

MEMORANDUM

DATE: August 3, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0284-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 27, 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

CLARIFICATION LETTER



KEVIN KAMENETZ
County Executive

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

July 3, 2012

DAVID KARCESKI, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

RE: Petition for Variance
Case No.: 2012-0284-A
Property: 1955 Joppa Road

Dear Mr. Karceski:

I am in receipt of your e-mail of today's date, and I apologize for the oversight. While the text of the Opinion correctly noted the deletion of signs "J" and "O", the Order itself did not.

As such, this shall serve as a clarification and correction of the June 27, 2012 Order in the above case, that signs "J" and "O" have been removed from the site plan, and that no variance or other zoning relief is requested or granted with respect to these signs. All other aspects of the June 27, 2012 Order shall remain unchanged.

Sincerely,

A handwritten signature in blue ink, appearing to read "JEB", is written over the name John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

John scanned & e-mailed
to David Karceski on 7-3-12

IN RE: PETITION FOR VARIANCE

SE corner of Joppa Road and
Perring Parkway
9th Election District
5th Council District
(1955 Joppa Road)

Shopping Center Associates, et al
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2012-0284-A**

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by David Karceski, Esquire on behalf of the legal owners, Shopping Center Associates, Pennsylvania Shopping Center Associates, Ltd. Partnership, and Federal Realty Investment Trust (the "Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations ("B.C.Z.R."), as follows:

- Section 450.4 Attachment 1, 7(b)(V) and 7(b)(VII), to allow a freestanding joint identification sign with a sign face/area of 230 square feet and a height of 28' in lieu of the three freestanding signs with a sign face/area of 100 square feet and a height of 25 (Sign BB)';
- Section 450.4 Attachment 1, 7(b)(IX), for a freestanding joint identification sign to display 13 lines of text with a sign copy a minimum of 3" in height in lieu of the permitted five lines of text and required 8" height for sign copy (Sign BB);
- Section 450.4 Attachment 1, 7(a)(VI), to allow a wall-mounted joint identification sign on a side of building without frontage on a public street (Sign O);
- Section 450.4 Attachment 1, 5(a)(IX) and 5(a)(VI), to allow three wall-mounted enterprise signs with maximum sign face/areas of 290 square feet each in lieu of the maximum

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By BM

permitted 150 square feet each and to allow a total of four wall-mounted enterprise signs on a single tenant building in lieu of the three signs permitted (Signs T, U, V, W);

- Section 450.4 Attachment 1, 5(d)(V), to allow wall-mounted enterprise signs for a tenant within a multi-tenant building to exceed the permitted sign/face area of two times the length of the wall containing the exterior entrance defining the space occupied by the separate commercial entity (Signs D [350 square feet in lieu of 320 square feet], E [350 square feet in lieu of 262 square feet], P [135 square feet in lieu of 106 square feet]);
- Section 450.4 Attachment 1, 5(d)(VI), to allow up to seven wall-mounted enterprise signs on a building façade with a single separate, exterior customer entrance (Signs D, F, P) and to allow wall-mounted enterprise signs on a building façade without a separate, exterior customer entrance (Signs A, B, J, L, S, X);
- Section 450.4 Attachment 1, 5(d)(V) and (d)(VI), to allow a wall-mounted enterprise sign to be installed in a different location than the tenant space (Sign S);
- Section 450.4 Attachment 1, 3(a)(VII), to allow a directional sign height of 7' feet in lieu of the permitted 6' (Sign G);
- Section 450.5.B.9.a, to allow canopy signs to extend no more than 3' above the face of the canopy (Signs M, N, P, Q, Y, Z, AA), in lieu of on the face of a canopy, and
- Section 450.5.B.1.b, to allow a tenant logo that is 9 square feet in size on the vertical surface of an awning (Sign Y), in lieu of the permitted 8 square feet.

The subject property and requested relief is more fully depicted on the redlined, four sheet site plan that was marked and accepted into evidence as Petitioners' Exhibits 1A-1D.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Planning, dated June 18,

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By pm

2012, indicating that department does not oppose the variances subject to the following:

1. Petitioner has agreed that the existing sign "J" and the existing sign "O" will be removed.
2. The dimensions on proposed sign "S" as shown on the site plan appears to be smaller than the sign to be constructed. Revise the dimension notation to reflect the correct dimensions.

Petitioners' Counsel indicated his clients were amenable to these changes, and the site plan was amended to reflect the removal of signs "J" and "O". See Exhibit 1C.

Appearing at the public hearing in support for this case were Chris Weber with Federal Realty and A. Volanth with Bohler Engineering, the consulting firm that prepared the site plan. David Karceski, Esquire appeared as counsel and represented Petitioners. There were no Protestants or interested citizens at the hearing, and the file does not contain any letters of opposition. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

Testimony and evidence revealed that the subject property is 29+/- acres zoned BL-CCC. The property is improved with a strip shopping center and a "big box" Home Depot store, and it is positioned at the crossroads of four thoroughfares: I-695, Joppa Road, Perring Parkway and Satyr Hill Road. The center was developed in or about 1963, and the Petitioners filed the petition in this case to update the signage in contemplation of the abatement provisions of the sign regulations.

Based upon the testimony and evidence presented, I will grant the request for variance relief. The shopping center is very large and has a number of different tenants, and the relief sought is reasonable in light of these factors.

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

- (1) The property is unique; and

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Date 6-27-12 3

By pm

- (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).

Petitioners have met this test.

Petitioners presented the testimony (via proffer) of Adam Volanth, P.E., who was accepted as an expert in land use matters and the Baltimore County sign regulations. Mr. Volanth testified the site was uniquely shaped (almost like an amoeba) and it was constructed before the modern sign regulations. Mr. Volanth also testified that the topography presented a challenge, as shown on the photos marked as Exhibits 5A-C, because the shopping center was at a higher elevation than Joppa Road, which prevents motorists or pedestrians from identifying the particular retailers located in the center. Finally, Mr. Volanth mentioned a 1993 zoning case involving the subject property (#93-179-A), in which the Zoning Commissioner found the property to be "unique," and the witness also stressed the site was large (29 acres) yet had only a small frontage along Joppa Road (the main thoroughfare access point).

Petitioners would suffer a hardship if relief was denied, since they would need to dismantle and remove several signs that have been present for many years without complaint. Counsel stressed that the center has numerous tenants, and that each sign therefore serves a specific purpose. This is in fact one of the principle tenets of the sign regulations; i.e., that signage not be excessive or cluttered.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioners' variance request should be granted.

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Date 6-27-12

By BJ

THEREFORE, IT IS ORDERED, this 27 day of June, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from the Baltimore County Zoning Regulations ("B.C.Z.R."), as follows:

- Section 450.4 Attachment 1, 7(b)(V) and 7(b)(VII), to allow a freestanding joint identification sign with a sign face/area of 230 square feet and a height of 28' in lieu of the three freestanding signs with a sign face/area of 100 square feet and a height of 25 (Sign BB)';
- Section 450.4 Attachment 1, 7(b)(IX), for a freestanding joint identification sign to display 13 lines of text with a sign copy a minimum of 3" in height in lieu of the permitted five lines of text and required 8" height for sign copy (Sign BB);
- Section 450.4 Attachment 1, 7(a)(VI), to allow a wall-mounted joint identification sign on a side of building without frontage on a public street (Sign O);
- Section 450.4 Attachment 1, 5(a)(IX) and 5(a)(VI), to allow three wall-mounted enterprise signs with maximum sign face/areas of 290 square feet each in lieu of the maximum permitted 150 square feet each and to allow a total of four wall-mounted enterprise signs on a single tenant building in lieu of the three signs permitted (Signs T, U, V, W);
- Section 450.4 Attachment 1, 5(d)(V), to allow wall-mounted enterprise signs for a tenant within a multi-tenant building to exceed the permitted sign/face area of two times the length of the wall containing the exterior entrance defining the space occupied by the separate commercial entity (Signs D [350 square feet in lieu of 320 square feet], E [350 square feet in lieu of 262 square feet], P [135 square feet in lieu of 106 square feet];
- Section 450.4 Attachment 1, 5(d)(VI), to allow up to seven wall-mounted enterprise signs on a building façade with a single separate, exterior customer entrance (Signs D, F, P) and

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By pm

to allow wall-mounted enterprise signs on a building façade without a separate, exterior customer entrance (Signs A, B, J, L, S, X);

- Section 450.4 Attachment 1, 5(d)(V) and (d)(VI), to allow a wall-mounted enterprise sign to be installed in a different location than the tenant space (Sign S);
- Section 450.4 Attachment 1, 3(a)(VII), to allow a directional sign height of 7' feet in lieu of the permitted 6' (Sign G);
- Section 450.5.B.9.a, to allow canopy signs to extend no more than 3' above the face of the canopy (Signs M, N, P, Q, Y, Z, AA), in lieu of on the face of a canopy, and
- Section 450.5.B.1.b, to allow a tenant logo that is 9 square feet in size on the vertical surface of an awning (Sign Y), in lieu of the permitted 8 square feet,

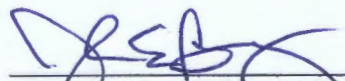
be and are hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon 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.

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

JEB:pz



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 6-27-18

By  6



KEVIN KAMENETZ
County Executive

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

June 27, 2012

DAVID KARCESKI, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

RE: Petition for Variance
Case No.: 2012-0284-A
Property: 1955 Joppa Road

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 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the name John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

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 1955 Joppa Road which is presently zoned BL-CCC
Deed References: 6237/656 10 Digit Tax Account # 0919329452 & 0919076600
Property Owner(s) Printed Name(s) SEE ATTACHED

(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, Esq.

Name- Type or Print

Signature

210 W. Pennsylvania Avenue, Ste. 500
Towson MD

Mailing Address City State

21204 / 494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1626 E. Jefferson Street, Rockville, MD

Mailing Address City State

20852 / 301-998-8218 / cweber@federalrealty.com

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esq.

Name - Type or Print

Signature

210 W. Pennsylvania Avenue, Ste. 500
Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2012-0284-A

Filing Date 5/8/12

Do Not Schedule Dates: _____

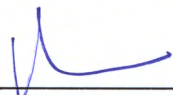
Reviewer Th

**Attachment to
Petition for Variance**

1955 Joppa Road

LANDLORD:

**SHOPPING CENTER ASSOCIATES, d/b/a PENNSYLVANIA SHOPPING
CENTER ASSOCIATES LIMITED PARTNERSHIP, a Pennsylvania
limited partnership, by its sole general partner, FEDERAL REALTY
INVESTMENT TRUST, a Maryland real estate investment trust**

By: 

Name: Deborah A. Colson

Title: Senior Vice President-Legal Operations

**Attachment to Petition for Variance
1955 Joppa Road**

The following variances are requested from Section 450.4 Attachment 1 of the Baltimore County Zoning Regulations:

From 7(b)(V) and 7(b)(VII) to allow a freestanding joint identification sign with a sign face/area of 230 square feet and height of 28 feet in lieu of the three permitted freestanding signs with a sign face/area of 100 square feet each and height of 25 feet (Sign BB).

From 7(b)(IX) for a freestanding joint identification sign to display 13 lines of text with a sign copy a minimum of three inches in height in lieu of the permitted 5 lines of text and required 8 inch height for sign copy (Sign BB).

From 7(a)(VI) to allow a wall-mounted joint identification sign on a side of building without frontage on a public street (Sign O).

From 5(a)(IX) and 5(a)(VI) to allow three wall-mounted enterprise signs with maximum sign face/areas of 290 square feet each in lieu of the maximum permitted 150 square feet each and to allow a total of four wall-mounted enterprise signs on a single tenant building in lieu of the three signs permitted (Signs T, U, V, W).

From 5(d)(V) to allow wall-mounted enterprise signs for a tenant within a multi-tenant building to exceed the permitted sign/face area of two times the length of the wall containing the exterior entrance defining the space occupied by the separate commercial entity (Signs D [350 square feet in lieu of 320 square feet], E [350 square feet in lieu of 262 square feet], P [135 square feet in lieu of 106 square feet]).

From 5(d)(VI) to allow up to seven wall-mounted enterprise signs on a building façade with a single separate, exterior customer entrance (Signs D, F, P) and to allow wall-mounted enterprise signs on a building facade without a separate, exterior customer entrance (Signs A, B, J, L, S, X).

From 5(d)(V) and (d)(VI) to allow a wall-mounted enterprise sign to be installed in a different location than the tenant space (Sign S).

From 3(a)(VII) to allow a directional sign height of 7 feet in lieu of the permitted 6 feet (Sign G).

Variance from BCZR Section 450.5.B.9.a to allow canopy signs to extend no more than three feet above the face of the canopy (Signs M, N, P, Q, Y, Z, AA). *in lieu of on the face of a canopy* **OK**

Variance from BCZR Section 450.5.B.1.b to allow a tenant logo that is 9 square feet in size on the vertical surface of an awning (Sign Y). *in lieu of the permitted 8 square feet.* **OK**

0284-A

PROPERTY DESCRIPTION (PARCEL 623)

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF JOPPA ROAD, EXISTING 100 FOOT WIDTH RIGHT OF WAY, AT A POINT LYING 111.10' FEET WESTERLY FROM THE CENTERLINE OF THE PAVING OF PERRING PARKWAY AND RUNNING NORTH 72 DEGREES 34 MINUTES 33 SECONDS EAST 49.17 FEET TO A POINT, AND; NORTH 33 DEGREES 23 MINUTES 13 SECONDS EAST 200.25 FEET TO A POINT, AND; NORTH 24 DEGREES 35 MINUTES 13 SECONDS EAST 251.35 FEET TO A POINT, AND; NORTH 30 DEGREES 31 MINUTES 28 SECONDS EAST 30.35 FEET TO A POINT, AND; NORTH 16 DEGREES 42 MINUTES 19 SECONDS WEST 202.19 FEET TO A POINT, AND; NORTH 59 DEGREES 28 MINUTES 32 SECONDS WEST 28.89 FEET TO A POINT, AND; NORTH 36 DEGREES 03 MINUTES 31 SECONDS WEST ALONG SAID CURVE AN ARC DISTANCE OF 256.67 FEET THROUGH A CENTRAL ANGLE OF 46 DEGREES 50 MINUTES 02 SECONDS, A RADIAL TO A POINT, AND; NORTH 04 DEGREES 38 MINUTES 43 SECONDS WEST 143.77 FEET TO A POINT, AND; NORTH 12 DEGREES 38 MINUTES 30 SECONDS WEST 4.38 FEET TO A POINT, AND; RUNNING:

1. SOUTH 78 DEGREES 00 MINUTES 45 SECONDS WEST 286.26 FEET TO A POINT, AND;
2. SOUTH 11 DEGREES 59 MINUTES 15 SECONDS EAST 107.29 FEET TO A POINT, AND;
3. SOUTH 78 DEGREES 00 MINUTES 45 SECONDS WEST 162.76 FEET TO A POINT, AND;
4. NORTH 11 DEGREES 59 MINUTES 16 SECONDS WEST 180.62 FEET TO A POINT, AND;
5. SOUTH 76 DEGREES 06 MINUTES 28 SECONDS WEST 433.94 FEET TO A POINT, AND;
6. NORTH 25 DEGREES 28 MINUTES 40 SECONDS WEST 27.71 FEET TO A POINT, AND;
7. NORTH 11 DEGREES 43 MINUTES 20 SECONDS WEST ALONG SAID CURVE AN ARC DISTANCE OF 199.27 FEET THROUGH A CENTRAL ANGLE OF 27 DEGREES 30 MINUTES 41 SECONDS, A RADIAL TO A POINT, AND;
8. NORTH 02 DEGREES 02 MINUTES 00 SECONDS EAST 360.32 FEET TO A POINT, AND;
9. NORTH 02 DEGREES 37 MINUTES 11 SECONDS WEST ALONG SAID CURVE AN ARC DISTANCE OF 147.80 FEET THROUGH A CENTRAL ANGLE OF 09 DEGREES 18 MINUTES 22 SECONDS, A RADIAL TO A POINT, AND;
10. NORTH 07 DEGREES 16 MINUTES 22 SECONDS WEST 66.20 FEET TO A POINT, AND;
11. SOUTH 87 DEGREES 33 MINUTES 28 SECONDS WEST 458.49 FEET TO A POINT, AND;
12. NORTH 12 DEGREES 10 MINUTES 49 SECONDS WEST 13.26 FEET TO A POINT, AND;
13. SOUTH 51 DEGREES 06 MINUTES 40 SECONDS EAST 32.58 FEET TO A POINT, AND;
14. SOUTH 12 DEGREES 10 MINUTES 49 SECONDS EAST 155.12 FEET TO A POINT, AND;
15. NORTH 85 DEGREES 49 MINUTES 11 SECONDS EAST 142.74 FEET TO A POINT, AND;
16. SOUTH 51 DEGREES 06 MINUTES 40 SECONDS EAST 182.73 FEET TO A POINT, AND;

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17. SOUTH 22 DEGREES 17 MINUTES 50 SECONDS EAST ALONG SAID CURVE AN
ARC DISTANCE OF 219.08 FEET THROUGH A CENTRAL ANGLE OF 19
DEGREES 18 MINUTES 39 SECONDS, A RADIAL TO A POINT, AND;
18. SOUTH 12 DEGREES 38 MINUTES 30 SECONDS EAST 225.63 FEET TO A POINT.

CONTAINING 589,069 SQUARE FEET (13.52 ACRES) OF LAND, MORE OR LESS.

0284-A

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: 2012-0284-A
Petitioner: Shopping Center Associates d/b/a Pennsylvania Shopping Center Associates
Address or Location: Limited Partnership 1955 Joppa Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: David H. Karceski
Address: 210 W Pennsylvania Ave Ste 500
Towson MD 21204
Telephone Number: 410-494-6285

Revised 2/17/11 DT

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

No.

83459

Date:

5/8/12

Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
806	0000	74	6150				385.00

Total:

385.00

Venable LLP

1955 Joppa Rd

2012-0284-A

Drop off

DISTRIBUTION

1 - CASHIER

1 - PINK - AGENCY

1 - YELLOW - CUSTOMER

1 - GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS RETURN TIME DAY
 5/09/2012 5/09/2012 09:14:21 2

REG 0502 MARYLAND DEPT JEE
 RECEIPT # 770606 5/09/2012 OFFICE

Dept 5 520 JONING VERIFICATION

CR NO. 003459

Recpt Tot. \$385.00

\$385.00 CI 1.00 CA

Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

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: # 2012-0284-A

1955 Joppa Road

SE/corner of Joppa Road and Perring Parkway

9th Election District - 5th Councilmanic District

Legal Owner(s): Shopping Center Associates,

Pennsylvania Shopping Center Assoc., Ltd.

Variance: to allow a freestanding joint identification sign with a sign face/area of 230 sq. ft. and a height of 28 ft. in lieu of the three permitted freestanding signs with a sign face/area of 100 sq. ft. and a height of 25 ft.; for a free standing joint identification sign to display 13 lines of text with a sign copy a minimum of three inches in height in lieu of the permitted 5 lines of text and required 8 inch height for sign copy (Sign BB); to allow a wall-mounted joint identification sign on a side of building without frontage on a public street; to allow 3 wall-mounted enterprise signs with maximum sign face/areas of 290 sq. ft. each in lieu of the maximum permitted 150 sq. ft. each and to allow a total of four wall-mounted enterprise signs on a single tenant building in lieu of the three signs permitted; to allow wall-mounted enterprise signs for a tenant within a multi-tenant building to exceed the permitted sign/face area of two times the length of the wall containing the exterior entrance defining the space occupied by the separate commercial entity (350 sq. ft. in lieu of 320 sq. ft.), (350 sq. ft. in lieu of 262 sq. ft.) (135 sq. ft. in lieu of 106 sq. ft.); to allow up to 7 wall-mounted enterprise signs on a building facade with a single separate, exterior customer entrance; to allow wall-mounted enterprise signs on a building facade without a separate, exterior customer entrance; to allow a wall-mounted enterprise sign to be installed in a different location than the tenant space; to allow a directional sign height of 7 ft. in lieu of the permitted 6 ft.; to allow canopy signs to extend no more than three feet above the face of the canopy in lieu of on the face of a canopy; to allow a tenant logo that is 9 sq. ft. in size on the vertical surface of an awning in lieu of the permitted 8 sq. ft.

Hearing: Tuesday, June 26, 2012 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 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/6/22 June 5 303890

CERTIFICATE OF PUBLICATION

6/7/2012

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 6/5/2012.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0284-A

RE: Case No.: _____

Petitioner/Developer: _____

**Shopping Center Associates
Pennsylvania Shopping Center Associates, Ltd**

June 26, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

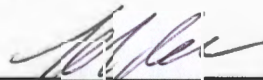
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1955 Joppa Road

June 6, 2012

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

Sincerely,



June 6, 2012

(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)

10

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 5, 2012 Issue - Jeffersonian

Please forward billing to:

David Karceski
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6285

CORRECTED 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: 2012-0284-A

1955 Joppa Road

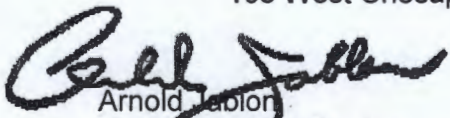
SE/corner of Joppa Road and Perring Parkway

9th Election District – 5th Councilmanic District

Legal Owners: Shopping Center Associates, Pennsylvania Shopping Center Assoc., Ltd.

Variance to allow a freestanding joint identification sign with a sign face/area of 230 sq. ft. and a height of 28 ft. in lieu of the three permitted freestanding signs with a sign face/area of 100 sq. ft. and a height of 25 ft; for a free standing joint identification sign to display 13 lines of text with a sign copy a minimum of three inches in height in lieu of the permitted 5 lines of text and required 8 inch height for sign copy (Sign BB); to allow a wall-mounted joint identification sign on a side of building without frontage on a public street; to allow 3 wall-mounted enterprise signs with maximum sign face/areas of 290 sq. ft. each in lieu of the maximum permitted 150 sq. ft. each and to allow a total of four wall-mounted enterprise signs on a single tenant building in lieu of the three signs permitted; to allow wall-mounted enterprise signs for a tenant within a multi-tenant building to exceed the permitted sign/face area of two times the length of the wall containing the exterior entrance defining the space occupied by the separate commercial entity (350 sq. ft. in lieu of 320 sq ft), (350 sq ft in lieu of 262 sq ft) (135 sq ft in lieu of 106 sq ft); to allow up to 7 wall-mounted enterprise signs on a building façade with a single separate, exterior customer entrance, to allow wall-mounted enterprise signs on a building façade without a separate, exterior customer entrance; to allow a wall-mounted enterprise sign to be installed in a different location than the tenant space; to allow a directional sign height of 7 ft in lieu of the permitted 6 ft; to allow canopy signs to extend no more than three feet above the face of the canopy in lieu of on the face of a canopy; to allow a tenant logo that is 9 sq. ft. in size on the vertical surface of an awning in lieu of the permitted 8 sq ft.

Hearing: Tuesday, June 26, 2012 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 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

May 30, 2012

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

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105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Deborah Colson, 1626 E. Jefferson St., Rockville 20852

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 6, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
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Tuesday, June 5, 2012 Issue - Jeffersonian

Please forward billing to:

David Karceski
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6285

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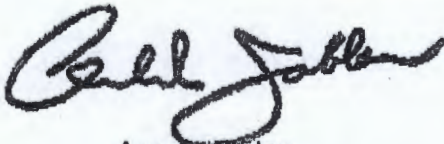
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9th Election District – 5th Councilmanic District

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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
May 29, 2012 *Deputy*

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

NOTICE OF ZONING HEARING

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Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Deborah Colson, 1626 E. Jefferson St., Rockville 20852

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 6, 2012.**
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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



KEVIN KAMENETZ
County Executive

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

June 20, 2012

Shopping Center Associates
Deborah A Colson
1626 E. Jefferson Street
Rockville, MD 20852

RE: Case Number: 2012-0284, Address: 1955 Joppa Road

Dear Ms. Colson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 8, 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 black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel
David Karceski, Esq., 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 30, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For June 4, 2012
Item Nos. 2012-0284, 0289, 0290, 0291, 0292, 0293
And 0294.

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-06042012-NO COMMENTS.doc

6/26/12

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
JUN 16 2012
OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: June 15, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0284-A
Address 1955 Joppa Road
(Perring Plaza)

Zoning Advisory Committee Meeting of May 21, 2012.

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

Reviewer: *Jeff Livingston; Development Coordination*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 18, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1955 Joppa Road

INFORMATION:

Item Number: 12-284

Petitioner: Shopping Center Associates

Zoning: BL-CCC

Requested Action: Variance

RECEIVED

JUN 19 2012

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The subject of the variances requested is as follows:

- To allow a freestanding joint identification sign with a sign face/area of 230 square feet and height of 28 feet in lieu of the three permitted freestanding signs with a sign face/area of 100 square feet each and height of 25 feet (Sign BB).
- To allow a freestanding joint identification sign to display 13 lines of text with a sign copy of minimum of three inches in height in lieu of 5 lines of text (Sign BB).
- To allow a wall mounted joint identification sign on a side of building without frontage on a public street (Sign O).
- To allow three wall mounted enterprise signs with maximum sign/face areas of 290 square feet in lieu of the maximum permitted 150 square feet each and to allow a total of four wall mounted enterprise signs on a single tenant building in lieu of the three permitted signs (Signs T, U, V, W).
- To allow wall mounted enterprise signs for a tenant with a multi-tenant building to exceed there permitted sign/face area of two times the length of the wall containing the exterior entrance defining the space occupied by the separate commercial entity (Signs D, E, P).
- To allow up to seven wall mounted enterprise signs on a building façade with a single exterior entrance (signs (D,F,P) and to allow wall mounted signs on a building façade with a separate exterior customer entrance (Signs A, B, J, L, S, X).
- To allow a wall mounted enterprise sign to be installed in a different location then the tenant space (Sign S).
- To allow a directional sign height of 7 feet in lieu of the permitted 6 feet (Sign G).

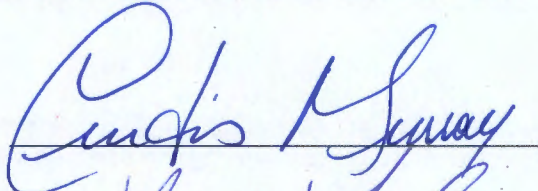
- To allow canopy signs to extend no more than three feet above the face of the canopy (Signs M, N, P, Q, Y, Z, AA).
- To allow a tenant logo that is 9 separate feet in size on the vertical surface of an awning (Sign Y).

The Department of Planning does not oppose the aforementioned variances subject to the following:

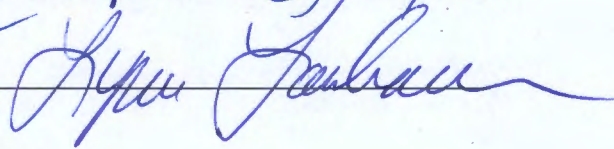
1. Petitioner has agreed that the existing sign "J" and the existing sign "O" will be removed.
2. The dimensions on proposed sign "S" as shown on the site plan appears to be smaller than the sign to be constructed. Revise the dimension notation to reflect the correct dimensions.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by:



Division Chief:
AVA/LL: CM



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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 5-21-12

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

RE: Baltimore County
Item No. 2012-0284-A
Variance
Shopping Center Associates
1955 Joppa Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2012-0284-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

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

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1955 Joppa Rd; SE/Cor Joppa Rd & Perring Parkway		
9 th Election & 5 th Councilmanic Districts	*	OF ADMINISTRATIVE
Legal Owner(s): Shopping Center Associates,		
Pennsylvania Shopping Center Associates Ltd *		HEARINGS FOR
Partnership, Federal Realty Investment Trust		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2012-284-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

RECEIVED

MAY 21 2012

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of May, 2012, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

John Beverungen - Case No. 2012-0284-A

From: "Karciski, David H." <DKarciski@Venable.com>
To: "jbeverungen@baltimorecountymd.gov" <jbeverungen@baltimorecountymd.gov>
Date: 07/03/12 11:33 AM
Subject: Case No. 2012-0284-A

Dear Judge Beverungen:

You indicated on Page 3 of the Order and Opinion issued in the above-referenced case that Petitioner's Counsel amended the site plan, accepted into evidence as Petitioner's Exhibit 1, to reflect removal of Signs "J" and "O". Petitioner, therefore, requests that you issue a letter clarifying that the zoning relief granted in Case No. 2012-0284-A does not include variances for Signs "J" and "O." I spoke by telephone with Carole Demilio, Deputy People's Counsel, to inform her office that I will provide a copy of the letter upon receipt.

Thank you for your consideration of this request.

David

David Karciski, Esq. | Venable LLP
 t 410.494.6285 | f 410.821.0147 | m 443.956.7425
 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

DKarciski@Venable.com | www.Venable.com

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

6-26 10am

Debra Wiley - Fwd: ZAC Comments - CORRECTION - Distribution Mtg. of May 21

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 5/21/2012 1:18 PM.
Subject: Fwd: ZAC Comments - CORRECTION - Distribution Mtg. of May 21
Attachments: ZAC Comments - Distribution Mtg. of June 4th

2012-0284-A

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

Debra Wiley - ZAC Comments - Distribution Mtg. of June 4th

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 5/21/2012 1:11 PM
Subject: ZAC Comments - Distribution Mtg. of June 4th *May 21*

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0284-A - 1955 Joppa Road
No hearing date assigned in data base as of today

2012-0289-A - 2401 Cleanleigh Dr.
No hearing date assigned in data base as of today

2012-0290-A - 13215 Eastern Avenue
Administrative Variance - Closing Date: 6/11

2012-0291-XA - 27 Glen Alpine Rd.
No hearing date assigned in data base as of today

2012-0292-A - 2105 Burdock Rd.
Administrative Variance - Closing Date: 6/11

2012-0293-A - 8 Park Dr.
Administrative Variance - Closing Date: 6/11

2012-0294-A - 10 Flintridge Ct.
Administrative Variance - Closing Date: 6/11

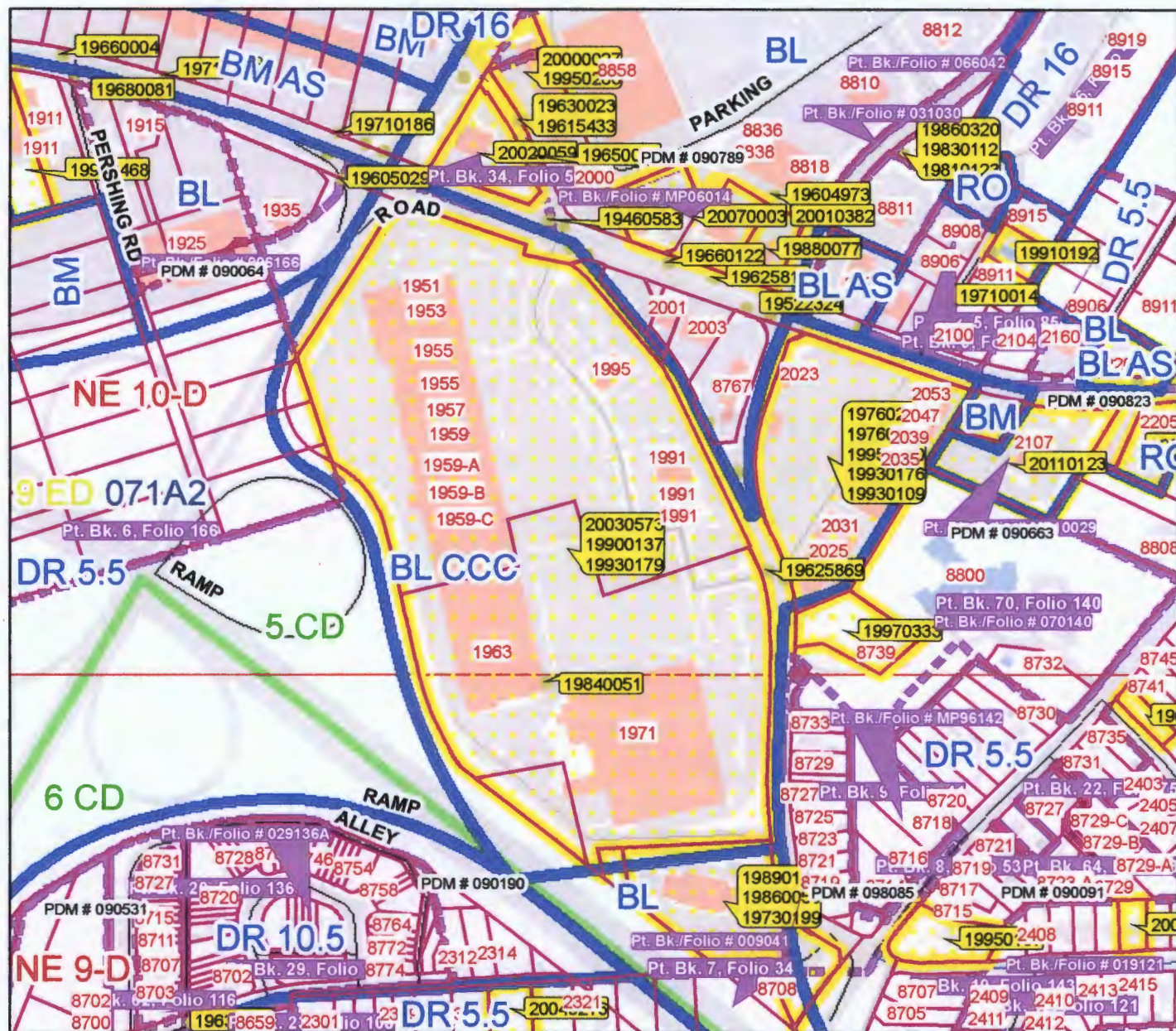
Thanks.

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

CASE NAME 1955 Joppa Road
CASE NUMBER 2012-284-A
DATE 6/26/12

[illegible]

2012-0284-A



Publication Date: May 08, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



0 400 800 Feet

1 inch = 400 feet

6-26-12

Case No.: 2012-284-A

Exhibit Sheet

Petitioner/Developer

Protestant

100
8/3/12

No. 1 IA- ID	Site Plan 4 sheet Redlined	
No. 2	CV-Volanth	
No. 3	Aerial Photo	
No. 4	Tax Map	
No. 5	BA-C Photos of Vicinity.	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



ADAM VOLANTH, P.E.

Principal

EDUCATION

B.S. Civil Engineering
Bucknell University

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers

National Society of Professional
Engineers

International Council of Shopping
Centers

NAIOP

Northern Virginia Building Industry
Association

District of Columbia Building
Industry Association

Maryland National Capital Building
Industry Association

Urban Land Institute

Home Builders Association of
Maryland

Engineers and Surveyors Institute

Society of College and University
Planning

George Mason University Civil
Engineering Institute - Board of
Directors

PROFESSIONAL LICENSES

Alabama PE #23727

Delaware PE #10734

District of Columbia PE #749010726

Illinois PE #062054301

Maryland PE #21342

New Jersey PE #39339

North Carolina PE #23432

Ohio PE #E-64321

Pennsylvania PE #048314E

South Carolina PE #20143

Virginia PE #031438

West Virginia PE #14155

PROFESSIONAL SUMMARY

Adam currently serves as the Mid-Atlantic Region Manager for Bohler Engineering. He is primarily responsible for the strategic operations of Bohler offices in Sterling and Warrenton, VA and Bowie and Towson, MD.

EXPERIENCE

Throughout his extensive career, Adam has overseen the development of many multi-faceted projects; including the design of various commercial, residential, and industrial developments. He has experience in site feasibility analyses, zoning and subdivision/land development, ordinance review/interpretation, landscape design and all other areas pertinent to Civil Engineering.

Adam is directly responsible for several national corporate accounts located in Maryland, Virginia, and DC and has cultivated and maintained several client relationships for both the Mid-Atlantic Region and our corporate offices. These relationships have allowed Adam to become involved with many key influential organizations which impact the future direction of regulatory advancements. These organizations include:

- ICSC
- DCBIA Committee on the Environment
- DCBIA Retail Committee
- MNCBIA/NVBIA
- ULI
- NAIOP
- HBAM

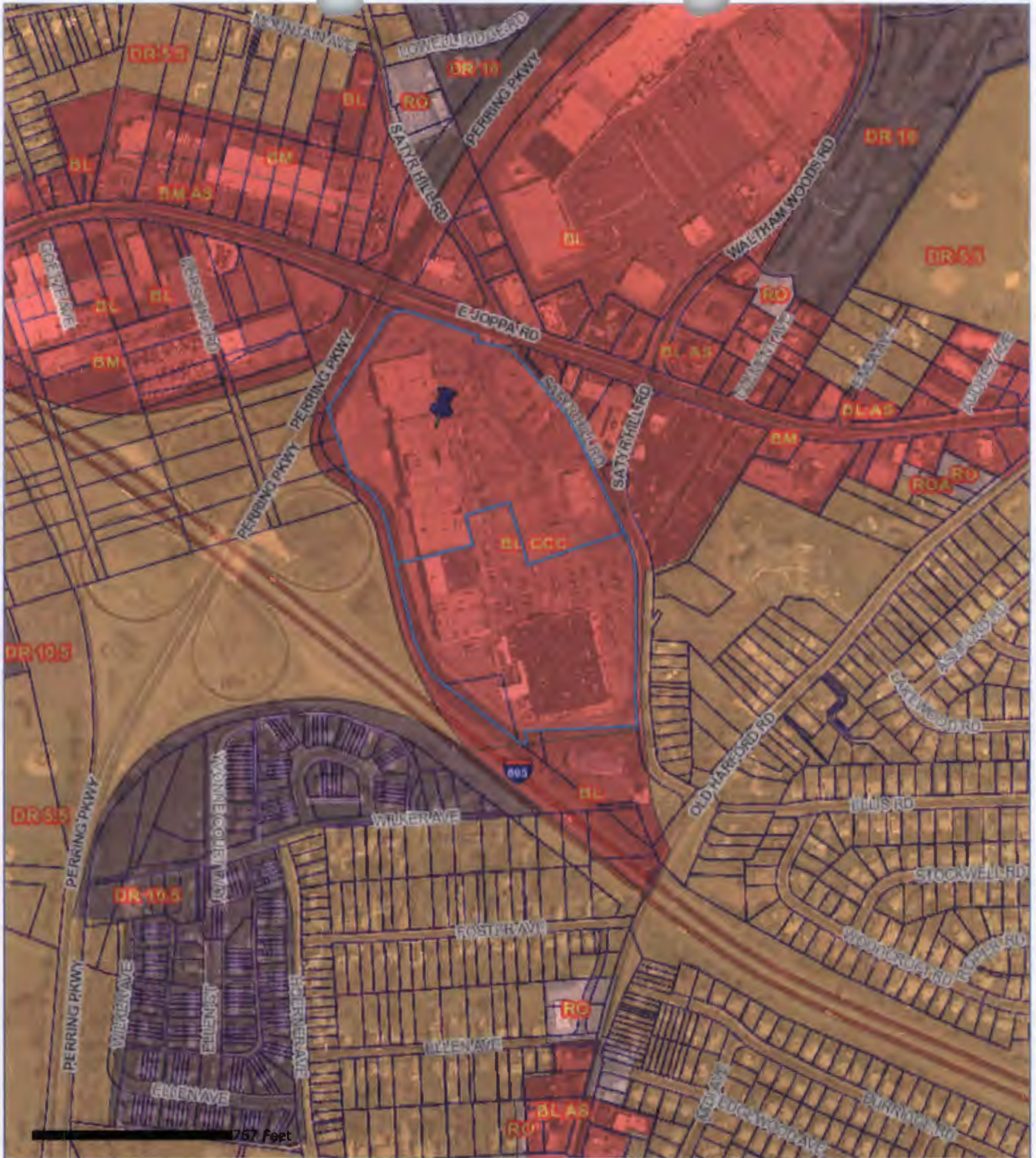
While Adam continues to lead Bohler's strategic growth, he is still an accessible asset to every Bohler project, providing guidance and creative solutions to both employees and clients. Overseeing over 150 employees, he relies on the strengths of his Branch Managers and Senior Project Managers for the coordination of daily operations. Adam's professionalism, eye for detail, and uncompromising determination to deliver results have distinguished him as one of the Company's top Managers.

At Bohler, we have built our reputation on our ability to provide excellence in everything that we do. Our Core Values act as a guide for our staff in their day-to-day commitment to providing cutting edge design ideas and innovative design solutions. Our commitment to quality design, customer service, and teamwork provides our Clients with the opportunity to partner with a winning team that has a proven track record of success.

PETITIONER'S

EXHIBIT NO.

2



	My Neighborhood Map	Created By Baltimore County My Neighborhood 	This data is only for general information purposes only. This data may be inaccurate, does not constitute a warranty, and should not be used for or reliance upon this data. PETITIONER'S EXHIBIT NO. 3
--	-----------------------------------	--	--



PETITIONER'S

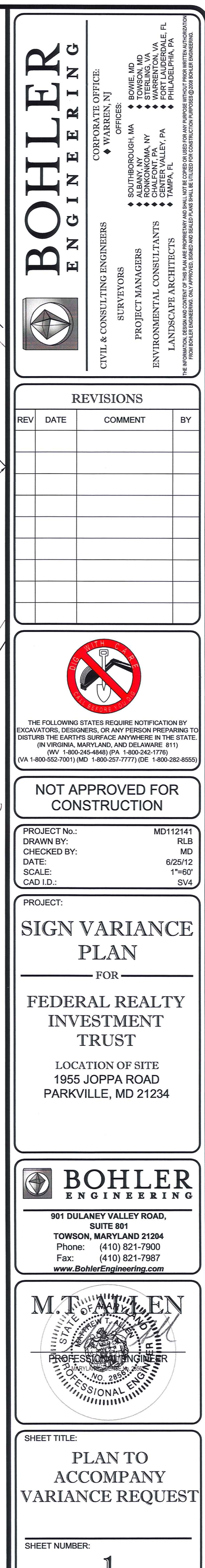
EXHIBIT NO. 5A



PETITIONER'S
EXHIBIT NO. SB



PETITIONER'S
EXHIBIT NO. SC



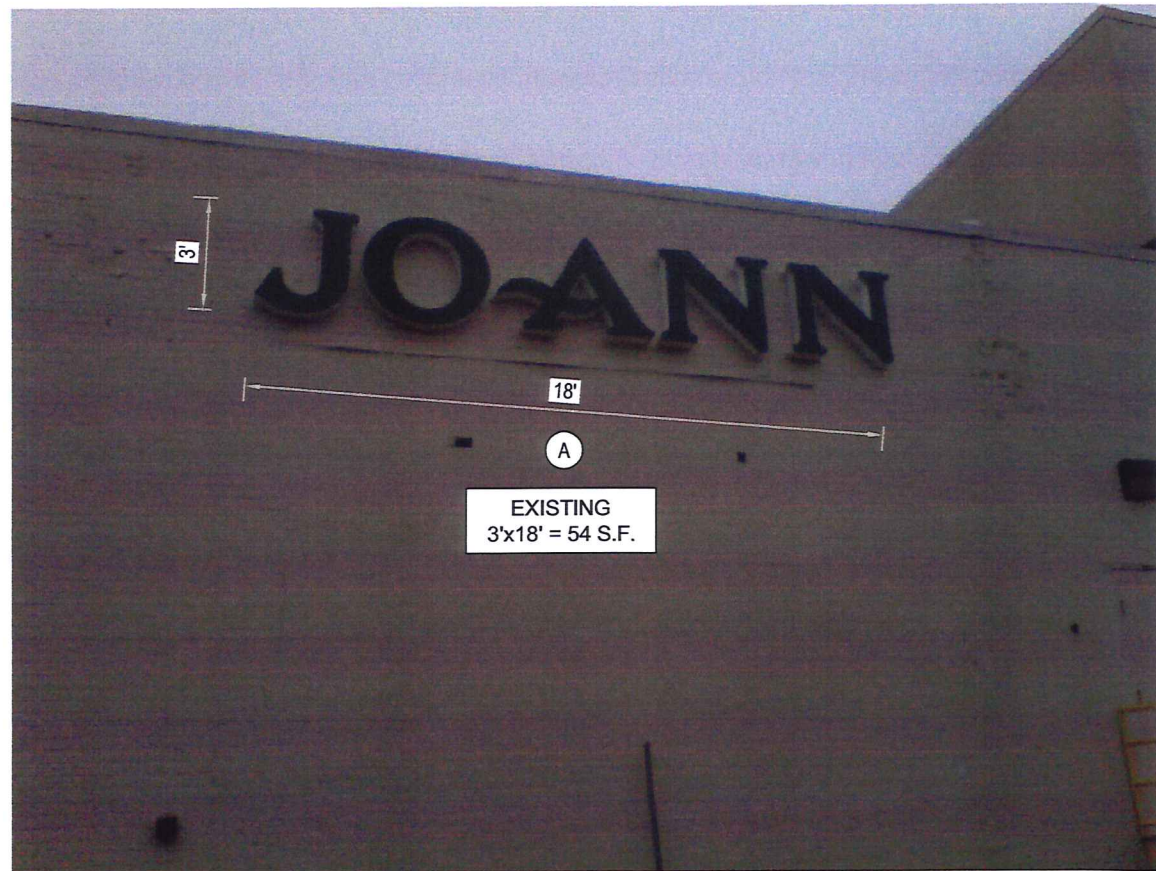


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NOT TO SCALE



PHOTO "B"
NOT TO SCALE

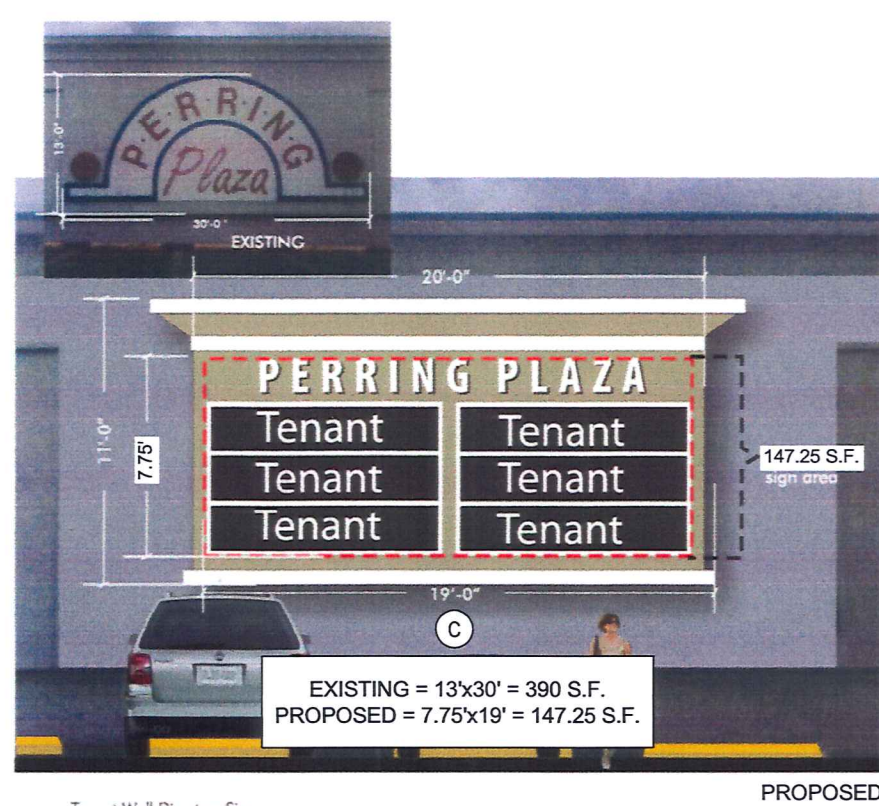
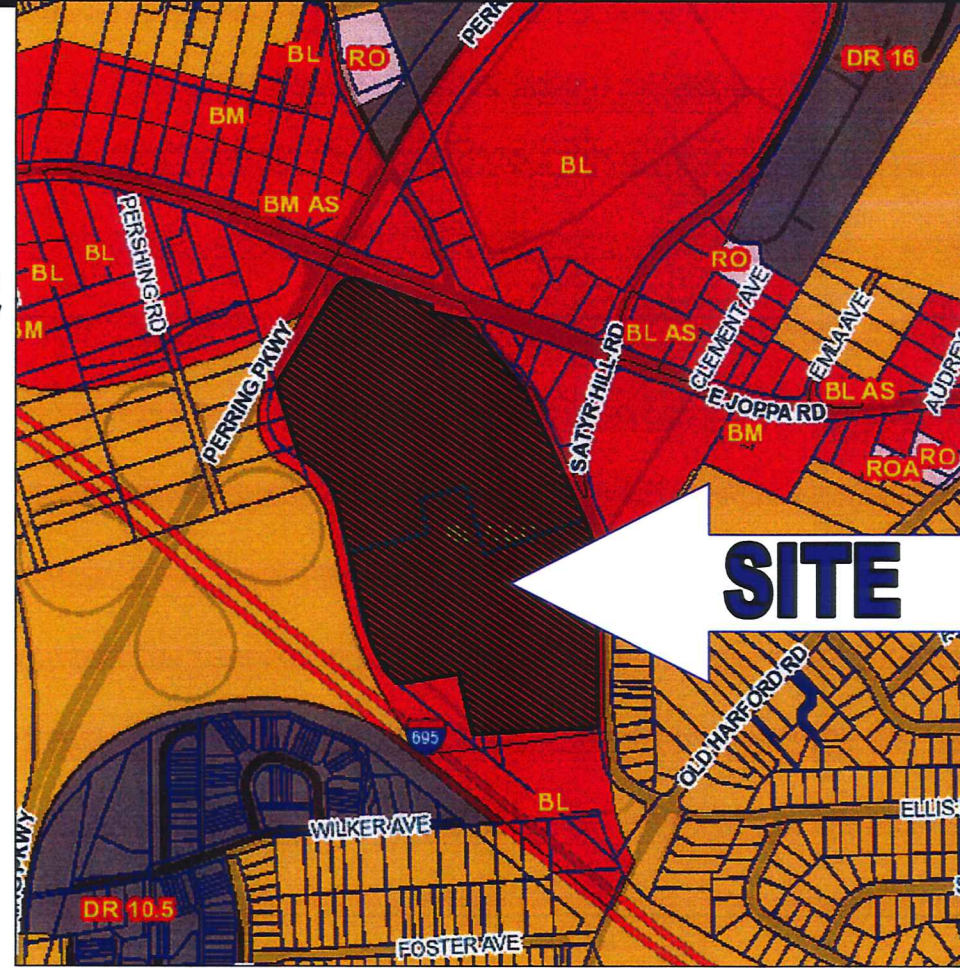
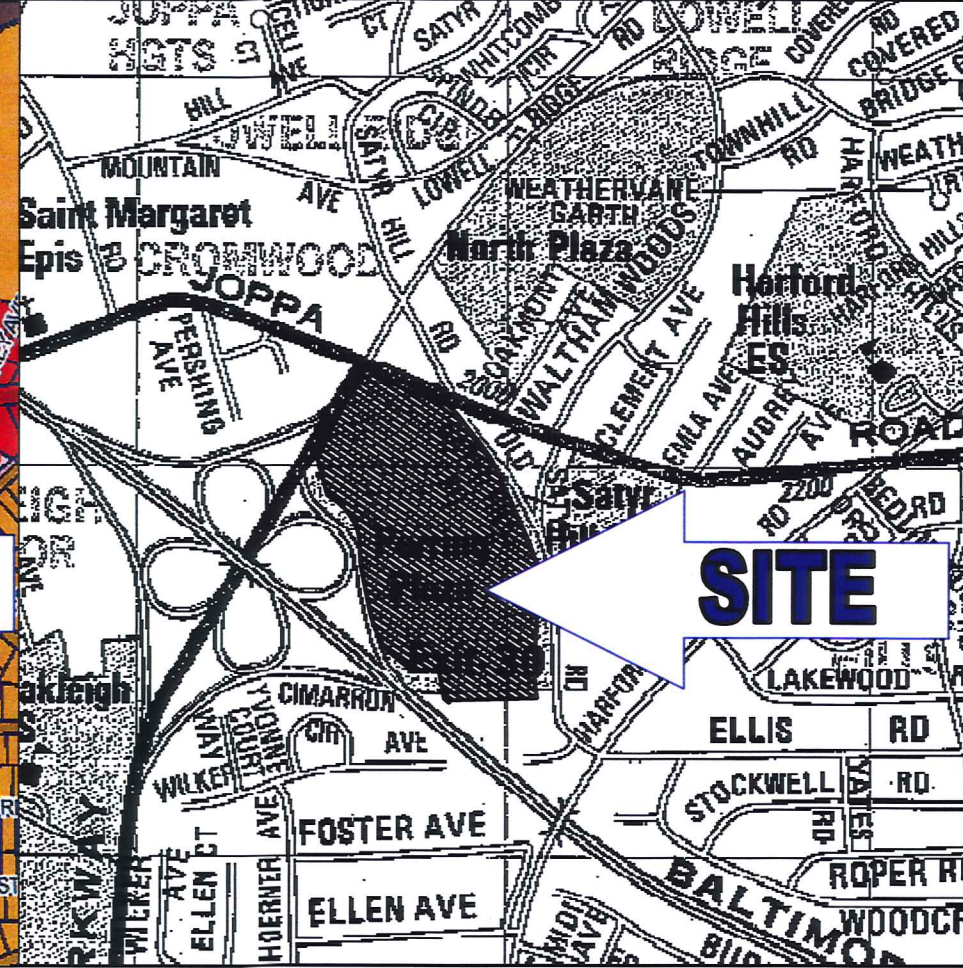


PHOTO "C"
NOT TO SCALE



ZONING MAP
SCALE: 1"=500'



LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602155-5
SCALE: 1"=1000'



PHOTO "D"
NOT TO SCALE



PHOTO "E"
NOT TO SCALE

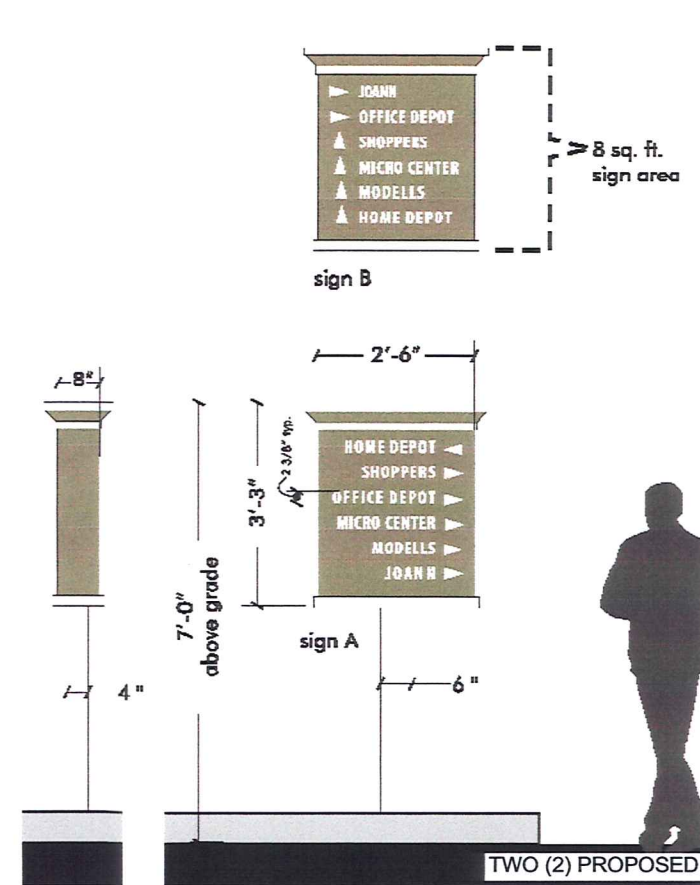


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EXISTING

PHOTO "G"
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PROPOSED

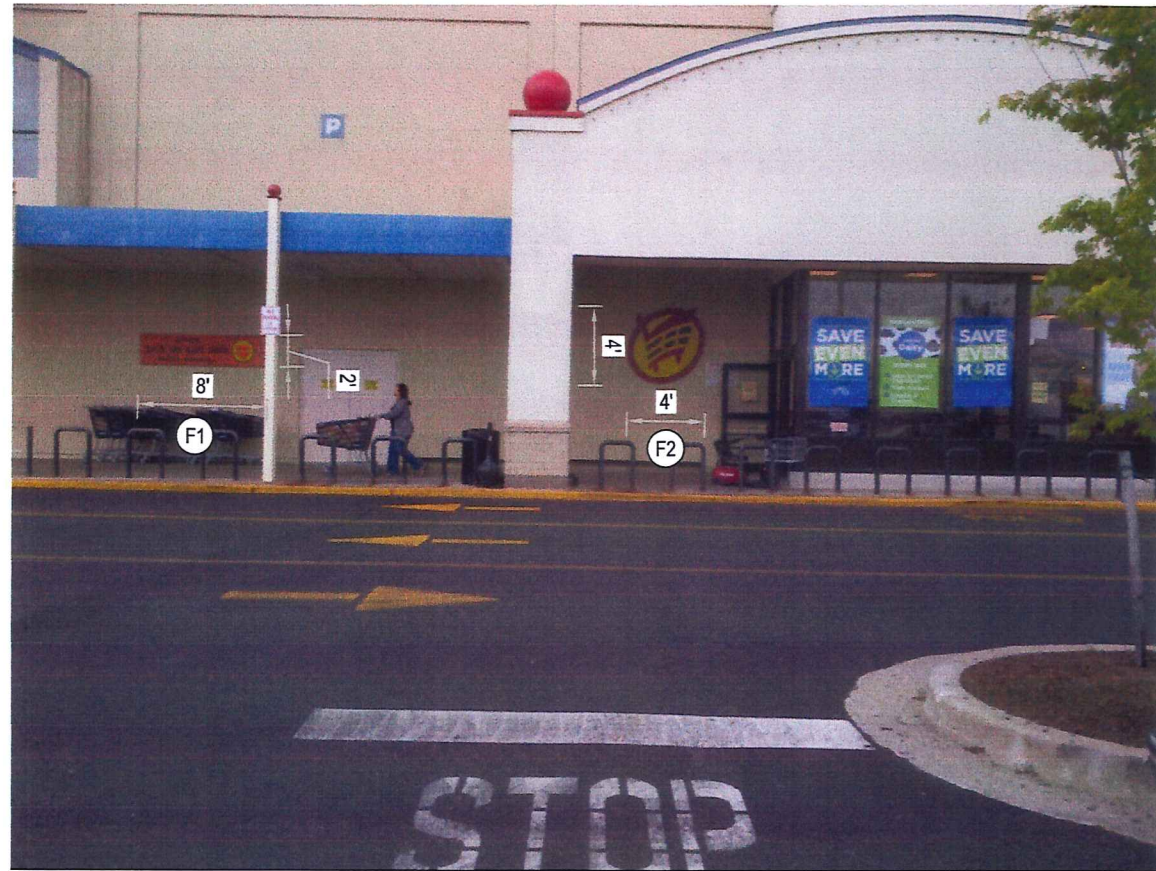


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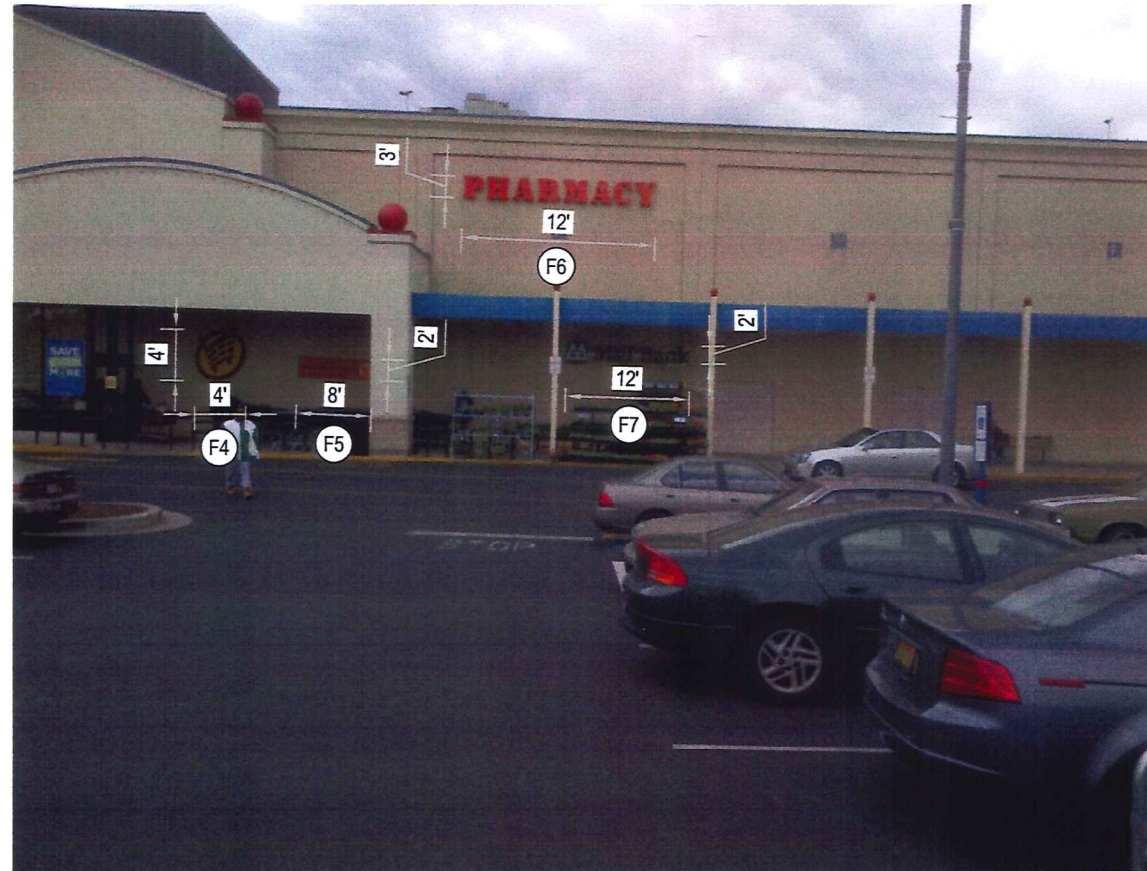


PHOTO "L"
NOT TO SCALE

SITE INFORMATION

1. SITE ADDRESS:
1955 JOPPA ROAD
PARKVILLE, MD 21234
2. SITE AREA:
TOTAL = 29.36 AC.±
3. COUNTY INFORMATION
TAX MAP: 71
PARCEL: 623 & 958
COUNTY COUNCIL DISTRICT: 6
ELECTION DISTRICT: 9TH
ZONING MAP NO.: 071A2
DEED REFERENCE: 04370/00038 & 06237/00656
4. TAX ACCOUNT NO.:
PARCEL 623 = 09-0918329452
PARCEL 958 = 09-0919076600
5. EXISTING USE: RETAIL SHOPPING CENTER
6. ZONE: BL-CCC (BUSINESS LOCAL - COMMERCIAL COMMUNITY CORE)
7. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
8. PREVIOUS COMMERCIAL PERMITS:
A. B558234
B. B352552
C. B352553
D. B356819
E. B372542
F. B569305
G. B336381
H. B338641
I. B338691
J. B330945
K. B585675
9. BUILDING AREA:
TOTAL: 439,552 S.F.
10. PARKING
TOTAL REQUIRED: 1765 SPACES (PER ZONING CASE 03-573-SPH;
GRANTED 8/12/08)
TOTAL PROVIDED: 1765 SPACES
11. AMENITY OPEN SPACE
REQUIRED: 0.2 X G.F.A. (MAXIMUM)
G.F.A. = 439,552
MIN. AOS = 439,552 X 0.2 = 87,910 S.F.
PROVIDED AOS = 109,113 S.F.
PROVIDED AOR RATIO = 109,113 S.F./439,552 S.F. = 0.25
12. FLOOR AREA RATIO
FLOOR AREA RATIO PERMITTED: 4.0
FLOOR AREA RATIO PROVIDED: 439,552 S.F./29.36 AC. = 0.34
13. SITE IS SERVED BY PUBLIC WATER AND SEWER.
14. MAX. BUILDING HEIGHT = 40' MAX.
15. SUBJECT PROPERTY IS NOT UNDER ACTIVE ZONING VIOLATIONS.
DRC NO.: 06-283J GRANTED 8/28/1993
08-093E WITHDRAWN 8/9/1993
16. THIS SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN PER "FLOOD INSURANCE RATE MAP: BALTIMORE COUNTY, MARYLAND UNINCORPORATED AREAS, PANEL 270 OF 580," MAP NUMBER: 2400102270F, REVISED: SEPTEMBER 26, 2008.
17. THE SITE IS NOT LOCATED IN A CHESAPEAKE BAY CRITICAL AREA.

ZONING HISTORY

- CASE NO.: 93-179-A
VARIANCE TO PERMIT A SHOPPING CENTER IDENTIFICATION SIGN OF 400 S.F. IN LIEU OF THE PERMITTED 180 S.F. AND FROM SECTION 413.S.C OF THE B.C.Z.R. TO PERMIT A SIGN PERMIT OF 32 FEET IN LIEU OF THE MAXIMUM PERMITTED 25 FEET. GRANTED 1/11/1993
- CASE NO.: 03-573-SPH-A
VARIANCE TO PERMIT A TOTAL OF 1,765 PARKING SPACES IN LIEU OF THE REQUIRED 2,201 SPACES. GRANTED 8/12/2003
- CASE NO.: 5889X
PETITION FOR SPECIAL EXCEPTION TO ALLOW GARAGE, SERVICE IN A BL ZONE (FIRESTONE) GRANTED 6/12/1963
- CASE NO.: 71-57A
PETITION FOR A VARIANCE FROM SECTION 409.6A TO PERMIT A TOTAL OF 1858 PARKING SPACES INSTEAD OF REQUIRED 2213. GRANTED 8/26/1970
- CASE NO.: 84-5IX
PETITION FOR A SPECIAL EXCEPTION FOR COIN OPERATED AMUSEMENT ARCADE. GRANTED 8/23/1983
- CASE NO.: 90-137-SPH-XA
PETITION TO APPROVE A RETAIL "MEMBERSHIP" OUTLET IN A BL-CCC ZONE. GRANTED 8/14/1990

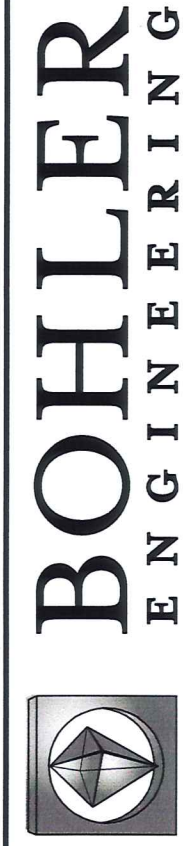
OWNER

FEDERAL REALTY INVESTMENT TRUST
1626 E. JEFFERSON STREET
ROCKVILLE, MD 20852

APPLICANT/LESSEE

FEDERAL REALTY INVESTMENT TRUST
1626 E. JEFFERSON STREET
ROCKVILLE, MD 20852

PROFESSIONAL CERTIFICATION
I, MATTHEW T. ALLEN, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULANEY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 28567, EXPIRATION DATE: 4/18/13



REVISIONS

REV	DATE	COMMENT	BY



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: 1-800-552-7071) (MD: 1-800-257-7777) (DE: 1-800-282-8555)

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: MD112141
DRAWN BY: RLB
CHECKED BY: MD
DATE: 6/25/12
SCALE: 1"=60'
CAD L.D.: SV4

SIGN VARIANCE PLAN

FEDERAL REALTY INVESTMENT TRUST

LOCATION OF SITE
1955 JOPPA ROAD
PARKVILLE, MD 21234



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

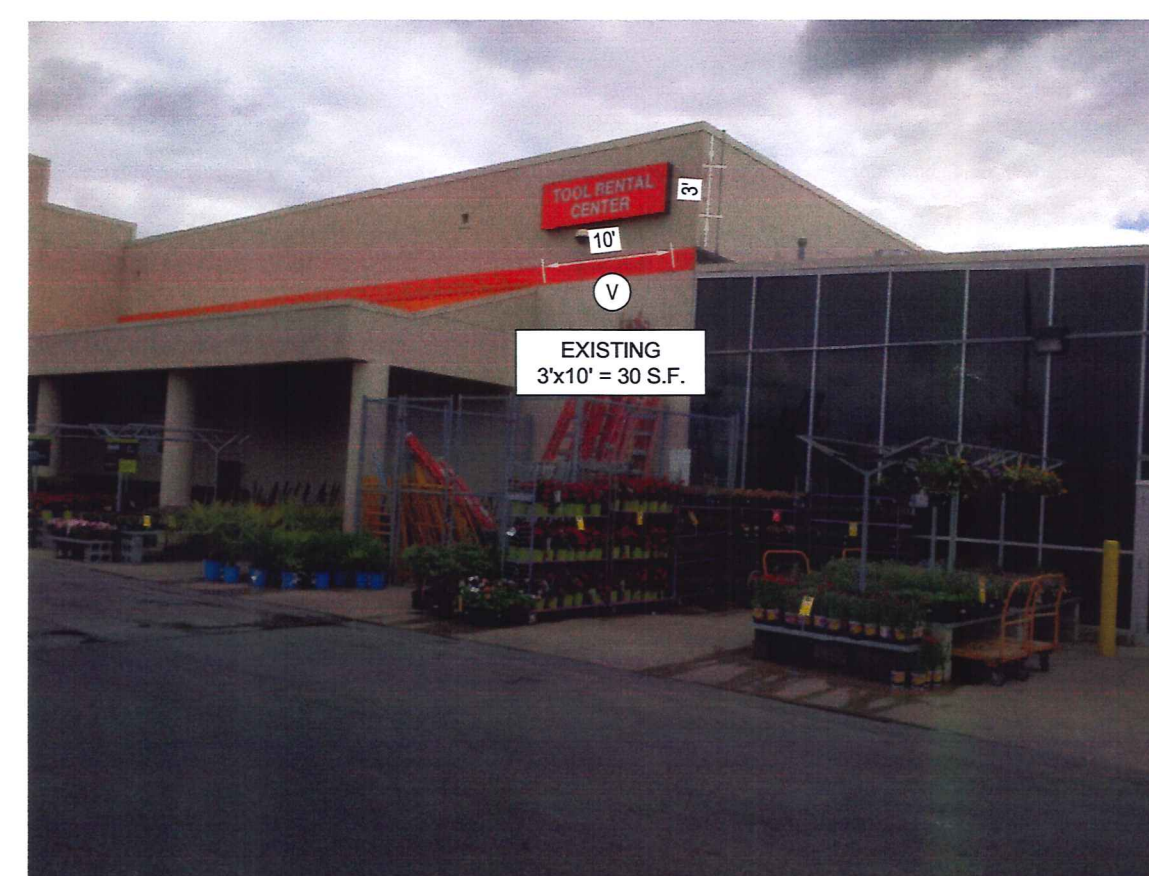
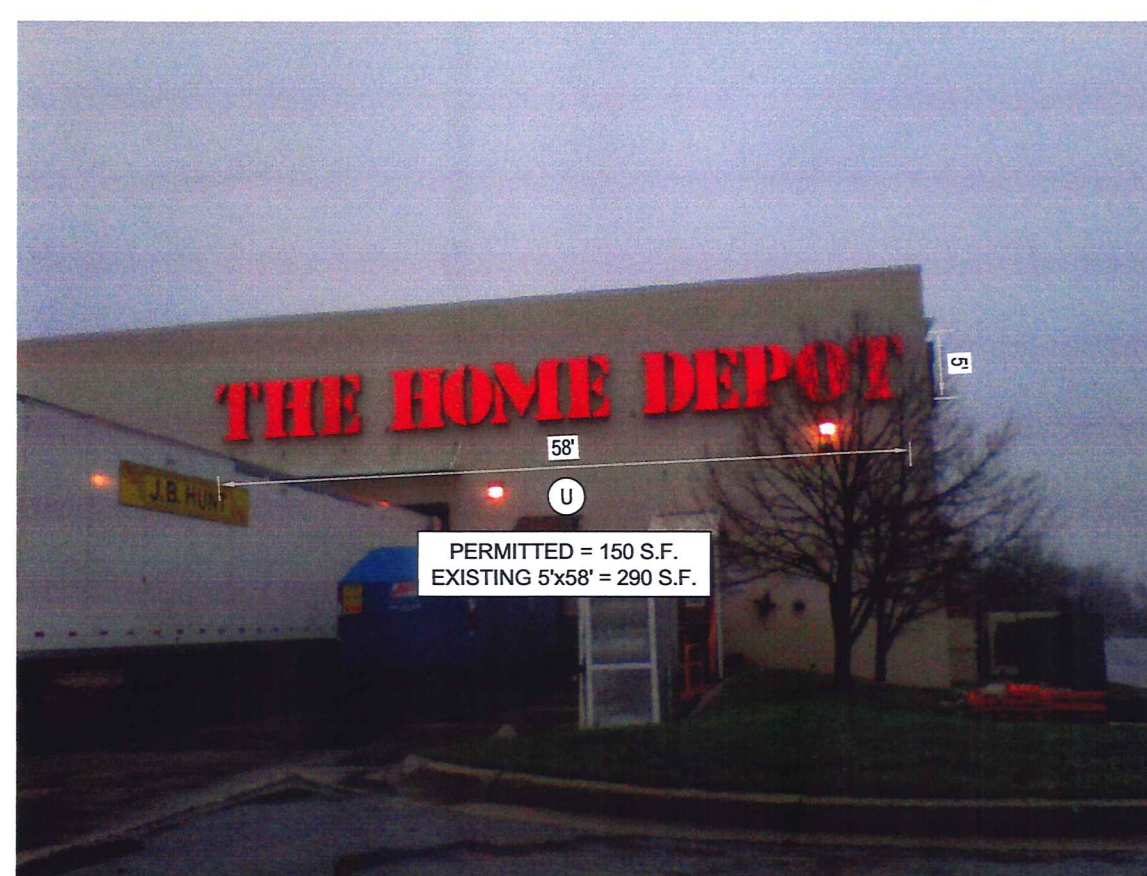
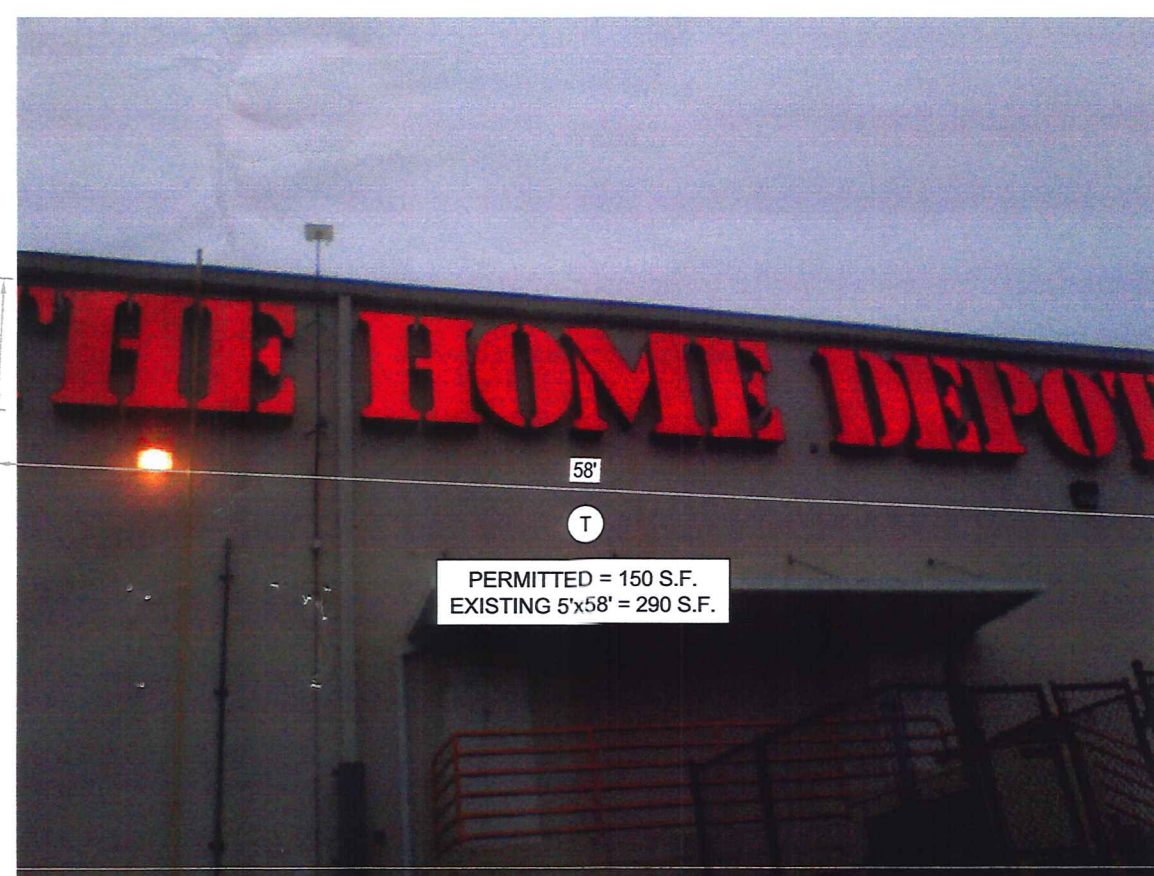
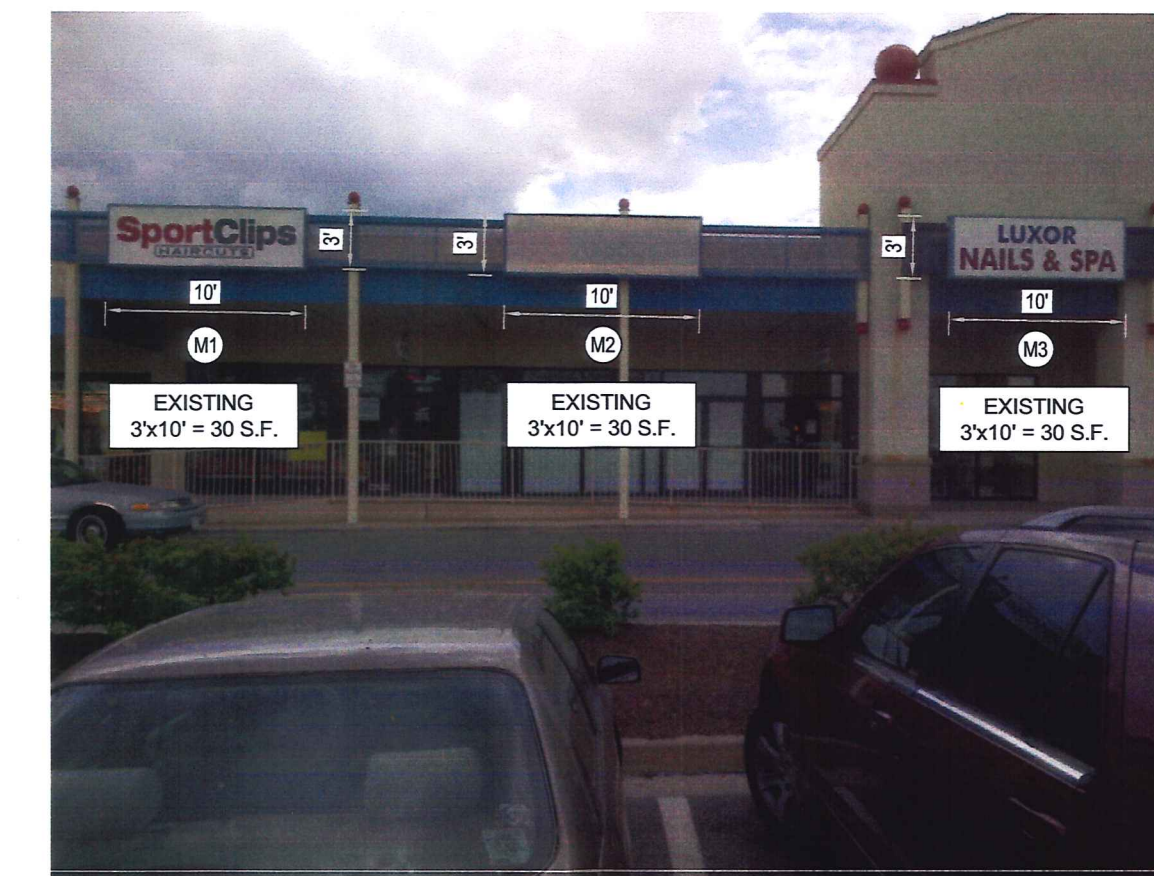
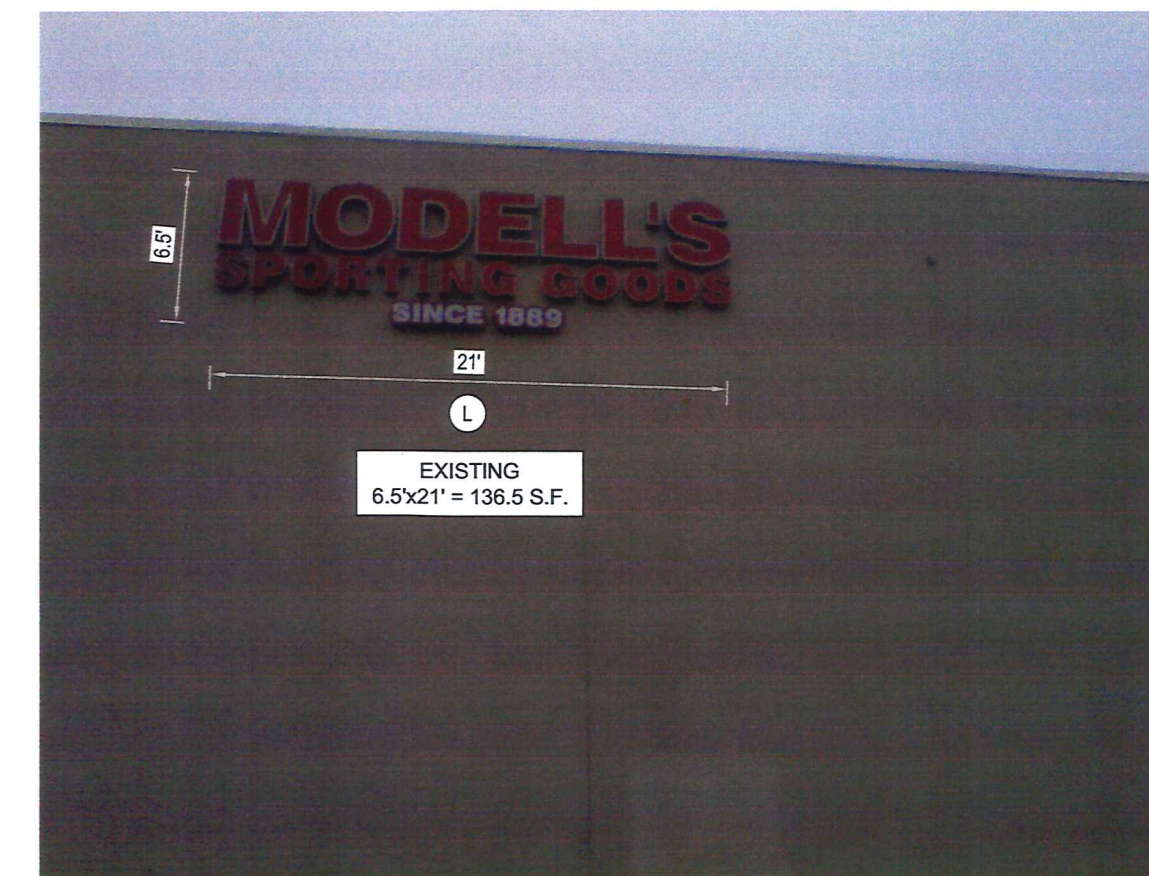


PLAN TO ACCOMPANY VARIANCE REQUEST

SHEET NUMBER:
2
OF 4

2012-0284-A

PETITIONER'S
EXHIBIT NO. 1B



GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND SPECIFICATIONS.

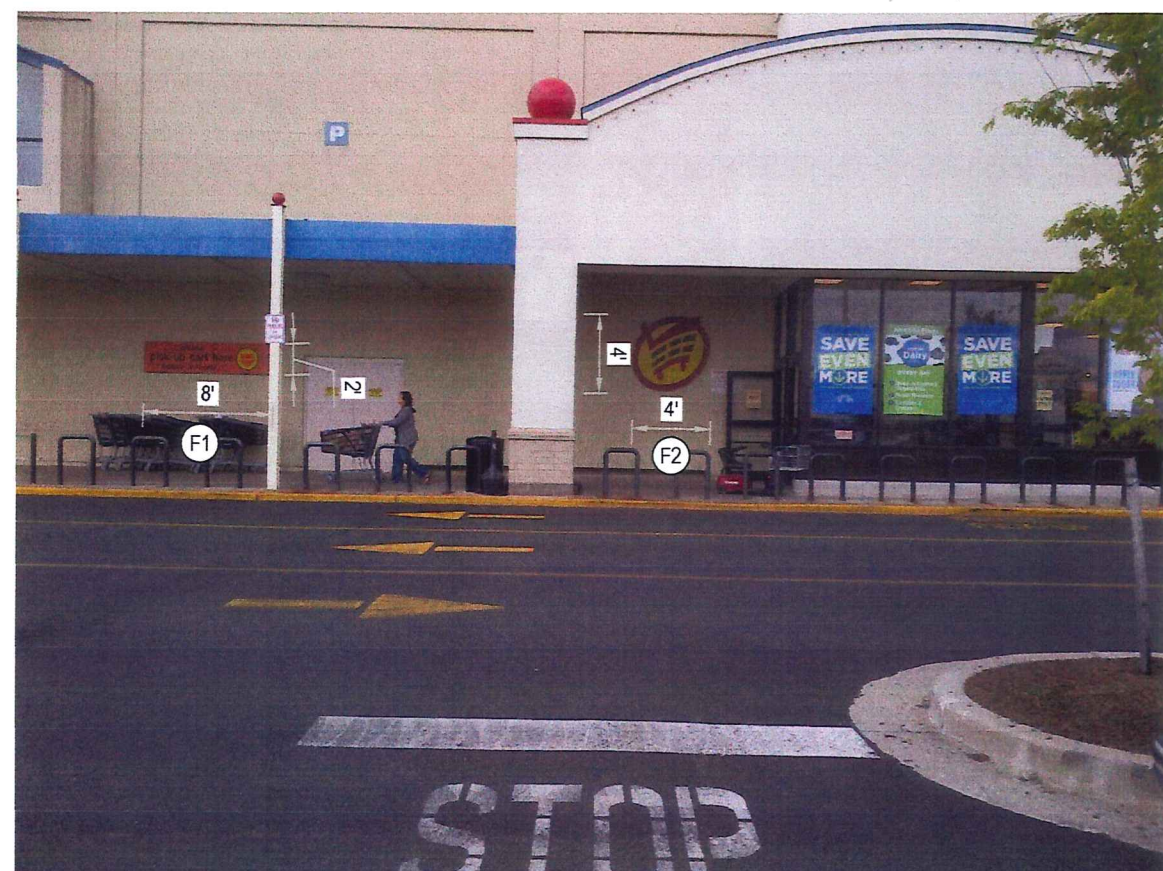
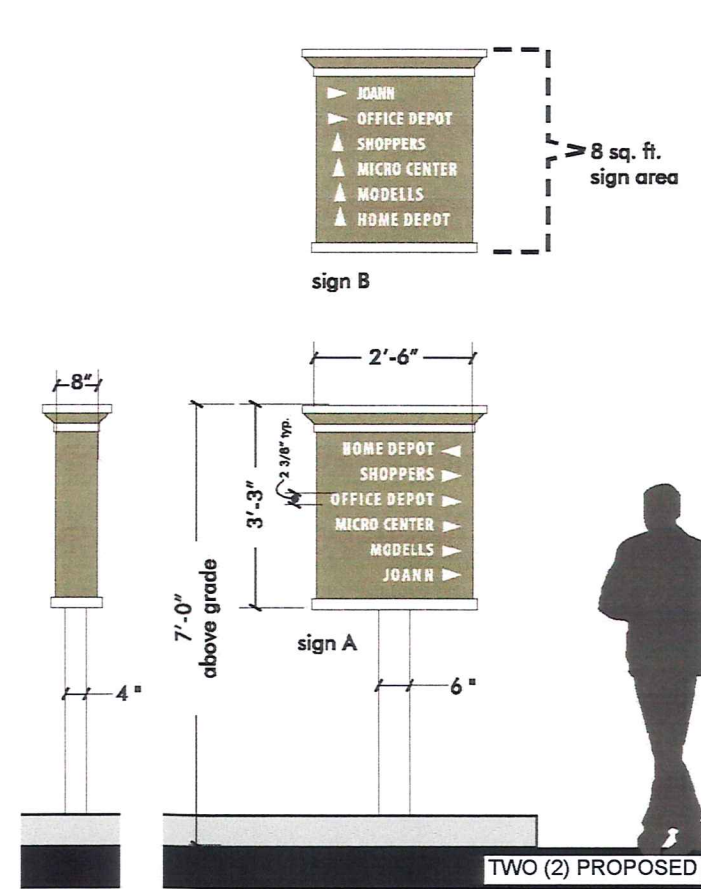
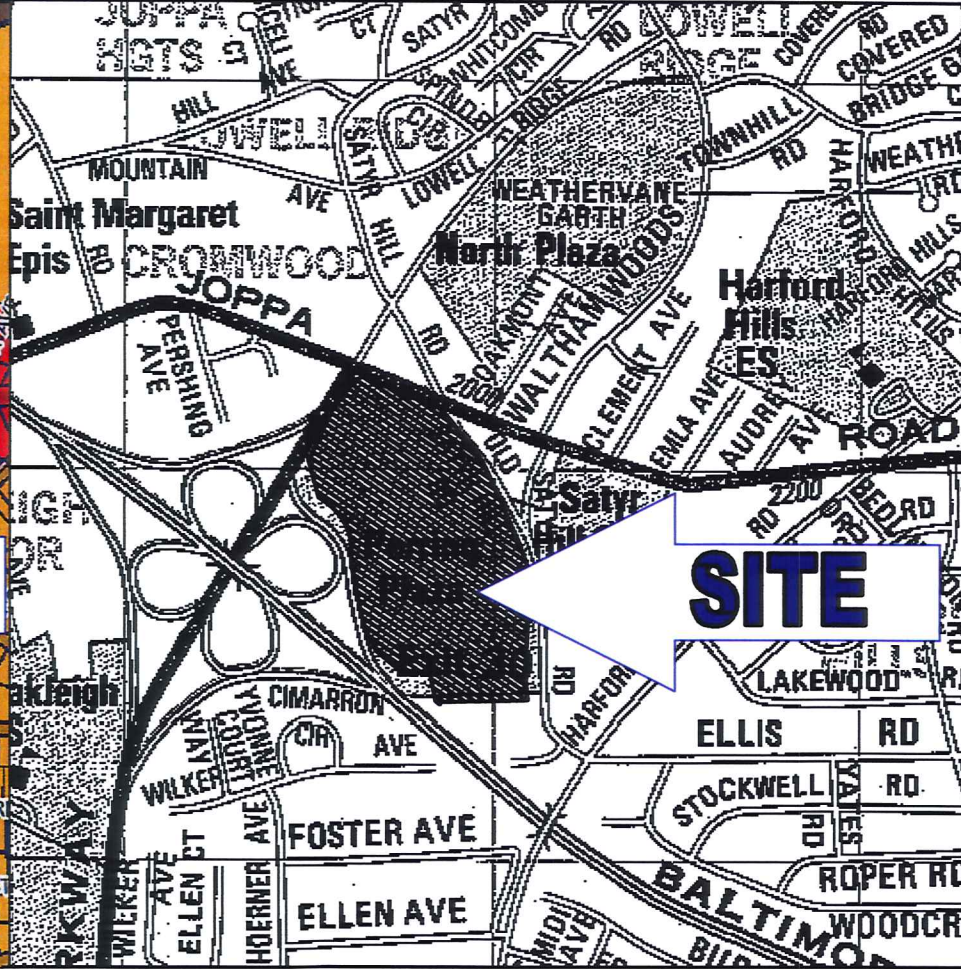
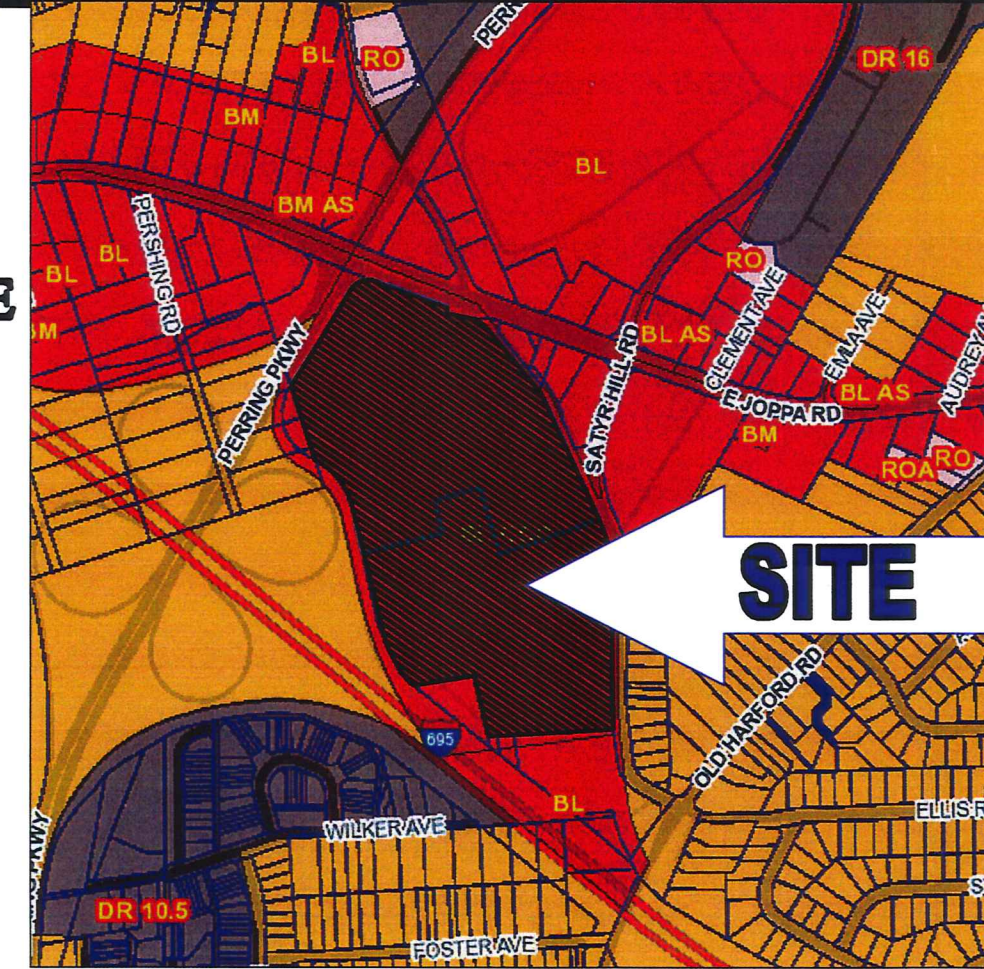
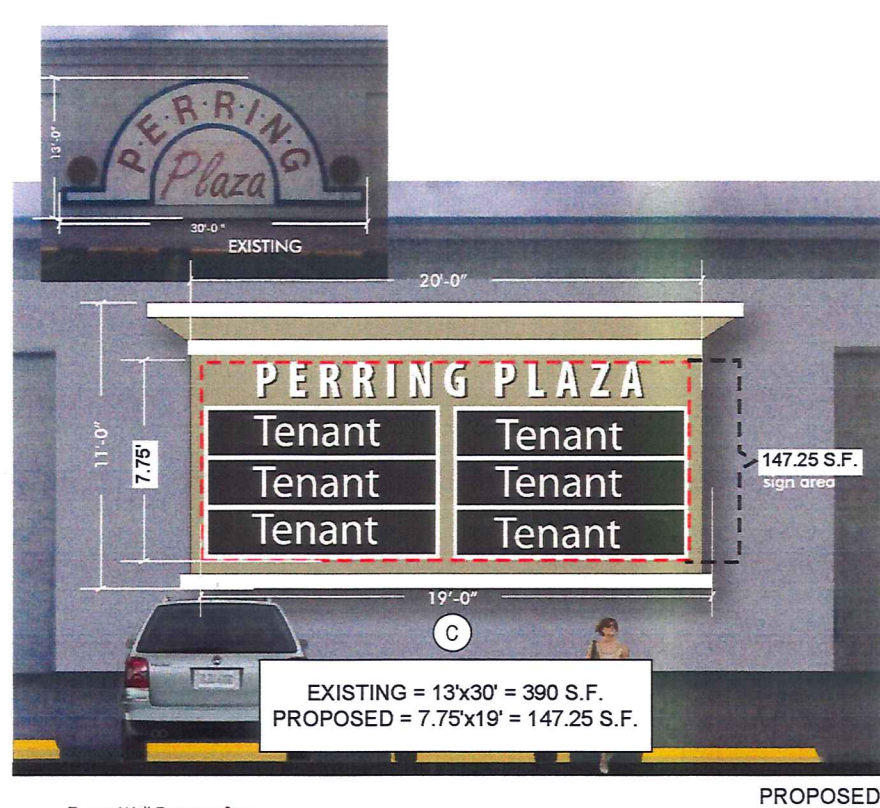
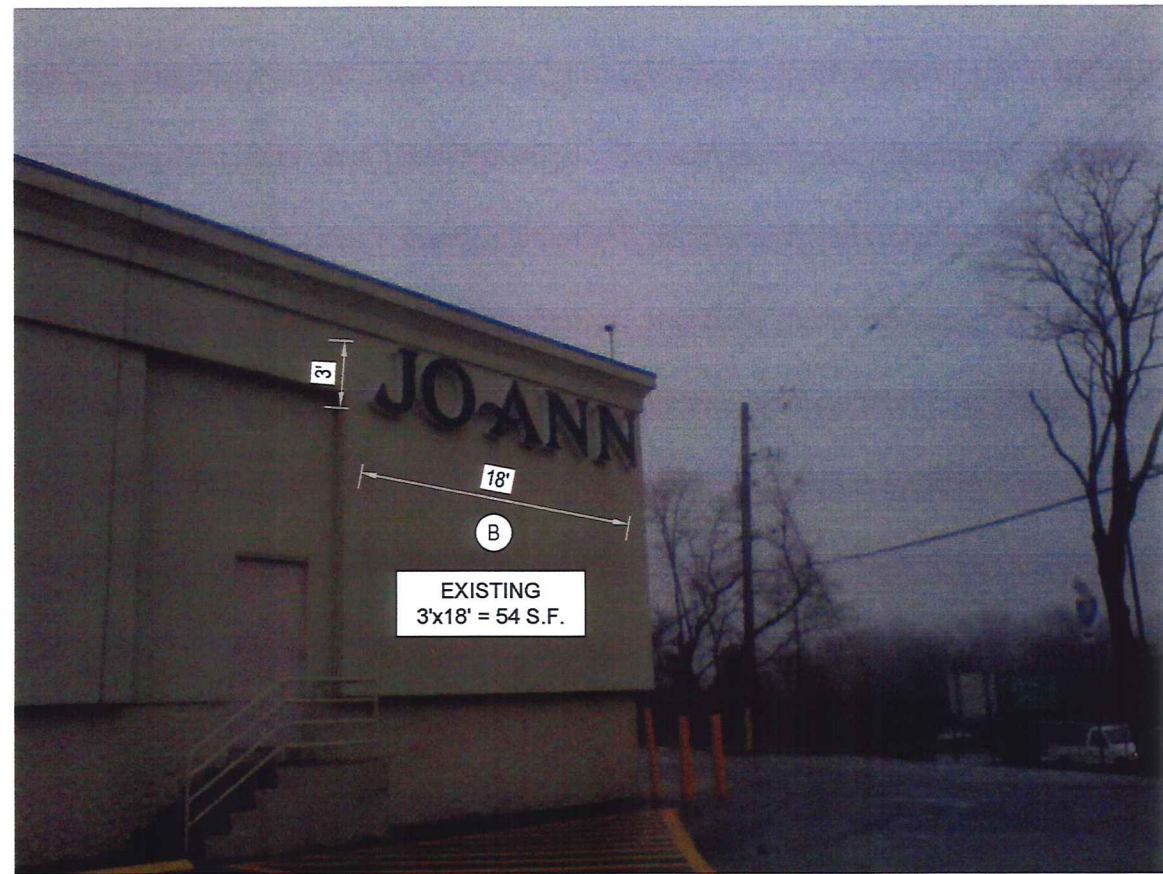
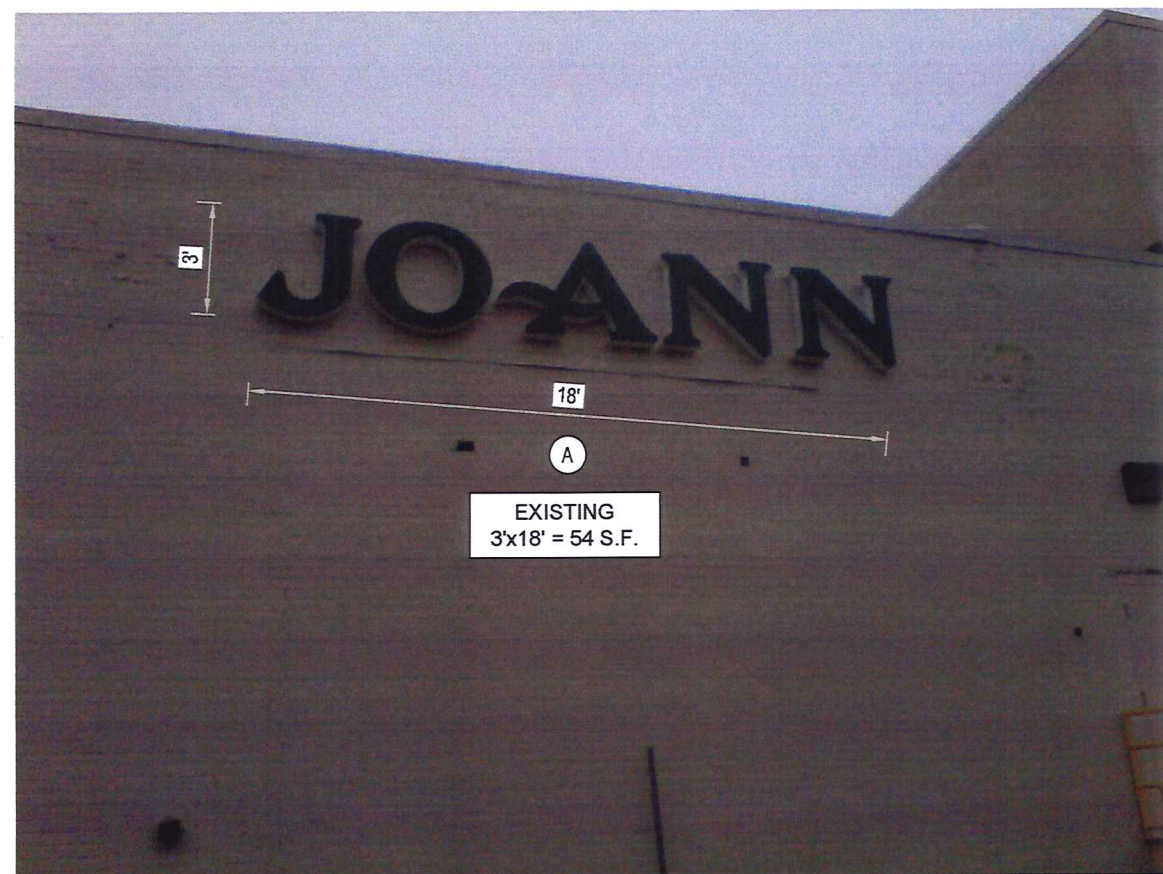
NOTE:

OWNER
FEDERAL REALTY INVESTMENT TRUST
1626 E. JEFFERSON STREET
ROCKVILLE, MD 20852

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

PETITIONER' S

EXHIBIT NO. 1C



SITE INFORMATION

- SITE ADDRESS: 1955 JOPPA ROAD PARKVILLE, MD 21234
- SITE AREA: TOTAL = 29.36 AC.±
- COUNTY INFORMATION: TAX MAP: 71 PARCEL: 623 & 958 COUNTY COUNCIL DISTRICT: 6 ELECTION DISTRICT: 9TH ZONING MAP NO.: P
- TAX ACCOUNT NO.: PARCEL 623 = 09-0919329452 PARCEL 958 = 09-0919076600
- EXISTING USE: RETAIL SHOPPING CENTER
- ZONE: BL-CCC (BUSINESS LOCAL - COMMERCIAL COMMUNITY CORE)
- THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
- PREVIOUS COMMERCIAL PERMITS:
 - A. B558234
 - B. B325252
 - C. B325253
 - D. B325619
 - E. B372542
 - F. B563935
 - G. B338351
 - H. B338641
 - I. B338691
 - J. B580845
 - K. B565675
- BUILDING AREA: TOTAL = 439,552 S.F.
- PARKING: TOTAL REQUIRED: 1765 SPACES (PER ZONING CASE 03-573-SPHA; GRANTED 8/12/08) TOTAL PROVIDED: 1765 SPACES
- AMENITY OPEN SPACE: REQUIRED: 0.2 X G.F.A. (MAXIMUM) G.F.A. = 439,552 MIN. AOS = 439,552 X 0.2 = 87,910 S.F. PROVIDED AOS = 109,113 S.F. 439,552 S.F. = 0.25
- FLOOR AREA RATIO: FLOOR AREA RATIO PERMITTED: 4.0 FLOOR AREA RATIO PROVIDED: 439,552 S.F. / 29.36 AC. = 0.34
- SITE IS SERVED BY PUBLIC WATER AND SEWER.
- MAX. BUILDING HEIGHT = 40' MAX.
- SUBJECT PROPERTY IS NOT UNDER ACTIVE ZONING VIOLATIONS.
- DRC NO.: 06-283J GRANTED 8/28/1993 08-093E WITHDRAWN 8/9/1993
- SUBJECT PROPERTY IS LOCATED ON ZONE X OF "FLOOD INSURANCE RATE MAP: BALTIMORE COUNTY, MARYLAND UNINCORPORATED AREAS, PANEL 270 OF 580," MAP NUMBER: 2400100270F, REVISED: SEPTEMBER 26, 2008. ZONE X IS DEFINED AS "AREAS OF 2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVELS FROM 1% ANNUAL CHANCE FLOOD."

ZONING HISTORY

- CASE NO.: 93-179-A VARIANCE TO PERMIT A SHOPPING CENTER IDENTIFICATION SIGN OF 400 S.F. IN LIEU OF THE PERMITTED 180 S.F., AND FROM SECTION 413.8.C OF THE B.C.Z.R. TO PERMIT A SIGN PERMIT OF 32 FEET IN LIEU OF THE MAXIMUM PERMITTED 25 FEET. GRANTED 1/11/1993
- CASE NO.: 03-573-SPHA VARIANCE TO PERMIT A TOTAL OF 1,765 PARKING SPACES IN LIEU OF THE REQUIRED 2,201 SPACES. GRANTED 8/12/2003
- CASE NO.: 9806X PETITION FOR SPECIAL EXCEPTION TO ALLOW GARAGE, SERVICE IN A BL ZONE (FIRESTONE) GRANTED 6/12/1993
- CASE NO.: 71-57A PETITION FOR A VARIANCE FROM SECTION 409.6.A TO PERMIT A TOTAL OF 1958 PARKING SPACES INSTEAD OF REQUIRED 2213. GRANTED 8/26/1970
- CASE NO.: 84-SIX PETITION FOR A SPECIAL EXCEPTION FOR COIN OPERATED AMUSEMENT ARCADE. GRANTED 8/23/1993
- CASE NO.: 90-137-SPHXA PETITION TO APPROVE A RETAIL "MEMBERSHIP" OUTLET IN A BL-CCC ZONE. GRANTED 8/14/1990

NOTE:

ALL FUTURE SIGNS MUST CONFORM TO SECTION 450 OF THE BCZR.

OWNER

FEDERAL REALTY INVESTMENT TRUST
1626 E. JEFFERSON STREET
ROCKVILLE, MD 20852

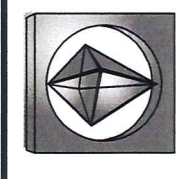
APPLICANT/LESSEE

FEDERAL REALTY INVESTMENT TRUST
1626 E. JEFFERSON STREET
ROCKVILLE, MD 20852

PROFESSIONAL CERTIFICATION

I, MATTHEW T. ALLEN, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DAILY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 28567, EXPIRATION DATE: 4/18/13

BOHLER ENGINEERING



CORPORATE OFFICE:
WARREN, NJ
OFFICES:
BOWEN, MD
TOWSON, MD
ALBANY, NY
CALICO, VA
PHILADELPHIA, PA
PROJECT MANAGERS
ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS
CIVIL & CONSULTING ENGINEERS
SURVEYORS

REVISIONS

REV	DATE	COMMENT	BY



THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE OF VIRGINIA, MARYLAND, AND DELAWARE: 811 (WV 1-800-245-4848) (PA 1-800-242-1770) (VA 1-800-652-7071) (MD 1-800-257-7777) (DE 1-800-282-8559)

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: MD112141
DRAWN BY: RLB
CHECKED BY: MD
DATE: 4/18/12
SCALE: 1"=60'
CADD I.D.: SVQ

PROJECT:

SIGN VARIANCE PLAN

FOR

FEDERAL REALTY INVESTMENT TRUST

LOCATION OF SITE
1955 JOPPA ROAD
PARKVILLE, MD 21234

BOHLER ENGINEERING

901 DULANEY VALLEY ROAD,
SUITE 801
TOWSON, MARYLAND 21284
Phone: (410) 821-7900
Fax: (410) 821-7987
www.BohlerEngineering.com



SHEET TITLE:

PLAN TO ACCOMPANY VARIANCE REQUEST

SHEET NUMBER:

2
OF 4

X

0284-A

2012-0284A



PHOTO "Y"
NOT TO SCALE

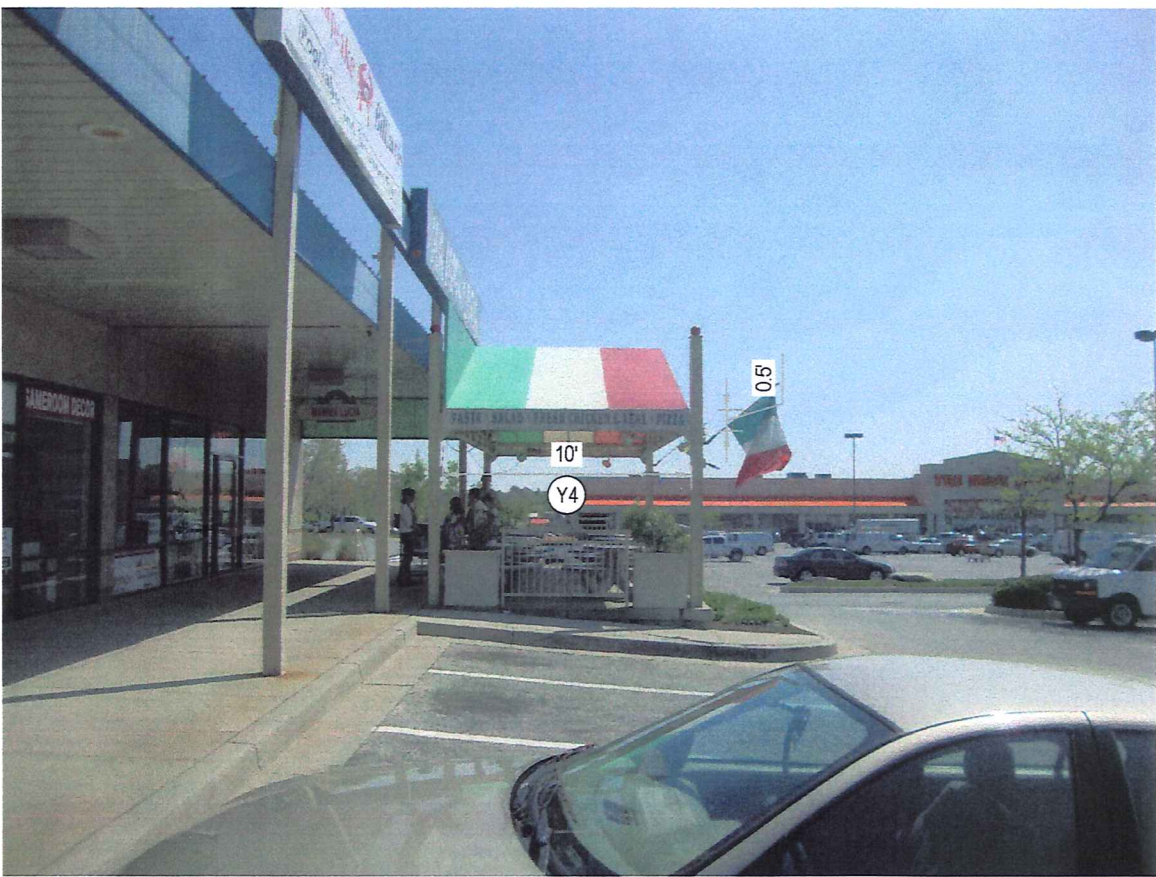


PHOTO "Z"
NOT TO SCALE



PHOTO "AA"
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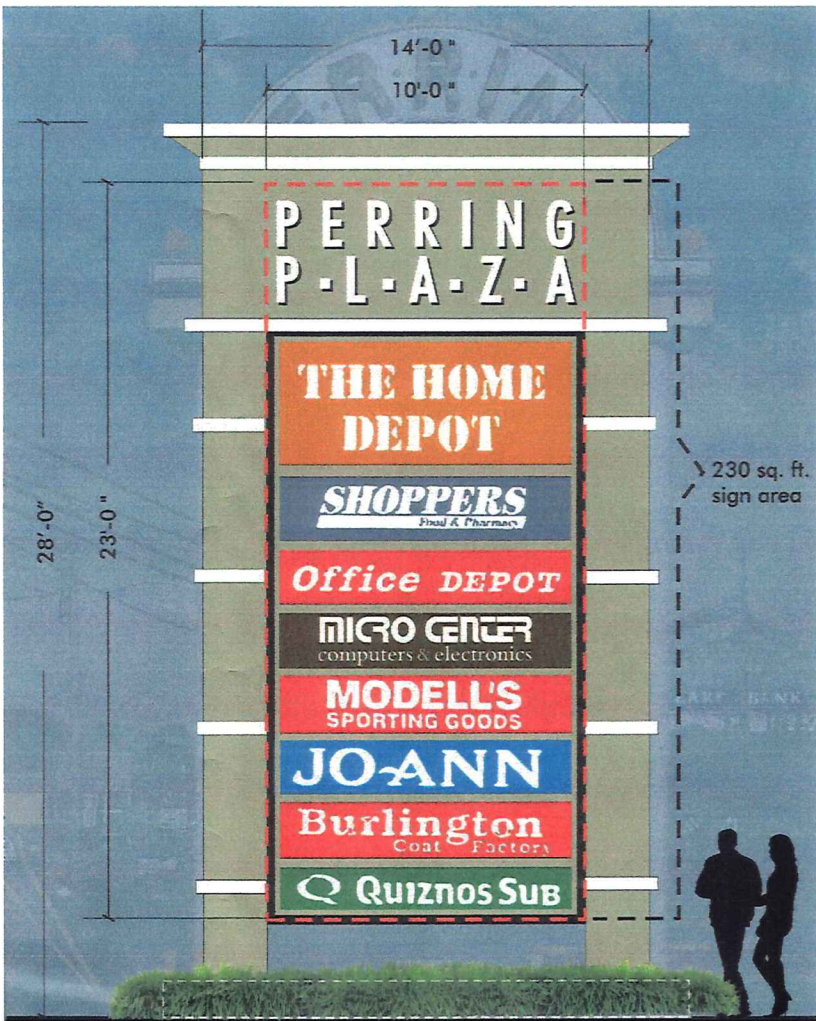


PHOTO "BB"
NOT TO SCALE

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

OWNER
FEDERAL REALTY INVESTMENT TRUST
1626 E. JEFFERSON STREET
ROCKVILLE, MD 20852

APPLICANT/LESSEE
FEDERAL REALTY INVESTMENT TRUST
1626 E. JEFFERSON STREET
ROCKVILLE, MD 20852

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: 4/18/13



REVISIONS			
REV	DATE	COMMENT	BY



NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MD112141
DRAWN BY: RLB
CHECKED BY: MD
DATE: 4/18/12
SCALE: 1"=60'
CAD I.D.: SVD

SIGN VARIANCE PLAN
FOR
FEDERAL REALTY INVESTMENT TRUST
LOCATION OF SITE
1955 JOPPA ROAD
PARKVILLE, MD 21234

BOHLER ENGINEERING
901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21284
Phone: (410) 821-7900
Fax: (410) 821-7987
www.BohlerEngineering.com



PLAN TO ACCOMPANY VARIANCE REQUEST

SHEET NUMBER:
4
OF 4
X

0284-A



PETITIONER'S

EXHIBIT NO.

4

