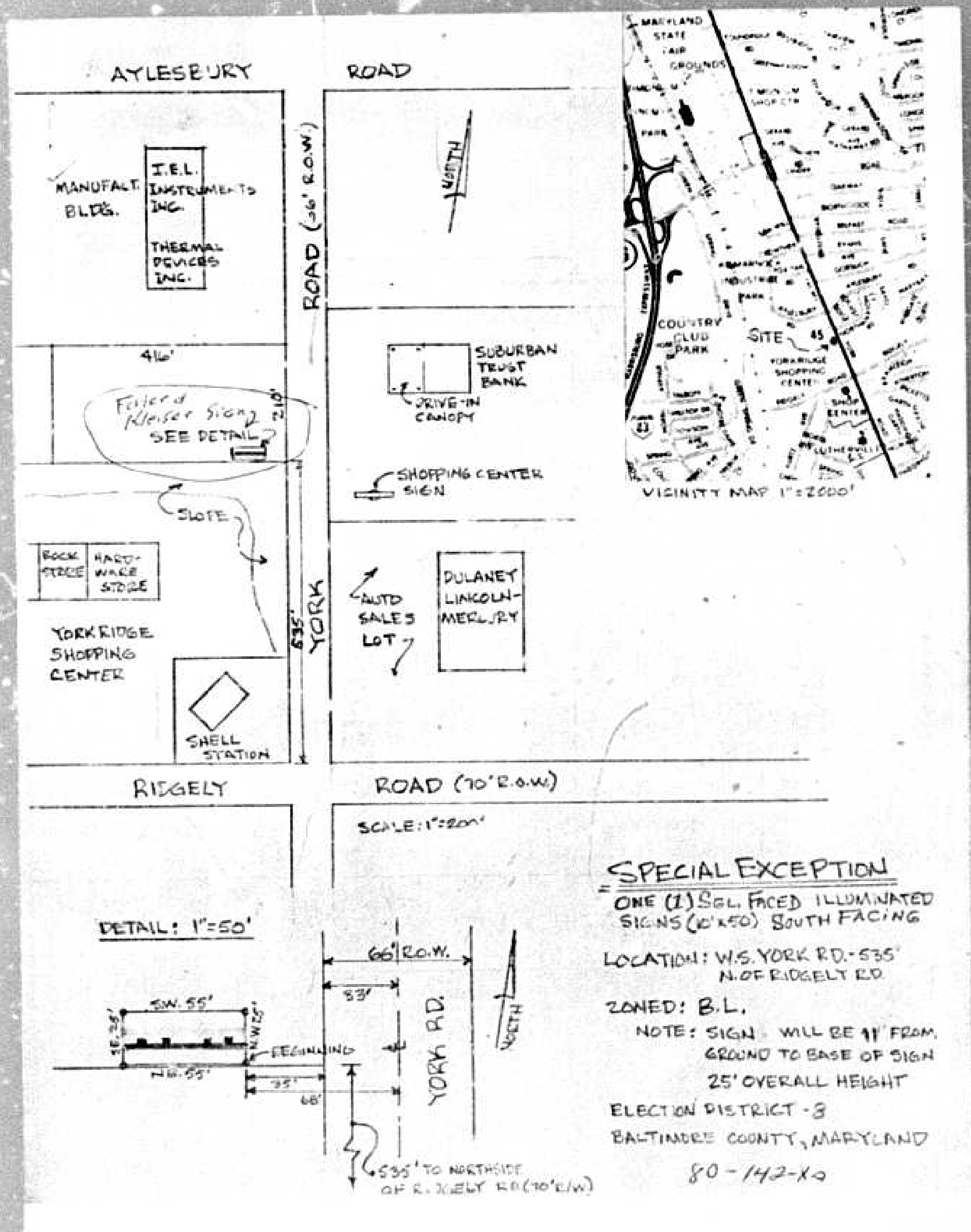




80-142-XA



80-142-XA

# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Ridgely Realty Co., Inc., legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.3a to allow a double-face custom built sign of 500 square feet in lieu of the permitted single face unit only.

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

We suggest that it would be in the public interest to avoid the blank side of the sign being exposed.

Property is to be posted and advertised as prescribed by Zoning Regulations. Lessee agrees to pay expenses of above Variance 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.

DATE March 1980  
Address 3001 Remington Avenue  
Baltimore, Maryland 21211  
Petitioner's Attorney John W. Hessian, III  
Protestant's Attorney John W. Hessian, III

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of December, 1979, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of January, 1980 at 9:30 o'clock A.M.

(over)

## PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Ridgely Realty Company, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a reclassification and/or Special Exception pursuant to the Zoning Law of Baltimore County, from an unclassified zone to zone to zone for the following reason:

and/or for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for double face custom built illuminated advertising structure of 500 square feet

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.

DATE March 1980  
Address 3001 Remington Ave  
Baltimore, Md. 21211  
Petitioner's Attorney John W. Hessian, III  
Protestant's Attorney John W. Hessian, III

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of December, 1979, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of January, 1980 at 9:30 o'clock A.M.

(over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCE :  
W/S of York Rd., 535' :  
N of Ridgely Rd., 14th District : OF BALTIMORE COUNTY

RIDGELY REALTY CO., INC., : Case No. 80-142-XA  
Petitioner :

### ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated the afore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Deputy People's Counsel

John W. Hessian, III  
People's Counsel for Baltimore County  
County Office Building  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 7th day of January, 1980, a copy of the foregoing Order was mailed to Mr. Milton Schwab, President, Ridgely Realty Company, Inc., 910 Reisterstown Road, Baltimore, Maryland 21208, Petitioner; and Foster & Kleiser, 3001 Remington Avenue, Baltimore, Maryland 21211, Attention: W. R. Walker, Contract Lessee.

John W. Hessian, III

494-3180

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204

April 25, 1980

### NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-142-XA

RIDGELY REALTY CO., INC.

SE-for double-face advertising structure  
/or, -for double-face sign

W/S York Rd., 535' N of Ridgely Road  
8th District

3/5/80 - ZC (Hammond) DENIED Special  
Exception and Variance

THURSDAY, JUNE 12, 1980, at 10 a.m.

ASSIGNED FOR:

cc: Ira C. Cooke, Esq.

Ridgely Realty Co., Inc.

Foster & Kleiser

Mr. W. J. Katsafanas

John W. Hessian, Esq.

J. E. Dyer

W. Hammond

Counsel for Petitioner

Petitioner

Lessee

Protestant

People's Counsel

Zoning Office

" "

June Holmen, Secy.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE  
for double-face advertising : ZONING COMMISSIONER  
structure and Variance for : OF BALTIMORE COUNTY  
double-face sign :  
West side of York Road, :  
535 feet North of Ridgely Road : NO. 80-142-XA

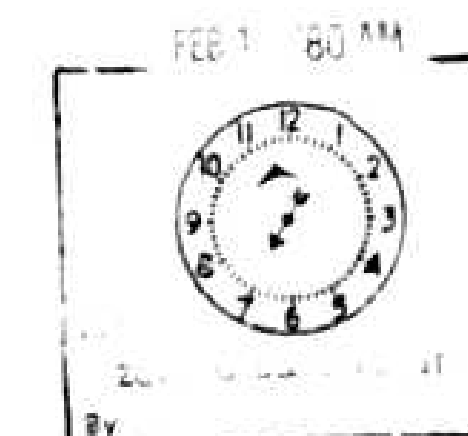
### WITHDRAWAL OF APPEARANCE

Please withdraw and strike my appearance in this matter, having unchanged the appearance of Ira C. Cooke for the Petitioner.

Ira C. Cooke  
M. ALBERT FIGINSKI

MELNICOFF, KAUFMAN & WEINER, P.A.  
36 South Charles Street, Suite 600  
Baltimore, Maryland 21201  
(301) 332-8500

Attorneys for the Petitioner.

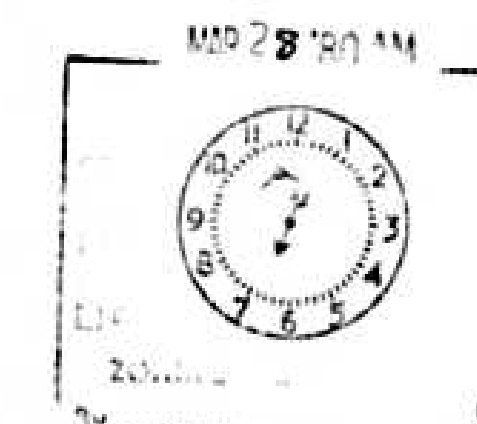


RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE  
for double-face advertising : ZONING COMMISSIONER  
structure and Variance for : OF BALTIMORE COUNTY  
double-face sign :  
West side of York Road, :  
535 feet North of Ridgely Road : NO. 80-142-XA

### NOTICE OF APPEAL

Mr. Commissioners:

On behalf of the Petitioner, Ridgely Realty Company, Inc., please enter an appeal in the above-captioned matter to the County Board of Appeals from the Order dated March 5, 1980, denying the requested Special Exception for (one) 1 double-face custom built illuminated Advertising Structure of 500 square feet on the subject tract.



### CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 27th day of March, 1980, a copy of the Notice of Appeal was mailed, postage prepaid, to Mr. William J. Katsafanas, 211 Medbury Road, Timonium, MD 21093 and John W. Hessian, III, Esquire, People's Counsel, 102 West Pennsylvania Avenue, Towson, Maryland 21204.

Ira C. Cooke  
IRA C. COOKE

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE  
for double-face advertising : ZONING COMMISSIONER  
structure and Variance for : OF BALTIMORE COUNTY  
double-face sign :  
West side of York Road, :  
535 feet North of Ridgely Road : NO. 80-142-XA

### ENTRY OF APPEARANCE

Please enter our appearance as counsel for Petitioner.

M. Albert Figinski  
M. ALBERT FIGINSKI  
Ira C. Cooke  
IRA C. COOKE

MELNICOFF, KAUFMAN & WEINER, P.A.  
36 South Charles Street-Suite 600  
Baltimore, Maryland 21201  
(301) 332-8500

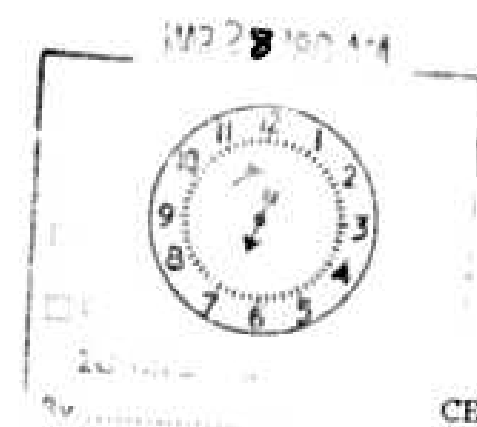
Attorneys for the Petitioner.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE  
for double-face advertising : ZONING COMMISSIONER  
structure and Variance for : OF BALTIMORE COUNTY  
double-face sign :  
West side of York Road, :  
535 feet North of Ridgely Road : NO. 80-142-XA

### NOTICE OF APPEAL

Mr. Commissioners:

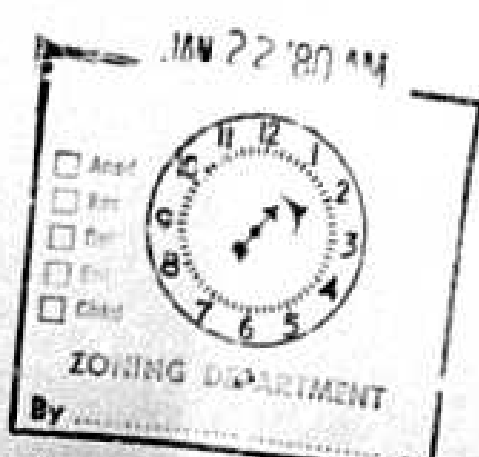
On behalf of the Petitioner, Ridgely Realty Company, Inc., please enter an appeal in the above-captioned matter to the County Board of Appeals from the Order dated March 5, 1980, denying the requested Special Exception for (one) 1 double-face custom built illuminated Advertising Structure of 500 square feet on the subject tract.



### CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 27th day of March, 1980, a copy of the Notice of Appeal was mailed, postage prepaid, to Mr. William J. Katsafanas, 211 Medbury Road, Timonium, MD 21093 and John W. Hessian, III, Esquire, People's Counsel, 102 West Pennsylvania Avenue, Towson, Maryland 21204.

Ira C. Cooke  
IRA C. COOKE



APR 29 1980

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s), the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to meet the requirements of Section 413.3a. of the Baltimore County Zoning Regulations and by reason of the denial of the Petition for Special Exception, the Variance to permit a double face custom built sign of 500 square feet in lieu of the permitted single face unit should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of March, 1980, that the herein Petition for Variance to permit double face custom built sign of 500 square feet in lieu of the permitted single face unit be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : IN THE CIRCUIT COURT  
for double-face advertising structure :  
and VARIANCE from Section 413.3a :  
of the Baltimore County :  
Zoning Regulations :  
W/S York Road 535' :  
N. of Ridgely Road :  
8th District :  
Misc. 12/355/7305  
Ridgely Realty Co., Inc. :  
Petitioner :  
Zoning File No. 80-142-XA :

#### ANSWER TO PETITION FOR APPEAL

John W. Hession, III, People's Counsel for Baltimore County, Appellee, answers the Petition for Appeal filed in the above-entitled case as follows:

1. Appellee admits Paragraphs 1 through 4 of the Petition.
2. With reference to Paragraph 5 of the Petition, Appellee admits that the Board of Appeals for Baltimore County on September 3, 1980, denied the Special Exception request, and further states that the Opinion of the Board of Appeals speaks for itself as to the grounds there stated.
3. Appellee denies the allegations of Paragraphs 6 through 8 of the Petition.
4. In further answering, Appellee states that the record contains substantial and probative evidence to support the decision of the County Board of Appeals. It is fairly debatable upon the record that the proposed sign was out of character with the neighborhood, involved significant creation of traffic hazard, and was generally inconsistent with the public safety, health, and welfare.
5. Under these circumstances, the Court may not substitute its judgment for the administrative body entrusted to review and decide zoning petitions. It is necessary merely that the decision be a reasonable one, and not necessarily the "right" one, in order for the Court to affirm.
6. The Complaint of the Appellant, both in its petition and in its memorandum, amounts in substance to no more than an argument that the Board of Appeals did not make the "right" decision. Since the Court, upon appeal from an administrative decision, is not a forum for repetition of debate over "rightness," the decision of the Board of Appeals must be affirmed.

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 \_\_\_\_\_ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, that the herein described property or area should be and the same is hereby reclassified; from a \_\_\_\_\_ zone to a \_\_\_\_\_ zone, and/or a Special Exception for a \_\_\_\_\_ 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 and failure to show practical difficulty and/or unreasonable hardship, the Special Exception for a double face custom built illuminated advertising structure of 500 square feet should not be granted. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of March, 1980, that the herein Petition for Special Exception for a double face custom built illuminated advertising structure of 500 square feet be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE \_\_\_\_\_ BY \_\_\_\_\_

WHEREFORE, Appellee prays that the Petition for Appeal filed in the above-entitled case be denied and that the Order of the County Board of Appeals dated September 3, 1980 be affirmed.

John W. Hession, III  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that a copy of the foregoing Answer to Petition for Appeal was mailed this \_\_\_\_\_ day of \_\_\_\_\_, 1980, to Ira C. Cooke, Esquire, and Melnicove, Kaufman & Weiner, P. A., 36 S. Charles Street, 6th Floor, Baltimore, Maryland 21201, Attorney for the Petitioner.

Peter Max Zimmerman

RECEIVED  
BALTIMORE COUNTY  
COURT HOUSE  
OCT 31 11:41 AM '80  
COUNTY CLERK  
BY \_\_\_\_\_

RE: PETITION FOR SPECIAL EXCEPTION : IN THE  
for double face advertising structure : CIRCUIT COURT  
of 500 sq. ft., and :  
PETITION FOR VARIANCE :  
from Sec. 413.3a to allow a double-face : FOR  
sign of 500 sq. ft. : BALTIMORE COUNTY  
West side of York Road, 535' north of :  
Ridgely Road : AT LAW  
8th District :  
Ridgely Realty Co., Inc., : Misc. Docket No. 12  
Petitioner-Appellant : Folio No. 355  
Zoning File #80-142-XA : File No. 7305

#### CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

#### TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Walter A. Reiter, Jr., William T. Hockett, and Patricia Millhouser, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

#### ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

#### No. 80-142-XA

December 4, 1979 Petitions of Ridgely Realty Co., Inc., for special exception for double face advertising structure of 500 sq. ft. and variance from Sec. 413.3a to allow a double-face sign of 500 sq. ft., on property located on the west side of York Road, 535' north of Ridgely Road, 8th District - filed  
December 4, 1979 Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for January 24, 1980, at 10:30 a.m.  
January 7, 1980 Certificate of posting of property - filed  
January 10, 1980 Certificate of publication in newspaper - filed

IN THE MATTER OF THE APPLICATION OF RIDGELY REALTY, INC. : IN THE  
FOR REZONING OF WEST SIDE OF : CIRCUIT COURT  
YORK ROAD - 535 FEET NORTH OF :  
RIDGELY ROAD - 8th ELECTION : FOR  
DISTRICT : BALTIMORE COUNTY  
Misc. Docket: 12  
Folio: 355, File: 7305

#### SUPPLEMENTAL MEMORANDUM IN SUPPORT OF APPELLANT'S APPEAL

The sign at issue in the instant case does not present either a menace or an endangerment to the public health, security, and/or general welfare of the community. This view is clearly and unequivocally supported by the testimony of Mr. Wilbur R. Walker before the Board of Appeals. Trial Testimony, June 12, 1980, at 13. Mr. Walker was qualified and recognized by both the Zoning Commissioner and the County Board of Appeals and by the parties herein as an expert in the field of outdoor advertising, especially billboard sign advertising. Mr. Walker agreed with the Baltimore County Zoning Planning Advisory Committee report that the sign in question would not present any traffic problems in the area. Id. Moreover, the sign would not create any congestion in roads, streets, or alleys. Id. Further, the sign would "in no respect" interfere with adequate provisions for schools, parks, water, sewage, transportation, or other public requirements, conveniences, or improvements. Id. at 14. The erection of the sign will cause no over crowding of land nor any undue concentration of population. Id. The sign would not create potential hazards for fire, panic, or other dangers. Id. In Mr. Walker's professional opinion, the sign would not in any way interfere with adequate light and air. Id. Neither would the sign be an

Ridgely Realty Co., Inc.  
Zoning File #80-142-XA

January 10, 1980 Comments of Baltimore County Zoning Plans Advisory Committee - filed  
" 10, 1980 Comments of Baltimore County Director of Planning - filed  
January 24, 1980 At 9:30 a.m. hearing held on petitions by Zoning Commissioner  
March 5, 1980 Order of Zoning Commissioner denying special exception and variance  
March 28, 1980 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner  
June 12, 1980 Hearing on appeal before County Board of Appeals  
September 3, 1980 Order of County Board of Appeals denying special exception and variance  
October 3, 1980 Order for Appeal filed in the Circuit Court for Baltimore County by Ira C. Cooke, Esq., on behalf of Petitioner  
" 3, 1980 Petition to accompany Order for Appeal filed in the Circuit Court for Baltimore County  
October 7, 1980 Certificate of Notice sent to all interested parties  
November 3, 1980 Transcript of testimony filed - 1 volume  
Petitioner's Exhibit No. 1a & 1b - Pictures  
" " 2 - Sketch and site plan of area  
November 3, 1980 Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations, together with the zoning use district maps at the hearing on these petitions, or whenever directed to do so by this Court.

Respectfully submitted,

John W. Hession, III  
People's Counsel for Baltimore County

Ira C. Cooke, Esq.  
John W. Hession, Esq.

interruption of any persons' view of the area. Id. at 12. In his testimony Mr. Walker further stated that he was cognizant that the County had concluded that there would be no health hazards presented by the erection of the sign. Further, Mr. Walker stated that the alleged presence of residences in the area is not considered to have any relevancy pursuant to the request for Special Exception, the hearing, or the Zoning Department as far as what is required pursuant to making a judgment in this matter.

The Baltimore County Department Director of the Office of Planning and Zoning, Mr. Norman Gerber, admitted that he only knew of residentially appearing "residences". He had no knowledge of whether the buildings alleged to be residences were actually used as residences. Id. at 37-38. He further admitted that there was no resident opposition to the placement of a billboard articulated at the hearing before the County Board of Appeals. Id. at 40. Although concerned about the visual impact of the billboard, he admitted that such concern was aesthetic only, and he was not sure of the exact distance between the billboard and any offices or residences in the area, nor of the exact distance at which the sign would be visible. Not only is his testimony insufficient to justify a finding that the sign would menace and endanger the public health, security, general welfare and morals, but the testimony of Mr. Walker would appear to mandate the grant of the Special Exception. Clearly, there was not substantial evidence upon which the Board could have made its findings. The Board's decision was arbitrary and capricious and should be overturned.

We are concerned that this sign will be -- provide a detrimental effect to that because it will then visually bring the encroachment of commercial development into that strip and make it less desirable from

PETITION FOR SPECIAL EXCEPTION  
for double-face advertising structure,  
and VARIANCE from Section 413.3a  
of the Baltimore County  
Zoning Regulations  
W/S York Road 535'  
N. of Ridgely Road  
8th District  
Ridgely Realty Co., Inc.  
Petitioner  
Zoning File No. 80-142-XA

\*\*\*\*\*  
OPINION AND ORDER

The Petition of Ridgely Realty, Inc. for a Special Exception and variance to erect a double faced custom built sign of 500 square feet in lieu of a single faced unit, on the West side of York Road, 535 feet north of Ridgely Road was denied by the County Board of Appeals for Baltimore County on September 3, 1980.

Appellant contends it met all the requirements of Section 502.1 of the Baltimore County Zoning Regulations and the action of the Board was arbitrary, capricious and against the weight of the evidence and should be reversed on appeal.

The review by this Court of the action of the County Board of Appeals is narrow and if the Court finds substantial evidence to support the decision, even if debatable, it must affirm.

The opinion of the Board in its finding of a traffic hazard based on Petitioner's Exhibit 1B is not supported by any testimony of a traffic expert. The photograph, however, could be evidence for the Board to reach its decision. City of Balto. v. Mano S. Mar'z, 268 Md. 79 at p. 87.

FILED SEP 3 1980

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE  
PETITION FOR VARIANCE : COUNTY BOARD OF APPEALS  
West side of York Road, 535' North of : OF  
Ridgely Road :  
8th District :  
Ridgely Realty Co., Inc., : BALTIMORE COUNTY  
Petitioner :  
No. 80-142-XA

\*\*\*\*\*  
OPINION

This case comes before this Board on appeal from a decision by the Zoning Commissioner denying the requested Special Exception and accompanying Variance. The case was heard in its entirety, "De Novo", on June 12, 1980.

Petitioner's case first described the proposed sign and the area adjacent to it. Proposed sign is a standard "Billboard" type structure on property zoned BL on the west side of York Road, 535 ft. north of Ridgely Road. The variance requested to allow a two faced sign so it would be readable from both directions rather than having a blank side. Petitioner testified that all requirements of Section 502.1 have been satisfied and that said Special Exception and Variance should be granted.

Baltimore County representatives opposed the granting of this special exception for several reasons. There was much discussion as to the distance from the proposed sign to the nearest residences. No firm distance was established but it is clear to this Board that some residences do exist along this section of York Road. Mr. Norman Gerber, from the Baltimore County Planning Department, testified that the Planning Department opposes this request and feels it to be out of character with the general area and would be a bad impact on said area. He also noted that the property directly to the north on the west side of York Road was zoned MR, a highly restrictive zoning classification, and that directly across from this MR was DR 16 zoning.

After consideration of all the testimony and exhibits presented this case, the Board is of the opinion that the Zoning Commissioner's decision to deny this request was in fact correct. Several facts buttress this opinion.

-2-

Most importantly, however, Section 502.1a must be satisfied by Petitioner, viz:

"Before any Special Exception shall be granted, it must appear that the use for which the Special Exception is requested will not: (B.C.Z.R., 1955.)  
a. Be detrimental to the health, safety, or general welfare of the locality involved; (B.C.Z.R., 1955.)..."

There was substantial evidence, at least debatable, before the Board in the testimony of Norman Gerber, Director of the Office of Planning and Zoning of Baltimore County, that the proposed sign is out of character with the surrounding area thus generally being adverse to the general welfare of the community.

Therefore, it is this 2nd day of September, 1981, by the Circuit Court for Baltimore County, ORDERED, that the order of the County Board of Appeals of Baltimore County denying the Special Exception and Variance is affirmed.

Copies sent to:

Ira C. Cooke, Esquire  
John W. Hessian, III, Esquire  
Peter Max Zimmerman, Esquire

RECEIVED  
BALTIMORE COUNTY  
SEP 8 9 12 PM '81  
COUNTY BOARD  
OF APPEALS  
BY: E

Ridgely Realty Co., Inc.  
Case No. 80-142-XA

2.

The sign as proposed would surely be visible from the DR 16 zoned area to the north. Also, a close examination of Petitioner's Exhibit 1B shows the sign to be directly atop a rise in York Road with autos disappearing directly past the sign down the hill toward Ridgely Road. The Board is of the opinion that this would in fact create a distraction to motorists at this point and would increase the traffic hazards now exist along York Road. For these reasons, the Board is of the opinion that the Order of the Zoning Commissioner dated March 5, 1980, is correct and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of September, 1980, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner, dated March 5, 1980, be affirmed and the Special Exception request be DENIED. The requested Variance becomes moot upon the denial of the Special Exception and is therefore also DENIED.

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

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

Walter A. Reiter, Chairman

William T. Hackett  
William T. Hackett

Patricia Millhouser  
Patricia Millhouser

RE: PETITION FOR SPECIAL EXCEPTION : IN THE  
for double-face advertising structure : CIRCUIT COURT  
and VARIANCE from Section 413.3a :  
of the Baltimore County :  
Zoning Regulations : FOR  
W/S York Road 535' : BALTIMORE COUNTY  
N. of Ridgely Road :  
8th District : AT LAW  
Ridgely Realty Co., Inc. :  
Petitioner : Misc. Docket No. 12  
Zoning File No. 80-142-XA : Folio No. 355  
File No. 7305

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2 (d) of the Maryland Rules of Procedure; Walter A. Reiter, Jr., William T. Hackett and Mrs. Patricia Millhouser, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the Appeal to the representative of every party to the proceeding before it; namely, Ira C. Cooke, Esquire, 36 South Charles Street, Suite 600, Baltimore, Maryland 21201, Attorney for the Petitioner, and Mr. Milton Schwaber, President, Ridgely Realty Company, Inc., 910 Reisterstown Road, Baltimore, Maryland 21208, Petitioner, and Foster and Kleiser, 3001 Remington Avenue, Baltimore, Maryland 21211, Lessee, and Mr. William J. Katsafanas, 211 Medbury Road, Timonium, Maryland 21093, Protestant, and John W. Hessian, III, Esquire, Courthouse, Towson, Maryland 21204, People's Counsel for Baltimore County, a copy of which notice is attached hereto and prayed that it may be made a part thereof.

Edith T. Eisenhart  
Edith T. Eisenhart, Administrative Secretary  
County Board of Appeals of Baltimore County  
Room 219, Courthouse, Towson, Md. 21204  
494-3180

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to Ira C. Cooke, Esquire, 36 South Charles Street, Suite 600, Baltimore, Maryland 21201, Attorney for the Petitioner, and Mr. Milton Schwaber, President, Ridgely Realty Company, Inc., 910 Reisterstown Road, Baltimore, Maryland 21208, Petitioner, and

IN THE MATTER : BEFORE THE  
OF THE APPLICATION : COUNTY BOARD OF APPEALS  
OF RIDGELY REALTY, INC. :  
FOR REZONING OF WEST : OF  
SIDE OF YORK ROAD : BALTIMORE COUNTY  
535 Feet North of Ridgely Road :  
8th District :

ORDER FOR APPEAL BY RIDGELY REALTY, INC.

Mr. Clerk:

Please enter an appeal on behalf of Ridgely Realty, Inc., Applicant, from the Order of the Board of Appeals of Baltimore County, passed in the above case on September 3, 1980.

Ira C. Cooke  
36 S. Charles Street, 6th Floor  
Baltimore, Maryland 21201  
(301) 332-8540  
Attorney for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 3rd day of October, 1980, a copy of this Order for Appeal by Ridgely Realty, Inc. was mailed postage prepaid to the County Board of Appeals for Baltimore County, Room 219, Courthouse, Towson, Maryland 21204, John Hessian, Esq., People's Counsel, 102 W. Pennsylvania Avenue, Towson, Maryland 21204.

Ira C. Cooke

Ridgely Realty Co., Inc. - 12/355/7305

2.

Foster and Kleiser, 3001 Remington Avenue, Baltimore, Maryland 21211, Lessee, and Mr. William J. Katsafanas, 211 Medbury Road, Timonium, Maryland 21093, Protestant, and John W. Hessian, III, Esquire, Courthouse, Towson, Maryland 21204, People's Counsel for Baltimore County, on this 7th day of October, 1980.

Edith T. Eisenhart  
Edith T. Eisenhart, Administrative Secretary  
County Board of Appeals of Baltimore County

cc: Zoning, S. Jones  
Planning, J. Hoswell

IN THE MATTER : IN THE  
OF THE APPLICATION : CIRCUIT COURT  
OF RIDGELY REALTY, INC. :  
FOR REZONING OF WEST :  
SIDE OF YORK ROAD :  
535 Feet North of Ridgely Road : BALTIMORE COUNTY  
8th District :

APPEAL PETITION

Petitioner, Ridgely Realty, Inc., by his attorney Ira C. Cooke, and Melnicove, Kaufman & Weiner, P.A., represent:

1. That on December 4, 1979, Petitioner, Ridgely Realty, Inc., applied to the Zoning Commissioner of Baltimore County for a Special Exception and variance to erect a double faced custom built sign of 500 square feet in lieu of a single faced unit, on the West side of York Road, 535 feet north of Ridgely Road.

2. That on March 5, 1980 the petitions for a Special Exception and variance were denied by the Zoning Commissioner of Baltimore County by reason of allegedly failing to meet the requirements of Sections 502.1 and 413.3a of the Baltimore County Zoning regulations, respectively.

3. That on March 27, 1980 Petitioner did timely file for appeal of the decision of Zoning Commissioner of Baltimore County to the County Board of Appeals for Baltimore County.

4. That on June 12, 1980, the County Board of Appeals for Baltimore County did hear the appeal "de novo" of the Petitioner, Ridgely Realty, Inc.

5. That on September 3, 1980 the County Board of Appeals for Baltimore County affirmed the Order of the Zoning Commissioner, and denied the Special Exception request. Alleged visibility of the sign from a DR 16 zoned area to the north and alleged creation of a traffic hazard to motorists were the bases upon which the Special Exception was denied. The requested

variance was denied as moot upon the denial of the Special Exception. A copy of said Order of the Zoning Commissioner, the Order of the County Board of Appeals of Baltimore County and the opinion accompanying said order is attached hereto as Exhibits 1 and 2, respectively.

6. That the Zoning Commissioner and the County Board of Appeals of Baltimore County misconstrued the law and facts applicable to the said case.

7. That the decision of the County Board of Appeals for Baltimore County is arbitrary, capricious and against the weight of the evidence.

8. That the Petitioner is entitled to the grant of the Special Exception and variance pursuant to Sections 230.13, 413.3, 413.5 and 502.1 of the Baltimore County Zoning Regulations.

WHEREFORE, Petitioner respectfully prays the Court to review this case and to find that the County Board of Appeals for Baltimore County erred in its findings and Order and, pending a hearing and trial on the merits in this case, that the Court grant the Special Exception and variance pursuant to Baltimore County Zoning regulations.

*IRA C. COOKE*  
IRA C. COOKE  
36 S. Charles Street, 6th Floor  
Baltimore, Maryland 21201  
(301) 332-8540  
Attorney for the Petitioner

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 3<sup>rd</sup> day of October, 1980 a copy of this Appeal Petition was mailed postage prepaid to the County Board of Appeals for Baltimore County, Room 219, Courthouse, Towson, Maryland 21204; John Hessia, Esq., People's Counsel, 102 W. Pennsylvania Avenue, Towson, Maryland 21204.

*IRA C. COOKE*  
IRA C. COOKE

- 2 -

This testimony is not sufficient to justify a finding that the sign would "menace and endanger the public health, security, general welfare and morals." Gilmor, supra. There is no credible evidence to that effect. Opposition to the signs is based solely on the vague and unsupported contention that the billboard might be visible to some residences at an undetermined distance away from the erection site. As Judge Wilner stated in Foster & Kleiser v. Mayor & City Council of Baltimore, (Docket 24 P; Folios 126 and 148; File #2 - 102513 and #9-102927) (Memorandum Opinion August 1, 1979). "That a sign will be visible is hardly a reason to ban its visibility, indeed, it is the whole purpose of the sign", Memorandum Opinion at 6. In the absence of any probative evidence to sustain the opposition, such statements are not a proper reason to deny a use the legislature has said is a proper one. See Rockville Fuel & Feed Co. v. Board of Appeals of the City of Gaithersburg, 257 Md. 183, 262 A.2d 499 (1970). In the instant case, this view is especially convincing given that the sign is sought to be erected in a local business district next to an MR area, or restricted manufacturing district. The argument that the sign as proposed would be visible from the DR16 zoned area to the north, in which there are residences, is an argument that billboards should not be permitted at all in or near a district in which there are residences or substantial and attractive businesses, although it is zoned business local. Whatever the merits of this argument, it is one which should be addressed to the legislature or Baltimore County Council. Gilmor v. Mayor & City Council of Baltimore, 205 Md. 557, 564, 109 A.2d 739, 743 (1954).

"The legislative branch of the government, in allowing billboards to be erected in such areas, has said, in effect, that the likelihood that their presence will bring

- 4 -

IN THE MATTER OF THE APPLICATION OF RIDGELY REALTY, INC. FOR REZONING OF WEST SIDE OF YORK ROAD 535 Feet North of Ridgely Road 8th District

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

#### MEMORANDUM IN SUPPORT OF APPELLANTS APPEAL

On March 27, 1980, Appellant (Petitioner below) Ridgely Realty, Inc. appealed to the County Board of Appeals of Baltimore County for a Special Exception and variance to erect a double-faced custom built sign of 500 square feet, in lieu of a single faced unit, on the west side of York Road, 535 feet north of Ridgely Road. This location is in a BL district (local business), and pursuant to Baltimore County zoning regulations, §230.13, §413.3, §413.5 and §502.1, the proposed sign is permitted as a conditional use, if approved by the Board.

On September 3, 1980, the Board disapproved the application of Special Exception or variance for the sign. The Board cited several reasons: "no firm distance was established but...some residences do exist along this section of York Road." Opinion of the Board at p. 1; a Baltimore County Planner's testimony that the billboard "would be out of character with the general area and would be a bad impact." He also noted that the property directly north on the west side of York Road was zoned MR (manufacturing restricted), and that directly across from the MR area was DR16 zoning. The Board's reasons for denial of the application appear to be that the sign as proposed would be visible from the DR16 area to the north; that the sign would create a distraction to motorists and increase the traffic hazards that now exist along York Road.

about the dire consequences foreseen by the [Board], is not great enough to forbid generally the use of property to accommodate them. Id."

Because there was not substantial evidence upon which the Board could have based its finding, the Board's decision was arbitrary and capricious and should be overturned.

Secondly, the Board noted that a basis for its denial of the Appellant's application for an exception and variance was that the erection of the billboard at the proposed sight would create a distraction to motorists and increase the traffic hazards that now exist along York Road. Opinion of Board at p. 2. While it has been held by the Maryland Court of Appeals that legitimate zoning ordinance objectives include elimination of signs which distract motorists, Grosman v. Prince Georges County, 41 Md. App. 429, 397 A.2d 630 (1979), the basis for this assertion was, in the particular case, an ordinance specifically prohibiting such signs, Kenyon Peck Inc. v. Kennedy, 168 SE.2d 117 (1969). In the instant case, the zoning regulations of Baltimore County do not include such an ordinance.

Further, there appears to have been no evidence upon which the Board could have made its determination. The only evidence cited by the Board in Petitioner's Exhibit 1B which "shows the sign to be directly atop a rise in York Road with autos disappearing past the sign down the hill toward Ridgely Road." Opinion of Board at 2. Without more, this statement does not indicate the existence of a distraction to motorists sufficient to constitute "a traffic hazard." Moreover, the report filed by the Department of Traffic Engineering with the Board states, in its entirety, as follows "(no traffic problems are anticipated by the requested special exception for an advertising structure." Report dated November 26, 1979, Flanagan, Michael, Traffic Engineering Associate II.

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#### LEGAL ANALYSIS

##### I. The Special Exception

The proposed billboard complies with §230.13, §413.3 and 413.5. Appellant is appealing the Board's determination under §502.1. There being no statutory prohibition to the erection of the sign, the question becomes whether there was substantial evidence to support the findings and conclusions of the Board. In Aaron v. City of Baltimore, 207 Md. 401, 426 (1955), the Court stated:

"It is well settled by many decisions in this state that the court will not substitute its discretion for that of the Board in zoning cases. The duty of the Board is to exercise the discretion of experts. The court although it may not arrive at the same conclusions will not disturb a decision of the Board on review, if the Board has complied with all legal requirements of notice and hearing and the record shows substantial evidence to sustain the finding. (emphasis supplied.)"

As noted, a billboard of the type proposed here is permitted under the applicable zoning ordinance, at the locations requested, as a conditional use.

In Gilmor v. Mayor & City Council, 205 Md. 557, 564, 109 A.2d 739, 743 (1954) the Court stated:

These cases recognize first, the proposition that an applicant for a billboard in a first or second commercial use district, or industrial use district, is entitled to a permit unless the Board finds from the evidence produced before it, or on investigation, that the proposed use would endanger the public health, safety, security or morals; and, second, that the action of the Board, affirmative or negative, is entitled to such respect by the courts, that it will be set aside only if the attacker meets "the heavy burden of overcoming the presumption of constitutionality of legislative action", by showing that the action of the Board in the exercise of its original jurisdiction was arbitrary, capricious or illegal.

Against this standard, the findings of the Board and the evidence, if any, in support of them, must be measured.

- 2 -

##### II. The Variance

Similarly under the Baltimore County zoning statute on variances, a variance may be granted if in "strict harmony with the spirit and intent" of the regulations and in such a manner as to grant relief without substantial injury to public health, safety and general welfare. A variance from sign regulations may be granted where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship, §307. In the instant case, there has been no showing of injury to public health, safety and general welfare. Further neighborhood detriment, as such, is not a criterion under a zoning statute authorizing variances where strict application of the regulation would result in exceptional and undue hardship on the owner. Salsberg v. D.C. Board of Zoning Adjustment, 318 A.2d 894 (1974).

For these reasons, the Appellant asks the Court to reverse the Order of the County Board of Appeals of Baltimore County and to grant Appellant its requested Special Exception and variance.

Respectfully submitted,  
*IRA C. COOKE*  
IRA C. COOKE  
36 S. Charles Street, 6th Floor  
Baltimore, Maryland 21201  
(301) 332-8540  
Attorney for Appellant

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 3<sup>rd</sup> day of October, 1980 a copy of this Memorandum in Support of Appellants Appeal was mailed postage prepaid to the County Board of Appeals for Baltimore County, Room 219, Courthouse, Towson, Maryland 21204; John Hessia, Esq., People's Counsel, 102 W. Pennsylvania Avenue, Towson, Maryland 21204.

*IRA C. COOKE*  
IRA C. COOKE

- 6 -

At least one court has stated:

"that the conditional use or special exception, as it is generally called, is a part of the comprehensive zoning plan sharing the presumption that as such it is in the interest of the general welfare and, therefore, valid. Rockville Fuel and Feed Co. v. Board of Appeals of City of Gaithersburg, 257 Md. 183, 187, 262 A.2d 499 (1970). The special exception is a valid zoning mechanism that delegates to an administrative board a limited authority to permit enumerated uses the legislature has determined can be allowed... absent any fact or circumstance negating the presumption." Turner v. Hammond, 210 Md. 41, 310 A.2d 543, 550-551 (1973).

All the Appellant need show is that:

"to the satisfaction of the Board, the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest...The extent of any harm or disturbance to the neighboring area and uses is, of course, material but if there is no probative evidence of harm or disturbance in light of the nature of the zone involved or of factors causing disharmony to the functioning of the comprehensive plan, a denial of an application for a special exception is arbitrary, capricious and illegal. Rockville, supra. (emphasis supplied). Turner, supra at 551.

The evidence before the Board from which the findings were drawn, consisted of the following:

1. Testimony of the Petitioner (Appellant, here) that all requirements of §502.1 have been satisfied and that said Special Exception and variance should be granted.
2. Testimony of Mr. Norman Gerber, Baltimore County Planning Department, opposing the sign because he feels it to be "out of character" with the general area. He noted that property to the north on the west side of York Road was zoned MR, and directly across from the restricted manufacturing area was DR16 zoning. "No firm distance was established but...some residences do exist along this section of York Road." Opinion of Board at 1.

- 3 -

#### "EXHIBIT II"

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE  
PETITION FOR VARIANCE : COUNTY BOARD OF APPEALS  
West side of York Road, 535' North of :  
Ridgely Road : OF  
8th District :  
Ridgely Realty Co., Inc., : BALTIMORE COUNTY  
Petitioner :  
No. 80-142-XA

#### OPINION

This case comes before this Board on appeal from a decision by the Zoning Commissioner denying the requested Special Exception and accompanying Variance. The case was heard in its entirety, "De Novo", on June 12, 1980.

Petitioner's case first described the proposed sign and the area adjacent to it. Proposed sign is a standard "billboard" type structure on property zoned BL on the west side of York Road, 535 ft. north of Ridgely Road. The variance requested to allow a two faced sign so it would be readable from both directions rather than having a blank side. Petitioner testified that all requirements of Section 502.1 have been satisfied and that said Special Exception and Variance should be granted.

Baltimore County representatives opposed the granting of this special exception for several reasons. There was much discussion as to the distance from the proposed sign to the nearest residences. No firm distance was established but it is clear to this Board that some residences do exist along this section of York Road. Mr. Norman Gerber, from the Baltimore County Planning Department, testified that the Planning Department opposes this request and feels it to be out of character with the general area and would be a bad impact on said area. He also noted that the property directly to the north on the west side of York Road was zoned MR, a highly restrictive zoning classification, and that directly across from this MR was DR 16 zoning.

After consideration of all the testimony and exhibits presented this case, the Board is of the opinion that the Zoning Commissioner's decision to deny this request was in fact correct. Several facts buttress this opinion.

Ridgely Realty Co., Inc.  
Case No. 80-142-XA

The sign as proposed would surely be visible from the DR 16 zoned area to the north. Also, a close examination of Petitioner's Exhibit 1B shows the sign to be directly atop a rise in York Road with autos disappearing directly past the sign down the hill toward Ridgely Road. The Board is of the opinion that this would in fact create a distraction to motorists at this point and would increase the traffic hazards as now exist along York Road. For these reasons the Board is of the opinion that the Order of the Zoning Commissioner dated March 5, 1980, is correct and will so order.

#### ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of September, 1980, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner, dated March 5, 1980, be affirmed and the Special Exception request be DENIED. The requested Variance becomes moot upon the denial of the Special Exception and is therefore also DENIED.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

#### COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Walter A. Ritter, Chairman

William T. Hackett  
William T. Hackett

Patricia Millhouser  
Patricia Millhouser

#### PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

EXHIBIT "I"

I, or we, Ridgely Realty Company, legal owner of the property situate 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 \_\_\_\_\_ zone to \_\_\_\_\_ zone, for the following reasons:

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for double face custom built illuminated advertising structure of 500 square feet.

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.

Baltimore, Md. 21211  
Contract purchaser  
Address: 910 Reisterstown Road, Baltimore, Md. 21208

Address: 910 Reisterstown Road, Baltimore, Md. 21208

Address: 910 Reisterstown Road, Baltimore, Md. 21208

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Address: 910 Reisterstown Road, Baltimore, Md. 21208

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 \_\_\_\_\_ should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this \_\_\_\_\_ day of \_\_\_\_\_, 197 \_\_\_\_\_ that the herein described property or area should be and the same is hereby reclassified, from a \_\_\_\_\_ zone to a \_\_\_\_\_ zone, and/or a Special Exception for a \_\_\_\_\_ 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 and failure to show practical difficulty and/or unreasonable hardship, the Special Exception for a double face custom built illuminated advertising structure of 500 square feet should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of March, 1980, that the herein Petition for Special Exception for a double face custom built illuminated advertising structure of 500 square feet be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ridgely Realty Company, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 413.3a to allow a double face custom built sign of 500 square feet in lieu of the permitted single face unit only.

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

We suggest that it would be in the public interest to avoid the blank side of the sign being exposed.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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.

Baltimore, Md. 21211  
Contract purchaser  
Address: 910 Reisterstown Road, Baltimore, Md. 21208

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#### BALTIMORE COUNTY

#### ZONING PLANS

#### ADVISORY COMMITTEE



#### PETITION AND SITE PLAN

#### EVALUATION COMMENTS

#### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1980

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

600  
Nicholas S. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Ridgely Realty Company  
910 Reisterstown Road  
Baltimore, Maryland 21208

RE: Item 84  
Petitioner - Ridgely Realty Company  
Special Exception and  
Variance Petitions

ATTENTION: Mr. Milton Schwaber

Dear Mr. Schwaber:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to locate a hand-painted custom-built outdoor advertising sign of 500 square feet on this vacant parcel of land, which is located on the west side of York Road north of Ridgely Road in the 8th Election, this Special Exception hearing is required. In addition, a Variance to allow a double-faced structure in lieu of the allowable single-faced structure is also included with this request.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s), the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

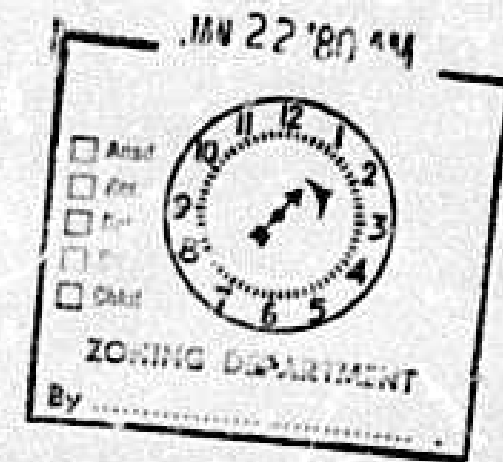
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to meet the requirements of Section 413.3a. of the Baltimore County Zoning Regulations and by reason of the denial of the Petition for Special Exception, the Variance to permit a double face custom built sign of 500 square feet in lieu of the permitted single face unit should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of March, 1980, that the herein Petition for Variance to permit a double face custom built sign of 500 square feet in lieu of the permitted single face unit be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



Item No. 84  
Special Exception and Variance  
January 10, 1980

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Mr. W. R. Walker  
3001 Remington Avenue  
Baltimore, Maryland 21211



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

December 11, 1979

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #84 (1979-1980)  
Property Owner: Ridgely Realty Co.  
W/S York Rd. 535' N. Ridgely Rd.  
Existing Zoning: B.L.  
Proposed Zoning: Special Exception for a single faced  
illuminated advertising structure.  
Acres: 1,375 sq. ft. District: 8th

Dear Mr. Hammond:

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.

General:

Comments were supplied for an overall larger property, of which this site is a part, in conjunction with the Zoning Advisory Committee review for Item 29 (1969-1970), 70-70R.

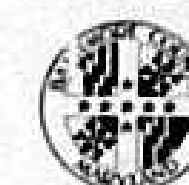
Baltimore County highway and utility improvements are not directly involved for this specific proposed illuminated advertising structure. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 84 (1979-1980).

Very truly yours,

*Ellsworth N. Diver*  
ELLSWORTH N. DIVER, P.E.  
Chief, Bureau of Engineering

END:EAM:PWR:ss

S-SE Key Sheet  
49 NW 2 Pos. Sheet  
NW 13 A Topo  
60 Tax Map



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3211

JOHN D. SEYFFERT  
DIRECTOR

November 5, 1979

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #84, Zoning Advisory Committee Meeting, October 23, 1979, are as follows:

Property Owner: Ridgely Realty Co.  
Location: W/S York Road 535' N. Ridgely Road  
Existing Zoning: B.L.  
Proposed Zoning: Special Exception for a single faced illuminated advertising structure  
Acres: 1375 sq. ft.  
District: 8th

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 all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

*John L. Wimbley*  
John L. Wimbley  
Planner III  
Current Planning and Development



baltimore county  
department of traffic engineering  
TOWSON, MARYLAND 21204  
(301) 494-3950

STEPHEN E. COLLINS  
DIRECTOR

November 26, 1979

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 84 - ZAC - Meeting of October 23, 1979  
Property Owner: Ridgely Realty Co.  
Location: W/S York Rd. 535' N. Ridgely Rd.  
Existing Zoning: B.L.  
Proposed Zoning: Special Exception for a single faced illuminated advertising structure.

Acres: 1375 sq. ft.  
District: 8th

Dear Mr. Hammond:

No traffic problems are anticipated by the requested special exception for an advertising structure.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineering Associate II

MSF/mjm



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

December 3, 1979

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #84, Zoning Advisory Committee Meeting of October 23, 1979, are as follows:

Property Owner: Ridgely Realty  
Location: W/S York Rd. 535' N. Ridgely Rd.  
Existing Zoning: B.L.  
Proposed Zoning: Special Exception for a single faced  
illuminated advertising structure  
Acres: 1375 sq. ft.  
District: 8th

The proposed advertising structure should not present any health hazards.

Very truly yours,

*Jan J. Forrest*  
Jan J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJP/JEP:thc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond  
Office of Planning and Zoning  
FROM: Captain Joseph Kelly  
Fire Prevention Bureau

Date: November 2, 1979

SUBJECT: Zoning Advisory Committee Meeting of October 23, 1979

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

ITEM # 80 Property Owner: Melvin A. & Anna C. Grueninger  
Location: S/S Loreley Beach Rd. 5250' S & W Allender Rd.  
No Comments

ITEM # 81 Property Owner: William S. Hendricks  
Location: N/S Chestnut Ridge Rd. 479.21' W Fallswood  
Terr.  
No Comments

ITEM # 83 Property Owner: FIJI, Inc.  
Location: W/S York Rd. 475' N Pennsylvania Ave.  
No Comments

ITEM # 84 Property Owner: Ridgely Realty Co.  
Location: W/S York Rd. 535' N Ridgely Rd.  
No Comments



baltimore county  
department of permits and licenses  
TOWSON, MARYLAND 21204  
(301) 494-3610

JOHN D. SEYFFERT  
DIRECTOR

October 26, 1979

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 84 Zoning Advisory Committee Meeting, October 23, 1979 are as follows:

Property Owner: Ridgely Realty Co  
Location: W/S York Road 535' N. Ridgely Road  
Existing Zoning: B  
Proposed Zoning: Special Exception for a single faced illuminated advertising structure.

Acres: 1375 sq. ft.  
District: 8th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional electrical permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section \_\_\_\_\_.
- I. No Comment.
- J. Comment:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

*Charles E. Burnham*  
Charles E. Burnham, Chief  
Plans Review

CEB:rrj

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 31, 1979

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

Z.A.C. Meeting of: October 23, 1979

RE: Item No: 79, 80, 81, 82, 83, 84  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

*W. Nick Petrovich*  
W. Nick Petrovich,  
Field Representative

WNP/bp

JOSEPH N. MCCOWAN, President  
T. BAYARD WILLIAMS, JR., Vice President  
MARCUS M. BOTSAKIS

THOMAS H. BOYER  
MRS. LORRAINE F. CHAMBERS  
ROGER B. HAYDEN

ALVIN LORECK  
MRS. MILTON R. SMITH, JR.  
RICHARD W. TRACY, D.V.M.

ROBERT Y. DUBEL, Superintendent



October 7, 1980

BILLED TO: Ira C. Cooke, Esquire  
36 S. Charles Street  
Suite 600  
Baltimore, Md. 21201

Cost of certified copies of documents  
filed in Case No. 80-142-XA . . . . . \$ 17.00

Ridgely Realty Co., Inc.  
W/S York Rd., 535'  
N. of Ridgely Rd.  
8th District

MAKE CHECKS PAYABLE TO: Baltimore County, Maryland

REMIT TO: County Board of Appeals of Baltimore County  
Room 219 - Courthouse  
Towson, Maryland 21204

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Mr. Walter Reits  
TO: Chairman, Board of Appeals  
Norman E. Gerber  
FROM: Deputy Director Office of Planning and Zoning  
SUBJECT: Zoning Commissioner's Rules of Procedure

At the hearing of Thursday, June 21, 1980, you asked me to investigate the current practice of the Zoning Commissioner's Office relative to requiring plats accompanying petitions for special exceptions for outdoor advertising signs.

Mr. James Dyer, of the Zoning Office, has informed me that Commissioner John B. Rose exempted petitions for special exceptions for outdoor advertising signs from having to include a plat which bears the seal of a registered surveyor. He did so, according to Mr. Dyer's understanding, sometime in the late 50's or very early 60's.

If you have any additional questions, I suggest that you contact the current Zoning Commissioner, Mr. William Hammond.

*Norman E. Gerber*  
Norman E. Gerber  
Deputy Director Office of Planning and Zoning

NEG/moc

cc: Mr. William Hammond  
Mr. James Dyer  
Mr. John Seyffert  
Mr. Jim Hoswell

494-3180

## County Board of Appeals

Room 219, Court House  
Towson, Maryland 21204  
October 7, 1980

Ira C. Cooke, Esquire  
36 S. Charles Street  
Suite 600  
Baltimore, Md. 21201

Re: Case No. 80-142-XA  
Ridgely Realty Co., Inc.

Dear Mr. Cooke:

In accordance with Rule 8-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule 8-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

Edith T. Eisenhart, Adm. Secretary

Encls.  
cc: Mr. Milton Schwaber  
Foster and Kleiser

4/25/80-Notified the following of hearing scheduled for THURS., JUNE 12, at 10 a.m.:

Ira C. Cooke, Esq.  
Ridgely Realty Co., Inc.  
Foster & Kleiser  
W. J. Katsafanas  
J. Hession  
J. E. Dyer  
W. Hammond  
Counsel for petitioner  
Petitioner  
Lessee  
Protestant  
People's counsel  
Zoning

## Petition for Special Exception & Variance

Being: Petition for Special Exception for double-face advertising structure and Variance for double-face signs. Location: West side of York road, 155 feet North of Ridgely road.

Date & Time: THURSDAY, JANUARY 24, 1980 AT 10:00 A.M. Public Hearing: Room 106, 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 Exception for double-face custom built illuminated advertising structure of 800 square feet and Variance to allow a double-face custom built sign of 800 square feet in line of the permitted single face sign only.

The Zoning Regulations to be considered are:

Section 412.02 - outdoor advertising signs.

All that parcel of land in the Fourteenth District of Baltimore County.

Being: a lot of 1.0 acre located on the west side of York road 155 feet wide, 50 feet from the right of way line and 60 feet from the centerline of York road, 155 feet north of Ridgely road (70 feet wide), and thence running the following course and distance:

(1) Northwesterly a distance of 85 feet to a point; thence (2) southeasterly a distance of 25 feet to a point; thence (3) southeasterly a distance of 45 feet to the point of beginning.

Being the property of Ridgely Realty Co., Inc., as shown on the plat filed with the Zoning Department.

Hearing Date: Thursday, January 24, 1980 at 10:00 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF WILLIAM E. HAMMOND Zoning Commissioner of Baltimore County

October 7, 1980

John W. Hession, III, Esquire  
People's Counsel for Baltimore County  
Courthouse  
Towson, Maryland 21204

Re: Case No. 80-142-XA  
Ridgely Realty Co., Inc.

Dear Mr. Hession:

Edith T. Eisenhart, Adm. Secretary

cc: Mr. William J. Katsafanas

THE ESSEX TIMES, INC.  
812 EASTERN BLVD.  
BALTIMORE, MD. 21221

Bal Air, Md.

This is to Certify, That the amount

was inserted in THE ESSEX, a newspaper printed

and published in Harford County, once in each

of

weeks before the

day of

1980

Published

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 85589

DATE: January 15, 1980 ACCOUNT: 01-662

AMOUNT: \$57.88

RECEIVED FROM: Foster & Kleiser

FOR: Advertising and Posting for Case No. 80-142-XA

894 55 JAN 17

57.88

VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES OF  
MELNICOVE, KAUFMAN & WEINER, P. A.

36 SOUTH CHARLES STREET  
SIXTH FLOOR  
BALTIMORE, MARYLAND 21201

(301) 332-8550  
July 22, 1980

BERNARD E. MELNICOVE

GLENN E. BUSHEL

IRA C. COOKE

JAMES D. NELSON

PHILLIS W. BROWN

STANLEY A. SNIDER

RICHARD RUBIN

HARRY C. STERN

ROBERT J. FOWLER

WRITER'S DIRECT DIAL NO.

(301) 332-8540

Mr. Walter Reits  
County Board of Appeals  
Room 219  
Court House  
Towson, Maryland 21204

Re: Case No. 80-142-XA  
Ridgely Realty Co., Inc.

Dear Mr. Reits:

On Thursday, June 12, 1980, I had the privilege of appearing before the Board in regard to the above referenced matter.

At that time the Board did not render a decision on our request, but rather decided to seek further information from the Zoning Office of Baltimore County.

It has now been five weeks since the hearing, and I have not received copies of any communications between the Zoning Office and the Board of Appeals. This matter has been in the County deliberative process since late in 1979 or early in 1980.

I would appreciate any comment you could make to me concerning when a decision will be rendered. Looking forward to hearing from you in the near future. I remain.

Very truly yours,

*Ira C. Cooke*

Ira C. Cooke

ICC/ndp  
cc: John W. Hession, Esq.

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 11 day of Oct, 1980.

Filing Fee \$ 50 Receive: ☒ Check

☐ Cash

☐ Other

William E. Hammond, Zoning Commissioner

Petitioner: *Ridgely Realty Co., Inc.* Submitted by: *Walter Reits*

Petitioner's Attorney: *Walter Reits* Reviewed by: *Walter Reits*

\*This is not to be interpreted as acceptance of the Petition for assignment of a hearing, date.

Ridgely Realty Company  
c/o Mr. Milton Schwaber  
3001 Remington Avenue  
Baltimore, Maryland 21208

Foster & Kleiser  
c/o Mr. William Walker  
3001 Remington Avenue  
Baltimore, Maryland 21211

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 4th day of December, 1980.

*William E. Hammond*

WILLIAM E. HAMMOND

Zoning Commissioner

Petitioner: Ridgely Realty Company

Petitioner's Attorney:

Reviewed by: *Nicholas B. Commodari*

Nicholas B. Commodari

Chairman, Zoning Plans

Advisory Committee

| PETITION MAPPING PROGRESS SHEET                 |          |    |                                  |    |           |    |         |    |           |    |
|-------------------------------------------------|----------|----|----------------------------------|----|-----------|----|---------|----|-----------|----|
| FUNCTION                                        | Wall Map |    | Original                         |    | Duplicate |    | Tracing |    | 200 Sheet |    |
|                                                 | date     | by | date                             | by | date      | by | date    | by | date      | by |
| Descriptions checked and outline plotted on map |          |    |                                  |    |           |    |         |    |           |    |
| Petition number added to outline                |          |    |                                  |    |           |    |         |    |           |    |
| Denied                                          |          |    |                                  |    |           |    |         |    |           |    |
| Granted by<br>ZC, B, CC, CA                     |          |    |                                  |    |           |    |         |    |           |    |
| Reviewed by: <u>GH</u>                          |          |    | Revised Plans:                   |    |           |    |         |    |           |    |
| Previous case:                                  |          |    | Change in outline or description |    | Yes       |    |         |    |           |    |
|                                                 |          |    | Map #                            |    | No        |    |         |    |           |    |

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: APRIL 18, 1980  
 Posted for: APPEAL  
 Petitioner: RIDGELEY REALTY COMPANY, INC.  
 Location of property: W/S YORK RD., 535' N OF RIDGELEY RD.  
 Location of Signs: W/S YORK Rd. 550' +/- N OF RIDGELEY Rd.  
 Remarks: Thomas L. Roland  
 Posted by: Thomas L. Roland Date of return: APRIL 25, 1980

**PETITION FOR SPECIAL EXCEPTION AND VARIANCE**  
 ZONING: Petition for Special Exception for 4-sided illuminated structure and Variance for double-sided sign.  
 LOCATION: West side of York Road, 535 feet North of Ridgeley Road.  
 DATE & TIME: Thursday, January 24, 1980 at 9:30 A.M.  
 PUBLIC HEARING: Room 106, 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 Exception for double-sided custom built illuminated advertising structure of 800 square feet and a variance to allow a double-sided custom built sign of 800 square feet in line of the permitted single sign unit only.  
 The Zoning Regulations to be excepted as follows:  
 Section 412.2a—outdoor advertising signs.  
 All that parcel of land in the Fox-Tenth District of Baltimore County, beginning at a point located on the west side of York Road (66 feet wide), 25 feet from the right of way line and 46 feet from the centerline of York Road, 535 feet north of Ridgeley Road (70 feet wide), and thence running the following courses and distances: 1) Northwesterly a distance of 25 feet to a point; thence 2) southeasterly a distance of 50 feet to a point; thence 3) southeasterly a distance of 25 feet to a point; thence 4) northeasterly a distance of 25 feet to the point of beginning.  
 Being the property of Ridgeley Realty Co., Inc., as shown on plan filed with the Zoning Department.  
 Hearing Date: Thursday, January 24, 1980 at 9:30 A.M.  
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
 By Order of:  
 WILLIAM E. HANCOCK,  
 Zoning Commissioner  
 of Baltimore County  
 Jan. 18

**DUPLICATE**  
**CERTIFICATE OF PUBLICATION**

TOWSON, MD. January 30, 1980  
 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 consecutive weeks before the 24th day of January, 1980, the first publication appearing on the 22nd day of January, 1980.

THE JEFFERSONIAN,  
L. Frank Simpson  
 Manager.

Cost of Advertisement, \$ 450

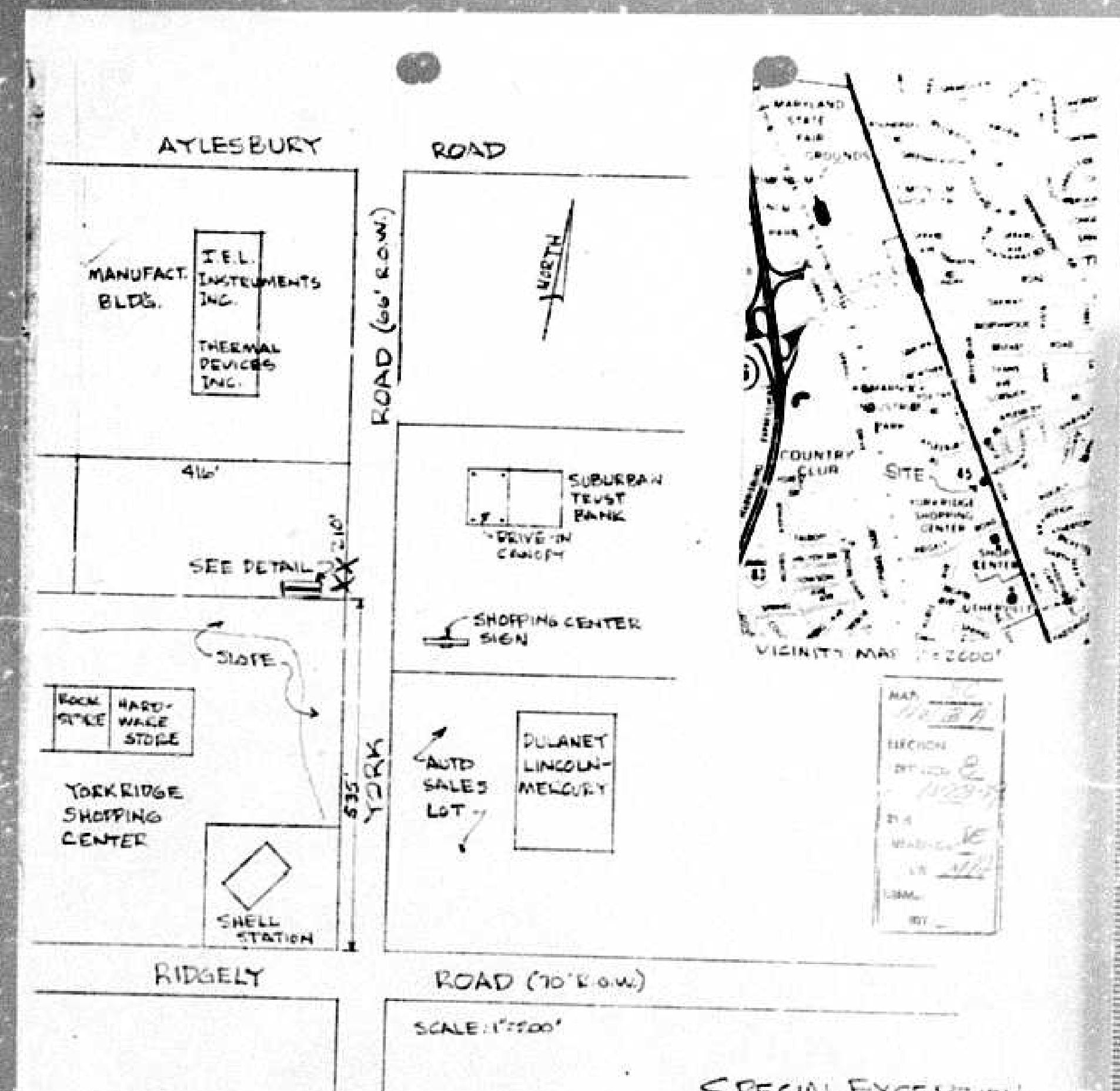


**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 14th Date of Posting: JAN. 7, 1980  
 Posted for: PETITION FOR SPECIAL EXCEPTION AND VARIANCE  
 Petitioner: RIDGELEY REALTY CO., INC.  
 Location of property: W/S YORK ROAD, 535' N OF RIDGELEY ROAD  
 Location of Signs: W/S YORK Rd. 550' +/- N OF RIDGELEY Rd.  
 Remarks: Thomas L. Roland  
 Posted by: Thomas L. Roland Date of return: JAN. 11, 1980

2-SIGNS

W/S York Rd., 535' N of Ridgeley Rd.  
 Ridgeley Realty Company, Inc.  
 2 SIGNS



**SPECIAL EXCEPTION**  
 ONE (1) SGL. FACED ILLUMINATED SIGN (6'x50') SOUTH FACING  
 LOCATION: W/S YORK RD. 550' N OF RIDGELEY RD.  
 ZONED: R L,  
 NOTE: SIGN WILL BE 11 FEET FROM GROUND TO BASE OF SIGN  
 25' OVERALL HEIGHT  
 ELECTION DISTRICT - 8  
 BALTIMORE COUNTY, MARYLAND

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 No. 83298  
 DATE: December 17, 1979 ACCOUNT: 01-662  
 AMOUNT: \$50.00  
 RECEIVED FROM: Porter & Eisinger  
 FOR: Filing Fee for Case No. 80-142-XA  
 821128 19 50.00  
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 No. 85062  
 DATE: Oct. 15, 1980 ACCOUNT: 01-712  
 AMOUNT: \$17.00  
 RECEIVED FROM: Ira C. Cooke, Esq., 36 S. Ches. St., Balto. 21201, Md  
 FOR: Case No. 80-142-XA, Ridgeley Realty Co., Inc. (for certified copies of documents from Zoning file)  
 827454 15 17.00  
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 No. 86376  
 DATE: March 31, 1980 ACCOUNT: 01-662  
 AMOUNT: \$75.00  
 RECEIVED FROM: Melkoyne, Kaufman & Vainer  
 FOR: Filing Fee for Appeal of Case No. 80-142-XA  
 827104 2 75.00  
 VALIDATION OR SIGNATURE OF CASHIER