

IN RE: PETITION FOR VARIANCE

N side of Perring Manor Road at corner
of McClean Boulevard
9th Election District
5th Council District
(2401 Cleanleigh Drive)

AMCB Perring, LLC, *Legal Owner*
Shop Rite of Perring Parkway, LLC,
Contract Purchaser/Lessee
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
CASE NO. 2012-0289-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 Deborah C. Dopkin, Esquire on behalf of the legal owner, AMCB Perring, LLC and the contract purchaser/lessee, Shop Rite of Perring Parkway, LLC ("Petitioners"). The Petitioners are requesting Variance relief from Section 450.4 Attachment 1.5.d of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two enterprise canopy signs on a wall containing an exterior entrance with a combined sign area of 652.5 square feet in lieu of the permitted 512 square feet, and one wall-mounted sign on a side wall without a separate exterior customer entrance. The subject property and requested relief is more fully depicted on the redlined site plan that was marked and accepted into evidence as Petitioners' Exhibit 2.

Appearing at the public hearing in support of the variance request was Howard Klein and Torrence Pierce with Frederick Ward Associates, the consulting firm that prepared the site plan. Deborah C. Dopkin, Esquire attended as Counsel for the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R. 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 7-19-12

By pm

A ZAC comment was received from the Department of Planning on June 18, 2012 in support of Petitioners' request.

Testimony and evidence revealed that the subject property is located within a strip shopping center in the Parkville area of Baltimore County. The Petitioner has revitalized and reopened a long abandoned Super Fresh grocery market, and it is now operated as a Shop Rite store. Mr. Klein explained that his grandfather started the company in 1927, and that Kleins now has eight Shop Rite stores in Maryland.

Based upon the testimony and evidence presented, I am persuaded to 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).

Petitioners have met this test.

Petitioners' engineer, Mr. Pierce, testified that the subject property has approximately 2,000 feet of frontage on Perring Parkway, but that the store is set back 400-500 feet from the roadway. Mr. Pierce also showed photos of the site which depict a forested floodplain (Herring Run) that is also situated between the store and Perring Parkway. These factors render the property unique in the zoning sense, and also make it difficult for passing motorists to identify the store.

Mr. Pierce also opined that the proposed signage would enhance traffic safety and would not be detrimental to the health, safety and welfare of the community.

ORDER RECEIVED FOR FILING

Date 7-19-12

2

By [Signature]

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

THEREFORE, IT IS ORDERED, this 19 day of July, 2012, by this Administrative Law Judge, that Petitioners' Variance request from Section 450.4 Attachment 1.5.d of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two enterprise canopy signs on a wall containing an exterior entrance with a combined sign area of 652.5 square feet in lieu of the permitted 512 square feet, and one wall-mounted sign on a side wall without a separate exterior customer entrance in lieu of on a side wall with a customer entrance, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for a building permit and may be granted same upon receipt of this Order. However the Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners 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.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

ORDER RECEIVED FOR FILING

Date 7-19-12

By pm



KEVIN KAMENETZ
County Executive

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

July 19, 2012

DEBORAH DOPKIN, ESQUIRE
P.O. BOX 323
BROOKLANDVILLE, MD 21022-0323

RE: Petition for Variance
Case No.: 2012-0289-A
Property: 2401 Cleanleigh Drive

Dear Ms. Dopkin:

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,


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 2401 Cleanleigh Drive which is presently zoned BM-CCC
 Deed References: 31520 - 0181 10 Digit Tax Account # 2 4 0 0 0 0 1 3 7 9
 Property Owner(s) Printed Name(s) AMCB PERRING, LLC

(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. XX 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)

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:

Shop Rite of Perring Parkway, LLC
~~Shop Rites of Baltimore, LLC~~
 Name- Type or Print
 By: [Signature]
 Signature Howard Klein, Member
2101 Rockspring Road, Forest Hill, MD
 Mailing Address City State
21050 / 410-491-2000 /
 Zip Code Telephone # Email Address

Attorney for Petitioner:

Deborah C. Dopkin, Esqurie
 Name- Type or Print
[Signature]
 Signature Deborah C. Dopkin, P.A.
409 Washington Avenue, Suite 1000
 Mailing Address City State
Baltimore, Maryland
21222 / 410-821-0200 / ddopkin@
 Zip Code Telephone # Email Address
dopkinlaw.com

Legal Owners (Petitioners):

AMCB PERRING, LLC
 Name #1 - Type or Print Name #2 - Type or Print
 By: [Signature]
 Signature #1 Signature #2
David R. Frederick
2701 N. Charles Street, St. 404
 Mailing Address City State
Baltimore, MD
21218 / 410-662-0106 /
 Zip Code Telephone # Email Address

Representative to be contacted:

Tory Pierce
 Name - Type or Print
[Signature]
 Signature
5 S. Main Street, Bel Air, MD
 Mailing Address City State
21014 / 410-879-2090
 Zip Code Telephone # Email Address

CASE NUMBER 2012-0289-A Filing Date 5/10/12 Do Not Schedule Dates: _____ Reviewer [Signature]

ORDER RECEIVED FOR FILING

Date 7-19-12

REV. 10/4/11

CASE NO. 2012-0289-A

Variance from BCZR §450.4 Attachment 1 5.d. to permit

- (1) two (2) enterprise canopy signs on a wall containing an exterior entrance with a combined sign area of 652.5 square feet in lieu of the permitted 512 square feet;

and

- (2) one wall mounted sign on a side wall without a separate exterior customer entrance in lieu of on a side wall with a customer entrance.



FREDERICK WARD ASSOCIATES

P.O. Box 727, 5 South Main Street
Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax

www.frederickward.com

ARCHITECTS

ENGINEERS

PLANNERS

SURVEYORS

Zoning Petition Description
Parkway Crossing Shopping Center
30.6746 acres of land, more or less

May 8, 2012

Beginning for the same at a point on the north side of Perring Manor Road (50 feet wide) also being on the east side of McClean Boulevard (80 feet wide), and said point being situated on the dividing line between Baltimore County, Maryland and Baltimore City, Maryland, and said beginning point being located approximately 523 feet from the intersection of Perring Parkway (Md. Rte. 41) and McClean Boulevard. Thence binding on the outlines of the "Parkway Crossing Shopping Center" as shown on a recorded subdivision plat recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 71, folio 49, and binding along McClean Boulevard,

- 1) by a curve to the left having a radius of 1040.00 feet, an arc length of 190.55 feet, and subtended by a chord North 20° 44' 43" West 190.28 feet,
- 2) North 25° 59' 44" West 127.24 feet,
- 3) North 12° 54' 24" West 44.15 feet,
- 4) North 64° 00' 16" East 76.98 feet, thence leaving McClean Boulevard and binding along Perring Parkway,
- 5) North 26° 58' 27" East 129.02 feet,
- 6) North 70° 18' 33" East 96.51 feet,
- 7) North 74° 30' 13" East 96.60 feet,
- 8) North 76° 51' 33" East 111.59 feet,
- 9) North 80° 38' 38" East 1084.71 feet,
- 10) South 75° 36' 28" East 54.63 feet,
- 11) South 88° 51' 31" East 52.71 feet,
- 12) North 79° 50' 52" East 52.42 feet,
- 13) North 78° 20' 35" East 52.46 feet,
- 14) North 73° 34' 18" East 52.47 feet,
- 15) North 58° 13' 46" East 32.94 feet, thence leaving Perring Parkway
- 16) South 12° 55' 58" West 102.95 feet,
- 17) South 77° 04' 02" East 178.51 feet to Oakleigh Court. Thence binding along Oakleigh Court,
- 18) by a curve to the left having a radius of 45.00 feet, an arc length of 30.73 feet, and subtended by a chord South 77° 04' 02" East 30.14 feet. Thence leaving Oakleigh Court,
- 19) South 77° 04' 02" East 185.87 feet to Oakleigh Road. Thence binding along Oakleigh Road,
- 20) South 00° 53' 00" East 16.40 feet,
- 21) South 89° 07' 00" West 18.00 feet,
- 22) South 00° 53' 00" East 67.00 feet,
- 23) North 89° 07' 00" East 12.37 feet,
- 24) South 00° 51' 23" East 127.80 feet,
- 25) South 15° 34' 58" West 19.49 feet,
- 26) North 73° 37' 48" East 4.03 feet,

- 27) by a curve to the left having a radius of 10.00 feet, an arc length of 13.01 feet, and subtended by a chord North 36° 22' 24" East 12.11 feet,
- 28) South 00° 53' 00" East 72.66 feet,
- 29) by a curve to the left having a radius of 10.00 feet, an arc length 9.18 feet, and subtended by a chord North 27° 10' 33" West 8.86 feet,
- 30) by a curve to the left having a radius of 429.06 feet, an arc length of 33.13 feet, and subtended by a chord of South 07° 41' 15" East 33.12 feet,
- 31) South 00° 53' 00" East 107.82 feet,
- 32) South 41° 41' 11" East 112.30 feet,
- 33) by a curve to the left having a radius of 492.06 feet, an arc length of 51.38 feet, and subtended by a chord South 36° 48' 42" East 51.36 feet,
- 34) South 06° 46' 44" West 17.85 feet to Perring Manor Road. Thence binding along Perring Manor Road,
- 35) by a curve to the right having a radius of 102.14 feet, an arc length of 73.93 feet, and subtended by a chord South 69° 15' 47" West 72.33 feet, and binding along the division line between Baltimore County, Maryland and Baltimore City, Maryland
- 36) South 90° 00' 00" West 2048.23 feet to the point of beginning.

Containing 30.6746 acres of land, more or less. 9c5

THIS DESCRIPTION was prepared by John V. Mettee III, a Professional Land Surveyor in the State of Maryland. It was prepared for the purpose of a zoning petition and was prepared from a recorded subdivision plat and not from a field-run boundary survey. My current license expires April 4, 2014.



MEMORANDUM

DATE: August 21, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0289-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 20, 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

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: 2012-0289-A
Petitioner: ShopRITE OF PERRING PARKWAY, LLC
Address or Location: 2401 Cleanleigh Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: DEBORAH C. DOPKIN
Address: PO BOX 323
BROOKLANDVILLE MD 21022
Telephone Number: 410 821 0200

fax 410.779.9352

Revised 2/17/11 DT

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

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Name: DEBORAH C. DOPKIN
Address: PO BOX 323
BROOKLANDVILLE MD 21022
Telephone Number: 410 821 0200

Revised 2/17/11 DT

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 21, 2012 Issue - Jeffersonian

Please forward billing to:

Deborah Dopkin
P.O. Box 323
Brooklandville, MD 21022

410-821-0200

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: 2012-0289-A

2401 Cleanleigh Drive

N/s of Perry Manor Road at the corner of McClean Boulevard

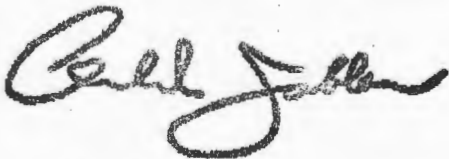
9th Election District – 5th Councilmanic District

Legal Owners: AMCB Perring, LLC

Contract Purchaser/Lessee: Shop Rite of Perry Parkway, LLC

Variance to permit two enterprise canopy signs on a wall containing an exterior entrance with a combined sign area of 652.5 sq. ft. in lieu of the permitted 512 sq. ft.; to permit one wall-mounted sign on a side wall without a separate exterior customer entrance in lieu of on a side wall with a customer entrance.

Hearing: Tuesday, July 17, 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

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

June 15, 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: 2012-0289-A

2401 Cleanleigh Drive

N/s of Perry Manor Road at the corner of McClean Boulevard

9th Election District – 5th Councilmanic District

Legal Owners: AMCB Perring, LLC

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105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Deborah Dopkin, 409 Washington Ave., Ste. 1000, Baltimore 21222
Howard Klein, Shop Rite, 2101 Rockspring Road, Forest Hill 21050
David Frederick, AMCB, 2701 N. Charles St., Ste. 404, Baltimore 21218
Tony Pierce, 5 S. Main Street, Bel Air 21014

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 21, 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.**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 06/21/2012

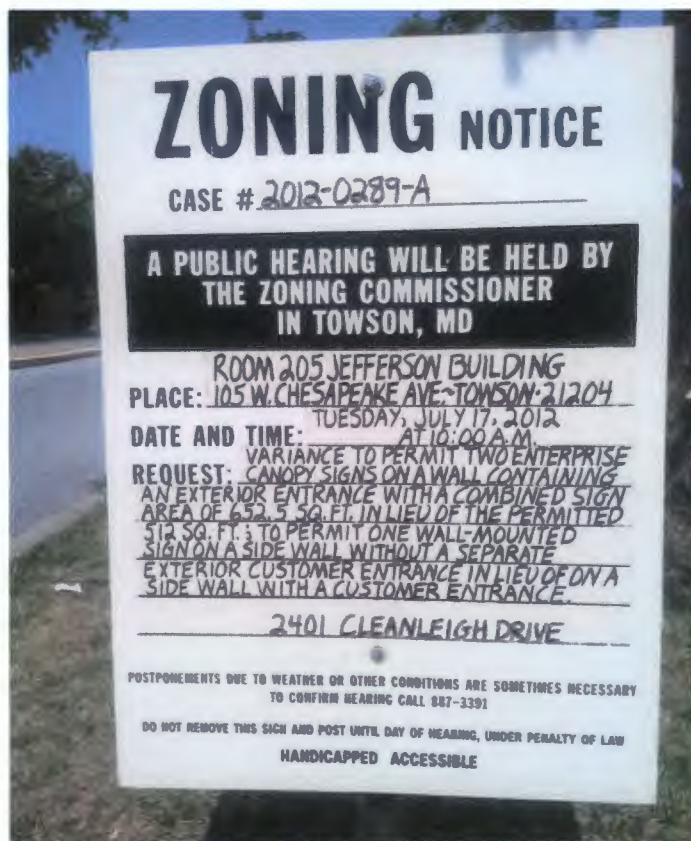
Case Number: 2012-0289-A

Petitioner / Developer: DEBORAH DOPKIN, ESQ.~ HOWARD KLEIN~
DAVID FREDERICK~TORY PIERCE

Date of Hearing (Closing): JULY 17, 2012

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
2401 CLEANLEIGH DRIVE

The sign(s) were posted on: JUNE 20, 2012



McCLEAN BLVD ENTRANCE

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2012-0289-A

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. - TOWSON 21204

DATE AND TIME: TUESDAY, JULY 17, 2012
AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT TWO ENTERPRISE
CANOPY SIGNS ON A WALL CONTAINING
AN EXTERIOR ENTRANCE WITH A COMBINED SIGN
AREA OF 652.5 SQ. FT. IN LIEU OF THE PERMITTED
512 SQ. FT.; TO PERMIT ONE WALL-MOUNTED SIGN ON
A SIDE WALL WITHOUT A SEPARATE EXTERIOR
CUSTOMER ENTRANCE IN LIEU OF ON A SIDE WALL
WITH A CUSTOMER ENTRANCE

2401 CLEAULEIGH DRIVE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETHING NECESSARY
TO CONTINUE HEARING, CALL 410-331-2201

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

HANDICAPPED ACCESSIBLE

OAKLEIGH ROAD ENTRANCE

ZONING NOTICE

CASE # 2012-0289-A

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: TUESDAY, JULY 17, 2012
AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT TWO ENTERPRISE
CANOPY SIGNS ON A WALL CONTAINING
AN EXTERIOR ENTRANCE WITH A COMBINED SIGN
AREA OF 652.5 SQ. FT. IN LIEU OF THE PERMITTED
512 SQ. FT.; TO PERMIT ONE WALL-MOUNTED SIGN
ON A SIDE WALL WITHOUT A SEPARATE EXTERIOR
CUSTOMER ENTRANCE IN LIEU OF ON A SIDE WALL
WITH A CUSTOMER ENTRANCE.

2401 CLEANLEIGH DRIVE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

PERRING PARKWAY ENTRANCE

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: # 2012-0289-A

2401 Cleanleigh Drive

N/s of Perry Manor Road at the corner of McClean Boulevard

9th Election District — 5th Councilmanic District

Legal Owner(s): AMCB Perring, LLC

Contract Purchaser/Lessee: Shop Rite of Perry Parkway, LLC

Variance: to permit two enterprise canopy signs on a wall containing an exterior entrance with a combined sign area of 652.5 sq. ft. in lieu of the permitted 512 sq. ft.; to permit one wall-mounted sign on a side wall without a separate exterior customer entrance in lieu of on a side wall with a customer entrance.

Hearing: Tuesday, July 17, 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

CERTIFICATE OF PUBLICATION

6/21, 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 6/21, 2012.

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

S. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
2401 Cleanleigh Drive; N/S Perring Manor Rd		
At corner of McClean Bouelvard	*	OF ADMINSTRATIVE
9 th Election & 5 th Councilmanic Districts		
Legal Owner(s): AMCB Perring, LLC	*	HEARINGS FOR
Contract Purchaser(s): Shop Rite of Perring Parkway		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2012-289-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 Tory Pierce, 5 South Main Street, Bel Air, MD 21014 and Deborah Dopkin, Esquire, 409 Washington Avenue, Suite 1000, Baltimore, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment5-30

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

NC6-16

DEPS

(if not received, date e-mail sent _____)

NC

FIRE DEPARTMENT

6-18

PLANNING

(if not received, date e-mail sent _____)

Supports5-21

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

6-21-12

SIGN POSTING

Date:

6-20-12by O'Keefe ✓

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any:

John -
* Premises Address different on SPAT than Petition
(2331) (2401)

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 09 Account Number - 2400001379

Owner Information

Owner Name: AMCB PERRING LLC **Use:** COMMERCIAL
Mailing Address: C/O ACADIA REALTY TRUST **Principal Residence:** NO
1311 MAMARONECK AVE STE 260 **Deed Reference:** 1) /31520/ 00181
WHITE PLAINS NY 10605- 2)

Location & Structure Information

Premises Address
2331 CLEANLEIGH DR
BALTIMORE MD 21234-6807

Legal Description
29.854 AC
SS CLEANLEIGH DR
PRKWY CRSNG SHPNG CNTR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0080	0012	0172		0000			1	2	Plat Ref: 0071/0049

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built **Enclosed Area** **Property Land Area** **County Use**
29.8500 AC 06

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	8,955,000	8,955,000		
Improvements:	4,907,400	4,907,400		
Total:	13,862,400	13,862,400	13,862,400	13,862,400
Preferential Land:	0			0

Transfer Information

Seller: R&P PLAZA LLC	Date: 12/20/2011	Price: \$20,259,654
Type: ARMS LENGTH MULTIPLE	Deed1: /31520/ 00181	Deed2:
Seller: PARKWAY CROSSING ACQUISITION LLC	Date: 03/29/2005	Price: \$18,750,000
Type: ARMS LENGTH MULTIPLE	Deed1: /21629/ 00433	Deed2:
Seller: BETHEL PARK LIMITED PARTNERSHIP	Date: 06/02/2002	Price: \$16,000,000
Type: ARMS LENGTH MULTIPLE	Deed1: /16466/ 00340	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

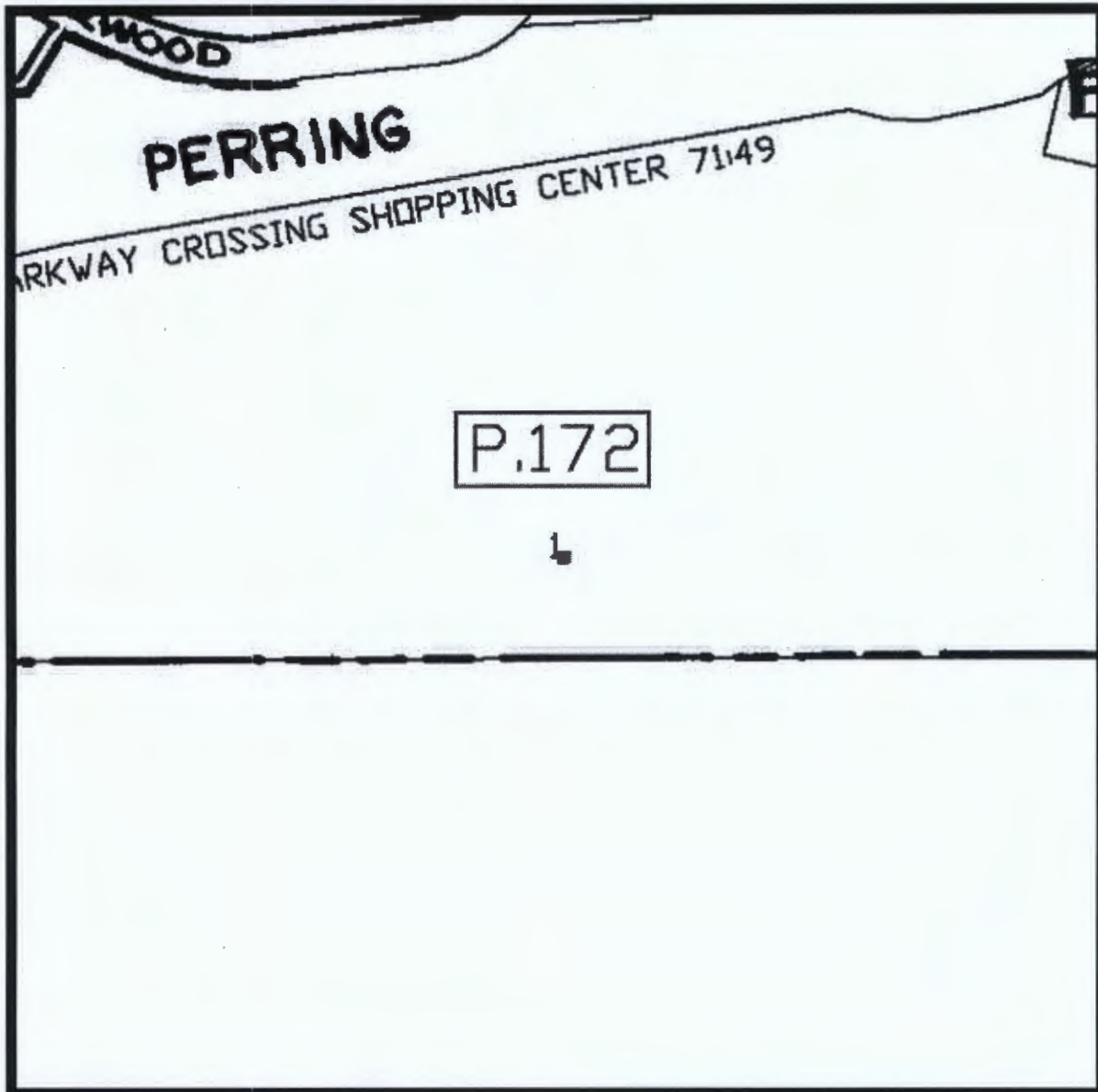
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 09 Account Number - 2400001379



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2010.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



7/17 10AM
6/21/12
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 # 2012-0289-A
Address 2401 Cleanleigh Drive
(Shop Rite of Perring Parkway, LLC)

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: 2401 Cleanleigh Drive

RECEIVED

INFORMATION:

JUN 18 2012

Item Number: 12-289

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: AMCB Perring, LLC

Zoning: BM-CCC

Requested Action: Variance

The petitioner seeks the following variances to permit:

- Two enterprise canopy signs on a wall containing an exterior entrance with a combined sign area of 652.5 square feet in lieu of the permitted 512 square feet;
- One wall mounted sign on a sidewall without a separate exterior customer entrance in lieu of on a sidewall with a customer entrance.

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's request for sign variances. The proposed signage is for the new Shop Rite Supermarket the main anchor tenant to a shopping center that suffered a significant loss by the vacation of the former anchor tenant (which was a supermarket). The proposed signage is part of the overall Shop-Rite façade improvements, which will significantly upgrade the center. The sidewall sign (referenced in the petitioner's request) is located on the main building canopy, which directs customers to the main entrance.

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

Prepared by:

Division Chief:

AVA/LL: CM

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

2012-0289-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



KEVIN KAMENETZ
County Executive

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

July 10, 2012

AMCB PERRING LLC
David R Frederick
2701 N Charles Street
Suite 404
Baltimore MD 21218

RE: Case Number: 2012-0289 A, Address: 2401 Cleanleigh Drive

Dear Mr. Frederick:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 10, 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.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel
Tory Pierce, 5 Main Street, Bel Air, MD 21014
Shop Rite of Perring Parkway LLC, Shop Rite of Baltimore LLC, Howard Klein, Member, 2101
Rockspring Road, Forest Hill MD 21050
Deborah C Dopkin, Esquire, 409 Washington Avenue, Suite 1000, Towson MD 21204

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 Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0289-A
Variance
Shop Rite of Perring Park LLC.
Howard Klein.
2401 Cleanleigh Drive

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 5-21-12. A field inspection and internal review reveals that an entrance onto MS41 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0289-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/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

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

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: 2401 Cleanleigh Drive

INFORMATION:

Item Number: 12-289

Petitioner: AMCB Perring, LLC

Zoning: BM-CCC

Requested Action: Variance

The petitioner seeks the following variances to permit:

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SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's request for sign variances. The proposed signage is for the new Shop Rite Supermarket the main anchor tenant to a shopping center that suffered a significant loss by the vacation of the former anchor tenant (which was a supermarket). The proposed signage is part of the overall Shop-Rite façade improvements, which will significantly upgrade the center. The sidewall sign (referenced in the petitioner's request) is located on the main building canopy, which directs customers to the main entrance.

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

Prepared by:

Division Chief:
AVA/LL: CM



KEVIN KAMENETZ
County Executive

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

Sign Acknowledgement & Agreement

Section 450.8.D.1 and 450.8.D.5
Baltimore County Zoning Regulations

450.8.D: Abatement.

1. Section 450.1.A, requires all nonconforming signs to be brought into compliance or be removed within a certain time limit. Sign owners are encouraged to comply immediately with Section 450 and will be given a reasonable time period to recover their investments in existing signage. Therefore be advised, except for enterprise signs in residential zones and temporary signs, all legally nonconforming signs, including those approved by variance pursuant to Section 307 of these regulations, must be removed, at no expense to the county, no later than 15 years from the effective date of Bill No. 89-1997.

5. [Bill No. 139-2006]

"a. Unless precluded by state law, the Director, Department of Permits, Approvals & Inspections may hold the owner of a sign or any entity identified on a sign responsible for removal of the sign if removal is required under these regulations. The sign may also be removed by the County in any manner provided by law."

"b. The Director may hold the property owner or the campaign treasurer responsible for removal of political signs."

I/we are the property owner/business owner listed below and have carefully read the above regulation and certify that any sign permit that was/is issued under Section 413 of the Baltimore County Zoning Regulations (BCZR) and does not comply with Section 450 of the BCZR will be brought into compliance by performing one of following: (1) removing the sign, (2) altering the signs size/location, or (3) applying for a new sign variance, and obtaining a new permit prior to October 19, 2012. If a variance is applied for prior to the compliance date, the sign may remain until the variance is granted.

(print)

Business Name SHOPSITE OF PERRING-PICK

(print)

Property Owners Name AMCB PERRING LLC

Business Owners Name

And Mailing Address 2101 ROCKSPRING RD
FORT MYER HILL, MD
21050

Property Owners Address 90 WCB REAL ESTATE

2701 N. CHARLES ST., SUITE 404
BALTIMORE, MD 21218

Signature

Business Phone No. (410) 803-4801

Signature

[Signature]

5/7/12

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

2012-0289-A

2012-0289-A



Publication Date: May 10, 2012

Publication Agency: Department of Permits & Development Management

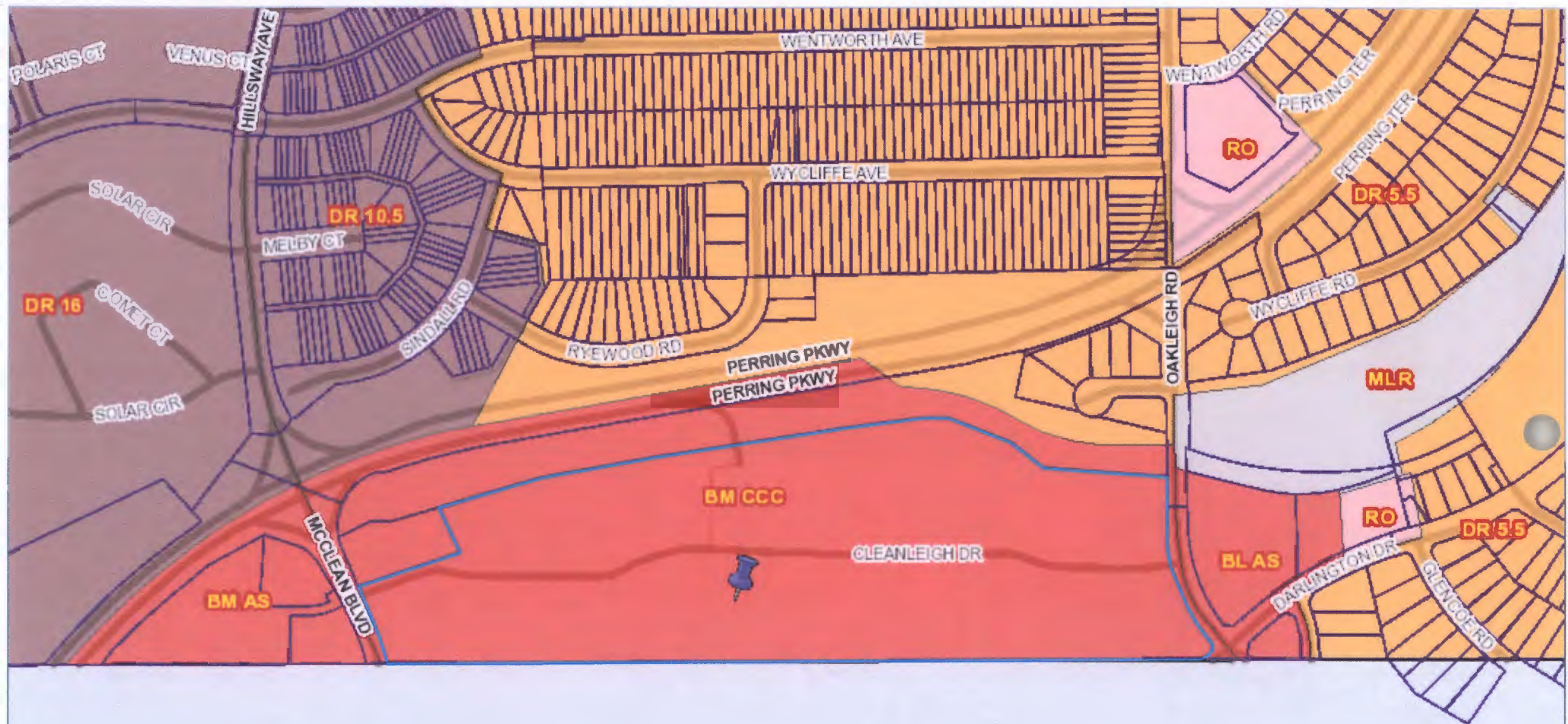
Projection/Datum: Maryland State Plane,

FIPS 1900, NAD 1983/91 HARN, US Foot



A horizontal scale bar with three segments. The first segment is labeled '0' at its left end. The second segment is labeled '420' at its right end. The third segment is labeled '840' at its right end. The word 'Feet' is written at the far right end of the bar.

1 inch = 400 feet



2012-0289-A



My Neighborhood 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.

Printed 5/8/2012

JB 7/17
10 AM

Case No.: 2012-0289-A

Exhibit Sheet

8-21-12
pw

7-17-12
Pj

Petitioner/Developer

Protestant

No. 1	Pierce Resume	
No. 2	Site Plan (Redlined)	
No. 3	Sunpaper Story	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Torrence M. Pierce, PE
FREDERICK WARD ASSOCIATES, INC.
5 South Main Street
Bel Air, Maryland 21014

Education

Bachelor of Civil Engineering, University of Delaware, June 1984

Professional Registration

Registered Professional Engineer, State of Maryland, No. 17299

Professional Affiliations

American Society of Civil Engineers, Member
National Society of Professional Engineers, Member
Maryland Home Builders Association, Member

PETITIONER'S

EXHIBIT NO. 1

Additional Certifications

State Certified Inspector, Maryland Department of Economic and Community Development, 1985
Erosion and Sediment Control Training Certification, State of Maryland, Department of Natural Resources, 1984, No. 6587

Professional Experience

1985 - Present **Frederick Ward Associates, Inc.**
Bel Air, Maryland
Position: Vice President

Responsibilities include complete oversight and management of the preparation of engineering construction drawings and specifications for civil/site construction projects; administering the government review and permit process associated with each project; and providing construction administration services throughout the construction phase of each project.

1984 - 1985 **Harford County, Maryland**
Department of Public Works
Bel Air, Maryland
Position: Civil Engineer

1984 **State of Delaware**
Department of Transportation
Dover, Delaware
Position: Transportation Planner

Expert Testimony

- \$ Qualified as an expert witness in civil engineering, land planning, and zoning before the Harford County, Maryland Board of Zoning Appeals since 1991
- \$ Qualified as an expert witness in civil engineering before Harford County District Court, 1994
- \$ Qualified as an expert witness in Baltimore County Zoning Appeal Case, 2004
- \$ Qualified as an expert witness in Baltimore County for Flood Plain Construction Variance, 2009

File 2



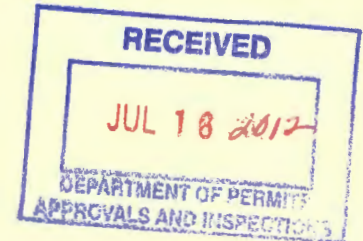
410-444-2100

HARBEL Community Organization, Inc.
5807 Harford Road
Baltimore, Maryland 21214
fax 410-426-1140
Email: info@harbel.org
Website: www.harbel.org

Executive Board Members

Reed Hutner – President
Karmen Johnson-Smith – Vice President
Sue Fitzsimmons – Secretary
Chuck Cronauer – Treasurer
Past Pres. – Linda Doughty

Naomi Benyowitz – Executive Director



July 12, 2012

Mr. Arnold Jablon
Director of Permits, Approvals, and Inspections
111 Chesapeake Ave, Suite 105
Towson, Maryland 21204

IN SUPPORT OF

Case # 2012-0289-A

Proposed sign variance for the ShopRite Supermarket
2331 Cleanleigh Drive

Dear Mr. Jablon:

As the Community Relations Director of the HARBEL Community Organization, Inc., a non-profit organization serving the needs of over 80 member organizations and communities in South Central Baltimore County and Northeast Baltimore City, I am writing you in support of the proposed sign variance for the ShopRite Supermarket at 2331 Cleanleigh Drive.

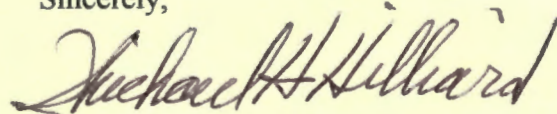
Prior to its opening in June of 2012, the Klein family, which owns this supermarket performed considerable community outreach in order to appropriately serve an area which lacked fresh and healthy food alternatives. They listened to local community leaders and elected officials in both Baltimore County and Baltimore City as the store is located in Baltimore County adjacent to the Baltimore County-Baltimore City line. They then invested over 10 million dollars in a store that met the needs of the area's population, taking into account input they had received from both community leaders and elected officials. They then provided new jobs for over 250 residents of the Baltimore County and Baltimore City communities that surround the store. It is also of note this store houses a pharmacy, and the area, until the store's opening, was also underserved by either pharmacies or supermarket-pharmacy combination stores. The failure of this store would be a significant loss to the residents of the surrounding Baltimore County Community Conservation Area and Baltimore City. The store sits too far away from Perring Parkway to be visible with its current signage permitted by code. A larger sign would alleviate this issue. The store is not permitted a separate pharmacy sign under existing code. A separate pharmacy sign would ensure visitors to the shopping center and passing motorists are informed the store offers this valuable service.

"1970-2012, HARBEL's 42nd Anniversary of Serving South Central Baltimore County and Northeast Baltimore City"

HARBEL supports the Klein's ShopRite in its request for a proposed sign variance for the ShopRite Supermarket 2331 Cleanleigh Drive, and we would request this sign variance be approved by Baltimore County.

Thank you in advance for your assistance in this matter, and please know the efforts of the Department of Permits & Approvals to maintain and improve Baltimore County's neighborhoods have been greatly appreciated by HARBEL and its members.

Sincerely,

A handwritten signature in dark ink, reading "Michael H. Hilliard". The signature is fluid and cursive, with the first name "Michael" being more prominent and the last name "Hilliard" following in a similar style.

Michael H. Hilliard
Director, Community Relations

7/9/12
70 WCR
8

July 13, 2012

Mr. Arnold Jablon
Director of Permits & Approvals
111 Chesapeake Ave.
Room 111
Towson MD 21204

2012-0289



Dear Sir:

As Vice President of the Olde Hillendale Community Association, I am writing to show our support of the proposed sign variances for the ShopRite Supermarket at 2331 Cleanleigh Drive. Having grown up in this community and currently raising a family here, it is important to have a supermarket that offers fresh and healthy food alternatives. The community is currently underserved in this particular area, in addition to stores that offer pharmacies or supermarket-pharmacy combination locations.

One of the most important elements to having a successful business is visibility and community awareness. Because ShopRite is located a good distance from Perring Parkway and McLean Blvd, the appropriate signage is necessary. Without a larger and more prevalent sign, this particular store location will lack the visibility that's needed to succeed where others have failed and under the current sign code this is not permitted. The Perring Parkway Shopping Center has experienced a lot of failure with Supermarkets and we don't want to add ShopRite to a long list of failed attempts at revitalizing the Shopping Center. By permitting the operator to promote, market and advertise the business, you will be not only contributing to ShopRite's success, but the communities' success, growth and stability as well.

Thank you,

Carey G. Hayes

Vice President, Olde Hillendale Community Association

2/19/12
TO Wm
J

TO: Mr. Arnold Jablon
Director of Permits & Approvals
410-887-5708



FROM: Crystal Hayes
Parent/Community Liaison Halstead Academy-BCPS
410.887.3210

RE: Case # 2012-0289-A

**410-444-2100****HARBEL Community Organization, Inc.****5807 Harford Road****Baltimore, Maryland 21214**

fax 410-426-1140

Email: info@harbel.org

Website: www.harbel.org

Executive Board Members

Reed Hutner - President

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Sue Fitzsimmons - Secretary

Chuck Cronauer - Treasurer

Past Pres. - Linda Doughty

Naomi Benyowitz - Executive Director

**TRANSMIT TO FAX NUMBER: 410-887-5708****DATE: July 12, 2012****PLEASE DELIVER THE FOLLOWING DOCUMENT TO:****NAME: Mr. Arnold Jablon****COMPANY: Director of Permits, Approvals, and Inspections****NUMBER OF PAGES INCLUDING THIS TRANSMITTAL PAGE: 2****FROM: HARBEL Community Organization, Inc.****MESSAGE/COMMENTS:****IN SUPPORT OF****Case # 2012-0289-A****Proposed sign variance for the ShopRite Supermarket
2331 Cleanleigh Drive****Please call if the transmission is incomplete or not legible.**

**410-444-2100****HARBEL Community Organization, Inc.****5807 Harford Road
Baltimore, Maryland 21214**fax 410-426-1140
Email: info@harbel.org
Website: www.harbel.org**Executive Board Members****Reed Hutner - President
Karmen Johnson-Smith - Vice Presiden
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Past Pres. - Linda Doughty****Naomi Benyowitz - Executive Director**

July 12, 2012

Mr. Arnold Jablon
Director of Permits, Approvals, and Inspections
111 Chesapeake Ave, Suite 105
Towson, Maryland 21204

IN SUPPORT OF**Case # 2012-0289-A****Proposed sign variance for the ShopRite Supermarket
2331 Cleanleigh Drive**

Dear Mr. Jablon:

As the Community Relations Director of the HARBEL Community Organization, Inc., a non-profit organization serving the needs of over 80 member organizations and communities in South Central Baltimore County and Northeast Baltimore City, I am writing you in support of the proposed sign variance for the ShopRite Supermarket at 2331 Cleanleigh Drive.

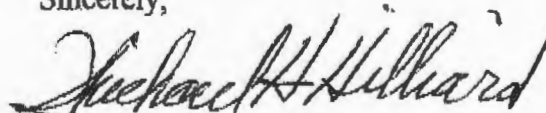
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Thank you in advance for your assistance in this matter, and please know the efforts of the Department of Permits & Approvals to maintain and improve Baltimore County's neighborhoods have been greatly appreciated by HARBEL and its members.

Sincerely,



Michael H. Hilliard
Director, Community Relations

SITE DATA:

1. SITE AREA - AREA OF TRACT: 30.67 +/- ACRES
STREAM EASEMENT: 5.5 +/- ACRES
NET DEVELOPMENT AREA: 25.17 +/- ACRES
NET AREA ZONED BM-CCC: 25.45 ACRES
NET AREA ZONED DR-5.5: 1.22 ACRES
NET AREA SHOPPING CENTER (EXCLUDING FUEL SERVICES STATIONS) - 28.52 ACRES
NET AREA SHOPPING CENTER ZONED DR-5.5: 1.22 ACRES
2. OWNER: BETHEL PARK LIMITED PARTNERSHIP
365 SOUTH ST.
MORRISTOWN, NJ 07960-7339
3. DEED REF.: LIBER S.E.B. JR. 12352, FOLIO 533 (8-25-97).
TITLE EXCEPTIONS: TITLE COMMITMENT NO. 98-MD-07-007
RECORD PLAT: 7149
4. TAX ACCOUNT NO.: LOT 1-0907411360
LOT 2-2100002752
5. TAX MAP 80. GRID 5,6,11 & 12, PARCEL 172
6. ELECTION DISTRICT - 9TH
7. COUNCILMANIC DISTRICT: 4TH
8. CENSUS TRACT: 4921.02
9. WATERSHED: 22
10. SUBSEWERSHED: 50
11. ZONING: BM-CCC/DR. 5.5 (MAP NO. 100-100-100)
12. EXISTING USE: RETAIL SHOPPING CENTER
PROPOSED USE: RETAIL SHOPPING CENTER WITH PROP. HOME DEPOT STORE.
13. SETBACK REQUIREMENTS:
FRONT: NOT LESS THAN 15' FROM PROPERTY LINE AND NOT LESS THAN 40' FROM CENTERLINE OF STREET
SIDE: NONE REQUIRED
REAR: NONE REQUIRED
14. AMENITY OPEN SPACE WITHIN SHOPPING CENTER AREA ZONED BM-CCC: 288,350 SF OR 6.62 ACRES
15. AMENITY OPEN SPACE RATIO:
MIN. PERMITTED - 0.2
16. BUILDING COVERAGE (SHOPPING CENTER AREA, BM-CCC ZONE):
EXISTING - 275,361 SQUARE FEET
PROPOSED - 282,304 SQUARE FEET (INCLUDING SEASONAL SALES AREA)
17. FLOOR AREA RATIO (SHOPPING CENTER AREA, BM-CCC ZONE):
MAX PERMITTED - 4.0
PROPOSED: 282,304 (ADJ. GROSS) / 1,232,748 - 0.229
18. BUILDING HEIGHT - 36'

19. PARKING:
EXISTING - 1327 P.S. (INCLUDING 43 H.C.)
REQUIRED - 282,304 S.F. @ 5 SPACES/1000 S.F. = 1412 SPACES
PROVIDED - 1255 SPACES (INCL. 46 HDGP)
NOTE: ALL PARKING SPACES ARE 8.5'X16', UNLESS OTHERWISE NOTED.
20. ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL ZONING POLICIES.
21. THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
22. THERE ARE NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, WELLS, SEPTIC SYSTEMS OR HAZARDOUS MATERIALS ON THE SITE.
UNDERGROUND STORAGE TANKS ARE AS NOTED HEREON: "A" - 750 GALLON GREASE TRAP; "B" - GASOLINE STORAGE TANKS; "C" - GASOLINE STORAGE
23. THE 100 YEAR FLOOD PLAIN LINE ALONG HERRING RUN WAS ESTABLISHED BASED ON THE FLOOD STUDY PREPARED BY MARYLAND SURVEYING AND ENGINEERING CO. FOR BALTIMORE COUNTY ENTITLED "HERRING RUN WATER FLOOD STUDY" DATED MARCH 1982. REFER TO BALTIMORE CO. ENGINEERING, JOHN MAPLE FOR STUDY.
24. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE C - AREAS OF MINIMAL FLOODING, AND ZONE A - AREAS OF 100-YEAR FLOOD, AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM - FIRM-FLOOD INSURANCE RATE MAPS FOR BALTIMORE COUNTY MARYLAND (UNINCORPORATED AREAS), COMMUNITY PANEL NUMBER 240010 0405 B AND COMMUNITY PANEL NUMBER 240100410 B EFFECTIVE DATE MARCH 2, 1981.
25. THE FOREST BUFFER SHALL EXTEND ALONG THE STREAM FROM THE EDGE OF THE PAVING ON THE NORTH SIDE OF THE PARKING LOT DOWN SLOPE TO THE PROPERTY LINE ADJOINING THE STATE HIGHWAY ADMINISTRATION PROPERTY ALONG PERRING PARKWAY
26. THE FOREST BUFFER IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 11574, FOLIO 417 IN ACCORDANCE WITH THE REQUIREMENTS OF SSECTION 14.340 OF THE BALTIMORE COUNTY CODE.
27. A WAIVER OF FOREST CONSERVATION REGULATIONS WAS GRANTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT ON JULY 14, 1998
28. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
29. A WAIVER OF STORM WATER QUANTITY AND QUALITY MANAGEMENT HAS BEEN GRANTED ON 7/14/00
30. A VARIANCE HAS BEEN GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT TO THE REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS, AND FLOODPLAINS ON JUNE 12, 2000.
31. LIGHTING SHALL BE ERCTED AS NOT TO REFLECT INTO ANY ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
32. ELEVATIONS SHOWN HEREON ARE BASED ON BALTIMORE COUNTY, MARYLAND TRAVERSE STATION X-7533 X-CUT IN CONCRETE WALK, SOUTH SIDE OF PERRING MANOR ROAD. ELEVATION = 307.502 BEARINGS SHOWN HEREON BASED ON BALTIMORE COUNTY

- METROPOLITAN DISTRICT, BALTIMORE COUNTY, MARYLAND TRAVERSE STATIONS:
14957 N 27,080.05 E 13,760.14
X-7533 N 27,078.56 E 14,219.08
33. DEVELOPMENT APPROVALS:
LIMITED EXEMPTION DEVELOPMENT PLAN APPROVED ON 7/16/98 (DRC #11247 E)
FIRST AMENDED DEVELOPMENT PLAN APPROVED ON 6/19/00 (DRC # 03060B)
SECOND AMENDED DEVELOPMENT PLAN APPROVED ON 6/12/01 (DRC # 062501 L)
34. ZONING HISTORY FOR SHOPPING CENTER:
CASE NO. 88-182-A
VARIANCE FROM SECTION 413 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A SIGN WITH A HEIGHT OF 38 FEET AND AN AREA OF 252 SQUARE FEET IN LIEU OF THE PERMITTED SIGN WITH A HEIGHT OF 25 FEET AND AN AREA OF 100 SQUARE FEET. GRANTED ON JANUARY 5, 1998
- CASE NO. 98-478-X
PETITION FOR A SPECIAL EXCEPTION TO APPROVE AN ARCADE ON THE SUBJECT PROPERTY GRANTED IN AUGUST 1998
- CASE NO. 00-431-A
A VARIANCE FROM SECTION 409.5.A.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 1224 SPACES IN LIEU OF THE REQUIRED 1489 SPACES, A VARIANCE OF 265 SPACES (17.8%) HAS BEEN GRANTED ON JUNE 6, 2000
- BALTIMORE COUNTY DEPARTMENT OF ZONING DETERMINED THAT THE PROPOSED CHANGES SHOWN ON THIS 2ND AMENDED DEVELOPMENT PLAN ARE WITHIN THE SPIRIT AND INTENT OF THE BCZR AND ZONING CASE 00-431-A. DETERMINATION WAS MADE ON JUNE 25, 2001
35. ZONING HISTORY FOR FUEL STATIONS:
BECAUSE OF THE INDEPENDENT REQUIREMENTS FOR FUEL SERVICE STATIONS UNDER THE BALTIMORE COUNTY ZONING REGULATIONS, THE TWO EXISTING FUEL SERVICE STATIONS ARE NOT INCLUDED AS BEING WITHIN THE SHOPPING CENTER FOR PURPOSES OF CALCULATING THE NUMBER OF PARKING SPACES REQUIRED OR PROVIDED. BOTH FUEL SERVICE STATIONS ARE PERMITTED BY SPECIAL EXCEPTION: THE STATION AT THE CORNER OF OAKLEIGH AND PERRING MANOR WAS APPROVED UNDER CASE NO. 9820-XA, AND THE STATION AT THE CORNER OF MCLEAN AND PERRING MANOR WAS APPROVED UNDER CASE NOS. 83-82-XSPH, 84-314-XSPH, AND 95-499-SPHXA.

CASE NO. 02-140 SPHA

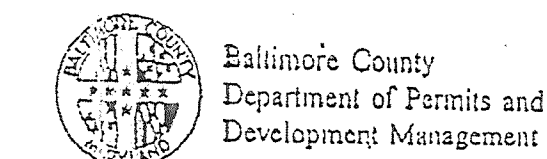
Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance and special hearing requests should be granted.

THEREFORE, IT IS ORDERED this 5th day of December, 2001, by this Deputy Zoning Commissioner, that the Petitioner's request for variance to allow 3 wall-mounted signs on a building in lieu of the permitted 1 wall-mounted sign and one canopy sign, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioner's request for special hearing to amend the site plan which was previously approved in Case No. 00-431-A, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 19, 2001

Patricia A. Malone, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Dear Ms. Malone:

RE: Home Depot - Parkway Crossing Shopping Center, Zoning: Spirit and Intent, 9th Election District

Pursuant to your letter of June 12, 2001, You have requested a finding from this Office that the proposed amendments to the development plan for the above referenced project, which include the reduction in gross floor area for the proposed Home Depot, proposed minor adjustments to the parking lot and seasonal sales area location be found to be within the spirit and intent of zoning case 00-431-A, and the Baltimore County Zoning Regulations (BCZR) generally. Having reviewed your submittal, it is the opinion of this Office that the proposed changes to the building, parking facility and location of the seasonal sales area are within the spirit and intent of the BCZR and zoning case 00-431-A. This letter must appear on all future site plans submitted to this Office for review pertaining to this site.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-867-3391.

Very truly yours,

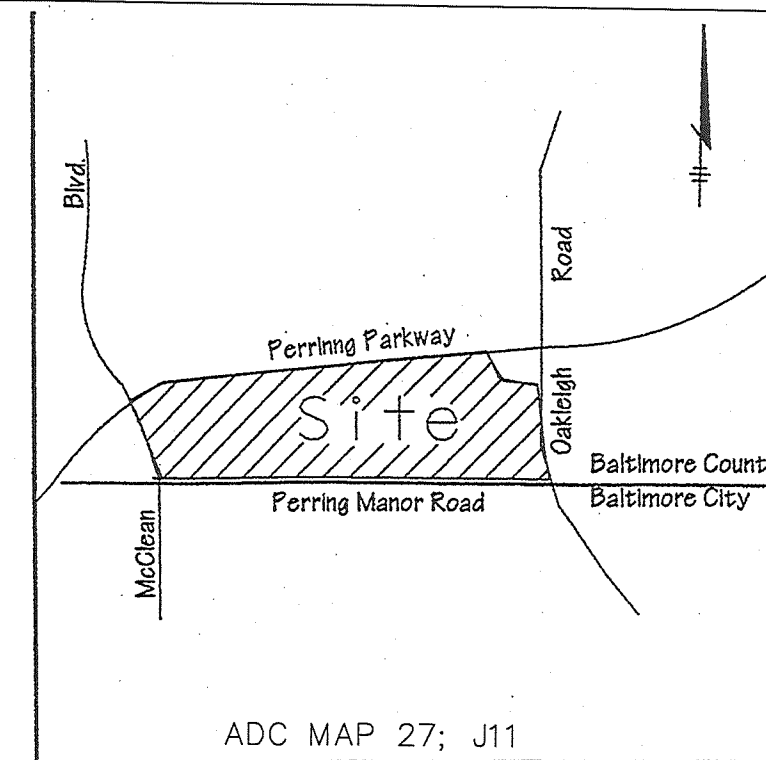
Timothy M. Kotroco
TIMOTHY M. KOTROCO

CASE NO. 00-431-A

THEREFORE, IT IS ORDERED this 5th day of June, 2000, by this Deputy Commissioner, that the Petitioners' request for variance from Section 409.5.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1224 parking spaces in lieu of the 1489 parking spaces for a shopping center, be and is hereby GRANTED, subject, however following restriction which is a condition precedent to the relief granted herein:

The Petitioners may apply for their building permit and be granted same receipt of this Order; however, Petitioners are hereby made aware that proceeding with this is at their own risk until such time as the 30 day appellate process from this has expired. If, for whatever reason, this Order is reversed, the Petitioners will be required to return, and be responsible for returning, said property to its original condition.

Timothy M. Kotroco
TIMOTHY M. KOTROCO



ADC MAP 27; J11

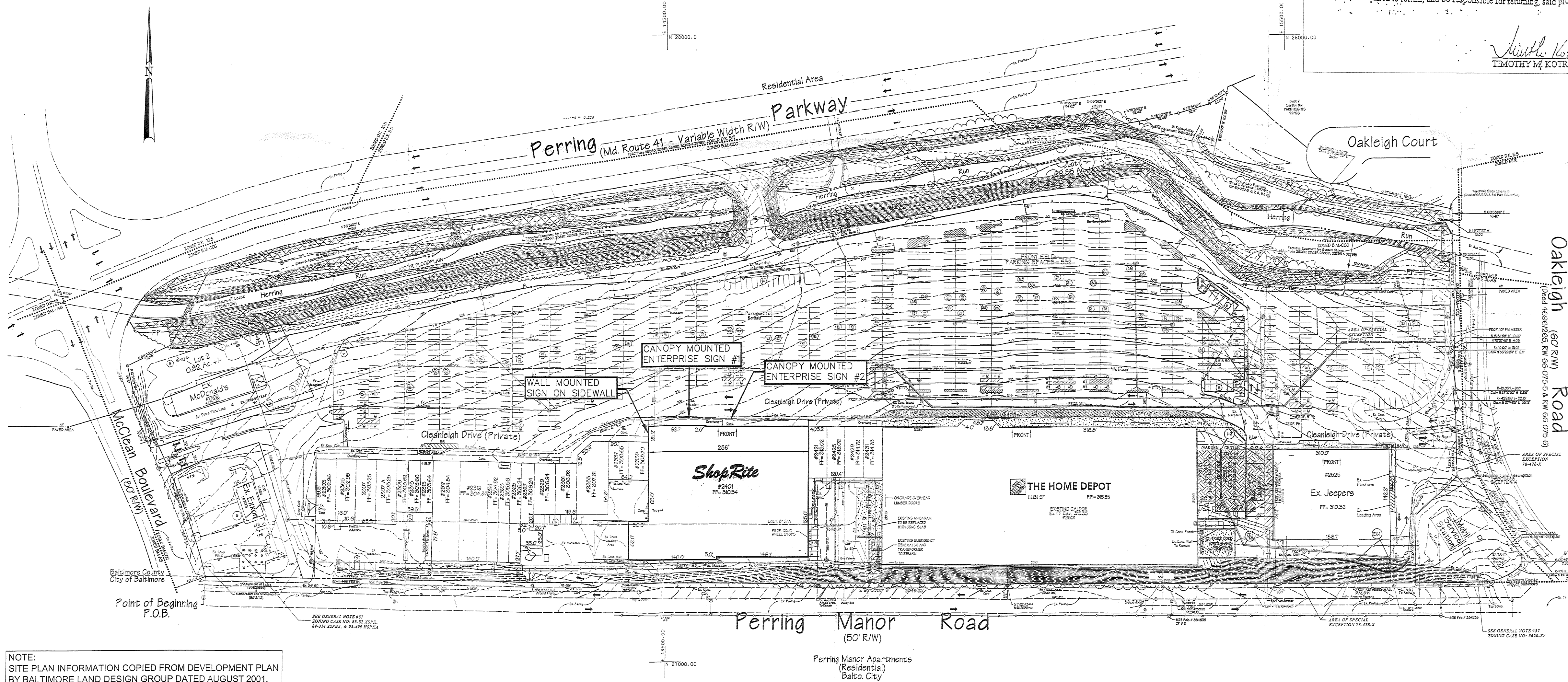
VICINITY MAP

SCALE: 1"=1000'

BENCHMARK

1. BALTO. CO. 14697 N 27080.05; E 13760.14 ELEV. 303.96
1/2" BAR IN SEAM BETWEEN CURB & WALK
SOUTH SIDE PERRING MANOR RD.

2. BALTO. CO. X-7533 N 27078.56; E 14219.08 ELEV. 307.50
+ CUT 2.0' N. OF ED WALK, SOUTH SIDE PERRING MANOR RD.



NOTE:
SITE PLAN INFORMATION COPIED FROM DEVELOPMENT PLAN
BY BALTIMORE LAND DESIGN GROUP DATED AUGUST 2001.

DEVELOPER

SHOP RITE OF PERRING PARKWAY, LLC
SHOP RITES OF BALTIMORE, LLC

OWNER

AMCB PERRING, LLC
2701 N. CHARLES STREET, ST 404
BALTIMORE, MD 21218
PHONE: 410-662-0106

2101 ROCKSPRING ROAD,
FOREST HILL, MD 21050
PHONE: 410-491-2000

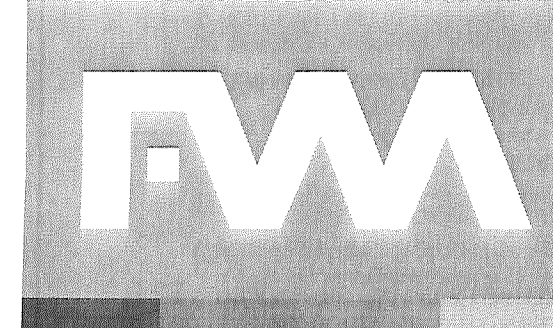
SIGNAGE EXHIBIT TO ACCOMPANY PLAT
FOR
SHOP RITE

PARKWAY CROSSING SHOPPING CENTER
2501 CLEANLEIGH DRIVE
PARKVILLE, MD

VARIANCE REQUESTED:
VARIANCE FROM BCZR 409.5.A.2 TO PERMIT TWO CANOPY MOUNTED ENTERPRISE SIGNS WITH A COMBINED AREA OF 652.5 SQUARE FEET IN LIEU OF THE PERMITTED 512 SQ. FT. AND ONE WALL MOUNTED SIGN ON A SIDE WALL WITHOUT A SEPARATE EXTERIOR CUSTOMER ENTRANCE.

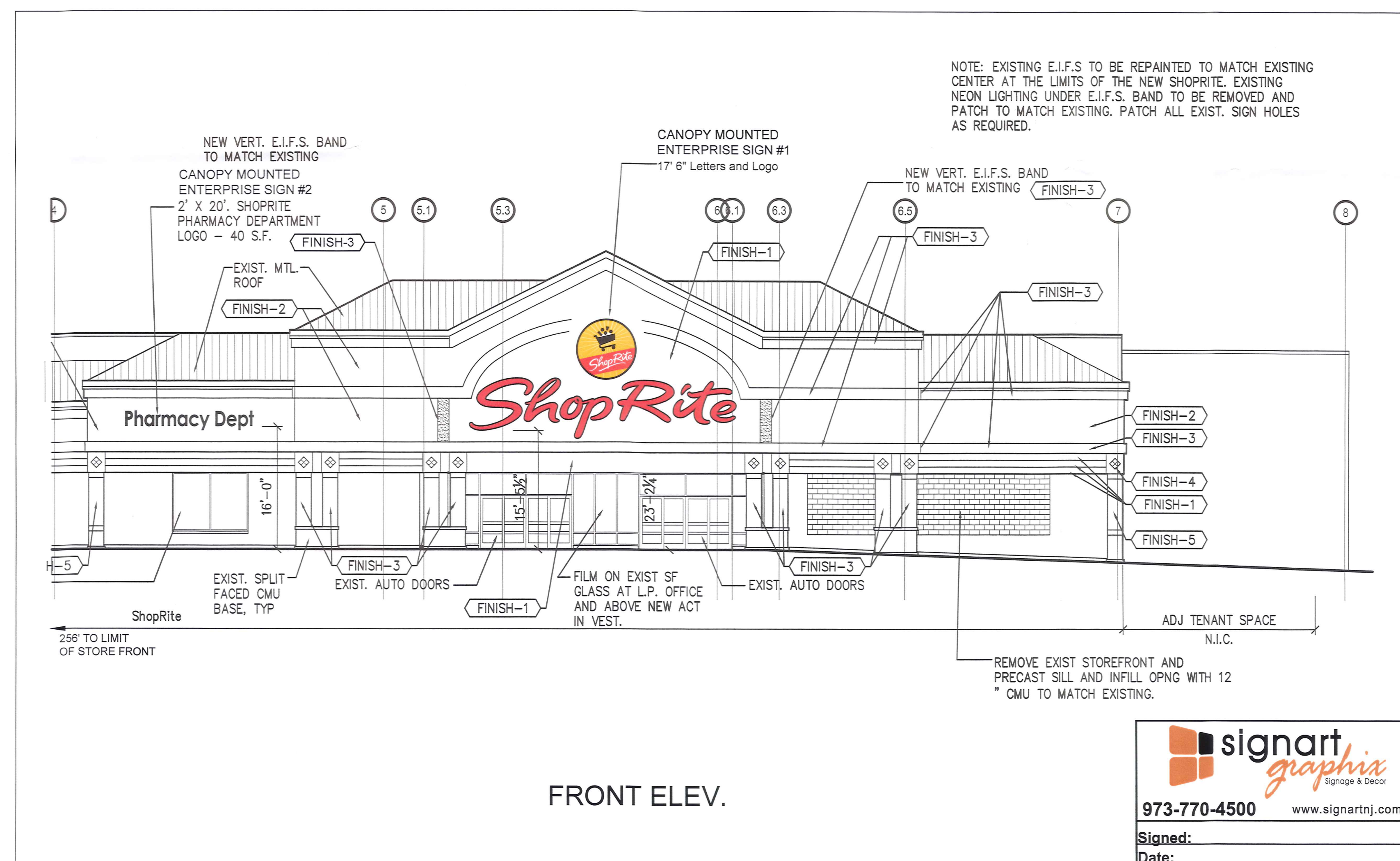
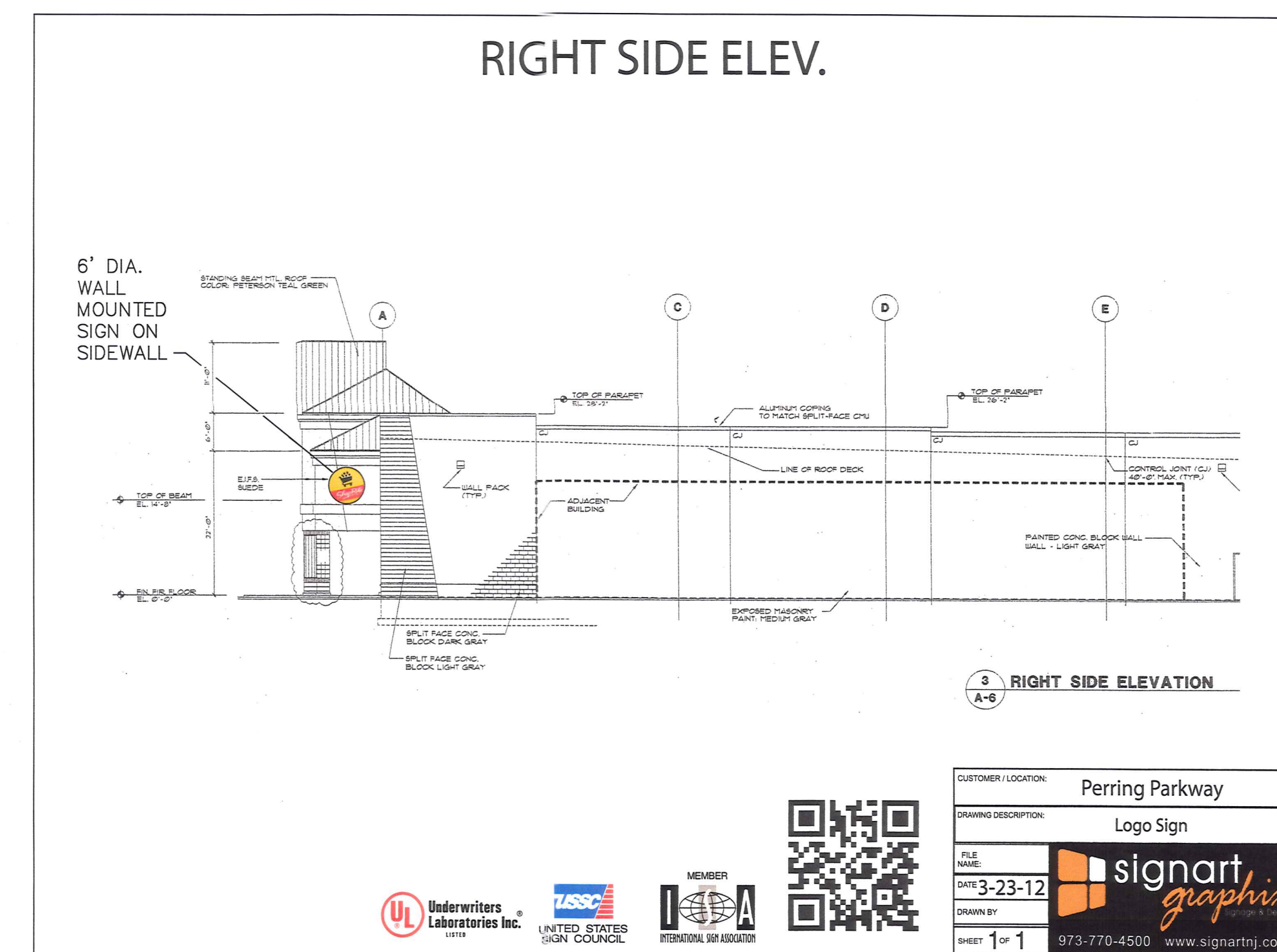
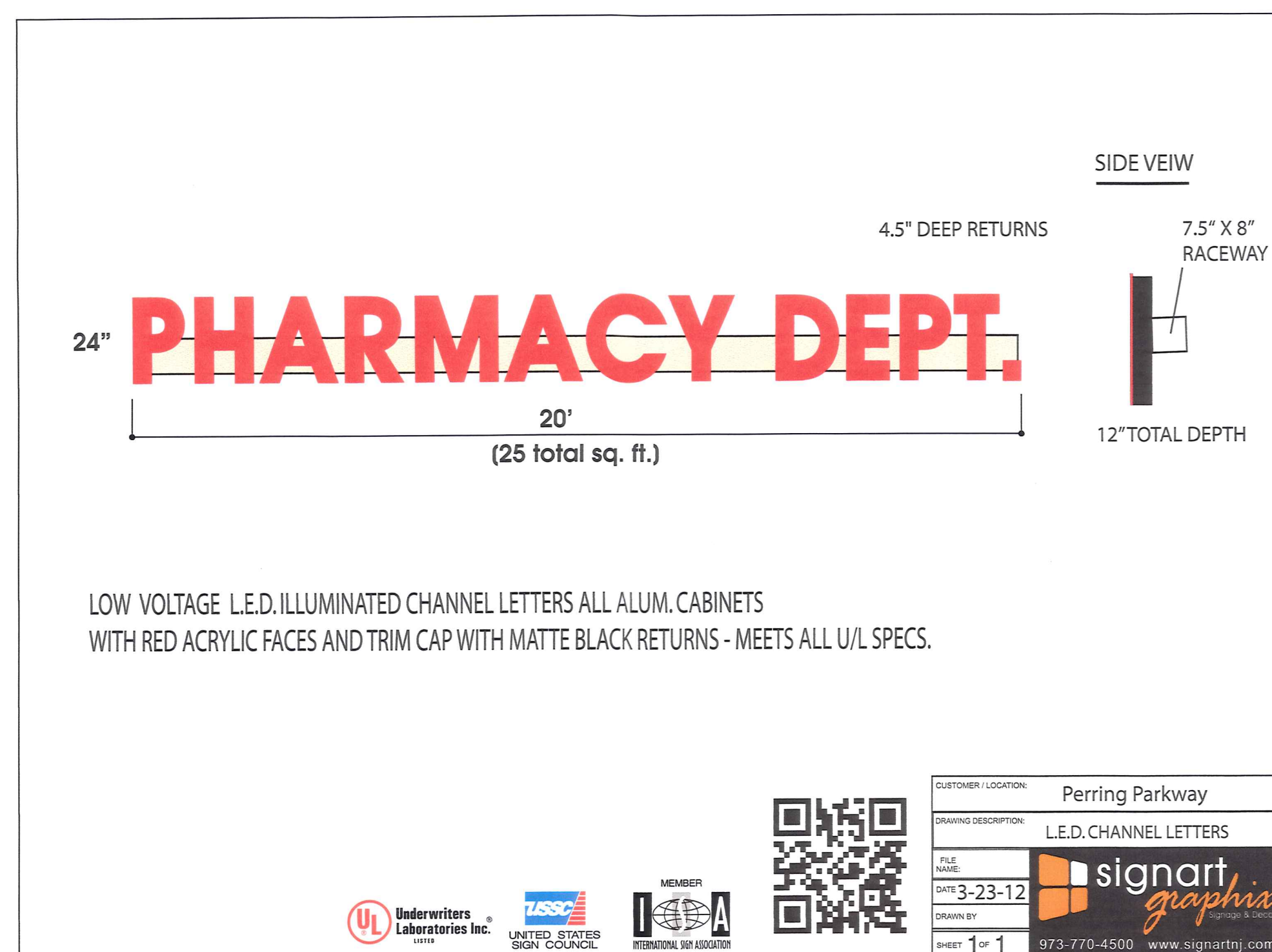
CASE No. 2012-0289A

BALTIMORE COUNTY
SCALE: 1"=100'
SHEET 1 OF 2
ELECTION DIST. NO. 09, C4
DATE: MAY 3, 2012



FREDERICK WARD ASSOCIATES ARCHITECTS ENGINEERS PLANNERS SURVEYORS

PO BOX 727, 5 SOUTH MAIN ST
BEL AIR, MD 21014-0727
www.frederickward.com
p (410) - 879 - 2090
f (410) - 879 - 0593



SIGNAGE AREA CHART	
WALL MOUNTED SIGN ON SIDEWALL	36 SQ. FT.
CANOPY MOUNTED ENTERPRISE SIGN #1	612.5 SQ. FT.
CANOPY MOUNTED ENTERPRISE SIGN #2	40.0 SQ. FT.

 **signart**
graphix
Signage & Decor

973-770-4500 www.signartnj.com

Signed: _____
Date: _____



<u>OWNER</u>	<u>DEVELOPER</u>
AMCB PERRING, LLC	SHOP RITE OF PERRING PARKWAY, LLC SHOP RITES OF BALTIMORE, LLC
2701 N. CHARLES STREET, ST 404 BALTIMORE, MD 21218 PHONE: 410-862-0106	2101 ROCKSPRING ROAD, FOREST HILL, MD 21050 PHONE: 410-491-2000

SIGNAGE EXHIBIT TO ACCOMPANY PLAT
FOR
SHOP RITE
PARKWAY CROSSING SHOPPING CENTER
2501 CLEANLEIGH DRIVE
PARKVILLE, MD

BALTIMORE
COUNTY
SCALE: N.T.S.
SHEET 2 OF 2

ELECTION DIST. NO. 09, C4
DATE: MAY 3, 2012

ARCHITECTS	ENGINEERS	PLANNERS	SURVEYORS
------------	-----------	----------	-----------

PO BOX 727, 5 SOUTH MAIN ST p (410) - 879 - 2090
BEL AIR, MD 21014-0727 f (410) - 879 - 0593
www.frederickward.com

SITE DATA:

1. SITE AREA - AREA OF TRACT - 30.67 +/- ACRES
STREAM EASEMENT - 5.5 +/- ACRES
NET DEVELOPMENT AREA - 25.17 +/- ACRES
NET AREA ZONES BM-CC - 29.45 ACRES
NET AREA ZONED DR-1.5 - 1.22 ACRES
NET AREA SHOPPING CENTER (EXCLUDING FUEL SERVICES STATIONS) - 29.52 ACRES
NET AREA SHOPPING CENTER ZONED DR-5.5 - 1.22 ACRES
2. OWNER: **AMCB Perring LLC**
365 SOUTH L
MORRISTOWN, NJ 07960-7339
*1311 Manassas Ave Ste. 200
White Plains NY 10605*
3. DEED REF: LIBER S.E.B. JR. 12352, FOLIO 155 (08-25-09)
TITLE EXCEPTIONS: TITLE COMMITMENT NO. 98-MD-07-007
RECORD PLAT: 71/49
4. TAX ACCOUNT NO.: LOT 1-0907411360
LOT 2-2100002752
5. TAX MAP 80, GRID 5,6,11 & 12, PARCEL 172
6. ELECTION DISTRICT - 9TH
7. COUNCILMANIC DISTRICT: **5th**
8. CENSUS TRACT: 4921.02
9. WATERSHED: 22
10. SUBSEWER: 50
11. ZONING: BM-CC/DR 5.5 (MAP NO. 080C1)
12. EXISTING USE: RETAIL SHOPPING CENTER
PROPOSED USE: RETAIL SHOPPING CENTER WITH PROP. HOME DEPOT STORE.
13. SETBACK REQUIREMENTS:
FRONT: NOT LESS THAN 15' FROM PROPERTY LINE AND NOT LESS THAN 40' FROM CENTERLINE OF STREET
SIDE: NONE REQUIRED
REAR: NONE REQUIRED
14. AMENITY OPEN SPACE WITHIN SHOPPING CENTER AREA ZONED BM-CC:
288,350 SF OR 6.62 ACRES
15. AMENITY OPEN SPACE RATIO:
MIN. PERMITTED - 0.2
16. BUILDING COVERAGE (SHOPPING CENTER AREA, BM-CC ZONE):
EXISTING - 275,381 SQUARE FEET
PROPOSED - 282,304 SQUARE FEET (INCLUDING SEASONAL SALES AREA)
17. FLOOR AREA RATIO (SHOPPING CENTER AREA, BM-CC ZONE):
MAX PERMITTED - 4.0
PROPOSED: 282,304 (ADJ. GROSS) / 1,232,748 - 0.229
18. BUILDING HEIGHT - 36'

19. PARKING:
EXISTING - 1327 P.S. (INCLUDING 43 H.C.)
REQUIRED - 282,304 S.F. @ 8 SPACES/1000 S.F. = 1412 SPACES
PROVIDED - 1255 SPACES (INCL. 46 HDOP)
NOTE: ALL PARKING SPACES ARE 8.5'X16', UNLESS OTHERWISE NOTED.
20. ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL ZONING POLICIES.
21. THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
22. THERE ARE NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, WELLS, SEPTIC SYSTEMS OR HAZARDOUS MATERIALS ON THE SITE.
UNDERGROUND STORAGE TANKS ARE AS NOTED HEREON: "A" - 750 GALLON GREASE TRAP; "B" - GASOLINE STORAGE TANKS; "C" - GASOLINE STORAGE
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32. ELEVATIONS SHOWN HEREON ARE BASED ON BALTIMORE COUNTY, MARYLAND TRAVERSE STATION X-7533 X-CUT IN CONCRETE WALK, SOUTH SIDE OF PERRING MANOR ROAD. ELEVATION = 307.502 BEARINGS SHOWN HEREON BASED ON BALTIMORE COUNTY

METROPOLITAN DISTRICT, BALTIMORE COUNTY, MARYLAND TRAVERSE STATIONS:
14667 N 27 080.05 E 13,760.14
X-7533 N 27 078.56 E 14,219.08

33. DEVELOPMENT APPROVALS:
LIMITED EXEMPTION DEVELOPMENT PLAN APPROVED ON 7/16/98 (DRC #11247 E)
FIRST AMENDED DEVELOPMENT PLAN APPROVED ON 8/19/00 (DRC #030600B)
SECOND AMENDED DEVELOPMENT PLAN APPROVED ON 6/12/01 (DRC #062501 L)

34. ZONING HISTORY FOR SHOPPING CENTER:
CASE NO. 06-162-A
VARIANCE FROM SECTION 413 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A SIGN WITH A HEIGHT OF 38 FEET AND AN AREA OF 282 SQUARE FEET IN LIEU OF THE PERMITTED SIGN WITH A HEIGHT OF 25 FEET AND AN AREA OF 100 SQUARE FEET. GRANTED ON JANUARY 5, 1998

CASE NO. 98-478-X
PETITION FOR A SPECIAL EXCEPTION TO APPROVE AN ARCADE ON THE SUBJECT PROPERTY GRANTED IN AUGUST 1998

CASE NO. 00-431-A
A VARIANCE FROM SECTION 409.6.A.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 1224 SPACES IN LIEU OF THE REQUIRED 1489 SPACES, A VARIANCE OF 265 SPACES (17.8%) HAS BEEN GRANTED ON JUNE 6, 2000

BALTIMORE COUNTY DEPARTMENT OF ZONING DETERMINED THAT THE PROPOSED CHANGES SHOWN ON THIS 2ND AMENDED DEVELOPMENT PLAN ARE WITHIN THE SPIRIT AND INTENT OF THE BCZR AND ZONING CASE 00-431-A. DETERMINATION WAS MADE ON JUNE 25, 2001

CASE NO. 02-140-SPHA
VARIANCE FROM B.C.Z.R. SECTION 450.4.1.5 (d) TO PERMIT THREE WALL MOUNTED ENTERPRISE SIGNS ON A PREMISES IN LIEU OF THE ALLOWED ONE WALL MOUNTED ENTERPRISE SIGN AND ONE CANOPY SIGN. HAS BEEN GRANTED ON DECEMBER 5, 2001.

35. ZONING HISTORY FOR FUEL STATIONS:

BECAUSE OF THE INDEPENDENT REQUIREMENTS FOR FUEL SERVICE STATIONS UNDER THE BALTIMORE COUNTY ZONING REGULATIONS, THE TWO EXISTING FUEL SERVICE STATIONS ARE NOT INCLUDED AS BEING WITHIN THE SHOPPING CENTER FOR PURPOSES OF CALCULATING THE NUMBER OF PARKING SPACES REQUIRED OR PROVIDED. BOTH FUEL SERVICE STATIONS ARE PERMITTED BY SPECIAL EXCEPTION: THE STATION AT THE CORNER OF OAKLEIGH AND PERRING MANOR WAS APPROVED UNDER CASE NO. 9809-XA, AND THE STATION AT THE CORNER OF MCLEAN AND PERRING MANOR WAS APPROVED UNDER CASE NOS. 83-82-XSPH, 84-314-XSPH, AND 95-499-XSPH.

CASE NO. 02-140 SPHA

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance and special hearing requests should be granted.

THEREFORE, IT IS ORDERED this 13th day of December, 2001, by this Deputy Zoning Commissioner, that the Petitioner's request for variance to allow 3 wall-mounted signs on a building in lieu of the permitted 1 wall-mounted sign and one canopy sign, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioner's request for special hearing to amend the site plan which was previously approved in Case No. 00-431-A, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 19, 2001

Patricia A. Malone, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Dear Ms. Malone:

RE: Home Depot - Parkway Crossing Shopping Center, Zoning's Spirit and Intent, 6th Election District

Pursuant to your letter of June 12, 2001, You have requested a finding from this Office that the proposed refinements to the development plan for the above referenced project, which include the reduction in gross floor area for the proposed Home Depot, proposed minor adjustments to the parking lot and season sales area location be found to be within the spirit and intent of zoning case 00-431-A and the Baltimore County Zoning Regulations (BCZR) generally. Having reviewed your submittal, it is the opinion of this Office that the proposed changes to the building, parking facility and location of the seasonal sales area are within the spirit and intent of the BCZR and zoning case 00-431-A. This letter must appear on all future site plans submitted to this Office for review pertaining to this site.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-867-3391.

Very truly yours,

Timothy M. Kotroco

CASE NO. 00-431-A

THEREFORE, IT IS ORDERED this 5th day of June, 2000, by this Deputy

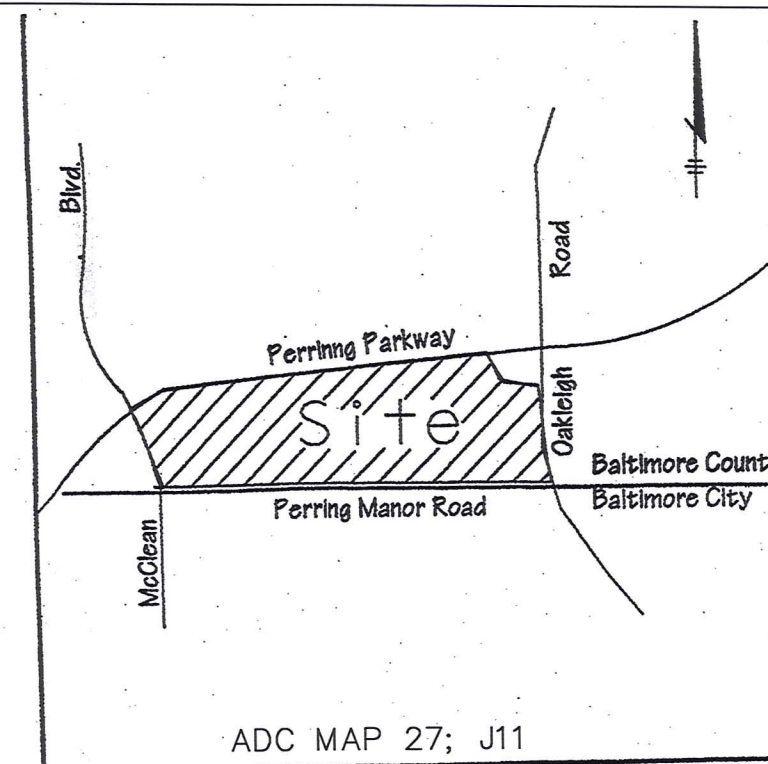
Commissioner, that the Petitioners' request for variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1224 parking spaces in lieu of the

1489 parking spaces for a shopping center, be and is hereby GRANTED, subject, however

following restriction which is a condition precedent to the relief granted herein:

The Petitioners may apply for their building permit and be granted same receipt of this Order; however, Petitioners are hereby made aware that procedin time is at their own risk until such time as the 30 day appellate process from th has expired. If, for whatever reason, this Order is reversed, the Petitioners a required to return, and be responsible for returning, said property to its original c

Timothy M. Kotroco
TIMOTHY M. KOTROCO



ADC MAP 27; J11

VICINITY MAP

SCALE: 1"=100'

BENCHMARK

1. BALTO. CO. 14697 N 27080.05; E 13760.14 ELEV. 303.96
1/2" BAR IN SEAM BETWEEN CURB & WALK
SOUTH SIDE PERRING MANOR RD.

2. BALTO. CO. X-7533 N 27078.56; E 14219.08 ELEV. 307.50
+ CUT 2.0' N. OF ED WALK, SOUTH SIDE PERRING MANOR RD.

PETITIONER'S

EXHIBIT NO. 2

NOTE: SITE PLAN INFORMATION COPIED FROM DEVELOPMENT PLAN BY BALTIMORE LAND DESIGN GROUP DATED AUGUST 2001.

DEVELOPER

SHOP RITE OF PERRING PARKWAY, LLC
SHOP RITES OF BALTIMORE, LLC

OWNER
AMCB PERRING, LLC
2701 N. CHARLES STREET, ST 404
BALTIMORE, MD 21218
PHONE: 410-662-0106

2101 ROCKSPRING ROAD,
FOREST HILL, MD 21050
PHONE: 410-491-2000

SIGNAGE EXHIBIT TO ACCOMPANY PLAT

FOR
SHOP RITE
PARKWAY CROSSING SHOPPING CENTER
2501 CLEANLEIGH DRIVE
PARKVILLE, MD

EXHIBIT 2

VARIANCE REQUESTED
VARIANCE FROM BCZR 400.4 ATTACHMENT 1 (5d) TO PERMIT TWO CANOPY MOUNTED ENTERPRISE SIGNS WITH A COMBINED AREA OF 652.5 SQUARE FEET IN LIEU OF THE PERMITTED 512 SQ. FT. AND ONE WALL MOUNTED SIGN ON A SIDE WALL WITHOUT A SEPARATE EXTERIOR CUSTOMER ENTRANCE.
CASE NO. 2012-0289A

BALTIMORE
COUNTY
SCALE: 1"=100'
SHEET 1 OF 2

ELECTION DIST. NO. 09, C4
DATE: JULY 17, 2012



FREDERICK WARD ASSOCIATES

ARCHITECTS | ENGINEERS | PLANNERS | SURVEYORS

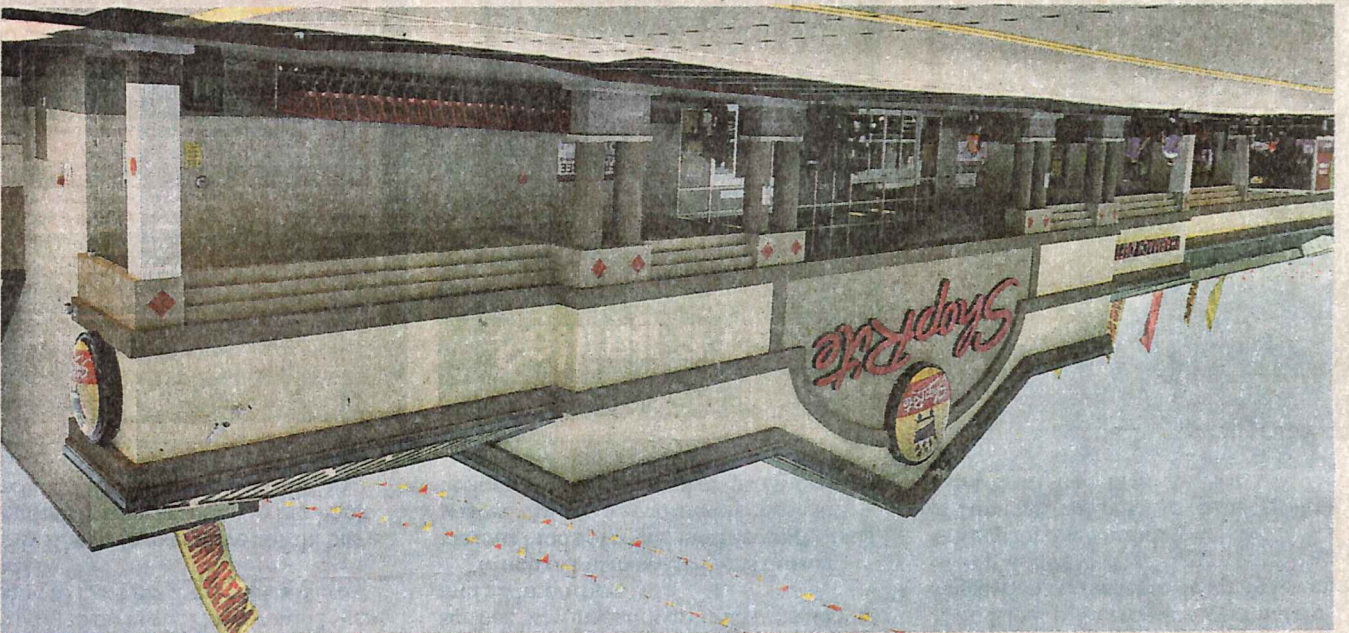
PO BOX 727, 5 SOUTH MAIN ST
BEL AIR, MD 21014-0727
www.frederickward.com

p (410) - 879 - 2090
f (410) - 879 - 0593



KIM HAIRSTON/BALTIMORE SUN PHOTOS
Marshall Klein, the chief operating officer of Klein's ShopRite of Maryland, in the new Parkville store, below. Klein says he intends on leading his family's business in a new direction, focusing on underserved areas in Baltimore city and county.

A suburban grocer moves into Baltimore



With nonprofits backing, Klein's takes on the urban market

By STEVE KILAR
The Baltimore Sun

Marshall Klein, fourth-generation son of the Klein's grocery store family, is proud of the sweet potato pies stacked near the entrance of his newest supermarket, ShopRite of Perring Crossing in Parkville.

"We steam the potatoes ourselves," and on a busy day 50 pies go through the checkout, Klein said, as he balanced his 6-foot-5-inch frame on a folding chair in the community room of the new store off Perring Parkway, just north of the city.

Klein, 31, chief operating officer of Klein's ShopRite of Maryland, is intent on leading his family's business in a new direction. By working with a nonprofit that helps bring grocery stores to underserved urban areas, Klein seeks to open more ShopRite stores in Baltimore.

The pies — like the store's urban setting — are new for the Klein family, which has run grocery stores in Harford County for almost 90 years. The 56,000-square-foot ShopRite opened this spring in a Baltimore County neighborhood that had been without a supermarket for years.

"I struggled — and I still struggle — over how I'm going to define myself," said Klein, who grew up performing odd jobs at his family's stores.

At 11, he was gathering carts and examining profit-and-loss sheets. At 18, he worked as a butcher. About a year later, the keys to a store were tossed to him and he became an assistant manager. Finally, in his late 20s, an opportunity —

City and urban areas of the Baltimore County. It's as much a personal as a professional journey.

See GROCERY, page 4



KIM HAIRSTON/BALTIMORE SUN PHOTOS

Marshall Klein and seafood manager Stephanie Burns check out a live crab in the new ShopRite store in Parkville. Klein intends to open more store in underserved urban areas.

Suburban grocer heads in new direction

GROCERY, From page 1

nity arose that Klein believes will let him make his mark on the family business.

In October 2008, the Kleins joined the Wakefern Food Corp., a New Jersey-based cooperative that owns the ShopRite name and helps regional grocery chains compete with national brands. One of the co-op's members was Brown's Super Stores Inc., a family-run firm that operates about a dozen ShopRite stores in and around Philadelphia. Brown's also runs a nonprofit, UpLift Solutions Inc., that helps grocers launch stores in underserved inner-city areas.

Klein was intrigued by UpLift's work. At the time, he "had to get out of Harford" and moved to Baltimore shortly after graduation from Franklin & Marshall College.

"If we're going to expand, we have to go into Baltimore County, Baltimore City," said Klein, who lives in downtown Baltimore's Ridgely's Delight neighborhood. "When we joined the co-op, we got a real vehicle to do that."

In Harford County, where Klein's has dominated the grocery market for decades, the chain saw nearly \$115 million in annual sales through March 2012, according to Food World, a Columbia-based trade publication that analyzes the Mid-Atlantic grocery market.

In the same period, Klein's garnered more than 15 percent of the county's market share. The county's next-biggest retailers — Walmart, Wegmans and Giant — each captured about 10 percent of the market, with sales of roughly \$75 million each, Food World reported last month.

Shortly after joining the cooperative, the Klein family started talking with the Brown family and Baltimore City officials about opening a store in West Baltimore's Howard Park, on the site of a former Super Pride

that had closed more than a decade earlier.

"Historically, the Klein family has been in the suburbs," said Sandy Brown, who sits on UpLift's board and has been involved with the Kleins' Baltimore projects. "This is the new generation."

"Not only was it an opportunity to grow our business, but it's also an opportunity to do good business," Klein said.

His family company had faced challenges with its suburban stores over the years. In Harford County, the opening of a Walmart significantly cut sales at two Klein's markets. At the Jacksonville store in Baltimore County, neighbors were angered by zoning changes that the family sought to open a branch.

In more urban areas, they faced fresh challenges. For instance, residents in the Parkville and Howard Park neighborhoods didn't want to be bystanders; they wanted to be involved in the stores' development. They wanted a medical clinic, pharmacy and a community room in the stores.

At this point, UpLift stepped in to help. Said Klein: "UpLift is our community-relations arm."

UpLift focuses on finding neighborhood organizers and working with them to understand the community in which stores will be located. At the Parkville store, for instance, UpLift and Klein's have worked with the Halstead Academy of Science and the Arts, the Harbel Community Organization and the Hillendale Improvement Association, Brown said.

Holly Freishtat, Baltimore's food policy director, said it is important for grocery companies to adjust their business to the specific location.

"When you're bringing a grocery store back into the city, you can't just bring in the suburban model," said Freishtat, who has



The Parkville store is the family business' first push into an urban setting.

met with UpLift representatives to discuss Klein's plans in Baltimore.

Klein's stores are important because they provide fresh, healthy food, said Freishtat, whose office estimates that one in five Baltimore residents live in "food deserts," or areas in which good food is difficult to procure.

The stores can also train neighborhood residents for long-term employment, Freishtat said.

About 230 people were hired to work at the Parkville store, with most of the new hires coming from surrounding neighborhoods, Klein said. He added that the company also plans to hire local workers for the Howard Park store, which is expected to open in mid-2013.

With the opening of the Parkville store and construction about to begin in Howard Park, Klein is beginning to think further down the road.

Simply expanding the chain would have gratified him a few years ago, he said. But today he has greater aspirations.

"Now, it's more about the type of company that I run than the size of the company," Klein said. "I'm hoping to open as many stores that I can reasonably open in Baltimore ... and maintain the level of

service that I want to maintain."

So far, Klein's customers seem pleased.

"It's nice, it's clean. The choices are awesome," said Ebony Love, a New York native who lives about a mile from the new Parkville ShopRite.

Jay Loane, who lives in Harford County but has taken up shopping at the Parkville store, makes use of its motorized scooters — and says the staff is always willing to bring a scooter out to his car when he arrives.

"You get full service, and then some," Loane said.

Still, not everyone is happy that Klein's is planning to open stores in Baltimore. The local branch of the United Food and Commercial Workers union has been picketing the Parkville store.

Ellis Staten, a union representative who was passing out fliers recently, said he would prefer that a unionized grocer expand into Baltimore and Baltimore County. The local represents employees of area grocery stores, including Safeway, Giant and Shoppers.

The union hopes that area residents will shop at unionized stores, Staten said, adding that it will continue picketing for six months to a year.

The picketers don't faze Klein — he's seen them before outside his family's newly opened suburban stores.

"It's very important to us to be able to have a relationship with our employees directly," said Klein, adding that he thinks unions create a barrier between workers and employers.

Klein has become a fixture in the Parkville store, and employees smile and wave at him and shake his hand as he passes.

"It's a family-owned store," said Mark Price, a Pikesville resident who works at the customer service desk. "You really get that personal attention."

steve.kilar@baltisun.com
twitter.com/stevekilar

SITE DATA:

1. SITE AREA - AREA OF TRACT: 30.67 +/- ACRES
STREAM EASEMENT: 5.5 +/- ACRES
NET DEVELOPMENT AREA - 25.17 +/- ACRES
NET AREA ZONES BM-CCC - 29.45 ACRES
NET AREA SHOPPING CENTER EXCLUDING FUEL SERVICES STATIONS - 29.52 ACRES
NET AREA SHOPPING CENTER ZONED DR-5.5 - 1.22 ACRES
2. OWNER: BETHEL PARK LIMITED PARTNERSHIP
365 SOUTH ST.
MORRISTOWN, NJ 07960-7339
3. DEED REF: LIBER S.E.B. JR. 12352, FOLIO 533 (08-25-97)
TITLE EXCEPTIONS: TITLE COMMITMENT NO: 98-MD-07-007
RECORD PLAT: 7149
4. TAX ACCOUNT NO.: LOT 1-090741360
LOT 2-2100002752
5. TAX MAP 80, GRID 5.6, 11 & 12, PARCEL 172
6. ELECTION DISTRICT - 9TH
7. COUNCILMANIC DISTRICT: 4TH
8. CENSUS TRACT: 4921.02
9. WATERSHED: 22
10. SUBSEVERSHED: 50
11. ZONING: BM-CCC/DR. 5.5 (MAP NO. 08001)
12. EXISTING USE: RETAIL SHOPPING CENTER
PROPOSED USE: RETAIL SHOPPING CENTER WITH PROP. HOME DEPOT STORE.
13. SETBACK REQUIREMENTS:
FRONT: NOT LESS THAN 15' FROM PROPERTY LINE AND NOT LESS THAN 40' FROM CENTERLINE OF STREET
SIDE: NONE REQUIRED
REAR: NONE REQUIRED
14. AMENITY OPEN SPACE WITHIN SHOPPING CENTER AREA ZONED BM-CCC:
288,350 SF OR 6.62 ACRES
15. AMENITY OPEN SPACE RATIO:
MIN. PERMITTED - 0.2
16. BUILDING COVERAGE (SHOPPING CENTER AREA, BM-CCC ZONE):
EXISTING - 275,381 SQUARE FEET
PROPOSED - 282,304 SQUARE FEET (INCLUDING SEASONAL SALES AREA)
17. FLOOR AREA RATIO (SHOPPING CENTER AREA, BM-CCC ZONE):
MAX PERMITTED - 4.0
PROPOSED: 282,304 (A.D.J. GROSS) / 1,232,748 - 0.229
18. BUILDING HEIGHT - 36'

19. PARKING:
EXISTING - 1327 P.S. (INCLUDING 43 H.C.)
REQUIRED - 282,304 S.F. @ 5 SPACES/1000 S.F. = 1412 SPACES
PROVIDED - 1255 SPACES (INCL. 46 HDPC)
NOTE: ALL PARKING SPACES ARE 6.5'X18', UNLESS OTHERWISE NOTED.
20. ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL ZONING POLICIES.
21. THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
22. THERE ARE NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, WELLS, GEOTEC SYSTEMS OR HAZARDOUS MATERIALS ON THE SITE. UNDERGROUND STORAGE TANKS ARE AS NOTED HEREON: "A" - 750 GALLON GREASE TRAP; "B" - GASOLINE STORAGE TANKS; "C" - GASOLINE STORAGE
23. THE 100 YEAR FLOODPLAIN LINE ALONG HERRING RUN WAS ESTABLISHED BASED ON THE FLOOD STUDY PREPARED BY MARYLAND SURVEYING AND ENGINEERING CO. FOR BALTIMORE COUNTY ENTITLED "HERRING RUN WATER FLOOD STUDY" DATED MARCH 1992. REFER TO BALTIMORE CO. ENGINEERING, JOHN MAPLE FOR STUDY.
24. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE C - AREAS OF MINIMAL FLOODING, AND ZONE A - AREAS OF 100-YEAR FLOOD, AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM - FIRM-FLOOD INSURANCE RATE MAPS FOR BALTIMORE COUNTY MARYLAND (UNINCORPORATED AREAS), COMMUNITY PANEL NUMBER 240010 0405 B AND COMMUNITY PANEL NUMBER 240010M10 B EFFECTIVE DATE MARCH 2, 1991.
25. THE FOREST BUFFER SHALL EXTEND ALONG THE STREAM FROM THE EDGE OF THE PAVING ON THE NORTH SIDE OF THE PARKING LOT DOWN SLOPE TO THE PROPERTY LINE ADJOINING THE STATE HIGHWAY ADMINISTRATION PROPERTY ALONG PERRING PARKWAY
26. THE FOREST BUFFER IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 11574, FOLIO 417 IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 14.340 OF THE BALTIMORE COUNTY CODE.
27. A WAIVER TO FOREST CONSERVATION REGULATIONS WAS GRANTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT ON JULY 14, 1998
28. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
29. A WAIVER OF STORM WATER QUANTITY AND QUALITY MANAGEMENT HAS BEEN GRANTED ON 7/14/00
30. A VARIANCE HAS BEEN GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT TO THE REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS, AND FLOODPLAINS ON JUNE 12, 2000.
31. LIGHTING SHALL BE ERRECTED AS NOT TO REFLECT INTO ANY ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
32. ELEVATIONS SHOWN HEREON ARE BASED ON BALTIMORE COUNTY, MARYLAND TRAVERSE STATION X-7533 X-CUT IN CONCRETE WALK, SOUTH SIDE OF PERRING MANOR ROAD. ELEVATION = 307.502 BEARINGS SHOWN HEREON BASED ON BALTIMORE COUNTY

METROPOLITAN DISTRICT, BALTIMORE COUNTY, MARYLAND TRAVERSE STATIONS:
14967 N 27,080.05 E 13,760.14
X-7533 N 27,078.56 E 14,719.08

33. DEVELOPMENT APPROVALS:
LIMITED EXEMPTION DEVELOPMENT PLAN APPROVED ON 7/16/98 (DRC #11247 E)
FIRST AMENDED DEVELOPMENT PLAN APPROVED ON 6/19/00 (DRC # 030600B)
SECOND AMENDED DEVELOPMENT PLAN APPROVED ON 6/12/01 (DRC # 062501 L)

34. ZONING HISTORY FOR SHOPPING CENTER:
CASE NO. 66-162-A
VARIANCE FROM SECTION 413 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A SIGN WITH A HEIGHT OF 38 FEET AND AN AREA OF 252 SQUARE FEET IN LIEU OF THE PERMITTED SIGN WITH A HEIGHT OF 25 FEET AND AN AREA OF 100 SQUARE FEET. GRANTED ON JANUARY 5, 1996

CASE NO. 98-478-X
PETITION FOR A SPECIAL EXCEPTION TO APPROVE AN ARCADE ON THE SUBJECT PROPERTY GRANTED IN AUGUST 1998

CASE NO. 00-431-A
A VARIANCE FROM SECTION 409.6.A.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 1224 SPACES IN LIEU OF THE REQUIRED 1489 SPACES, A VARIANCE OF 265 SPACES (17.8%) HAS BEEN GRANTED ON JUNE 6, 2000

BALTIMORE COUNTY DEPARTMENT OF ZONING DETERMINED THAT THE PROPOSED CHANGES SHOWN ON THIS 2ND AMENDED DEVELOPMENT PLAN ARE WITHIN THE SPIRIT AND INTENT OF THE BCZR AND ZONING CASE 00-431-A. DETERMINATION WAS MADE ON JUNE 25, 2001

CASE NO. 02-140-SPHA
VARIANCE FROM B.C.Z.R. SECTION 450.4.1.5 (d) TO PERMIT THREE WALL MOUNTED ENTERPRISE SIGNS ON A PREMISES IN LIEU OF THE ALLOWED ONE WALL MOUNTED ENTERPRISE SIGN AND ONE CANOPY SIGN. HAS BEEN GRANTED ON DECEMBER 5, 2001.

35. ZONING HISTORY FOR FUEL STATIONS:
BECAUSE OF THE INDEPENDENT REQUIREMENTS FOR FUEL SERVICE STATIONS UNDER THE BALTIMORE COUNTY ZONING REGULATIONS, THE TWO EXISTING FUEL SERVICE STATIONS ARE NOT INCLUDED AS BEING WITHIN THE SHOPPING CENTER FOR PURPOSES OF CALCULATING THE NUMBER OF PARKING SPACES REQUIRED OR PROVIDED. BOTH FUEL SERVICE STATIONS ARE PERMITTED BY SPECIAL EXCEPTION: THE STATION AT THE CORNER OF OAKLEIGH AND PERRING MANOR WAS APPROVED UNDER CASE NO. 5620-XA, AND THE STATION AT THE CORNER OF MCLEAN AND PERRING MANOR WAS APPROVED UNDER CASE NOS. 83-82-XSPH, 84-314-XSPHA, AND 95-499-SPHKA.

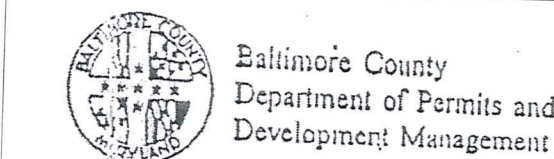
CASE NO. 02-140 SPHA
Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance and special hearing requests should be granted.

THEREFORE, IT IS ORDERED this 5th day of December, 2001, by this Deputy Zoning Commissioner, that the Petitioner's request for variance to allow 3 wall-mounted signs on a building in lieu of the permitted 1 wall-mounted sign and one canopy sign, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioner's request for special hearing to amend the site plan which was previously approved in Case No. 00-431-A, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 19, 2001

Patricia A. Malone, Esq.
Venable, Baetjer and Howard, LLP
210 Alghany Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Dear Ms. Malone:

RE: Home Depot - Parkway Crossing Shopping Center, Zoning's Spirit and Intent, 9th Election District

Pursuant to your letter of June 12, 2001, you have requested a finding from this Office that the proposed refinements to the development plan for the above referenced project, which include the reduction in gross floor area for the proposed Home Depot, proposed minor adjustments to the parking lot and season sales area location be found to be within the spirit and intent of zoning case 00-431-A and the Baltimore County Zoning Regulations (BCZR) generally. Having reviewed your submittal, it is the opinion of this Office that the proposed changes to the building, parking facility and location of the seasonal sales area are within the spirit and intent of the BCZR and zoning case 00-431-A. This letter must appear on all future site plans submitted to this Office for review pertaining to this site.

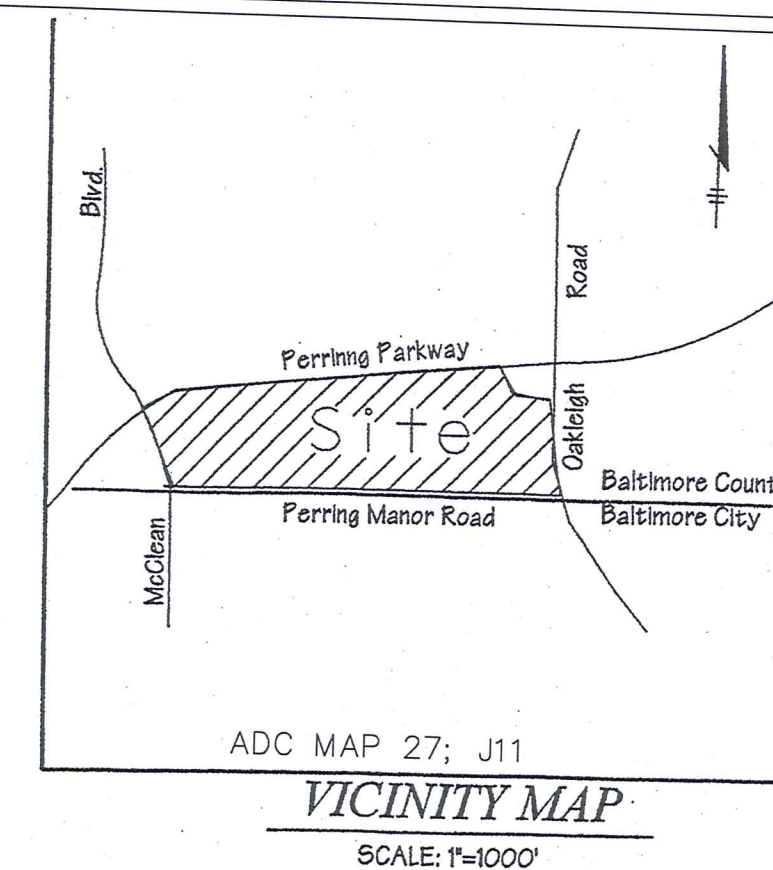
I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3351.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO

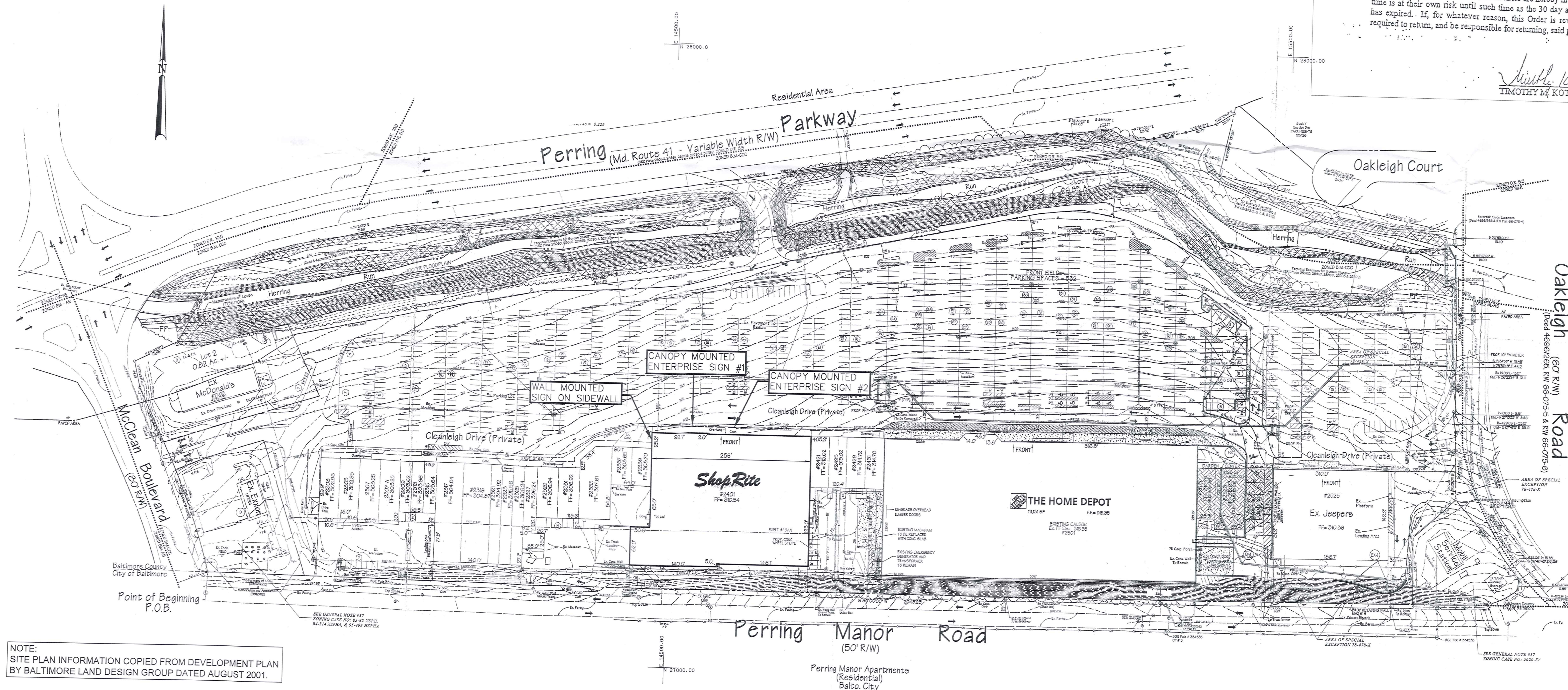
CASE NO. 00-431-A
THEREFORE, IT IS ORDERED this 5th day of June, 2000, by this Deputy Commissioner, that the Petitioner's request for variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1224 parking spaces in lieu of the 1489 parking spaces for a shopping center, be and is hereby GRANTED, subject, however, following restriction which is a condition precedent to the relief granted herein:

The Petitioners may apply for their building permit and be granted said receipt of this Order; however, Petitioners are hereby made aware that procedin time is at their own risk until such time as the 30 day appellate process from th has expired. If, for whatever reason, this Order is reversed, the Petitioners v required to return, and be responsible for returning, said property to its original co



BENCHMARK
1. BALTO. CO. 14697 N 27080.05; E 13760.14 ELEV. 303.96
1/2" BAR IN SEAM BETWEEN CURB & WALK
SOUTH SIDE PERRING MANOR RD.

2. BALTO. CO. X-7533 N 27078.56; E 14219.08 ELEV. 307.50
+ CUT 2.0' N. OF ED WALK, SOUTH SIDE PERRING MANOR RD.



NOTE:
SITE PLAN INFORMATION COPIED FROM DEVELOPMENT PLAN
BY BALTIMORE LAND DESIGN GROUP DATED AUGUST 2001.

OWNER
AMCB PERRING, LLC
2701 N. CHARLES STREET, ST 404
BALTIMORE, MD 21218
PHONE: 410-662-0106

DEVELOPER
SHOP RITE OF PERRING PARKWAY, LLC
SHOP RITES OF BALTIMORE, LLC
2101 ROCKSPRING ROAD,
FOREST HILL, MD 21050
PHONE: 410-491-2000

SIGNAGE EXHIBIT TO ACCOMPANY PLAT
FOR
SHOP RITE
PARKWAY CROSSING SHOPPING CENTER
2501 CLEANLEIGH DRIVE
PARKVILLE, MD

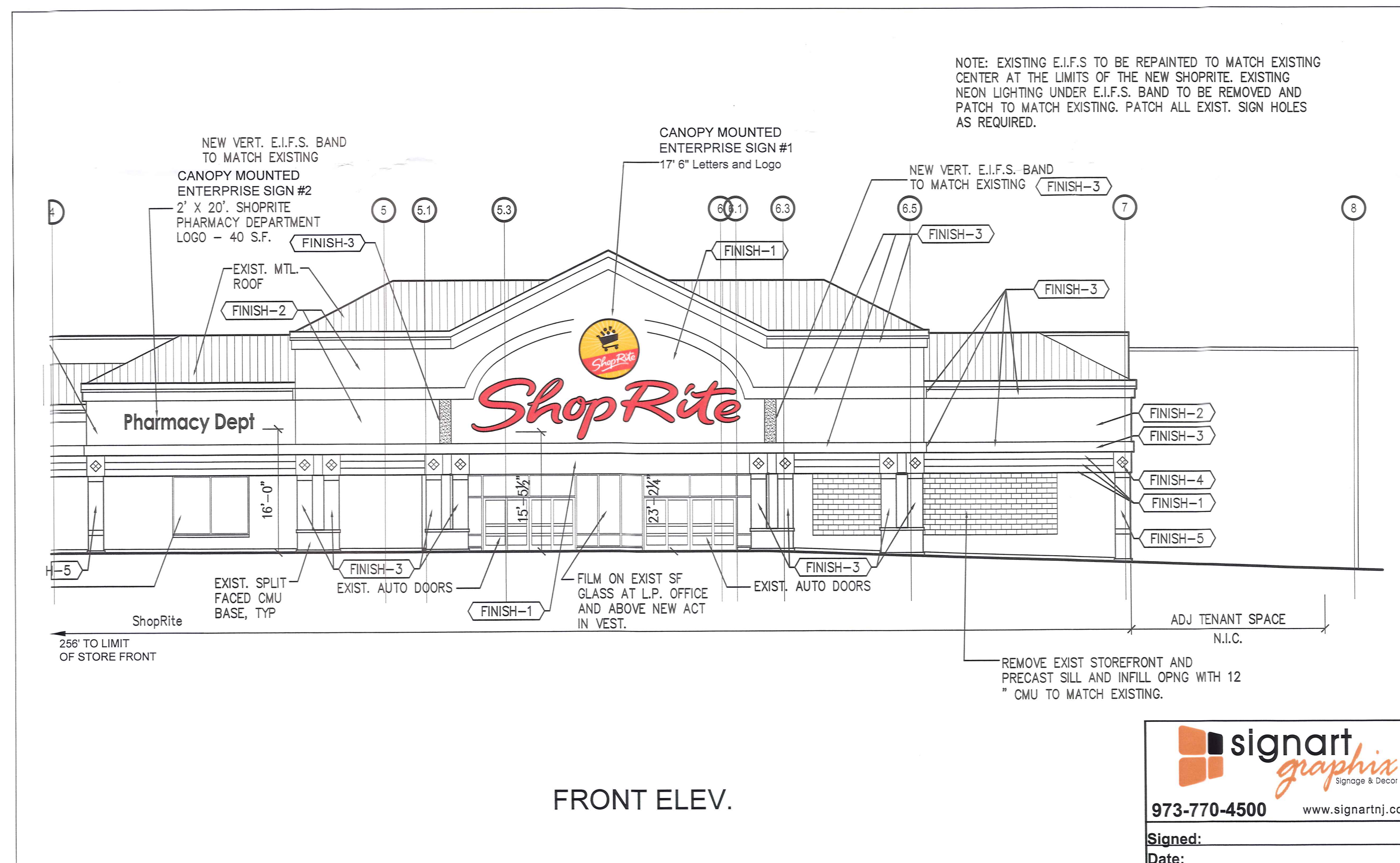
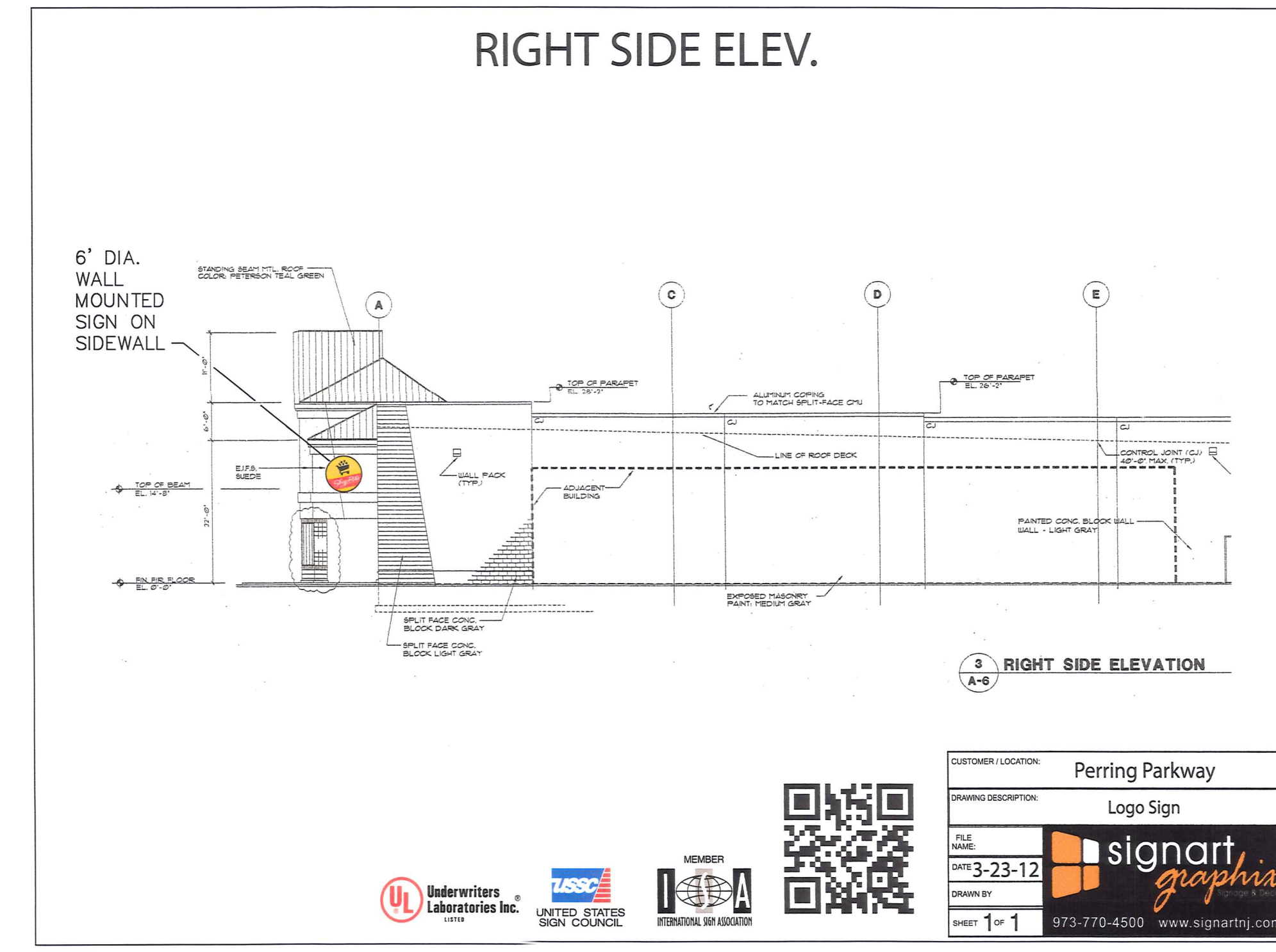
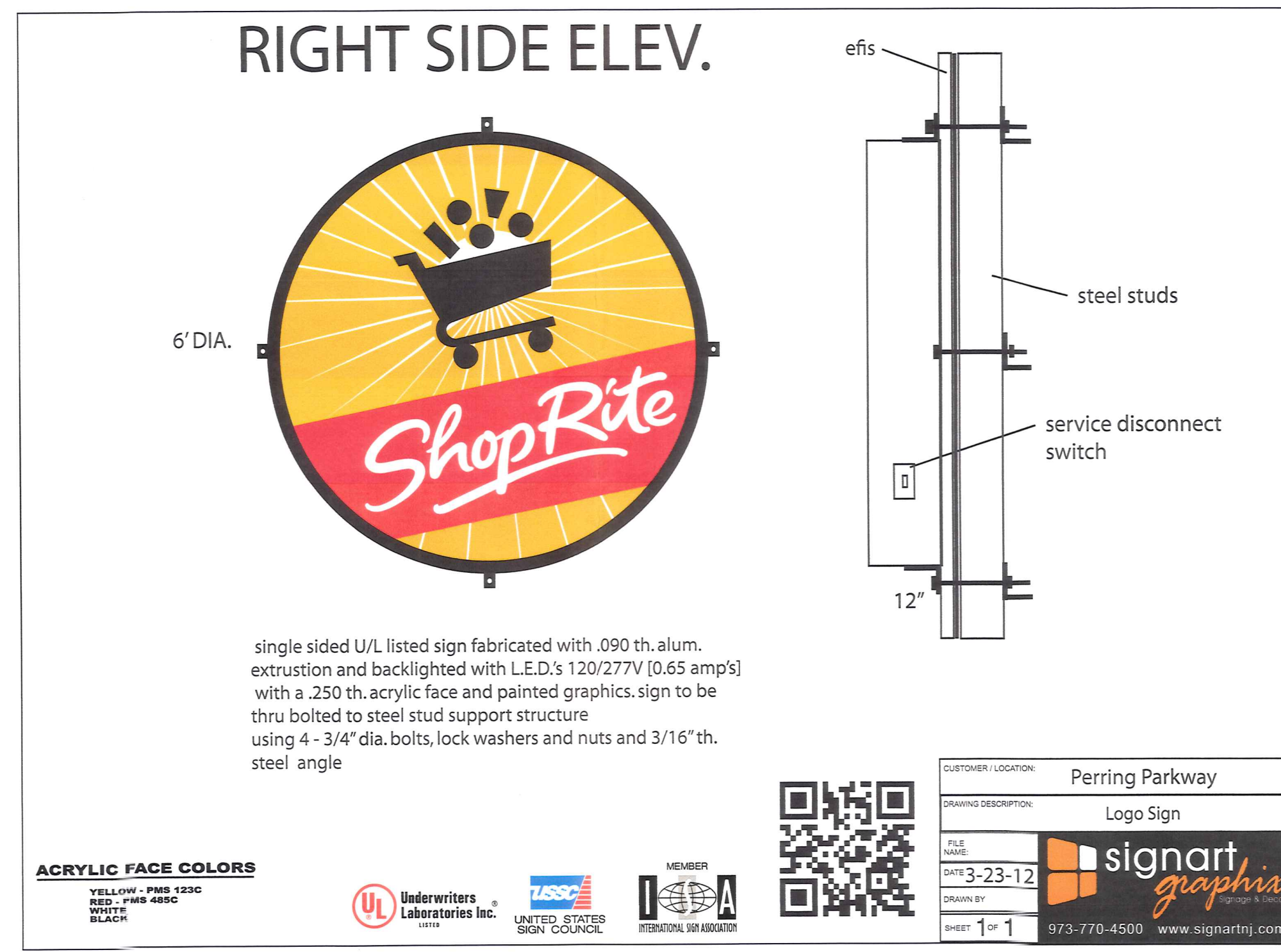
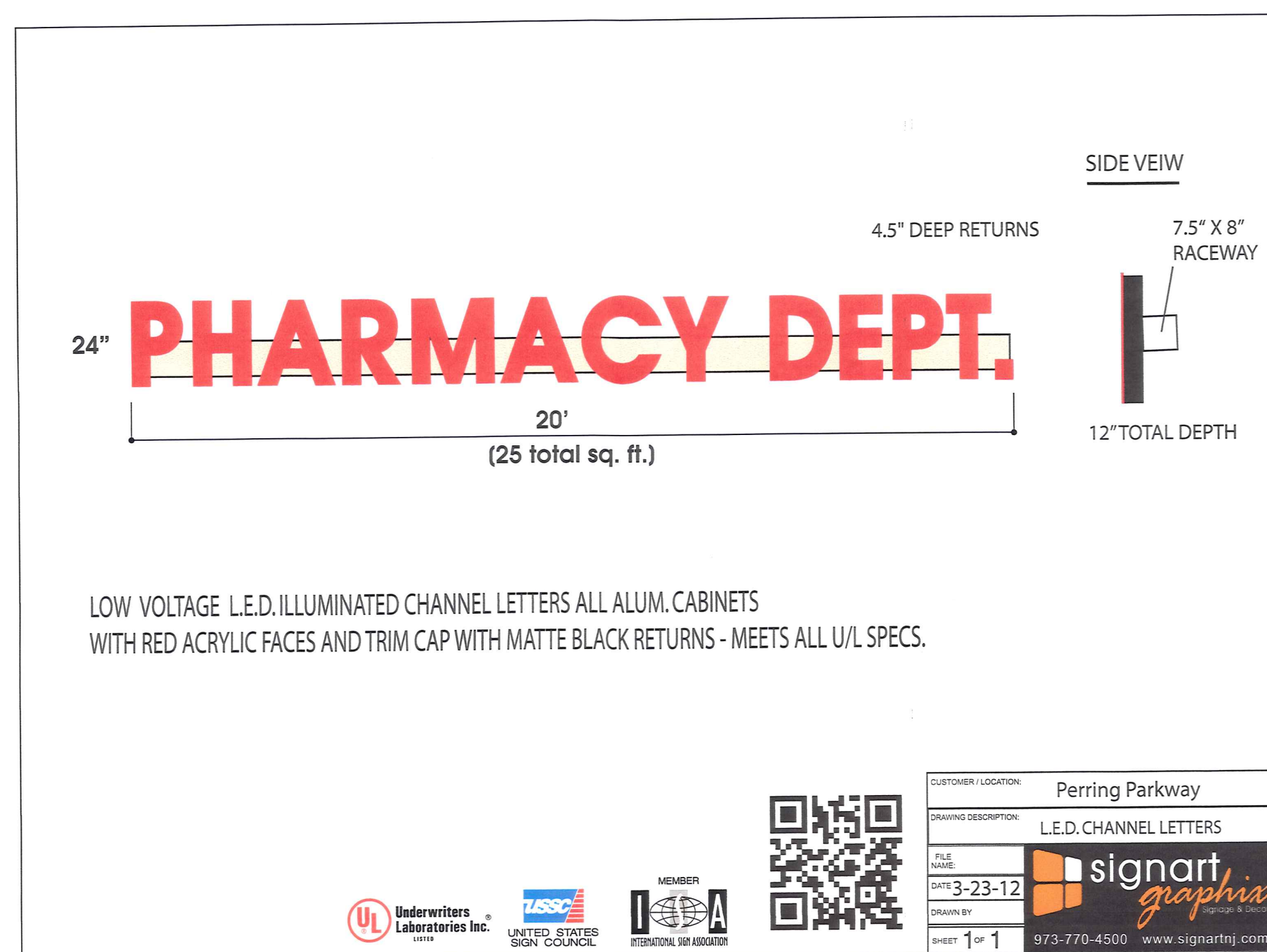
VARIANCE REQUESTED
VARIANCE FROM BCZR 409.6.A.2 TO PERMIT TWO CANOPY MOUNTED ENTERPRISE SIGNS WITH A COMBINED AREA OF 652.5 SQUARE FEET IN LIEU OF THE PERMITTED 512 SQ. FT. AND ONE WALL MOUNTED SIGN ON A SIDE WALL WITHOUT A SEPARATE EXTERIOR CUSTOMER ENTRANCE.

450.4 ATTACHMENT 1 508

CASE NO. 2012-0289A

BALTIMORE COUNTY
SCALE: 1"=100'
SHEET 1 OF 2
ELECTION DIST. NO. 09, C4
DATE: MAY 3, 2012

FREDERICK WARD ASSOCIATES
ARCHITECTS | ENGINEERS | PLANNERS | SURVEYORS
PO BOX 727, 5 SOUTH MAIN ST
BEL AIR, MD 21014-0727
www.frederickward.com
p (410) - 879 - 2090
f (410) - 879 - 0593



SIGNAGE AREA CHART	
WALL MOUNTED SIGN ON SIDEWALL	36 SQ. FT.
CANOPY MOUNTED ENTERPRISE SIGN #1	612.5 SQ. FT.
CANOPY MOUNTED ENTERPRISE SIGN #2	40.0 SQ. FT.

 **signart**
graphix
Signage & Decor

973-770-4500 www.signartnj.com

Signed: _____
Date: _____



	<u>DEVELOPER</u>
<u>OWNER</u>	
AMCB PERRING, LLC	SHOP RITE OF PERRING PARKWAY, LLC SHOP RITES OF BALTIMORE, LLC
2701 N. CHARLES STREET, ST 404 BALTIMORE, MD 21218 PHONE: 410-662-0106	2101 ROCKSPRING ROAD, FOREST HILL, MD 21050 PHONE: 410-491-2000

ARCHITECTS	ENGINEERS	PLANNERS	SURVEYORS
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PO BOX 727, 5 SOUTH MAIN ST p (410) - 879 - 2090
BEL AIR, MD 21014-0727 f (410) - 879 - 0593
www.frederickward.com

BALTIMORE
COUNTY
SCALE: N.T.S.
SHEET 2 OF 2

ELECTION DIST. NO. 09, C4
DATE: MAY 3, 2012