### PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, Arthur and Dords Arendt legal owner of the property situate in Balt ore County and which is described in the description and plat attached hereto and made a part hereof

hereby petition for a Variance from Section 413.le To permit (A) and (B) two D/F

signs, type #1, of 32 sq. ft. each and (C) one S/F sign, type #2, of

50 sc. ft. on barn and (D) one D/F sign, type #3, of 21 sc. ft. and (E) one 3/F sign, type #4, of 32 sq. ft. on log house, in lieu of the parmitted 15 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- wang reasons (monate maxump or practical namenus). Due to the fact that the Antique Flee Market will be open one day per month, six days per year, on different dates. The dates and location must be shown by sign to assure any degree of success for local people and those traveling long distances, not familiar
- To show the name of the Market is very important because we will be advertising in Local and National News and Trade papers. The Mason Dixon Village name should be readily reconsised.
- 5. The signs are aesthetically in harmony with the rolling countryside.

Property is to be posted and advertised as prescribed by Zoning Regulations.

1. or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of their thin, and further agree to and are to be bound by the zoning regulations and restrictions of the County adopted pursuant to the Zoning Law For Baltimore County.

Petitioner's Attorney

a Henra

Cother Church

Glenarm, Maryland 21057

Doris arena Legal Own

Address 13200 Manor Road

SEP 1.5 PA PM.

of September 19th that the subject matter of this partition by 1974 ... that the subject matter of this petition be advertised, as \_day of\_\_October , 197 4 at 10:00 o'clock

17th

DOLLENBERG BROTHERS Registered Professional Engineers & Land Surveyors

N O N

3280

324

TOWSON, MD. 21204

### ZONING DESCRIPTION

All those two pieces or parcels of land situate, lying and being in the Seventh Election District of Inltimore County and describes as follows to wit:

Seventh Election Discrete of mixtures county and describe as foliates to wit:

Brighting for the first thereof at a point in the center of the York Rand at the distance of 3000 feet northerly measured along the corter of the York Rand at the distance of 3000 feet anotherly measured along the corter of the York Rand from the center of the York Rand from the center of the York Rand Frank Understand the County of the York Rand Frank Understand the County of the York Rand Frank Understand Frank Und

Containing 4.33 Acres of land more or less.

Saving and excepting therefrom that portion lying within the right of way of the York Road.

RE: PETITION FOR VARIANCES PETITION FOR VARIANCES

E & W sides of York Road, 3280' & 3750'

N of Baltimore-Harrisburg Expressway,

7th Election District ARTHUR ARENDT, ex ux, Petitioners

: BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

AANON DIXON VILLAGE

ANTECHES

**NEXT EXIT-36** 

A-4

· Case No. 75-79-A (Item 32)

......

#### MEMORANDUM OPINION AND ORDER

The history of this case and its status before the Board is set forth in Paragraph 1 and 2 of the Stipulation of the parties previously filed. All parties having previously and the issues presented are interpretly a with no factual dete to be made, no further hearing is necessary and the Board will therefore close the record and rule on the basis of the Stipulation and the exhibits proffered by the Petitioner.

IT IS, THEREFORE, this 19 day of April, 1977, by the County Board of Appeals for Baltimore County, ORDERED:

- 1. That the plat of the Petitioner's property prepared by Dollenberg Brothers, Surveyors and Engineers, with revision date of June 8, 1973, be accepted as "Petitioner's Fyhihit No. 1."
- 2. That the rendering of a proposed sign, prepared by Petitioner, be accepted as "Petitioner's Exhibit No. 2."
  - 3. That the Stipulation prepared and submitted by the Parties is accepted.
- 4. That the Board finds the Baltimore County Zoning Regulations (Section 413.1 at seq.), as applicable to this case are as follows
  - a. That the Petitioners are entitled to erect and maintain one double faced sign not exceeding 32 square feet in area per face at the location indicated as " A " on the plat marked, "Petitioner's Exhibit 1," which said sign may include in addition to identification of the premises information pertaining to forthcoming flea marke

b. That the Petitioners are entitled to erect and maintain one additional double-faced sign not exceeding 21 square feet per face in area at the location indicated as "0 " on the said plat marked, "Petitioner's Exhibit 1," which said sign may display only directional information (a term which does not include wording which advertises to or information the public of forthcoming events scheduled on the premises or any wording other than that identifying the premises and suggesting the appropriate exit from Interstate Highway 83 from which a motorist might reach the premises), to be erected and maintained in substantial accordance with the rendering which is marked, "Potitioner's Exhibit 2,"

-2-

- c. That the Petitioner is not entitled to place, erect, affix or otherwise maintain any other roadside signs or signs visible from a public roadway on or about the premises here involved.
- 5. That because in accordance with this finding, no variances from the Regulations are necessary, that portion of the Zoning Commissioner's Order of April 23, 1975, granting such variances is reversed, and the variances sought therein be and they are hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 through B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

Idaser a Dais

RE: PETITION FOR VARIANCES \* E & W sides of York Road, 3280' & 3750' N of Baltimore

NO. 75-79-A (Item No. 32)

BEFORE THE ZONING COMMISSIONER

Harrisburg Expressway -7th Election District OF Arthur Arendt, et ux -

BALTIMORE COUNTY

#### ORDER FOR APPEAL

Mr. Commissioner

Please note an Appeal from your decision in the case of Arthur Arendt, et ux, on April 23, 1975, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing

> John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494-3212

I HEREBY CERTIFY That a copy of the foregoing Order for Appeal was mailed this 3 day of May, 1975, to Arthur and Doris Arendt, 13200 Manor Road, Glenarm, Maryland 2057, Legal Owners

John W. Hessian III



## BALTMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date October 7, 1974

PROM William D. Fromm, Director of Planning

SUBJECT Perition #75-79-A. East and West sides of York Road 3280 feet and 3750 feet North of Baltimore-Harrisburg

HEARING: Thursday, October 17, 1974 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

The granting of these requested variances will establish a series of signs in a serene rural landscape devoid of billboards and signs visible from I-83.

These signs, in the staff's opinion, are not compatible with the chara-

It is our opinion that the sign standards in the Baltimore County Zoning Regulations were intended in part to prevent conditions of this nature - and we believe that if all signs in Baltimore County met these standards, conditions might well be significantly better than they are. For this reason we feel that the standard should be strictly adhered to except in that rare case wherein the petitioners can show avariance were fixed by our presentation of the petitioners and the warrance were considered to the granting of the petitioner's request unless such a shoring is made.

William phromm



RF. PETITION FOR VARIANCES E & W sides of York Road, 3280' & 3750' N of Beltimore-Harrisburg Expressway, 7th Election District

: BEFORE THE COUNTY BOARD OF APPEALS

FOR BALTIMORE COUNTY

ARTHUR ARENDT, et us. Petitionen

: Case No. 75-79-A (Item 32)

#### ..... STIPULATION

1. That the County Board of Appeals presently has jurisdiction in this matter by virtue of an Appeal filed by the People's Counsel for Baltimore County from an Order passed herein by the Zoning Commissioner of Baltimore County on April 23, 1975.

- 2. That although the matter was assigned for hearing before the Board on May 18, 1976, and the Board was prepared to convene and proceed with the hearing, it delayed so doing at the request of the parties who were then in consultation with members of the Planning Staff attempting to discern from among the conflicting regulations pertaining to signs the proper interpretation thereof as they might apply to the circumstances conflicable to the particular case.
- 3. That after review of the provisions of the Baltimore County Zoning Regulations pertaining to the erection and maintenance of signs, and after consultation with the Legislative Assistant in the Department of Planning and Zoning, the parties have reached a conclusion and resultant stipulation of the proper application of said Regulations as they pertain to the specific use or activity presently being conducted by the Petitioners at the particular location involved.
  - 4. The stipulation is as follows
  - a. That the Petitianers are entitled to erect and maintain one doublefaced sign not exceeding 32 square feet in area per face at the location indicated as " on the plat marked, "Petitioner's Exhibit 1," which said sign mar include in addition to identifica-Non of the premises information pertaining to forthcomi. g flea

double-faced sign not exceeding 21 square feet per face in area at the location indicated as "O" on the said plat marked, "Petitioner's Exhibit 1," which said sign may display only directional information (a term which does not include wording which advertises to ar inform the public of forthcoming events scheduled on the premises or any wording other than that identifying the premises and supposting the riate exi' from Interstate Highway 83 from which a motorist might reach the premises), to be erected and maintained in substantial co with the rendering which is marked. "Patitioner's Exhibit 2."

b. That the Patitioners are entitled to exact and maintain one additional

- c. That the Petitioner is not entitled to place, erect, affix or otherwise maintain any other roadside signs or signs visible from a public roadway on or about the averless here involved.
- 5. That the parties jointly request the Board to accept this stipulation as and fo act construction of the regulations applicable to the present case and by ! is Order adopt said construction to finally determine Petitioners' rights under said regulations, and then dismiss the said case for the reason that the variances sough

5

RE PETITION FOR VARIANCES E & W sides of York Road, 3280' & 3750' N of Baltimore-Harrisburg Expressway 7th Election District Arthur Arendt, et ux - Pet! NO, 75-79-A (Item No. 32)

REFORE THE ZONING COMMISSIONED OF

BALTIMORE CO NTY

... ... ...

The Petitioners request Variances from Section 413. le. of the Baltinore County Zoning Regulations to permit two, Type No. 1, double faced signs, herein known as signs "A" and "B", of 32 square feet each; one. Type No. ?, single faced sign, herein known as sign "C", of 50 square feet, to be placed on the barn; one, Type No. 3, double faced sign, herein known as sign "D", of 21 square feet; and one, Type No. 4, single faced sign, becein known is sign "E", of 32 square feet, to be placed on the log house, all in lieu of the required 15 feet, as indicated on the plat submitted with reference to these proceedings. Said property is located on the east and west sides of York Road 3280 feet and 3750 feet north of the Baltimore-Harrisburg Expressway, in the Seventh Election District of Baltimore County

It should be noted, at this time, that said property was the subject of a request for a Special Exception for an antique shop and flea market, Case No. 74-36-X. Said Special Exception was granted on September 13, 1973, by Mr. James E. Dyer, Deputy Zoning Commissioner, subject to restrictions. At hat time, no Variance requests were made

The Petitioners indicated that the Flea Market would be open a total of x days per year. They felt that the dates must be shown on the signs in order to assure any degree of success for local people and those traveling long dises, not familiar with the area.

No evidence was offered with reference to practical difficulty or unrea sonable hardship, other than the fact that the signs need to be of a certain size and strategically placed so that the traveling public not fam-ter with the area could have some sort of directional information

In weighing the equities of the request made by the Petitioners, it is the opinion of the Zoning Commissioner that, as the subject property lies in a very rural atmosphere and adjoins the Harrisburg Expressway, it should be afforded certain Variances as requested, in order to give direction to the use on the subject property

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23 day of April, 1975, that the Variances to permit one double faced sign of 32 square feet in lieu of the required 15 feet, sign "B", to be both a permanent directional sign and a temporary sign, advertising the six flea market events; and one double faced sign of 21 square feet in lieu of the required 15 square feet, sign "D", to be a permanent directional sign and/or a temporary sign giving the times and dates of the flea market events, should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Depart ment of Public Works, and the Office of Planning and Zoning

It is further ORDEFED that the requested Variances to permit one double faced sign of 32 square feet, sign "A"; one single faced sign of 50 feet, rign "C"; and one single faced sign of 32 square feet, sign "E", all in lieu of the required 15 feet, be and the same are hereby DENIED

Zoning Commissioner

#### April 23, 1975

Door Mr. & Mrs. Arendi

E. BRIC DE NEUMA

PETITION MAPPING PROGRESS SHEET FUNCTION Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA Reviewed by: FTH Revised Plans: Change in outline or description \_\_\_\_Yes Previous case: Map #

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenu Towson, Maryland 21204

Your Petition has been received \* this\_

Reviewed by FT Petitioner's Attorney \_\_\_

This is not to be interpreted as acceptance of the Petiticn for assignment of a hearing date.

# CERTIFICATE OF PUBLICATION

ō	
ì	TOWSON, MD Jertenn vc. 26
į	THIS IS TO CERTIFY, that the annexed advertisement wa
	published in THE JEFFERSONIAN, a weekly newspaper printer
	and published in Towson, Baltimore County, Md., onmoterese
	of one line successive weeks before the Lit
	day of folioner
0	appearing on the

Cost of Advertis



MEMBERS

DELARTHENT OF TRAFFIC PUBLISHERS STATE HIGHNAY

BUREAU OF ENGINEERING PROJECT AND DEVELOPMENT PLANNING

September 16, 1974

Mr. Arthur Arendt 13200 Manor Road Glenarm, Maryland 21057

'RE: Variance Petition Item 32 Arthur & Doris Arendt - Petitioners

Dear Mr. Arendt:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but appropriateness of the zoning action requested, but the control of the zero of the zer

The subject property is located or the east and west sides of York Road, approximately 3800 feet north of the Baltimore Harrisburg Expressway, the westernoor parcel is presently under County. The westernoor parcel is presently under the and the eastern parcel is improved with a large barn, two dwellings, and a shed. The projecties are surrounded with large acreage farm parcels on all sides and the Baltimore Harrisburg Expressway shuts the seatern parcel on its castern side.

This property was the subject of a previous soning hearing (Case No.74-36X), which granted both properties a Special Exception for use as an antique shop and flee market.

The petitioner is now requesting variances to permit five assorted signs both attached to existing

Mr. Arthur Arendt Re: Item 32 Page 2

September 16, 1974

structures and free standing, all to exceed the permitted 15 square feet.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than Jo, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JAMES B. BYRNES,III Chairman, Zoning Advisory Committee

JBB:JD

cc: Dolenberg Brothers 709 Washington Avenue at York Road Towson, Maryland 21204

# Maryland Department of Transportation

Bernard M. Evans

August 9, 1974

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21204

ITEH 32
Re: Z.A.C. Meeting
August 6, 1974
Property Owner: A, thur & Doris Arendt
Location: Parcel 1-W/S York Road (Route 45)
Proposed Zening: Variance from
Sec. 413.1a to Permit("A) and "8")
2 0/F signs, type #1, of 25 sq. ft.
each and (c) one 5/F sign, Type #3,
of 21 sq. ft. and loghouse, in
lieu of the permitted 15 sq. ft.
No. of Acres Parcel 1-7.91
Parcel 2-4.33
District: 7th. (Route 45)

Dear Mr. GiNenna

An inspection at the subject site revealed that the entrinces are substandard for commercial use. They must be widened and paved in accordance with State Mighway Administration standards and specifications. The construction must be done under permit from the Administration.

The 1973 average daily traffic county on this section of York Road

Very truly yours,

Charles Lee, Ch et Bureau of Engineering Access Permits

by: John E. Meyer:

CL: JEM: bk

# Baltimore County Fire Department



Towson Maryland 21204

021-7310

Office of Planning and Dning Baltimore County Office Building Towson, Haryland 21204

Zoning Advisory Conmittee

Re: Property Wher: Asimis t We in Leavis

Location: Darmel 1-4/7 York to at 12% V v of Salto-Harr styre Sxr.

Zoning Agenda top ... Itom No. 32

Pursuant t jour request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and requires to be corrected or incorporated into the final plens for the property.

Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.
( ) 3. The vehicle doad-end condition shown at

FECERDS the maximum allowed by the Fire Department.

E. Bester and the maximum allowed by the Pire Department.
 L. The site shall be made to comply with all applicable parts of the state shall be made to comply with the property of the parts of the parts of the building and structures and the processing of processing the parts of the parts of

( ) 6. Site plans are approved as trawn.

( ) /. The Fire Prevention Bureau has no comments at this time.

Noted and Frank 7

Planming Group Special Inspection Division Deputy Chief Fire Prevention Sureau

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

JEFFERSON BUILDING

August 9, 1974

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on Item 32, Zoning Advisory Committee Newting, August 6, 1974, are as follows:

Property Owner Arthur & Doris Arendt
Location: Parveil 1 - W/S vors for J280' N of Balto Marrisavar Esp.
Parcel 2 - E/S vork 2d. J750' N of Balto Harrisburg Esp.
Existing Zoning: NDP
Proposed Zoning: VARIANCE from Sec. 413.ie. to permit (A)
and (B) two D/F Sin-a, type fl. of v1 ac
to see the second of the

No. of Acres: Parcel 1 - 37.91 Parcel 2 - 4.33 District: 7th

Comments: Since this variance is for a sign, no health hazard is anticipated.

Very 'ral'y yours,

Thomas . Devlin. Director BUREAU OF PRVIRONMENIAL SERVICES

PHVB/n

BALTIMORE COUNTY OFFICE OF PLANNING AND SOWING County Office Suilding 111 W. Chesapeake Avenue Towson, Earyland 2121\* for filing this

Baltimore County, Maryland Benartment Of Bublic Borks

COUNTY OFFICE BUILDING

Bress of September ELLOWORTH M. DIVER. P. E. CHIE

August '1, 1974

M . S. Eric DiNenna Zuning Commissioner County Office Building Towson, Maryland 2120

Be: Item #32 (197h-1975)
Property Creme: Arthur & Doris Arendt
Parcell 1 - M/S York Ed., 3280' %, of Balto-Harr sburg Exp.
Parcel 2 - M/S York Ed., 3750' %, of Balto-Harr sburg Exp.
Existing Zoning: R.Dr., Brown Seo, bill, le to permit
(A) and (3) two D/T signs, type #1, of 12 eq. ft. each
and (C) one 3/F sign, type #2, of 50 eq. ft. on barn
and (D) one 1/F sign, type #3, of 21 eq. ft. and (E)
one 5/F sign, type #4, of 32 eq. ft. on logbouse, in
lieu of the permitted 15 eq. ft.
No. of Acres: Parcell - 21.91 District: /th
Parcell 2 - 1,23

Dear Mr. DiNenna-

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

The comments supplied by the Zoning Advisory Committee for this site in connection with Iram #216 (1972-1973) remain walld and applicable to this item #32 (1978-1975); those comments are referred to for your consideration.

Elleworth N. Sice fort

END: EAM: FNP: SE

KK-NE Key Sheet 134, 135, 136 NW 6, 7 & 8 "os. Sheets NW 34 & 15 9 Topo

# BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND - 21204

Date: August 6, 1974

Mr. Eric DiNenna Zoning Commissioner Balto. County Office Building Towson, Maryland 21204

Z.A.C.Meeting of: August 6, 1974

Ret Item 32

Property Owner: Arthur & Dorls Arendt

Location: Parcel I - W/S

Parcel I - W/S York Rd. 3280' N. of Balto-Harrisburg Expressway.

Parcel 2 - E/S York Rd. 3750' N, of Balto-Harrisburg

Present Zonlag: R.D.P.

Proposed Zoning: Variance from Section 413.1e/ to permit (A) and (B) two D/F Signs, type #1 of 32 sg. ft. each and (C)

two D/F Signs, type #1 of 32 sq. ft. each and (C) one S/F sign, type #2 of 50 sq. ft. on barn and (D) one D/F sign, type #3 of 21 sq. ft. and (E) one S/F sign, type #4 of 32 sq. ft. on loghouse, in lieu of

the permitted 15 sq. ft.

No. Acres: Parcel 1 - 37.91

Parcel 2 - 4.33

District: 7tt

Dear Mr. DINenna

No bearing on student population.

WNP/ml

W. Nick Petrovich., Field Representative.

H. EMSLIE PARKE, PRESIDENT EUDENE C. HESS, VILL PRESIDENT MRS. ROBERT L. BERNEY MARGUS M. SDYSARIS JOSEPH N. MEGGWAN ALVIN LORECK T. BAYARD WILLIAMS, JR. RICHARD W. TRACE /, V.M.O. MRS. RICHARD K, WUERFEL WILLIAM D. FROMM

S. ERIC DINENNA



Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Di Nenna:

Comments on Item #31-A, Zoning Advisory Committee Meeting, August 6, 1974, are as follows:

Property Owner: Arthur and Daris Arendt Location: Parcel 11-W/S York Rood 3290' N of Balto. Harrisburg Exp. Parcel 2 2-E/S York Rood 3750' N of Balto. Harrisburg Exp. Existing Zoning: R.D.P. Proposed Zoning: Varions from Ser. 413, le to Parvit (A) and (B) top D/E Sign

Proposed Zoning: Variance from Sec. 413.1e to Permit (A) and (8) two D/F Signs, type \*1, of 32 sq ft. each and (C) one S/F sign, tyme \*2, of 50 sq. ft. on born and (D) one D/F sign, type \*3, of 21 sq. ft. and (E) one S/F sign, type \*4, of 32 sq. ft. on loghouse, in lieu of the permitted 15 sq. ft.

No. of Acres: Parcel 1 - 37.91 Parcel 2 - 4.33 District: 7th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that oll parties are made aware of plans or problems with regard to development plans that may have a beginning in this petition.

This plan has been reviewed and there are no site-pignning factors requiring comment

Very ruly yours,

John L. Wimbley Planning Specialist II

Projec and Developmen Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MARYLAND



### DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD. P.E.

WM. T. MELZER

September 27, 1974

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson. Maryland 21204

Re: Item 32 - ZAC - August 6, 1974
Property Owner: Asthur & Do.is Arendt
Location: Pa cel LW/S Vor Rd, 3280' N of BaltoHarrisburg Expey,
Parcel 2-E/S York Rd, 3750' N of BaltoHarrisburg Expey,

No. of Acres: Parcel 1-3791 Parcel 2-4,33

Dear Mr. DiNenna

The subject petition seems to have no traffic pro-

Very truly yours,

Michael S. Flanigan
Traffic Engineer Asso.

MSF/1h



