

RE: PETITION FOR SPECIAL EXCEPTION
FOR ILLUMINATED ADVERTISING
STRUCTURE
E/S Back River Neck Road 546' South-
east of Middleborough Road
15th District
Charles W. Heatler, Petitioner
(Donnelly Advertising Corporation of
Maryland, Contract Lessee)
No. 67-235-X

OPINION

This case comes before the Board on an appeal from the decision of the Deputy Zoning Commissioner denying a petition for special exception to erect an advertising structure. The Donnelly Advertising Corporation of Maryland, contract lessee, are seeking this petition for property owned by Charles W. Heatler, located on the east side of Back River Neck Road, 546' southeast of Middleborough Road, in the 15th Election District of Baltimore County.

The present zoning of the property is Business Roadside, with a special exception for used car sales.

Mr. W. R. Walker, Real Estate Manager of the Donnelly Advertising Corporation, testified that the subject site fronts 120 feet on Back River Neck Road by 275 feet deep. The site is improved by a block building used as an auto repair garage. The proposed sign would be a free standing sign located six to eight inches from the south wall of the garage building. It would be composed of two units, each 12 feet high by 25 feet long, set end to end and facing northbound traffic. The top of the sign would project approximately 8 feet above the roof line of the garage. The front edge of the sign would have a setback of 40 feet from the right of way line and 70 feet from the center line of Back River Neck Road. It would not be within 100 feet of an intersection involving a dual highway nor be within 50 feet of any other intersection. He felt that Section 502.1 of the Zoning Regulations would not be violated. Under cross examination, however, he was very limited in his knowledge of residential property to the south and the nature of properties to the east, or of the proximity of Middleborough Road in the rear of the site.

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, Charles W. Heatler, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an Business Roadside zone to an Advertising zone, for the following reasons:

See attached description

For a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for erecting of two (2) 12' x 25' illuminated advertising structures.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Donnelly Advertising Corp., of Md.
3001 Resington Ave.
Baltimore, Maryland 21221
Contract purchaser
Charles W. Heatler Legal Owner

Address 1313 Back River Neck Road
Baltimore, Maryland 21221

Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of April, 1967, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of May, 1967, at 10:00 o'clock.

As At

Mr. Larry Sinclair, President of the Turkey Point Improvement Association, testified that his organization protested the granting of the petition, as the sign would be aesthetically displeasing against the public interest and general welfare of the community.

Mrs. Mae Beck, Vice President of the Make Back River Neck Area Safe Association, protested along similar lines, and added that her organization had been very active in improving the neighborhood, having the Back River Neck Road widened, and in removing signs. Her Association felt that the sign would be a monstrosity and would be detrimental to the health, safety and welfare of the community.

Without going into all of the details of the testimony, the Board is of the opinion that the petitioner has failed to overcome the burden of showing that the proposed sign would not violate the provisions of Section 502.1 of the Zoning Regulations, and particularly as regards to Section 502.1a of not being detrimental to the health, safety or welfare of the locality involved.

For the reasons above cited, the Board affirms the Deputy Zoning Commissioner's decision dated August 17, 1967, and denies the petition.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of October, 1967, by the County Board of Appeals ORDERED, that the Special Exception petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B, of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Glen Parker

John A. Slawik

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of

the above Reclassification should be had; and it further appearing that by reason of

a Special Exception for a Advertising zone should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of July, 1967, that the herein described property or area should be and the same is hereby reclassified, from a Business Roadside zone to a Advertising zone, and/or a Special Exception for a Advertising zone should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations

the above reclassification should NOT BE GRANTED and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of July, 1967, that the above described property or area be and the same is hereby reclassified, from a Business Roadside zone to a Advertising zone, and/or a Special Exception for a Advertising zone should be and the same is hereby DENIED.

DEPUTY Zoning Commissioner of Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, Charles W. Heatler, legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an Advertising zone to an Advertising zone, for the following reasons:

See attached description

For a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for erecting of two (2) 12' x 25' illuminated advertising structures.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Donnelly Advertising Corp., of Md.
3001 Resington Ave.
Baltimore, Maryland 21221
Contract purchaser
Charles W. Heatler Legal Owner

Address 1313 Back River Neck Road
Baltimore, Maryland 21221

Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of April, 1967, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of May, 1967, at 10:00 o'clock.

As At

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Mr. William Walker
Donnelly Advertising Corp., of Md.
3001 Resington Ave.
Baltimore, Maryland 21221

SUBJECT: Special Exception -
Illuminated Advertising
Structures, Located
East side Back River
Neck Road, S/E of
Middleborough Road
15th District
(Item 6 April 18th, 1967)

Dear Sir:
The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:
ZONING ADMINISTRATION DIVISION: If the petition is granted, no occupancy may be made until such time as plans have been submitted and approved and the property inspected for compliance to the approved plan.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning action 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Project Planning Division
Bureau of Traffic Engineering
Bureau of Engineering
Health Department
Bureau of Fire Prevention
State Health Commission
Building Engineer
Board of Education
Industrial Development

Very truly yours,

John G. Rong, Principal
Zoning Technician

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of

the above Reclassification should be had; and it further appearing that by reason of

a Special Exception for a Advertising zone should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of July, 1967, that the herein described property or area should be and the same is hereby reclassified, from a Business Roadside zone to a Advertising zone, and/or a Special Exception for a Advertising zone should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations

the above reclassification should NOT BE GRANTED and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of July, 1967, that the herein described property or area should be and the same is hereby reclassified, from a Business Roadside zone to a Advertising zone, and/or a Special Exception for a Advertising zone should be and the same is hereby DENIED.

As At

DEPUTY Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 11, 1967
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one successive weeks before the 27th day of May, 1967, the first publication appearing on the 11th day of May, 1967.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$

CERTIFICATE OF PUBLICATION

OFFICE OF
The Community Press
DUNDALK, MD. May 10, 1967

THIS IS TO CERTIFY, that the annexed advertisement "Charles W. Heatler" was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive weeks before the 9th day of May, 1967; that is to say the same was inserted in the issues of 5-10-67

Stromberg Publications, Inc.
Publishers.

By Mrs. Palmer Price
Mrs. Palmer Price

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: May 2, 1967
BILLED BY: Zoning Dept. of Balto. Co.
TO: Donnelly Advertising Corp. of Md.
3901 Kensington Ave.
Baltimore, Md. 21211

REPORT TO ACCOUNT NO. 01-622
QUANTITY: 1
TOTAL AMOUNT: \$250.00
COST: \$250.00
Petition for special exception for Charles W. Heatler
67-235-X

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: May 29, 1967
BILLED BY: Zoning Dept. of Balto. Co.
TO: Cash

REPORT TO ACCOUNT NO. 01-622
QUANTITY: 1
TOTAL AMOUNT: \$35.90
COST: \$35.90
Advertiser and posting of property for Charles W. Heatler
67-235-X

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
TO: Mr. John G. Rose, Zoning Commissioner
FROM: George E. Gavrellis, Director of Planning
SUBJECT: Petition #67-235-X, East side of Back River Neck Road 546 feet southeast of Middleborough Road. Petition for Special Exception for Two (2) 12' x 25' Illuminated advertising structures.
Charles W. Heatler - Petitioner
15th District
HEARINGS: Monday, May 29, 1967 (10:00 A.M.)

The planning staff of the Office of Planning and Zoning will offer no comment on the subject petition.

OBER WILLIAMS & GRIMES
ATTORNEYS AT LAW
1640 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202
July 25, 1968

County Board of Appeals
Room 301
County Office Building
Towson, Maryland 21204

Re: Case No. 67-235-X
Charles W. Heatler (Donnelly Adv. Corp. of Md., Contract Lessee) for Special Exception for Advertising Structures
E/S Back River Neck Road 546' SE of Middleborough Road
15th District

At the conclusion of the hearing in the above case May 7, 1968, you granted us the privilege of submitting further evidence with respect to the question of available frontage between Middleborough Road and Browns Road. It was agreed that a stipulation would be filed within 15 days of the date of the hearing. A stipulation was entered into between the parties through their respective counsel on May 17, 1968 and the original was mailed to you on May 20.

This week I telephoned the Board of Appeals office to ascertain whether or not the Board had made a decision in this case only to find that the stipulation was not in the case file nor was it to be located elsewhere in the office. I am at a loss to explain what happened to the original stipulation which was mailed to sufficient time to have been received in the Board's office within the 15 days granted at the hearing. I am enclosing a verbatim copy of my file copy of the covering letter together with an executed copy of the stipulation.

Under the circumstances, we respectfully request the

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: August 23, 1967
BILLED BY: Zoning Dept. of Balto. Co.
TO: Donnelly Advertising Corp. of Md.
3901 Kensington Ave.
Baltimore, Md. 21211

REPORT TO ACCOUNT NO. 01-622
QUANTITY: 1
TOTAL AMOUNT: \$75.00
COST: \$75.00
Cost of Appeal - for property of Charles W. Heatler
67-235-X

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Four petition has been received and accepted for filing this
17th day of April, 1967.

Petitioner: Charles W. Heatler
Petitioner's Attorney: David Rose
Reviewed by: James Kardash
Chairman of Advisory Committee

CHARLES W. HEATLER
(Donnelly Adv. Corp. of Md., Contract Lessee)
For SE for Advertising Structures
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Case No. 67-235-X

CLARENCE D. LONG
20 District, Maryland
COMMITTEE ON APPROPRIATIONS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515
October 5, 1967

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Rose:

Enclosed is a letter I received from the members of the Turkey Point Improvement Association in the Middle River area of Baltimore County. The members of the Association are trying to appeal a zoning regulation, but they have not been satisfactorily informed of their rights and their responsibilities in such an action.

I should appreciate any information you can offer the Association, and any suggestions as to where they might seek assistance in this case.

Thank you for your help.

Warm regards,
CLARENCE D. LONG

County Board of Appeals
July 25, 1968
Page 2

Board to accept the enclosed executed copy of the original stipulation as having been timely filed.

Very truly yours,
David Rose

DR:ms
enclosures
cc: James Kardash, Esquire
Mr. W. H. Walker

67-235-X
E/S Back River Neck Road 546' SE of Middleborough Road
Charles W. Heatler, Petitioner
15th District

COPY
OBER WILLIAMS & GRIMES
1640 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202
May 20, 1968

County Board of Appeals
Room 301
County Office Building
Towson, Maryland 21204

Re: Case No. 67-235-X
Charles W. Heatler (Donnelly Adv. Corp. of Md., Contract Lessee) for Special Exception for Advertising Structures
E/S Back River Neck Road 546' SE of Middleborough Road
15th District

Gentlemen:

I am filing herewith stipulation between the parties to the above appeal regarding the item of the available frontage between Middleborough Road and Browns Road with respect to which the Board granted us the privilege of submitting further evidence.

Very truly yours,
David Rose

DR:ms
enclosures
cc: James Kardash, Esquire
Mr. W. H. Walker

STIPULATION
It is hereby stipulated by and between the applicant, through its counsel, David Rose, and the protestants, through their counsel, James Kardash, that the total available frontage between Middleborough Road and Browns Road on the northeast side of Back River Neck Road is approximately 1737 feet of which approximately 742 feet is improved with commercial uses, approximately 744 feet improved with dwelling uses and approximately 248 feet is unimproved and all of said frontage is zoned B-1 medium roadside.

David Rose
David Rose
Attorney for Donnelly Adv. Corp. of Md., Applicant

James Kardash
James Kardash
Attorney for Protestants

Congress of the United States
House of Representatives
Washington, D.C. 20515
October 5, 1967

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Rose:

Enclosed is a letter I received from the members of the Turkey Point Improvement Association in the Middle River area of Baltimore County. The members of the Association are trying to appeal a zoning regulation, but they have not been satisfactorily informed of their rights and their responsibilities in such an action.

I should appreciate any information you can offer the Association, and any suggestions as to where they might seek assistance in this case.

Thank you for your help.

Warm regards,
CLARENCE D. LONG

DR:ms
Encl.

Honorable Clarence D. Long
Chesapeake & Washington Avenues
Towson, Maryland 21204

September 28, 1967

OCT 5 1967

Dear Sir:

As citizens of the Back-Middle River complex we are appealing to you for assistance. We are constantly and forever being bombarded with new developments mainly gas stations, saloons, bill boards, local dumps, junk yards and road-side stands. The main artery to our community is Back River Neck Road notorious for its traffic and accidents. As homeowners, taxpayers and citizens of this community we are ever striving to clean up our area which has been degraded seemingly from the beginning of its inception.

We, the Turkey Point Improvement Association, are now presented with a local bill board problem. It seemed like such a small problem at its beginning. The area in question is on Back River Neck Road near Middleborough Rd. The owner of the Hyde Park Garage, Mr. Charles W. Heatler has been cited for zoning violations previously-- towing, junking and burning cars. He petitioned for a zoning change to allow two 12x20 illuminated billboards to be placed on his property. The zoning board rejected his request, however Mr. Heatler has appealed via the Donnelly Advertising Co. In so doing our association has been presented with a routine detailed form of which I am enclosing a copy.

We should have an attorney, expert witnesses as you can see from the form. In other words, people living, working,

playing, raising their families in this area have very little to say. We are not experts per se in any of the fields mentioned, we only live here.

Any assistance that you may give us with this matter would be greatly appreciated by not only members of our association, but the other associations in this area who have also shown interest in the zoning appeal process.

Dr. Mrs. Joseph S. Brodusnas

Members of the Board of Governors
Turkey Point Improvement Assoc.
871 Roselle Ave. Route 1
Baltimore, Md. 21221

1 sign

Appeal

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: Sept 27, 1967

Posted for: _____

Petitioner: Charles W. Heatler

Location of property: E/S Back River Neck Road 546' S.E. of Middleborough Road

Location of Signs: On front of garage on Back River Neck Road

Remarks: _____

Posted by: Muriel E. Buddemeier Signature Date of return: Sept 14, 1967

CHARLES W. HEATLER
(Donnelly Adv. Corp. of Md.,
Contract Lessee)

For SF for Advertising Structures

* COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Case No. 67-235-RX

STIPULATION

It is hereby stipulated by and between the applicant, through its counsel, David Ross, and the protestants, through their counsel, James Kardash, that the total available frontage between Middleborough Road and Truans Road on the northeast side of Back River Neck Road is approximately 1737 feet of which approximately 742 feet is improved with commercial uses, approximately 744 feet improved with dwelling uses and approximately 248 feet is unimproved and all of said frontage is zoned business roadside.

David Ross
Attorney for Donnelly Adv.
Corp. of Md., Applicant

James Kardash
Attorney for Protestants

FRANK B. GRIMES
JOHN W. WILLIAMS
WILLIAM A. GRIMES
1640 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202

OBER, WILLIAMS & GRIMES
ATTORNEYS AT LAW
1640 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202

August 16, 1967



Honorable John G. Rose
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception
E/S Back River Neck Road 546'
SE of Middleborough Road
15th District
Charles W. Heatler, Petitioner
NO. 67-235-X

Dear Mr. Commissioner:

We represent Donnelly Advertising Corporation of Maryland and in its behalf request you to enter an appeal to the County Board of Appeals from the order of Edward D. Hardesty, Deputy Zoning Commissioner, dated July 19, 1967 in the above entitled matter.

We are enclosing herewith check to the order of Baltimore County, Maryland, in the amount of \$75.00 to cover the cost of such appeal.

Very truly yours,

David Ross

DR/hh
Encl.

cc: W. B. Regan
430 Riverview Rd
Baltimore, Md. 21221

L. A. Sinclair
Box 662, Route 1
Baltimore, Md. 21221

Mr. William Walker
Donnelly Adv. Corp. of Md.
Baltimore, Md. 21211

October 16, 1968

Devis Ross, Esq.
1640 Maryland National Bank Bldg.
Baltimore, Maryland 21202

Re: File No. 67-235-X
Charles W. Heatler
(Donnelly Advertising Corp. of Maryland -
Contract Lessee)

Dear Mr. Ross:

Enclosed herewith is a copy of the Opinion and Order
passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Muriel E. Buddemeier

Encl.

cc: Jervis S. Finney, Esq.
James Kardash, Esq.
Mr. L. A. Sinclair
Mr. John G. Rose
Mr. Edward D. Hardesty
Mr. George E. Givrellis
Board of Education

Mr. John G. Rose, Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Rose:

I am in receipt of the letter written to you by Congressman Clarence Long dated October 5th and enclosures.

As you are no doubt aware, in order for the Board to determine the length of time for a hearing prior to the actual scheduling thereof we forward the attorney, or the party to the case if there is not an attorney, a form, a sample of which is enclosed, to try to determine the length of time for the hearing. We do not intend in any way to require them to hire expert witnesses unless they feel it is desirable.

Very truly yours,

William S. Goldwin, Chairman

WSB:ste

cc: Hon. Clarence D. Long

FRANK B. GRIMES
JOHN W. WILLIAMS
WILLIAM A. GRIMES
1640 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202

May 20, 1968

County Board of Appeals
Room 301
County Office Building
Towson, Maryland 21204

Re: Case No. 67-235-RX
Charles W. Heatler (Donnelly Adv.
Corp. of Md., Contract Lessee)
For Special Exception for
Advertising Structures
E/S Back River Neck Road 546' SE
of Middleborough Road
15th District

gentlemen:

I am filing herewith a stipulation between the parties to the above appeal regarding the item of the available frontage between Middleborough Road and Brown Road with respect to which the Board granted us the privilege of submitting further evidence.

Very truly yours,

David Ross

DR:ms
enclosure

cc: James Kardash, Esquire
Mr. W. B. Walker

Rec'd 9/2/68
4:30 a.m.

FRANK B. GRIMES
JOHN W. WILLIAMS
WILLIAM A. GRIMES
1640 MARYLAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202

October 17, 1968

County Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mrs. Muriel E. Buddemeier

Re: File No. 67-235-X
Charles W. Heatler
(Donnelly Advertising Corp.
of Maryland - Contract Lessee)

Gentlemen:

Thank you very much for your letter of October 16 addressed to David Ross, Esq. and for the copy which you sent to me. As you know, I have taken over this case since Judge Ross's appointment to the bench.

Very truly yours,

Jervis S. Finney

Jervis S. Finney

JSE:ppk

Rec'd 10/18/68
4:30 a.m.

7/24

Mrs. Rose, re stipulation in *Heater case*
I informed him that it was not in *light*

7/25

Mrs. Rose called again & said stipulation
was made in May. I requested that he send
a copy so that he said he would do.

PR.

DESCRIPTION OF PROPERTY:

Beginning at a point located 70 feet measured at right angles from a
point in the center line of Back River Neck Road and being 546 feet
southeasterly from the center line of Middleborough Road and Back River
Neck Road, thence running in a northeasterly direction 55 feet to a point,
thence northwesterly 12 feet to a point, thence southwesterly 55 feet to
a point, thence running in a southeasterly 12 feet to the point of
beginning.

7/7/68

67-235-RX
Chas W. Heater

✓ *Attorney's*
#1 *Chas W. Heater*
#2 *Chas W. Heater*

✓ *Attorney's*
A - *log of minutes of Assoc. 1/30/68*

MAKE BACK RIVER NECK SAFE ASSOCIATION, INC.
Executive Meeting - January 30, 1968

Meeting was called to order by our President, Mr.
Wittig, at 8.10 p.m. Ten members were present.

The situation concerning the large illuminated signs
at Hyde Park Garage was discussed, and it was the
unanimous agreement of the Executive Board that this be
strongly opposed.

It was moved by Mrs. De Forte that Mrs. Mae Heck,
Vice President of this Association, be given copies of
these minutes conveying the decision of the Executive
Board, made after careful review of all previous minutes
and discussions carried on concerning this problem; and
having obtained the opinions of other members and review-
ing the feelings of the membership and the Executive Board
during which investigation the opposition has been
apparent continually. Therefore, at the meeting held
this date - January 30, 1968 - this opposition is strongly
and definitely re-affirmed. Seconded and carried unanimously.

Mrs. Mae Heck, as representative of the Make Back
River Neck Safe Association, Inc., has been given authority
to present this motion, together with any other papers
which are relevant, in every instance pertaining to the
opposition of these signs.

Bileen L. De Forte
Recording Secretary

PETITION FOR SPECIAL EXEMPTION-15TH DISTRICT

ZONING. Petition for Special Exemption for Advertising Structures.
LOCATION: East side of Back River Neck Road 141 feet southeast of Middleborough Road.
DATE & TIME: Monday, May 13, 1967, at 10:00 A.M.
PUBLIC HEARING: Room 108 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The zoning Commissioner of Baltimore County, by authority of the zoning act and regulations of Baltimore County, will hold a public hearing.
Petition for Special Exemption for Two (2) 12' x 20' illuminated advertising structures.
All that parcel of land in the Fifteenth District of Baltimore County, beginning at a point located 70 feet measured at right angles from a point in the center line of Back River Neck Road and being 546 feet southeasterly from the center line of Middleborough Road and Back River Neck Road, thence running in a southeasterly direction 55 feet to a point, thence northwesterly 12 feet to a point, thence southwesterly 55 feet to a point, thence running in a southeasterly 12 feet to the point of beginning.

Being the property of Charles W. Heater as shown on plat given here to the zoning Department.
1967 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
By JOHN W. ROSE,
Zoning Commissioner of Baltimore County
May 11

DUPLICATE
CERTIFICATE OF PUBLICATION

TOWSON, MD. May 11, 1967.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 11th day of May, 1967, before the 27th day of May, 1967, the 11th day of May, 1967, appearing on the 11th day of May, 1967.

THE JEFFERSONIAN,
Dundalk, Md.
Manager.

Cost of Advertisement: \$.....

PETITION FOR SPECIAL EXEMPTION

15th DISTRICT
ZONING. Petition for Special Exemption for Advertising Structures.
LOCATION: East side of Back River Neck Road 506 feet south east of Middleborough Road.
DATE & TIME: Monday, May 13, 1967, at 10:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The zoning Commissioner of Baltimore County, by authority of the zoning act and regulations of Baltimore County, will hold a public hearing.
Petition for Special Exemption for Two (2) 12' x 20' illuminated advertising structures.
All that parcel of land in the Fifteenth District of Baltimore County, beginning at a point located 70 feet measured at right angles from a point in the center line of Back River Neck Road and being 546 feet southeasterly from the center line of Middleborough Road and Back River Neck Road, thence running in a southeasterly direction 55 feet to a point, thence northwesterly 12 feet to a point, thence southwesterly 55 feet to a point, thence running in a southeasterly 12 feet to the point of beginning.

Being the property of Charles W. Heater as shown on plat given here to the zoning Department.
1967 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
By JOHN W. ROSE,
Zoning Commissioner of Baltimore County
May 11

CERTIFICATE OF PUBLICATION

OFFICE OF
The Community Press

DUNDALK, MD., May 10, 1967

THIS IS TO CERTIFY, that the annexed advertisement of "Charles W. Heater"

was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive week before the 9th day of May 1967, that is to say, the same was inserted in the issues of 5-10-67

Stromberg Publications, Inc.

Publisher.

By Mrs. Palmer Price
Mrs. Palmer Price

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 5-11-67
Posted for Henry Thomas May 22, 1967 10:00 A.M.
Petitioner Charles W. Heater
Location of property 141 Back River Neck Rd. 546' SE of Middleborough Rd.
Location of Signs 2 on each side of road at intersection
Remarks (This was the only land shown to post the signs)
Posted by Robert Lee Paul Signature Date of return 5-18-67

