

IN RE: PETITION FOR VARIANCE

E/Side of York Road, 150' SE of c/line
of Schilling Road
8th Election District
3rd Councilmanic District
(11399 York Road)

Stonehenge, LLC by KIMCO Realty Corp.,
Legal Owner
Giant of Maryland LLC, *Contract Purchaser*
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
*
* CASE NO. 2011-0295-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 the Petitioner, Giant of Maryland, LLC through one of its Senior Managers of Construction, Scott Haley, and its attorney, Charles B. Marek, III of Smith, Gildea and Schmidt, LLC. The Petition was also consented to by the property owner, Stonehenge, LLC by Mary Millsap, its agent and authorized signatory. Petitioner requested a variance to permit 10 wall-mounted enterprise signs for the existing Giant supermarket in lieu of the permitted 1 pursuant to B.C.Z.R. Section 450.4 Attachment 1.5a. The subject property and requested relief are more particularly described on the site plan and sign elevations submitted, which were accepted into evidence and marked 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.

ORDER RECEIVED FOR FILING

Date 5-26-11
By Q3

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 currently improved with a retail shopping plaza, in close proximity to Hunt Valley Mall, and is located along the existing commercial corridor of York Road. The site can be accessed from both York Road and Shawan Road as the latter effectively dead ends into the center. The site is approximately 12.02 acres and is zoned BR. Testimony revealed that Giant has a total of 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, farms and charities.

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

Testimony also focused on the aspects particular to the property that make it appropriate for variance relief. The property features a significant grade change between York Road and the parking lot at the southwest corner of the property of approximately 20 feet, which decreases as drivers proceed north along York Road. As one moves east across the site, the grade slopes further downwards, thereby reducing visibility. This effect could be seen from the street level photos entered as evidence in the case. The site is also located at the intersection of the two main commercial thoroughfares in Hunt Valley, York and Shawan Roads. With both the Hunt Valley Mall and the I-83 and Shawan Road interchange nearby, significant car traffic is created for the area that requires drivers to closely monitor the road with less attention to spare for signage.

Finally, the property in question is buffered by mature vegetation along the street that exacerbates the property's visibilities conditions. All these features combine to evidence the site's uniqueness.

As further evidence of uniqueness, the property in the instant matter was the subject of Zoning Case No. 04-402-A, which granted a variance from B.C.Z.R. Section 409.6 to permit a total of 456 spaces in lieu of the required 505 spaces. It was also the subject of Zoning Case No. 05-270-SPHA, which awarded variance relief to permit 406 parking spaces in lieu of the required 523 parking spaces. Thereby, on multiple occasions this property was deemed to be unique by the Office of Administrative Hearings.

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, due to the consolidation of uses under one roof, these stores with large building footprints (i.e. big box) are unable to adequately advertise their services. I believe that the granting of the variance is able to remedy this practical difficulty. Allowing multiple signs will give customers an opportunity to recognize the store's signage from a greater number of points along their drive than if just one sign were permitted.

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 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. Furthermore, customer recognition and identification of the stores is important as this reimagining is occurring not just in Baltimore County, but throughout all of Giant's operation across counties and states, including Maryland, Virginia, Delaware and the District of Columbia. Lastly, if Giant were to follow strictly the regulations and

ORDER RECEIVED FOR FILING

Date

5-20-11

By

103

erect only 1 sign, it would be permitted a maximum of 594 square feet. The 10 signs proposed altogether only utilize 397 square feet, far less than what would be permitted by right.

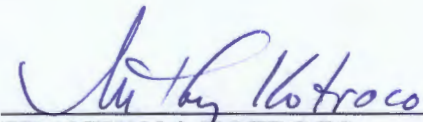
The testimony also bears that the granting of the variance will be in the interest of the public. The new sign package will utilize light-emitting-diode (LED) technology for illumination, thereby reducing the energy consumption by roughly 90% when compared to the traditional back-lit neon signage. The 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.

Pursuant to the advertisement, posting of the property and public hearing on the Petitions held, and for the reasons set forth above, the Petition for Variance should be granted.

THEREFORE, IT IS ORDERED by this Administrative Law Judge for Baltimore County, this 26th day of May, 2011 that the Petition for Variance from Section 450.4 Chart 1.5.a to permit 10 wall-mounted enterprise signs as shown on Petitioner's Exhibit 2; be and is hereby GRANTED, subject to the following restriction:

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.

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date

5-26-11

By

TMK

TMK:pz



KEVIN KAMENETZ
County Executive

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

May 26, 2011

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

Re: Petition for Variance
Case No. 2011-0295-A
Property: 11399 York 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 the appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

Enclosure



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 11399 York Road
which is presently zoned B.R.

Deed Reference: 12263 / 228 Tax Account # 0816045025

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: [Signature]

Name - Type or Print

SCOTT A. HALBY AS AGENT FOR GIANT

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]

Signature

Smith, 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):

Stonehenge, LLC by: KIMCO Realty Corp.

Name - Type or Print

Signature

[Signature]

Name - Type or Print

[Signature]

Signature

170 West Ridgely Road, Suite 210

Address

Telephone No.

Lutherville,

MD

21204

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

Case No. 2011-0295 A

Office Use Only

ORDER RECEIVED FOR FILING

Estimated Length of Hearing _____
Unavailable For Hearing _____

REV 8/20/07

Date 5-26-11

Reviewed by [Signature]

Date 5/27/11

By [Signature]

ATTACHMENT TO PETITION FOR VARIANCE

11317 York Road
8th Election District
3rd Councilmanic District

1. To permit ten (10) wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted one (1) pursuant to BCZR Section 450.4. Attachment 1.5.a.
2. For such other and further relief as may be required by the Zoning Commissioner.

2011- 0295 - A

GLWGUTSCHICK, LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

GIANT FOOD # 100

SHAWAN PLAZA, HUNT VALLEY

ZONING DESCRIPTION

Beginning at a point on the east side of York Road which is variable width wide at a distance of 150 feet $\pm$ southeast of the centerline of the nearest improved intersection at Schilling Road which is 70 feet wide. Thence the following courses and distances:

1. North $14^{\circ}21'28''$ West, 99.90 feet
2. North $22^{\circ}05'39''$ West, 195.94 feet
3. North $19^{\circ}58'04''$ West, 98.15 feet
4. North $18^{\circ}24'40''$ West, 175.17 feet
5. North $02^{\circ}39'33''$ East, 73.58 feet
6. North $16^{\circ}03'01''$ West, 147.62 feet
7. South $85^{\circ}54'06''$ West, 22.70 feet
8. 8.36 feet along the arc, having a radius of 921.93 feet and chord bearing and distance of North $05^{\circ}43'19''$ West, 8.36 feet
9. North $82^{\circ}53'51''$ East, 827.36 feet
10. South $03^{\circ}01'22''$ East, 646.85 feet
11. South $70^{\circ}28'42''$ West, 643.96 feet to the point of beginning as recorded in Liber 12263, Folio 228.

DESCRIPTION OF LIMITS OF SIGN RELIEF

Beginning at a point being removed South $53^{\circ}24'35''$ West, 256.43 feet from the easterly end of the above referenced 9th or North $82^{\circ}53'51''$ East, 827.36 feet line. Thence the following courses and distances:

1. South $03^{\circ}01'35''$ East, 317.25 feet; thence
2. South $85^{\circ}58'25''$ West, 235.88 feet; thence
3. North $03^{\circ}01'35''$ West, 317.25 feet; thence
4. North $86^{\circ}58'25''$ East, 235.88 feet to the point of beginning, containing 74,832 square feet or 1.7179 acres .

2011-0295-A

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2011-0295-A

11399 York Road

E/side of York Road, 150 feet southeast of the centerline of Schilling Road

8th Election District-3rd Councilmanic District

Legal Owner(s): Stonehenge, LLC

Contract Purchaser: Giant of Maryland, LLC

Variance: to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted 1 pursuant BCZR Section 450.4 Attachment 1.5.a.; For such other and further relief as may be required by the Administrative Law Judge.

Hearing: Thursday, May 12, 2011 at 1:30 p.m. in Room 104, 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 Administrative Hearings Office at (410) 887-3868.

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

JT 04/708 April 26

273596

5-12-11

CERTIFICATE OF PUBLICATION

4/28/2011

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 4/26/2011.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0295-A

RE: Case No.: _____

Petitioner/Developer: _____

Stonehenge, LLC/
Giant of Maryland

May 12, 2011

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: 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: _____

11399 York Road

April 27, 2011

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

April 27, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

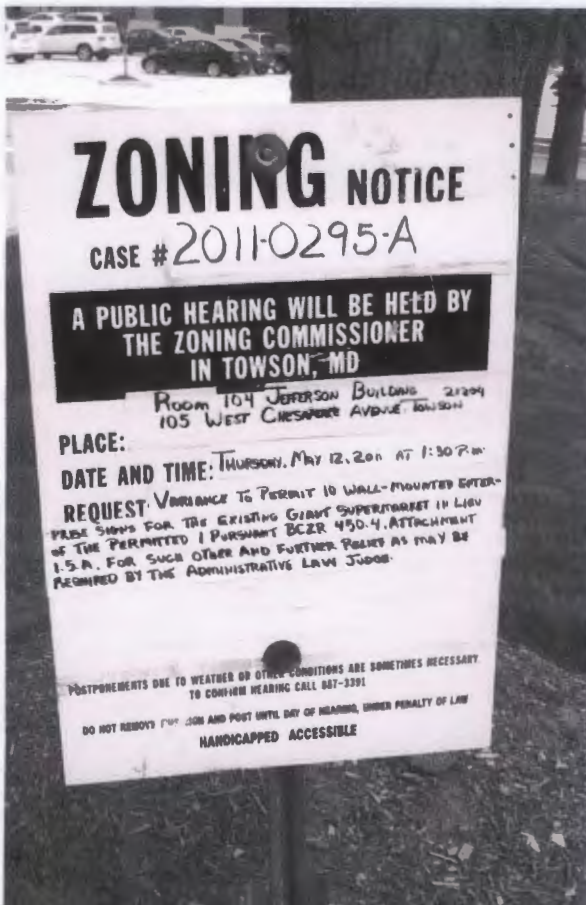
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 26, 2011 Issue - Jeffersonian

Please forward billing to:

Debbie Sterrett
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0295-A

11399 York Road

E/side of York Road, 150 feet southeast of the centerline of Schilling Road

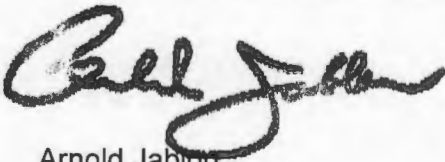
8th Election District – 3rd Councilmanic District

Legal Owners: Stonehenge, LLC

Contract Purchaser: Giant of Maryland, LLC

Variance to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted 1 pursuant BCZR 450.4, Attachment 1.5.a; For such other and further relief as may be required by the Administrative Law Judge.

Hearing: Thursday, May 12, 2011 at 1:30 p.m. in Room 104, 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 ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

April 15, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0295-A

11399 York Road

E/side of York Road, 150 feet southeast of the centerline of Schilling Road

8th Election District – 3rd Councilmanic District

Legal Owners: Stonehenge, LLC

Contract Purchaser: Giant of Maryland, LLC

Variance to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted 1 pursuant BCZR 450.4, Attachment 1.5.a; For such other and further relief as may be required by the Administrative Law Judge.

Hearing: Thursday, May 12, 2011 at 1:30 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Charles Marek, 600 Washington Avenue, Ste. 200, Towson 21204
Stonehenge, 170 W. Ridgely Road, Ste. 210, Lutherville 21204
Giant of MD, 8301 Professional Place, Ste. 115, Landover 20785

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, APRIL 27, 2011.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARING OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

Zoning Review | County Office Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2011-0295-A

Petitioner: Giant of Maryland, LLC

Address or Location: 11399 YORK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Debbie Sterrett, SMITH, GILDEA & SCHMIDT, LLC

Address: 600 Washington Ave.

Ste. 200

Towson, MD 21204

Telephone Number: 410-~~846~~ 821-0070

Revised 2/17/11 DT



KEVIN KAMENETZ
County Executive

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

May 3, 2011

Mary Millsap
Stonehenge, LLC
170 West Ridgely Road Suite 210
Lutherville, MD 21204

RE: Case Number 2011-0295 A, 11399 York Road

Dear Ms. Millsap,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 31, 2011. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Charles Marek, III, Smith, Gildea & Schmidt, LLC, 600 Washington Ave., Ste. 200,
Towson, MD 21204
Scott Haley, Agent, Giant of Marylandm, LLC, 8301 Professional Place, Ste. 115,
Landover, MD 20785



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

April 8, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **April 4, 2011**

Item No.:

Administrative Variance: 2011-0298A, 2011-0300A

Variance: 2011-0295A – 0297A, 2011-0299A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For April 18, 2011
Item Nos. 2011- 295, 296, 297, 298
and 300

DATE: April 12, 2011

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-04182011 -NO COMMENTS.doc

TK
5/12/11

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: May 5, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-295-A
Address 11399 York Road
(Stonehenge, LLC Property)

Zoning Advisory Committee Meeting of April 18, 2011.

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

Reviewer: Jeff Livingston; Development Coordination

RECEIVED

MAY 05 2011

OFFICE OF ADMINISTRATIVE HEARINGS



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

*Leaving
5/12/11*

Date: 4-13-11

Ms. Kristen Matthews,
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2011-0295A
Variance
11399 York Road
'Shawan Plaza'
Giant Food Store #100

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 4-13-11. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2011-0295A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

[Signature]
for Steven D. Foster, Chief
Access Management Division

SDF/rz

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

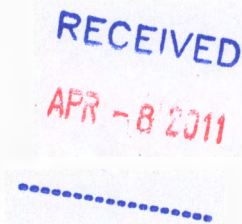


RE: PETITION FOR VARIANCE * BEFORE THE
11399 York Road; East side York Road * ZONING COMMISSIONER
150ft. SE of Center Line Schilling Road * FOR
8th Election & 3rd Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Stonehenge, LLC by *
KIMCO Realty Corp. *
Contract Purchaser: Giant of MD, LLC *
Petitioner(s) * 2011-0295-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.



Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of April, 2011, a copy of the foregoing Entry of Appearance was mailed to Charles B. Marek, III, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 0816045025

Owner Information

Owner Name: STONEHENGE LLC
C/O KIMCO REALTY CORP
Use: COMMERCIAL
Mailing Address: SUITE 100
3333 NEW HYDE PARK RD
NEW HYDE PARK NY 11042-1205
Principal Residence: NO
Deed Reference: 1) /12263/ 00228
2)

Location & Structure Information

Premises Address 11317 YORK RD
COCKEYSVILLE MD 21030-1909
Legal Description 11.9398 AC
ES YORK RD
70 N COR SHAWAN RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0042	0016	0200		0000				2	Plat Ref:

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1989	93,019 SF	11.9300 AC	14

Stories **Basement** **Type** **Exterior**
MARKET

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2010	Phase-in Assessments As Of 07/01/2011
Land	12,197,500	12,197,500		
Improvements:	9,156,500	6,586,000		
Total:	21,354,000	18,783,500	21,354,000	18,783,500
Preferential Land:	0			0

Transfer Information

Seller: STONEHENGE LIMITED PARTNERSHIP	Date: 06/30/1997	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12263/ 00228	Deed2:
Seller: SHAWAN ASSOCIATE S	Date: 12/23/1988	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /08359/ 00412	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00
Tax Exempt:	Special Tax Recapture:		
Exempt Class:	* NONE *		

Grant of the LSC

CASE NUMBER 2011-0295 296+

DATE 5-12-11 287-

A

[illegible]

2011-0295-A



FOR LEASE
410-684-2000

HUNT VALLEY
DENTAL

DENTAL
CARE

11331

Kimeo Realty
Corporation
SPACE
AVAILABLE
NORTH HAVEN
410-684-9000



2011-0295-A



with
ards

CTIONS THE QUALITY

CHAIN

NO
PARKING
OR
LOTT



2011-0295-A



2011-0295-A



SHERWIN-WILLIAMS PAINTS

WALL COVERINGS

DECORATING

PAINTS & STAINS

SHERWIN-WILLIAMS

11343

CONTRACTOR SUPPLIES

OPEN

SHERWIN-WILLIAMS

COMPUTER
COLOR
MATCHING

2011-0295-A

The image shows the exterior of a Shaw's Liquors store. The building has a red brick facade. Large, white, three-dimensional letters spell out "SHAW'S LIQUORS" across the front. Below the name is a white, square decorative element. To the left is a large display window with multiple panes. The panes show various advertisements, including "WELCOME TO SHAW'S LIQUORS", "The Empty Arm", "SWEDKA", and "SAMUEL ADAMS". A "NO PARKING FIRE LANE" sign is posted on the window. The address "31339" is visible above the window. The sky is blue with some clouds.

2011-0295-A



2011-0295-A



2011-0295-A



2011-0295-A



2011-0295-A



2011-0295-A

Case No.: 2011-0295-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Sign Package	
No. 3	Aerial Photo of site	
No. 4	CV of Engineer	
No. 5	Previous zoning case 04-402 A	
No. 6	Previous zoning case 05-270 SPH A	
No. 7	Photo from Street	
No. 8	Photo from Street	
No. 9		
No. 10		
No. 11		
No. 12		

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 for 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 AND MEMBERSHIPS

Professional Engineer, Maryland
Surveyor in Training, Illinois Registration
Maryland Society of Professional Engineers
American Society of Civil Engineering

PETITIONER'S

EXHIBIT NO. 4

IN RE: PETITION FOR VARIANCE

E/S of York Road,
opposite Shawan Road
8th Election District
3rd Councilmanic District
(11317 York Road)

Stonehenge, LLC, c/o KIMCO
Realty Corporation, *Legal Owners*
and
Green Leaf Group Corporation
By: Frank Lay, Vice-President,
Contract Purchaser
Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-402-A

PETITIONER'S

EXHIBIT NO. 5

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Stonehenge, LLC, c/o KIMCO Realty Corporation and the contract purchaser, Green Leaf Group Corporation, by Frank Lay, Vice-President. The Petitioners are requesting variance relief for property located at 11317 York Road in the Hunt Valley area of Baltimore County. The variance request is from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 456 parking spaces in lieu of the required 505 parking spaces.

The property was posted with Notice of Hearing on April 10, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 13, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. - *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for

ORDER RECEIVED FOR FILING

Date 4/16/04

R. J. [Signature]

IN RE: PETITIONS FOR SPECIAL HEARING
& VARIANCE

SE/Corner of York & Shawan Roads
8th Election District
3rd Councilmanic District
(11317 York Road)

KIMCO Realty,
By Geoffrey H. Glazer, Vice-President,
Legal Owners
and
Giant Food, Inc., Lessee
Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-270-SPHA

PETITIONER'S

EXHIBIT NO. 6

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Hearing and Variance filed by the legal owners of the subject property, KIMCO Realty, by Geoffrey H. Glazer, Vice-President and Giant Food, Inc., lessee. The property is located in the northern area of Baltimore County. The special hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve business parking in a residential zone pursuant to Section 409.8 of the B.C.Z.R. and to amend the site plan granted in Variance Case No. 04-402-A. In addition, a variance is requested from Section 409.6.A.2, of the B.C.Z.R., to permit 406 off-street parking spaces in lieu of the required 523 off-street parking spaces. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The property was posted with Notice of Hearing on January 10, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Baltimore Sun" newspaper on January 10, 2005 to notify any interested persons of the scheduled hearing date.

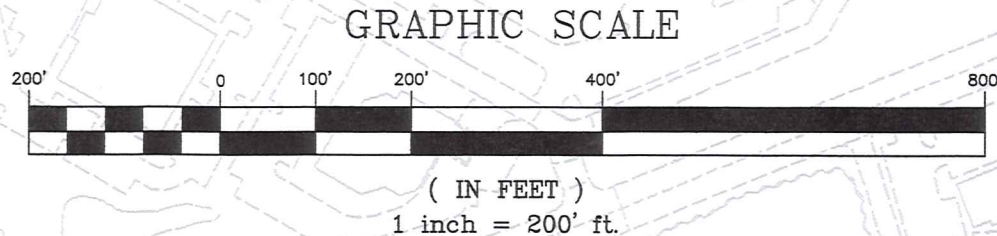
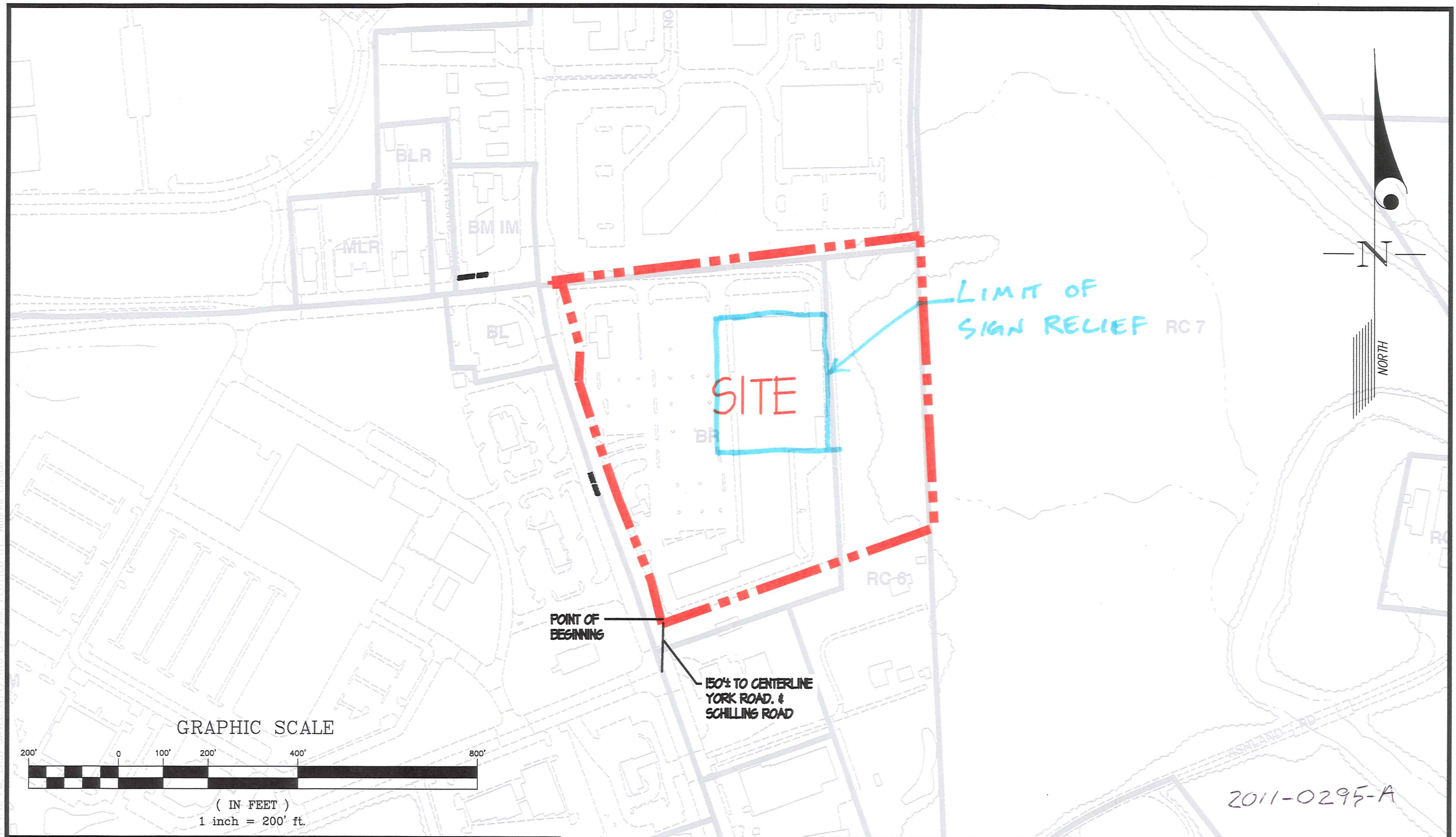
Applicable Law

Section 307 of the B.C.Z.R. - *Variances*.

ORDER RECEIVED FOR FILING

Date 1/16/05

By [Signature]



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: 410-980-1820 DC/VA: 301-989-2524 FAX: 301-421-4186
L: \CADD\DRAWINGS\10024\Design\10024ex01.dwg

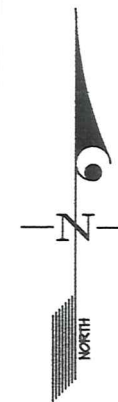
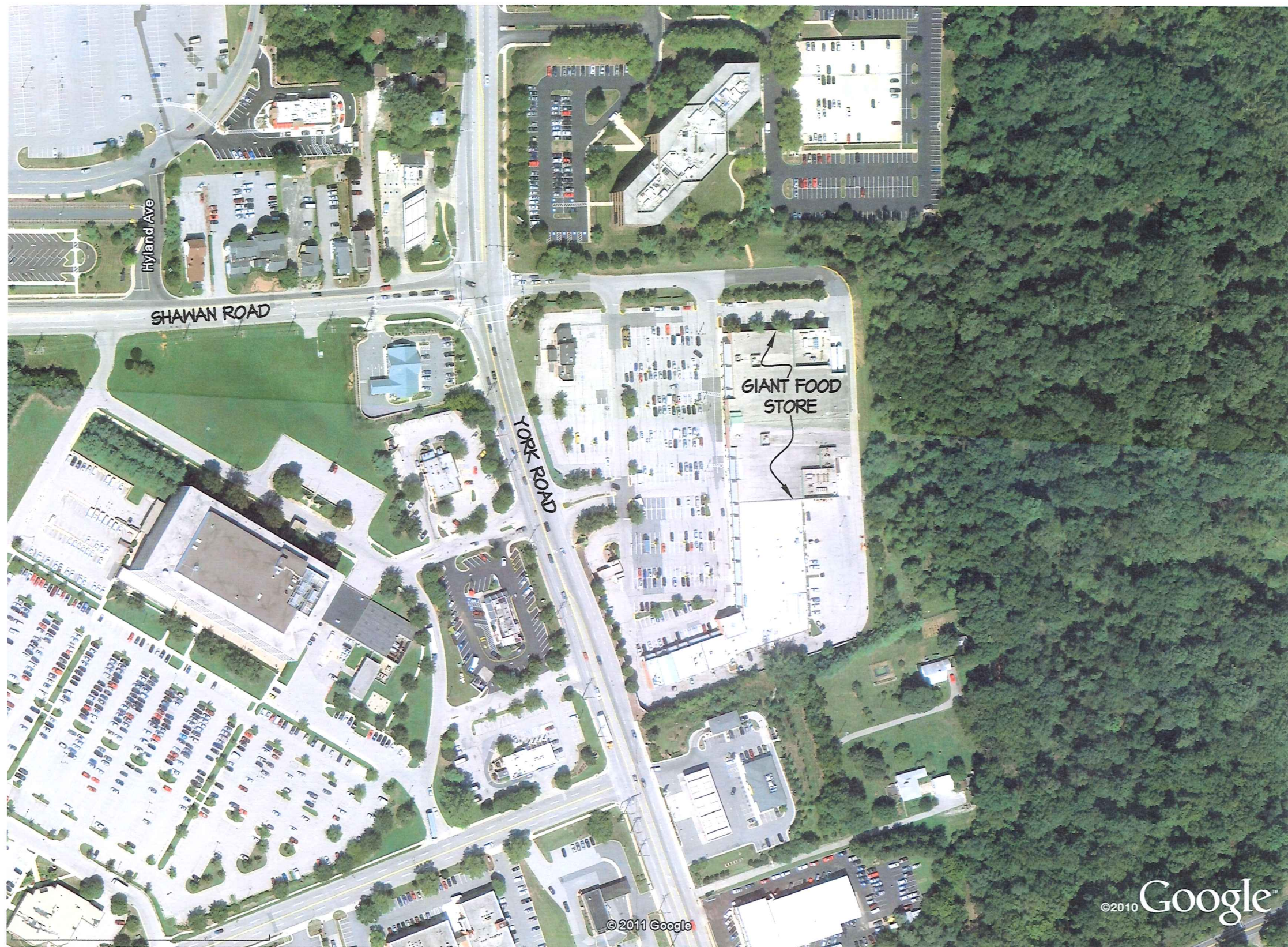
DES. MAJ
DRN. ANL
CHK.

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

GIANT FOOD #100
SHAWAN PLAZA
ZONING MAP 42-BR

ZONING MAP EXHIBIT

G. L. W. No.	10024
ZONING	BR
TAX MAP/GRID	42-B2
DATE	JUNE, 2010
SCALE	Custom
SHEET	1 OF 1



GLWGUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
 3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
 BURTONSVILLE, MARYLAND 20866
 TEL: 301-421-4024 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

JOB NO.: 10024

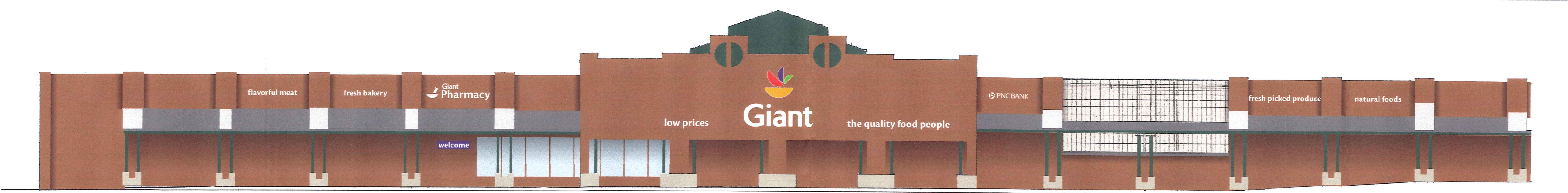
DATE: 05/03/2011

FILE: 10024AERIAL1

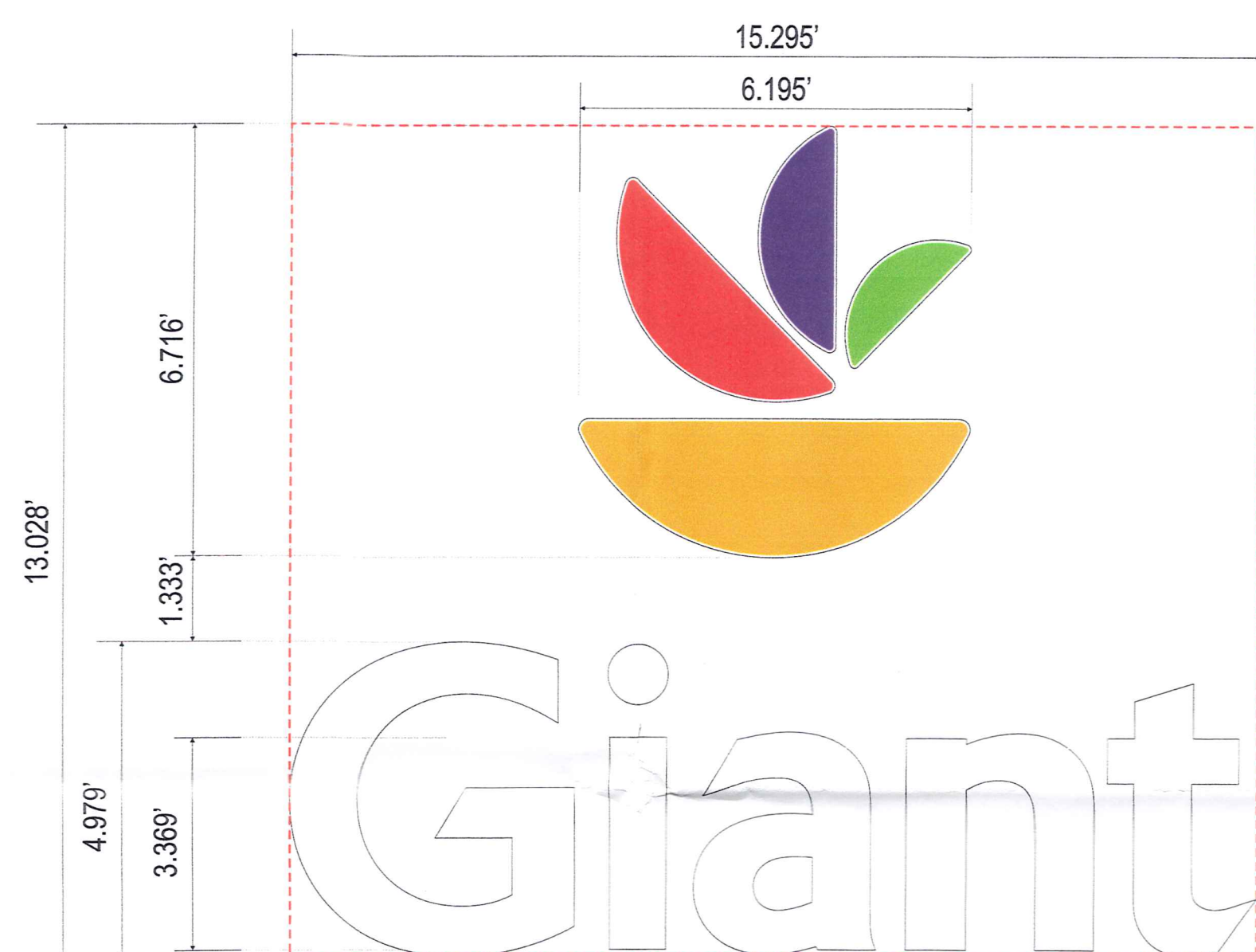
AERIAL PHOTOGRAPH #1

SHAWAN PLAZA
 GIANT FOOD STORE # 100
 11399 YORK ROAD
 COCKEYSVILLE, MD 21030

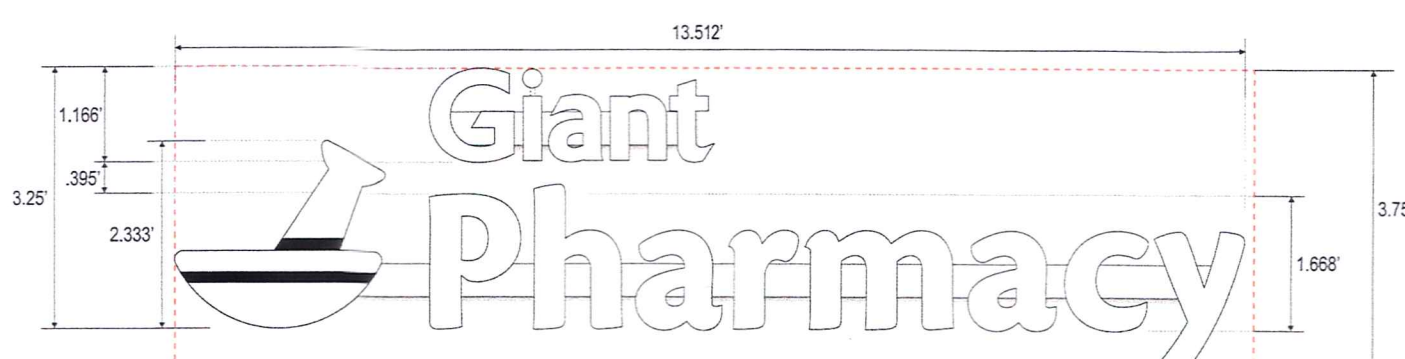
Giant #100 Cockeysville, MD



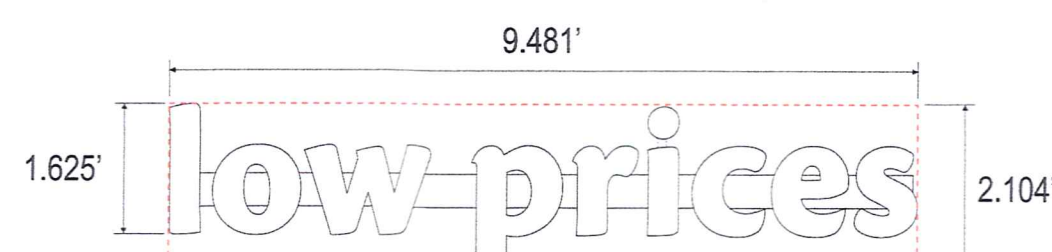
ELEVATION VIEW
SCALE: 3/32" = 1'



A Illuminated building identity; white returns, white trim, white acrylic faces, applied trans vinyl inlay
SIGN TYPE G-5 (STACKED)
QTY: 1x, 199.29 SQFT.



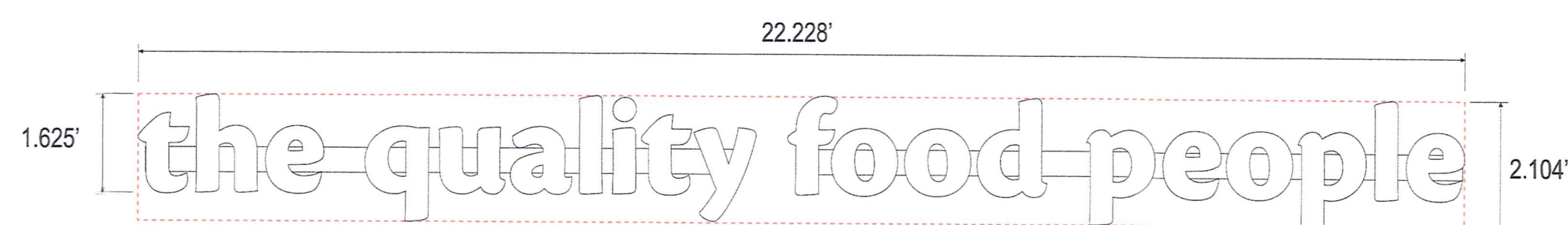
B Illuminated building identity; white returns, white trim, white acrylic faces, applied black vinyl; wireway mounted
SIGN TYPE GP-14W
QTY: 1x, 50.52 SQFT.



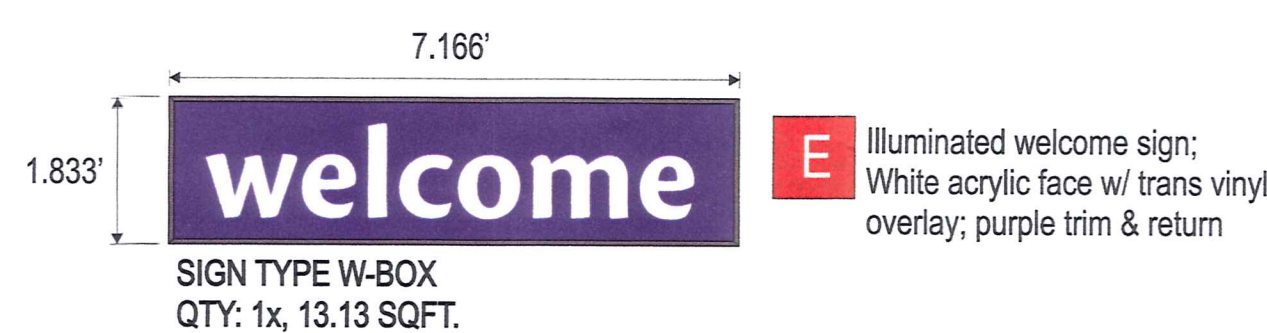
C Illuminated building identity; white returns, white trim, white acrylic faces, wireway mounted
SIGN TYPE LP-18
QTY: 1x, 20 SQFT.



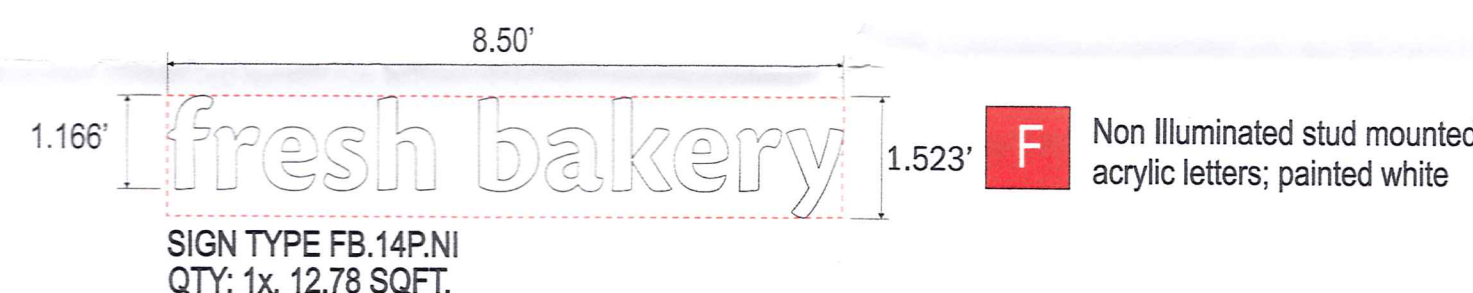
ELEVATION DETAIL 396.87 sqft. TOTAL
SCALE: 1/2" = 1'



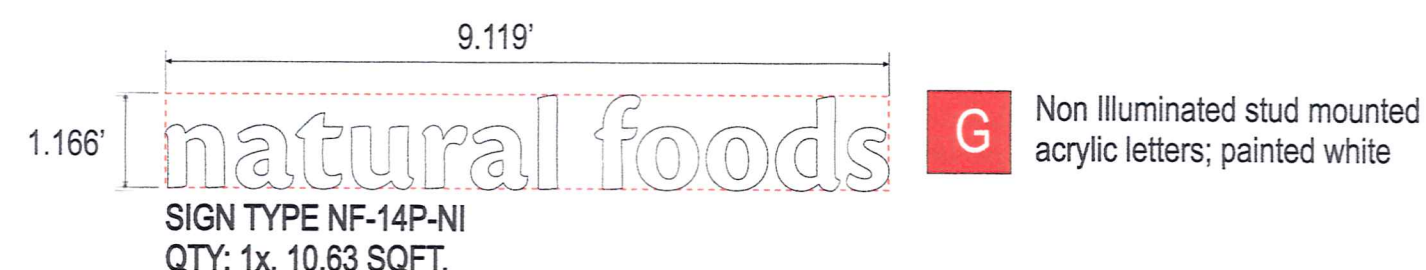
D Illuminated building identity; white returns, white trim, white acrylic faces, wireway mounted
SIGN TYPE TQFP-18P
QTY: 1x, 46.78 SQFT.



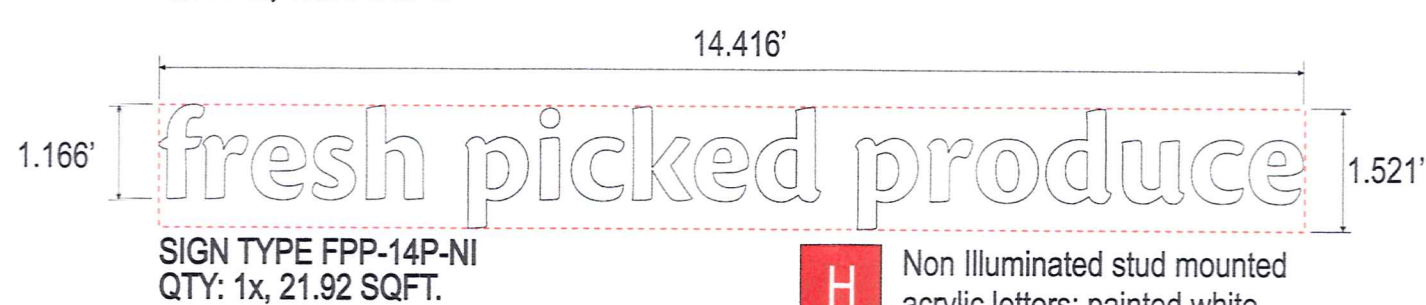
E Illuminated welcome sign; white acrylic face w/ trans vinyl overlay; purple trim & return
SIGN TYPE W-BOX
QTY: 1x, 13.13 SQFT.



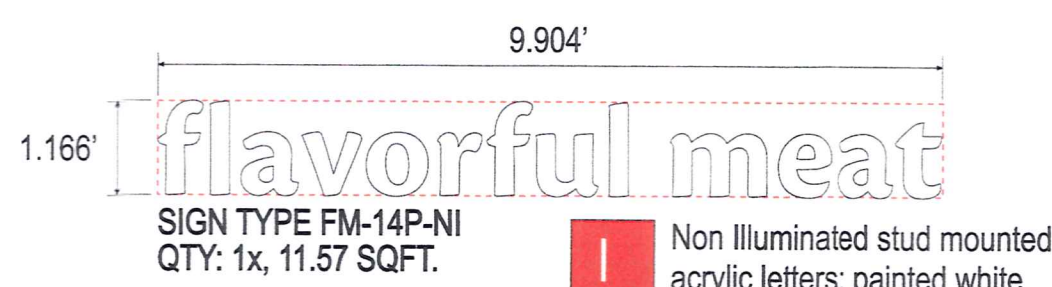
F Non illuminated stud mounted acrylic letters; painted white
SIGN TYPE FB-14P-NI
QTY: 1x, 12.78 SQFT.



G Non illuminated stud mounted acrylic letters; painted white
SIGN TYPE NF-14P-NI
QTY: 1x, 10.63 SQFT.



H Non illuminated stud mounted acrylic letters; painted white
SIGN TYPE FPP-14P-NI
QTY: 1x, 21.92 SQFT.



I Non illuminated stud mounted acrylic letters; painted white
SIGN TYPE FM-14P-NI
QTY: 1x, 11.57 SQFT.



J Non illuminated stud mounted acrylic letters; painted white
SIGN TYPE PNC-14P-NI
QTY: 1x, 10.25 SQFT.

PETITIONER'S
EXHIBIT NO. 2

7440 Fort Smallwood Road Baltimore, Maryland

ZONING CASE # 2011-0295-A

GLW GUTSCHICK LITTLE & WEBER, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

© GLW 2011

PREPARED FOR:
GIANT OF MARYLAND, LLC
8301 PROFESSIONAL PLACE, SUITE 115
LANDOVER, MD 20785
ATTN: MR. SCOTT HALEY
(617)-770-8119

SCALE	ZONING
AS SHOWN	BR
DATE OCT, 2010	TAX MAP - GRID 42-B2

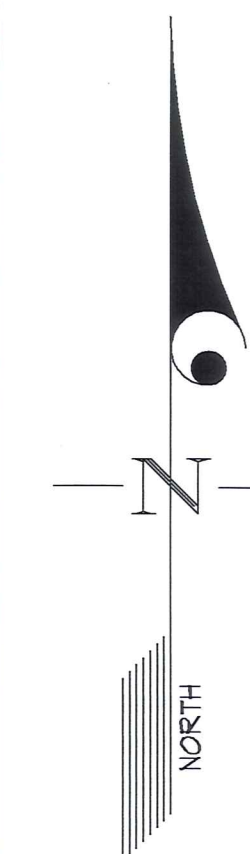
PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING

SHAWAN PLAZA
GIANT FOOD STORE #100

ELECTION DISTRICT No. 8 COUNCILMANIC DISTRICT No. 3

BALTIMORE COUNTY, MARYLAND

G. L. W. FILE No.
10024
SHEET 2 OF 2



©2010 Google

PETITIONER'S
EXHIBIT NO. 3

GLW GUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

JOB NO.: 10024

DATE: 05/03/2011

FILE: 10024AERIAL2

AERIAL PHOTOGRAPH
SHAWAN PLAZA
GIANT FOOD STORE # 100
11399 YORK ROAD
COCKEYSVILLE, MD 21030



LOCATED NORTHBOUND ON YORK ROAD LOOKING NORTHEAST AT MINIMAL VIEW OF GIANT FOOD BUILDING.



LOCATED SOUTHBOUND ON YORK ROAD LOOKING SOUTHEAST AT OBSCURED VIEW OF GIANT FOOD BUILDING.

PETITIONER'S

EXHIBIT NO. 7

GLWGUTSCHICK LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

JOB NO.: 10024

DATE: 05/03/2011

FILE: 10024PHOTO EXHIBIT

STREET VIEW PHOTOGRAPHS

SHAWAN PLAZA
GIANT FOOD STORE # 100
11399 YORK ROAD
COCKEYSVILLE, MD 21030



LOCATED EASTBOUND ON SHAWAN ROAD LOOKING EASTWARD AT OBSCURED VIEW OF GIANT FOOD BUILDING.



LOCATED EASTBOUND ON SHAWAN ROAD LOOKING EASTWARD AT OBSCURED VIEW OF GIANT FOOD BUILDING.

PETITIONER' S

EXHIBIT NO. 8

SHEET 2 OF 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: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

JOB NO.: 10024

DATE: 05/03/2011

FILE: 10024PHOTO EXHIBIT

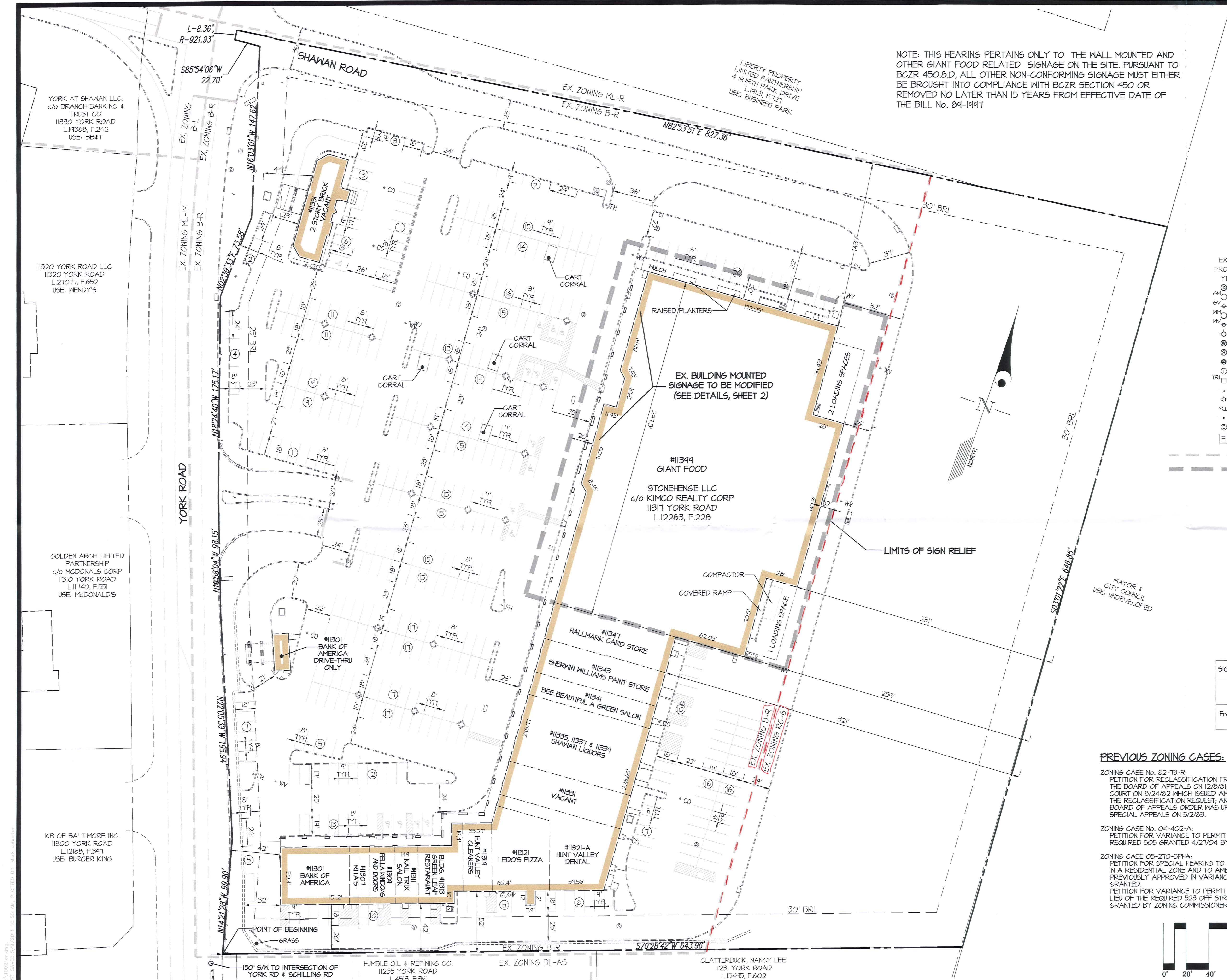
STREET VIEW PHOTOGRAPHS

SHAWAN PLAZA

GIANT FOOD STORE # 100

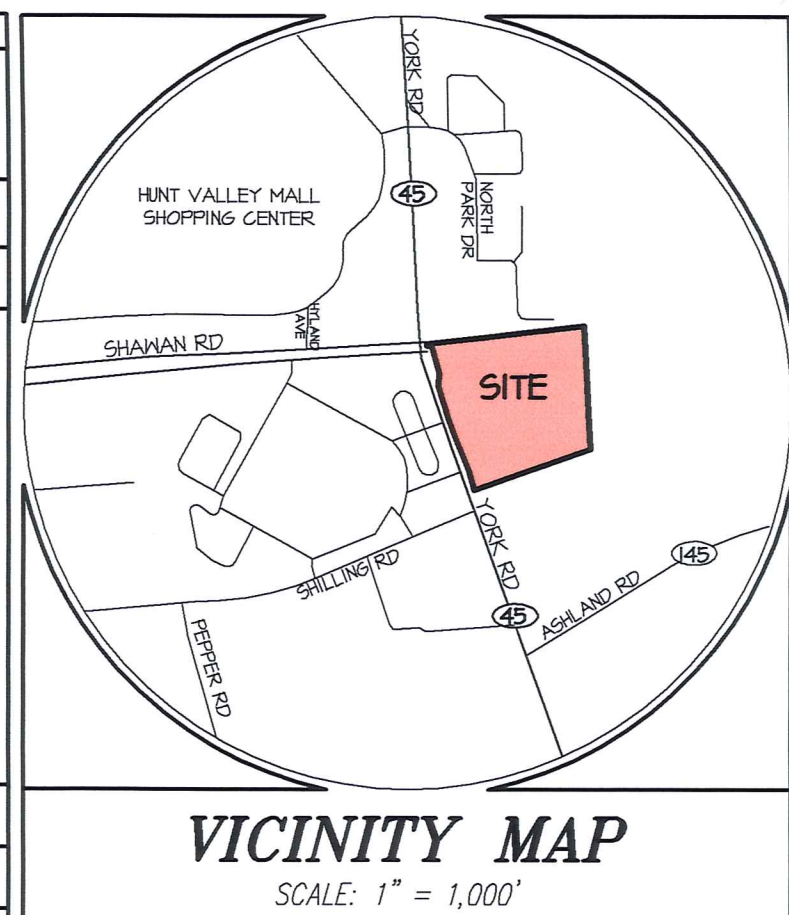
11399 YORK ROAD

COCKEYSVILLE, MD 21030



NOTE: THIS HEARING PERTAINS ONLY TO THE WALL MOUNTED AND OTHER GIANT FOOD RELATED SIGNAGE ON THE SITE. PURSUANT TO BCZR 450.B.D, ALL OTHER NON-CONFORMING SIGNAGE MUST EITHER BE BROUGHT INTO COMPLIANCE WITH BCZR SECTION 450 OR REMOVED NO LATER THAN 15 YEARS FROM EFFECTIVE DATE OF THE BILL. No. 89-1997

48 Hours
Before You Dig
Call
MISS UTILITY
Service Protection Center
MEMBER
ONE CALL SYSTEMS INTERNATIONAL
CALL TOLL FREE
1-800-257-7777



- LEGEND**
- EX. EXISTING
 - PROP. PROPOSED
 - Y1 STORMDRAIN YARD INLET
 - Y2 STORMDRAIN MANHOLE
 - GM GAS METER
 - GV GAS VALVE
 - WM WATER METER
 - WV WATER VALVE
 - FH FIRE HYDRANT
 - WM WATER MANHOLE
 - SM SEWER MANHOLE
 - SC SEWER CLEAN OUT
 - TM TELCO MANHOLE
 - TR TELCO RISER
 - SIGN SIGN
 - LP LIGHT POLE
 - UF UTILITY POLE
 - GW GUY WIRE
 - EM ELEC. MANHOLE
 - TR TRANSFORMER
 - ZONING LINE
 - LIMITS OF SIGN RELIEF FOR THIS PLAN

SITE LOCATION

- PROJECT STREET ADDRESS: 11349 YORK ROAD COCKEYSVILLE, MD 21030
- ADC MAP: 18, GRID: 6-2
ZONING MAP: 42-B2
- OWNER: STONEHENGE, LLC c/o KIMCO REALTY CORPORATION
170 WEST RIDGELY ROAD, SUITE 210
LUTHERVILLE, MARYLAND 21033
MARY MILLSAP, PROPERTY MANAGER
410-664-2000
- APPLICANT: GIANT OF MARYLAND, LLC
8301 PROFESSIONAL PLACE
SUITE 115
LANDOVER, MD 20785
ATTN: MR. SCOTT HALEY
DIRECTOR OF CONSTRUCTION & ENGINEERING
(610) 710-8114
- TRACT AREA: 523,583 S.F. or 12.02 Ac.
- ZONING: BR
- ELECTION DISTRICT #8
- COUNTY COUNCIL DISTRICT #3
- THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE.
- THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
- THERE ARE NO KNOWN HISTORIC STRUCTURES OR KNOWN ARCHEOLOGICAL SITES ON THE PROPOSED PROJECT.
- THIS PLAN DOES NOT GENERATE ANY RESIDENTIAL TRANSITION AREAS (RTA).
- BOUNDARY AND EXISTING TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN PREPARED BY GUTSCHICK LITTLE & WEBER, P.A. NOV., 2009
- FLOOR AREA RATIO
MAX F.A.R.: 2.0
PROPOSED F.A.R.: 81.19 S.F. / 523,583 S.F. = 0.166

SIGN CLASSIFICATION	MAX AREA/ FACE	MAX NO./ PREMISES	ADDITIONAL LIMITATIONS	HEIGHT
Wall 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	150'	1 per frontage	No more than 5 lines displayed	25'

PREVIOUS ZONING CASES:

ZONING CASE No. 82-13-R:
PETITION FOR RECLASSIFICATION FROM RC4 TO BR DENIED BY THE BOARD OF APPEALS ON 12/8/81; REVERSED BY THE CIRCUIT COURT ON 8/24/82 WHICH ISSUED AMENDED ORDER GRANTING THE RECLASSIFICATION REQUEST; AND ON FURTHER APPEAL THE BOARD OF APPEALS ORDER WAS UPHOLD BY THE COURT OF SPECIAL APPEALS ON 5/2/83.

ZONING CASE No. 04-402-A:
PETITION FOR VARIANCE TO PERMIT 456 SPACES IN LIEU OF THE REQUIRED 505 GRANTED 4/21/04 BY ZONING COMMISSIONER.

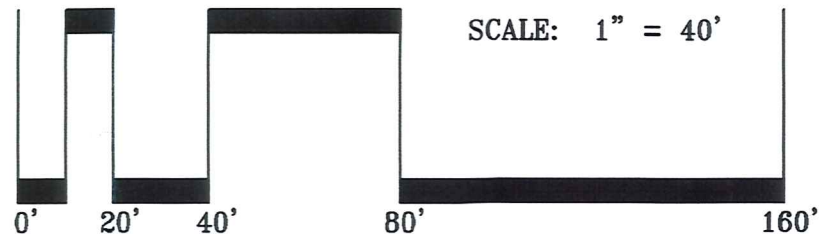
ZONING CASE 05-210-SPH-A:
PETITION FOR SPECIAL HEARING TO APPROVE BUSINESS PARKING IN A RESIDENTIAL ZONE AND TO AMEND THE SITE PLAN PREVIOUSLY APPROVED IN VARIANCE CASE No. 04-402-A GRANTED.
PETITION FOR VARIANCE TO PERMIT 406 OFF STREET SPACES IN LIEU OF THE REQUIRED 523 OFF STREET PARKING SPACES GRANTED BY ZONING COMMISSIONER 1/28/05.

PARKING CALCULATIONS

REQUIRED: (TOTAL SF= 87,111)
GIANT FOOD STORE 55,914 SF @ 5/1,000= 271.6 SPACES
RESTAURANT 5,432 SF @ 16/1,000= 86.9 SPACES
CARRY-OUT RESTAURANT 401 @ 5/1,000= 4.5 SPACES
GENERAL RETAIL 13,404 @ 5/1,000= 67 SPACES
BANK 5,410 @ 333/1,000= 16.0 SPACES
GENERAL OFFICE 6,348 @ 333/1,000= 21.1 SPACES
TOTAL = 415 SPACES*
TOTAL REQUIRED= 406 SPACES*

PROVIDED:
STANDARD SPACES: 445 SPACES
HANDICAP SPACES: 14 SPACES
(6 REQUIRED)
TOTAL PROVIDED= 463 SPACES

* TOTAL REQUIRED IS 406 SPACES PER ZONING CASE # 05-210-SPH-A



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

ZONING CASE # 2011-0245-A

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 12921.
EXPIRATION DATE: APRIL 10, 2012

PREPARED FOR:

GIANT OF MARYLAND, LLC
8301 PROFESSIONAL PLACE, SUITE 115
LANDOVER, MD 20785
ATTN: MR. SCOTT HALEY
(617)-770-8119

SCALE

1" = 40'

DATE

OCT, 2010

ZONING

BR

TAX MAP - GRID

42-B2

PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING

PETITIONER'S

EXHIBIT NO.

1

**SHAWAN PLAZA
GIANT FOOD STORE #100**

ELECTION DISTRICT No. 8 COUNCILMANIC DISTRICT No. 3

G. L. W. FILE NO.

10024

SHEET

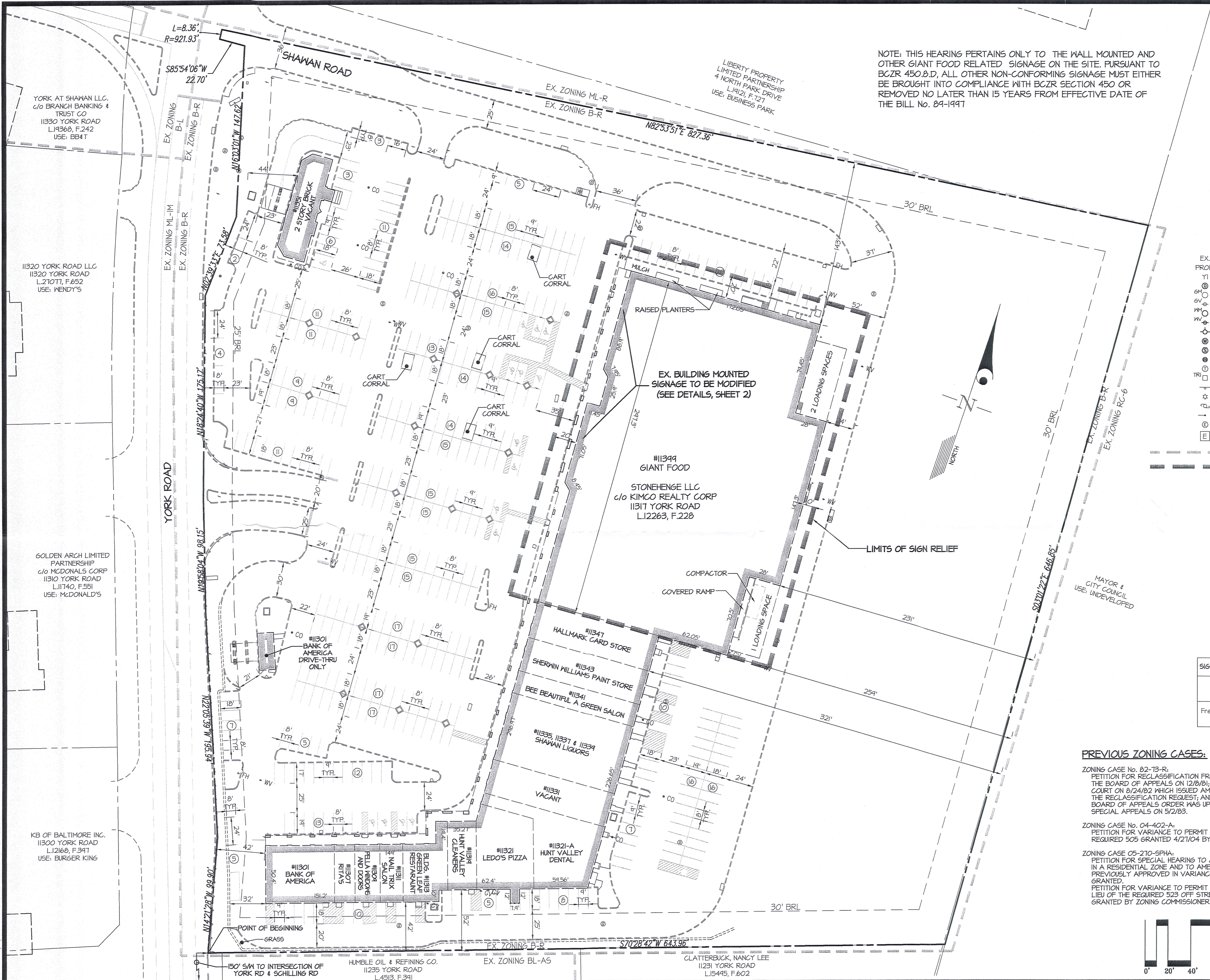
1 OF 2

GLWGutshick Little & Weber, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONTOWN OFFICE PARK
BURTONTOWN, MARYLAND 20866
TEL: 301-421-4024 BALT. 410-880-1820 DC/VA 301-988-2524 FAX: 301-421-4186

L:\CADD\DRAWINGS\10024\Design\10024.ec DES. ANL DRN. JGJ CHK. MAJ

05/10/11 REVISED PLAN TO CORRECT ZONING LINE IN REAR OF SITE

MAJ BY APPR.



NOTE: THIS HEARING PERTAINS ONLY TO THE WALL MOUNTED AND OTHER GIANT FOOD RELATED SIGNAGE ON THE SITE. PURSUANT TO BCZR 450.B.D, ALL OTHER NON-CONFORMING SIGNAGE MUST EITHER BE BROUGHT INTO COMPLIANCE WITH BCZR SECTION 450 OR REMOVED NO LATER THAN 15 YEARS FROM EFFECTIVE DATE OF THE BILL NO. 89-1997

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

MEMBER
ONE CALL SYSTEMS INTERNATIONAL

CALL TOLL FREE
1-800-257-7777

VICINITY MAP
SCALE: 1" = 1,000'

LEGEND

- EX. EXISTING
PROP. PROPOSED
- Y1 STORMDRAIN YARD INLET
 - SM STORMDRAIN MANHOLE
 - GM GAS METER
 - GV GAS VALVE
 - WM WATER METER
 - WV WATER VALVE
 - FM FIRE HYDRANT
 - MM WATER MANHOLE
 - SMW SEWER MANHOLE
 - SCS SEWER CLEAN OUT
 - TM TELCO MANHOLE
 - TR TELCO RISER
 - SP SIGN
 - LP LIGHT POLE
 - UP UTILITY POLE
 - GW GUY WIRE
 - EM ELEC. MANHOLE
 - TR TRANSFORMER
- ZONING LINE
--- LIMITS OF SIGN RELIEF FOR THIS PLAN

SITE LOCATION

1. PROJECT STREET ADDRESS: 11349 YORK ROAD COCKEYSVILLE, MD 21030
2. ADC MAP: 18, GRID: 6-2
3. ZONING MAP: 42-B2
- SITE DATA**
1. OWNER: STONEHENGE, LLC C/O KIMCO REALTY CORPORATION
170 WEST RIDGELY ROAD, SUITE 210
LUTHERVILLE, MARYLAND 21043
MARY MILLSAP, PROPERTY MANAGER
410-684-2000
2. APPLICANT: GIANT OF MARYLAND, LLC
8301 PROFESSIONAL PLACE
SUITE 115
LANDOVER, MD 20785
ATTN: MR. SCOTT HALEY
DIRECTOR OF CONSTRUCTION & ENGINEERING
(610) 710-8114
3. TRACT AREA: 523,583 S.F. or 12.02 Ac.
4. ZONING: BR
5. ELECTION DISTRICT #8
6. COUNTY COUNCIL DISTRICT #3
7. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE.
8. THERE ARE NO KNOWN NON-TIDAL WETLANDS 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 & WEBER, P.A. NOV., 2004
12. FLOOR AREA RATIO
MAX F.A.R.: 2.0
PROPOSED F.A.R.: 81.14 S.F. / 523,583 S.F. = 0.166

SIGN CLASSIFICATION	MAX AREA/ FACE	MAX NO./ PREMISES	ADDITIONAL LIMITATIONS	HEIGHT
Wall 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	150'	1 per frontage	No more than 5 lines displayed	25'

PREVIOUS ZONING CASES:

ZONING CASE No. 82-73-R:
PETITION FOR RECLASSIFICATION FROM RC4 TO BR DENIED BY THE BOARD OF APPEALS ON 12/8/81; REVERSED BY THE CIRCUIT COURT ON 8/24/82 WHICH ISSUED AMENDED ORDER GRANTING THE RECLASSIFICATION REQUEST; AND ON FURTHER APPEAL THE BOARD OF APPEALS ORDER WAS UPHOLD BY THE COURT OF SPECIAL APPEALS ON 5/2/83.

ZONING CASE No. 04-402-A:
PETITION FOR VARIANCE TO PERMIT 456 SPACES IN LIEU OF THE REQUIRED 505 GRANTED 4/21/04 BY ZONING COMMISSIONER.

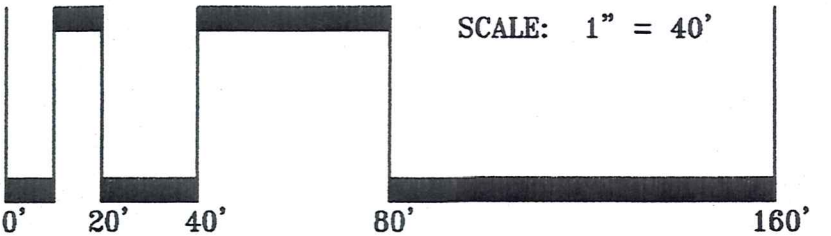
ZONING CASE 05-210-5PH-A:
PETITION FOR SPECIAL HEARING TO APPROVE BUSINESS PARKING IN A RESIDENTIAL ZONE AND TO AMEND THE SITE PLAN PREVIOUSLY APPROVED IN VARIANCE CASE No. 04-402-A GRANTED.
PETITION FOR VARIANCE TO PERMIT 406 OFF STREET PARKING SPACES IN LIEU OF THE REQUIRED 523 OFF STREET PARKING SPACES GRANTED BY ZONING COMMISSIONER 1/28/05.

PARKING CALCULATIONS

REQUIRED: (TOTAL SF = 87,119)
GIANT FOOD STORE 55,514 SF @ 5/1000= 111 SPACES
RESTAURANT 5,432 SF @ 16/1000= 34 SPACES
CARRY-OUT RESTAURANT 401 SF @ 5/1000= 4 SPACES
GENERAL RETAIL 13,404 SF @ 5/1000= 27 SPACES
BANK 5,410 SF @ 3.3/1000= 16 SPACES
GENERAL OFFICE 6,348 SF @ 3.3/1000= 20 SPACES
TOTAL = 208 SPACES
TOTAL REQUIRED = 463 SPACES

PROVIDED:
STANDARD SPACES: 445 SPACES
HANDICAP SPACES: 18 SPACES
(8 REQUIRED)
TOTAL PROVIDED = 463 SPACES

* TOTAL REQUIRED IS 406 SPACES PER ZONING CASE # 05-210-5PH-A



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

ZONING CASE # 2011-0295-A

GLWGUTSCHICK LITTLE & WEBER, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 BAL: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

DATE: _____ REVISION: _____ BY: _____ APPR: _____

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 12921.
EXPIRATION DATE: APRIL 10, 2012
David E. Weber 30 MAR 2011

PREPARED FOR:
GIANT OF MARYLAND, LLC
8301 PROFESSIONAL PLACE, SUITE 115
LANDOVER, MD 20785
ATTN: MR. SCOTT HALEY
(617)-770-8119

SCALE
1" = 40'

DATE
OCT, 2010

ZONING
BR

TAX MAP - GRID
42-B2

PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING

SHAWAN PLAZA
GIANT FOOD STORE #100

ELECTION DISTRICT No. 8 COUNCILMANIC DISTRICT No. 3
BALTIMORE COUNTY, MARYLAND

G. L. W. FILE NO.
10024

SHEET
1 OF 2

L:\CADD\DRAWINGS\10024\Design\10024.ec

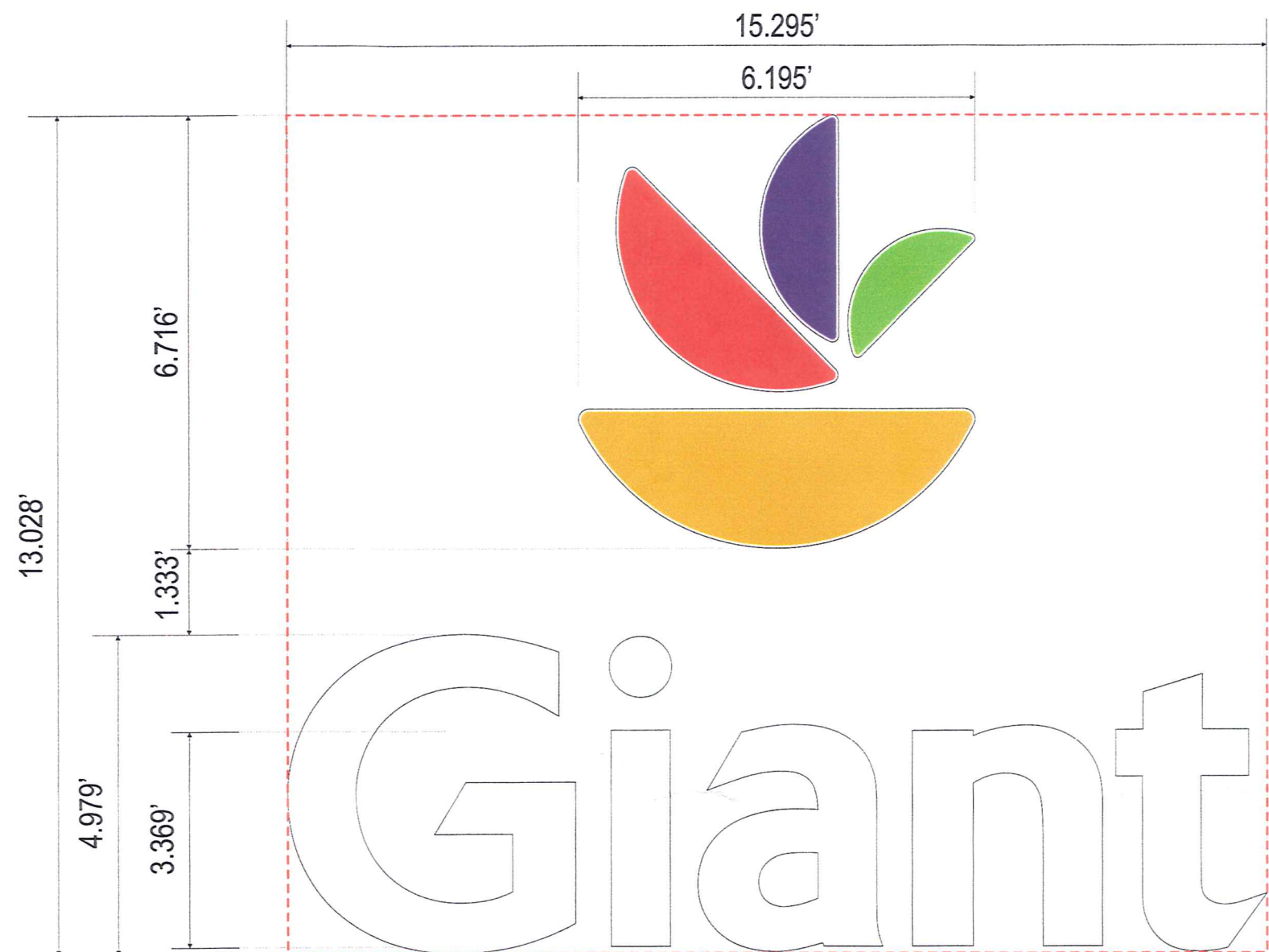
DES. ANL DRN. JGJ CHK. MAJ

© GLW 2011

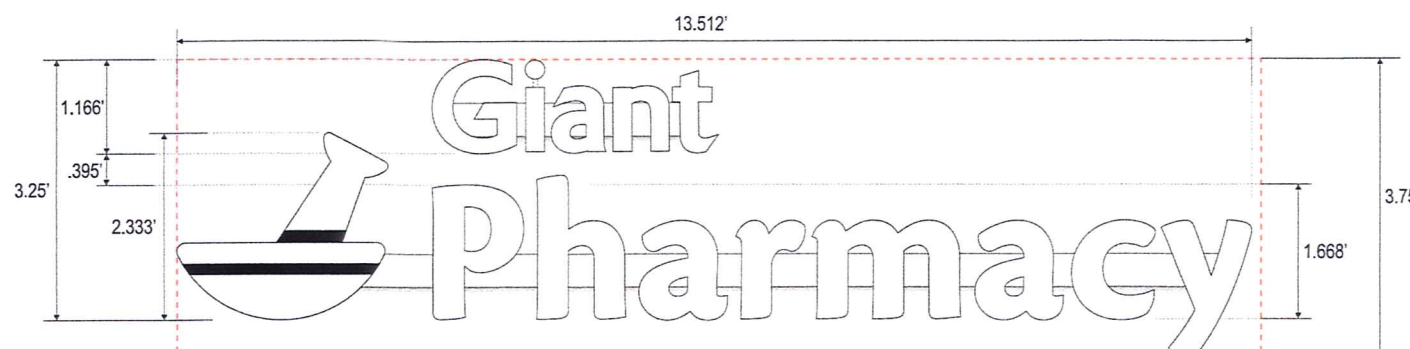
Giant #100 Cockeysville, MD



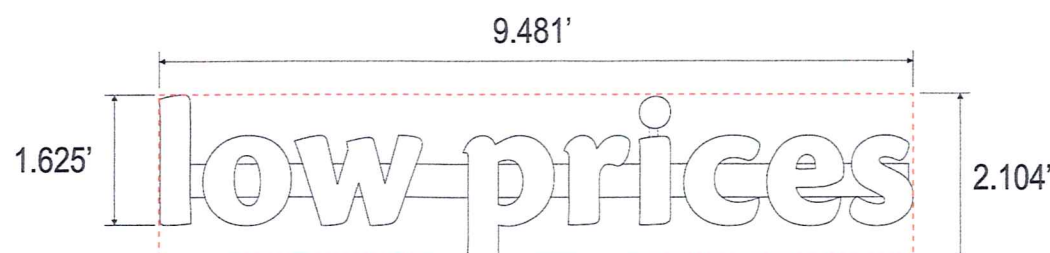
ELEVATION VIEW
SCALE: 3/32" = 1'



A Illuminated building identity; white returns, white trim, white acrylic faces, applied trans vinyl inlay
SIGN TYPE G-5 (STACKED)
QTY: 1x, 199.29 SQFT.



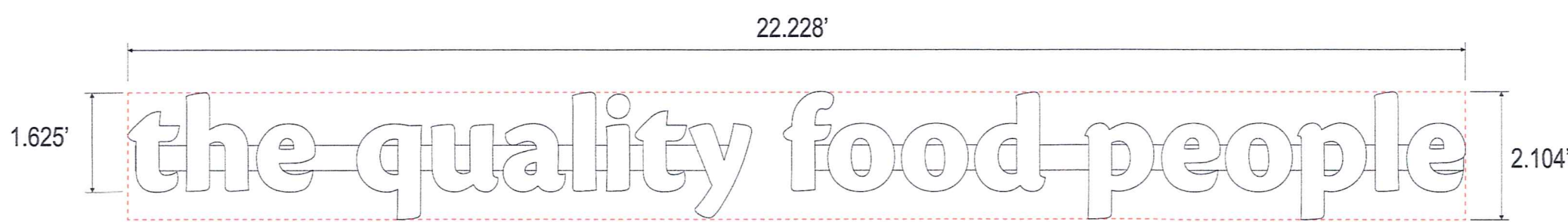
B Illuminated building identity; white returns, white trim, white acrylic faces, applied black vinyl; wireway mounted
SIGN TYPE GP-14W
QTY: 1x, 50.52 SQFT.



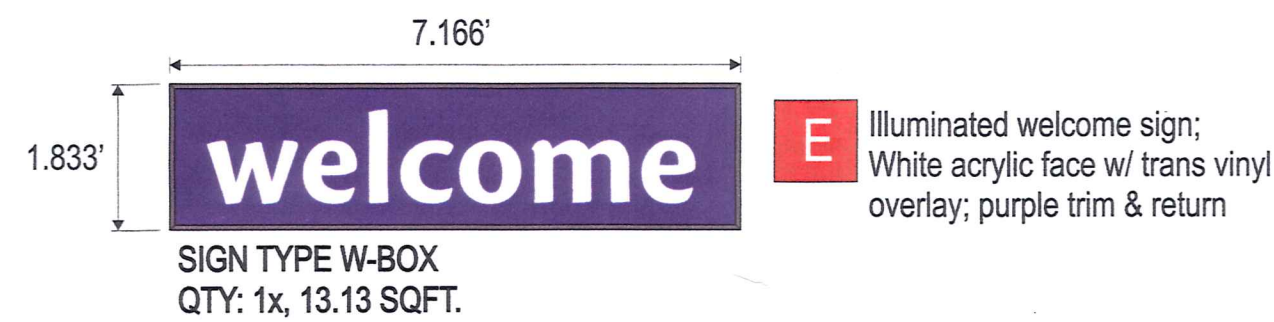
C Illuminated building identity; white returns, white trim, white acrylic faces, wireway mounted
SIGN TYPE LP-18
QTY: 1x, 20 SQFT.



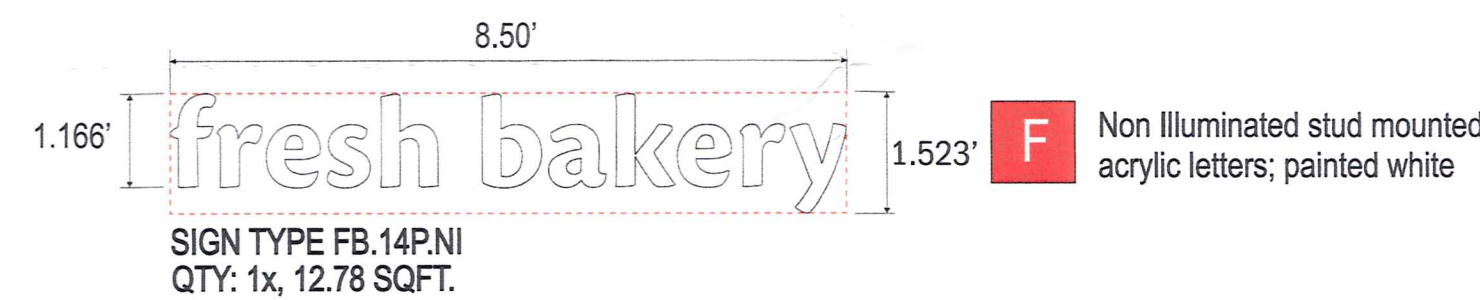
ELEVATION DETAIL 396.87 sqft. TOTAL
SCALE: 1/2" = 1'



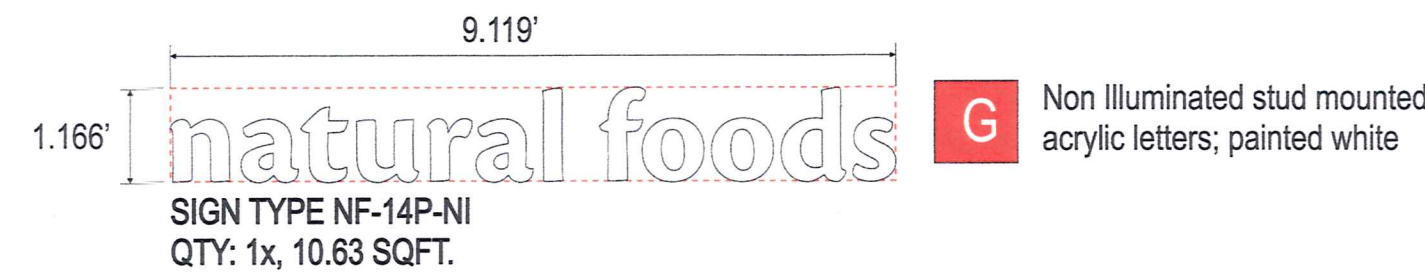
D Illuminated building identity; white returns, white trim, white acrylic faces, wireway mounted
SIGN TYPE TQFP-18P
QTY: 1x, 46.78 SQFT.



E Illuminated welcome sign; White acrylic face w/ trans vinyl overlay; purple trim & return
SIGN TYPE W-BOX
QTY: 1x, 13.13 SQFT.



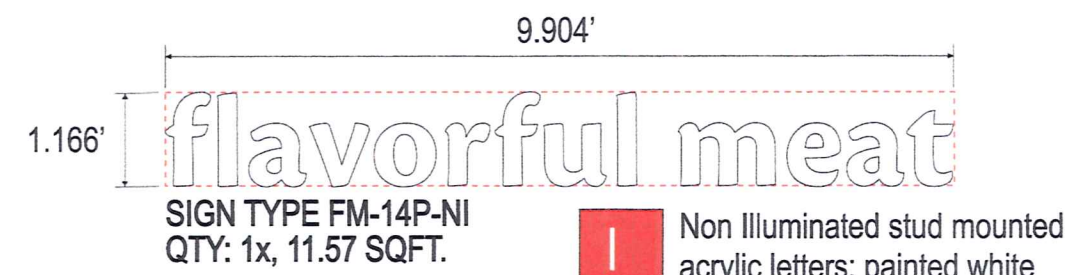
F Non Illuminated stud mounted acrylic letters; painted white
SIGN TYPE FB-14P-NI
QTY: 1x, 12.78 SQFT.



G Non Illuminated stud mounted acrylic letters; painted white
SIGN TYPE NF-14P-NI
QTY: 1x, 10.63 SQFT.



H Non Illuminated stud mounted acrylic letters; painted white
SIGN TYPE FPP-14P-NI
QTY: 1x, 21.92 SQFT.



I Non Illuminated stud mounted acrylic letters; painted white
SIGN TYPE FM-14P-NI
QTY: 1x, 11.57 SQFT.



J Non Illuminated stud mounted acrylic letters; painted white
SIGN TYPE PNC-14P-NI
QTY: 1x, 10.25 SQFT.

7440 Fort Smallwood Road Baltimore, Maryland

ZONING CASE # 2011-

GLWGUTSCHICK LITTLE & WEBER, P.A. CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS 3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK BURTONSVILLE, MARYLAND 20866 TEL: 301-421-4024 BALT. 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186							
DATE	DES.	ANL	DRN	CHK	MAU	BY	APP'R.

PREPARED FOR: GIANT OF MARYLAND, LLC 8301 PROFESSIONAL PLACE, SUITE 115 LANDOVER, MD 20785 ATTN: MR. SCOTT HALEY (617)-770-8119	SCALE	ZONING	PLAN TO ACCOMPANY PETITION FOR VARIANCE HEARING		G. L. W. FILE No.
	AS SHOWN	BR	SHAWAN PLAZA GIANT FOOD STORE #100		10024
	DATE	TAX MAP - GRID			SHEET
OCT, 2010	42-B2	ELECTION DISTRICT No. 8 COUNCILMANIC DISTRICT No. 3		BALTIMORE COUNTY, MARYLAND	2 OF 2