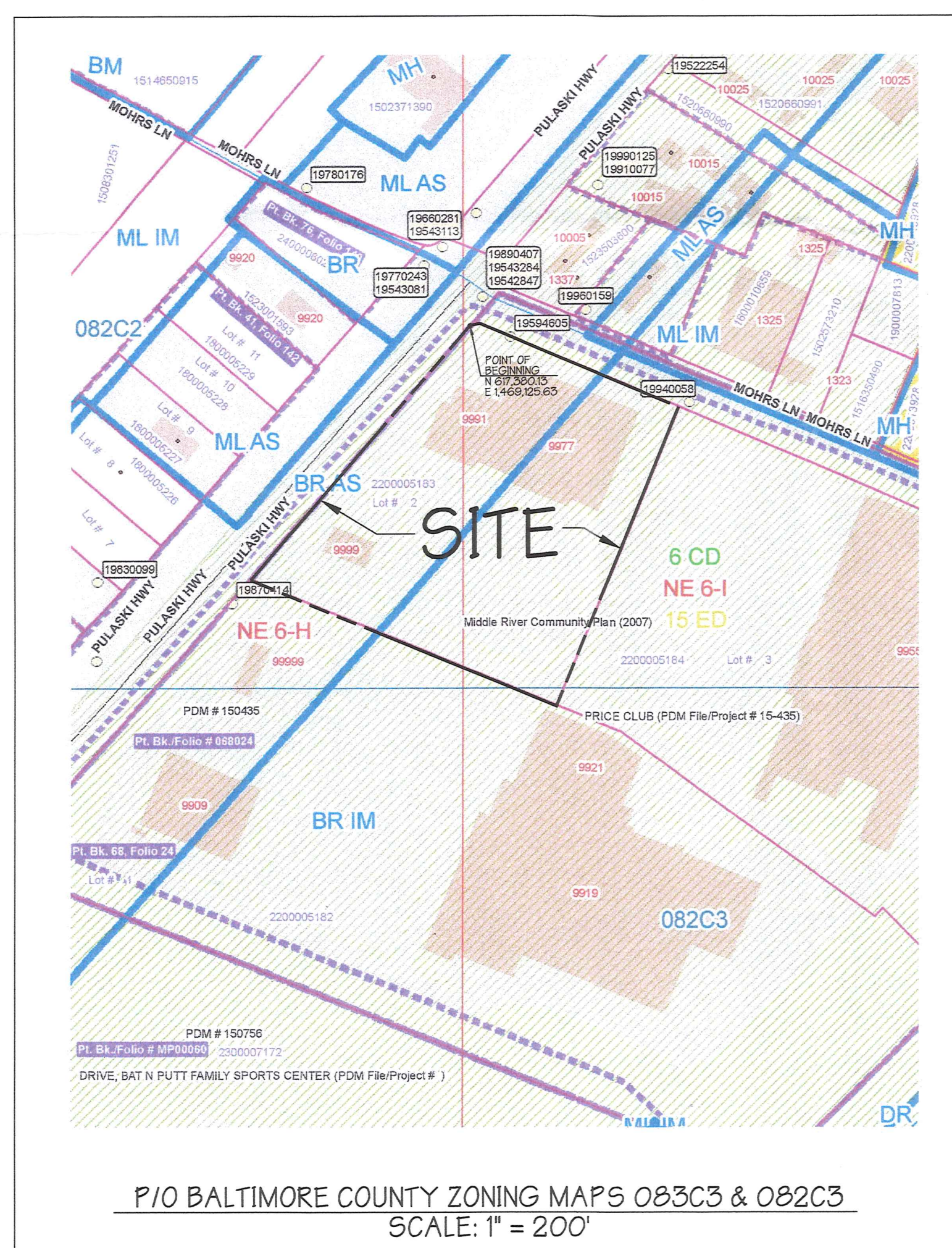
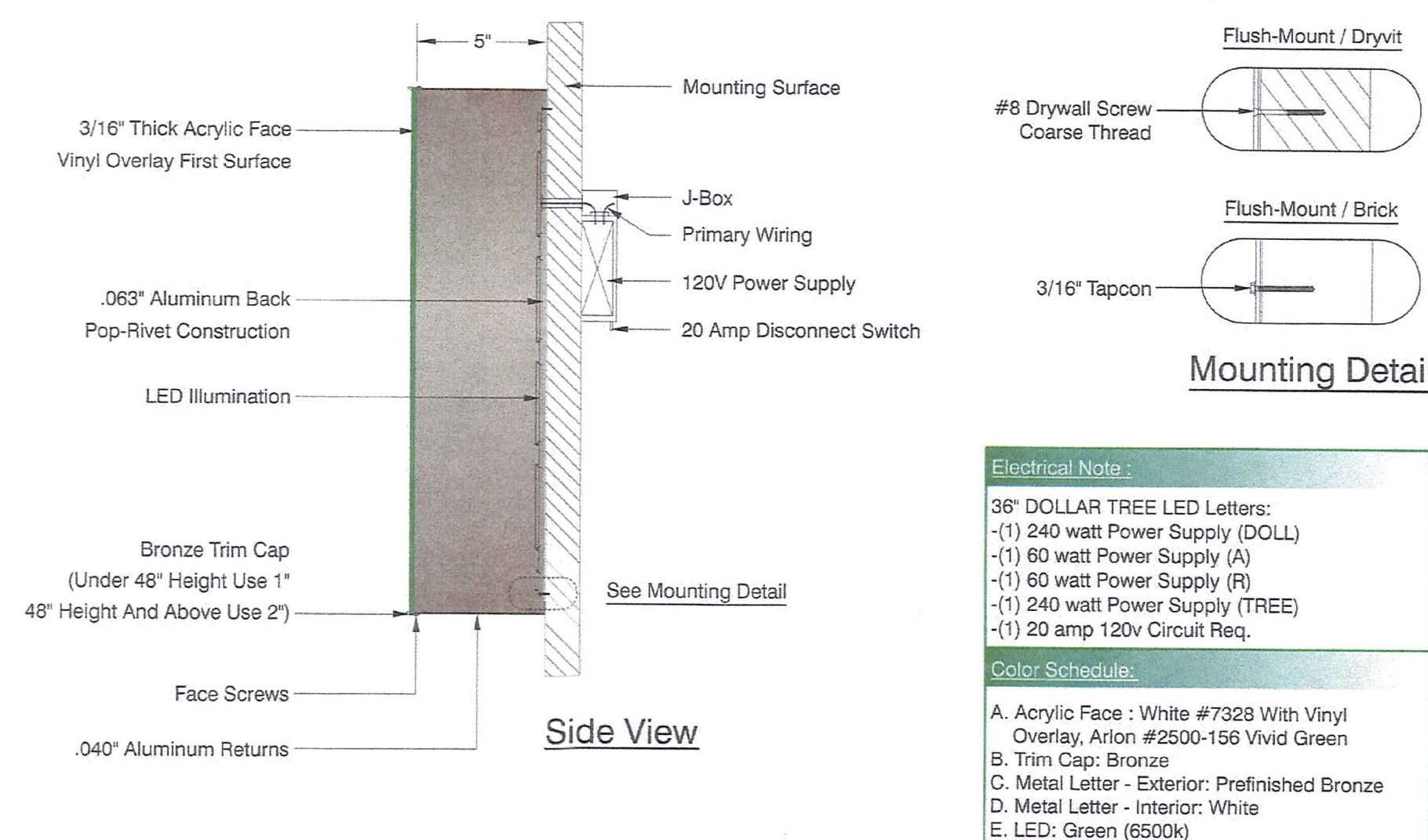
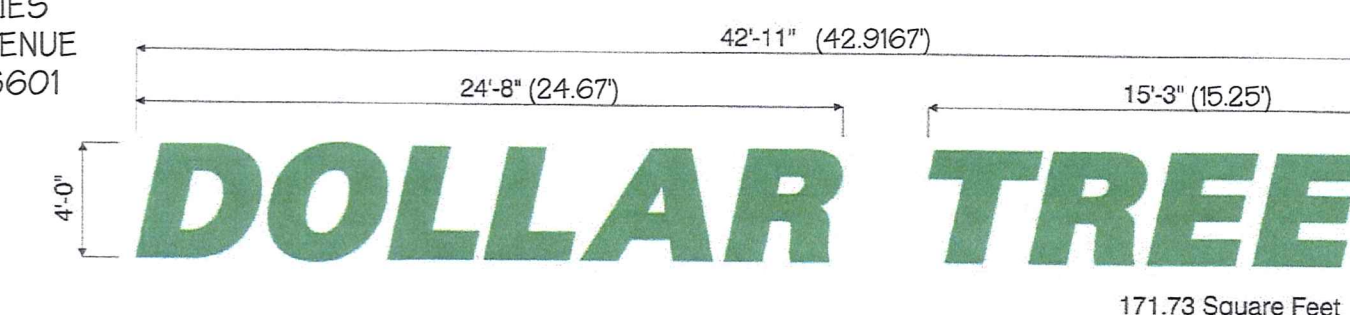
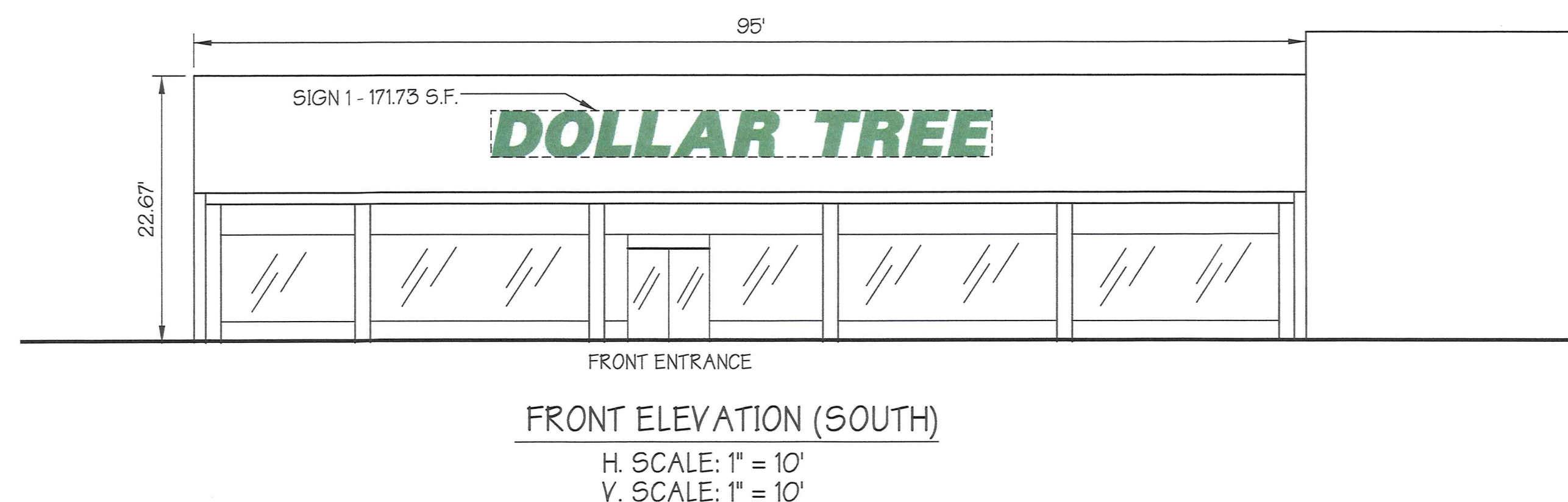
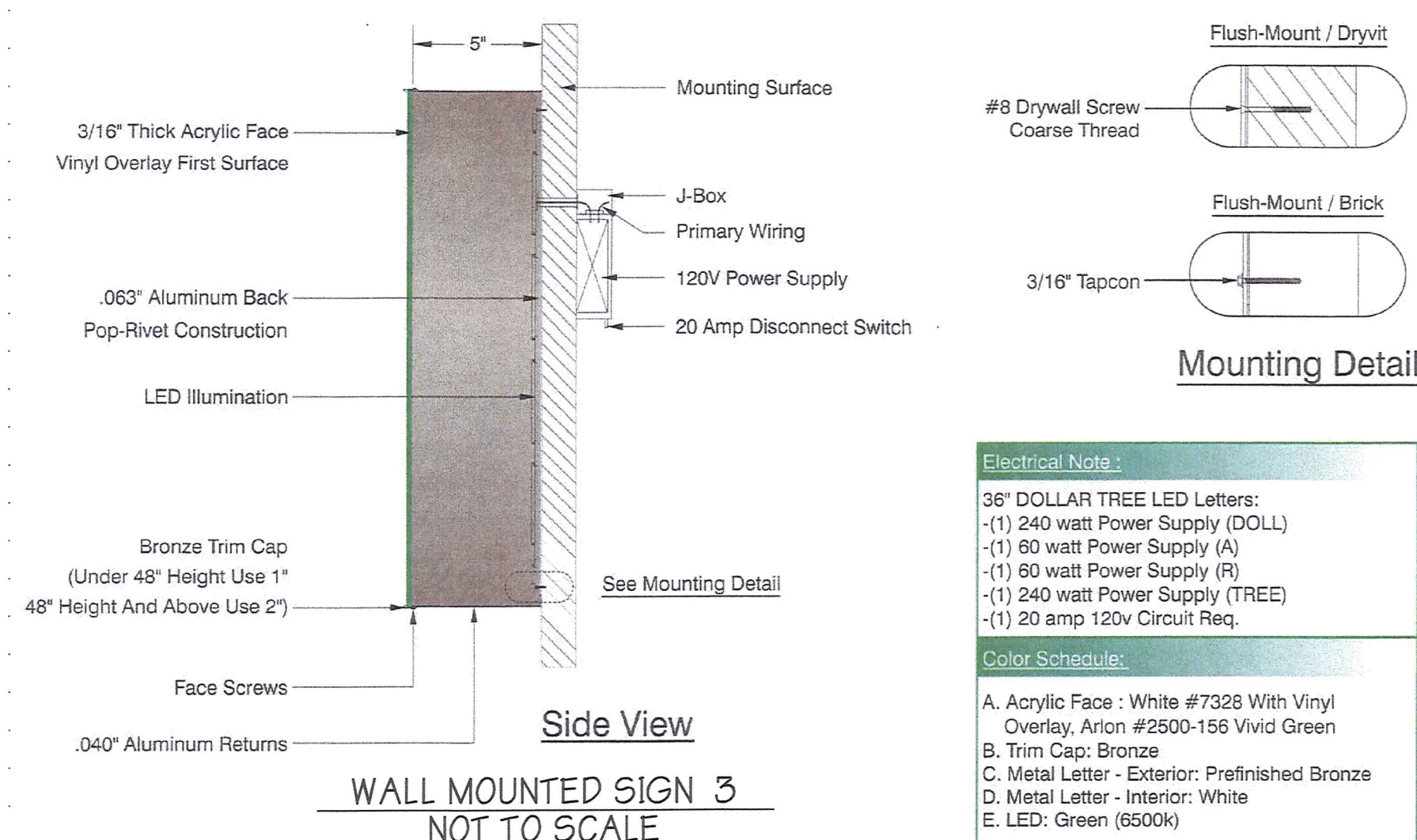
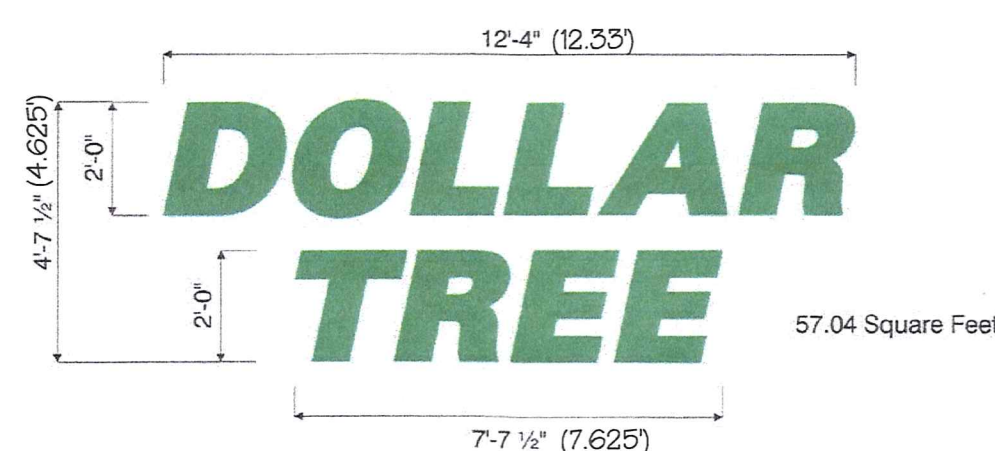
- APPLICANT: DOLLAR TREE STORES, INC.  
500 VOLVO PARKWAY  
CHESAPEAKE, VIRGINIA 23320
- THERE ARE NO SIGNIFICANT GEOLOGICAL FORMATIONS, CRITICAL AREAS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES HABITATS KNOWN TO EXIST ON THIS SITE.
- THERE ARE NO HISTORICAL BUILDINGS, PROPERTIES, OR SITES KNOWN TO EXIST WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT.
- THERE ARE NO STREAMS, SEEPS, PONDS, WETLANDS OR 100 YEAR FLOODPLAINS KNOWN TO EXIST ON THIS SITE.
- THERE ARE NO WELLS, SEPTIC SYSTEMS OR UNDERGROUND STORAGE TANKS KNOWN TO EXIST ON THIS SITE.
- THE PROPOSED DEVELOPMENT CONFORMS TO THE BALTIMORE COUNTY MASTER PLAN.
- ALL SIGNAGE SHALL BE IN CONFORMANCE WITH SECTION 450, B.C.Z.R. EXCEPT FOR THE PROPOSED SIGN VARIANCES.
- LIGHTING NOTE: ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS. SEE LIGHTING PLAN. ALL LIGHTING SHALL MEET MINIMUM STANDARDS OF ILLUMINATION ENGINEERING SOCIETY.
- HANDICAPPED PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH THE MARYLAND BUILDING CODE FOR THE HANDICAPPED, CONTAINED IN THE CODE OF MARYLAND REGULATIONS 05.01.07.

## Site Data

- SITE AREA 254,338.13 SQ. FT. OR 5.8388 AC.
- EXISTING ZONING: BR-AS & BR-IM
- EXIST. USE: COMMERCIAL RETAIL
- PROF. USE: COMMERCIAL RETAIL
- TAX ACCOUNT NO. 22-00000513
- DEED REFERENCE: 25313/546
- COUNCILMANIC DISTRICT 6
- CENSUS TRACT NO. 6
- WATER SHED NO. 6
- SUBWERSHED NO. 16
- BUILDING HEIGHT  
MAXIMUM ALLOWED - 100'+ HEIGHT PER HEIGHT TENT  
EXISTING HEIGHT 29.4'
- FLOOR AREA RATIO  
ALLOWED - 2.0 F.A.R. 254,338.13 S.F. X 2 = 508,676.26 S.F.  
EXISTING - 50,373.4 S.F. = 0.10 F.A.R.
- PARKING REQUIRED  
RETAIL (5 SPACES PER 1,000 SQ. FT.) = 252 SPACES REQ'D  
50,373.4 SQ. FT. TOTAL  
PARKING PROVIDED = 265 SPACES PROVIDED (INCLUDING 8 HANDICAP)
- FAST FOOD RESTAURANT (16 SPACES PER 1,000 SQ. FT.) = 47 SPACES REQ'D  
2,897.2 SQ. FT. TOTAL  
PARKING PROVIDED = 47 SPACES (INCLUDING 1 HANDICAPPED)
- TOTAL PARKING PROVIDED ON LOT 2 = 312 SPACES
- THIS SITE IS LOCATED IN AN "F" LEVEL OF SERVICE AREA AS INDICATED ON THE 2009 BASIC SERVICES MAP FOR TRANSPORTATION ZONES.
- THIS SITE IS ADEQUATELY SERVED BY PUBLIC WATER AND SEWER SYSTEMS.
- ZONING HISTORY  
C.R.G. PLAN APPROVED ON DECEMBER 11, 1986 (C.R.G. NO. 86273)  
C.R.G. PLAN AMENDMENT APPROVED ON 6/21/90 (W-9C-217)  
C.R.G. PLAN ON LOT 1 APPROVED ON 11/6/92 (C.R.G. NO. 91347)
- PLAT REFERENCE: FIRST AMENDED PLAT, PRICE CLUB PLAZA, S.M. 68 FOLIO 24
- BUILDING DIMENSIONS, SETBACK DISTANCES AND PARKING SPACE COUNTS ARE ARE FROM AN ALTA/ACSM TITLE SURVEY BY LANDMARK-FLEET SURVEYORS, P.C. OF RICHMOND, VIRGINIA.
- EXISTING TOPOGRAPHY, CURB & PAVING LOCATIONS, EXISTING STRUCTURES, ETC. ARE TAKEN FROM BALTIMORE COUNTY G.I.S.



SIGN DESIGN BY:  
BLAIR COMPANIES  
5107 KISSELL AVENUE  
ALTOONA, PA 16601



**GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.**

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**CIVIL ENGINEERS & LAND SURVEYORS**

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(410) 785-6640



## ZONING VARIANCE REQUESTED

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## Owner

DDRTC CP LLC  
C/O DEVELOPERS DIVERSIFIED  
300 ENTERPRISE PARKWAY  
BEACHWOOD, OH 44122

[illegible]

# DOLLAR TREE PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES

9969 PULASKI HIGHWAY  
TAX MAP 82, PARCEL 623  
ELECTION DISTRICT # 15, COUNCILMANIC DISTRICT # 6  
BALTIMORE COUNTY, MARYLAND

|                 |
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| DATE: 12/8/2010 |
| JOB #: 11167    |
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| <b>Z-2</b>      |
| SHEET 2 OF 2    |