Strato Holdings LLC 9919 Golf Course Road Ocean City, MD 21842

October 1, 2024

Town of Denton Planning & Codes 4 N. Second Street Denton, MD 21629

RE:

Wendy's Fast Food Restaurant

Shore Hwy (Rt. 404) near

Legion Road

Map 105, Grid 11, Parcel 2477

Town of Denton Caroline County, MD BEVA # DEA230061.00

To whom it may concern,

I, Nick Nistazos, do hereby certify that I am the owner of STRATO HOLDINGS, LLC.

STRATO HOLDINGS, LLC owns the 6.15± acre property located along Shore Highway (Rt. 404) near Legion Road, Denton, MD, also known as Map 105, Grid 11, Parcel 2477.

I do hereby grant permission to Flynn Group, Wendy's, and/or their engineer, Bohler Engineering VA, LLC, to submit for approval of any/all zoning applications to any/all governmental entities necessary to develop and construct a new Wendy's fast food restaurant.

Sincerely,

Nick Nistazos



Board of Zoning Appeals Application

For Official Use Only

	FEE DUE		
Number: BOA-25-002 Date Filed: May 1, 2025 Hearing Date: June 9, 2025 Applicants Notified: Property Posted: Notice Posted: 5/21 -5/28 Decision of Board: Applicant Notified of Decision:	Application Fee & \$10 sign fee PLUS cost of public hearing advert first meeting Variance Applications & Appeals complete application and 8 copies Special Exception Applications re application and 16 copies of all at	s Applica s of all a equire co	ations require ttachments. omplete
A. Applicant Information			
Wend Baltimore North, LLC (Bre APPLICANT NAME – PLEASE PRINT CLE	endan Mullaney, Esq. agent for applica	nt)	
		OH	44121
6200 Oak Tree Blvd., Ste. 250 ADDRESS	Independence	OH STATE	ZIP CODE
410.820.0250	bmullaney@mdswlaw.com		ZII CODE
PHONE NUMBER CELL PH			
APPLICANT SIGNATURE – by signing this incurred by this application.	document applicant agrees to be responsible for all	fees and ad	lvertising expenses
B. Property Owner Information			
Strato Holdings, LLC (c/o Nick N	listazos)		
PROPERTY OWNER NAME – PLEASE PR			
9919 Golf Course Road	Ocean City	MD	21842
ADDRESS	CITY	STATE	ZIP CODE
410.520.0447	nnistazos@aol.com		
PHONE NUMBER CELL PH PROPERTY OWNER SIGNATURE	IONE E-MAIL ADDRESS	25.2	
C. Property Information			
601 Legion Road, Denton, MD 2	1629		

RHC

PRESENT ZONING OF PROPERTY

PROPERTY ADDRESS

2477

PARCEL

105

MAP

N/A

CRITICAL AREA DESIGNATION

Request is hereby made for: (check one
--

- (x) Variance from strict application of said ordinance; section of Ordinance from which relief is sought:
 - () Yard, area or bulk requirements.
 - () Bulk, area or height of structures.
 - () Height or size of signs.
 - () Placement of earth satellite antennae.
 - (X) OTHER Requesting approval for one additional wall sign and one additional freestanding. (If applying for variance please see page 4 of the application and include responses for each)
- () Appeal from:
 - () Director of Planning and Codes, or other administrative officer in the enforcement of this Chapter 128, Zoning
 - () Planning Commission Decision
 - () Building Code Official Decision
- () Special Exception § 128-163 J

E. Sketch

Please attach 6 copies of sketch drawn to scale with all dimensions of lot and building thereon, distances between building and property lines, bounding street or road names, North point and scale.

F. Purpose

- If a Special Exception is being requested please attach a description of the kind of exception desired and the reasons therefore. (see page 7)
- If applying for a Variance please see page 4 (see page 5 for Critical Area).
- If appealing a decision please attach an explanation of appeal.

G. History

Has property ever been subject of previous application? Yes (X) No

In the event that this property has been the subject of a previous application, please provide the following information (Note: this information is on file in the Town Office):

PREVIOUS APPLICATION NUMBER

PREVIOUS APPLICATION DATE

ACTION TAKEN ON PREVIOUS APPLICATION

H. Authority

- a. In the event that the Applicant is a person other than the Owner of the subject property, give an explanation of the Applicant's interest in said property and attach hereto a statement by the Owner stating whether or not said Owner supports this application.
- b. List the name, address and telephone number of any agent or attorney who will be representing the Applicant. If the Applicant is represented by an agent attach documentary evidence that the Applicant is so represented.
- c. Attach hereto six copies of the recorded Deed conveying present ownership of the property which has been duly recorded among the Land Records of Caroline County, Maryland (a copy may be obtained from the office of the Clerk of Court if not otherwise available). If there are any restrictions attached to the deed of the property subject to this application, please advise the Board.
- d. I do hereby solemnly declare and affirm under the penalties of perjury that the information provided and the sketch shown in this application, as well as the documents attached to this application, are true, correct and genuine to the best of my knowledge, information and belief.

A Caybox	5.1.25	
SIGNATURE OF APPLICANT(S)	DATE	
SIGNATURE OF APPLICANT(S)	DATE	
HAXL.	5.1.25	
SIGNATURE OF ATTORNEY / LEGAL REPRESENTATIVE	DATE	
17		

Wendys Property Notifications Page 1

ACCT ID	911 ADDRESS		OWNER MAILING ADDRESS (OWNER STATE	OWNER ZIP	LOT	MAP	PARCEL
0603009939	610 LEGION ROAD	WALMART REAL ESTATE BUSINESS TRUST	ATTN PROPER TAX DEPT PO BOX 8050 MS 0555	BENTONVILLE	AR	72716		0105	2365
0603010325	625 LEGION ROAD	DHRUVIL LLC	PO BOX 1130	SEAFORD	DE	19973		0105	2476
0603002365	51 DENTON PLAZA	MID-ATLANTIC REAL ESTATE INVESTMENTS INC	9161 LIBERIA AVE STE 201	MANASSAS	VA	20110		0105	2364
0603015122	LEGION RD	DENTON SITE SW LLC	36932 SILICATO DR STE 10	MILLSBORO	DE	19966		0105	2479
0603032027	5 DENTON PLZ	BROWN, HELEN MAE & SON INC	C/O CHERYL STALLINGS PO BOX 2198 DEPT 8088	MEMPHIS	TN	38101	1	0105	2364
0603037533	615 LEGION RD	LEGION 404 LLC	PO BOX 992	CONSHOHACKEN	PA	19428		0105	2479
	RT 404/SHORE HIGHWAY	STATE HIGHWAY ADMINISTRATION	615 MORGNEC RD	CHESTERTOWN	MD	21620			

Town of Denton Sign Maintenance Agreement

I/we was Boutimore Houth ucas petitione	r(s) to the Board of Appeals do hereby agree t
maintain this sign which I/we agree to have posted on the	ne property for the purposed of Public Notice
relating to appeal #BOA-25-002	·
If for some reason the sign fails to remain posted for the	necessary 14 days prior to the appeal hearing
date, I/we shall notify the Director of Planning & Codes	i. "
	5.1.25
APPLICANT S SIGNATURE	DATE
FILING DATE	REQUIRED DATE
POSTING FEE	DATE POSTED

Supplemental Variance Narrative Wend Baltimore North, LLC

Introduction

Applicant Wend Baltimore North, LLC ("Applicant") hereby request, pursuant to Town of Denton Code \$128-163(K) and \$128-126, a variance from the maximum signage provisions of the Zoning Chapter of the Town of Denton Code (the "Code"). Specifically, a unique hardship arises related to the size, configuration, and unique development potential of the property located at 601 Legion Road in Denton (the "Property") that justifies approval of variances permitting one additional wall sign and one additional freestanding sign on the Property to serve the proposed Wendy's restaurant location. The Property subject to this application is located in the Regional Highway Commercial (RHC) District. Applicant seeks to construct a new Wendy's restaurant building on the Property, which is already improved with another three (3) tenant building to the south but on the same parcel of land. The Code as written is extremely restrictive regarding signage and does not take into account commercial properties which may be improved with multiple commercial users in separate buildings. In this case, the unique size and configuration of the Property, coupled with the permitted uses and development of the Property in the Town Code, result in a situation where multiple buildings will be constructed and separate commercial tenants will operate different spaces on the Property. Each commercial tenant requires adequate signage so that the public and their customers can properly and safely identify each business and navigate safely to their location on the Property. The plan prepared by Bohler and labeled "MAJOR SITE PLAN FOR WENDY'S" is submitted with this narrative to demonstrate the proposed location of the new Wendy's building and the proposed freestanding sign adjacent to Maryland Rt. 404 (the "Site Plan"). The existing building to the south is already served by a freestanding sign closer to Legion Road. The Code only allows one freestanding sign per parcel. Without approval of the variance sought by this application, the Wendy's location would not be able to install a freestanding sign to serve its business. Likewise, the Code restricts the proposed building to one (1) wall sign. As is customary with almost all restaurants, multiple wall signs are necessary to ensure that the general public can locate and safely navigate to the proposed restaurant. Applicant is requesting a variance to permit one (1) additional wall sign on the proposed building. The exhibit prepared by Allen Industries and submitted with this narrative ("Sign Exhibit") shows the proposed wall signs on the eastern and northern facades of the proposed building.

Discussion

Applicant hereby requests variances to allow one additional freestanding sign and one additional wall sign in connection with the proposed Wendy's restaurant location on the Property as identified by the Site Plan and Sign Exhibit. Applicant addresses the applicable criteria as follows:

a) Strict application of the zoning chapter would produce unnecessary and undue hardship.

The strict application of the sign requirements of the Code would result in unnecessary and undue hardship to the Applicant. There are two other fast food restaurants in the immediate vicinity of the proposed Wendy's (Dunkin Donuts and Taco Bell) which have been permitted to install multiple wall signs in order to attract customers and ensure safe navigation around the area. Strict application of the Code would unduly restrict Applicant's visibility to the general public and would create unsafe navigation and confusion to members of the public visiting the Property. The Property does not have direct access to MD Rt. 404 and it is important that the public travelling Rt. 404 can identify and safely navigate to the restaurant. The requested second freestanding sign between the Wendy's location and Rt. 404 is a necessary accommodation to ensure that the restaurant can be identified and located.

b) The above hardships are the result of special conditions and circumstances not generally shared by other properties in the same zoning district or vicinity and which are peculiar to the land, structure or building involved.

The Property is unique because of its size, location, and configuration. Multiple commercial users and buildings can be developed on the Property and each needs to be served by adequate signage for all of the reasons explained herein. Visibility along Rt. 404 is paramount to viability of the new restaurant proposed. Multiple wall signs on the building as well as the additional freestanding sign alleviate the hardship that exists and address the conditions raised above.

c) The above special conditions or circumstances are not the result of the applicant's actions.

Applicant did not create the unique size, configuration, or location of the Property. The hardship and special circumstances exist despite Applicant's desire to improve the Property and operate its business.

d) The variance will be in harmony with the general intent of the zoning chapter and will not be injurious to adjacent property, the character of the neighborhood or the public welfare.

Approval of this variance will not be injurious to adjacent property owners. The adjacent properties are identified for primarily commercial development and additional signage can only enhance safety and navigation in the area. No impacts will result to nearby or adjacent properties as a result of granting of the variance sought. The character of the neighborhood will not change and the public welfare will be improved. The variance is in harmony with the general intent of the zoning chapter and will not

be injurious to adjacent property, the character of the neighborhood or the public welfare.

e) The variance will not allow a use expressly or by implication prohibited in the zoning district involved.

Not applicable. Fast-food Restaurant uses are permitted by right on the Property and in the RHC district.

f) The condition, situation, or intended use of the property concerned is not of so general or recurring nature as to make practicable a general amendment to the zoning chapter.

Variances being requested are driven by the unique configuration, location, and size of the Property. The hardships present are not of so general or recurring nature as to make practical a general amendment to the zoning chapter.

g) The variance will be the minimum necessary to afford relief.

)

The variances sought are specifically permitted to be approved by the Board of Appeals pursuant to Section 128-126 of the Town Code. The freestanding sign and additional wall sign are the minimum necessary to alleviate the hardship and special circumstance that exists.

For the foregoing reasons, the Board of Appeals should approve the requested variances sought by Applicant.

EXHIBIT A

Site Plan

[See Attached]

EXHIBIT B

Sign Plan

[See Attached]



Wendy's - Flynn E19342 Denton, MD May 1, 2025

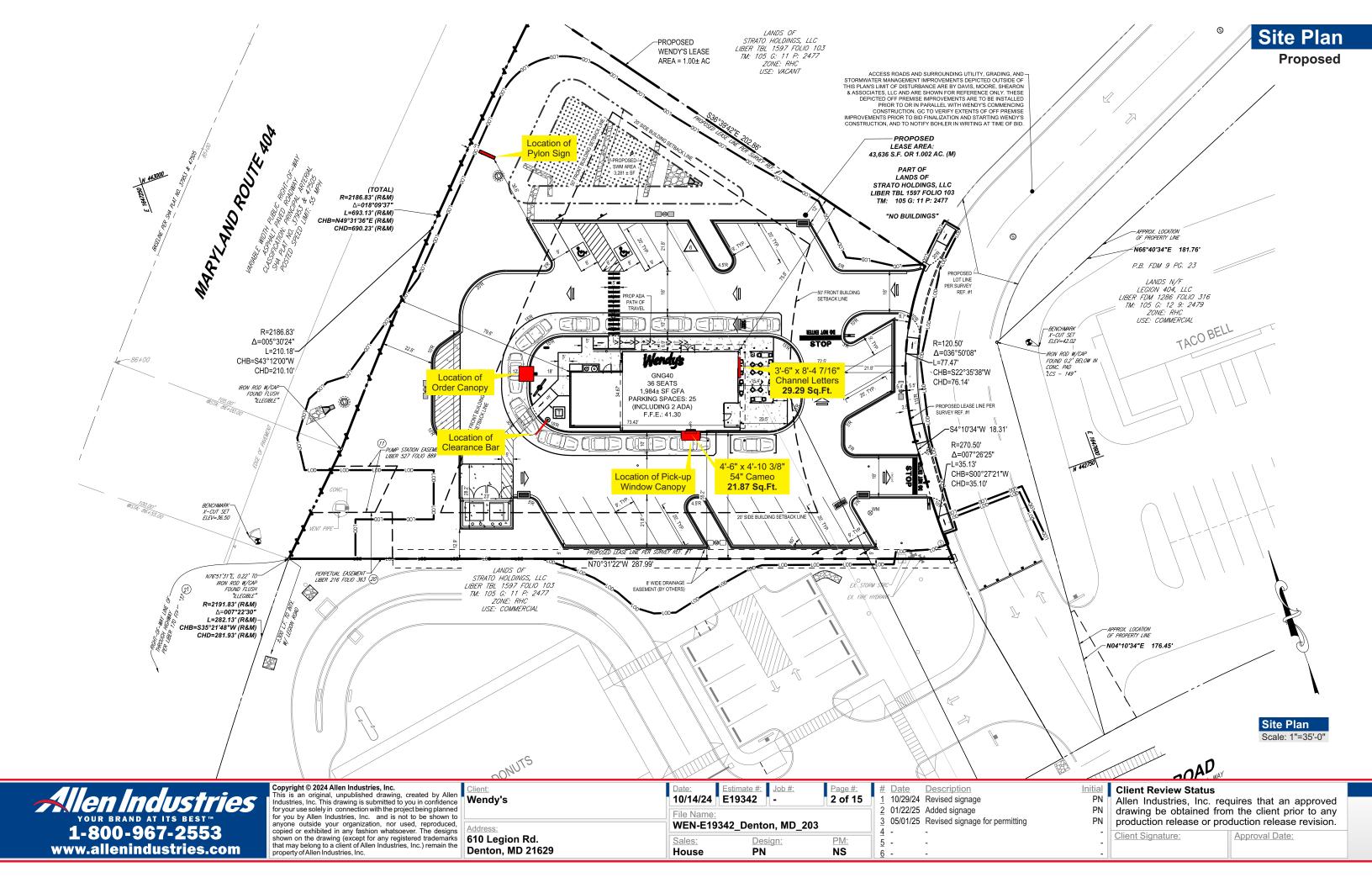


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Customer Approval / Signature	
Signature:	Date:

	Smart 2.0				
ACM and Color:	N/A				
Soffit / Parapet:	Mfg & Install Custom Parapet				
Corrugation & Trim:	N/A				
Lighting:	LED Modules				
QIOR:	N/A				
Drive Thru and Building Elements:	"W" Entry Feature Canopy - SMART Silver 96" Custom Canopy Order Station Canopy - New Clearance Bar - New				
Exterior Signage:	54" Cameo (1) (Drive Thru Elevation) 42" Flush Mount White - Channel Letters 42NC (1) Pylon - New (1)				

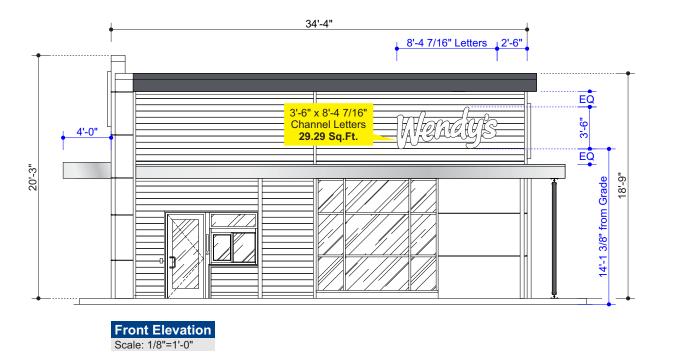


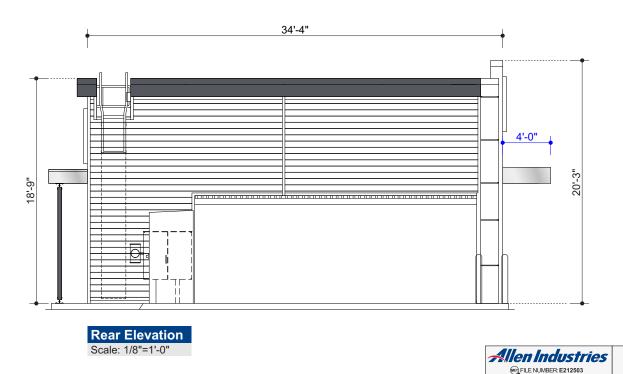
Building Elevations

Color Specifications

Azko Nobel "Brushed Silver" Silver MICA MNC 4mm CLR

Reynobond Stormy Gray 62" x 196" 4mm FR





THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF **ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE** AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

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Client:	<u>Date:</u>	Estimate #:	Job #:	Page #:
Wendy's	10/14/24	E19342		3 of 15
Address:		File Name: WEN-E19342_Denton, MD_203		
610 Legion Rd.	Sales:	Des	ign:	PM:
Denton, MD 21629	House	PN		NS

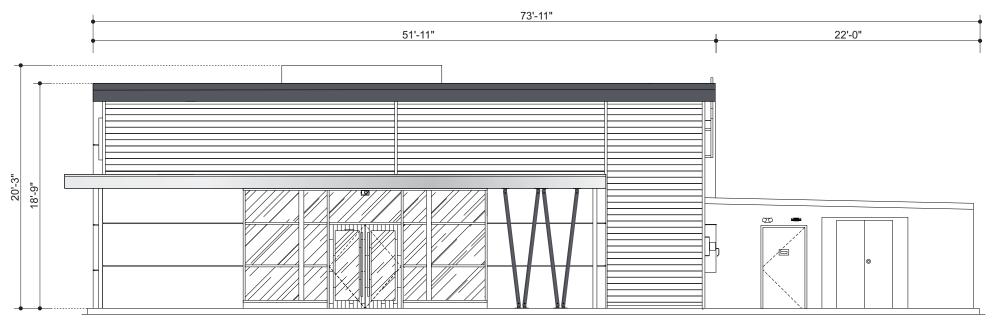
Listed MET us E212503 # Date Description 10/29/24 Revised signage 2 01/22/25 Added signage 05/01/25 Revised signage for permitting

Electric Sign

Initial Client Review Status Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

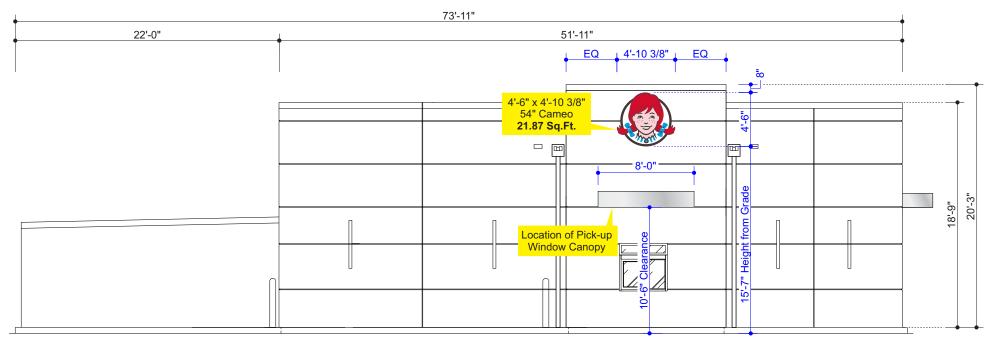
Building Elevations

Proposed



Color Specifications Azko Nobel "Brushed Silver" Silver MICA MNC 4mm CLR Reynobond Stormy Gray 62" x 196" 4mm FŘ

Right Elevation Scale: 1/8"=1'-0"





Left Elevation Scale: 1/8"=1'-0"

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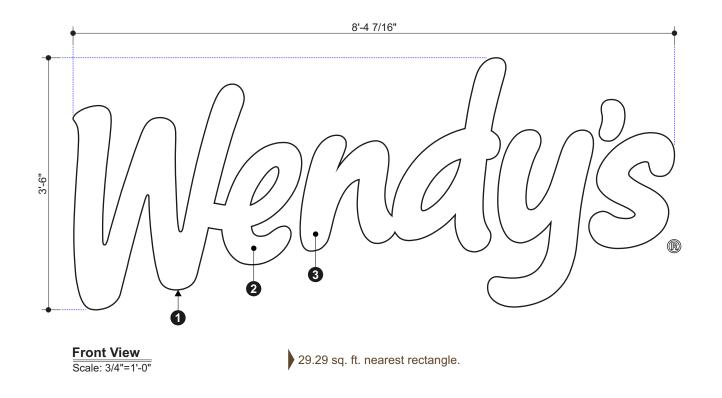
Client:	Date:	<u>Job #:</u>	Page #:
Wendy's	10/14/24 E	19342 -	4 of 15
Address:	File Name: WEN-E1934	l2_Denton, MD_2	03
610 Legion Rd.	Sales:	Design:	PM:
Denton, MD 21629	House	PN	NS

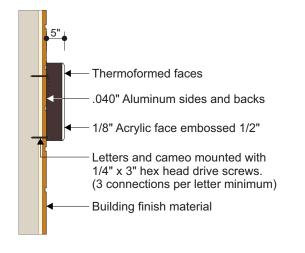
Date Description 1 10/29/24 Revised signage 2 01/22/25 Added signage 3 05/01/25 Revised signage for permitting

Initial Client Review Status PN Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

WIL-42NC Channel Letters

Flush Mount White Non-Illuminated





COLORS & FINISHES Brown (PMS 439C - outline) **MATERIALS** Blue (PMS 299C - bow, shirt, brooch) 1 Letters returns - 4-3/4" deep .040" aluminum. Flesh (PMS 698C - face, neck) 2 Letters faces - thermoformed white acrylic. Red (PMS 186C - hair, freckles) 3 Non-Illuminated Dark Red (PMS 201C - hair outline) White (cameo face, letters)

MOUNTING HARDWARE CHART				
	/	Masor	Mood	Metal
3/8" Lags with Shields Threaded Rod Thru Wall	•	•	•	
3/8" Lags with Shields	•			
3/8" Lag Bolts		•		
3/8" Toggle Bolts			•	
Note: 1.) Threaded rod will be properties All other hardware is to the installer as required.	be p			

	C
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www.allenindustries.com	th

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		Page #: # 5 of 15 1
File Name:	- 13042	2
WEN-E193	42_Denton, MD_2	$\frac{3}{4}$
Sales:	Design:	PM: 5 NS 6
	10/14/24 File Name: WEN-E1934	10/14/24 E19342 - File Name: WEN-E19342_Denton, MD_2 Sales: Design:

Initial Client Review Status

Date Description

01/22/25 Added signage

10/29/24 Revised signage

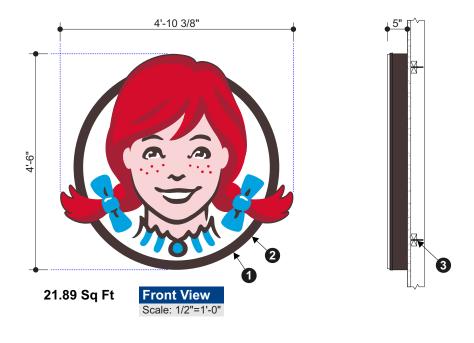
05/01/25 Revised signage for permitting

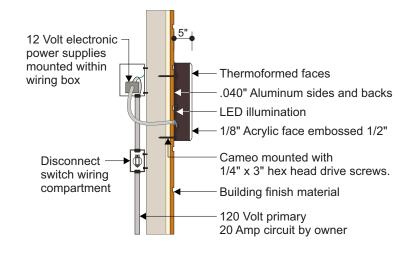
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54" Cameo

Flush Mount Quantity: 1



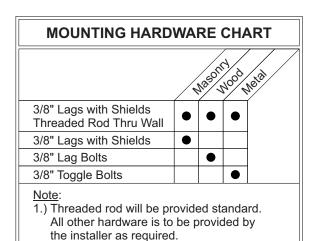




MATERIALS

- 1/8" Acrylic face with 1/2" embossment.
- 2 Illumination white LEDs.*
- 3 Appropriate fasteners for wall material (Shown Thru Bolted)

*Total electrical load = 1.2 amps. Requires 1-20 amp circuit @ 120v/60Hz.



COLORS & FINISHES

- Brown (PMS 439C outline)
- Blue (PMS 299C bow, shirt, brooch)
- Flesh (PMS 698C face, neck)
- Red (PMS 186C hair, freckles) Dark Red (PMS 201C - hair outline)
- ☐ White (cameo face)



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1	Client: Wendy's	Date: 10/14/24	Estimate #: E19342	Job #:	Page #: 6 of 15	# 1
d 0	Address:	File Name: WEN-E19	342_Dento	on, MD_203		$\frac{2}{3}$
8 9	610 Legion Rd. Denton, MD 21629	Sales: House	Des PN	i <u>ign:</u>	PM: NS	5 6

	#	Date	Description
5	1		Revised signage
_	2	01/22/25	Added signage
	3	05/01/25	Revised signage for perr
_	4	-	-

mitting

Initial Client Review Status Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

Client Signature: Approval Date:

WP 25 Pylon Sign

Proposed Quantity: 1

MATERIALS & SPECS

1 Illumination - White LEDs

2 Cabinet - 12-1/2" deep extruded Aluminum with 2-1/2" Aluminum retainers

3 Face - (2) 1-3/4" deep thermoformed .177" Acrylic with 1/2" deep copy

4 Thermoformed 1/8" thick ABS plastic decorative pole cover

5 3-1/2" Schedule 40 sign pole stubbed out of sign 18" and shimmed to fit ground pole at 12'-6" long

Requires (1) 20 amp circuit @ 120V/60Hz (all components UL listed)

Actual: 29.56 ft2 | Nearest Rectangle: 39.2 ft2

COLORS & FINISHES

Red (PMS 186C - hair, freckles)

Dark Red (PMS 201C - hair outline)

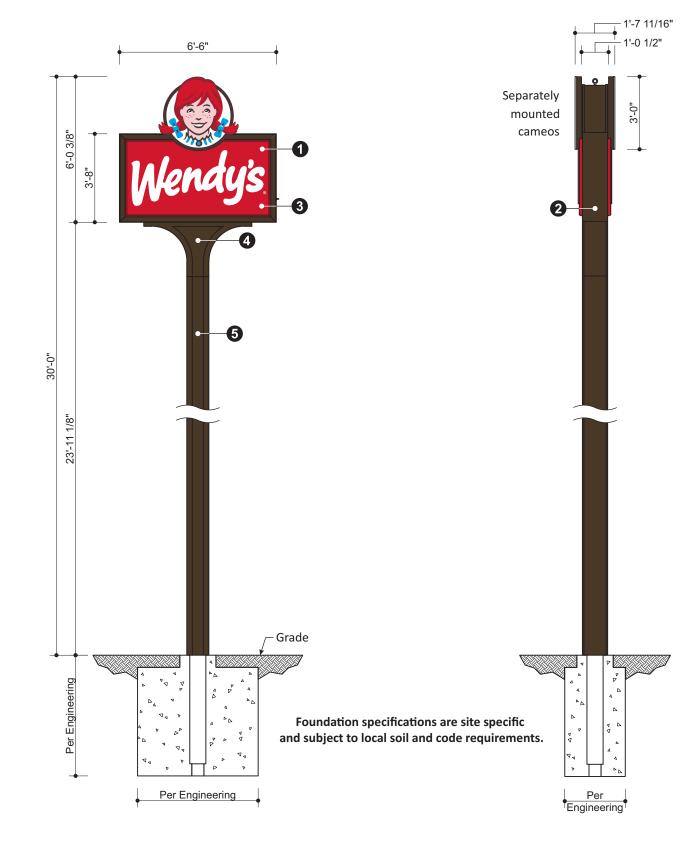
Flesh (PMS 698C - face, neck)

Blue (PMS 299C - bow, shirt, brooch)

Brown (PMS 439C - outline)

Dark Bronze ALC #313 - pole, pole cover

White (cameo face, letters)





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Wendy's 610 Legion Rd. **Denton, MD 21629**

Page #: 7 of 15 Job #: -stimate # 10/14/24 E19342 WEN-E19342_Denton, MD_203 Design: House PN NS

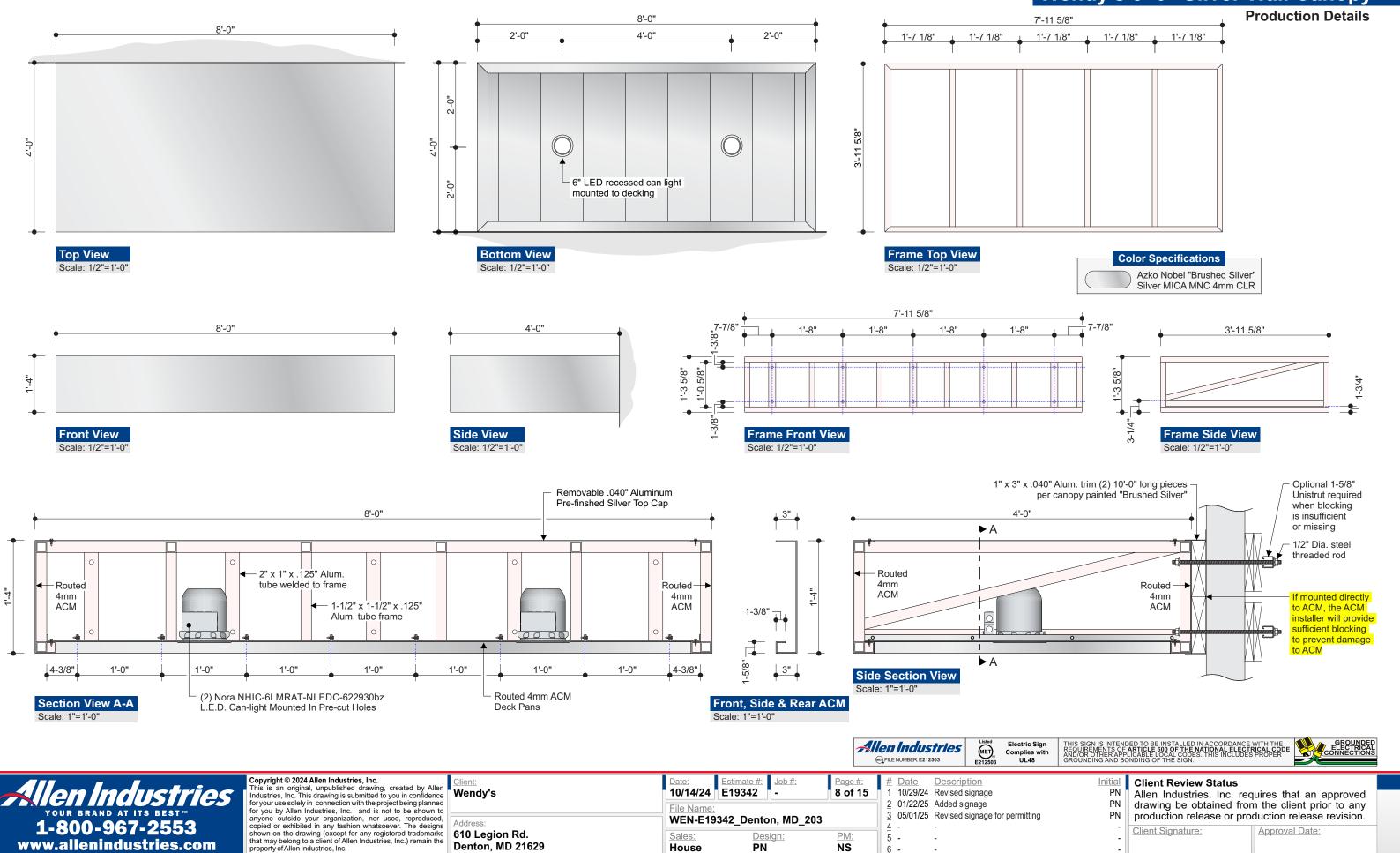
Date Description 10/29/24 Revised signage 2 01/22/25 Added signage 3 05/01/25 Revised signage for permitting

Client Review Status

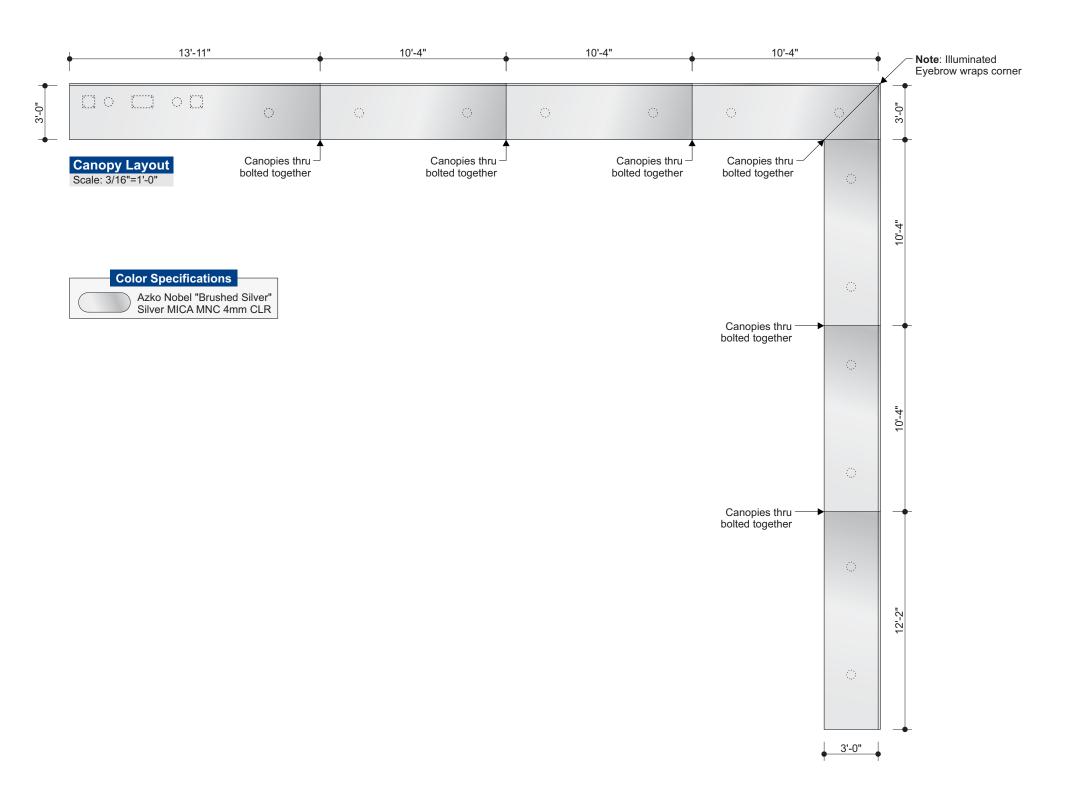
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Client Signature: Approval Date:

Wendy's 8'-0" Silver Wall Canopy



Custom Entrance Canopy







Electric Sign

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Client: Wendy's	<u>Date:</u> 10/14/24	Estimate #: E19342	Job #:	Page #: 9 of 15	_	10/29/24	<u>Description</u> Revised signage
Address:	File Name: WEN-E19		n, MD_203		_	05/01/25	Added signage Revised signage for permitting -
610 Legion Rd. Denton, MD 21629	Sales: House	Des PN	ign:	PM: NS	<u>5</u> 6	-	-

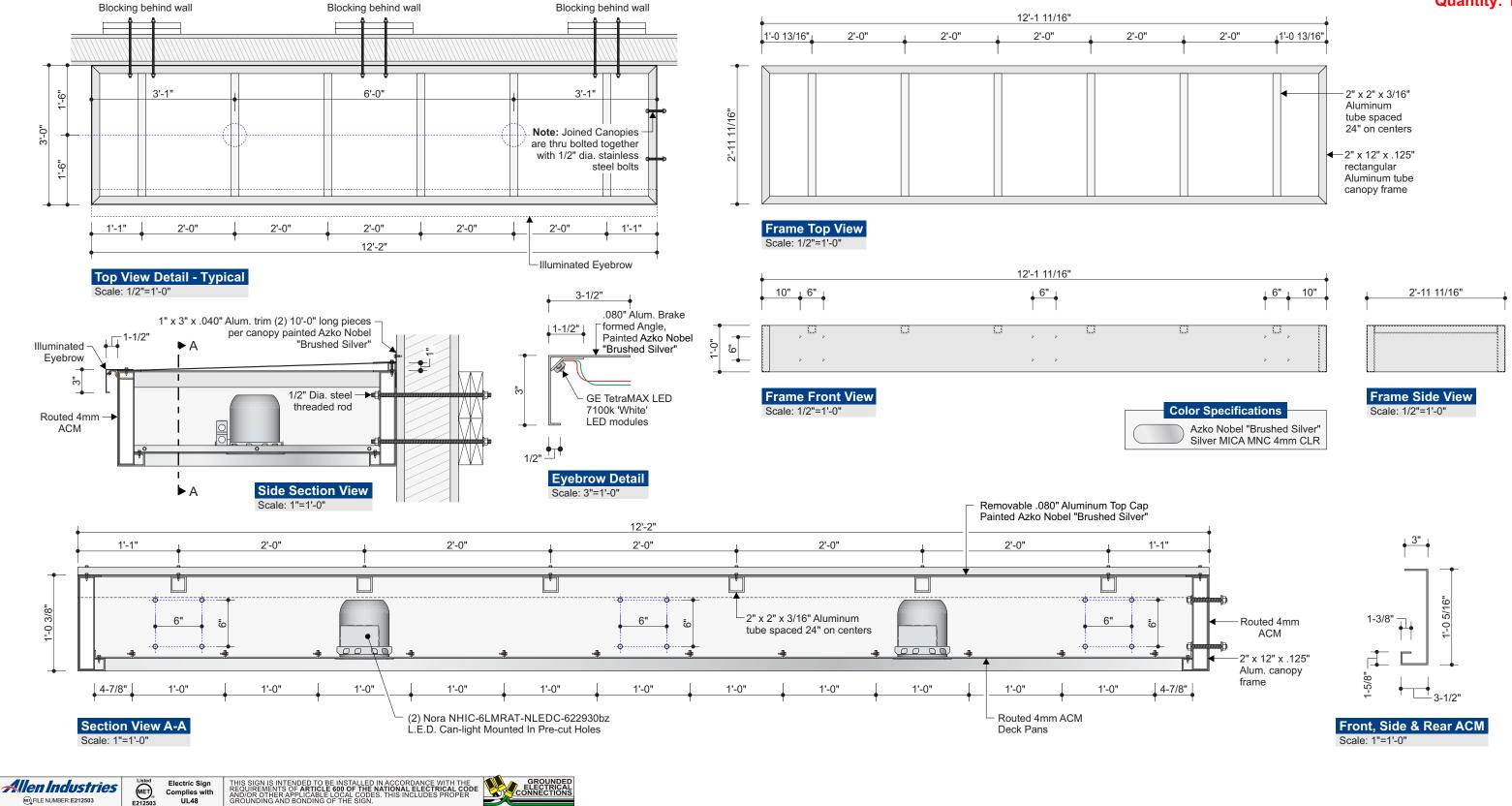
Initial Client Review Status

Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision. Approval Date:

Client Signature:

Custom Left End Canopy

Production Details Quantity: 1



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(MET) FILE NUMBER: E212503

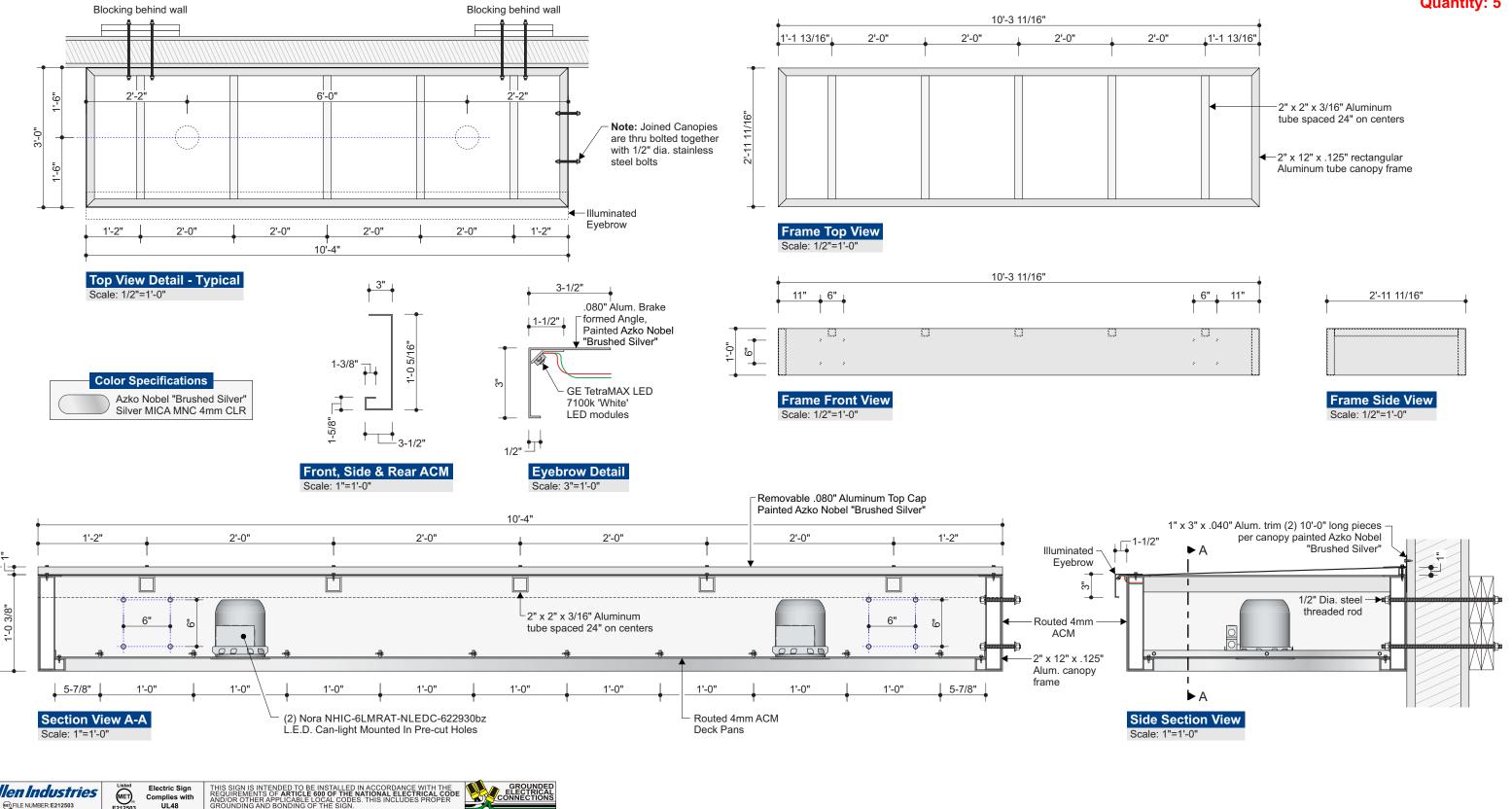
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Date Description 10/29/24 Revised signage 2 01/22/25 Added signage 3 05/01/25 Revised signage for permitting Initial Client Review Status Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

Custom Entrance Canopy

Production Details Quantity: 5





MET E212503

Allen Industries FILE NUMBER: E212503

Electric Sign

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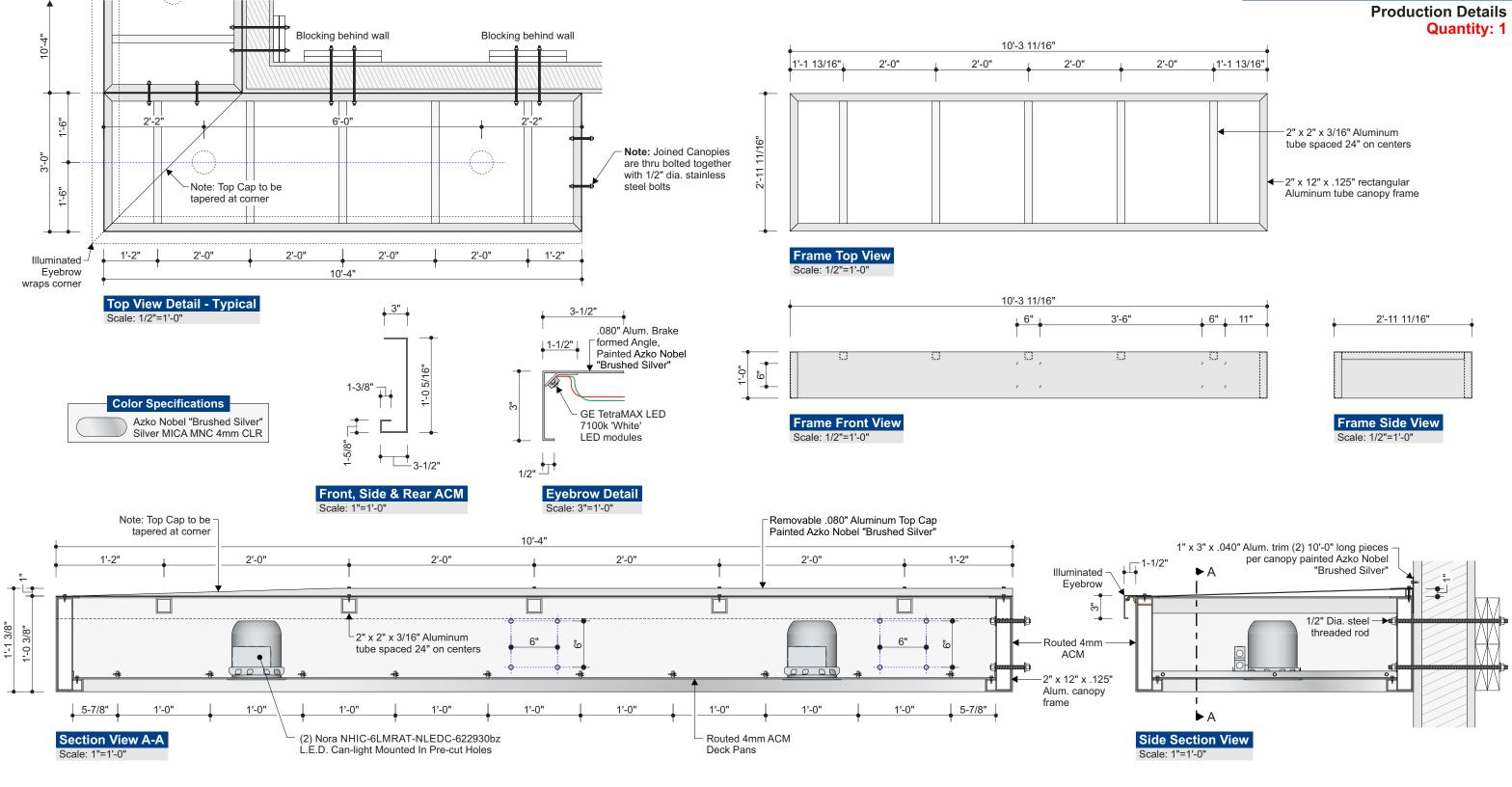
Client: Wendy's	10/14/24	Estimate #: Job #: -	Page #: 11 of 15
Address:	File Name: WEN-E193	42_Denton, MD_	203
610 Legion Rd. Denton, MD 21629	Sales: House	Design: PN	PM: NS

Description # Date 10/29/24 Revised signage 2 01/22/25 Added signage 3 05/01/25 Revised signage for permitting Client Review Status Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

Client Signature: Approval Date:

Custom Corner Canopy

Production Details





MET E212503

Allen Industries FILE NUMBER: E212503

Electric Sign

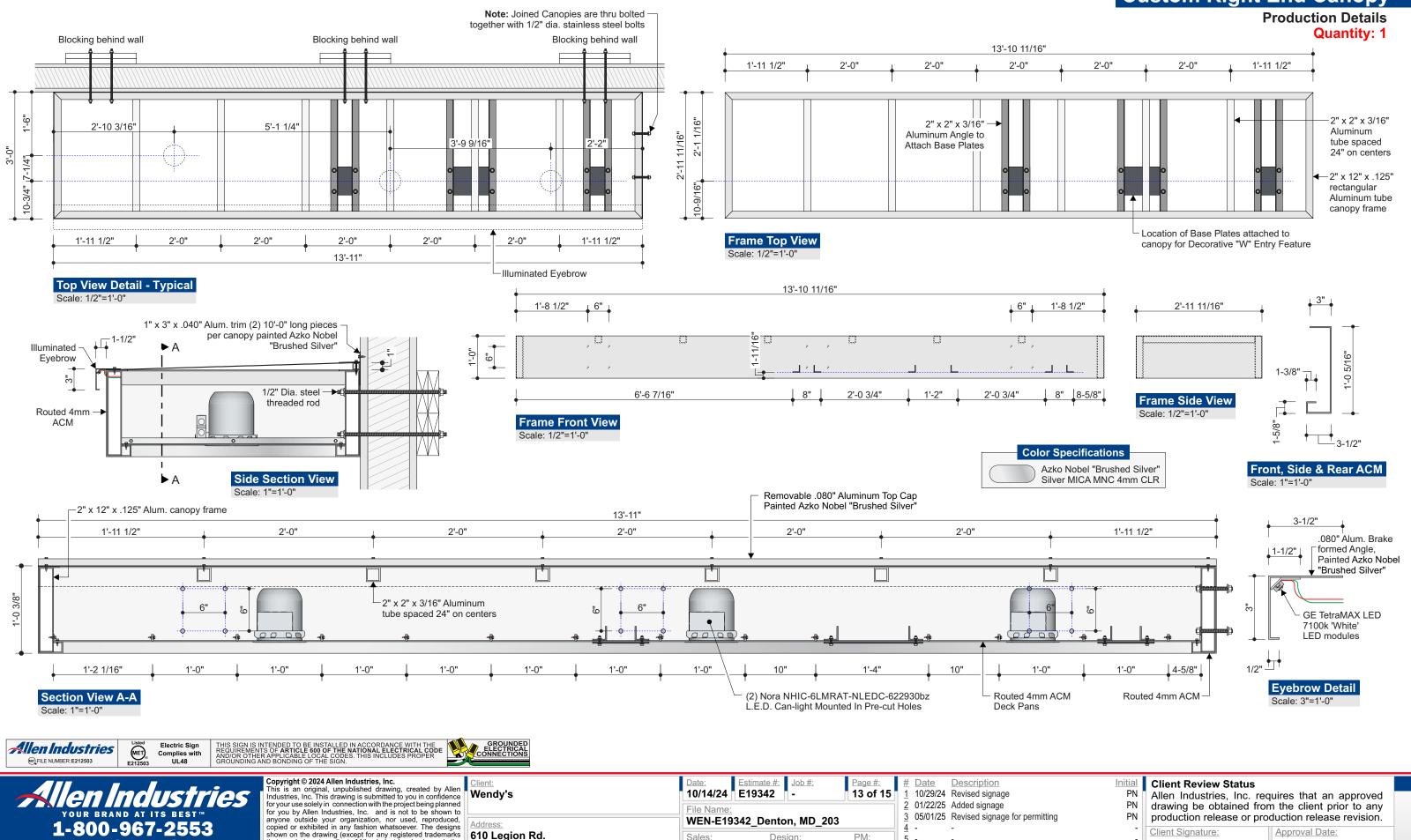
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THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF **ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE** AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



Date Description 10/29/24 Revised signage 2 01/22/25 Added signage 3 05/01/25 Revised signage for permitting Client Review Status Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision. Approval Date: Client Signature:

Custom Right End Canopy



Design

NS

PN

House

610 Legion Rd.

Denton, MD 21629

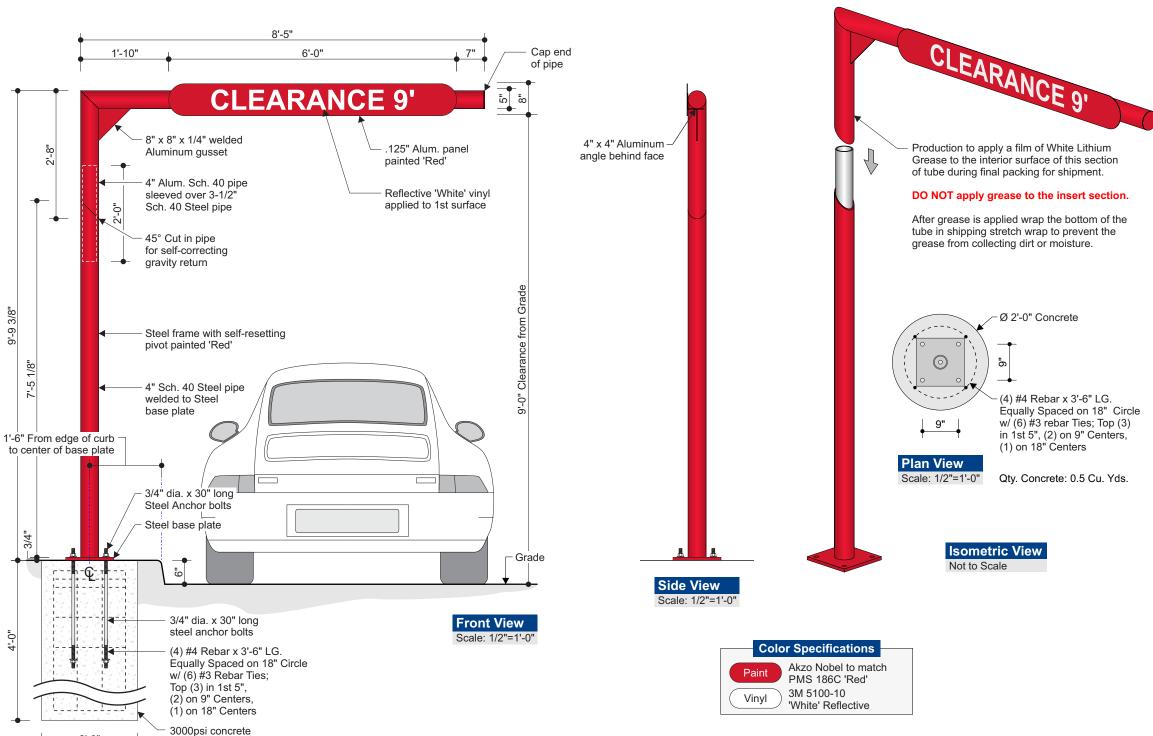
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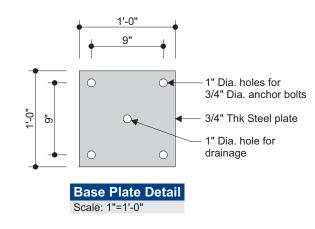
www.allenindustries.com

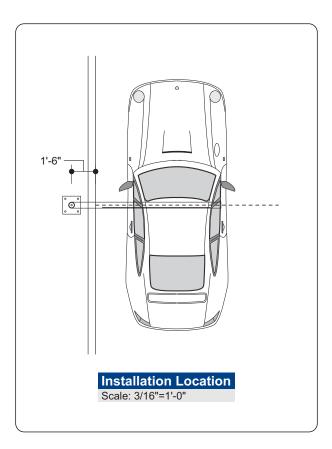
Production Details













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Client:	<u>Date:</u>	Estimate #:	Job #:	Page #:
Wendy's	10/14/24	E19342		14 of 15
Address:	File Name: WEN-E19		on, MD_203	
610 Legion Rd.	Sales:	Des	sign:	PM:
Denton, MD 21629	House	PN		NS

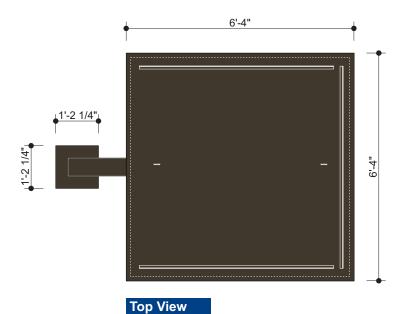
	#	Date	Description
ľ	1	10/29/24	Revised signage
i	2	01/22/25	Added signage
	3	05/01/25	Revised signage for permitting
	4	-	-
	5	_	-

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PN	drawing be obtained from the	clie
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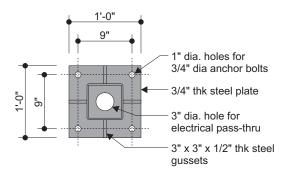
at an approved ent prior to any PN production release or production release revision.

Order Canopy

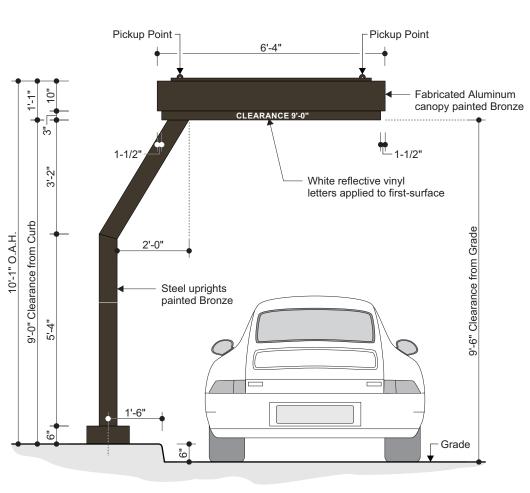
Proposed

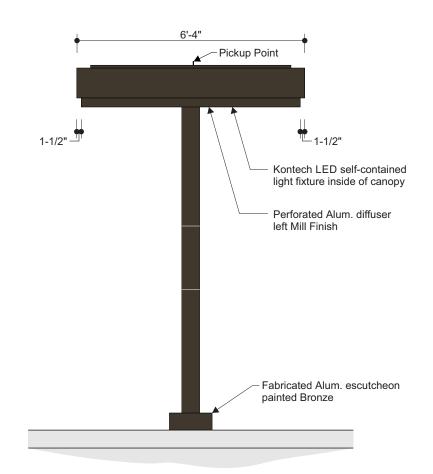


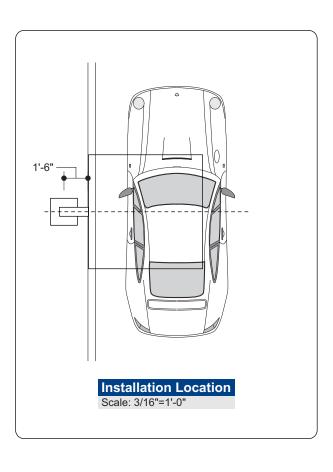




Base Plate Detail Scale: 3/4"=1'-0"









Approach View

End View Scale: 3/8"=1'-0"

Allen Industries

YOUR BRAND AT ITS BEST TO THE SECOND TO

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Client:	Date: E	Estimate #: Job #:	Page #: #
Wendy's		E19342 -	15 of 15 1
	File Name:		2
Address:	WEN-E193	42_Denton, MD_2	03 $\frac{3}{4}$
610 Legion Rd.	Sales:	Design:	PM: 5
Denton, MD 21629	House	PN	\overline{NS} $ \frac{S}{S} $

Date Description
1 10/29/24 Revised signage
2 01/22/25 Added signage
3 05/01/25 Revised signage for permitting
4 5 -

PN Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any

production release or production release revision.

Client Signature: Approval Date: