

MEMORANDUM

DATE: August 18, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0298-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 17, 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

(10100 Reisterstown Road)

3rd Election District

2nd Council District

GGCV Real Estate, LLC.

Legal Owner

Petitioner

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0298-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 GGCV Real Estate, LLC, owner of the subject property ("Petitioner"). Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §450.4 as follows: (1) To permit wall-mounted enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K and L on the side and rear facades without customer entrances and with a maximum face area for each façade of two times the length of that façade; (2) To permit a wall-mounted joint identification sign with a maximum face area of 3,916 sq. ft. in lieu of the permitted 480 sq. ft. (12% of area of wall upon which sign is erected); and (3) To permit projecting enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K, and L with visible structural framework and supporting elements to extend 6 ft. from the wall to which they are attached in lieu of the required 4 ft. extension and to extend 6 ft. into the curb face over a sidewalk or walkway in lieu of the required 1 ft. A site plan was marked as Petitioner's Exhibit 1A & 1B.

Civil engineer Troy Slevin and Gustavo Rango (on behalf of the owner) appeared in support of the petition. Jason T. Vettori, Esq. represented the Petitioner. The Petition was

ORDER RECEIVED FOR FILING
Date 7/18/16
By sen

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 zoned BM and is known as the Foundry Row Shopping Center. The site is approximately 50 acres and will contain a variety of retail and commercial establishments. This case concerns signage for retail and commercial tenants that will occupy space at the center.

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 site 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 provide appropriate signage for existing and prospective tenants. 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 18th day of July, 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 as follows: (1) To permit wall-mounted enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K and L on the side and rear facades without customer entrances and with a maximum face area for each façade of two times the length of that façade; (2) To permit

ORDER RECEIVED FOR FILING

Date

7/18/16

By

Sen

a wall-mounted joint identification sign with a maximum face area of 3,916 sq. ft. in lieu of the permitted 480 sq. ft. (12% of area of wall upon which sign is erected); and (3) To permit projecting enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K, and L with visible structural framework and supporting elements to extend 6 ft. from the wall to which they are attached in lieu of the required 4 ft. extension and to extend 6 ft. into the curb face over a sidewalk or walkway in lieu of the required 1 ft., be and is hereby GRANTED.

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 7/18/16

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 10100 Reisterstown Road which is presently zoned BM 1700009626
Deed References: 31168/00344 10 Digit Tax Account # 0319091370; 1700009625; 0313001550; 0313025131; 0313025130
Property Owner(s) Printed Name(s) GGCV Real Estate LLC

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s)
See attached.

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

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 Ave, Suite 200 Towson, MD 21204
Mailing Address _____ City _____ State _____
/ 410-821-0070 / jvettori@sgs-law.com
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Brian Gibbons, Authorized Representative of GGCV Real Estate LLC

Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
10096 Red Run Blvd., Suite 100, Owings Mills, MD
Mailing Address _____ City _____ State _____
21117 / 410-559-2500 / bgibbons@ggcommercial.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name - Type or Print _____
Signature _____
600 Washington Ave, Suite 200 Towson, MD 21204
Mailing Address _____ City _____ State _____
/ 410-821-0070 / jvettori@sgs-law.com
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2016-0298-A Filing Date 5/26/2016 Do Not Schedule Dates: _____ Reviewer th

ATTACHMENT TO PETITION FOR ZONING HEARING

*10100 Reisterstown Road
3rd Election District
2nd Councilmanic District*

Variance from Section(s):

1. BCZR § 450.4 Attachment 1.5(d) to permit wall-mounted enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K and L on the side and rear facades without customer entrances and with a maximum face area for each façade of two times the length of that facade; and
2. BCZR § 450.4 Attachment 1.7(a)(vi) to permit a wall-mounted joint identification sign with a maximum face area of 3,916 square feet in lieu of the permitted 480 s.f. (12% of area of wall upon which sign is erected); and
3. BCZR § 450.5.B.6 to permit projecting enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K and L with visible structural framework and supporting elements to extend 6 feet from the wall to which they are attached in lieu of the required 4 foot extension and to extend ~~2~~⁶ feet into the curb face over a sidewalk or walkway in lieu of the required 1 foot; and
4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

2016-0798-A

**CONSOLIDATED
FOUNDRY ROW
ZONING DESCRIPTION**

Beginning for the same at a point on the southeastern right-of-way of Painters Mill Road, said point being located 40.00 feet left, measured radially, from station 9+30.03 as shown on Baltimore County Plat HRW 63-152-7. Thence running with and binding on the southeastern right-of-way of Painters Mill Road as shown on Baltimore County Plats HRW 63-152-5 through HRW 63-152-7, as now surveyed and referenced to the Maryland Coordinate System (NAD 83/91)

- 1) 70.86 feet along the arc of a curve to the left, having a radius of 16097.41 feet and being subtended by a chord bearing North 48° 15' 06" East 70.86 feet to a point, thence
- 2) 217.49 feet along the arc of a curve to the left, having a radius of 44240.86 feet and being subtended by a chord bearing North 47° 59' 22" East 217.49 feet to a point, thence by a line not tangent to the preceding arc
- 3) South 42° 09' 05" East 11.44 feet to a point, thence
- 4) North 47° 50' 17" East 12.00 feet to a point, thence
- 5) North 42° 09' 05" West 4.43 feet to a point, thence
- 6) 137.30 feet along the arc of a curve to the left, not tangent to the preceding line, having a radius of 44247.86 feet and being subtended by a chord bearing North 47° 44' 31" East 137.30 feet to a point of tangency, thence by a line tangent to the preceding arc
- 7) North 47° 39' 19" East 117.91 feet to a point, thence
- 8) North 51° 15' 07" East 67.13 feet to a point, thence
- 9) North 42° 20' 41" West 7.00 feet to a point, thence
- 10) North 51° 15' 07" East 108.22 feet to a point, thence
- 11) North 48° 41' 00" East 54.74 feet to a point, thence
- 12) North 62° 25' 27" East 76.03 feet to a point, thence
- 13) South 69° 47' 38" East 68.55 feet to a point on the southwestern right-of-way of Reisterstown Road, as shown the State of Maryland, State Roads Commission Plat No. 54951, thence running with and binding on the right-of-way of Reisterstown Road
- 14) South 47° 57' 07" East 14.06 feet to a point, thence
- 15) South 53° 41' 13" East 110.55 feet to a point, thence
- 16) South 47° 58' 35" East 239.00 feet to a point, thence
- 17) South 42° 01' 25" West 7.00 feet to a point, thence

- 19) North 42° 01' 25" East 7.00 feet to a point, thence
- 20) South 47° 58' 35" East 137.00 feet to a point, thence
- 21) South 50° 50' 19" East 38.69 feet to a point, thence
- 22) South 42° 01' 25" West 22.24 feet to a point, thence
- 23) South 47° 53' 06" East 8.00 feet to a point, thence
- 24) North 42° 01' 25" East 17.33 feet to a point, thence
- 25) South 47° 58' 35" East 21.36 feet to a point, thence
- 26) North 42° 01' 25" East 6.40 feet to a point, thence
- 27) South 50° 50' 19" East 119.46 feet to a point, thence
- 28) South 48° 04' 25" East 909.16 feet to a point, thence leaving the right-of-way of Reisterstown Road,
- 29) South 41° 26' 21" West 1121.32 feet to a point, thence
- 30) North 41° 38' 26" West 2050.24 feet to a point, thence
- 31) North 48° 21' 51" East 22.16 feet to a point, thence
- 32) North 41° 37' 03" West 21.50 feet to the place of beginning.

Containing 1,775,308 square feet or 40.755 acres of land, more or less.

Being part of those parcels of land described in a deed to GGCV Real Estate, LLC dated August 31, 2011 and recorded among the Land Records of Baltimore County in Liber 31168 Folio 344.

Professional Certification

I hereby certify that this description was prepared by me or under my responsible charge, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 21139, Expiration Date June 20, 2016.





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 4263683

Sold To:

Smith Gildea & Schmidt LLC - CU00513080
600 Washington Ave
Ste 200
Towson, MD 21204-1301

Bill To:

Smith Gildea & Schmidt LLC - CU00513080
600 Washington Ave
Ste 200
Towson, MD 21204-1301

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

Jun 23, 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: # 2016-0298-A
10100 Reisterstown Road
SE/s Painters Mill Road at the SW corner of Reisterstown Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s) Brian Gibbons, GGCY Real Estate, LLC

Variance: 1. To permit wall-mounted enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K and L on the side and rear facades without customer entrances and with a maximum face area for each facade of two times the length of that facade; and 2. To permit a wall-mounted joint identification sign with a maximum face area of 3,916 sq. ft. in lieu of the permitted 480 sq. ft. (12% of area of wall upon which sign is erected); and 3. To permit projecting enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K, and L with visible structural framework and supporting elements to extend 6 ft. from the wall to which that are attached in lieu of the required 4 ft. extension and to extend 5. ft. into the curb face over a sidewalk or walkway in lieu of the required 1 ft.; and 4. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, July 14, 2016 at 1:00 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.

6/205 June 23 4263683

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/26/2016

Case Number: 2016-0298-A

Petitioner / Developer: JASON VETTORI, ESQ. of SMITH, GILDEA & SCHMIDT, LLC ~ BRIAN GIBBONS

Date of Hearing (Closing): JULY 14, 2016

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:
10100 REISTERSTOWN ROAD

The sign(s) were posted on: JUNE 24, 2016



SIGN (A)

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)



SIGN (B)

SIGN (C)



GROUP PHOTO @ 10100 REISTERSTOWN ROAD



KEVIN KAMENETZ
County Executive

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

June 14, 2016

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10100 Reisterstown Road

SE/s Painters Mill Road at the SW corner of Reisterstown Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Brian Gibbons, GGCV Real Estate, LLC

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Hearing: Thursday, July 14, 2016 at 11:00 a.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 Avenue, Ste. 200, Towson 21204
Brian Gibbons, 10096 Red Run Blvd., Ste. 100, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 24, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 23, 2016 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

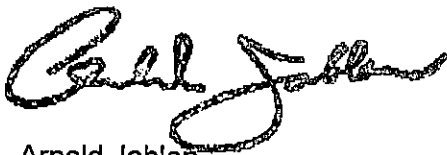
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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10100 Reisterstown Road
SE/s Painters Mill Road at the SW corner of Reisterstown Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Brian Gibbons, GGCV Real Estate, LLC

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Hearing: Thursday, July 14, 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

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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
10100 Reisterstown Road; SE/S Painters Mill *
Road at SW corner of Reisterstown Road * OF ADMINISTRATIVE
3rd Election & 2nd Councilmanic Districts *
Legal Owner(s): GGCV Real Estate LLC * HEARINGS FOR
By Brian Gibbons, Authorized Representative *
Petitioner(s) * BALTIMORE COUNTY
* 2016-298-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

JUN 14 2016

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 14th day of June, 2016, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2016-0298-A

Property Address: 10100 Reisterstown Road

Property Description: _____

Legal Owners (Petitioners): GGCV Real Estate LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jason T. Vettori, Esquire

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 5/20/2014

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

No. **139280**

Date: **5/26/16**

PAID RECEIPT

BUSINESS ACTUAL TIME CRW
 5/26/2016 5/26/2016 09:33:35 5

REG WIS05 MAUKIN LRB
 > RECEIPT # 851031 5/26/2016 OFLH

Dept S 528 ZONING VERIFICATION
 C: NO. 139280

Recpt Tot \$500.00
 \$500.00 CK \$1.00 CA
 Baltimore County, Maryland

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

Total: **500.00**

Rec From: **Smith Gildea & Schmitt LLC**

For: **10100 Reisterstown RD**

2016-0298-A

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*

July 6, 2016

GGCV Real Estate LLC
Brian Gibbons
10096 Red Run Boulevard
Suite 100
Owings Mills MD 21117

RE: Case Number: 2016-0298 A, Address: 10100 Reisterstown Road

Dear Mr. Gibbons:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 26, 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.", is written over a faint circular stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jason T Vettori, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

7-14

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: June 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-298

RECEIVED

JUN 29 2016

INFORMATION:

Property Address: 10100 Reisterstown Road

Petitioner: Brian Gibbons

Zoning: BM

Requested Action: Variance

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for a variance to determine whether or not the Administrative Law Judge should approve:

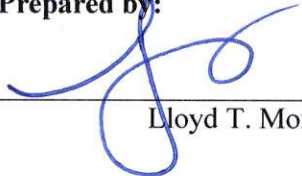
- Wall-mounted enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K, and L on the side and rear facades without customer entrances and with a maximum face area for each façade of two times the length of that façade.
- Wall-mounted joint identification sign with a maximum face area of 3,916 sq. feet in lieu of the permitted 480 sq. feet (12% of area of wall upon which sign is erected).
- Projecting enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I K, and L with visible structural framework and supporting elements to extend 6 feet from the wall to which they are attached in lieu of the required 4 foot extension and to extend 5 feet into the curb face over a sidewalk or walkway in lieu of the required 1 foot.

A site visit was conducted on June 22, 2016.

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

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Jason T. Vettori, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

7-14
RECEIVED

JUN 22 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: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0298-A
Address 10100 Reisterstown Road
(GGCV Real Estate, LLC Property)

Zoning Advisory Committee Meeting of **June 13, 2016.**

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

Reviewer: Steve Ford

Date: 06-22-2016

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



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

Date: 6/13/16

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 6/13/16. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2016-0298A.

GGCV Real Estate LLC, Brian Gibbons
10100 Reisterstown Road
Foundry Row

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).

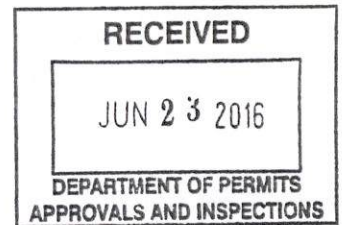
Sincerely,

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

WW/RAZ

* An access permit has been issued for entrance and road improvements into the Foundry Row Development

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE



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

DATE: June 15, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2016
Item No. 2016-0283, 0284, 0298, 0300, 0301, 0302, 0303, 0304, 0306,
0309 and 0310

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\ZAC06132016.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: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0298-A
Address 10100 Reisterstown Road
(GGCV Real Estate, LLC Property)

Zoning Advisory Committee Meeting of **June 13, 2016.**

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

Reviewer: Steve Ford Date: 06-22-2016

R. Troy Slevin, LEED A.P., BD+C
Associate Vice President
Civil Engineer

BEGAN WITH CENTURY August, 2006
YEARS WITH CENTURY: 9
YEARS WITH OTHER FIRMS: 20

EDUCATION:

Edgewood Senior High School
Harford Community College (one year)

REGISTRATIONS:

Maryland Registered Erosion & Sediment Control Certification No. 05993
2009 LEED Accredited Professional Building Design & Construction (LEED A.P. BD+C)
No. 10305648

WORK BACKGROUND:

Century Engineering, Inc.

Hunt Valley, MD

August 2006 – Present

Daft-McCune-Walker, Inc.

Towson, MD

2000-2006

Frederick Ward Associates, Inc.

Bel Air, MD

1994-1998

KLS Consultants, Inc.

Bel Air, MD

1993-1994

Morris & Ritchie Associates, Inc.

Bel Air, MD

1986-1992



ASSOCIATIONS:

Maryland Home Builders Association

EXPERIENCE:

Mr. Slevin has practical engineering experience in design and is responsible for the preparation and presentation of concept plans, zoning plans, development plans, site plans and construction plans for residential and commercial projects. Assignments include processing of plans through the appropriate county, state and federal agencies to obtain necessary approvals. Relevant experience includes:

BALTIMORE COUNTY PROJECTS

ST. PAUL'S SCHOOL MAINTENANCE BUILDING, Baltimore County, MD.

Project Manager responsible for overseeing the preparation of construction documents and specifications for the construction of a one story, 8,000 square foot maintenance building, access road and associated amenities and testimony at the Special Exception Hearing to request an amendment to the previously approved Special Exception Plan to allow for the construction of the maintenance building, per the

PAGE 2

Baltimore County Zoning Regulations. The documents included Demolition/Tree Save Plan, Erosion and Sediment Control Plans, Grading Plans, Site Plan and Details, Utility Plan and Profiles, Stormwater Management Plans, Profiles, Details and Specifications.

ST. PAUL'S SCHOOL, FISHER HALL - BOYS UPPER SCHOOL EXPANSION, Baltimore County, MD.

Project Manager responsible for overseeing the preparation of construction documents and specifications for the construction of a two story, 12,000 square foot building, parking lot, access road and associated amenities and testimony at the Special Exception/Variance hearing to request a variance for the Building-to-Building setback requirements per the Baltimore County Zoning Regulations. The documents included Demolition/Tree Save Plan, Erosion and Sediment Control Plans, Grading Plans, Site Plan and Details, Utility Plan and Profiles, Stormwater Management Plans, Profiles, Details and Specifications. The site design included coordination with the adjoining St. Paul's School for Girls for removal and replacement of an existing septic field which serves the existing Chapel and septic reserve areas that will serve the future needs of both schools.

ST. PAUL'S SCHOOL FOR GIRLS, MULTIPURPOSE SYNTHETIC TURF FIELD, Baltimore County, MD.

Project Manager responsible for the preparation of construction documents and specifications and for the construction of a multi-purpose synthetic turf field. The documents included demolition, grading and earthwork, storm drain, water, layout and erosion and sediment control plans; and the request for and approval of a waiver to stormwater management requirements. The site design included coordination with the adjoining Boy's School of St. Pauls Parish for removal and replacement of the existing press box which serves both the Boy's School and the Girl's School athletic fields and the construction of a 12 feet high, mechanically stabilized earth, retaining wall. Also included in the project scope was construction inspection of the grading, utility and retaining wall construction for the installation of the synthetic field.

ST. PAUL'S SCHOOL, FALLS ROAD, Baltimore County, MD.

Project Manager for the design, topographic survey, construction stakeout and geotechnical inspection for the construction of one synthetic turf baseball diamond. The design documents included a grading plan and erosion and sediment control plans. Also included in the scope was a request for, and approval of, a stormwater management waiver. The site is bound to the north by two existing natural turf fields, to the east by an existing campus access road, to the south by Greenspring Valley Road and to the west by an existing residence.

ST. PAUL'S SCHOOL BROOKLANDWOOD ROAD RESIDENCE, Baltimore County, MD.

Project Manager for a feasibility study for the possible renovation, reconstruction or razing of the existing residence. Coordinated with Baltimore County Department of Environmental Protection & Resource Management for possible septic system and environmental issues. Preparation of perc test application and exhibit to perform perc tests and determine feasibility of a septic system to serve the site.

BUTLER RIDGE APARTMENTS, Baltimore County, MD.

Project Manager and designer for program which consisted of construction of a new 3,500 square foot Club House and a pool for an existing apartment complex. Design services included erosion and sediment control, stormwater management fee-in-lieu approval, earthwork quantities, private utilities and grading.

CASE NAME 10106 PEISTOLSTOWN RD GGV Real Estate LLC
CASE NUMBER 2016-0298-A
DATE 7/13/16

[illegible]

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment6-15

DEVELOPMENT PLANS REVIEW

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

NC6-22

DEPS

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

NC

FIRE DEPARTMENT

6-29

PLANNING

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

No objections6-13

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

* No objection
access permit has
been issued
for entrance...

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 2016-0187-A + 2015-0105-A)Included in file

NEWSPAPER ADVERTISEMENT

Date:

6-23-16

SIGN POSTING

Date:

6-24-16

by

O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

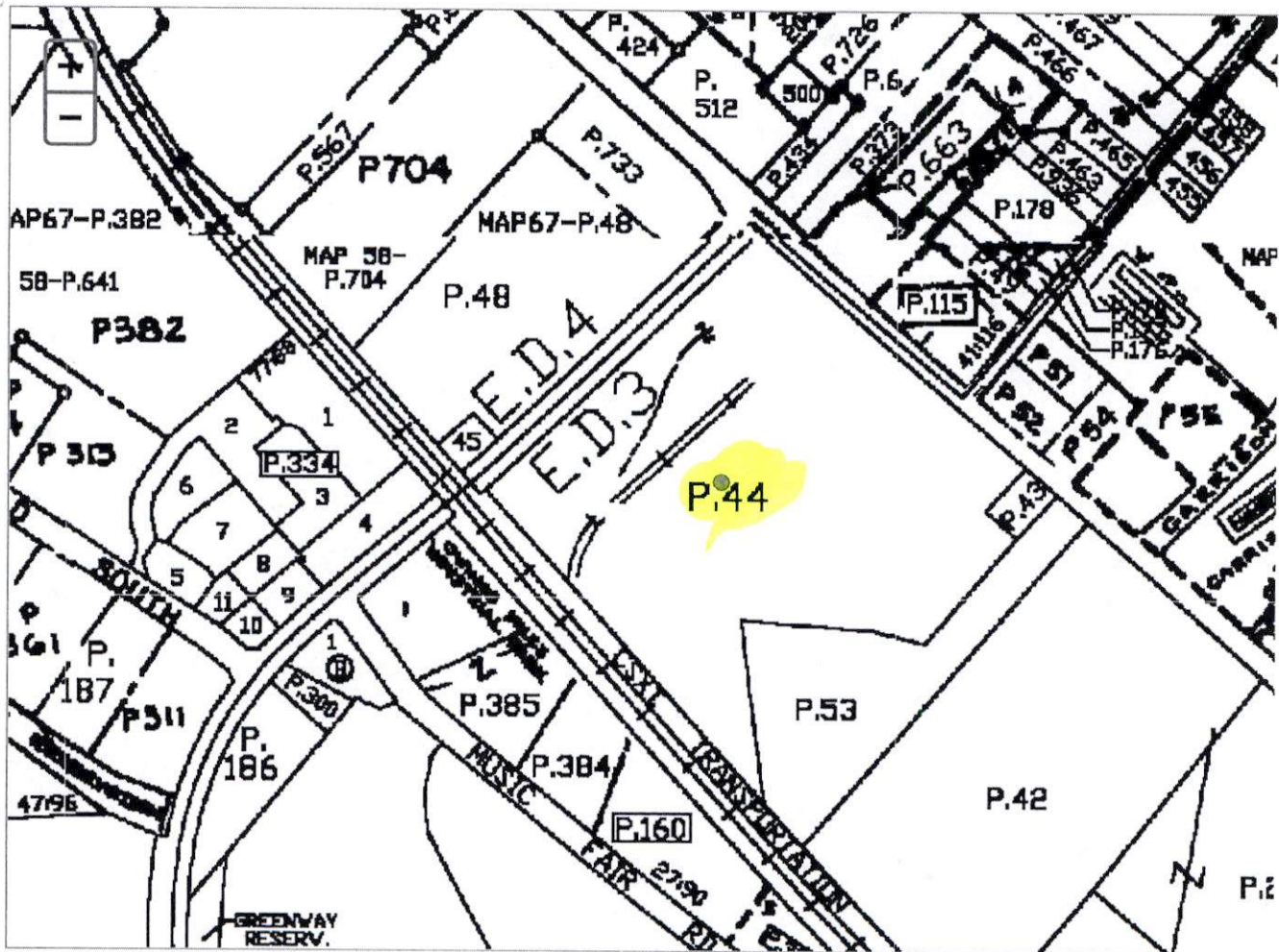
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
** DELETED 06/14/2016 **					
Account Identifier:		District - 03 Account Number - 0313025131			
Owner Information					
Owner Name:		GGCV REAL ESTATE LLC		Use:	COMMERCIAL
				Principal Residence:	NO
Mailing Address:		GREENBERG GIBBONS COMM CORP 10096 RED RUN BLVD STE 100 OWINGS MILLS MD 21117-		Deed Reference:	/31168/ 00344
Location & Structure Information					
Premises Address:		10100 REISTERSTOWN RD 0-0000		Legal Description:	18.55 AC 10100 REISTERSTOWN RD PAINTERS MILL RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0067	0004	0044		0000	
				Block:	Lot:
Assessment Year:				Plat No:	
2016				Plat Ref:	
Special Tax Areas:				Town:	
				NONE	
Ad Valorem:					
Tax Class:					
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
	530252		18.5500 AC	07	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		3,862,100	6,423,700		
Improvements		0	0		
Total:		3,862,100	6,423,700	4,397,500	4,715,967
Preferential Land:		0			0
Transfer Information					
Seller: SOLO CUP OWINGS MILLS HOLDINGS		Date: 09/09/2011		Price: \$15,000,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /31168/ 00344		Deed2:	
Seller: SWEETHEART HOLDINGS INC		Date: 07/10/2009		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /28376/ 00126		Deed2:	
Seller: SWEETHEART CUP CORPORATION		Date: 05/23/2000		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /14483/ 00257		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					

Baltimore County

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

District: **03** Account Number: **0313025131**



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.

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>)

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 03 Account Number - 2500013617			
Owner Information					
Owner Name:	GGCV REAL ESTATE LLC		Use:	COMMERCIAL	
Mailing Address:	GREENBERG GIBBONS COMM CORP 10096 RED RUN BLVD STE 100 OWINGS MILLS MD 21117-		Principal Residence:	NO	
			Deed Reference:		
Location & Structure Information					
Premises Address:		10100 REISTERSTOWN RD OWINGS MILLS 21117-		Legal Description:	39.159 AC 10000 - 10170 REISTERSTOWN RD SS FOUNDRY ROW
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0067	0004	0577		9614	1
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
				39016.0000 AC	07
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2015	07/01/2016
Land:		16,170,200	17,622,000		
Improvements		0	0		
Total:		16,170,200	17,622,000	16,654,133	
Preferential Land:		0		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	07/01/2015		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					

Baltimore County

[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **03** Account Number: **2500013617****A map was not found for this property.**

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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.

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>).

JB
4-19-16

IN RE: PETITION FOR VARIANCE

(10100 Reisterstown Road)

3rd Election District

2nd Council District

GGCV Real Estate, LLC

Legal Owner

Petitioner

*
*
*
*
*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0187-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 GGCV Real Estate, LLC, legal owner of the subject property ("Petitioner"). Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.)§450.4 as follows: (1) to permit three wall-mounted enterprise signs in lieu of the permitted two such signs per façade; (2) to permit seven wall-mounted enterprise signs in lieu of the permitted three such signs per premises; and (3) to permit wall-mounted enterprise signs larger than 150 sq. ft. as follows: (a) Sign A: 458 sq. ft.; (b) Sign C: 184 sq. ft.; (c) Sign E: 336.5 sq. ft.; (d) Sign F: 336.5 sq. ft. A two-sheet site plan was marked as Petitioner's Exhibit 1.

Gustavo Arango and landscape architect Michael Pieranunzi appeared in support of the Petition. Jason T. Vettori, Esq. represented Petitioners. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. No substantive Zoning Advisory Committee (ZAC) comments were received.

The subject property is zoned BM and is the site of the Foundry Row shopping center. The petition concerns wall-mounted enterprise signs for the new Wegman's store which will open in the near future. Counsel explained the "sign package" proposed for the store is identical to that approved for the Wegman's location at Hunt Valley Towne Center, which has been very successful

since it opened several years ago.

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).

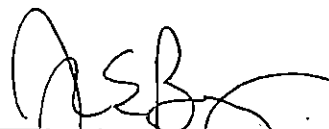
Petitioner has met this test. The large site has an irregular configuration and is bound on three sides by public roadways. As such it is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would not be able to install the proposed signs. 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 County and/or community opposition.

THEREFORE, IT IS ORDERED, this 21st day of April, 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 as follows: (1) to permit three wall-mounted enterprise signs in lieu of the permitted two such signs per façade; (2) to permit seven wall-mounted enterprise signs in lieu of the permitted three such signs per premises; and (3) to permit wall-mounted enterprise signs larger than 150 sq. ft. as follows: (a) Sign A: 458 sq. ft.; (b) Sign C: 184 sq. ft.; (c) Sign E: 336.5 sq. ft.; (d) Sign F: 336.5 sq. ft.; be and is hereby GRANTED.

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

IN RE: PETITION FOR VARIANCE

(10100 Reisterstown Road)

3rd Election District

2nd Council District

GGCV Real Estate, LLC

Petitioner

*

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*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2015-0105-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. This case concerns only the signage proposed for the Foundry Row project. As is often the case with large commercial projects (the Foundry Row project encompasses nearly 50 acres and will have 425,000 square feet of commercial/office space) a variety of sign variances are sought, and the Petition identified the relief sought with respect to each of the sign types proposed for the site.

The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

Wall-Mounted Enterprise Signs:

1. Pursuant to §450.4 Attachment 1.5(d)(vi) to permit three (3) wall-mounted enterprise signs for LA Fitness (Building 1) in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance (two (2) of which do not have customer entrances); and
2. Pursuant to §450.4 Attachment 1.5(d)(v) to permit wall-mounted enterprise signs for LA Fitness (Building 1) with a maximum area/face of up to 350 square feet in lieu of the permitted 320 square feet (i.e. two times the length of the wall (160 feet) containing the exterior entrance and defining the space occupied by the separate commercial entity); and

Freestanding Joint Identification Signs:

1. Pursuant to §450.4 Attachment 1.7(b)(vi) to permit up to 3 freestanding joint identification signs per frontage on Reisterstown Road and Painters Mill Road for 1 Sign

- A and 2 Sign B or Sign C's (or, in the alternative, up to 2 freestanding joint identification signs per frontage on Reisterstown Road and Painters Mill Road (as well as the one at the corner of Reisterstown Road and Painters Mill Road)); and
2. Pursuant to §450.4 Attachment 1.7(b)(ix) to permit freestanding joint identification signs fronting on Reisterstown Road and Painters Mill Road with up to 9 lines of copy in lieu of the maximum of 5 lines of copy; and

Freestanding Directory Sign:

1. Pursuant to §§450.4 Attachment 1.4 & 450.7.A.1 to permit a freestanding directory sign with:
 - a. Lettering indicating the names and locations of occupants up to 12 inches high in lieu of the maximum permitted 2 inches high; and
 - b. Other lettering indicating the "identity" (as defined in B.C.Z.R. §450.3) of the shopping center up to 4 feet high in lieu of the maximum permitted 3 inches high; and

Joint Identification Signs with Changeable Copy:

1. Pursuant to §§450.4 Attachment 1.1©(vi), 450.6.B.3 and/or 450.7.B to permit up to 4 joint identification signs with up to 50% of the face area devoted to changeable copy (and to confirm that what is labeled on sheet 3 of 3 on the plan as Joint Identification Sign C constitutes a freestanding changeable copy sign erected as an integral part of an otherwise permitted freestanding joint identification sign which is permitted to have up to 50% of the face area devoted to changeable copy (i.e. up to 43 s.f. is permitted if the face area is 86 s.f.))

A three-sheet site plan was marked and accepted into evidence as Petitioner's Exhibit 1A-1C, and it contains further details regarding the site and the design and location of the proposed signs.

Appearing at the public hearing in support of the requests was Kim Potember, Authorized Representative of GGCV Real Estate LLC. Michael Pieranunzi, a landscape architect accepted as an expert, provided testimony (via proffer) in support of the variance requests. Lawrence Schmidt, Esquire from Smith, Gildea & Schmidt, LLC, represented the Petitioner. No Protestants or interested citizens attended the hearing. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP) dated December 11, 2014.

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. As noted earlier, the property is nearly 50 acres and has irregular dimensions; i.e., it is shaped like a pan handle lot. Both of these attributes make the property unique. If the B.C.Z.R. were strictly interpreted the Petitioner would suffer a practical difficulty, given it would be unable to install the signage as proposed.

While at first blush it might seem the signage is excessive, on closer examination I believe the relief sought is both reasonable and consistent with the signage featured at other prominent retail and commercial projects. When you consider that along this stretch of Reisterstown Road each fast food outlet or other small business has its own freestanding sign (see Exhibits 4A-4F), the five freestanding signs proposed for this 50 acre site, which will have 15 or more individual buildings/retailers, seems reasonable indeed. I also 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.

The DOP did not oppose the relief, and it believed the proposed signage presents "a consistent aesthetic for the entire project." The DOP's ZAC comment identified four proposed conditions regarding the location of the freestanding signs. After consulting with the DOP, the Petitioner prepared a redlined sign variance plan (Exhibits 2A-2C) which identified the precise location of each freestanding sign, and thus that agency's concerns have been addressed. The

DOP also reviewed and approved sign elevations with logos and font/typeface details for proposed anchor tenants (including LA Fitness and Wegmans), and the signs will be attractive and constructed of high quality materials. See Exhibits 3A & 3B.

THEREFORE, IT IS ORDERED, this 2nd day of January, 2015, 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.") as follows:

Wall-Mounted Enterprise Signs:

1. Pursuant to §450.4 Attachment 1.5(d)(vi) to permit three (3) wall-mounted enterprise signs for LA Fitness (Building 1) in lieu of the permitted one (1) such sign per entity with a separate exterior customer entrance (two (2) of which do not have customer entrances); and
2. Pursuant to §450.4 Attachment 1.5(d)(v) to permit wall-mounted enterprise signs for LA Fitness (Building 1) with a maximum area/face of up to 350 square feet in lieu of the permitted 320 square feet (i.e. two times the length of the wall (160 feet) containing the exterior entrance and defining the space occupied by the separate commercial entity); and

Freestanding Joint Identification Signs:

1. Pursuant to §450.4 Attachment 1.7(b)(vi) to permit up to 3 freestanding joint identification signs per frontage on Reisterstown Road and Painters Mill Road for 1 Sign A and 2 Sign B or Sign C's (or, in the alternative, up to 2 freestanding joint identification signs per frontage on Reisterstown Road and Painters Mill Road (as well as the one at the corner of Reisterstown Road and Painters Mill Road)); and
2. Pursuant to §450.4 Attachment 1.7(b)(ix) to permit freestanding joint identification signs fronting on Reisterstown Road and Painters Mill Road with up to 9 lines of copy in lieu of the maximum of 5 lines of copy; and

Freestanding Directory Sign:

1. Pursuant to §§450.4 Attachment 1.4 & 450.7.A.1 to permit a freestanding directory sign with:
 - c. Lettering indicating the names and locations of occupants up to 12 inches high in lieu of the maximum permitted 2 inches high; and
 - d. Other lettering indicating the "identity" (as defined in B.C.Z.R. §450.3) of the shopping center up to 4 feet high in lieu of the maximum permitted 3 inches high; and

Joint Identification Signs with Changeable Copy:

1. Pursuant to §§450.4 Attachment 1.1 ©(vi), 450.6.B.3 and/or 450.7.B to permit up to 4 joint identification signs with up to 50% of the face area devoted to changeable copy (and to confirm that what is labeled on sheet 3 of 3 on the plan as Joint Identification Sign C constitutes a freestanding changeable copy sign erected as an integral part of an otherwise permitted freestanding joint identification sign which is permitted to have up to 50% of the face area devoted to changeable copy (i.e. up to 43 s.f. is permitted if the face area is 86 s.f.)),

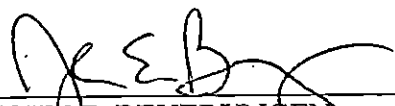
be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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.

JEB:slh



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

S:\2011\Facilities\11130400 Foundry Row on Site\CIVIL\CADD\Drawings\Signage\Signage Plan Bldgs C et al.dwg May 31, 2016 1:07pm mduffy\chuk

STREET ADDRESS CHART		
BUILDING	NUMBER	STREET NAME
M	10000	REISTERSTOWN ROAD
L	10010	REISTERSTOWN ROAD
K		
ANCHOR 4	10020	REISTERSTOWN ROAD
ANCHOR 5	10030	REISTERSTOWN ROAD
I		
ANCHOR 4	10040	REISTERSTOWN ROAD
ANCHOR 3	10050	REISTERSTOWN ROAD
ANCHOR 2	10060	REISTERSTOWN ROAD
ANCHOR 1	10070	REISTERSTOWN ROAD
G	10080	REISTERSTOWN ROAD
B	10100	REISTERSTOWN ROAD
A	10110	REISTERSTOWN ROAD
D	10120	REISTERSTOWN ROAD
E	10130	REISTERSTOWN ROAD
F-1	10140	REISTERSTOWN ROAD
F-2	10141	REISTERSTOWN ROAD
G	10150	REISTERSTOWN ROAD
H	10160	REISTERSTOWN ROAD
N	10170	REISTERSTOWN ROAD

GENERAL NOTES

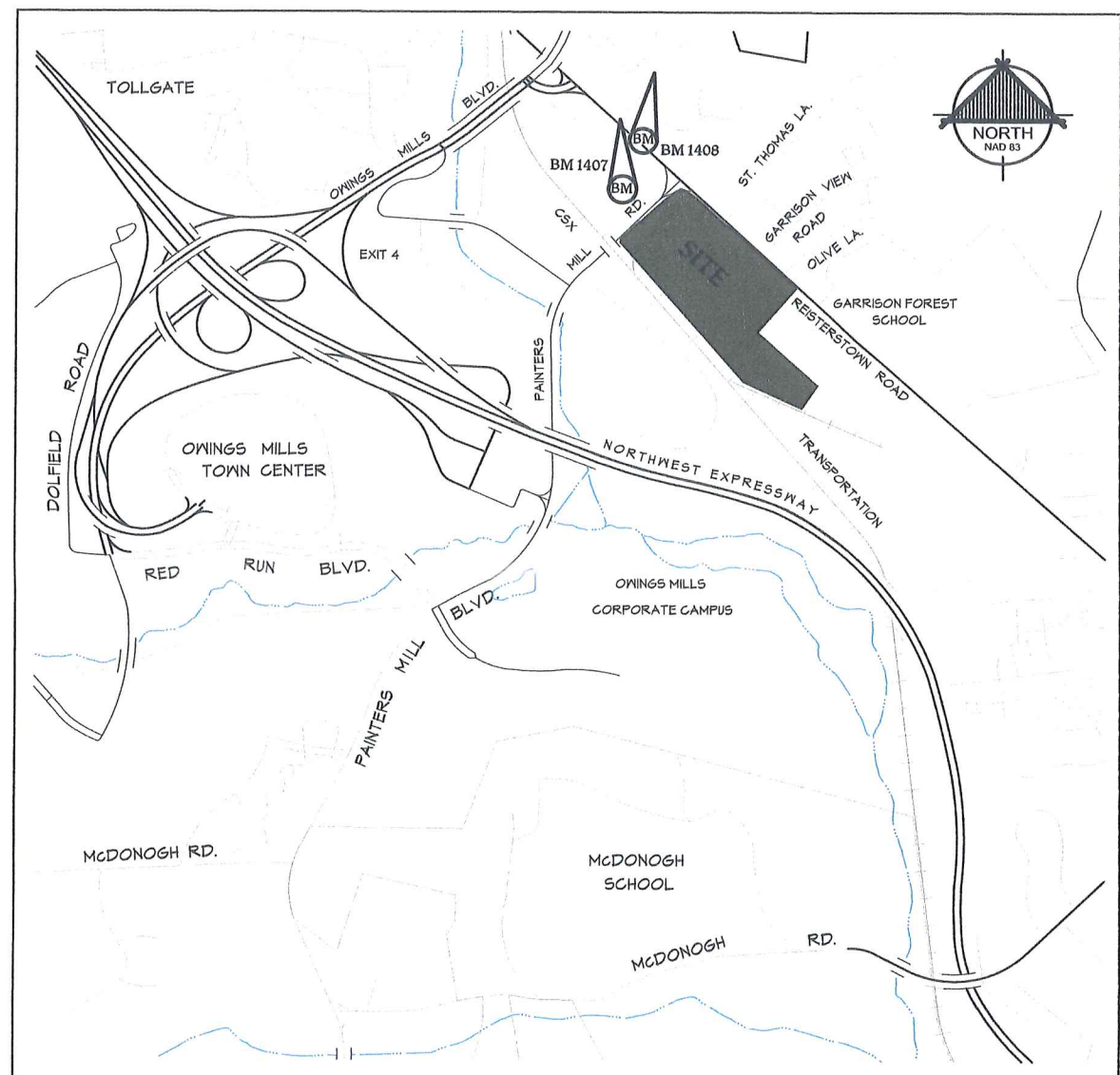
- Site Address: 10100 Reisterstown Road, Owings Mills, MD 21117
- Owner/Developer: GGCV Real Estate, LLC, 10046 Red Run Boulevard, Suite 100, Owings Mills, MD 21117, 410-594-2500
- Tax Account Numbers: 0313025130, 1100004625, 0313001550, 0313025130, 0313025130, 1100004626
- Tax Map: 67
- Parcel Numbers: 42, 43, 44, 53, 40
- Cross Reference: 751168/00344
- Gross Area: 44.51 Acres
 - a. Parcel 42: 16.441 acres
 - b. Parcel 43: 0.921 acres
 - c. Parcel 44: 18.951 acres
 - d. Parcel 53: 4.881 acres
 - e. Parcel 40: 0.801 acres
- Net Area: 48.03 acres
 - a. R/W Dedication Area: 1.51 acres
- Existing Zoning: BM
- PROPOSED BUILDING AREA: 424,600 S.F.
 - a. Retail/Restaurant: 376,650 square feet
 - b. Office: 47,950 square feet
- Existing Building Area to Remain: 241,603 square feet
- Parking Summary
 - Total required: 2,206 parking spaces (see Parking Calculations Chart)
 - Total provided: 2,217 parking spaces
- FLOOR AREA RATIO CALCULATIONS
 - Site Address: 10100 Reisterstown Road, Owings Mills, MD 21117
 - Floor Area Ratio Permitted: 4.0
 - Floor Area Ratio Proposed: 4.0
 - Gross area of site: 2,156,220 S.F.
 - Adjusted Gross Floor Area of Restaurant: 28,000 S.F.
 - Adjusted Gross Floor Area of Retail: 348,650 S.F.
 - Adjusted Gross Floor Area of Office, General: 47,950 S.F.
 - Adjusted Gross Floor Area of Warehouse: 241,603 S.F.
 - Total Adjusted Gross Floor Area: 666,253 S.F.
 - Site Area: 2,156,220 S.F.
 - F.A.R.: 666,253 S.F. / 2,156,220 S.F. = 0.30 Floor Area Ratio
- Bulk Regulations for BM Zone:
 - a. Front Yard - Section 232.1
 - For commercial buildings, the front building line shall be not less than 15 feet from the front property line and not less than 40 feet from the center line of the street, except as specified in Section 303.2.
 - b. Side Yard - Section 232.2
 - For commercial buildings, none required on interior lots, except that where the lot abuts a lot in a residence zone, there must be a side yard not less than the greater minimum width required for a dwelling on the abutting lot and, on corner lots, the side yard on the street side shall be not less than 10 feet in width.
 - c. Rear Yard - Section 232.3
 - For commercial buildings, none required, except that where the rear lot line abuts a lot in a residence zone there shall be a rear yard not less than 20 feet deep.
- The property was rezoned to the BM Zone, pursuant to Baltimore County Council Bill Number 54-12, which took effect on September 10, 2012.
- Water Designation: M-1 Sewer Designation: 5-1
- Site is within URDL.
- Site is within the Metropolitan District.
- Site not in the Chesapeake Bay Critical Area.
- The site is not located in a deficient area on any of the Basic Services Maps.
- No signage is proposed at this time; however, any future signage to comply with Section 450 of the Baltimore County Zoning Regulations and all zoning sign policies.
- There is no prior zoning case history for this property.
- Census Tract: 403102
- Watershed: Guytons Falls
- Subwatershed: Reisterstown
- There are no 100 year floodplains, flood areas, wetlands, or historic buildings on site.
- The site is not located within a designated area of critical concern.
- There are no historic structures located on this site.
- There are no current zoning cases on file. Existing zoning cases for the building that is razed include:
 - Case # 1160-5134-5PH: Approval to construct building for office and plant use on Maryland Cup property. (Does not apply)
 - Case # 1470-0233: Gerotor-May Corp. Property - Request to reclassify zoning of property. This site is not part of the Foundry Row project. (This building has been razed)
 - Case # R-1479-0236: Request for zoning reclassification for portion of the Sweetheart Properties. (Does not apply)
 - Case # 1474-0142-A: Request to construct building 10' in height in lieu of the required 40' height. (Does not apply)
 - Case # 2015-0105-A: Request for sign variances (Approved January 2015)
 - Case #2016-0187-A: Request for sign variances (Approved April 2016)
- All projecting enterprise signs, except Bar Louie sign on Building C2, shall have a maximum square footage of 10 square feet per tenant sign.

PLAN

SCALE: 1"=100'

BENCHMARK

COORDINATES, BEARINGS AND DISTANCES SHOWN HEREON ARE REFERRED TO THE BALTIMORE COUNTY COORDINATE SYSTEM (NAD83+1, NAVD 83)
1401 N 69°14'43.7300 E 131°55'24.5000 ELEV. 5204.4
1402 N 69°14'19.4600 E 131°54'52.1400 ELEV. 559.59



VICINITY MAP

SCALE: 1"=2000'

ENTERPRISE SIGNS LEGEND

- Wall Mounted Enterprise Sign 'Rear'
- Wall Mounted Enterprise Sign 'Side'
- Joint Identification Sign
- Projecting Enterprise Sign for Building C2 Tenant
- Projecting Enterprise Sign

LEGEND

- Existing Minor Contour
- Existing Major Contour
- Existing Edge of Road
- Existing Storm Drain and Inlet
- Existing Water and Fire Hydrant
- Existing Sewer
- Existing Curb and Gutter
- Existing Tree Line
- Existing Drive
- Tract Boundary
- Utility Easement Line
- Existing Building
- Proposed Building
- Proposed Curb & Gutter
- Zoning Lines

DATA SOURCES:

Existing topographic information shown on this plan is from a Field-Run survey performed by Century Engineering, Inc. dated February, 2012. The property boundary was established March, 2012. Existing topography shown outside the property is from the Baltimore County Office of Technology - GIS Lab, GIS File Number 06TB1. Some existing utilities shown are from public drawings of record.

DATE	BY	REVISIONS

CENTURY ENGINEERING

CONSULTING ENGINEERS - PLANNERS
10710 Gilroy Road, Hunt Valley, MD 21031
Phone: 443.589.2400 Fax: 443.589.2401
www.centuryeng.com

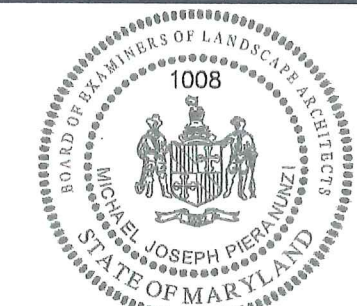
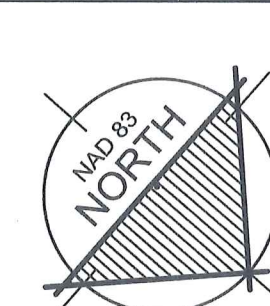
Sign Variance Plan

Buildings C1, C2, C3, D, E, F1, F2, G, H, I, K, L

Foundry Row

10100 Reisterstown Road

3rd Election District 2nd Councilmanic District
Baltimore County, Maryland



ISSUE DATES		BASE:		M.S.S.	
REVIEW:	5.26.16	DRAWN:	M.S.S.		
BID:		DESIGNED:	M.J.P.		
PERMIT:		CHECKED BY:			
CONSTRUCTION:		DATE CHECKED:			
SCALE:	1"=100'	DRAWING:			
PROJECT NO.:	111304				

1 of 2

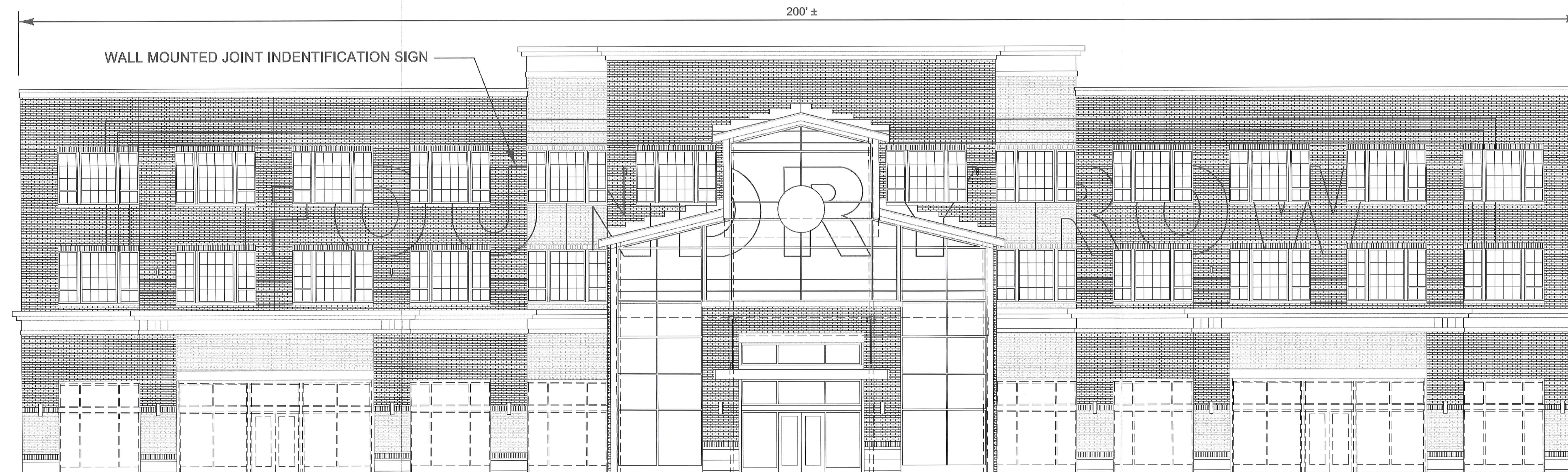
ZONING CASE: 2016-0298-A

ATTACHMENT TO PETITION FOR ZONING HEARING

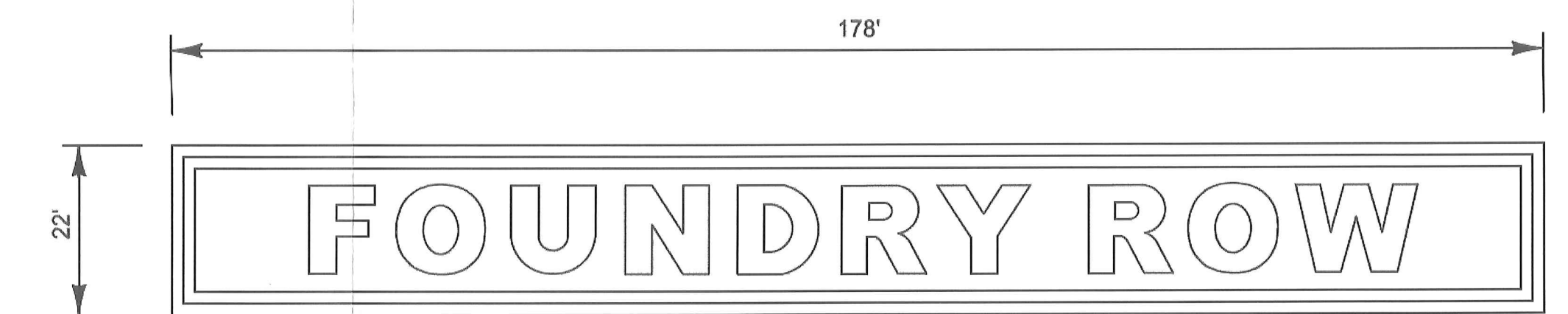
10100 Reisterstown Road
3rd Election District
2nd Councilmanic District

Variance from Section(s):

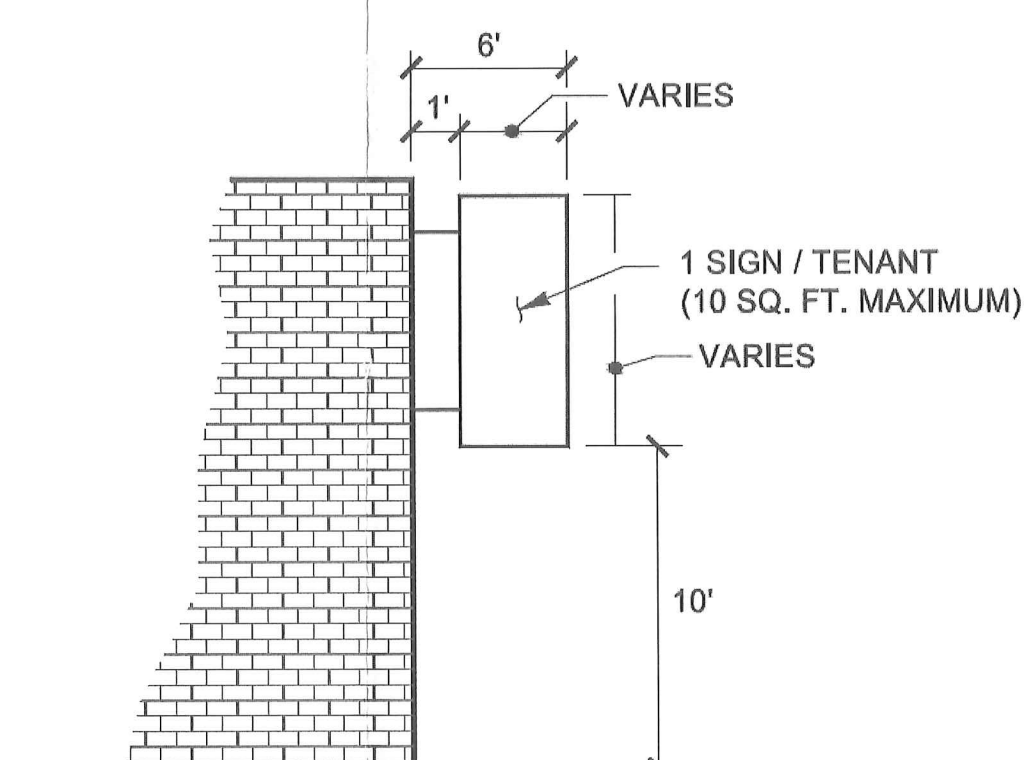
- BCZR § 450.4 Attachment 1.5(d) to permit wall-mounted enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K and L on the side and rear facades without customer entrance and with a maximum face area for each facade of two times the length of that facade; and
- BCZR § 450.4 Attachment 1.7(a)(vi) to permit a wall-mounted joint identification sign with a maximum face area of 3,916 square feet in lieu of the permitted 480 s.f. (12% of area of wall upon which sign is erected); and
- BCZR § 450.5.B.6 to permit projecting enterprise signs accessory to each of the commercial entities of multi-tenant retail buildings C1, C2, C3, D, E, F1, F2, G, H, I, K and L with visible structural framework and supporting elements to extend 6 feet from the wall to which they are attached in lieu of the required 4 foot extension and to extend 5 feet into the curb face over a sidewalk or walkway in lieu of the required 1 foot; and
- For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.



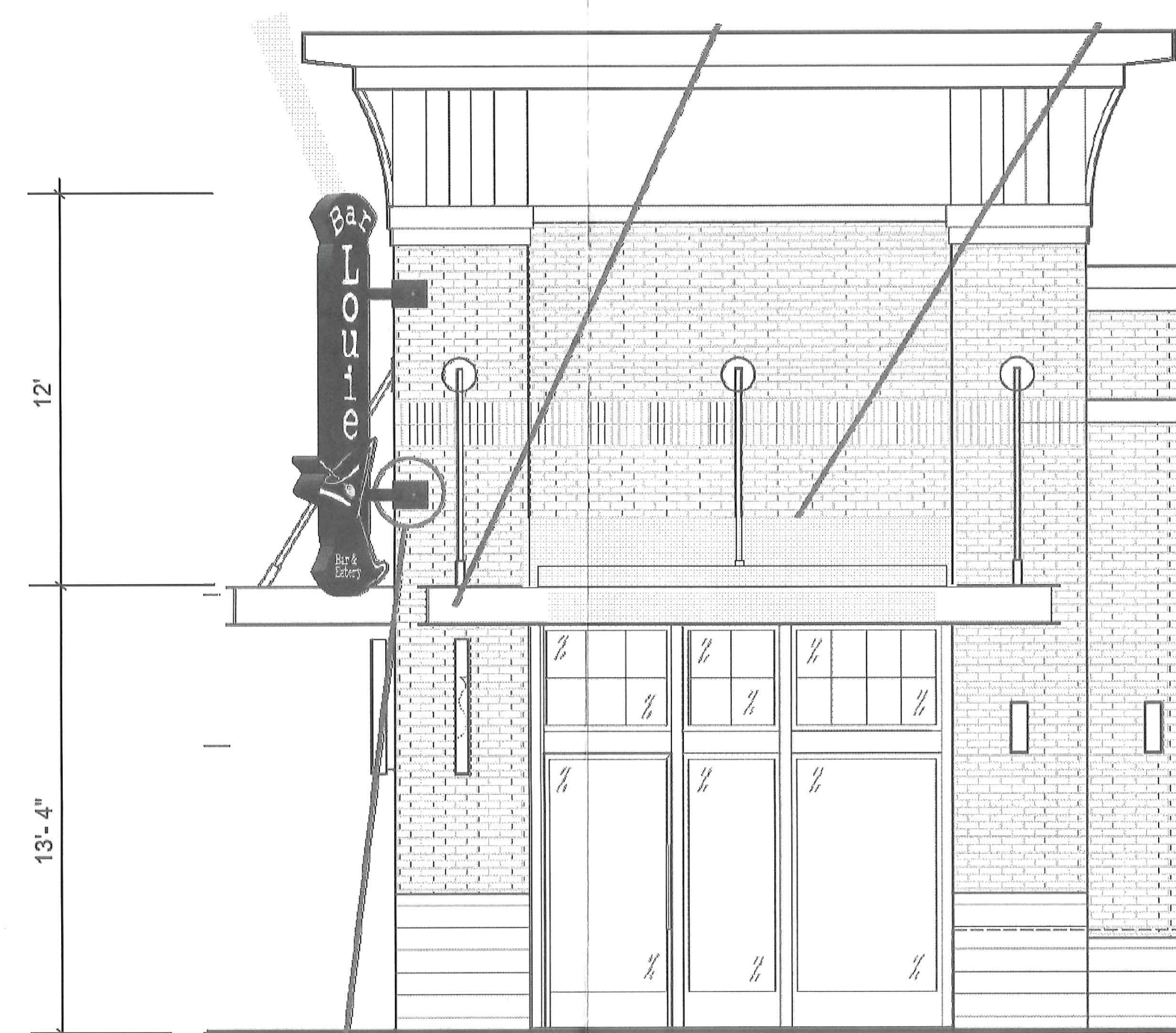
Building 'C1'
Front (east) Elevation



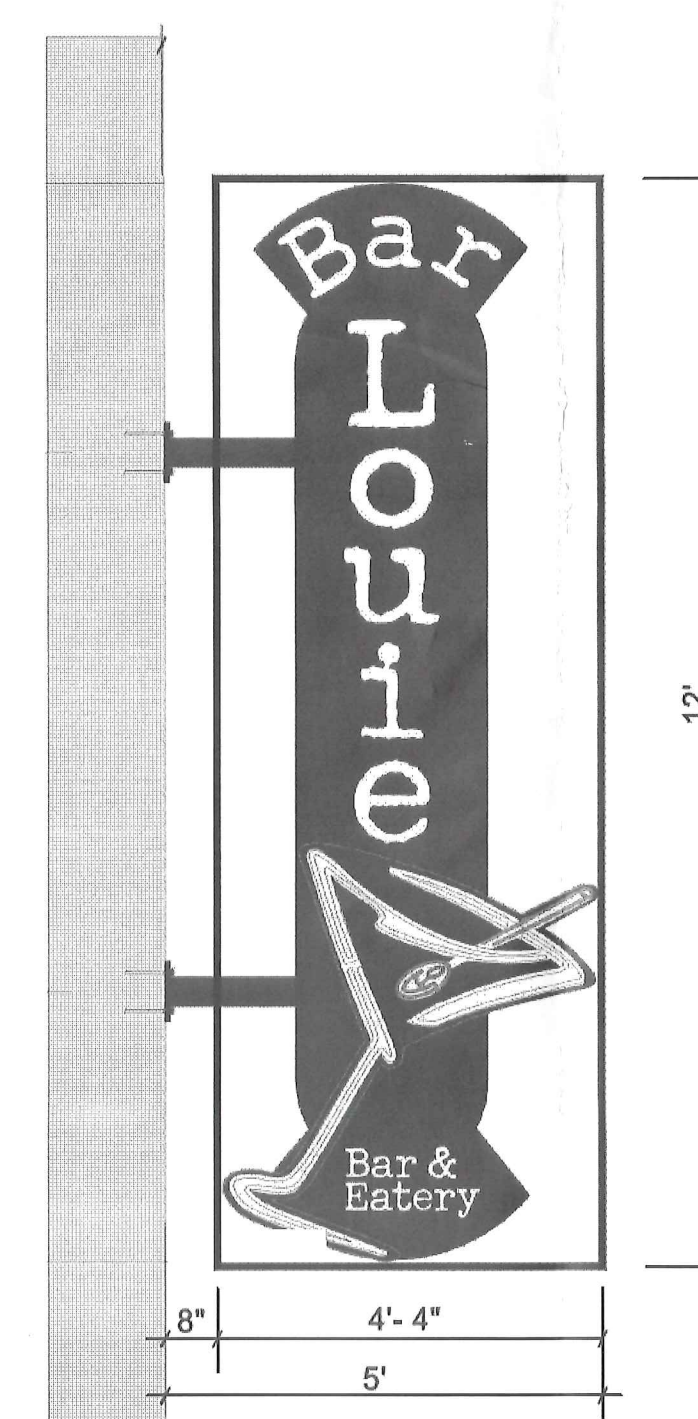
WALL MOUNTED
JOINT IDENTIFICATION SIGN
22' x 178' (3,916 s.f.)
Not to Scale



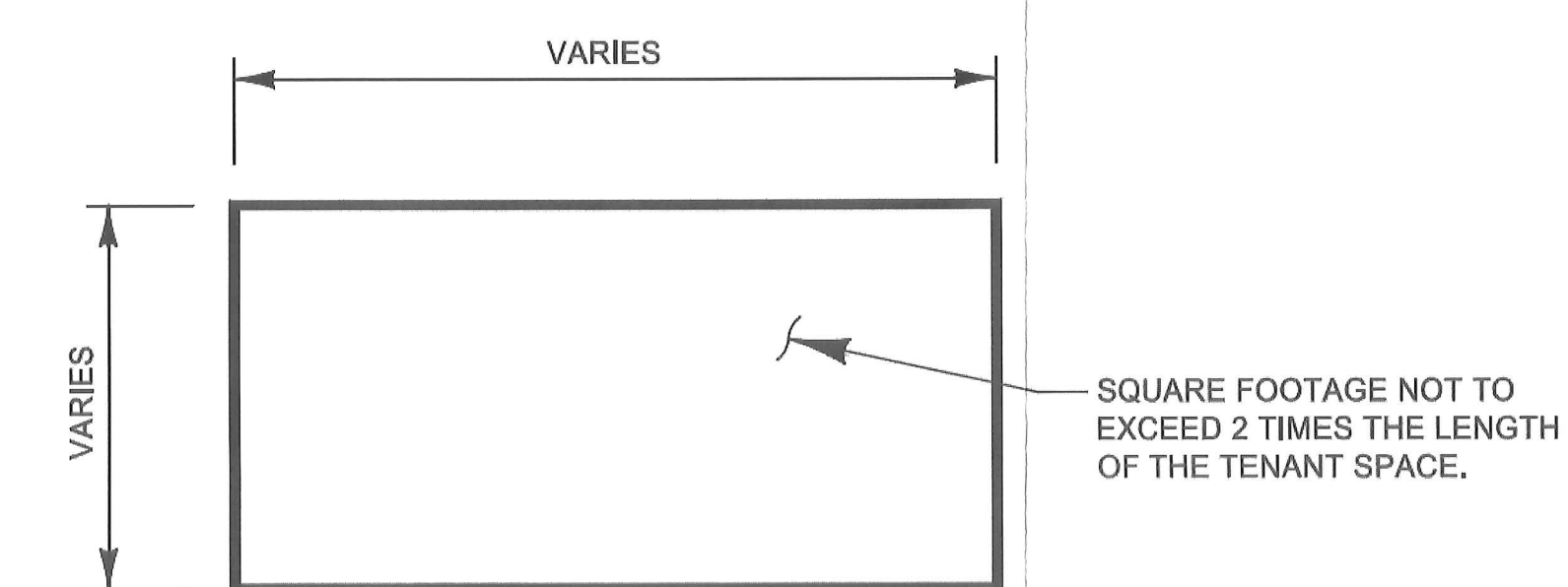
TYPICAL PROJECTING ENTERPRISE SIGN
Not to Scale



Building 'C-2'
North Elevation
Not to Scale



Building 'C-2'
PROJECTING ENTERPRISE SIGN
Not to Scale 52 Sq.Ft.



TYPICAL WALL MOUNTED ENTERPRISE SIGN
(REAR or SIDE)
* LOCATION TO BE DETERMINED BY TENANT
Not to Scale

DATE	BY	REVISIONS
CENTURY ENGINEERING CONSULTING ENGINEERS - PLANNERS 10710 Gilroy Road, Hunt Valley, MD 21031 Phone: 443.589.2400 Fax: 443.589.2401 www.centuryeng.com		
Sign Variance Plan Buildings C1, C2, C3, D, E, F1, F2, G, H, I, K, L Foundry Row 10100 Reisterstown Road 3rd Election District 2nd Councilmanic District Baltimore County, Maryland		
ISSUE DATES REVIEW: 5.26.16 BID: _____ PERMIT: _____ CONSTRUCTION: _____		BASE: M.S.S. DRAWN: M.S.S. DESIGNED: M.J.P. CHECKED BY: _____ DATE CHECKED: _____
SCALE: Not to Scale PROJECT NO.: 111909		DRAWING: 2 of 2