

M E M O R A N D U M

DATE: July 29, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0274-A – Appeal Period Expired

The appeal period for the above-referenced case expired on July 25, 2016. 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

IN RE: PETITION FOR VARIANCE
(5840 Baltimore National Pike)
1st Election District
1st Council District
Westview Center Associates, LLC
Legal Owner

Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2016-0274-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 Westview Center Associates, LLC, owner of the subject property ("Petitioner"). Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §450.4 to allow an illuminated free-standing joint identification sign for a shopping center of 481.25 sq. ft. and 9 lines in lieu of the 150 sq. ft. and 5 lines permitted. A site plan was marked as Petitioner's Exhibit 1.

Surveyor Bruce Doak appeared in support of the petition. J. Neil Lanzi, Esq. represented the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. There were no substantive Zoning Advisory Committee (ZAC) comments received from any of the County agencies.

The subject property is approximately 41.983 acres and is zoned BM-CT. The Westview shopping center is operated at this location, as it has for over 40 years. This case concerns an existing free-standing joint identification sign, which is located at the main access point to the center off of Route 40. Zoning relief is required because the existing sign became illegal upon the expiration of the sign regulations amortization period.

ORDER RECEIVED FOR FILING

Date

By

6/24/16

SEN

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The large tract is irregularly shaped and is therefore unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to retain the existing sign which has stood at the location for many years without complaint. 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 lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 24th day of June, 2016, 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.") §450.4 to allow an illuminated free-standing joint identification sign for a shopping center of 481.25 sq. ft. and 9 lines in lieu of the 150 sq. ft. and 5 lines permitted, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

6/24/16

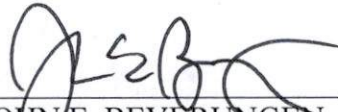
By

DLN

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject 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 6/24/16
By sln



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 5840 Baltimore National Pike which is presently zoned BM-CT
Deed References: SM 18312 folio 286 10 Digit Tax Account # 01-23-155350 & 01-23-155351
Property Owner(s) Printed Name(s) Westview Center Associates, LC

(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:

J. Neil Lanzi

Name- Type or Print _____
Signature Wright, Constable & Skeen, LLP
102 W. Pennsylvania Ave Ste 406 Towson MD
Mailing Address _____ City _____ State _____
21204 / 443-991-5917 / nlanzi@wcslaw.com
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Westview Center Associates, LC
Christy Lios, VP Property Management
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 Christy Lios / Signature #2 _____
8 Industrial Way East 2nd FL Eatontown NJ
Mailing Address _____ City _____ State _____
07724 / 732-935-0111 ext. 122 / clios@wrgusa.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

J. Neil Lanzi

Name - Type or Print _____
Signature Wright, Constable & Skeen, LLP
102 W. Pennsylvania Ave Ste 406 Towson MD
Mailing Address _____ City _____ State _____
21204 / 443-991-5917 / nlanzi@wcslaw.com
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2016-0274-A Filing Date 5/6/2016 Do Not Schedule Dates: _____ Reviewer M

PETITION FOR VARIANCE

Petitioner, Westview Center Associates, LC, for the property known as 5840 Baltimore National Pike, Baltimore, Maryland 21228, hereby petitions the Administrative Law Judge for the following variance relief from the Baltimore County Zoning Regulations (BCZR):

1. Variance from § 450.4 Attachment 1, Section 7(b) of the BCZR, to allow an illuminated free standing joint identification sign for a shopping center of 481.25 sq. ft. and 9 lines in lieu of the 150 sq. ft. and 5 lines permitted.

The Administrative Law Judge has the power to grant variances in cases where strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty or unreasonable hardship to the Petitioner. Petitioner further states that the granting of the variances requested will provide substantial justice to the Petitioner and will allow for the observance of the spirit of the regulations while maintaining the security of the public safety and welfare.

Additional reasons will be provided at the hearing.

CASE NO. 2016-0274-A

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

Westview Center Associates LC

Baltimore National Pike

First Election District First Councilmanic District
Baltimore County, Maryland

Beginning on the intersection of the west side of Ingleside Avenue and the north side of Baltimore National Pike, thence running on the north side of Baltimore National Pike,

- 1) South 72 degrees 19 minutes 34 seconds West 1209.66 feet
- 2) South 78 degrees 01 minute 19 seconds West 30.13 feet
- 3) South 73 degrees 36 minutes 11 seconds West 96.17 feet
- 4) South 82 degrees 07 minutes 59 seconds West 41.74 feet to the east side of Interstate 695, thence running on the east side of Interstate 695,
- 5) North 87 degrees 00 minutes 32 seconds West 46.41 feet
- 6) North 80 degrees 38 minutes 48 seconds West 46.34 feet
- 7) North 73 degrees 04 minutes 11 seconds West 46.22 feet
- 8) North 63 degrees 34 minutes 40 seconds West 46.09 feet
- 9) North 61 degrees 48 minutes 43 seconds West 145.96 feet
- 10) North 58 degrees 27 minutes 59 seconds West 298.97 feet
- 11) North 59 degrees 27 minutes 23 seconds West 298.24 feet
- 12) North 59 degrees 00 minutes 24 seconds West 183.97 feet
- 13) North 53 degrees 45 minutes 14 seconds West 56.68 feet
- 14) North 28 degrees 59 minutes 31 seconds West 35.68 feet
- 15) North 46 degrees 20 minutes 42 seconds West 56.57 feet, thence leaving Interstate 695 and running,
- 16) North 56 degrees 36 minutes 39 seconds East 158.58 feet to the southwest side of Moorehead Road, thence running on Moorehead Road
- 17) Radius 181.86 feet Arc 22.47 feet
Chord South 36 degrees 45 minutes 43 seconds East 22.45 feet
- 18) North 49 degrees 15 minutes 19 seconds East 50.11 feet
- 19) North 57 degrees 36 minutes 39 seconds East 106.93 feet
- 20) North 72 degrees 19 minutes 15 seconds East 331.62 feet to the
- 21) Radius 3351.00 feet Arc 896.28 feet
Chord North 64 degrees 39 minutes 30 seconds East 893.61 feet to the southwest side of Craigmont Road, thence running on Craigmont Road



Land Use Expert and Surveyor

CASE #2016-0274-A

Bruce E. Doak Consulting, LLC

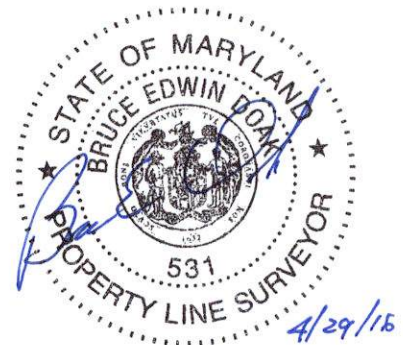
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

- 22) South 33 degrees 33 minutes 07 seconds East 74.66 feet
- 23) Radius 430.00 feet Arc 84.40 feet
Chord South 39 degrees 10 minutes 30 seconds East 84.26 feet
- 24) Radius 19.50 feet Arc 6.11 feet
Chord South 59 degrees 16 minutes 37 seconds West 6.08 feet
- 25) South 50 degrees 17 minutes 23 seconds West 1.66 feet
- 26) Radius 243.00 feet Arc 54.53 feet
Chord South 56 degrees 43 minutes 08 seconds West 54.42 feet
- 27) Radius 24.50 feet Arc 27.92 feet
Chord South 30 degrees 30 minutes 36 seconds West 26.43 feet
- 28) South 48 degrees 29 minutes 11 seconds East 128.82 feet
- 29) North 41 degrees 30 minutes 49 seconds East 94.49 feet
- 30) Radius 430.00 feet Arc 249.03 feet
Chord South 77 degrees 08 minutes 08 seconds East 245.57 feet
- 31) North 86 degrees 16 minutes 23 seconds East 588.62 feet
- 32) Radius 20.00 feet Arc 31.42 feet
Chord South 48 degrees 43 minutes 37 seconds East 28.28 feet to the east side of
Ingleside Avenue, thence running on Ingleside Avenue
- 33) South 03 degrees 43 minutes 37 seconds East 517.86 feet
- 34) South 33 degrees 54 minutes 53 seconds West 127.90 feet

Containing 41.983 acres of land, more or less.

This description is compiled from the following recorded deed of the two parcels:
SM 18312/286.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4215155

Sold To:

Westview Center Associates, LC - CU00540737
8 Industrial Way E
Fl 2
Eatontown, NJ 07724-3317

Bill To:

Westview Center Associates, LC - CU00540737
8 Industrial Way E
Fl 2
Eatontown, NJ 07724-3317

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jun 02, 2016

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

NOTICE OF ZONING HEARING	
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:	
Case: # 2016-0274-A	
5840 Baltimore National Pike N/S Baltimore National Pike at the NW corner of Ingleside Avenue	
1st Election District - 1st Councilmanic District Legal Owner(s) Westview Center Associates, LC	
Variance: to allow an illuminated free standing joint identification sign for a shopping center of 481.25 sq. ft. and 9 lines in lieu of the 150 sq. ft. and 5 lines permitted.	
Hearing: Thursday, June 23, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
6/024 June 2	2415155

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

June 5, 2016

Re:
Zoning Case No. 2016-274-A
Petitioner: Westview Center Associates, LC
Hearing date: June 23, 2016

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **5840 Baltimore National Pike**.

The sign was posted on June 3, 2016.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2016-0274-A

5840 Baltimore National Pike

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Thursday June 23, 2016 11:00 AM

REQUEST:

**VARIANCE TO ALLOW AN ILLUMINATED FREE
STANDING JOINT IDENTIFICATION SIGN FOR A
SHOPPING CENTER OF 481.25 SQUARE FEET AND 9
LINES IN LIEU OF THE 150 SQUARE FEET AND 5
LINES PERMITTED.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE



ZONING NOTICE

CASE NO. 2016-0274-A

5840 Baltimore National Pike

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IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
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LINES PERMITTED.

POSTERS/NOTICES DUE TO BE PLACED ON OTHER LANDSCAPES AND SURROUNDING
BACKLASH: TO COMPLY WITH THE HEARING CALL 410-336-1111
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNLESS
PERMITTED BY LAW.
THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2016-0274-A

5840 Baltimore National Pike
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KEVIN KAMENETZ
County Executive

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

May 23, 2016

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: 2016-0274-A

5840 Baltimore National Pike
N/s Baltimore National Pike at the NW corner of Ingleside Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Westview Center Associates, LC

Variance to allow an illuminated free standing joint identification sign for a shopping center of 481.25 sq. ft. and 9 lines in lieu of the 150 sq. ft. and 5 lines permitted.

Hearing: Thursday, June 23, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: J. Neil Lanzi, 102 W. Pennsylvania Avenue, Ste. 406, Towson 21204
Christy Lios, 8 Industrial Way East, 2nd Fl., Eatontown NJ 07724

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 3, 2016**
- (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.



KEVIN KAMENETZ
County Executive

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

May 23, 2016

NOTICE OF ZONING HEARING

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5840 Baltimore National Pike

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Arnold Jablon
Director

AJ:kl

C: J. Neil Lanzi, 102 W. Pennsylvania Avenue, Ste. 406, Towson 21204
Christy Lios, 8 Industrial Way East, 2nd Fl., Eatontown NJ 07724

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TO: PATUXENT PUBLISHING COMPANY
Thursday, June 2, 2016 Issue - Jeffersonian

Please forward billing to:

Christy Lios
Westview Center Associates, LC
8 Industrial Way East, 2nd Fl
Eatontown, NJ 07724

732-935-0111 ext. 122

NOTICE OF ZONING HEARING

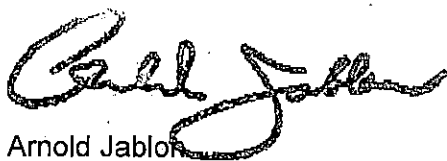
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
5840 Baltimore National Pike; N/S Baltimore
National Pike at NW cor of Ingleside Avenue * OF ADMINISTRATIVE
1st Election & 1st Councilmanic Districts
Legal Owners: Westview Center Associates LC* HEARINGS FOR
* BALTIMORE COUNTY
Petitioner(s) *
2016-274-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

MAY 18 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of May, 2016, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Wright, Constable & Skeen, LLP, 102 W. Pennsylvania Avenue, Suite 406, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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: 2016-0274-A

Petitioner: WESTVIEW CENTER ASSOCIATES, LC

Address or Location: 5840 BALTIMORE NATIONAL PIKE

PLEASE FORWARD ADVERTISING BILL TO:

Name: WESTVIEW CENTER ASSOCIATES, LC - CHRISTY LIOS

Address: 8 INDUSTRIAL WAY EAST 2ND FLOOR

EATONTOWN NJ 07724

Telephone Number: 732-935-0111 EXT 122

Revised 2/20/98 - SCJ

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

No. 139242

Date: 5/6/16

PAID RECEIPT

BUSINESS ACTUAL TIME 5/9/2016 5/06/2016 09:53:12

REG NO.1 MARKIN LRS LJR
> RECEIPT 8-251774 5/06/2016 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500.00

Total: 500.00

Rec From: Westview Wm the Constable's Office

For: Westview Shop Inc
5840 Balt. NOTH PK

2016-0274-A

Dept 5 520-20000 VERIFICATION
NO. 139242

Recpt 1500.00
1500.00 PK 4.00 CA
Baltimore County, Maryland

DISTRIBUTION

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

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

June 14, 2016

Westview Center Associates LC
Christy Lios, VP Property Management
8 Industrial Way East 2nd Floor
Eatontown NJ 07724

RE: Case Number: 2016-0274 A, Address: 5840 Baltimore National Pike

Dear Ms. Lios:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 6, 2016. 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
J Neil Lanzi, Esquire, 102 W Pennsylvania Avenue, Suite 406, Towson MD 21204

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 5/16/16

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 5/16/16. 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 2016-0274-A.

Variance
Westview Center Associates, LLC, Christy Lios, VP
5840 Baltimore National Pike
US 40

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

6-23

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: June 10, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-274

RECEIVED

JUN 15 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 5840 Baltimore National Pike
Petitioner: Westview Center Associates, LC
Zoning: BM-CT
Requested Action: Variance

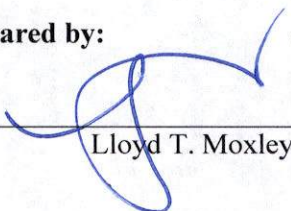
The Department of Planning has reviewed the petition for a variance to allow an illuminated free standing joint identification sign for a shopping center of 481.25 sq. ft. and 9 lines in lieu of the 150 sq. ft. and 5 lines permitted respectively.

A site visit was conducted on May 24, 2016.

The Department of Planning has no objections to granting the petitioned zoning relief.

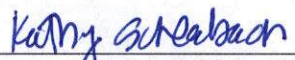
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
J. Neil Lanzi, Wright, Constable, & Skeen, LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

6-23

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAY 18 2016

OFFICE OF ADMINISTRATIVE HEARINGS



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 18, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0274-A
Address 5840 Baltimore National Pike
(Westview Center Associates
Property)

Zoning Advisory Committee Meeting of May 23, 2016.

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

Reviewer: Steve Ford

Date: 05-18-2016

TO WCR

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 20, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For May 20, 2016
Item No. 2016-0178, 0273, 0274, 0275, 0276, 0277, 0278, 0280 and
0281

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\ZAC05232016.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 18, 2016

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Address 5840 Baltimore National Pike
(Westview Center Associates
Property)

Zoning Advisory Committee Meeting of May 23, 2016.

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

Reviewer: Steve Ford

Date: 05-18-2016

CASE NAME WESTVIEW Mall
CASE NUMBER 2016-0274-A
DATE 6/23/16

[illegible]

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

5/20

DEVELOPMENT PLANS REVIEW

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

N/c

5/18

DEPS

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

N/c

FIRE DEPARTMENT

6/10

PLANNING

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

no obj

5/16

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 2010-0323-SPHX)

NEWSPAPER ADVERTISEMENT

Date:

6/2/16

SIGN POSTING

Date:

6/3/16

by

Dack

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

7/13
7-16-10

IN RE: PETITIONS FOR SPECIAL EXCEPTION	*	BEFORE THE
AND SPECIAL HEARING		
NW side of Baltimore National Pike; 80 feet W	*	DEPUTY ZONING
of the c/l of Ingleside Avenue		
1 st Election District	*	COMMISSIONER
1 st Councilmanic District		
(5912 Baltimore National Pike)	*	FOR BALTIMORE COUNTY
Westview Center Assoc., LLC/	*	
Wharton Realty Group		
Legal Owner	*	
CEC Entertainment, Inc.	*	CASE NO. 2010-0323-SPHX
Lessee		
	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the legal property owner, Westview Center Assoc., LLC/Wharton Realty Group, and the lessee, CEC Entertainment, Inc. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the amendment of Zoning Case No. 91-426-XA and all other granted zoning relief of the property, confirmation that the overall existing parking is sufficient, and an unlimited amount of amusement devices and 50 coin operated children's rides for the new square footage. The Special Exception is for the proposed 4,400 square foot expansion of Chuck E. Cheese's Pizza Restaurant/Family Entertainment Center with coin operated amusement devices and children's rides as provided in Section 423.1.B of the B.C.Z.R. Petitioner is currently operating under Special Exception Case No. 91-426-XA, granted 1991, and Case No. 2008-0567-SPH, granted October 2008, entitling Chuck E. Cheese's to an unlimited number of amusement devices, no less than 65, with an additional 50 coin operated children's rides. The

subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the Special Hearing and Special Exception requests was Deborah Shannon on behalf of Petitioner CEC Entertainment, Inc., and Raymond Daniel Burke, Esquire, attorney for Petitioner. Also appearing in support of the requested relief was Petitioner's land use and zoning consultant, Mitch Kellman, with Daft, McCune Walker, Inc., the firm that prepared the site plan. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is an irregular-shaped property containing approximately 41.983 acres, more or less, zoned B.M.-C.T. (Business, Major with a Commercial, Town-Center district overlay). The property is utilized as a retail shopping center known as the Westview Mall and is situated on the north side of Baltimore National Pike (U.S. Route 40) just east of the Baltimore Beltway (Interstate 695) and west of Ingleside Avenue in the Catonsville area of Baltimore County. There are a number of large retail stores at the location including Value City Department Store, Ross Clothing Store, Sam's Club, Lowe's Home Improvement Warehouse, as well as a bank and fuel service station. A movie theater that existed on the site for many years has been removed. In addition to the aforementioned improvements, Petitioner operates a "Chuck E. Cheese's" restaurant on the subject property at the southern end of the property, near the entrance from Baltimore National Pike. The restaurant operation is part of a nationwide chain that caters to families with young children, and the operation includes an area of child-oriented play, an arcade area, and a "kiddie" area, in addition to the restaurant operation.

Further evidence was adduced by way of a proffer from Petitioner's attorney, Mr. Burke, and "Petitioner's Statement" that was filed with the original Petition and which is contained within the case file. This evidence revealed that in the 1991 case, then-Zoning Commissioner J. Robert Haines issued an Order on July 17, 1991 which granted a Special Exception for Petitioner's operation at the subject property. Pursuant to that Order, Petitioner was granted "an arcade as provided in Section 423.1.B of the Baltimore County Zoning Regulations," and "a variance from Section 233.2.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a maximum of 50 coin operated children's rides in lieu of the permitted maximum of six coin operated children's rides." In the subsequent case filed in 2008 and heard before the undersigned, Petitioner sought special hearing relief to determine that under the Order issued in the 1991 case, Petitioner's restaurant operation as an arcade is entitled to an unlimited number of amusement devices. In an Order issued October 22, 2008, the undersigned granted the relief, reasoning that Petitioner was granted an arcade under Section 423.1.B of the B.C.Z.R in the 1991 case, and that Section 423.1.B places no specific limitation on the number of machines permitted in an arcade. The undersigned also confirmed that Petitioner is permitted up to 50 coin operated childrens' rides.

At this juncture, as shown on the site plan, in order to better accommodate the growing needs of their guests, Petitioner CEC Entertainment, Inc. is proposing an approximate 4,400 square foot expansion of their existing restaurant building. The addition would increase both the seating and games area. In particular, the restaurant currently has 49 skill/video games and six kiddie rides and this number is expected to increase following the proposed expansion. Because of the expansion of the original special exception site, Petitioner is now requesting a special exception to include this newly proposed 4,400 square foot addition. Petitioner is also requesting

special hearing relief to amend the prior zoning cases, as well as confirmation that the overall existing parking is sufficient, and to once again confirm that an unlimited number of amusement devices and up to 50 coin operated childrens' rides are permitted for the new square footage. Mr. Burke proffered that the newly expanded area will have 94 amusement devices, with seven kiddie rides.

In support of the requested relief, Petitioner's land use and zoning consultant, Mr. Kellman, testified that the expansion of the existing building and the attendant increase in amusement devices and kiddie rides would be beneficial to the community and in particular the patrons of the Chuck E. Cheese's restaurant. He offered his expert opinion that the proposal would not be detrimental to the health, safety, or general welfare of the locale, and would not be detrimental or have any negative impacts on the other enumerated special exception criteria set forth in Section 502.1 of the B.C.Z.R.

As to the special hearing request to confirm that the overall existing parking is sufficient at the site, Mr. Kellman stated that the loss of parking as a result of the addition will be relatively minor and will be more than addressed by the remaining existing parking that surrounds the restaurant. He also indicated that, as to the Westview Mall site on the whole, the existing parking will be more than sufficient. He pointed to the removal of the movie theater, which will be replaced with a "Big Lots" retail store. The removal of the theater opens up space on the site for additional parking, even with the addition of a new retail store, and the parking required for the retail store is substantially less than that required for the theater. Hence there will be a net gain of parking and Mr. Kellman opined that the proposed parking will be sufficient for the overall site, and will also be within the spirit and intent of the Order issued in prior Case No. 00-

287-SPHA, which granted a parking variance from Section 409.6 of the B.C.Z.R. for 2,381 parking spaces in lieu of the 3587 spaces required.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments were received from the Office of Planning dated June 11, 2010 which indicates the existing macadam paving that will be unnecessary as a result of the building addition should be removed and landscaping installed. A plan showing the proposed landscaping should be submitted to Avery Harden, Baltimore County Landscape Architect, for review and approval. The addition should be architecturally consistent with the existing building.

Turning first to the Special Exception request, I am persuaded to grant the relief. I agree with the uncontroverted testimony of Petitioner's expert, Mr. Kellman, that the addition to the existing Chuck E. Cheese's building and the increase in child and family oriented amusement devices and kiddie rides will not be detrimental to the health, safety, or general welfare of the community and will not have any adverse impacts on the additional enumerated criteria set forth in Section 502.1 of the B.C.Z.R. It appears the addition will provide increased space for customers and will enhance the overall "family" experience at the restaurant.

As to the request for Special Hearing relief, this too shall be granted. After reviewing the site plan and, again, based on the testimony of Petitioner's expert, I find that the proposed parking for the Chuck E. Cheese's and the overall site will be sufficient. Parking will still be available near the restaurant, even after the construction of the addition, and significant parking will be available for the site as a whole as a result of the removal of the movie theater. I have also confirmed previously that as an arcade, Petitioner is entitled to an unlimited number of children and family oriented amusement devices, and up to 50 kiddie rides, which is expressly included in the new square footage of the proposed addition.

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

THEREFORE, IT IS ORDERED this 19th day of August, 2010 by the Deputy Zoning Commissioner, that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") for the amendment of Zoning Case No. 91-426-XA and all other granted zoning relief on the property, confirmation that the overall existing parking is sufficient, and an unlimited number of coin operated children and family oriented amusement devices, and up to 50 coin operated children's rides for the new square footage, be and are hereby **GRANTED**; and

IT IS FURTHER ORDERED that the Special Exception request pursuant to Section 423.1.B of the B.C.Z.R. to include the proposed 4,400 square foot expansion of Chuck E. Cheese's Pizza Restaurant/Family Entertainment Center with an arcade permitting an unlimited number of coin operated children and family oriented amusement devices and up to 50 coin operated children's rides, within the special exception area delineated on the site plan accepted into evidence as Petitioner's Exhibit 1, be and is hereby **GRANTED**.

The relief granted is subject to the following restrictions which are conditions precedent to the relief granted herein:

1. Petitioner may apply for its building permit 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. A plan showing the proposed landscaping shall be submitted to Avery Harden, Baltimore County Landscape Architect, for review and approval prior to the issuance of any building permit.

3. The addition shall be architecturally consistent with the existing building.

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

Order.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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 - 01 Account Number - 0123155351							
Owner Information											
Owner Name:		WESTVIEW CENTER ASSOCIATES LC				Use: Principal Residence:		COMMERCIAL NO			
Mailing Address:		C/O WHARTON REALTY GROUP INC 8 INDUSTRIAL WAY EAST 2ND FLR EATONTOWN NJ 07724-3317				Deed Reference:		/18312/ 00286			
Location & Structure Information											
Premises Address:		5748 BALTO NATL PIKE 0-0000				Legal Description:		8.006 AC 5748 BALTO NATL PIKE WESTVIEW SHOPPING CTR			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	
0095	0019	0364		0000				2015			
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE				
Primary Structure Built 1999		Above Grade Enclosed Area 134399		Finished Basement Area		Property Land Area 8.0100 AC		County Use 14			
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation				
		DISCOUNT WAREHOUSE									
Value Information											
		Base Value		Value As of 01/01/2015		Phase-in Assessments As of 07/01/2015		As of 07/01/2016			
Land:		6,007,500		6,007,500							
Improvements		6,480,700		6,583,200							
Total:		12,488,200		12,590,700		12,522,367		12,556,533			
Preferential Land:		0						0			
Transfer Information											
Seller: WESTVIEW INVESTMENT LC Type: NON-ARMS LENGTH OTHER				Date: 06/30/2003 Deed1: /18312/ 00286				Price: \$0 Deed2:			
Seller: CATONSVILLE PLAZA LIMITED PARTNERSHIP Type: ARMS LENGTH IMPROVED				Date: 11/12/1997 Deed1: /12495/ 00435				Price: \$4,196,813 Deed2:			
Seller: WESTVIEW MALL ASSOCIATES Type: ARMS LENGTH IMPROVED				Date: 12/02/1993 Deed1: /10183/ 00330				Price: \$2,900,000 Deed2:			
Exemption Information											
Partial Exempt Assessments:		Class		07/01/2015		07/01/2016					
County:		000		0.00							
State:		000		0.00							
Municipal:		000		0.00 0.00		0.00 0.00					
Tax Exempt:				Special Tax Recapture:							
Exempt Class:				NONE							
Homestead Application Information											
Homestead Application Status: No Application											

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

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>).







Sam's
CLUB

LOWE'S

ROSS DRESS
FOR
LESS

BIG LOTS!

FALFA'S

VALUE CITY FURNITURE

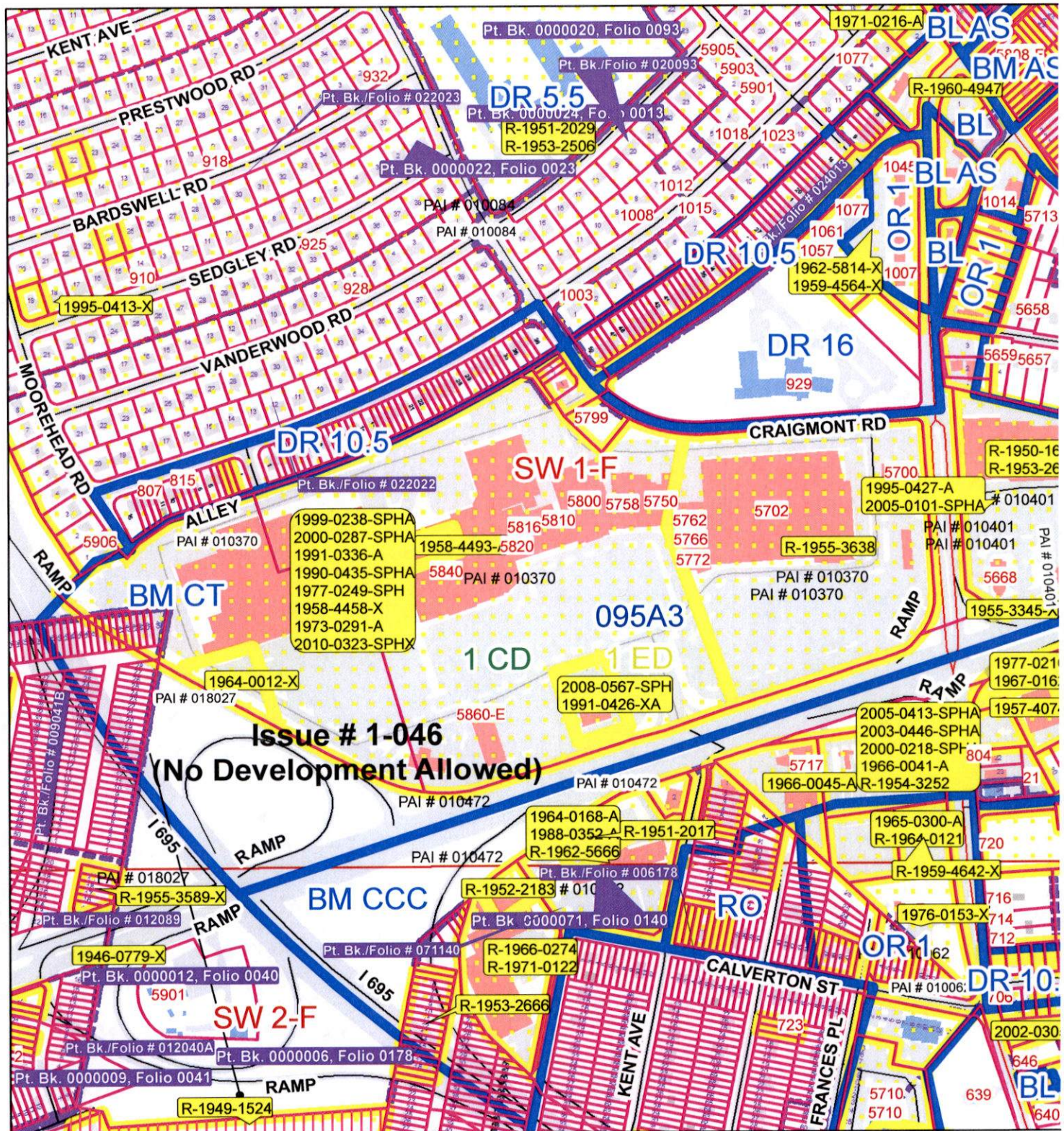
Marshall's

SLEEPY'S
THE MATTRESS PROFESSIONALS

WESTVIEW



5840 Baltimore National Pike 2016-0274-A



Publication Date: 5/6/2016



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



0 112.5 225 450 675 900 Feet

1 inch = 400 feet

Case No.: 2016-274

Exhibit Sheet

Petitioner/Developer

Protestant

Sen
6-24-16

ED
8-1-16
7-29-16

No. 1	Plan	
No. 2	My Neighborhood Map	
No. 3	photos w/ map key sheet (3A-3C)	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

SITE INFORMATION

- Ownership: Westview Center Associates LC
c/o Wharton Realty Group, Inc.
8 Industrial Way East 2nd Floor
Eatontown, NJ 07724
- Address: 5840 Baltimore National Pike Baltimore, MD 21228
- Deed references: 5M 18312/286
- Area: 41.983 acre (per 5M 18312/286)
- Tax Map / Parcel / Tax account #: 95 / 45 & 364 / 01-23-155350 & 01-23-155351
- Election District: 1 Councilmanic District: 1
ADC Map: 423406 GIS tile: 095A3 Position sheet: 108NW10
Census tract: 401101 Census block: 240054011012021 & 240054011012020
Schools: Johnnycake ES Southwest Academy MS Woodlawn HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 095A3 and the information provided by Baltimore County on the internet.
- Improvements: Retail shopping mall.

ZONING

Zoning: BM-CT

ENVIRONMENTAL

- Watershed: Gwynns Falls URDL land type: 1
- The existing shopping center is currently serviced by public water & sewer.
 - There are no underground storage tanks on the subject property.
 - The subject property is not in the Chesapeake Bay Critical Area.
 - The subject property is not located within a 100 year flood plain.

PLANNING

Regional Planning District: Security District Code: 323

- The subject property is not in a historic district.

PROPOSED DEVELOPMENT

To add a directional sign to the side of one of the buildings

ZONING CASE HISTORY

Case No. 1749 - Petition for Reclassification from an "A" residence zone to a "C" residence zone, granted June 6, 1950.

Case No. 3638 - Petition for Reclassification from an "RA" zone to a "BM" zone. Denied October 25, 1955 but reclassified to a "BL" zone.

Case No. 4458-X - Petition for Special Exception for dry-cleaning plant, granted July 29, 1958

Case No. 4493-V - Petition to permit a sign to extend above the road of building 22 feet in lieu of the required 15 feet, withdrawn December 12, 1958.

Case No. 64-12-X - Petition for Special Exception for miniature golf course, withdrawn January 8, 1964.

Case No. 73-291-A - Petition for Variance to permit 3,376 off-street parking spaces in lieu of the required 3676, granted June 28, 1973, subject to approval of site plan by MD SHA, BCDPW and BCDPZ.

Case No. 1977-0249-SPH - Petition for Special Hearing to allow a game center in the "BM" zone as a commercial recreation enterprise, Zoning Commissioner denied and Board of Appeals approved April 18, 1978.

Case No. 90-435-SPHA - Petition for a variance from 5 409.8.A.4 to permit a minimum of 2 feet distance to the right-of-way line of a public street in lieu of the required 10 feet and from 5 409.4 to allow direct access to parking spaces from an existing driveway and from 5 409.6 to allow 3,163 parking spaces in lieu of the 4,099 required and from 5 409.8.A.5 to allow a dead end aisle without turn-arounds along the western property lines and adjacent to Building L and from 5 409.10.13 to allow the drive through aisle to cross a principal pedestrian access from Bank Building D, granted June 8, 1990, with restrictions.

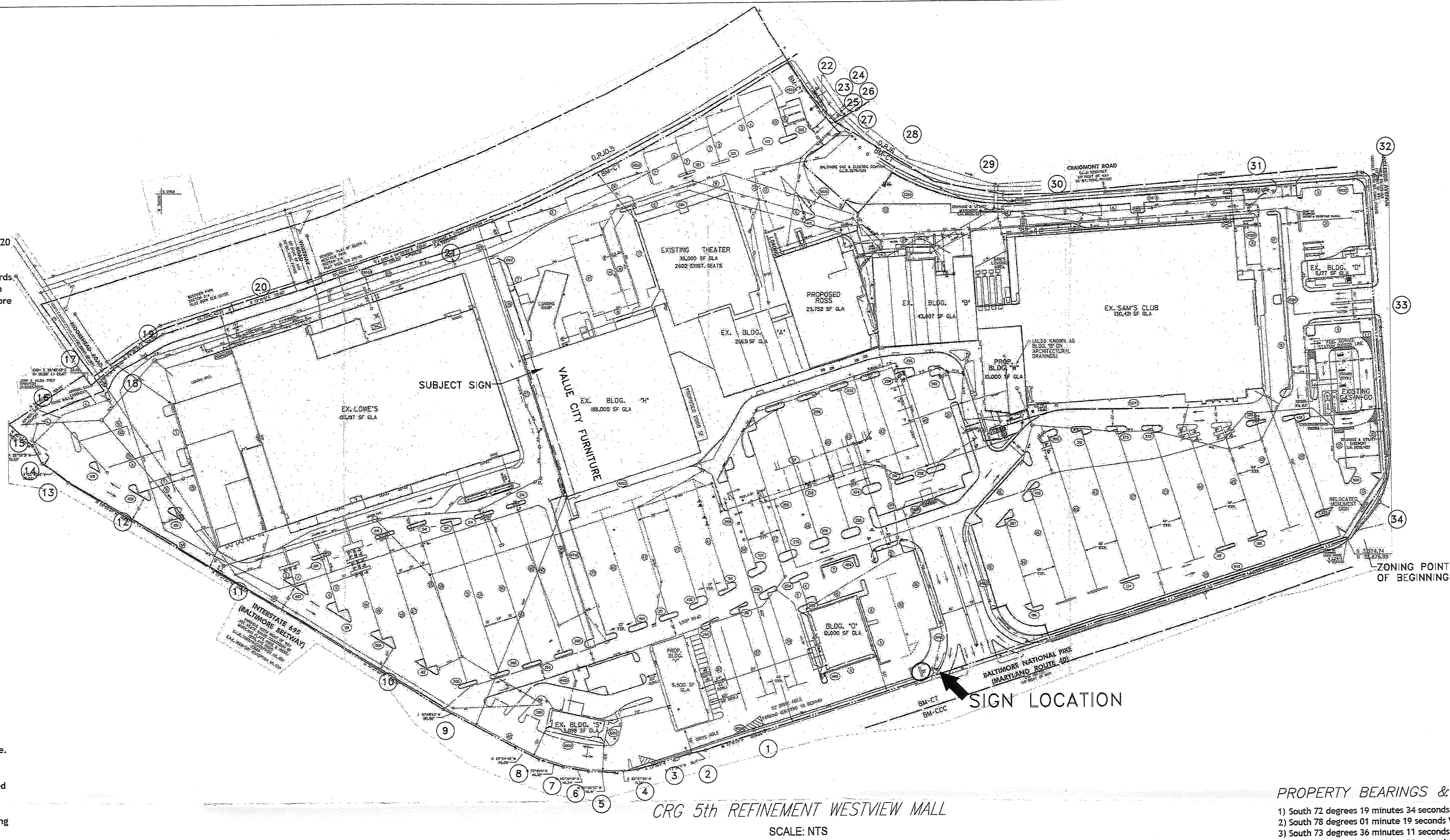
Case No. 91-336-A - Petition for Sign Variances to permit an ID sign to have faces of 470 sq ft and two faces of 265 sq ft in lieu of permitted 150 sq ft and for an ID sign with a height of 32 ft in lieu of the 25 ft, granted May 24, 1991.

Case No. 91-426-XA - Petition for Arcade and Variance, approved.

Case 99-238-SPHA - Petition for Special Hearing to amend the previously approved site plan in Case No. 91-426-XA and a variance for parking to allow 2,635 spaces in lieu of 3,463, granted Feb 12, 1999.

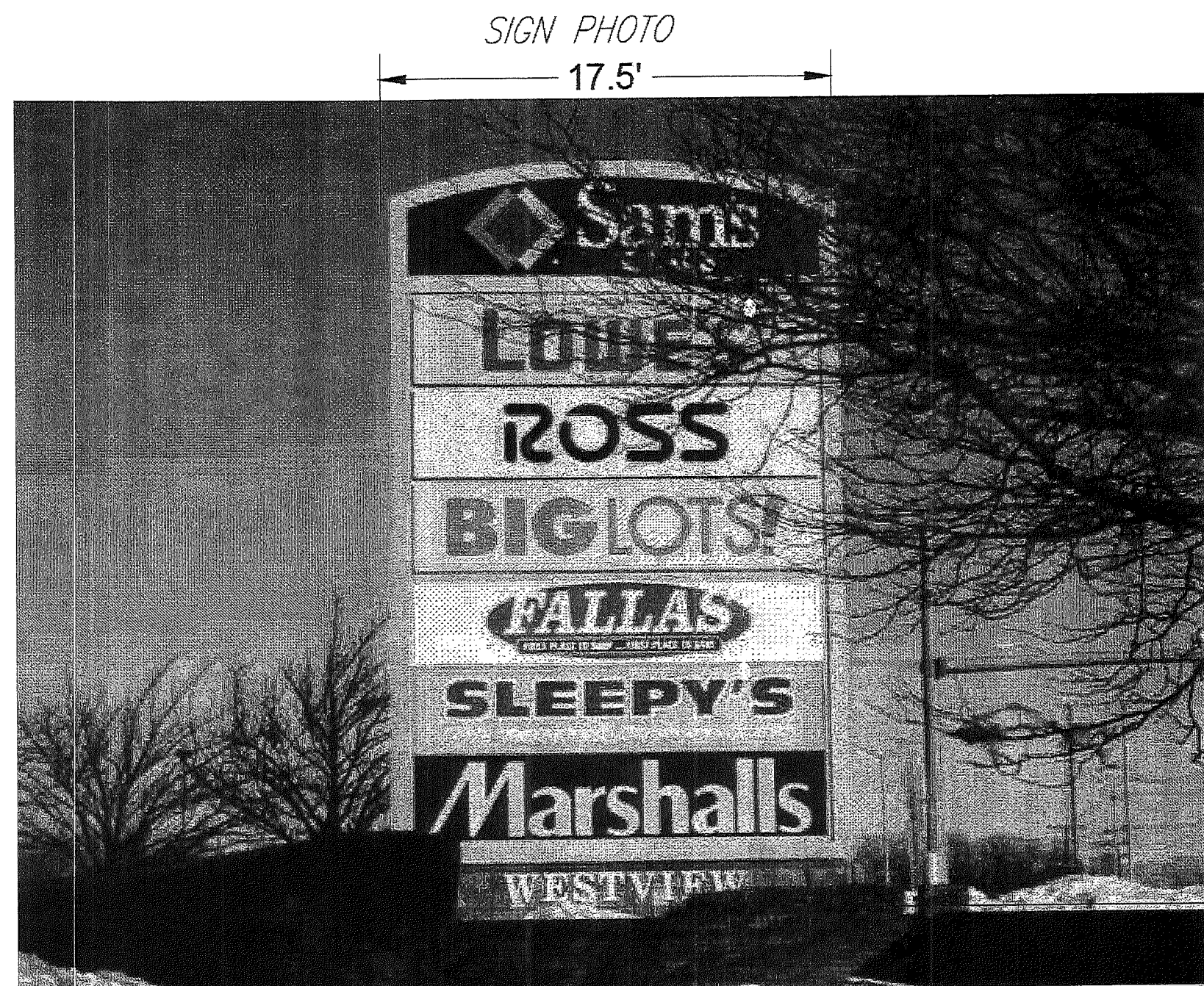
Case No. 2000-0287-SPHA - Petition for Special Hearing to amend the site plan approved in Case No. 99-238 and to allow a variance and special exception to allow Sam's Club and a fuel service station, granted March 14, 2000

Case No. 2010-0323-SPHX - Petition for Special Exception and Special Hearing to allow an expansion of the Chuck E Cheese restaurant and to amend previously approved plan in Case No. 91-426-XA, granted August 19, 2010.



CRG 5th REFINEMENT WESTVIEW MALL

SCALE: NTS



SIGN PHOTO

17.5'

27.5' SIGN

3.5' (BRICK BASE)

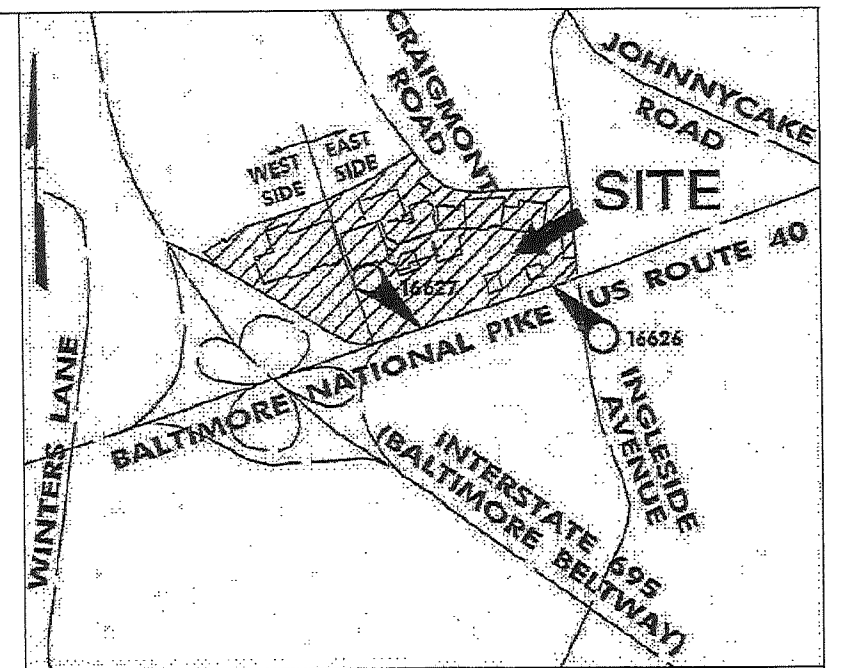
PROPERTY BEARINGS & DISTANCES

- 1) South 72 degrees 19 minutes 34 seconds West 1209.66 feet
- 2) South 78 degrees 01 minute 19 seconds West 30.13 feet
- 3) South 73 degrees 36 minutes 11 seconds West 96.17 feet
- 4) South 82 degrees 07 minutes 59 seconds West 41.74 feet
- 5) North 87 degrees 00 minutes 32 seconds West 46.41 feet
- 6) North 80 degrees 38 minutes 48 seconds West 46.34 feet
- 7) North 73 degrees 04 minutes 11 seconds West 46.22 feet
- 8) North 63 degrees 34 minutes 40 seconds West 46.09 feet
- 9) North 61 degrees 48 minutes 43 seconds West 145.96 feet
- 10) North 58 degrees 27 minutes 59 seconds West 298.97 feet
- 11) North 59 degrees 27 minutes 23 seconds West 298.24 feet
- 12) North 59 degrees 00 minutes 24 seconds West 183.97 feet
- 13) North 53 degrees 45 minutes 14 seconds West 56.68 feet
- 14) North 28 degrees 59 minutes 31 seconds West 35.68 feet
- 15) North 46 degrees 20 minutes 42 seconds West 56.57 feet
- 16) North 56 degrees 36 minutes 39 seconds East 158.58 feet
- 17) Radius 181.86 feet Arc 22.47 feet
- 18) Chord South 36 degrees 45 minutes 43 seconds East 22.45 feet
- 19) North 49 degrees 15 minutes 19 seconds East 50.11 feet
- 20) North 57 degrees 36 minutes 39 seconds East 106.93 feet
- 21) Radius 3351.00 feet Arc 896.28 feet
- 22) Chord North 64 degrees 39 minutes 30 seconds East 893.61 feet
- 23) South 33 degrees 33 minutes 07 seconds East 74.66 feet
- 24) Radius 430.00 feet Arc 84.40 feet
- 25) Chord South 39 degrees 10 minutes 30 seconds East 84.26 feet
- 26) Radius 19.50 feet Arc 6.11 feet
- 27) Chord South 59 degrees 16 minutes 37 seconds West 6.08 feet
- 28) South 50 degrees 17 minutes 23 seconds West 1.66 feet
- 29) Radius 245.00 feet Arc 54.53 feet
- 30) Chord South 56 degrees 43 minutes 08 seconds West 54.42 feet
- 31) Chord South 30 degrees 30 minutes 36 seconds West 26.43 feet
- 32) South 48 degrees 29 minutes 11 seconds East 128.82 feet
- 33) North 41 degrees 30 minutes 49 seconds East 94.49 feet
- 34) Radius 430.00 feet Arc 249.03 feet
- 35) Chord South 77 degrees 08 minutes 08 seconds East 245.57 feet
- 36) North 86 degrees 16 minutes 23 seconds East 588.62 feet
- 37) Radius 20.00 feet Arc 31.42 feet
- 38) Chord South 48 degrees 43 minutes 37 seconds East 28.28 feet
- 39) South 03 degrees 43 minutes 37 seconds East 517.86 feet
- 40) South 33 degrees 54 minutes 53 seconds West 127.90 feet

TOTAL AREAS:
SIGN: 481.25 SQ. FT.
BASE ONLY: 61.25 SQ. FT.

0' 30' 60' 90'

REVISIONS



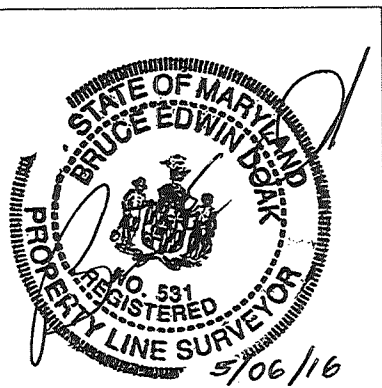
Vicinity Map - Scale: 1' = 1000'

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Fresland, MD 21063
o 443-900-5636 m 410-419-4906
bdoak@brucedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION

5840 BALTIMORE NATIONAL PIKE

BALTIMORE COUNTY, MARYLAND
1st COUNCILMANIC DISTRICT



Date: 5/2/2016
Scale: AS SHOWN

CASE# 2016-0274-A

SITE INFORMATION

- Ownership: Westview Center Associates LC
c/o Wharton Realty Group, Inc.
8 Industrial Way East 2nd Floor
Eatontown, NJ 07724
- Address: 5840 Baltimore National Pike Baltimore, MD 21228
- Deed references: SM 18312/286
- Area: 41.983 acre (per SM 18312/286)
- Tax Map / Parcel / Tax account #: 95 / 45 & 364 / 01-23-155350 & 01-23-155351
- Election District: 1 Councilmanic District: 1
ADC Map: 4234D6 GIS tile: 095A3 Position sheet: 108NW10
Census tract: 401101 Census block: 240054011012021 & 240054011012020
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- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 095A3 and the information provided by Baltimore County on the internet.
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Case No. 3638 - Petition for Reclassification from an "RA" zone to a "BM" zone. Denied October 25, 1955 but reclassified to a "BL" zone.

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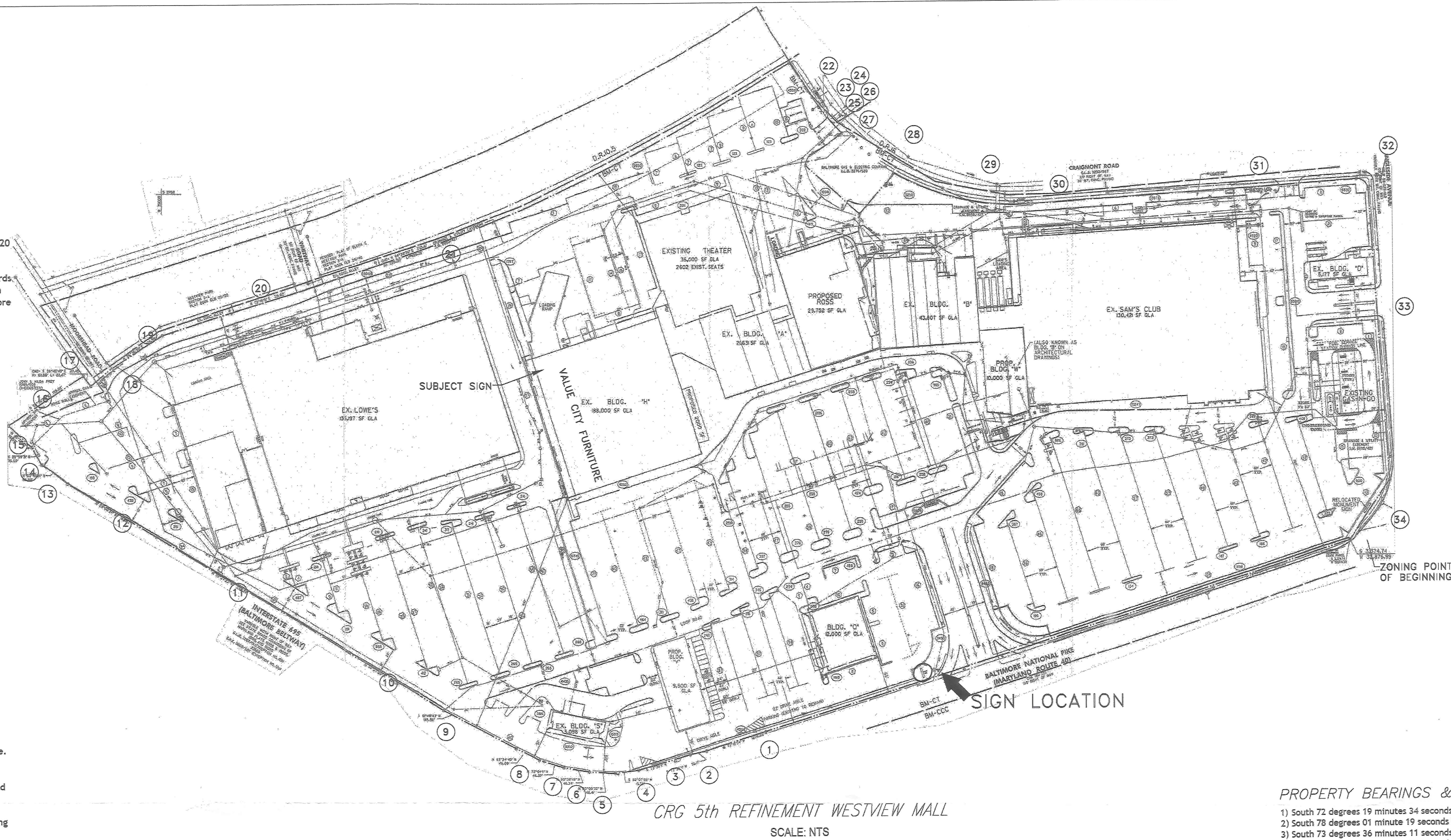
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Case No. 91-426-XA - Petition for Arcade and Variance, approved.

Case 99-238-SPHA - Petition for Special Hearing to amend the previously approved site plan in Case No. 91-426-XA and a variance for parking to allow 2,635 spaces in lieu of 3,463, granted Feb 12, 1999.

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Case No. 2010-0323-SPHX - Petition for Special Exception and Special Hearing to allow an expansion of the Chuck E Cheese restaurant and to amend previously approved plan in Case No. 91-426-XA, granted August 19, 2010.



SIGN PHOTO

17.5'



PROPERTY BEARINGS & DISTANCES

- South 72 degrees 19 minutes 34 seconds West 1209.66 feet
- South 78 degrees 01 minute 19 seconds West 30.13 feet
- South 73 degrees 36 minutes 11 seconds West 96.17 feet
- South 82 degrees 07 minutes 59 seconds West 41.74 feet
- North 87 degrees 00 minutes 32 seconds West 46.41 feet
- North 80 degrees 38 minutes 48 seconds West 46.34 feet
- North 73 degrees 04 minutes 11 seconds West 46.22 feet
- North 63 degrees 34 minutes 40 seconds West 46.09 feet
- North 61 degrees 48 minutes 43 seconds West 145.96 feet
- North 58 degrees 27 minutes 59 seconds West 298.97 feet
- North 59 degrees 27 minutes 23 seconds West 298.24 feet
- North 59 degrees 00 minutes 24 seconds West 183.97 feet
- North 53 degrees 45 minutes 14 seconds West 56.68 feet
- North 28 degrees 59 minutes 31 seconds West 35.68 feet
- North 46 degrees 20 minutes 42 seconds West 56.57 feet
- North 56 degrees 36 minutes 39 seconds East 158.58 feet
- Radius 181.86 feet Arc 22.47 feet
- Chord South 36 degrees 45 minutes 43 seconds East 22.45 feet
- North 49 degrees 15 minutes 19 seconds East 50.11 feet
- North 57 degrees 36 minutes 39 seconds East 106.93 feet
- North 72 degrees 19 minutes 15 seconds East 331.62 feet
- Radius 3351.00 feet Arc 896.28 feet
- Chord North 64 degrees 39 minutes 30 seconds East 893.61 feet
- South 33 degrees 33 minutes 07 seconds East 74.66 feet
- Radius 430.00 feet Arc 84.40 feet
- Chord South 39 degrees 10 minutes 30 seconds East 84.26 feet
- Radius 19.50 feet Arc 6.11 feet
- Chord South 59 degrees 16 minutes 37 seconds West 6.08 feet
- South 50 degrees 17 minutes 23 seconds West 1.66 feet
- Radius 243.00 feet Arc 54.53 feet
- Chord South 56 degrees 43 minutes 08 seconds West 54.42 feet
- Radius 24.50 feet Arc 27.92 feet
- Chord South 30 degrees 30 minutes 36 seconds West 26.43 feet
- South 48 degrees 29 minutes 11 seconds East 128.82 feet
- North 41 degrees 30 minutes 49 seconds East 94.49 feet
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- Chord South 77 degrees 08 minutes 08 seconds East 245.57 feet
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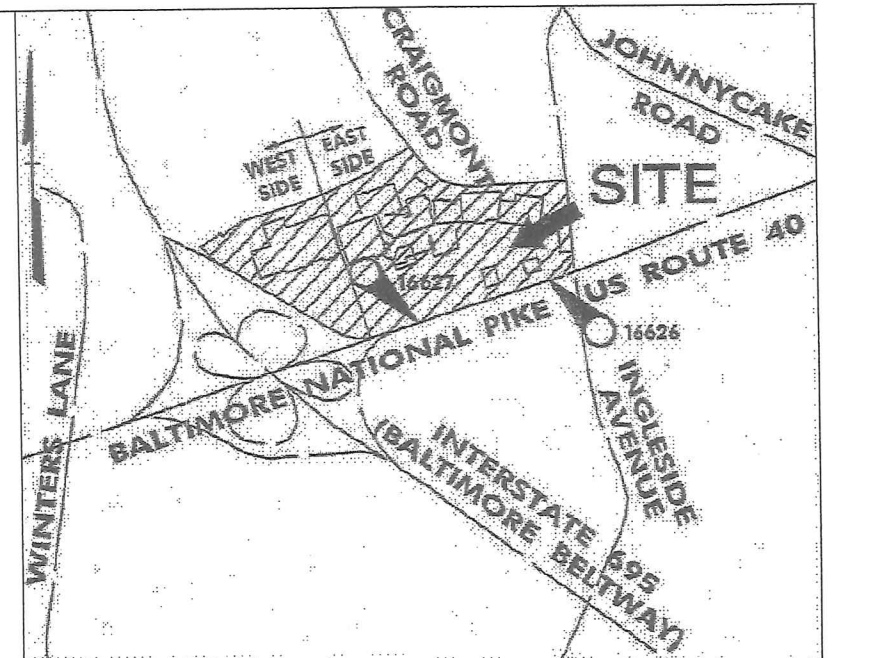
TOTAL AREAS:
SIGN: 481.25 SQ. FT.
BASE ONLY: 61.25 SQ. FT.



REVISIONS

PETITIONER'S

EXHIBIT NO. 1



Vicinity Map - Scale: 1' = 1000'

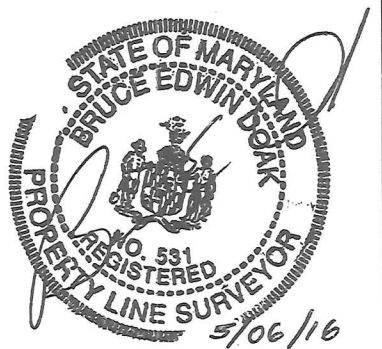
Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3601 Baker Schoolhouse Road
Freeland, MD 21053
6443-900-5535 m 410-419-4908
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION

5840 BALTIMORE NATIONAL PIKE

BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 5/2/2016
Scale: AS SHOWN



CASE# 2016-0274-A



	My Neighborhood Map	Created By Baltimore County My Neighborhood 	This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.
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Printed 6/22/16

PETITIONER' S

EXHIBIT NO. 2

SITE INFORMATION

- Ownership: Westview Center Associates LC
c/o Wharton Realty Group, Inc.
8 Industrial Way East 2nd Floor
Eatontown, NJ 07724
- Address: 5840 Baltimore National Pike Baltimore, MD 21228
- Deed references: SM 18312/286
- Area: 41.983 acre (per SM 18312/286)
- Tax Map / Parcel / Tax account #: 95 / 45 & 364 / 01-23-155350 & 01-23-155351
- Election District: 1 Councilmanic District: 1
ADC Map: 423406 GIS tile: 095A3 Position sheet: 108NW10
Census tract: 401101 Census block: 240054011012021 & 240054011012020
Schools: Johnnycake ES Southwest Academy MS Woodlawn HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 095A3 and the information provided by Baltimore County on the Internet.
- Improvements: Retail shopping mall.

ZONING

Zoning: BM-CT

ENVIRONMENTAL

- Watershed: Gwynns Falls URDL land type: 1
- The existing shopping center is currently serviced by public water & sewer.
 - There are no underground storage tanks on the subject property.
 - The subject property is not in the Chesapeake Bay Critical Area.
 - The subject property is not located within a 100 year flood plain.

PLANNING

Regional Planning District: Security District Code: 323

- The subject property is not in a historic district.

PROPOSED DEVELOPMENT

To add a directional sign to the side of one of the buildings

ZONING CASE HISTORY

Case No. 1749 - Petition for Reclassification from an "A" residence zone to a "C" residence zone, granted June 6, 1950.

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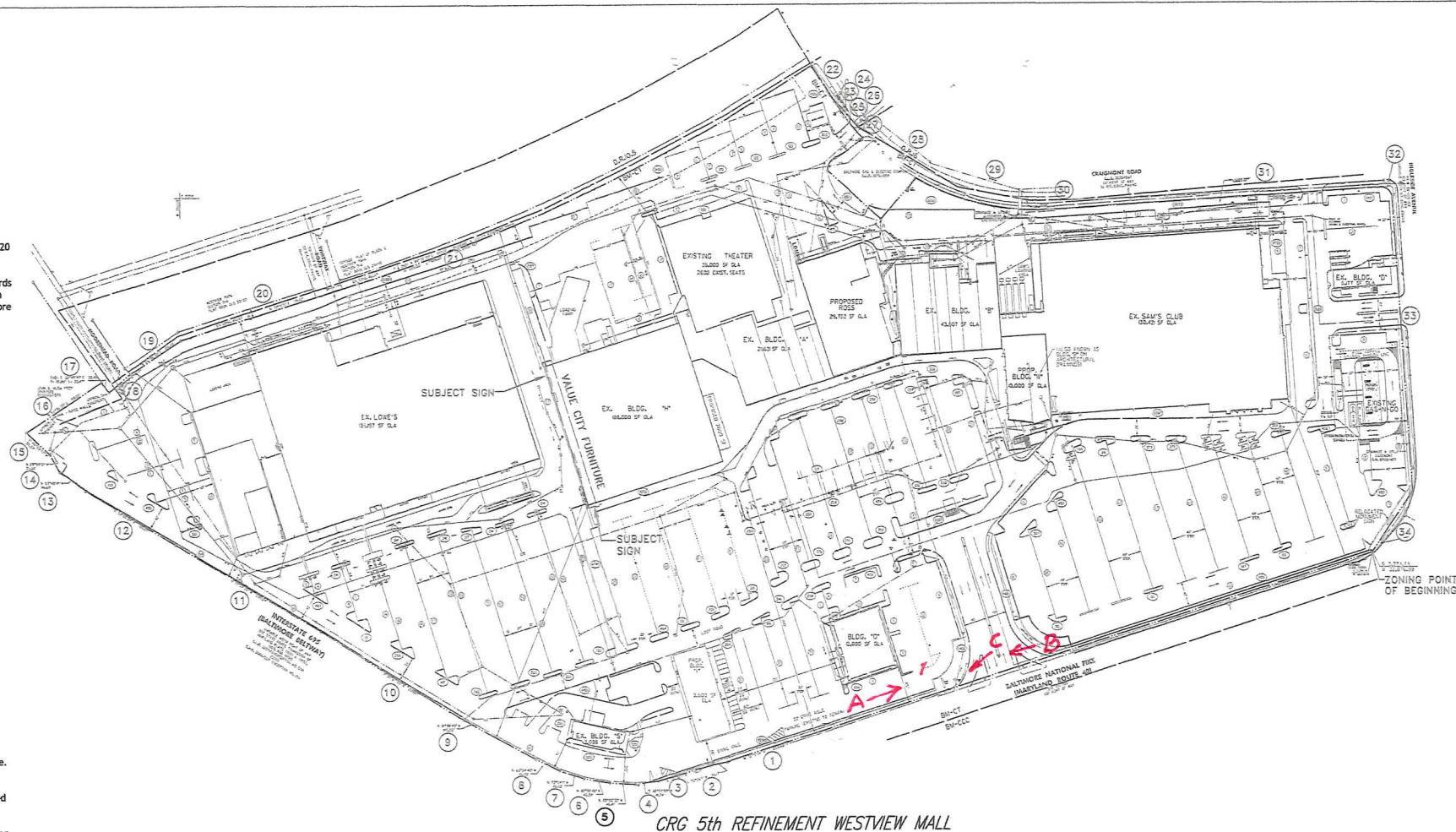
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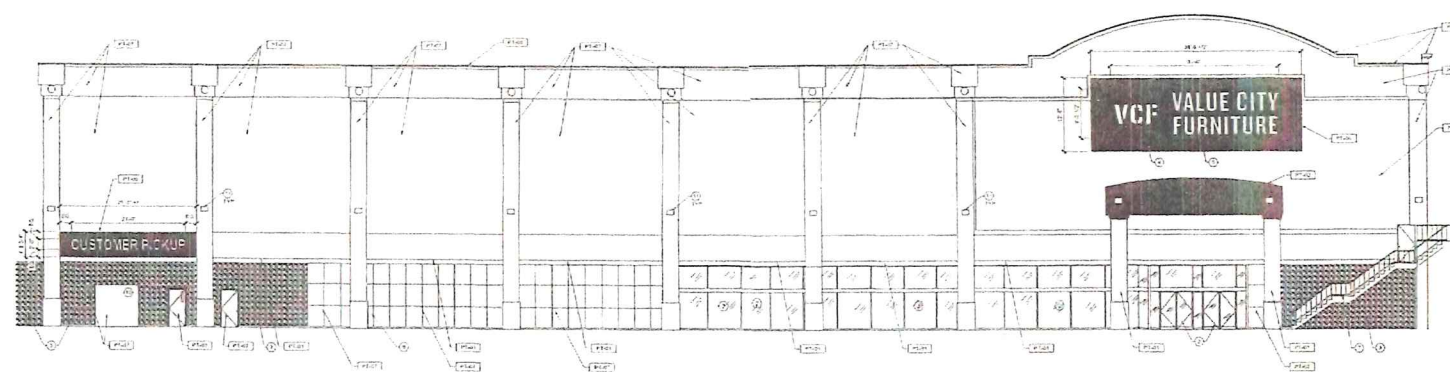
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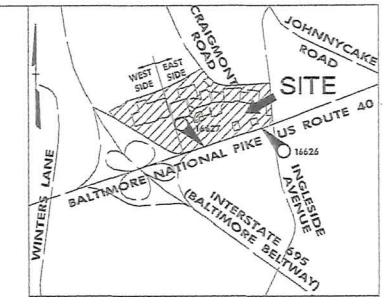
CRG 5th REFINEMENT WESTVIEW MALL



WESTERN SIGN



BUILDING ELEVATION



Vicinity Map - Scale: 1" = 1000'

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PROPOSED SIGN ON SOUTH SIDE OF BUILDING



EXISTING PHOTO

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A ZONING PETITION

5840 BALTIMORE NATIONAL PIKE

BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 5/2/2016

Scale: AS SHOWN

PETITIONER'S

EXHIBIT NO.

3
PHOTOS A-C