

IN RE: PETITION FOR VARIANCE
(3597 & 3531 Washington Blvd.)
13th Election District
1st Councilmanic District
Venture BG LLC
Legal Owner
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2014-0189-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by David H. Karceski, Esquire, of Venable, LLP on behalf of the legal owner, Venture BG LLC, Petitioner. The Variance was filed pursuant to § 450.4 Attachment 1 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) from 7(b) (IX) for a freestanding joint identification sign to display a maximum of 14 lines of text; and (2) from 7(b) (IX) for a freestanding joint identification sign to display lines of text with a sign copy a minimum of 1.5 inches in lieu of the required 8 inch height for sign copy. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibits 1A & 1B.

Appearing at the public hearing in support of the requests was Ken Bernstein and Stephen Warfield, professional engineer from Matis Warfield, Inc., the firm that prepared the site plan. David H. Karceski, Esquire represented the Petitioner. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, nor does the file contain any letters of opposition. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is approximately 61± acres and is improved with a large shopping

ORDER RECEIVED FOR FILING

Date 6/13/14

By Sen

center with a Wal-Mart and other tenants. The property has nearly 800,000 square feet of tenant space, and is split-zoned BL-AS, ML-IM and DR 5.5. The property is known as Landsdowne Station, and the relief sought pertains only to the existing joint identification sign.

Based upon the testimony and evidence presented, I will grant the petition for variance.

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).

Petitioner has met this test. The large property has irregular dimensions and Mr. Warfield (who was accepted as an expert) noted there exists a significant grade change (over 80') across the site. As such the property is unique. If the B.C.Z.R. were strictly interpreted the Petitioner would suffer a practical difficulty, since it would be unable to identify the center's major retail tenants on the sign. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 13th day of June, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to §450.4 Attachment 1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) from 7(b)(IX) for a freestanding joint identification sign to display a maximum of 14 lines of text; and (2) from 7(b) (IX) for a freestanding joint identification sign to display lines of text with a sign copy a minimum of 1.5 inches in lieu of the required 8 inch height for sign copy, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

6/13/14

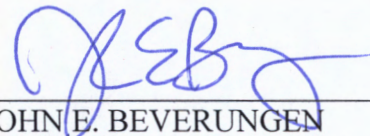
By

den

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING

Date 6/13/14
By sln

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

June 13, 2014

David H. Karceski, Esquire
Venable, LLP
210 W. Pennsylvania Avenue
Suite 500
Towson, Maryland 21204

RE: Petition for Variance
Property: 3597 & 3531 Washington Blvd.
Case No. 2014-0189-A

Dear Mr. Karceski:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
Corner of N/S Victory Avenue, E/S of	*	ZONING COMMISSIONER
Washington Boulevard	*	OF
(3500 Washington Boulevard)	*	BALTIMORE COUNTY
13th Election District	*	
1 st Council District	*	
Venture B.G., LLC, <i>Owner</i>	*	Case No. 08-316-A
Office Depot, <i>Contract Lessee</i>	*	
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Venture B.G., LLC, and the contract lessee, Office Depot, by and through their attorney, J. Neil Lanzi, Esquire. Petitioners request a variance from Section 450.4.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit wall-mounted signage for a new Office Depot store in the Lansdowne Station Shopping Center. Specifically, Petitioners are requesting a variance to permit:

1. One illuminated wall-mounted enterprise sign of 188 square feet without a separate customer entrance in addition to the one wall mounted enterprise sign permitted, and
2. To amend previously approved sign variances if necessary.¹

The subject property and requested relief are more particularly described on the two page site plan and photographs which were submitted into evidence and marked as Petitioners' Exhibits 1 and 2, respectively.

¹ Case No. 07-577-A involved similar sign relief granted to the legal owner Venture B.G. LLC; however, the wall-mounted signage variances in that case involved Wal-Mart Stores East, LP, Lessee of the portion of property known as 3601 Washington Boulevard.

The Office Depot and Service Select Signs representatives confirmed the sign proposed is the standard company wall mounted sign.

As explained by Bruce Doak and the Office Depot representatives, the primary purpose of the additional signage is to assist customers with first locating the site from the various roads surrounding the site and once within the shopping center, then assist customers to the Office Depot store where its products and services are located. As noted by Bruce Doak, the sign regulations currently only allow one wall-mounted enterprise sign per entrance. Noting the single entrance to the new Office Depot and the travel isle between the Office Depot and Walmart Stores, Mr. Doak used the photographs in evidence to demonstrate the practical difficulty facing Office Depot in identifying the Office Depot store and necessity of allowing one additional wall-mounted sign so that the Office Depot could be identified and located by those in vehicles on the surrounding roadway and within the shopping center.

Without a variance, the requested sign(s) and the proposed configuration of enterprise signage would not be permitted by B.C.Z.R. Section 450.4.5(d), which governs commercial signage in multi-tenant centers. The proposed signs are "enterprise" signs which are defined as those which display the identity of a business or advertise products or services associated with a business. See B.C.Z.R. Section 450.4.5. Section 450.4.5(d) permits only one wall-mounted sign for each tenant having an exterior customer entrance with a maximum square footage for such signs of two times the length of the wall containing the exterior customer entrance.

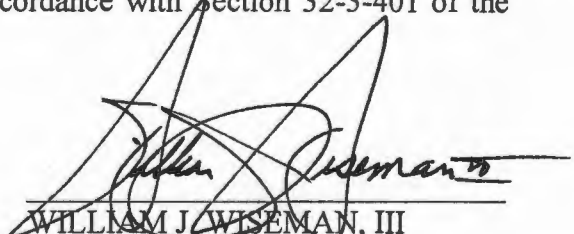
A strict interpretation of Baltimore County's sign regulations would provide for only one wall-mounted enterprise sign for this Office Depot store and that being on the front façade of the building with a total maximum square footage of 225 square feet. The second enterprise wall-

... THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County this 12th day of March 2008, that the Petition for Variance, seeking relief from Section 405.4.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit one illuminated wall-mounted enterprise sign of 188 square feet without a separate customer entrance in addition to the one wall mounted enterprise sign permitted, in accordance with the site plan marked as Petitioners' Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that since there were no prior approved sign variances for the Office Depot store at this location, Petitioners' request to amend the previously approved sign variances, if necessary, shall be hereby DISMISSED AS MOOT.

Petitioner(s) may apply for building permits and be granted same upon receipt of this Order; however, Petitioner(s) are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

**ATTACHMENT TO
PETITION FOR VARIANCE**

3597, 3531 WASHINGTON BOULEVARD

The following variances are requested from Section 450.4 Attachment 1 of the BCZR:

1. From 7(b)(IX) for a freestanding joint identification sign to display a maximum of 14 lines of text.

[REDACTED]

2. ~~1.~~ From 7(b)(IX) for a freestanding joint identification sign to display lines of text with a sign copy a minimum of 1½ inches in lieu of the required 8 inch height for sign copy.



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 3597, 3531 Washington Boulevard which is presently zoned BL-AS

Deed References: 24000-381 10 Digit Tax Account # SEE ATTACHED

Property Owner(s) Printed Name(s) Venture BG LLC

(SELECT THE HEARING(S) BY MARKING **X** 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. X a Variance from Section(s)

SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

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

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Venture BG LLC

Howard Brown, Member

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

100 Painters Mill Road, Suite 900, Owings Mills, MD

Mailing Address City State

21117

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

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

Zip Code Telephone # Email Address

CASE NUMBER 2014-0189-A

Filing Date

3, 14, 14

ORDER RECEIVED FOR FILING

Reviewer

Date

6/13/14

REV. 10/4/11

By

den

**ATTACHMENT TO
PETITION FOR VARIANCE**

3597, 3531 WASHINGTON BOULEVARD

TAX ACCOUNT NUMBERS: 2500007000-2500007013; 2500008547; 2500008548;
2500008551; 2500008554; 2500008555.

**ZONING DESCRIPTION TO ACCOMPANY REQUEST FOR THE
FREESTANDING SIGN VARIANCE**

Beginning at a point 150 +/- North of intersection of Washington Boulevard and Victory Drive with coordinate value N 575,823.64, E 1,405,403.05.

Thence the following courses and distances:

ARC WITH A RADIUS OF 4,990.00' LENGTH 152.19' CHORD N25°04'45"E 152.18'

N 25° 57' 11"E 163.74'

ARC WITH A RADIUS OF 65.62' LENGTH 16.47' CHORD S84°06'07"E 16.42'

N 71° 04' 43" E 27.90'

N 25° 57' 11" E 70.00'

N 19° 12' 26" W 49.64'

N 25° 57' 11" E 447.58'

ARC WITH A RADIUS OF 5,069.00' LENGTH 34.99' CHORD N25°45'19"E 34.99'

N 25° 33' 27" E 194.24'

ARC WITH A RADIUS OF 3,609.00' LENGTH 168.71' CHORD N24°13'06"E 168.70'

N 26° 12' 16" E 172.29'

N 71° 12' 16" E 32.90'

N 26° 37' 36" E 59.97'

N 18° 47' 44" W 33.52'

N 26° 12' 16" E 172.93'

S 81° 15' 44" E 60.00'

N 26° 12' 16" E 64.31'

S 81° 15' 44" E 49.58'

N 13° 14' 25" E 102.82'

N 83° 50' 16" E 92.25'

N 07° 40' 16" E 49.50'

S 64° 56' 44" E 745.81'

N 49° 31' 44" E 322.47'

ARC WITH A RADIUS OF 1,356.85' LENGTH 233.26' CHORD S14°34'14"W 232.97'

ARC WITH A RADIUS OF 2,686.56' LENGTH 66.93' CHORD N09°15'27"E 66.93'

N 64° 56' 44" W 7.30'

S 09° 02' 14" W 160.00'

S 03° 57' 32" W 255.00'

S 01° 23' 09" W 335.00'

S 01° 27' 14" E 240.00'

S 89° 49' 51" W 10.00'

S 02° 17' 23" E 130.18'

S 00° 31' 01" E 498.98'

S 07° 50' 28" W 89.37'

N 79° 39' 58" W 1838.22'

To the place of beginning, containing 2,614,471 square feet or 60.02 acres+/-.

Being Parcel 254 as shown on Baltimore County Tax Map No.109 and in the Subdivision Plat for Financing Purposes "Lansdowne Station" recorded on February 16, 2010 in Baltimore County Plat Book S.M. No. 79, Folio 045 and is located in the 13th Election District.

THIS DESCRIPTION COMPILED FOR ZONING
PURPOSES ONLY AND IS NOT INTENDED TO BE USED
FOR CONVEYANCES OR AGREEMENTS.



Item #0189

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:

2014-0189-A

Petitioner:

Venture BG LLC

Address or Location:

3597, 3531 Washington Blvd

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Justin Williams

Address:

210 W. Pennsylvania Ave

Suite 500

Towson MD 21204

Telephone Number:

(410) 494 6200

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
E/S Washington Boulevard	*	ZONING COMMISSIONER
and Robert Young Way	*	
(3601 Washington Boulevard)	*	OF
13 th Election District	*	BALTIMORE COUNTY
1 st Council District	*	
Venture B.G. LLC, <i>Legal Owner</i>	*	Case No. 07-577-A
Wal-Mart Stores East, LP, <i>Lessee</i>	*	
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner of Baltimore County for consideration of a Petition for Variance filed by lessee, Wal-Mart Stores East, LP, along with the legal owner of the property, Venture B.G. LLC, by and through their attorneys, Robert A. Hoffman, Esquire and Venable LLP. Petitioners request a variance from Section 450.4.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit additional wall-mounted signage for a new Wal-Mart Supercenter store. Specifically, Petitioner is requesting variances to permit: (1) a wall-mounted enterprise sign on a wall where no enterprise sign is permitted by right (north side façade/proposed sign no. 4); (2) to permit ten wall-mounted enterprise signs on a wall on which one wall-mounted enterprise sign is permitted by right (west front façade/proposed sign nos. 1, 3, 7, 8, 9, 10, 11, 12, 14); and (3) to permit two wall-mounted enterprise signs on a wall where no enterprise sign is permitted by right (south side façade/proposed sign nos. 1A, 12). The subject property and requested relief are more particularly described on the site plan, which was submitted into evidence and marked as Petitioners' Exhibit Nos. 1A - 1C.

At the requisite public hearing, Robert A. Hoffman, Esquire appeared as attorney for Petitioners along with Thomas Kleine, Esquire of Troutman Sanders LLP, Corporate Counsel for Wal-Mart. Also appearing in support of the Petition for Variance were Rhoda Washington, a

attract customers into the site, but to direct customers once they are on site. The other signs will display certain aspects of Wal-Mart's business contained within the store, specifically the retail, garden, and food centers of the Supercenter, a pharmacy, optical and one-hour photo services, and the tire and lube components of the business. The ten enterprise signs proposed on the west or front façade of the building will face the center's parking lot. One enterprise sign is also proposed on the north side façade of the building, and two enterprise signs are proposed on the south side façade. As indicated on the site plan, other directional signs are proposed for the front, rear, and north side façades, which do not require variance relief.

Without a variance, the requested number of signs and the proposed configuration of enterprise signage would not be permitted by B.C.Z.R. Section 450.4.5(d), which governs commercial signage in multi-tenant centers. The proposed signs are "enterprise" signs, which are defined as those which display the identity of a business or advertise products or services associated with a business. *See* B.C.Z.R. Section 450.4.5. Section 450.4.5(d) permits only one wall-mounted sign for each tenant having an exterior customer entrance with a maximum square footage for such signs of two times the length of the wall containing the exterior customer entrance.

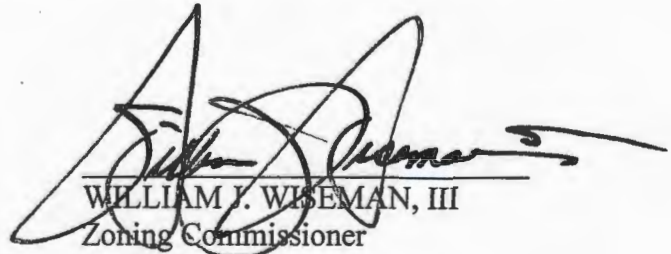
A strict interpretation of Baltimore County's sign regulations would only allow one wall-mounted sign for this entire Supercenter and that being on the western front façade of the building with a total maximum square footage of 1,260 square feet. Clearly, the Zoning Regulations do not take into account this type of large retail store. The arrangement of Wal-Mart's multiple uses within a single structure of this size and without individual customer access points for each of the particular services offered represents a departure from the configuration of other strip retail centers found in Baltimore County, which have traditionally contained smaller

Pursuant to the Zoning Regulations of Baltimore County, the advertising and posting of the property, and public hearing held thereon, and for the reasons set forth above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of September 2007, that the Petition for Variance, seeking relief as shown on the site plan entered into evidence as Petitioners' Exhibit Nos. 1A - 1C, from: (1) Baltimore County Zoning Regulations (B.C.Z.R.) Section 405.4.5(d) to permit a wall-mounted enterprise sign on the north side façade of the building, a façade on which no wall-mounted enterprise signs are permitted; (2) Baltimore County Zoning Regulations (B.C.Z.R.) Section 450.4.5(d) to permit ten wall-mounted enterprise signs on the west front elevation façade of the building, a façade on which one wall-mounted enterprise sign is permitted; and (3) Baltimore County Zoning Regulations (B.C.Z.R.) Section 450.4.5(d) to permit two wall-mounted enterprise signs on the south side elevation façade of the building, a façade on which no wall-mounted enterprise signs are permitted, be and is hereby GRANTED, subject to the following restriction:

1. Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

My Neighborhood

[Share](#)

[Help](#)

Get Data

BALTIMORE COUNTY, MARYLAND

Address Search
Example: 400 Washington Ave

[My Neighborhood](#)
[Civic/Government](#)
[Economic](#)
[Historic](#)
[Environmental](#)
[Find Tile](#)
[Land Development](#)
[Bicycle Facility](#)

Address Search Results	
Address	Percent Match
3648 WASHINGTON BLVD	39
3648 WASHINGTON BLVD	39
3631 WASHINGTON AVE	39

 Report Results

My Neighborhood

[Print Results](#)

Tax Account Number	1301740540	More >
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Owner Name	I B E W LOCAL UNION 24 BUILDING INC
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Tax Premise Address	2701 W PATAPSCO AVE
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Tax Map 0102

Parcel	0168
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Zoning BR [More >](#)

Zoning DR 5.5 [More >](#)

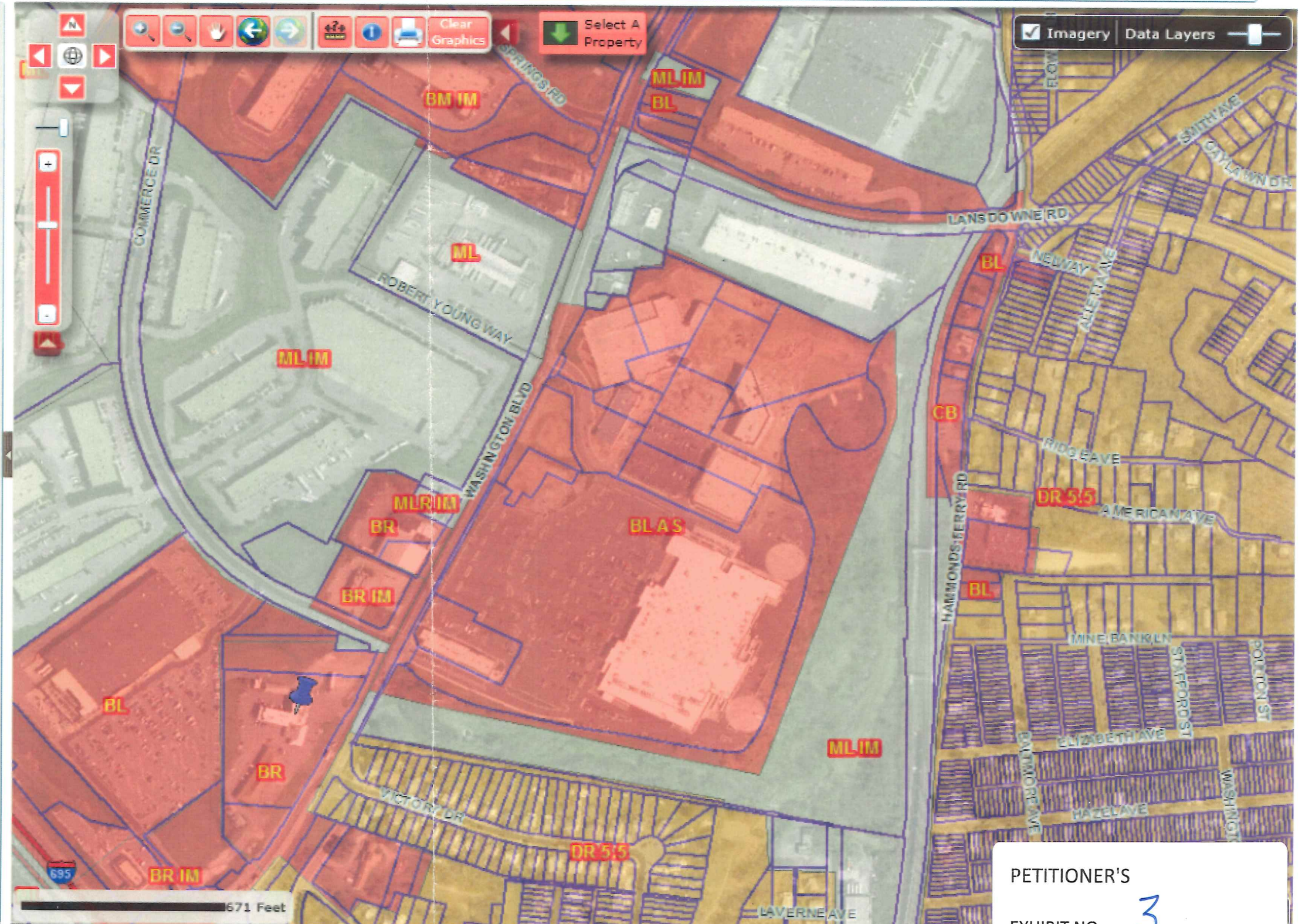
Elementary School District	Lansdowne ES	More >
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Middle School District	Lansdowne MS	More >
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High School District	Lansdowne HS	More >
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Additional Information

Zoning Review Office FAQ
Department of Planning - Zoning Information
Board of Elections - Who Is My Representative
Maryland State Board of Elections
U.S. Census Bureau - American Fact Finder
Department of Planning - Demographic Research



PETITIONER'S

EXHIBIT NO. 3



PETITIONER'S

EXHIBIT NO. 4



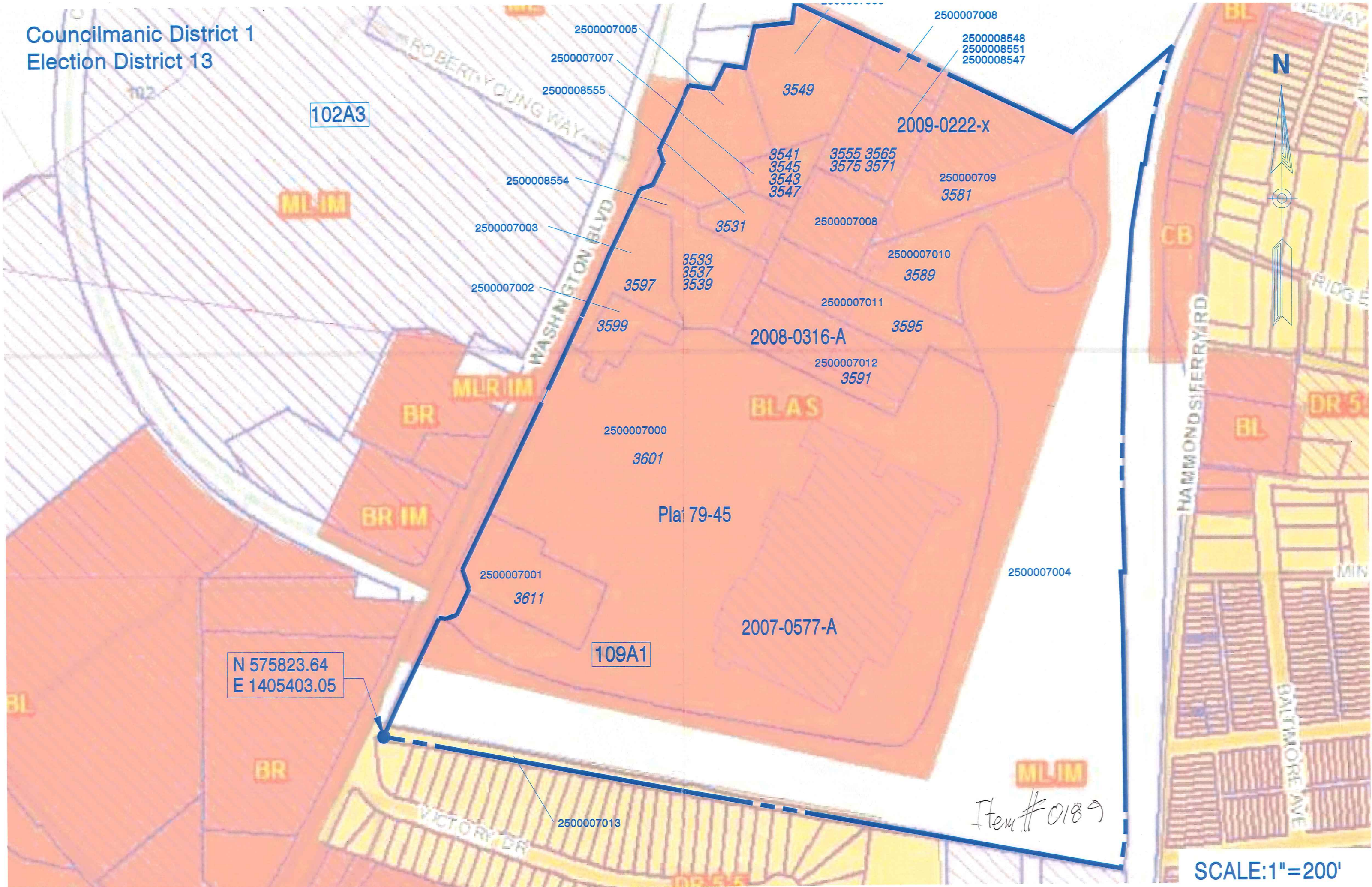
PETITIONER'S
EXHIBIT NO. 5



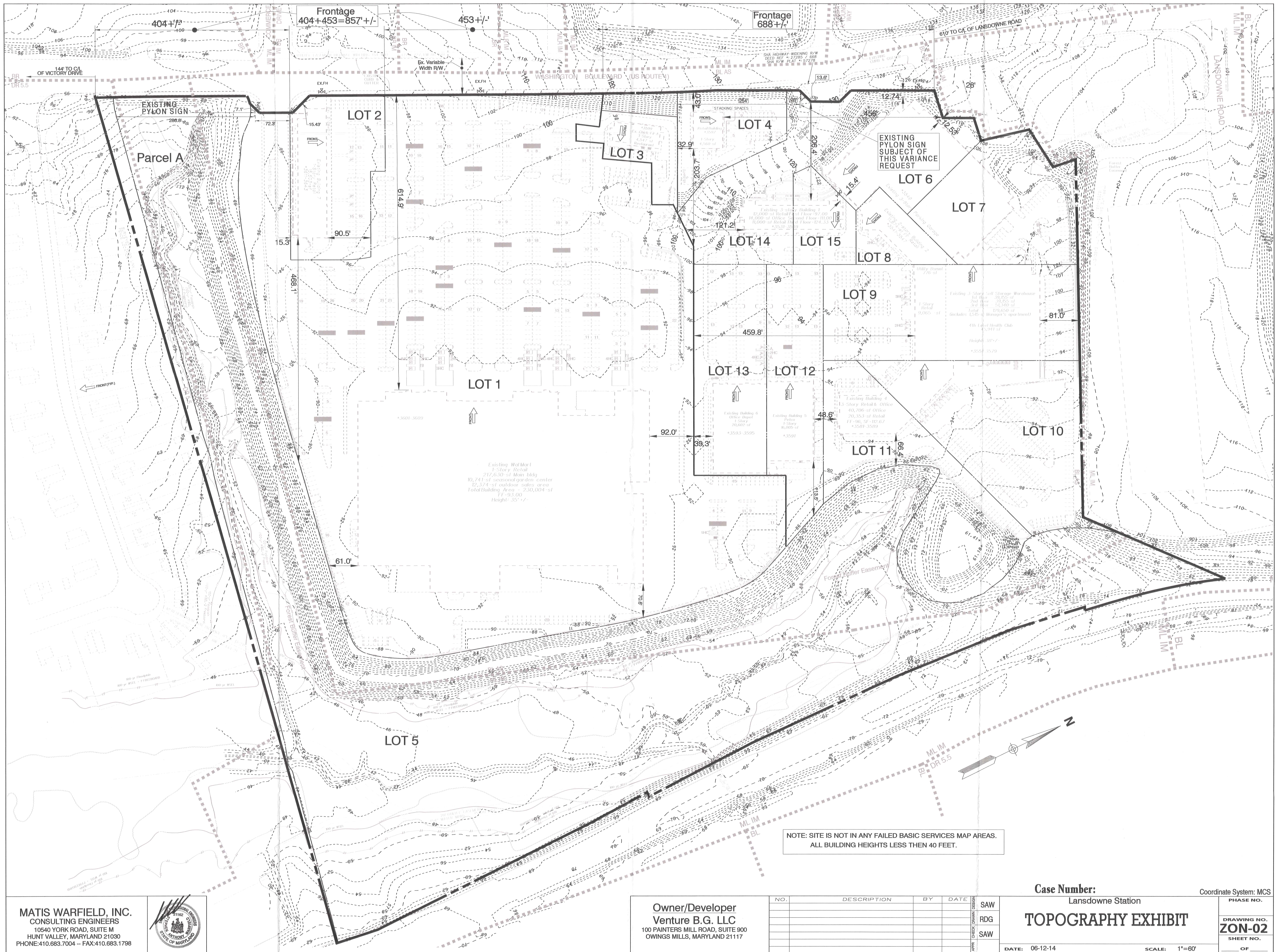
PETITIONER'S

EXHIBIT NO. 6

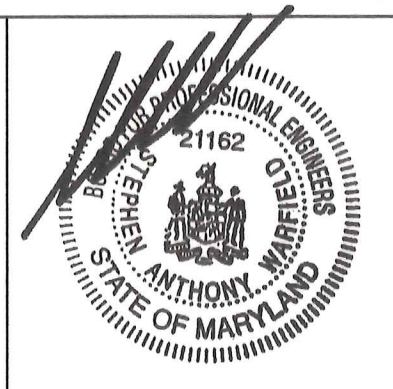
Councilmanic District 1
Election District 13



SCALE: 1"=200'



MATIS WARFIELD, INC.
CONSULTING ENGINEERS
10540 YORK ROAD, SUITE M
HUNT VALLEY, MARYLAND 21030
PHONE: 410.683.7004 -- FAX: 410.683.1798



Owner/Developer
Venture B.G. LLC
100 PAINTERS MILL ROAD, SUITE 900
OWINGS MILLS, MARYLAND 21117

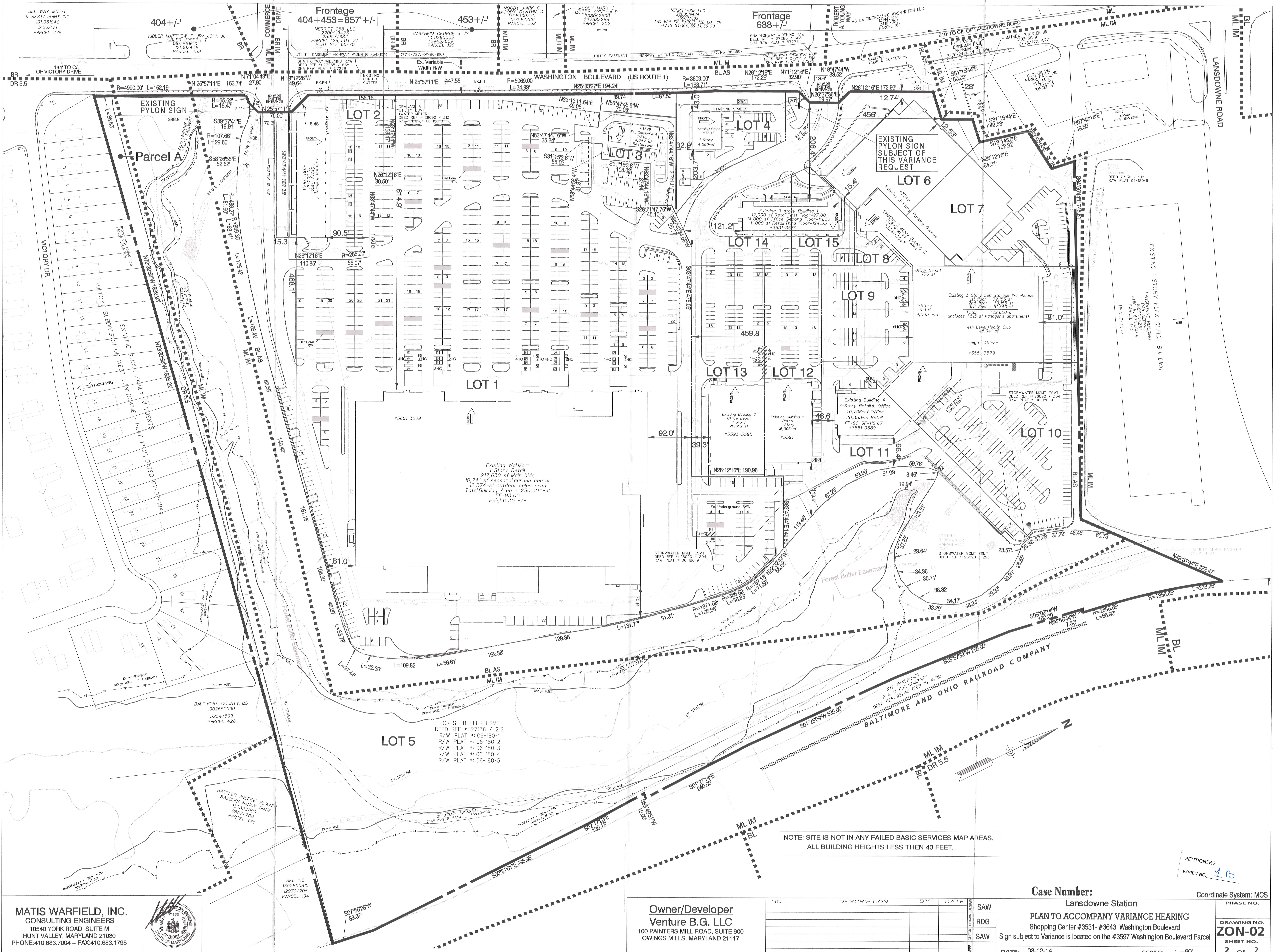
NO.	DESCRIPTION	BY	DATE	SAW
				RDG
				SAW

Case Number: Lansdowne Station
Coordinate System: MCS

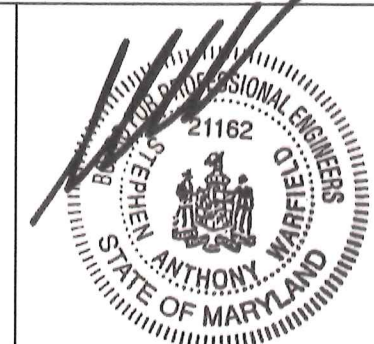
TOPOGRAPHY EXHIBIT

DATE: 06-12-14 **SCALE:** 1"=60'

PHASE NO.: **ZON-02**
DRAWING NO.: **SHEET NO.:** **OF:**



MATIS WARFIELD, INC.
CONSULTING ENGINEERS
10540 YORK ROAD, SUITE M
HUNT VALLEY, MARYLAND 21030
PHONE: 410.683.7004 -- FAX: 410.683.1798



Owner/Developer
Venture B.G. LLC
100 PAINTERS MILL ROAD, SUITE 900
OWINGS MILLS, MARYLAND 21117

NO.	DESCRIPTION	BY	DATE	SAW

Case Number: _____
Lansdowne Station
PLAN TO ACCOMPANY VARIANCE HEARING
Shopping Center #3531- #3643 Washington Boulevard
Sign subject to Variance is located on the #3597 Washington Boulevard Parcel
DATE: 03-12-14
SCALE: 1"=60'
Coordinate System: MCS
PHASE NO. _____
DRAWING NO. **ZONING-02**
SHEET NO. **2 OF 2**

PETITIONER'S
EXHIBIT NO. **1B**

OWNER & PROPERTY REFERENCES:

OWNER	ADDRESS	TAX ACCOUNT #	TAX MAP & PARCEL	PLAT REF.	DEED REF.
VENTURE B.G., LLC	100 PAINTERS MILL ROAD STE. 900 OWINGS MILLS, MD 21117	13-250007000-7013 13-2500008547 13-2500008548 13-2500008551 13-2500008554 13-2500008555	102 & 109 Parcel 254	79/45 LOTS 1-13	24000/381

EXISTING ZONING

Zone	Gross Area of Overall Shopping Center (all lots) (includes 30-ft of SHA R/W)	Net Area of Overall Shopping Center (all lots)	Proposed Buildings
BL-AS	45.52	44.51	Offices, Retail and Parking Garage
ML-IM	14.67	14.51	none
DR5-5	1.03	1.00	none
TOTAL	61.22ac +/- = 2,666,743-sf	60.02 ac +/- = 2,614,471-sf	Offices, Retail and Parking Garage

EXISTING USE

Building Address	Health Club	Self Storage Warehouse	Office	Retail	Standard Restaurant	Above Grade Parking	Adjusted Gross Floor Area	Utility Basement
#3601-3609 (Wal-Mart)				217,630			217,630	
#3531-3539 (Building #1)			14,000	20,320	2,680		37,000	680
#3541-3547 (Building #2)				11,874			11,874	
#3581-3589 (Building #4)			40,706	20,353			61,059	10,200
#3591, #3593-3595 (Bldg #5 & Bldg #6)				36,607			36,607	
#3611-3643 (Building #7)				8,148	7,355		15,503	
#3569 (Chic-f-A restaurant)					4,547		4,547	
#3561-3579 (Building #3)	45,941	129,650*		12,230			187,791	776
#3587 (Pied site)				4,560			4,560	
PARKING GARAGE						208,600		
GRAND TOTAL						208,600	785,171	11,656

Note: % of Planned Shopping Center Acreage occupied by the building for warehouse use = (52,104-sf/2,614,471-sf) x 100 = 2% (15% allowed)

* Includes 1,515-sf managers apartment (Living Quarters in a Commercial Building)

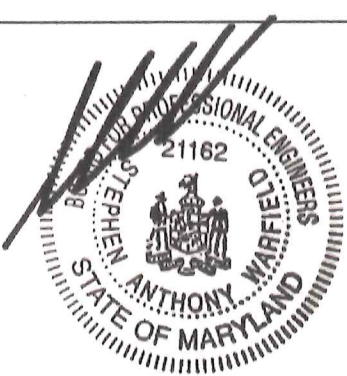
SHARED PARKING ANALYSIS

	Size	Units	Parking Req'd/Unit	Units	Parking Required	Weekday			Weekend			Nighttime		
						Daytime Demand	Evening Demand	Percent	Daytime Demand	Evening Demand	Percent	Evening Demand	Percent	
Office General	54,706 sf		3.3	1,000-sf	181	100	181	10	19	10	5	0	5	
Transit Adjustment for Office Uses 5%	54,706 sf				9	100	9	10	0	5	0	5	0	
Retail	344,046 sf		5	1,000-sf	1,721	60	1,033	90	1,540	100	1,721	70	1,205	5
Self Storage Warehouse (including 1,515-sf manager's apartment)	129,650 sf		8	employees	2	100	10	100	100	100	100	100	100	100
Health Club	45,941 sf		10	1,000-sf	480	40	184	100	460	80	368	100	460	10
Restaurant	14,562 sf		16	1,000-sf	234	50	117	100	234	100	234	100	234	10
Totals	591,695 sf				2,597	1,516	2,272	2,352	1,939			1,939		177
Total Number of Spaces Required Based on Shared Parking Analysis	2,352 Spaces													
Total Spaces Provided	2,534 Spaces													

ADJACENT PROPERTY OWNERS SOUTH OF LANDSDOWNE STATION (VICTORY DRIVE)

LOT #	(TaxMap)&Parcel	PLAT	DEED REFERENCE	TAX ACCT. Number	OWNER NAME	OWNER ADDRESS	AREA (ac)	AREA (sf)
1	(109)364	13/21	24586 / 30	1307580810	GRAP, LEONA R	1903 VICTORY DRIVE	0.1793	7,812
2	(109)364	13/21	25813 / 680	1316550040	MITCHELL, ERIC W / MITCHELL, AUDREY L	1905 VICTORY DRIVE	0.1053	4,585
3	(109)364	13/21	12927 / 159	1301290000	LIBERTO, CHERYL LYNN	1907 VICTORY DRIVE	0.1101	4,795
4	(109)364	13/21	25565 / 347	1307581460	DIMELER, JASON W, SR / DIMELER, VALERIE N / KILPATRICK, CYNTHIA L	1909 VICTORY DRIVE	0.1141	4,970
5	(109)364	13/21	3441 / 59	1302651440	BRAUN, DONALD R / BRAUN, NANCY P	1911 VICTORY DRIVE	0.1189	5,180
6	(109)364	13/21	21282 / 431	1303470200	JONES, JOSEPH / JONES, MARGARET	1913 VICTORY DRIVE	0.1257	5,390
7	(109)364	13/21	27190 / 545	1308300130	ASTASIAUSKAS, JENNIFER M / ASTASIAUSKAS, JOSEPH	1915 VICTORY DRIVE	0.1277	5,565
8	(109)364	13/21	12401 / 480	1318470050	PIPPENGER, JUDITH A	1917 VICTORY DRIVE	0.1326	5,775
9	(109)364	13/21	23733 / 526	1304500310	MULLEN, DEANNA M	1919 VICTORY DRIVE	0.1374	5,985
10	(109)364	13/21	12225 / 160	1311150070	WILLIAMS, MICHAEL THOMAS / WILLIAMS, GARNETTA L	1921 VICTORY DRIVE	0.1414	6,190
11	(109)364	13/21	15589 / 28	1323000070	DEVANEY, DAVID J	1923 VICTORY DRIVE	0.1462	6,370
12	(109)364	13/21	24856 / 241	1316600510	GONZALES, ROLANDO / GONZALES, DOLORES	1925 VICTORY DRIVE	0.1511	6,580
13	(109)364	13/21	18052 / 244	1306200070	SCHWARZKOPF, JOHN EDWARD	1927 VICTORY DRIVE	0.1551	6,755
14	(109)364	13/21	25967 / 629	1306200050	MULLEN, DANIELLE A	1929 VICTORY DRIVE	0.1599	6,965
15	(109)364	13/21	4879 / 86	1323501740	WILLIAMS, JOHN F / WILLIAMS, GAIL J	1931 VICTORY DRIVE	0.1545	6,732
16	(109)364	13/21	14862 / 195	1306350070	CLAYVILLE, GARY H	1933 VICTORY DRIVE	0.1568	6,831
17	(109)364	13/21	26526 / 411	1318101070	SLACK, MATTHEW J	1935 VICTORY DRIVE	0.1576	6,864
18	(109)364	13/21	25927 / 881	1302670740	BARRICK, SCOTT A, SR / BARRICK, LISA M	1937 VICTORY DRIVE	0.1583	6,897
19	(109)364	13/21	9091 / 417	1306350340	WADE, MARGARET V	1939 VICTORY DRIVE	0.1576	6,864
20	(109)364	13/21	4951 / 701	1306350380	FLYNN, ELIZABETH B	1941 VICTORY DRIVE	0.1655	7,210
21	(109)364	13/21	10634 / 745	1306350060	BLACKLEDGE, CHARLES E	1943 VICTORY DRIVE	0.1639	7,140
22	(109)364	13/21	17698 / 36	1314100170	NEWHART, CAROL L / NEWHART, THOMAS D	1945 VICTORY DRIVE	0.1623	7,070
23	(109)364	13/21	23606 / 27	1306200040	TIGNALL, MICHAEL D	1947 VICTORY DRIVE	0.1607	7,000
24	(109)364	13/21	26247 / 416	1323501041	AUSTIN, JASON LOUIS / AUSTIN, ANGELINA MARIE	1949 VICTORY DRIVE	0.1590	6,930
25	(109)364	13/21	16176 / 354	1323000030	ELDERMAN, SUSAN B	1951 VICTORY DRIVE	0.1575	6,860
26	(109)364	13/21	11921 / 93	1313800220	KIBLER, JOSEPH T	1953 VICTORY DRIVE	0.1559	6,790
27	(109)364	13/21	9254 / 625	1306851080	KOHLER, BOYD S, JR / KOHLER, MARGARET R	1955 VICTORY DRIVE	0.1732	7,544
28	(109)364	13/21	25939 / 233	1319320020	SLACK, RANDY A	1957 VICTORY DRIVE	0.1811	7,889
29	(109)364	13/21	14872 / 482	1302571310	GARY, STEPHEN R	1959 VICTORY DRIVE	0.1782	7,546
30	(109)364	13/21	16914 / 706	1323154090	WEBER, BRIAN SCOTT	1961 VICTORY DRIVE	0.2719	11,844
31	(109)364	13/21	11009 / 261	1313201310	SLACK, WAYNE S / SLACK, LAURIE L	1963 VICTORY DRIVE	0.2892	12,596
32	(109)364	13/21	25657 / 602	1318100740	WEEDON, THOMAS L / WEEDON, DORIS ANN	1965 VICTORY DRIVE	0.1899	7,399

MATIS WARFIELD, INC.
CONSULTING ENGINEERS
10540 YORK ROAD, SUITE M
HUNT VALLEY, MARYLAND 21030
PHONE: 410.683.7004 -- FAX: 410.683.1798



Owner/Developer
Venture B.G. LLC
100 PAINTERS MILL ROAD, SUITE 900
OWINGS MILLS, MARYLAND 21117

Baltimore County, Maryland
Election District No. 13
Councilmanic District 01
Census Tract 4308
Watershed 6 (Patapsco)

ZONING CASE #07-577-A
SIGN VARIANCE FOR WAL-MART STORE @ #3601 WASHINGTON BOULEVARD

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of September 2007, that the Petition for Variance, seeking relief as shown on the site plan entered into evidence as Petitioners' Exhibit Nos. 1A - 1C, from: (1) Baltimore County Zoning Regulations (B.C.Z.R.) Section 405.4.5(d) to permit a wall-mounted enterprise sign on the north side façade of the building, a façade on which no wall-mounted enterprise signs are permitted; (2) Baltimore County Zoning Regulations (B.C.Z.R.) Section 450.4.5(d) to permit ten wall-mounted enterprise signs on the west front elevation façade of the building, a façade on which one wall-mounted enterprise sign is permitted; and (3) Baltimore County Zoning Regulations (B.C.Z.R.) Section 450.4.5(d) to permit two wall-mounted enterprise signs on the south side elevation façade of the building, a façade on which no wall-mounted enterprise signs are permitted, be and is hereby GRANTED, subject to the following restriction:

- Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

ZONING CASE #09-0222
SPECIAL EXCEPTION & SPECIAL HEARING FOR HEALTH CLUB, SELF STORAGE & LIVING QUARTERS IN A COMMERCIAL BUILDING

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 3rd day of April, 2009, that the Petition for Special Exception for a health club (community building) in a B.L. Zone pursuant to Section 230.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") be and is hereby GRANTED in accordance with Petitioner's Exhibits 1A and 1B; and

IT IS FURTHER ORDERED that the Petition for Special Exception for a warehouse use (public storage) and living quarters in a commercial building for the warehouse use in a B.L. Zone pursuant to Section 230.3 of the B.C.Z.R. be and is hereby GRANTED in accordance with Petitioner's Exhibits 1A and 1B, subject to the following:

- Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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

THOMAS L. BOSTWICK
Deputy Zoning Commissioner for Baltimore County

ZONING CASE #08-316-A
SIGN VARIANCE FOR OFFICE DEPOT @ #3593 WASHINGTON BOULEVARD

THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County this 12th day of March 2008, that the Petition for Variance, seeking relief from Section 405.4.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit one illuminated wall-mounted enterprise sign of 188 square feet without a separate customer entrance in addition to the one wall mounted enterprise sign permitted, in accordance with the site plan marked as Petitioners' Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that since there were no prior approved sign variances for the Office Depot store at this location, Petitioners' request to amend the previously approved sign variances, if necessary, shall be hereby DISMISSED AS MOOT.

Petitioner(s) may apply for building permits and be granted same upon receipt of this Order; however, Petitioner(s) are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NON DISTURBANCE NOTES:

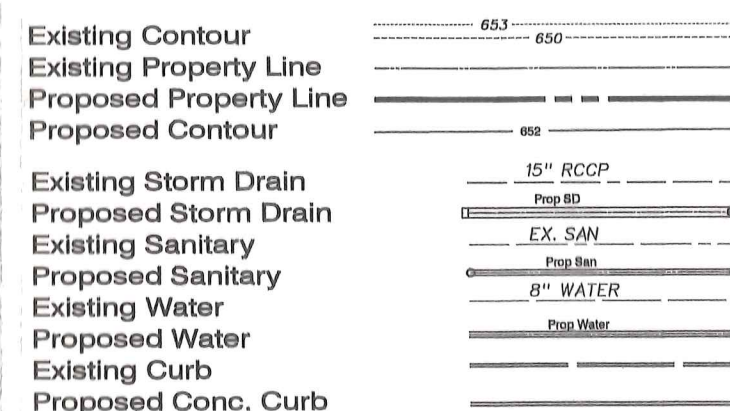
THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR OTHER FOREST RETENTION AREAS, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

VARIANCE APPROVAL NOTE

A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS, AND FLOODPLAINS. THE VARIANCE ALLOWS THE CONTINUED USE OF 60,000 SF OF FOREST BUFFER. IN ADDITION, THE VARIANCE ALLOWED THE FOREST BUFFER TO BE REDUCED BY 2,000 SF CONDITIONS WERE PLACED ON THIS VARIANCE TO REDUCE WATER QUALITY IMPACTS.

LEGEND

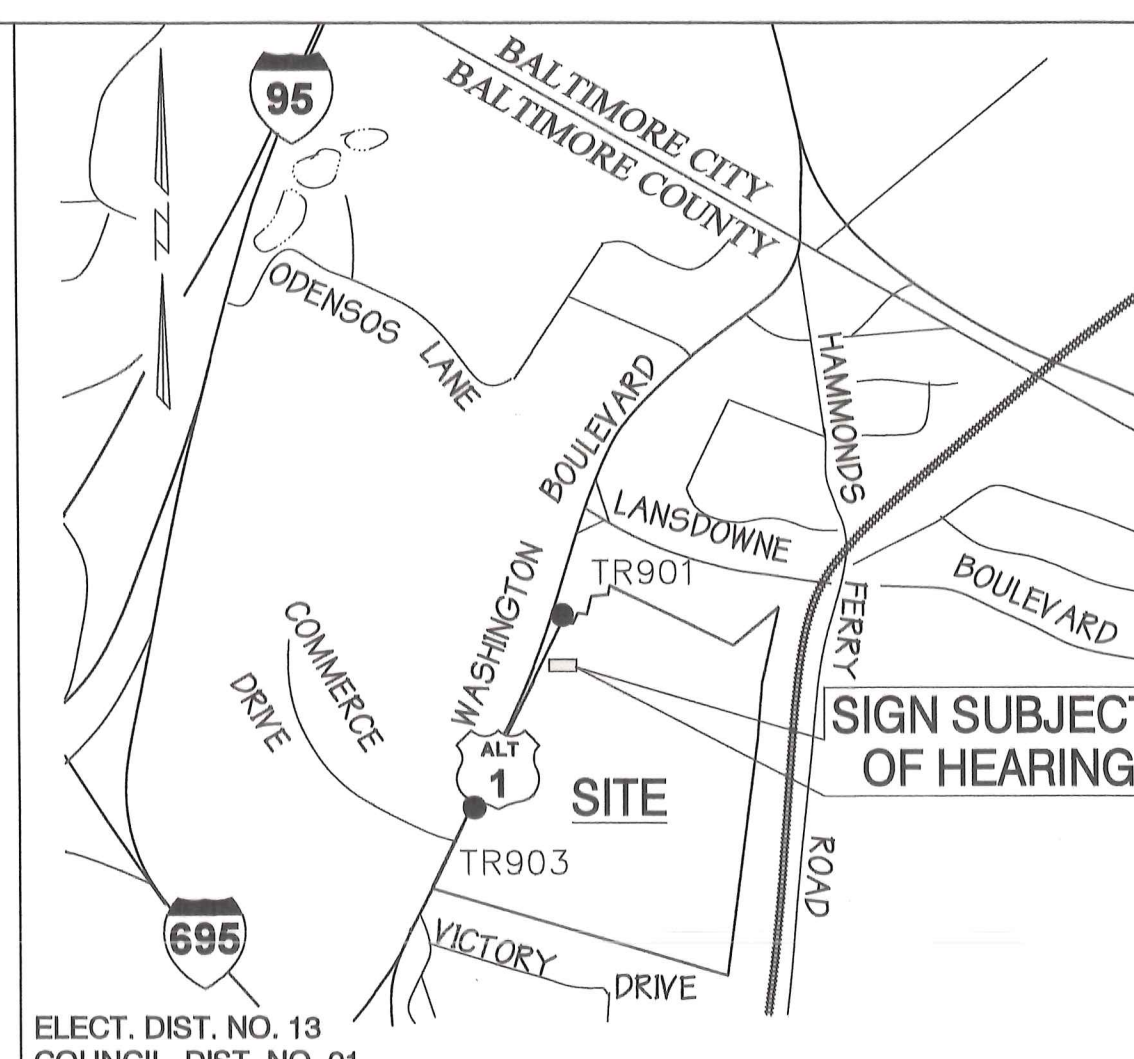


Existing Spot Elevation
Proposed Spot Elevation

WETLANDS
FOREST BUFFER
100 YEAR FLOODPLAIN
EXISTING ZONING

EXISTING WOODS
SOIL TYPE BOUNDARY

FIRE SIGN



VICINITY MAP
SCALE: 1"=1000'
WITH CONTRIBUTIONS FROM THE FOLLOWING:
BOUNDARY SURVEY BY: LONG VAN BUI ASSOCIATES
AERIAL TOPOGRAPHY FROM: BALTIMORE COUNTY GIS
FIELD TOPOGRAPHY BY: LONG VAN BUI ASSOCIATES
ENVIRONMENTAL PROCESSING BY: ECO SCIENCE PROFESSIONAL, INC.

BENCHMARKS
TR901: X-CUT IN CURB
EAST 1,406,135.463
TR903: PM
EAST 1,405,722.904
NORTH 576,516.053

NOTES:

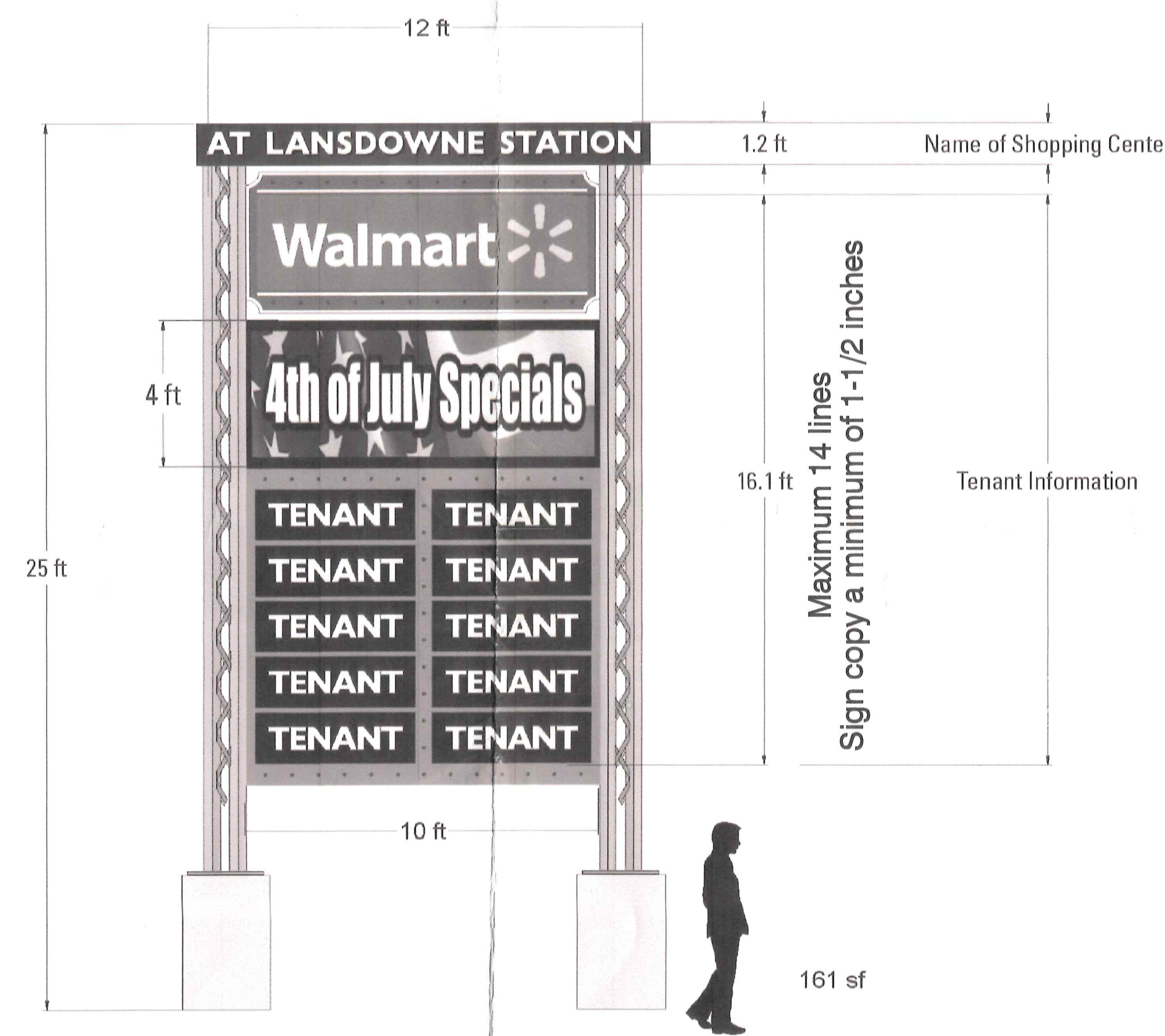
DEED REFERENCE: 24000981, PLAT REF: 79/45, TAX MAP 109, PARCEL 254
ELECTION DISTRICT 13
COUNCILMANIC DISTRICT 1
TAX ACCOUNT NUMBERS: 2500007003, 2500008547, 2500008548, 2500008551, 2500008554, 2500008555.
SIGNAGE: All existing signs comply with Section 450.4 B.C.Z.R. except for the existing signs for which variances were granted per zoning cases 07-577-A & 08-316-A.
UTILITIES: Site is served by existing public water and sewer services.
FOREST CONSERVATION REQUIREMENTS: Project exempt from regulations under Section 14-402 (b) (4).
LIGHTING: Any feature used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjacent residential and public streets. See landscape plan for lighting.
FLOODPLAIN: Portions of the Site within the Forest Buffer Easement are located within the 100-year floodplain. Specieous parking area and accessory parking are not located within Floodplain or the Floodplain setback area.
STORMWATER MANAGEMENT: Facilities are existing per SWM permit B62364 & the approved SWM plans dated 10/20/06.
BUILDING HEIGHT: All buildings less than 40 feet high.
PUBLIC FIRE HYDRANT LOCATIONS: 300-A South of Robert A. Young Way, 100-B North of Commerce Drive and at multiple spots along site frontage on Washington Boulevard.
BASIC SERVICE MAPS: There are no existing or impending failures according to the basic service maps.
PARKING: All parking and aisles will be permanently striped on a durable and durable surface.
FOREST BUFFER PROTECTION PLAN: # 06-008 approved on 06/29/07.
LANDSCAPING: Landscaping has been provided in accordance with the landscape manual and all other manuals adopted pursuant to Section 26-283 of the Baltimore County Code Approved Landscape Plan Dated 06/06/07 & 09/07.
PREVIOUS COMMERCIAL PERMITS (Date of last improvement 2011 +/-):

B61888 - Grading Permit For Entire Site
B62364 - Storm Water Management
B543917 - Grading For Long Term Temporary Stockpile
B57709 - Grading Stockpile
B55058 - Demolition Permit
B704450 - Bldg 3 shell addition
B70884 - Also to complete Shell Building #1
B68485 - Shell building #4
B69965 - Foundation Bldg #3
B67400 - Shell Building #1
B64355 - Construct elevated walkway and block retaining walls to connect bldg w parking garage
B64487 - Shell Bldg #7
B65902 - Parking Garage
B60134 - Bldg #5

ZONING TITLE: B623 & 109A
ZONING HEARINGS, CIRC. WARNERS: see zoning orders herein.
DPC 05807A DATED 06/06/07 LIMITED EXEMPTION UNDER SECTION 32-4-100(b)(1) GRANTED.
DPC 05807A DATED 06/06/07 LIMITED EXEMPTION UNDER SECTION 32-4-100(b)(1) GRANTED FOR LOT LINE ADJUSTMENT.
DEVELOPMENT PLAN APPROVED ON 07-24-2009.
APPROVED AS A PLANNED SHOPPING CENTER pursuant to Section 101 of B.C.Z.R. on 09/30/09.

ZONING CASE #07-577-A
SIGN VARIANCE FOR WAL-MART STORE @ #3601 WASHINGTON BOULEVARD
ZONING CASE #08-316-A
SIGN VARIANCE FOR OFFICE DEPOT @ #3593 WASHINGTON BOULEVARD
ZONING CASE #09-0222
SPECIAL EXCEPTION & SPECIAL HEARING FOR HEALTH CLUB, SELF STORAGE & LIVING QUARTERS IN A COMMERCIAL BUILDING GRANTED.

FLOOR AREA RATIO: Adjusted Gross Floor Area (797,486-sf)/Gross Area of BL-AS zoned site (1,063,249-sf) = 0.41
Floor Area Ratio Allowed 0.3
AMENITY OPEN SPACE: NA
CRITICAL AREA: The site does not lie within the limits of the Chesapeake Bay Critical Area.
HISTORIC: The site does not lie within any historic district boundary and there are no historic buildings on site.



FREESTANDING JOINT IDENTIFICATION SIGN DETAIL

PETITIONER'S
EXHIBIT NO. 1A

PDM File#: 13-208
Coordinate System: MCS

Case Number:

Lansdowne Station
PLAN TO ACCOMPANY VARIANCE HEARING
Shopping Center #3531-#3643 Washington Boulevard
Sign subject to Variance is located on the #3597 Washington Boulevard Parcel

DATE: 03-12-14

SCALE: 1"=50'

PHASE NO.

DRAWING NO.
ZON-01
SHEET NO.
1 OF 2