



KEVIN KAMENETZ
County Executive

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

November 6, 2014

Jason T. Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, Maryland 21204

RE: Petition for Variance
Property: 8823 Pulaski Highway
Case No. 2015-0067-A

Dear Mr. Vettori:

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", followed by a long horizontal flourish.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Mike Pierce, 7448 Bradshaw Road, Kingsville, Maryland 21087

IN RE: PETITION FOR VARIANCE

(8823 Pulaski Highway)

15th Election District

6th Council District

VEI Circuit, LLC

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2015-0067-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §450.4 as follows: (1) to permit two (2) wall-mounted enterprise signs for Ashley Furniture HomeStore in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance; (2) to permit a freestanding joint identification sign fronting on Pulaski Highway with: (a) a face area of 202.5 sq. ft. in lieu of maximum face area of 150 ft.; (b) a height of 28 ft. in lieu of the maximum height of 25 ft.; (c) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (d) nine (9) lines of copy in lieu of the maximum of five (5) lines of copy; and (3) to permit a freestanding joint identification sign fronting on Rossville Boulevard with: (a) a face area of 152.4 sq. ft. in lieu of the maximum face area of 150 ft.; (b) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (c) Seven (7) lines of copy in lieu of the maximum of five (5) lines of 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 Exhibit 1.

Appearing at the public hearing in support of the request was Len Weinberg and Matthew

ORDER RECEIVED FOR FILING

Date 11-6-14

By Den

Bishop, professional landscape architect, whose firm prepared the plan. Jason T. Vettori, Esquire from Smith, Gildea & Schmidt, LLC, represented the Petitioner. Mike Pierce attended the hearing to voice concerns regarding temporary signage at this site, an issue discussed below. The Petition was advertised and posted as required by the B.C.Z.R. There were no substantive Zoning Advisory Committee (ZAC) comments received.

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 property is irregularly shaped and has a truncated corner at the intersection of Rossville Boulevard and Pulaski Highway, which reduces visibility into the site. As such the property is unique. If the B.C.Z.R. were strictly interpreted the Petitioner would suffer a practical difficulty, given it would be unable to retain its existing signage and include the name of a new tenant on the joint identification signs. 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 lack of County and/or community opposition.

Mike Pierce indicated that while he does not oppose the variance or signage proposed in this case, he is troubled by the numerous temporary signs at the site. I share his concerns, and as indicated at the hearing, the signs create visual clutter and degrade the appearance of the area. Mr. Pierce noted, and his photos (Protestant's Exhibit 1A-1C) confirm the fact, that these signs (advertising the Ashley Furniture Home Store) have existed on and off at the location for over three years. While the Petitioner did not place the signs, I am confident that the commercial lease

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2

Date

11-6-14

By

den

agreement it has with Ashley mandates that the tenant comply with all laws and regulations. One such law is the prohibition on temporary signage of this nature, and the relief granted below will include a condition designed to address this situation.

THEREFORE, IT IS ORDERED, this 6th day of November, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to permit two (2) wall-mounted enterprise signs for Ashley Furniture Home Store in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance; (2) to permit a freestanding joint identification sign fronting on Pulaski Highway with: (a) a face area of 202.5 sq. ft. in lieu of maximum face area of 150 ft.; (b) a height of 28 ft. in lieu of the maximum height of 25 ft.; (c) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (d) nine (9) lines of copy in lieu of the maximum of five (5) lines of copy; and (3) to permit a freestanding joint identification sign fronting on Rossville Boulevard with: (a) a face area of 152.4 sq. ft. in lieu of the maximum face area of 150 ft.; (b) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (c) seven (7) lines of copy in lieu of the maximum of five (5) lines of copy, be and is hereby GRANTED.

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.

ORDER RECEIVED FOR FILING

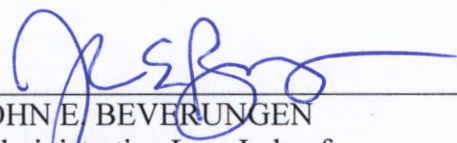
Date 11-6-14

By den

2. Petitioner must within 15 days of the date hereof send via certified mail a letter to the management at Ashley Furniture Home Store enclosing a copy of this Order and admonishing the tenant that the temporary signage and banners it has erected along the roadways leading into the shopping center are illegal and can subject the tenant and/or owner to substantial civil penalties under County law. Counsel shall provide to the Office of Administrative Hearings (OAH) for inclusion in the case file a copy of the letter referenced herein.

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

JEB:slh



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 11-6-14

4 By den



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 8823 Pulaski Highway which is presently zoned BM-IM and BR-AS
Deed References: 28375/00496 10 Digit Tax Account # 2500005830 and 2500005829
Property Owner(s) Printed Name(s) VEI Circuit, 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. ✓ a **Variance** from Section(s)

Please 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:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC
Name- Type or Print _____
Signature _____
600 Washington Avenue, Suite 200 **Towson** **MD**
Mailing Address _____ City _____ State _____
21204 , (410) 821-0070 , jvettori@sgs-law.com
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Leonard Weinberg, II Authorized Representative of VEI Circuit, LLC
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
1500 Serpentine Road, Suite 100 **Baltimore** **MD**
Mailing Address _____ City _____ State _____
21209-2034 , (410) 296-1770 , lweinberg@vanguardequities.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC
Name - Type or Print _____
Signature _____
600 Washington Avenue, Suite 200 **Towson** **MD**
Mailing Address _____ City _____ State _____
21204 , (410) 821-0070 , jvettori@sgs-law.com
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2015-0067-A Filing Date 9/25/2014

Do Not Schedule Dates: 11-10-14 Reviewer W

By Sen REV. 10/4/11

ATTACHMENT TO PETITION FOR ZONING HEARING

8823 Pulaski Highway
15th Election District
7th Councilmanic District

Variance from Section(s):

1. BCZR § 450.4 Attachment 1.5(d)(vi) to permit two (2) wall-mounted enterprise signs for Ashley Furniture HomeStore in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance; ~~or, in the alternative,~~ *723*
2. BCZR § 450.4 Attachment 1.7(a) to permit a freestanding joint identification sign fronting on Pulaski Highway with:
 - a. A face area of 202.5 square feet in lieu of the maximum face area of 150 feet;
 - b. A height of 28 feet in lieu of the maximum height of 25 feet;
 - c. Copy displaying the names of tenants or occupants of as little as 3 inches high in lieu of the minimum 8 inches high; and
 - d. 9 lines of copy in lieu of the maximum of 5 lines of copy; and
3. BCZR § 450.4 Attachment 1.7(a) to permit a freestanding joint identification sign fronting on Rossville Boulevard with:
 - a. A face area of 152.4 square feet in lieu of the maximum face area of 150 feet;
 - b. Copy displaying the names of tenants or occupants of as little as 3 inches high in lieu of the minimum 8 inches high; and
 - c. 7 lines of copy in lieu of the maximum of 5 lines of copy; and
4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

0067-A

Zoning Property Description For 8823 Pulaski Highway (tract boundary)

Beginning at a point on the northeast side of Rossville Boulevard which is a variable width right of way at the distance of 358 feet Southeast of the centerline of the nearest improved intersecting street Pulaski Highway Route 40 variable width Right of Way. **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

From intersection corner running South 37 degrees 44 minutes 53 seconds West, 358 feet to the Point of Beginning for Tract Boundary, continuing north 37 degrees 44 minutes 53 seconds West, 118.41' to a point; North 52 degrees 15 minutes 06 seconds East, 108.30' to a point; South 89 degrees 36 minutes 50 seconds West, 15.37' to a point; South 78 degrees 34 minutes 18 seconds East, 41.59' to a point; North 11 degrees 52 minutes 47 seconds East 383.53' to a point; Chord Bearing North 61 degrees 19 minutes 29 seconds East Radius 2789.79.00' Length 336.71' to a point; South 70 degrees 27 minutes 52 seconds East 353.55' to a point; South 68 degrees 24 minutes 52 seconds East 80.32' to a point; South 47 degrees 8 minutes 31 seconds West 970.65' to a point; North 42 degrees 51 minutes 28 seconds East 10' to a point; South 47 degrees 8 minutes 31 seconds East 34.78' to a point; North 41 degrees 42 minutes 8 seconds West 25.85' to a point; North 37 degrees 44 minutes 53 seconds West 81.52' to a point; North 37 degrees 44 minutes 53 seconds West 66' to a point and place of beginning.

Containing an area of 336,379 square feet or 7.72 acres of land, more or less and being located in the Seventh Election District and Fifteenth Council District of Baltimore County Maryland.



2015-0067-A

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

No. **117518**

Date: **9/25/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 9/25/2014 9/25/2014 09:27:54
 KEY: BSH WORKING LINES LIR
 RECEIPT # 582114 9/25/2014
 \$ 500.00 ZIRING VERIFICATION
 117518
 Receipt Tot 500.00
 BALANCE OK 5.00 LA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	000		6150					500.00

Total: **500.00**

Rec From: **SMITH, GILBERT & SCHMIDT, LLC (# 13505)**

For: **8823 Pulaski Hwy**

2015-0067-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

October 16, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on October 14, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: # 2015-0067-A

8823 Pulaski Highway

Northeast side of Rossville Blvd., 358 ft. southeast of centerline of Pulaski Highway

15th Election District - 7th Councilmanic District

Legal Owner(s): Leonard Weinberg, II VEI Circuit, LLC

Variance: 1. To permit two (2) wall-mounted enterprise signs for Ashley Furniture Home Store in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance; or in the alternative, 2. To permit a freestanding joint identification sign fronting on Pulaski Highway with: A. A face area of 202.5 sq. ft. in lieu of the maximum face area of 150 ft.

B. A height of 28 ft. in lieu of the maximum height of 25 ft. C. Copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high, and D. Nine (9) lines of copy in lieu of the maximum of five (5) lines of copy; 3. To permit a freestanding joint identification sign fronting on Rossville Boulevard with: A. A face area of 152.4 sq. ft. in lieu of the maximum face area of 150 ft. B. Copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and C. Seven (7) lines of copy in lieu of the maximum of five (5) lines of copy; and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, November 3, 2014 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 10/650 Oct. 14 997363

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: 2015-0067-A
Petitioner: VEI CIRCUIT, LLC
Address or Location: 8823 PULASKI HIGHWAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: JASON VETTORI
Address: SMITH, GILDEA & SCHMIDT, LLC
600 WASHINGTON AVE., STE. 200
TOWSON, MD 21204
Telephone Number: (410) 821-0070

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/13/2014

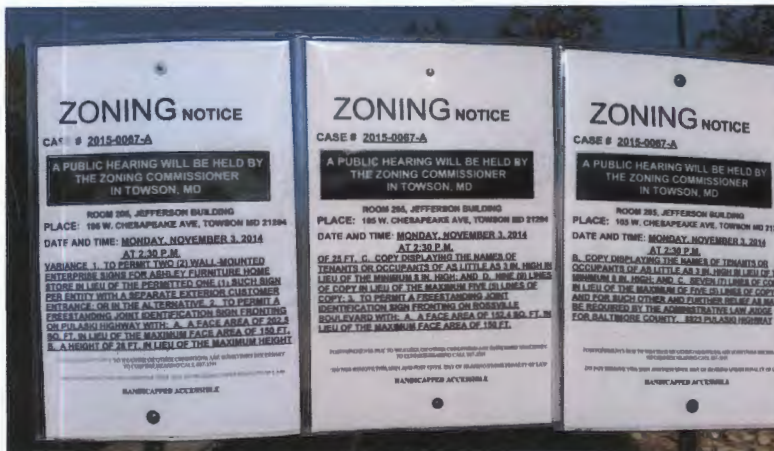
Case Number: 2015-0067-A

Petitioner / Developer: JASON VETTORI, ESQ of SMITH, GILDEA & SCHMIDT, LLC ~ LEONARD WEINBERG II

Date of Hearing (Closing): NOVEMBER 3, 2014

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:
8823 PULASKI HIGHWAY & ROSSVILLE BLVD. (ON-SITE)

The sign(s) were posted on: OCTOBER 12, 2014



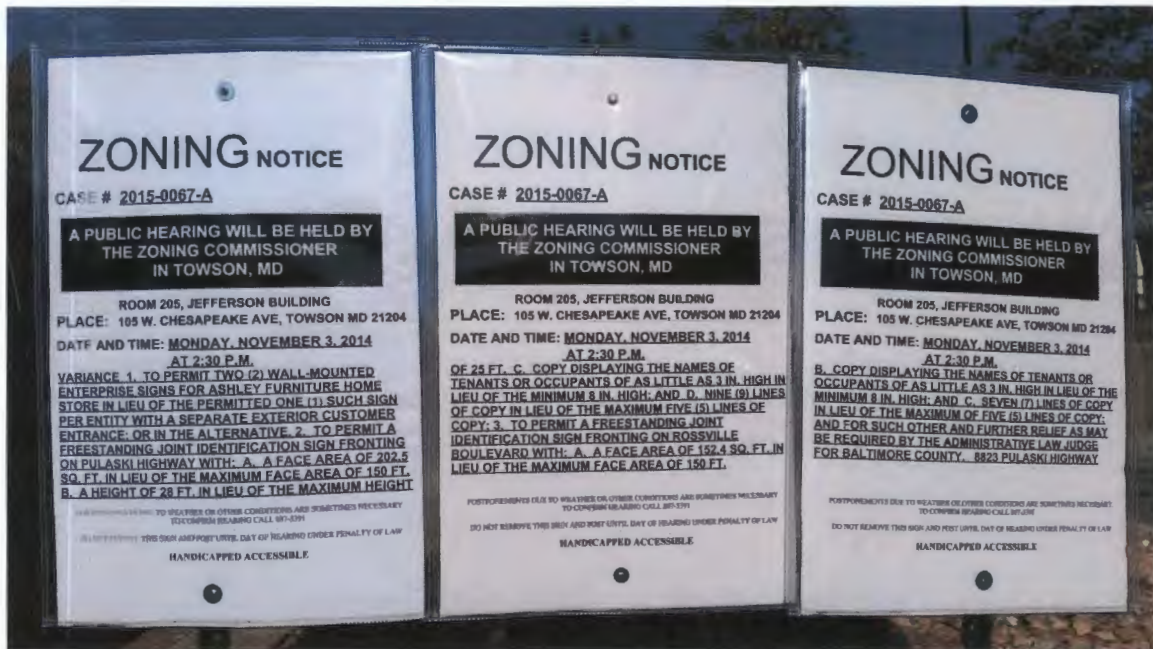
Linda O'Keefe
(Signature of Sign Poster)

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)



Rossville Blvd.-(On-Site)



KEVIN KAMENETZ
County Executive

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

October 6, 2014

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: 2015-0067-A

8823 Pulaski Highway

Northeast side of Rossville Blvd., 358 ft. southeast of centerline of Pulaski Highway

15th Election District – 7th Councilmanic District

Legal Owners: Leonard Weinberg, II VEI Circuit, LLC

Variance 1. To permit two (2) wall-mounted enterprise signs for Ashley Furniture Home Store in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance; or in the alternative, 2. To permit a freestanding joint identification sign fronting on Pulaski Highway with: A. A face area of 202.5 sq. ft. in lieu of the maximum face area of 150 ft. B. A height of 28 ft. in lieu of the maximum height of 25 ft. C. Copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and D. Nine (9) lines of copy in lieu of the maximum of five (5) lines of copy; 3. To permit a freestanding joint identification sign fronting on Rossville Boulevard with: A. A face area of 152.4 sq. ft. in lieu of the maximum face area of 150 ft. B. Copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and C. Seven (7) lines of copy in lieu of the maximum of five (5) lines of copy; and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, November 3, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Jason Vettori, 600 Washington Ave., Ste. 200, Towson 21204
Leonard Weinberg, II, 1500 Serpentine Road, Ste. 100, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 14, 2014.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 14, 2014 Issue - Jeffersonian

Please forward billing to:

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

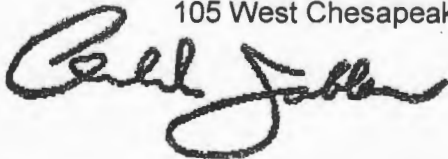
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15th Election District – 7th Councilmanic District
Legal Owners: Leonard Weinberg, II VEI Circuit, LLC

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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
8823 Pulaski Highway; NE/S Rossville		
Boulevard, 358' SE of c/line Pulaski Highway *		OF ADMINSTRATIVE
15 th Election & 7 th Councilmanic Districts		
Legal Owner(s): VEI Circuit, LLC	*	HEARINGS FOR
by Leonard Weinberg II		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-067-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
OCT 02 2014

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of October, 2014, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.:

2015-0067-A

Exhibit Sheet

Petitioner/Developer

DW
12-12-14

Protestants

SLW
11-6-14

No. 1	Site plan	1A - 1A 1C Photos temporary signs
No. 2	2A + 2B Google Earth photos	
No. 3	Photo - Ashley sign	
No. 4	Photo - joint i.d. sign	
No. 5	" "	
No. 6	" "	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



TRANSMITTAL

Date:	September 25, 2014
To:	Mr. Len Wasilewski
	111 West Chesapeake Avenue, Room 111
	Towson, MD 21204
Fax #:	
From:	Matt Bishop
Project #:	17036
Project	Rossville Commons
Case #:	2015-0067-A
Copies To:	File

Sent Via:	☐ Mail
	☐ Pick-up
	☒ Messenger
	☐ Fed Ex
	☐ Fax - # Pages
	(including cover)

-
- | | | |
|--|--|---|
| ☒ Approval | ☐ Record | ☐ Per your request |
| ☐ Review & Comment | ☐ Use & Information | ☐ Distribution |
-

<u>COPIES</u>	<u>SHEETS</u>	<u>DATE</u>	<u>DESCRIPTION</u>
12	1	9/25/2014	Plan to Accompany Variance Petition

COMMENTS:

1220-C East Joppa Road, Suite 505, Towson, Maryland 21286 Tel: (410) 821-1690 Fax: (410) 821-1748

Abingdon, MD • Laurel, MD • Towson, MD • Georgetown, DE • Wilmington, DE • York, PA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855- 5734 (302) 326-2600 (717) 751-6073

Visit us on the web at www.mragta.com



Google earth

feet
meters

DEVELOPER'S

EXHIBIT NO.

2A

1000

400

Google earth



Google earth

feet
meters

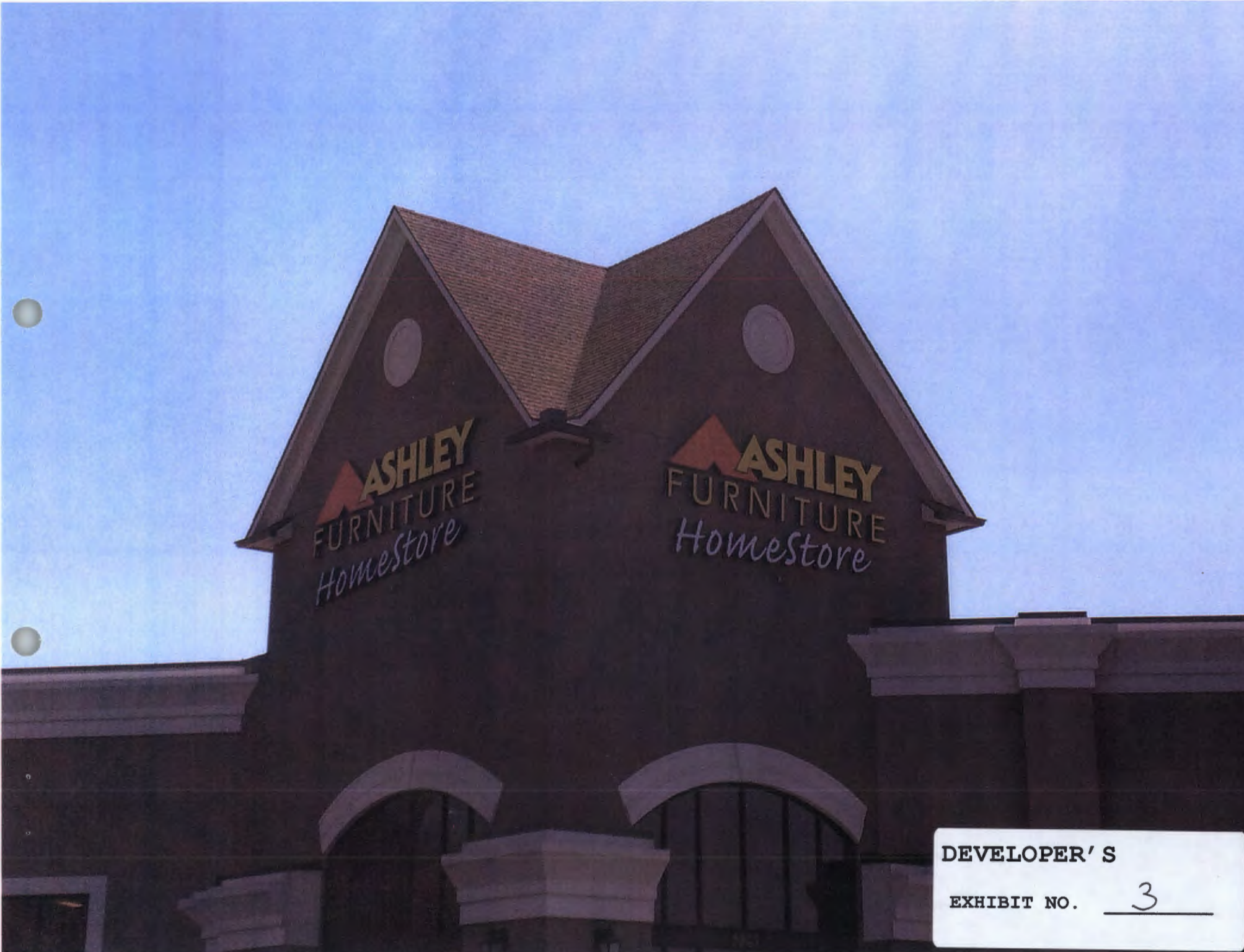
DEVELOPER'S

EXHIBIT NO.

2B

700
200



A photograph of a two-story Ashley Furniture Homestore building. The building has a dark brown facade and a gabled roof with a brick chimney. Two large signs are mounted on the upper part of the facade, each featuring the Ashley Furniture Homestore logo. The logo consists of a stylized red mountain peak above the word "ASHLEY" in bold, yellow, sans-serif capital letters, followed by "FURNITURE" in smaller, yellow, sans-serif capital letters, and "Homestore" in a white, cursive script font. The building has arched windows on the ground floor and circular windows in the gables. The sky is a clear, light blue.

ASHLEY
FURNITURE
Homestore

ASHLEY
FURNITURE
Homestore

DEVELOPER' S

EXHIBIT NO. 3



DEVELOPER' S

EXHIBIT NO.

4



DEVELOPER'S

EXHIBIT NO. _____

5



DEVELOPER' S

EXHIBIT NO. 6



March 26, 2011



August 20, 2011



September 24, 2011



May 15, 2012



May 18, 2013



January 20, 2014



March 9, 2014



March 9, 2014

Administrative Law Office
ATTN: John Beverungen
106 W Chesapeake Ave
Towson, MD 21204

Re: Case 2015-0067-A

John,

I know that the case is closed, but I believe it would be appropriate to request that the attached letter be included in the file. I noted that no illegal signs were placed on this property for the three weeks prior to the hearing and during the 30-day period for filing of appeals of motions for reconsideration. Once the deadline passed, the signs went back up, more than ever this past weekend.

Just wanted you to know.

Thanks.

Mike Pierce

Mike

RECEIVED

JAN 05 2015

OFFICE OF ADMINISTRATIVE HEARINGS

② 11-3-14
⑥ 11-6-14

December 31, 2014

Leonard Wienberg, II
Vanguard Retail Property Development
1500 Serpentine Rd, Suite 100
Baltimore, MD 21209

Re: 8823 Pulaski Highway, Zoning Case 2015-0067-A

Dear Mr. Weinberg.

I appreciate the concern shown at the hearing regarding the illegal signage which Ashley Furniture has been erecting on and around your property and the letter which you sent to them on November 17 instructing them not to do so.

Unfortunately, they do not seem to understand the message which was intended by the Order of 6 November, as evidenced by the photos below taken on December 26 and 31 of numerous signs erected along the roadways leading to your property, as well in front of the store.

I request that you ensure that Ashley's understands the need for them to comply with the Baltimore County Sign Code (and state law).

Thanks for your assistance.

Regards,

Michael Pierce

Michael Pierce
7448 Bradshaw Rd
Kingsville, MD 21087

cc: Honorable John E Beverungen, Office of Administrative Hearings (for file, no action)



In front of Ashley's store on Pulaski Hwy, December 31, 2014



Corner Rossville Blvd and Philadelphia Rd, December 26, 2014



Corner Rossville Blvd and Pulaski Hwy



Northbound Pulaski Hwy approaching Rossville Blvd



Southbound Pulaski Hwy near Middle River Rd

MEMORANDUM

DATE: December 12, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0067-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 8, 2014. 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



November 17, 2014

Sent via Certified Mailing

Ashley Furniture Home Store
Attn: Manager
8823 Pulaski Highway
Rosedale, MD 21237

RECEIVED

NOV 19 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Re: 8823 Pulaski Highway
Case No.: 2015-0067-A

Dear Sir/Madam:

Please accept this letter as a notice that you are not to erect illegal temporary signage and banners on and around the Rossville Commons Shopping Center.

As indicated in the attached order regarding the above referenced case, Mr. Mike Pierce presented testimony and evidence regarding temporary signs advertising Ashley Home Furniture Store which have been erected on and around the Rossville Commons Shopping Center for over three years. Mr. Pierce contends that the alleged erection of these temporary signage is not authorized under the applicable law. Posting illegal signs can potentially subject you and VEI Circuit, LLC to substantial civil penalties under County laws. If you have any questions regarding the legality of temporary signs to avoid any future violations, please contact the Zoning Review Bureau of the Department of Permits, Approvals and Inspections at (410) 887-3391.

Very truly yours,

Leonard Weinberg, II

Enclosure

CC: ✓Honorable John E. Beverungen, Office of Administrative Hearings
Jason T. Vettori, Esquire

1500 Serpentine Road, Suite 100 Baltimore, Maryland 21209

T 410.296.1770 F 410.296.0973

www.VanguardRetailDev.com



KEVIN KAMENETZ
County Executive

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

November 6, 2014

Jason T. Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, Maryland 21204

RECEIVED
NOV 10 2014
Smith, Gildea & Schmidt

RE: Petition for Variance
Property: 8823 Pulaski Highway
Case No. 2015-0067-A

Dear Mr. Vettori:

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 blue ink, appearing to read "JEB", is written over a circular stamp that partially overlaps the signature.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Mike Pierce, 7448 Bradshaw Road, Kingsville, Maryland 21087

IN RE: PETITION FOR VARIANCE
(8823 Pulaski Highway)
15th Election District
6th Council District
VEI Circuit, LLC
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2015-0067-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §450.4 as follows: (1) to permit two (2) wall-mounted enterprise signs for Ashley Furniture HomeStore in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance; (2) to permit a freestanding joint identification sign fronting on Pulaski Highway with: (a) a face area of 202.5 sq. ft. in lieu of maximum face area of 150 ft.; (b) a height of 28 ft. in lieu of the maximum height of 25 ft.; (c) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (d) nine (9) lines of copy in lieu of the maximum of five (5) lines of copy; and (3) to permit a freestanding joint identification sign fronting on Rossville Boulevard with: (a) a face area of 152.4 sq. ft. in lieu of the maximum face area of 150 ft.; (b) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (c) Seven (7) lines of copy in lieu of the maximum of five (5) lines of 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 Exhibit 1.

Appearing at the public hearing in support of the request was Len Weinberg and Matthew

Bishop, professional landscape architect, whose firm prepared the plan. Jason T. Vettori, Esquire from Smith, Gildea & Schmidt, LLC, represented the Petitioner. Mike Pierce attended the hearing to voice concerns regarding temporary signage at this site, an issue discussed below. The Petition was advertised and posted as required by the B.C.Z.R. There were no substantive Zoning Advisory Committee (ZAC) comments received.

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 property is irregularly shaped and has a truncated corner at the intersection of Rossville Boulevard and Pulaski Highway, which reduces visibility into the site. As such the property is unique. If the B.C.Z.R. were strictly interpreted the Petitioner would suffer a practical difficulty, given it would be unable to retain its existing signage and include the name of a new tenant on the joint identification signs. 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 lack of County and/or community opposition.

Mike Pierce indicated that while he does not oppose the variance or signage proposed in this case, he is troubled by the numerous temporary signs at the site. I share his concerns, and as indicated at the hearing, the signs create visual clutter and degrade the appearance of the area. Mr. Pierce noted, and his photos (Protestant's Exhibit 1A-1C) confirm the fact, that these signs (advertising the Ashley Furniture Home Store) have existed on and off at the location for over three years. While the Petitioner did not place the signs, I am confident that the commercial lease

agreement it has with Ashley mandates that the tenant comply with all laws and regulations. One such law is the prohibition on temporary signage of this nature, and the relief granted below will include a condition designed to address this situation.

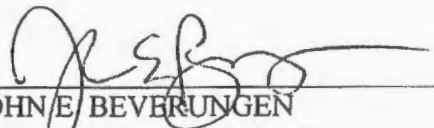
THEREFORE, IT IS ORDERED, this 6th day of November, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to permit two (2) wall-mounted enterprise signs for Ashley Furniture Home Store in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance; (2) to permit a freestanding joint identification sign fronting on Pulaski Highway with: (a) a face area of 202.5 sq. ft. in lieu of maximum face area of 150 ft.; (b) a height of 28 ft. in lieu of the maximum height of 25 ft.; (c) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (d) nine (9) lines of copy in lieu of the maximum of five (5) lines of copy; and (3) to permit a freestanding joint identification sign fronting on Rossville Boulevard with: (a) a face area of 152.4 sq. ft. in lieu of the maximum face area of 150 ft.; (b) copy displaying the names of tenants or occupants of as little as 3 in. high in lieu of the minimum 8 in. high; and (c) seven (7) lines of copy in lieu of the maximum of five (5) lines of copy, be and is hereby GRANTED.

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.

2. Petitioner must within 15 days of the date hereof send via certified mail a letter to the management at Ashley Furniture Home Store enclosing a copy of this Order and admonishing the tenant that the temporary signage and banners it has erected along the roadways leading into the shopping center are illegal and can subject the tenant and/or owner to substantial civil penalties under County law. Counsel shall provide to the Office of Administrative Hearings (OAH) for inclusion in the case file a copy of the letter referenced herein.

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



March 26, 2011



August 20, 2011

Protestants
Exhibit 1 a



September 24, 2011



May 15, 2012

Protestants
Exhibit 1-b



May 18, 2013



January 20, 2014

Protestants
Exhibit 1-c



March 9, 2014



March 9, 2014

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER

DATE

2015-0067

11/3/2014

CITIZEN'S SIGN - IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

Mike Pierce

7448 Bradshaw Rd

Kingsville MD 21087

MPIERCE1@AOL.COM

CASE NAME 8823 Polaski; Hwy
CASE NUMBER 2015-0067-A
DATE 11/3/14

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10/1</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>10/15</u>	PLANNING (if not received, date e-mail sent _____)	<u>N/C</u>
<u>9/29</u>	STATE HIGHWAY ADMINISTRATION	<u>no obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

10/14/14

SIGN POSTING

Date:

10/12/14

by O'heep

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 2500006830			
Owner Information					
Owner Name:		VIE CIRCUIT LLC		Use:	COMMERCIAL
Mailing Address:		1500 SERPENTINE RD STE 100 BALTIMORE MD 21209		Principal Residence:	NO
				Deed Reference:	/28375/ 00496
Location & Structure Information					
Premises Address:		PULASKI HWY 0-0000		Legal Description:	7.333AC SES PULASKI HWY 450'NE OF ROSSVILLE BLVD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0090	0008	0127		0000	
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	Property Land Area
1996		62,784 SF			7.3300 AC
					County Use
					06
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		SERVICE GARAGE			Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2012	Phase-in Assessments As of 07/01/2014 As of 07/01/2015	
Land:		2,119,900	2,119,900		
Improvements		5,490,800	5,490,800		
Total:		7,610,700	7,610,700	7,610,700	
Preferential Land:		0			
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2014	07/01/2015	
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					

Baltimore County

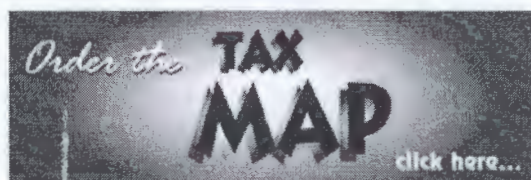
New Search (<http://sdat.resiusa.org/RealProperty>)District: **15** Account Number: **2500005830**

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 (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☐ Loading... Please Wait. Loading... Please Wait.

-->



KEVIN KAMENETZ
County Executive

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

October 30, 2014

Leonard Weinberg II
1500 Serpentine Road
Suite 100
Baltimore MD 21209-2034

RE: Case Number: 2015-0067 A, Address: 8823 Pulaski Highway

Dear Mr. Weinberg:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 25, 2014. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jason Vettori, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 9/29/14

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

RE: Baltimore County
Item No. 2015-0067-A
Variance
Leonard Weinberg II
8823 Pulaski Highway
US 40

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 9/29/14. A field inspection and internal review reveals that an entrance onto US 40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance. Case Number 2015-0067-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,

A handwritten signature in dark ink, appearing to read "Steven D. Foster".
for Steven D. Foster, Chief/
Development Manager
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: October 1, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For October 6, 2014
Item No. 2015-0061, 0062, 0063, 0064, 0065, 0066, 0067 and 0068

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\ZAC10062014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 15 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

OCT 16 2014

SUBJECT: Zoning Advisory Petition(s) for
Item No: 15-067

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the above referenced zoning item(s) and has no comments.

For further questions or additional information concerning the matters stated herein, please contact Lynn Lanham at 410-887-3480.

Prepared By:



LL/ka

c: John Beverungen, ALJ
Peter Max Zimmerman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 15 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: Zoning Advisory Petition(s) for
Item No: 15-067

The Department of Planning has reviewed the above referenced zoning item(s) and has no comments.

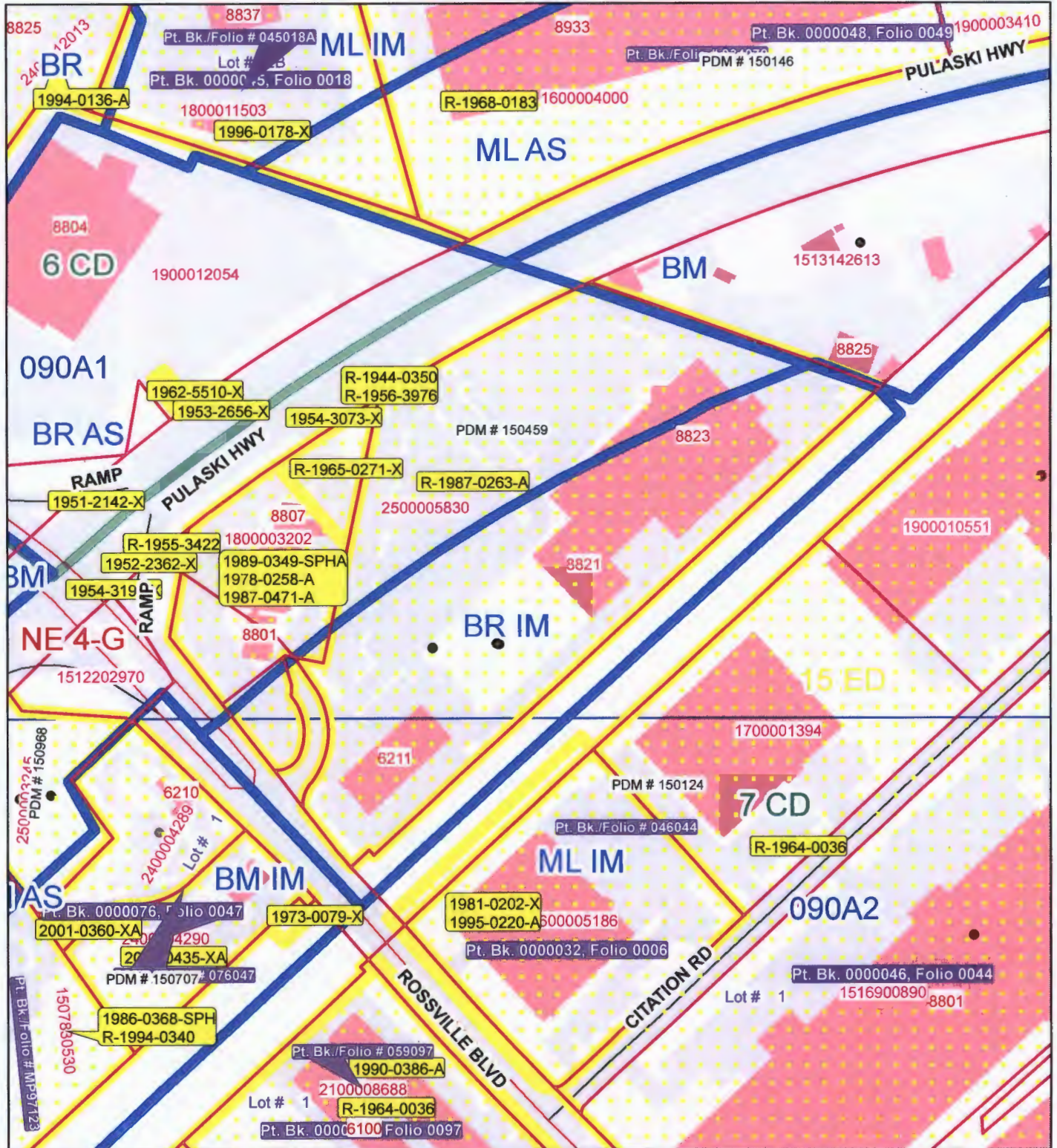
For further questions or additional information concerning the matters stated herein, please contact Lynn Lanham at 410-887-3480.

Prepared By: 

LL/ka

c: John Beverungen, ALJ
Peter Max Zimmerman

8823 Pulaski Highway 2015-0067-A



Publication Date: 9/25/2014



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 50 100 200 300 400 Feet

1 inch = 200 feet

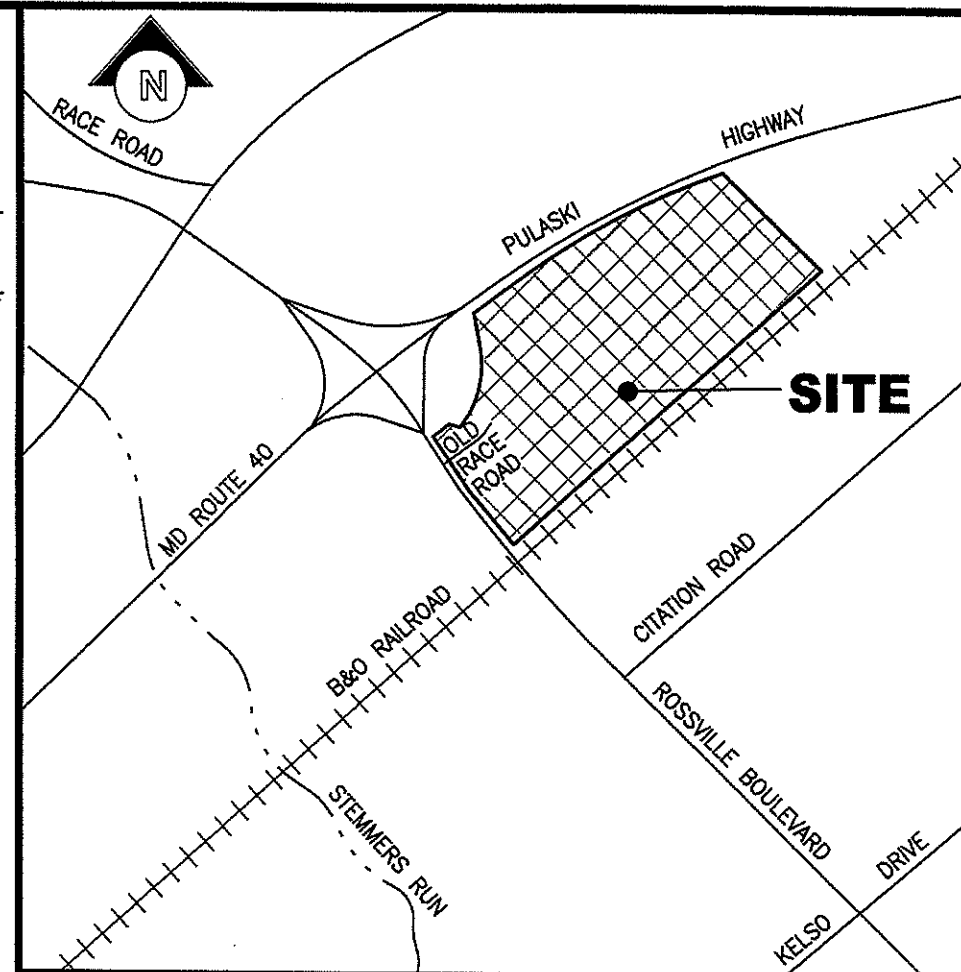
LEGEND	
	EX. PROPERTY LINE
	EX. RIGHT OF WAY LINE
	EX. ADJACENT PROPERTY LINE
	EX. EASEMENT LINE
	EX. BUILDING
	EX. CONCRETE CURB AND GUTTER
	EX. EDGE OF CONCRETE
	EX. EDGE OF PAVING
	EX. CHAIN LINK FENCE
	EX. RAILROAD TRACKS
	EX. FLOODPLAIN
	EX. HEDGES
	EX. TREES

BENCHMARKS

STATION NAME: GIS-67 STATION NAME: GIS-73
N 604963.295 N 604807.438
E 1464447.281 E 1463677.200
ELEV. 67.17 ELEV. 11.80

DESCRIPTION

STATION GIS-67 IS A STANDARD BALTIMORE COUNTY SURVEY MARKER LOCATED AT THE INTERSECTION OF MIDDLESEX ROAD AND STEMMERS RUN ROAD.
STATION GIS-73 IS A STANDARD BALTIMORE COUNTY SURVEY MARKER LOCATED 28' NORTH OF THE CENTER OF SENECA GARDENS ROAD AND ABOUT 34' EAST OF THE CENTER OF BOWLEYS QUARTERS ROAD

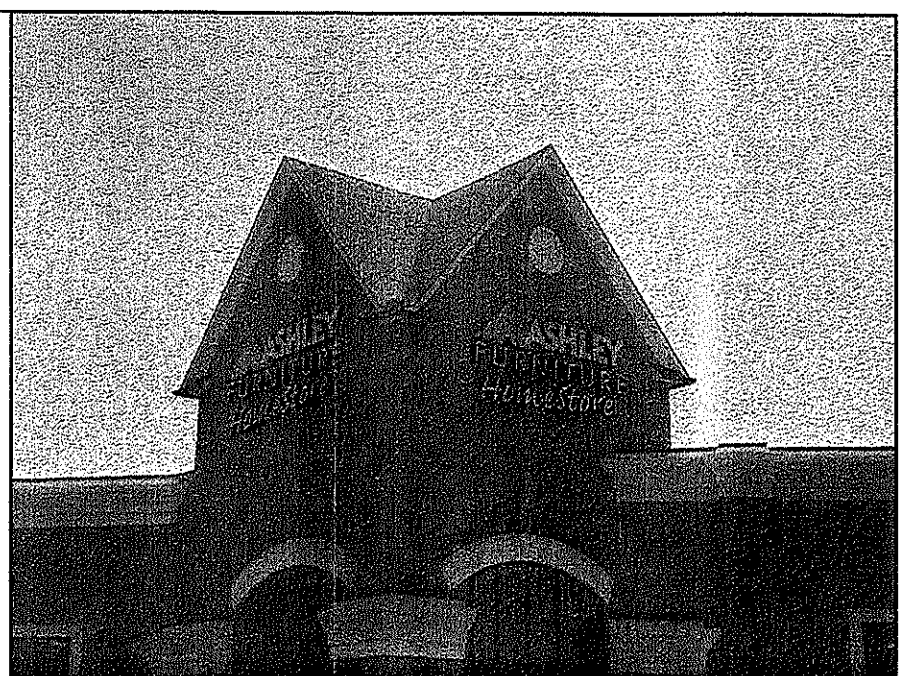


VICINITY MAP

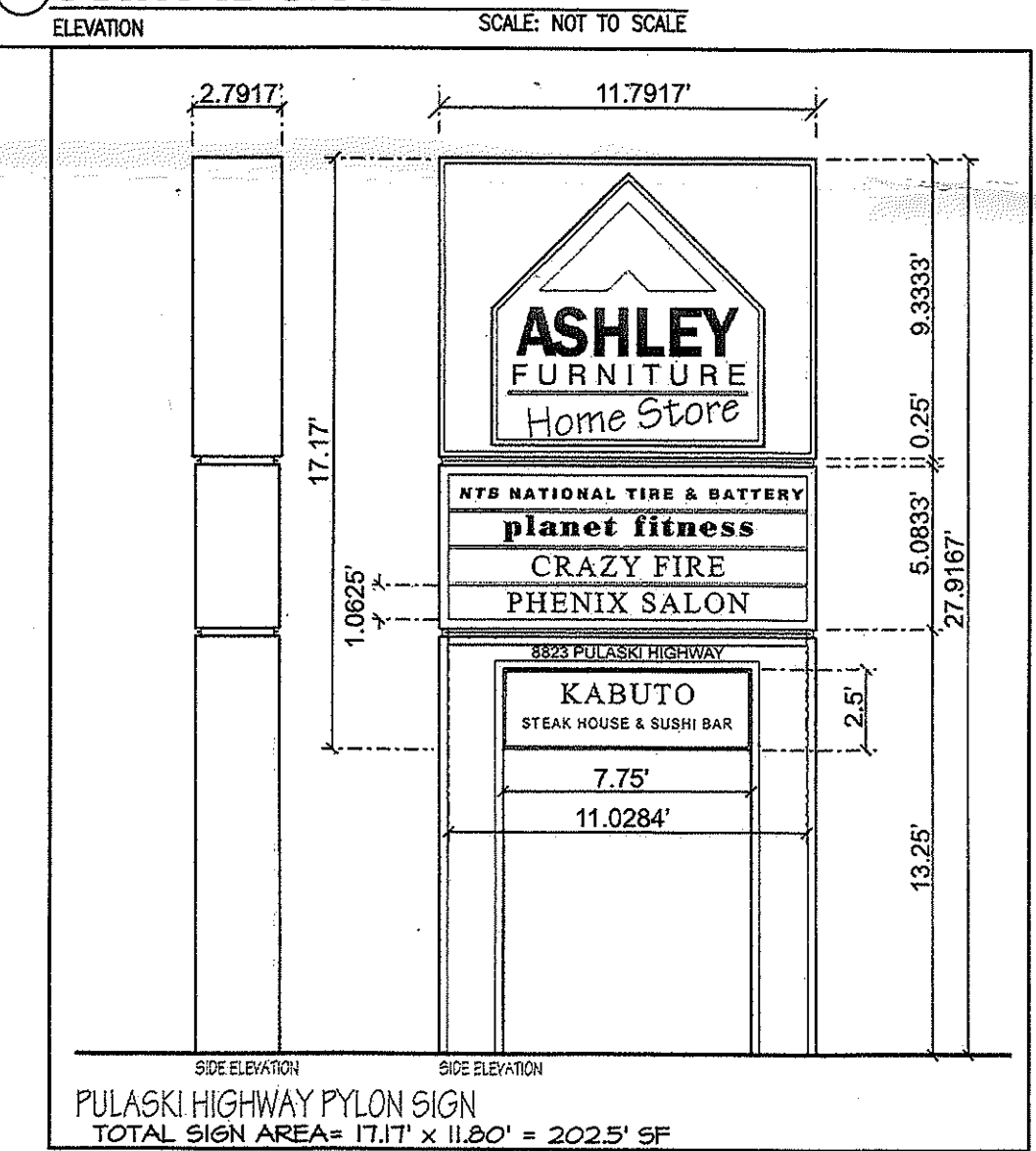
SCALE: 1" = 500'

GENERAL NOTES

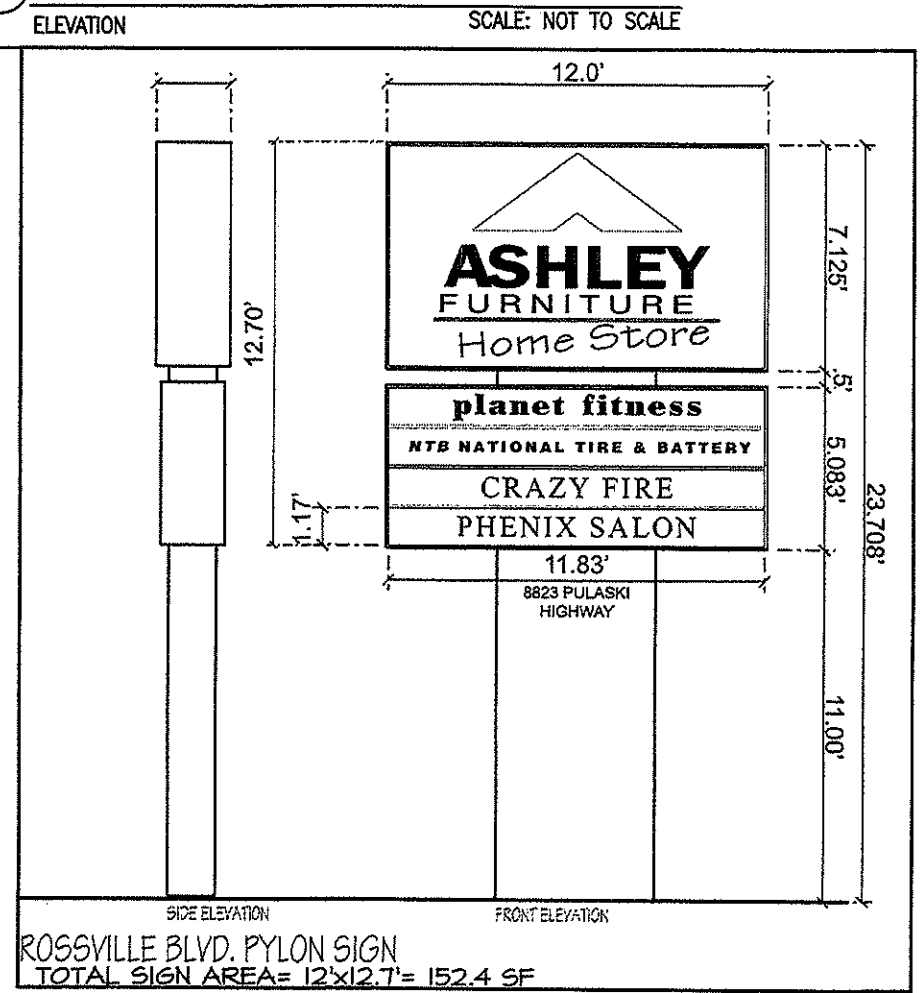
- OWNER: VET CIRCUIT LLC
1500 SERPENTINE ROAD, SUITE 100
BALTIMORE, MD 21209-2034
CONTACT: PAUL VAN RILEY
PHONE: (410) 296-1770
- SITE DATA:
ADDRESS: 8823 PULASKI HIGHWAY
ROSELAND, MARYLAND 21237
GROSS AREA: 7.56 AC±
NET AREA: 7.56 AC±
EXISTING ZONING: BR-M, BR-AS, BM-IM, ML-IM
ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 7
CENSUS TRACT: 4512
WATERSHED: 22
SEWER: 2
TAX MAP: MAP 90 GRID 8
ADC MAP: 470107/ 470106
PARCEL: 127, 159
TAX ACCOUNT NUMBERS: 2500005830, 2500005829
EX. LAND USE: COMMERCIAL/ RETAIL
PROF. LAND USE: COMMERCIAL/ RETAIL
ZONING MAP REFERENCE: 09042/ 09041
DEED REFERENCES: 28375/ 00496
- SETBACK & FAR REQUIREMENTS FOR BM ZONES:
FRONT YARD: 15' FROM PROPERTY LINE & 40' FROM STREET CENTERLINE
SIDE YARD: NONE
REAR YARD: NONE
F.A.R. PERMITTED: 4.0
F.A.R. PROPOSED: 0.25
- BUILDING SIZE:
EXISTING BUILDINGS:
FURNITURE (ASHLEY) 44,807 SF
FITNESS CENTER (PLANET FITNESS) 13,666 SF
NATIONAL TIRE & BATTERY 10,300 SF
RETAIL 6,500 SF
RESTAURANT 10,000 SF
TOTAL AREA: 85,173 S.F.
- THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER AND INSIDE URDL.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
- THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN FLOODPLAINS ON THIS SITE (F.E.M.A. PANEL NO. 240010 0430 F).
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL UNLESS OTHERWISE NOTED.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
- THE MAXIMUM BUILDING HEIGHT FOR BM ZONE IS PER THE 'HEIGHT TENT' OUTLINED IN THE ZONING REGULATIONS. BUILDING HEIGHT REQUIREMENTS: ALL BUILDINGS ARE BELOW 40' HEIGHT.
- THERE ARE NO KNOWN BUILDINGS, PROPERTIES, OR SITES WHICH ARE ON THE MARYLAND HISTORICAL TRUST INVENTORY, BALTIMORE COUNTY LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, OR THE MARYLAND ARCHEOLOGICAL SURVEY.
- DRG HISTORY:
A. DRG NUMBER 010850; DIST 1507; LIMITED EXEMPTION 32-4-106(b)(2) GRANTED.
B. DRG NUMBER 020811C WAS HELD ON FEBRUARY 8, 2011; DIST 1507; LIMITED EXEMPTION 32-4-106(b)(2) GRANTED.
- ZONING CASES: CASE NUMBER R-1987-0263-A: A PETITION FOR A RECLASSIFICATION AND VARIANCE FROM ML-IM AND ML-CS1 TO BR-CS-1 AND BR-M WAS GRANTED MAY 12, 1987
- REQUIRED PARKING SPACES: 475 SPACES
PROPOSED PARKING SPACES: 480 SPACES



2 JOINT ID SIGN



3 JOINT ID SIGN



Curve Table			
Curve #	Length	Radius	Delta
C1	336.714	2784.740	6.4153
Line Table			
Line #	Length	Direction	
L1	359.341	S10° 27' 52.49"E	
L2	389.591	N11° 52' 47.33"E	
L3	41.984	S78° 34' 18.36"E	
L4	15.364	S84° 36' 50.78"E	
L5	108.300	N52° 15' 06.64"E	
L6	118.416	N87° 44' 53.36"N	
L7	66.000	N87° 44' 53.36"N	
L8	81.523	N87° 44' 53.36"N	
L9	25.855	N41° 42' 08.04"N	
L10	34.746	S47° 08' 31.57"N	
L11	10.000	N42° 51' 28.49"N	
L12	470.650	S47° 08' 31.57"N	
L13	80.320	S68° 24' 52.49"E	

Scale 1" = 40'

SITE PLAN WITH SIGN LOCATIONS

PLAN

SCALE: 1" = 40'

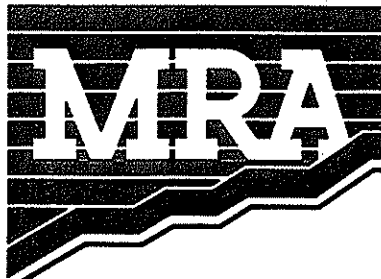


Know what's below.
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CASE NO. 2015-0067-A



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
PHONE: (410) 821-1690
FAX: (410) 821-1748
MRA@GMAIL.COM



ROSSVILLE COMMONS
8823 PULASKI HIGHWAY
SIGN VARIANCE PETITION
PLAN TO ACCOMPANY VARIANCE PETITION

15 TH ELECTION DISTRICT
7 TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.:
		17036
		SCALE: 1" = 40'
		DATE: 09/25/2014
		DRAWN BY: NR
		DESIGN BY: NR
		REVIEW BY: MB
		SHEET: 1 OF 1

DEVELOPER'S

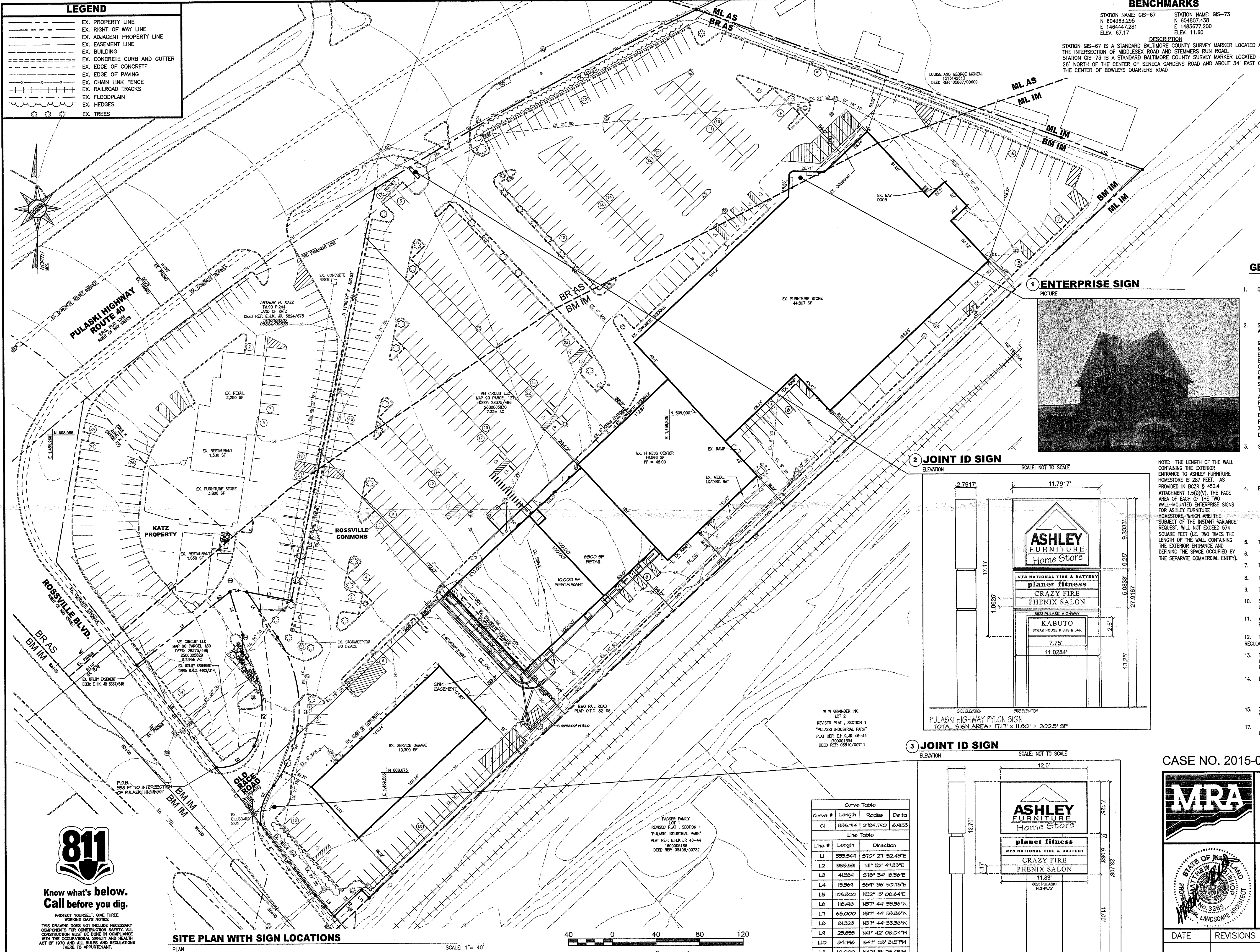
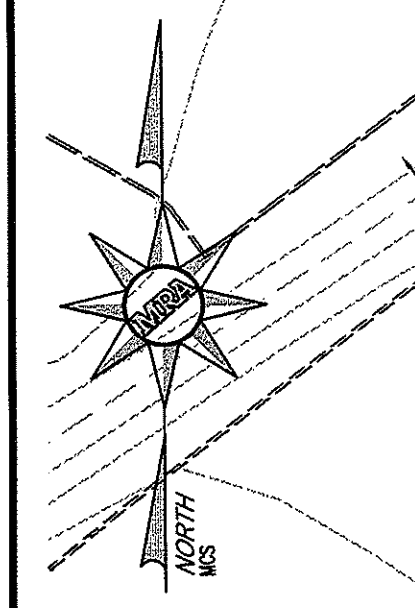
EXHIBIT NO. 1

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/91
VERTICAL NAVD 88

OWNER

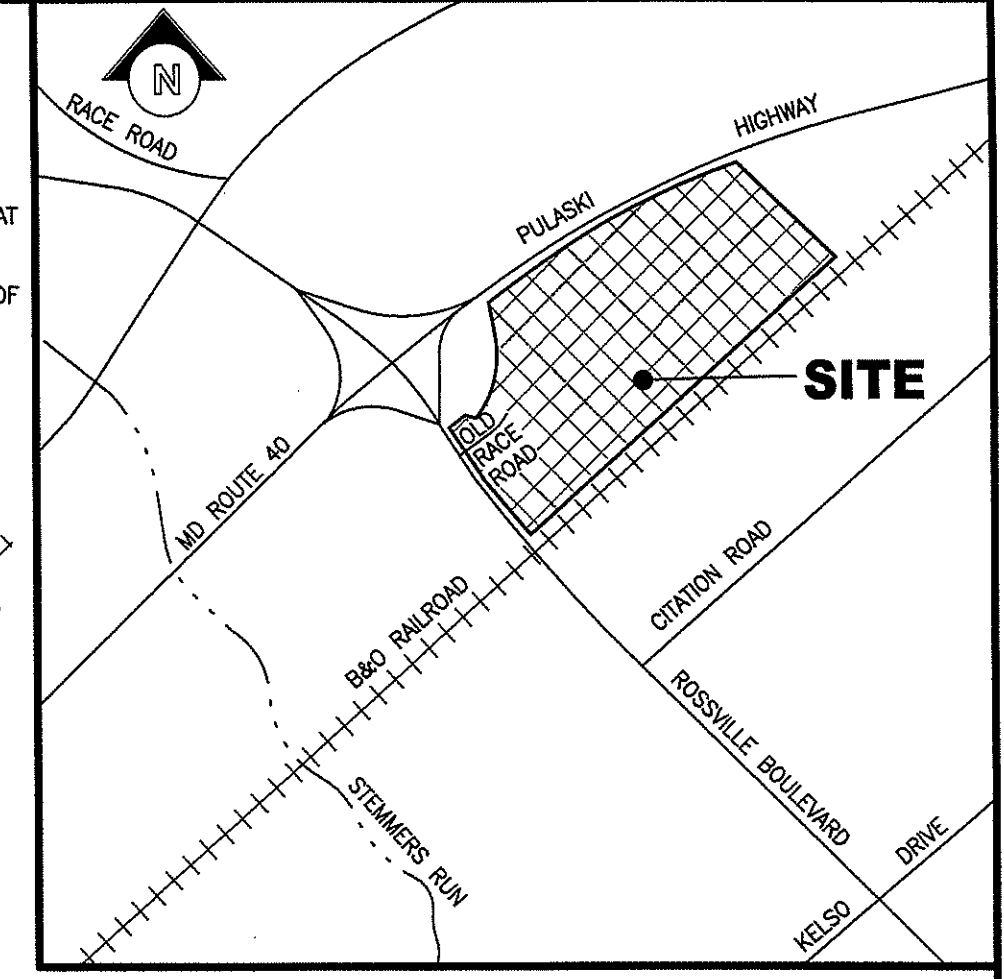
VET CIRCUIT LLC
1500 SERPENTINE ROAD, SUITE 100
BALTIMORE, MD 21209-2034

LEGEND	
---	EX. PROPERTY LINE
---	EX. RIGHT OF WAY LINE
---	EX. ADJACENT PROPERTY LINE
---	EX. EASEMENT LINE
---	EX. BUILDING
---	EX. CONCRETE CURB AND GUTTER
---	EX. EDGE OF CONCRETE
---	EX. EDGE OF PAVING
---	EX. CHAIN LINK FENCE
---	EX. RAILROAD TRACKS
---	EX. FLOODPLAIN
---	EX. HEDGES
---	EX. TREES



BENCHMARKS	
STATION NAME: GIS-67	STATION NAME: GIS-73
N 604863.295	N 604807.438
E 1464447.281	E 1463677.208
ELEV. 67.17	ELEV. 11.60

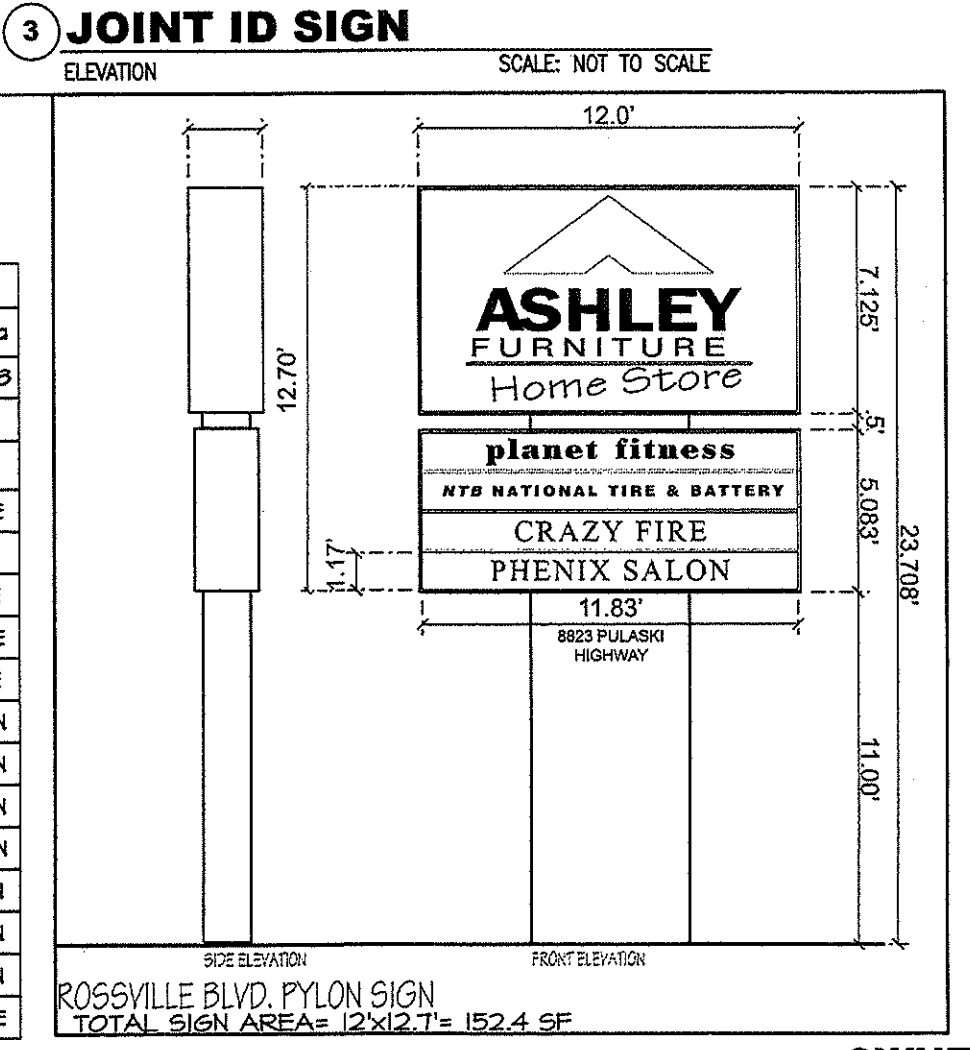
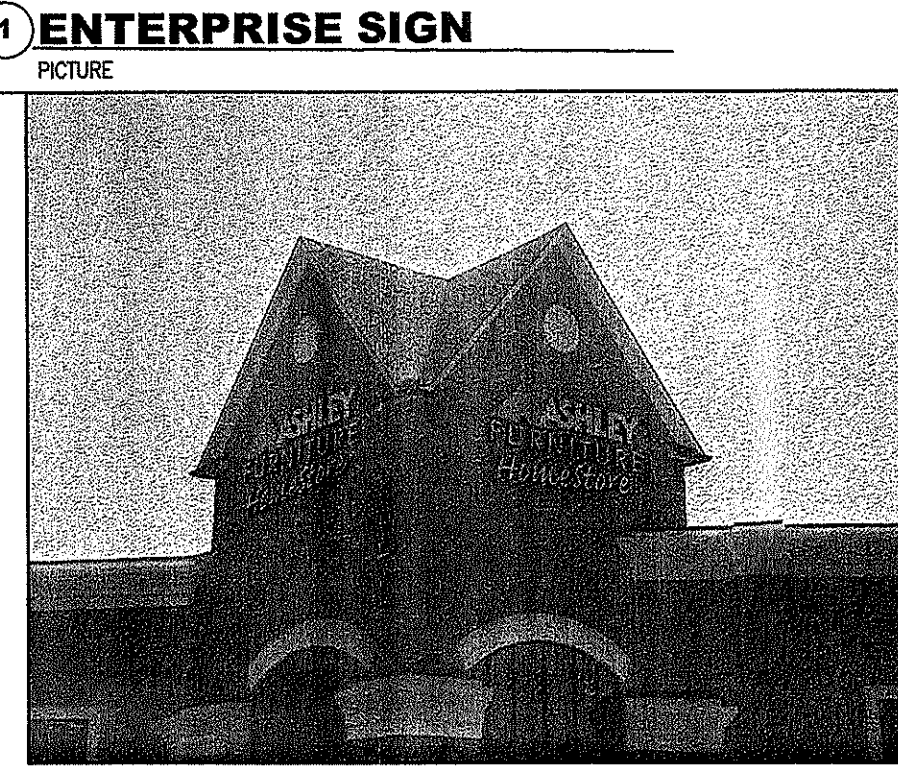
DESCRIPTION:
STATION GIS-67 IS A STANDARD BALTIMORE COUNTY SURVEY MARKER LOCATED AT THE INTERSECTION OF MIDDLESEX ROAD AND STEMMERS RUN ROAD.
STATION GIS-73 IS A STANDARD BALTIMORE COUNTY SURVEY MARKER LOCATED 26' NORTH OF THE CENTER OF SENECA GARDENS ROAD AND ABOUT 34' EAST OF THE CENTER OF BOWLEY'S QUARTERS ROAD.



VICINITY MAP
SCALE: 1" = 500'

GENERAL NOTES

- OWNER: VEI CIRCUIT LLC
1500 SERPENTINE ROAD, SUITE 100
BALTIMORE, MD 21209-2034
CONTACT: PAUL VAN RILEY
PHONE: (410) 296-1770
- SITE DATA:
ADDRESS: 8823 PULASKI HIGHWAY
ROSEDALE, MARYLAND 21237
GROSS AREA: 7.56 AC±
NET AREA: 7.56 AC±
EXISTING ZONING: BR-IM, BR-AS, BM-IM, ML-IM
ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 7
CENSUS TRACT: 4512
WATERSHED: 22
SEWER: 2
TAX MAP: MAP 90 GRID 8
ADC MAP: 470107/ 470106
PARCELS: 127, 159
TAX ACCOUNT NUMBERS: 2500005830, 2500005829
EX. LAND USE: COMMERCIAL/ RETAIL
PROP. LAND USE: COMMERCIAL/ RETAIL
ZONING MAP REFERENCE: 09042/ 09041
DEED REFERENCES: 28375/ 00496
- SETBACK & FAR REQUIREMENTS FOR BM ZONES:
FRONT YARD: 15' FROM PROPERTY LINE & 40' FROM STREET CENTERLINE
SIDE YARD: NONE
REAR YARD: NONE
F.A.R. PERMITTED: 4.0
F.A.R. PROPOSED: 0.25
- BUILDING SIZE:
EXISTING BUILDINGS:
FURNITURE (ASHLEY) 44,807 SF
FITNESS CENTER (PLANET FITNESS) 13,566 SF
NATIONAL TIRE & BATTERY 10,300 SF
RETAIL 6,500 SF
RESTAURANT 10,000 SF
TOTAL AREA: 85,173 S.F.
- THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER AND INSIDE URDL.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
- THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN FLOODPLAINS ON THIS SITE (F.E.M.A. PANEL NO. 240010 0430 F).
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL UNLESS OTHERWISE NOTED.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
- THE MAXIMUM BUILDING HEIGHT FOR BM ZONE IS PER THE 'HEIGHT TENT' OUTLINED IN THE ZONING REGULATIONS BUILDING HEIGHT REQUIREMENTS: ALL BUILDINGS ARE BELOW 40' HEIGHT.
- THERE ARE NO KNOWN BUILDINGS, PROPERTIES, OR SITES WHICH ARE ON THE MARYLAND HISTORICAL TRUST INVENTORY, BALTIMORE COUNTY LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, OR THE MARYLAND ARCHEOLOGICAL SURVEY.
- DRG HISTORY:
A. DRG NUMBER 010850; DIST 15C7, LIMITED EXEMPTION 32-4-106(b)(2) GRANTED.
B. DRG NUMBER 020811C WAS HELD ON FEBRUARY 8, 2011; DIST 15C7, LIMITED EXEMPTION 32-4-106(b)(2) GRANTED.
- ZONING CASES: CASE NUMBER R-1987-0263-A: A PETITION FOR A RECLASSIFICATION AND VARIANCE FROM ML-IM AND ML-CS1 TO BR-CS-1 AND BR-IM WAS GRANTED MAY 12, 1987
- REQUIRED PARKING SPACES: 475 SPACES
PROPOSED PARKING SPACES: 480 SPACES



Curve Table			
Curve #	Length	Radius	Delta
C1	936.714	2784.790	6.9153

Line Table		
Line #	Length	Direction
L1	393.544	S70° 21' 52.43"E
L2	389.591	N11° 52' 41.33"E
L3	41.564	S76° 34' 18.36"E
L4	15.364	S64° 36' 50.78"E
L5	109.300	N52° 15' 06.64"E
L6	118.416	N57° 44' 53.36"N
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811
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SITE PLAN WITH SIGN LOCATIONS
PLAN

SCALE: 1" = 40'

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