

IN RE: PETITION FOR VARIANCE

S side of Mohrs Lane, 453.59' E of the
c/line of Pulaski Highway
15th Election District
6th Council District
(9955 Pulaski Highway)

HD Development of MD, Inc.
Petitioner

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*

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BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0152-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by HD Development of MD, Inc. The Petitioner is requesting variance relief under Section 450.4 Attachment 1, 5(a)(IX) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit two (2) wall-mounted enterprise signs with sign face/areas of 305 square feet each, in lieu of the maximum permitted 150 square feet each (Sign Nos. 1 and 3 shown on Exhibit 1B). The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1A.

Appearing at the public hearing in support of the variance request was Michael Linde with ImageCare Maintenance Services and Matthew T. Allen, P.E. with Bohler Engineering, the consultant who prepared the site plan. David H. Karceski, Esquire represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance, and the file does not contain any letters of opposition or protest.

ORDER RECEIVED FOR FILING

Date 2-9-12

By EW

Testimony and evidence revealed that the subject property is 11.66 acres and is split-zoned BR-IM/MH-IM. The Petitioner operates a Home Depot store on the site, which is situated among other "big box" retailers in a 30 acre retail plaza. The Home Depot opened in 2000, and has had the same three signs since that time. The Petitioner wants to update and refresh the appearance of the signs (*See Exhibit 5*) and is going to replace Sign Nos. 1 and 3 with signs of almost the same size. The new signs will be backlit LED signs, which are both more attractive and energy efficient than the existing neon signs. While the signs complied with the B.C.Z.R. when they were originally erected, the sign regulations have in the interim become more stringent, and hence Petitioner required variance relief for the new signs, even though they are nearly identical in size and number.

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

Based upon the testimony and evidence presented, I will grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

The Petitioner has met this test. As seen on the site plan, the 11 acre parcel is of an irregular shape, and is part of a much larger retail center. *See Exhibit 1A*. In addition, the Home Depot

ORDER RECEIVED FOR FILING

Date 2-9-12

By kw

store sits nearly 700 feet from Pulaski Highway, and is also obstructed from view by other retail stores that are positioned between it and the roadway.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is amply demonstrated by the lack of any neighborhood opposition or negative comments from County agencies. In addition, Mr. Allen (Petitioner's engineer, Exhibit 3) who was accepted as an expert in the B.C.Z.R. and sign regulations, opined that the variance relief would have no adverse impact upon the community, as evidenced by the fact that the signs have been in place for over 10 years without complaint.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and after considering the testimony and evidence offered by the Petitioner, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 9 day of February, 2012 by this Administrative Law Judge that Petitioner's Variance request from Section 450.4 Attachment 1, 5(a)(IX) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit two (2) wall-mounted enterprise signs with sign face/areas of 305 square feet each, in lieu of the maximum permitted 150 square feet each, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for a building permit and may be granted same upon receipt of this Order. However the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

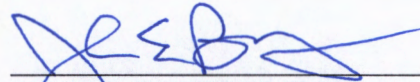
ORDER RECEIVED FOR FILING

Date 2-9-12

By EW

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

Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 2-9-12

By DLW



KEVIN KAMENETZ
County Executive

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

February 9, 2012

David H. Karceski, Esquire
Venable, LLP
210 West Pennsylvania Avenue
Suite 500
Towson, MD 21204

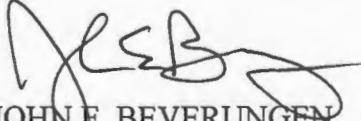
RE: Petition for Variance
Case No.: 2012-0152-A
Property: 9955 Pulaski Highway

Dear Mr. Karceski:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 9955 Pulaski Highway which is presently zoned BR-IM, MH-IM
 Deed References: 26137 / 00318 10 Digit Tax Account # 2 2 0 0 0 0 5 1 8 4
 Property Owner(s) Printed Name(s) HD Development of Maryland Inc.

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ 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 below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

David H. Karceski, Esquire
 Name- Type or Print _____
 Signature Venable LLP
210 W. Pennsylvania Ave., Ste. 500, Towson, MD
 Mailing Address _____ City _____ State _____
21204 410-494-6285 dhkarceski@venable.com
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

HD Development of Maryland Inc. Tammy Darling Morris
Jr. Mr. Hdg. Socr. - Owner Agent
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 _____ Signature #2 _____
2455 Paces Ferry Road, SE, Atlanta, GA
 Mailing Address _____ City _____ State _____
30339 _____
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

David H. Karceski, Esquire
 Name - Type or Print _____
 Signature _____
Venable LLP
210 W. Pennsylvania Ave., Ste. 500, Towson, MD
 Mailing Address _____ City _____ State _____
21204 410-494-6285 dhkarceski@venable.com
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2012-0152-A Filing Date 1/3/12 Do Not Schedule Dates: _____ Reviewer DT

REV. 10/4/11

ORDER RECEIVED FOR FILING

Date 2-9-12

By WJ

Variance for 9955 Pulaski Highway

Variance from Section 450.4 Attachment 1, 5(a)(IX) of the Baltimore County Zoning Regulations to permit two wall-mounted enterprise signs with sign face/areas of 305 square feet each in lieu of the maximum permitted 150 square feet each. (Sign Nos. 1 and 3).

PROPERTY DESCRIPTION (PARCEL 623)

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF MOHRS LANE, EXISTING 60 FOOT WIDTH RIGHT OF WAY, AT A POINT LYING 453.59 FEET EASTERLY FROM THE CENTERLINE OF THE PAVING OF PULASKI HIGHWAY (US ROUTE 40) AND RUNNING:

1. SOUTH 67 DEGREES 10 MINUTES 12 SECONDS EAST 662.20 FEET TO A POINT, AND;
2. SOUTH 28 DEGREES 06 MINUTES 13 SECONDS WEST 216.87 FEET TO A POINT, AND;
3. SOUTH 66 DEGREES 09 MINUTES 12 SECONDS EAST 242.15 FEET TO A POINT, AND;
4. SOUTH 45 DEGREES 05 MINUTES 54 SECONDS WEST 177.20 FEET TO A POINT, AND;
5. NORTH 67 DEGREES 46 MINUTES 59 SECONDS WEST 173.16 FEET TO A POINT, AND;
6. SOUTH 22 DEGREES 13 MINUTES 01 SECONDS WEST 305.00 FEET TO A POINT, AND;
7. NORTH 44 DEGREES 54 MINUTES 06 SECONDS WEST 149.06 FEET TO A POINT, AND;
8. SOUTH 45 DEGREES 05 MINUTES 54 SECONDS WEST 20.37 FEET TO A POINT, AND;
9. NORTH 53 DEGREES 58 MINUTES 25 SECONDS WEST 530.43 FEET TO A POINT, AND;
10. NORTH 67 DEGREES 46 MINUTES 59 SECONDS WEST 115.99 FEET TO A POINT, AND;
11. NORTH 22 DEGREES 13 MINUTES 01 SECONDS EAST 543.26 FEET TO THE POINT OF BEGINNING HEREOF.

CONTAINING 507,761 SQUARE FEET (11.66 ACRES) OF LAND, MORE OR LESS.



2012-0152-A

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
9955 Pulaski Highway; S/ S Mohrs Lane, *
453.59' E c/line of Pulaski Highway * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): HD Development of MD, Inc * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2012-152-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.

RECEIVED

JAN 13 2012

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 13th day of January, 2012, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2012-0152-A

Petitioner: HD DEVELOPMENT OF MARYLAND, INC.

Address or Location: 9955 PULASKI HWY

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID H. KARCESKI, ESQ

Address: VENABLE LLP

210 W. PENNSYLVANIA AVE., SUITE 500
TOWSON, MD 21204

Telephone Number: 410-494-6285

CERTIFICATE OF POSTING

2012-0152-A

RE: Case No.: _____

Petitioner/Developer: _____

HD Development of Maryland, Inc.

February 7, 2012

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: # 2012-0152-A

9955 Pulaski Highway

S/s of Mohrs Lane, 453.59 feet east of centerline of Pulaski Highway

15th Election District — 6th Councilmanic District

Legal Owner(s): HD Development of Maryland, Inc.

Variance: to permit two wall-mounted enterprise signs with sign/face areas of 305 square feet each in lieu of the maximum permitted 150 square feet each (Sign Nos. 1 and 3)

Hearing: Tuesday, February 7, 2012 at 11:00 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 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 01/683 January 24 295169

CERTIFICATE OF PUBLICATION

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 1/24/ 2012.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

(Telephone Number)



KEVIN KAMENETZ
County Executive

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

January 30, 2012

Tammy Darling Morris
HD Development of Maryland
2455 Paces Ferry Road
SE Atlanta GA 30339

RE: Case Number 2012-0152-A, 9955 Pulaski Highway

Dear Ms. Morris:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 3, 2012. 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 dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Davis H. Karceski Esquire, Venable LLP, 210 W. Pennsylvania Avenue, Towson, MD 21204

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



MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

Date: 1-9-12

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

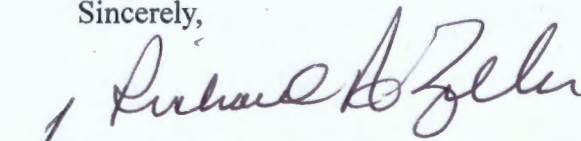
RE: Baltimore County
Item No. 2012-0152-A
Variance
HD Development of MD, Inc.
9955 Pulaski Highway
4540

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 1-9-12. A field inspection and internal review reveals that an entrance onto 4540 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0152-A.

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,


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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

Hearing 2/7/12

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

DATE: January 18, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For January 16, 2011
Item Nos. 2012-152, 153, 154, 155
And 156

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-01162012 -NO COMMENTS.doc



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections
January 17, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0152-A

9955 Pulaski Highway

S/s of Mohrs Lane, 453.59 feet east of centerline of Pulaski Highway

15th Election District – 6th Councilmanic District

Legal Owners: HD Development of Maryland, Inc.

Variance to permit two wall-mounted enterprise signs with sign/face areas of 305 square feet each in lieu of the maximum permitted 150 square feet each (Sign Nos. 1 and 3).

Hearing: Tuesday, February 7, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Tammy Darling Morris, 2455 Paces Ferry Road, SE, Atlanta GA, 30339

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 23, 2012.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

2-7-12

Case No.: 2012-152-A

Exhibit Sheet

Petitioner/Developer

Protestant

DW 2-9-12
3-12-12

No. 1	1A- Plan 1B- Sign Detail Plan	
No. 2	Aerial zoning map	
No. 3	Allen Resume	
No. 4 A-D	Color Photos	
No. 5	New Sign Package Photos	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or not warrant with regard or implied, Baltimore C including b damages, a of, arising f

PETITIONER'S

EXHIBIT NO.

2



MATTHEW T. ALLEN, P.E.

Branch Manager/Senior Project Manager

EDUCATION

M.B.A. Finance
Pennsylvania State University

B.S. Civil Engineering
Pennsylvania State University

PROFESSIONAL AFFILIATIONS

Baltimore County Chamber of
Commerce

American Society of Civil Engineers

National Society of Professional
Engineers

Maryland Society of Professional
Engineers

International Council of Shopping
Centers

National Association of Industrial
and Office Properties

Urban Land Institute

Greater Baltimore Economic Forum

PROFESSIONAL LICENSES

Delaware PE #13499
District of Columbia PE #900965
Maryland PE #28567
Pennsylvania PE #061707
Virginia PE #040239979
West Virginia PE #18065

PROFESSIONAL SUMMARY

Matthew currently serves as currently serves as a Branch Manager for Bohler Engineering's Towson, Maryland Office. Experience includes twelve (12) years of design and project management. Primarily responsible for the daily operation of the Towson Office as well as client and project management for various commercial, residential and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals and related services.

Other areas of expertise include project permitting which includes coordination/procurement of project approvals ranging from zoning to land development to building permits for over 300 projects in over 150 Mid-Atlantic municipalities including Maryland, District of Columbia, Delaware and Pennsylvania.

PROJECT TESTIMONY

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, Board of Supervisors, Zoning Hearing Boards and related municipal entities in Delaware, Maryland and Pennsylvania.

Bohler Engineering

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners
901 Dulaney Valley Road, Suite 801, Towson, MD 21204 • Phone 410-821-7900 • Fax 410-821-7987



1: View looking East from Pulaski Highway



2: View looking East from Pulaski Highway

PETITIONER'S
EXHIBIT NO. 4A

Bohler Engineering

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners
901 Dulaney Valley Road, Suite 801, Towson, MD 21204 • Phone 410-821-7900 • Fax 410-821-7987



3: View looking East from Ex. Wholesale Club



4: View looking East from Main Drive Aisle

Bohler Engineering

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners
901 Dulaney Valley Road, Suite 801, Towson, MD 21204 • Phone 410-821-7900 • Fax 410-821-7987



7: View looking Southeast from Pulaski Highway & Mohrs Lane Intersection



8: View looking Southeast from Pulaski Highway & Mohrs Lane Intersection

Bohler Engineering

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners
901 Dulaney Valley Road, Suite 801, Towson, MD 21204 • Phone 410-821-7900 • Fax 410-821-7987



9: View looking Southeast from Pulaski Highway & Mohrs Lane Intersection



10: View looking Southwest from Pulaski Hwy & Mohrs Lane Intersection

The Icon Companies®



#2502 Baltimore, MD

New Sign Package

1-20-2012

PETITIONER'S

EXHIBIT NO.

5

Storefront Before: 5' THD (Neon) and Tagline (Fluorescent)



Condition: The sign condition is poor. The cans are faded. The trim cap is peeling. Sign has Neon illumination.

Storefront After: 5' THD (LED) and Tagline Removed



After: Removed and disposed of the tagline and the existing 5' THD sign. Patched and painted area behind signage. Installed a new 5' THD with LED illumination centered on front fascia.

Side Elevation Before: 5' THD (Neon)



Condition: Cans and faces are faded. Trim cap is peeling. Sign has Neon illumination.

Side Elevation After: 5' THD (LED)



After: Removed and disposed of the existing 5' THD sign. Installed a new 5' THD with LED illumination in same location.

3' x 10' TRC Before (Fluorescent)



Condition: Sign can is faded. Sign has fluorescent illumination.

3' x 10' TRC After (LED)



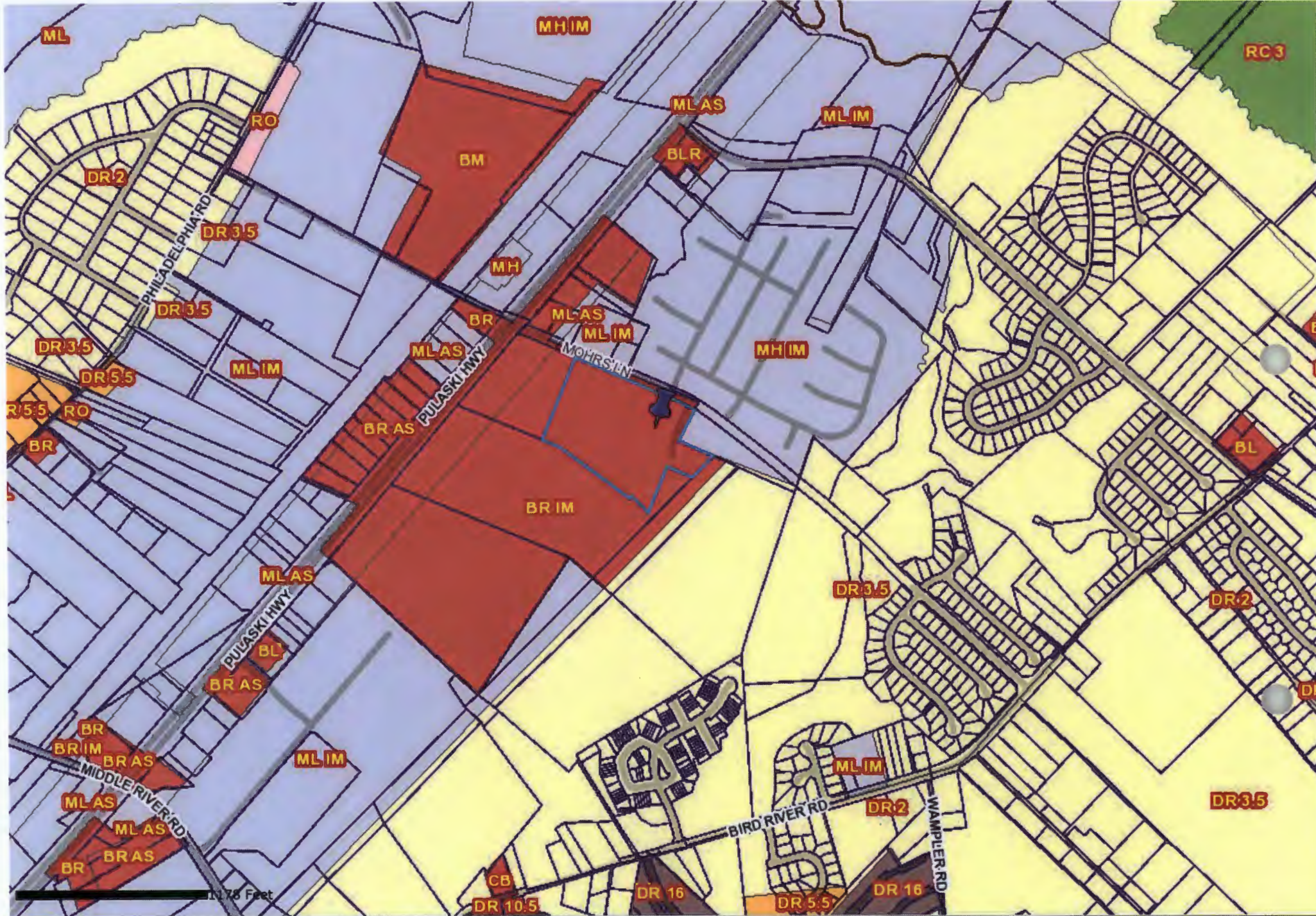
After: Removed and disposed of the 3' x 10' TRC box sign. Installed a new 3' x 10' TRC box sign with LED illumination.

M E M O R A N D U M

DATE: March 13, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0152-A - Appeal Period Expired

The appeal period for the above-referenced case expired on March 12, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings



Civic/Government Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

2012-0152-A

SIGN '1' DETAILS (304.11 S.F.)
NOT TO SCALE

SIGN '3' DETAILS (304.11 S.F.)
NOT TO SCALE

SIGN '2' DETAILS (174.00 S.F.)
NOT TO SCALE



THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE.
(IN VIRGINIA, MARYLAND, AND DELAWARE 811)
(WV 1-800-245-4848) (PA 1-800-242-1776)
(VA 1-800-552-7001) (MD 1-800-287-7777) (DE 1-800-282-8555)

PROJECT:

**SIGN VARIANCE
PLAN**

— FOR —

**HOME DEPOT
USA, INC.**



BOHLER
ENGINEERING

901 DULANEY VALLEY ROAD,
SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
www.BohlerEngineering.com

SHEET TITLE:

PLAN TO
ACCOMPANY
VARIANCE REQUEST

SHEET NUMBER: 2 OF 2 EX 13

PROFESSIONAL CERTIFICATION
I, MATTHEW T. ALLEN, HEREBY CERTIFY THAT THESE
DOCUMENTS 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. 28567, EXPIRATION DATE: 4/16/13