

**PETITION FOR SPECIAL EXCEPTION 85-11-X**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for one (1) double-faced illuminated 12' x 25' outdoor advertising structure.

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

We agree to pay expenses of above 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.

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Lessee Contract Purchaser: Foster and Kleiser  
 Signature: [Signature]  
 Address: 3001 Remington Avenue, Baltimore, Maryland, 21211

Legal Owner(s): I.U.E. Local #130  
 Signature: [Signature]  
 Address: 1335 Linden Avenue, Baltimore, Maryland, 21227

Attorney for ~~Foster & Kleiser~~ M. Albert Flisinski, Esquire  
 Address: 1335 Linden Avenue, Baltimore, Maryland, 21227

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:  
South Charles Street - 6th Floor, Baltimore, Maryland 21201

Attorney's Telephone No.: 332-8520

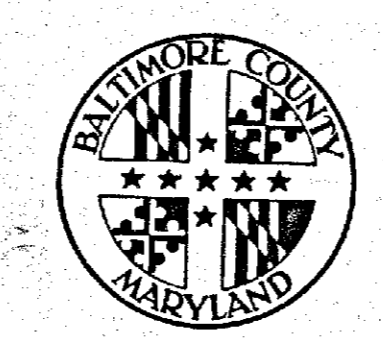
ORDERED BY The Zoning Commissioner of Baltimore County, this 11th day of June, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of July, 1984, at 10:45 o'clock A.M.

[Signature]  
 Zoning Commissioner of Baltimore County.

E.C.O.-No. 1 (over)

I.U.E. Local #130  
 SW cor. Linden and Stevens Avenues  
 13th  
 85-11-X  
 85-11-X  
 85-11-X

**BALTIMORE COUNTY**  
**ZONING PLANS**  
**ADVISORY COMMITTEE**



**PETITION AND SITE PLAN**  
**EVALUATION COMMENTS**

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

Arnold Jablon, Zoning Commissioner Date: July 2, 1984  
 FROM: Norman E. Gerber, Director, Office of Planning and Zoning  
 SUBJECT: Zoning Petition Nos. 85-9-A, 85-11-X, 85-13-A, 85-14-A, 85-15-S, 85-16-S, 85-16-S

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]  
 Norman E. Gerber, Director  
 Office of Planning and Zoning

NEG/JGH/sf

**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 11th day of June, 1984.

[Signature]  
 ARNOLD JABLON  
 Zoning Commissioner

Petitioner I.U.E. Local #130  
 Petitioner's Attorney [Signature]  
 Received by [Signature]  
 Nicholas B. Commodari  
 Chairman, Zoning Plans Advisory Committee

ORDER RECEIVED FOR FILING  
 DATE July 11, 1984  
[Signature]

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**  
 July 6, 1984

Mr. Robert J. Reed, President  
 I.U.E. Local #130  
 1335 Linden Avenue  
 Baltimore, Maryland 21227

RE: Item NO. 286 - Case NO. 85-11-X  
 Petitioner - I.U.E. Local #130  
 Special Exception Petition

Dear Mr. Reed:

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 report with the Zoning Commissioner with recommendations as to the sustainability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
[Signature]  
 NICHOLAS B. COMMODARI  
 Chairman  
 Zoning Plans Advisory Committee

NBC:bsc  
 Enclosures  
 cc: Foster & Kleiser  
 3001 Remington Avenue  
 Baltimore, Md. 21211

**BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS**  
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
 DIRECTOR  
 May 28, 1984

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

Re: Item #286 (1983-1984)  
 Property Owner: I.U.E. Local #130  
 SW cor. Linden Ave. and Stevens Ave.  
 Acres: 15 X 30 District: 13th

Dear Mr. Jablon:

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:**

Baltimore County highway and utility improvements are not directly involved.

Linden and Stevens Avenues are proposed to be improved in the future as 30-foot closed section roadways on 50 and 40-foot rights-of-way, respectively, with fillet areas for sight distance at their intersection.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 286 (1983-1984).

Very truly yours,  
[Signature]  
 ROBERT A. MORTON, P.E., Chief  
 Bureau of Public Services

RAM:EAM:FW:ss  
 U-SW Key Sheet 18 SW 15 Pos. Sheet  
 SW 5 D Topo 101 Tax Map

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

NORMAN E. GERBER  
 DIRECTOR

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

Re: Zoning Advisory Meeting of 5-1-84  
 Item # 286  
 Property Owner: I.U.E. Local #130  
 Location: SW cor. LINDEN AVE. & STEVENS AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
- A County Review Group Meeting is required.
- A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- A record plat will be required and must be recorded prior to issuance of a building permit.
- The access is not satisfactory.
- The circulation on this site is not satisfactory.
- The parking arrangement is not satisfactory.
- Parking calculations must be shown on the plan.
- This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-36 of the Development Regulations.
- Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- The amended Development Plan was approved by the Planning Board on 4/2/84.
- Landscaping should be provided on this site and shown on the plan.
- The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 40'.
- The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- Additional comments:

[Signature]  
 Eugene A. Baker  
 Chief, Current Planning and Development

cc: James Howell

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Zoning Commissioner, Office of Planning and Zoning Date: May 29, 1984

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items Meeting - April 24, 1984

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item #275 - Louis DiPasquale
- Item #277 - Security Mini Storage
- Item #278 - Industrial Enterprises, Inc.
- Item #281 - Charles L. Carter

Meeting - May 1, 1984

- Item #284 - 122 Slade Ltd. Partnership
- Item #285 - James R. Gagliette, Sr., et ux
- Item #286 - I.U.E. Local #130
- Item #287 - Middle River Square Club, Inc.
- Item #288 - Beechwood Development Corp.
- Item #289 - Bernard W. Baker
- Item #291 - M. Tyler Gatchell, et ux

[Signature]  
 Ian J. Forrest, Director  
 BUREAU OF ENVIRONMENTAL SERVICES

IJP/rtr  
 7/16 85-11-X

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Special Exception

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON MARYLAND 21204-2586  
494-4300

PAUL H. REINCKE  
CHIEF  
May 9, 1984

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

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: I.U.E. Local #130

Location: NW/Cor. Linden Avenue and Stevens Avenue

Item No.: 286 Zoning Agenda: Meeting of May 1, 1984

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: \_\_\_\_\_ Noted and Approved: \_\_\_\_\_  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON MARYLAND 21204  
684-3000

ED JABLON JR.  
DIRECTOR  
May 9, 1984

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 286 Zoning Advisory Committee Meeting are as follows:

Property Owner: I.U.E. Local #130  
Location: NW/Cor. Linden Avenue and Stevens Avenue  
Existing Zoning: B.L.  
Proposed Zoning: Special exception for one double-illuminated 12 x 25 advertising structure.

Area: 15 x 30  
District: 13th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill L-82 \_\_\_\_\_ and other applicable codes.

(B) A building/structure/other \_\_\_\_\_ shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(E) An exterior wall erected within 1'0" for commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, Line 2, Section 1107 and Table 1100, also Section 2037.

(F) Requested variance appears to conflict with the Baltimore County Building Code, Section 4 \_\_\_\_\_.

(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

(H) Before this office can comment on the above structure, please have the owner, thru the advice of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

(I) Comments - Signs shall comply with Section 1901.1 of the 1901 Edition of B.O.C.A.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 112 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,  
Charles E. Burman, Chief  
Plans Review

CEB:es

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
SW Corner Linden & Stevens : OF BALTIMORE COUNTY  
Aves., 13th District :  
I.U.E. LOCAL #130, Petitioner : Case No. 85-11-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman

Phyllis Cole Friedman  
People's Counsel for Baltimore County

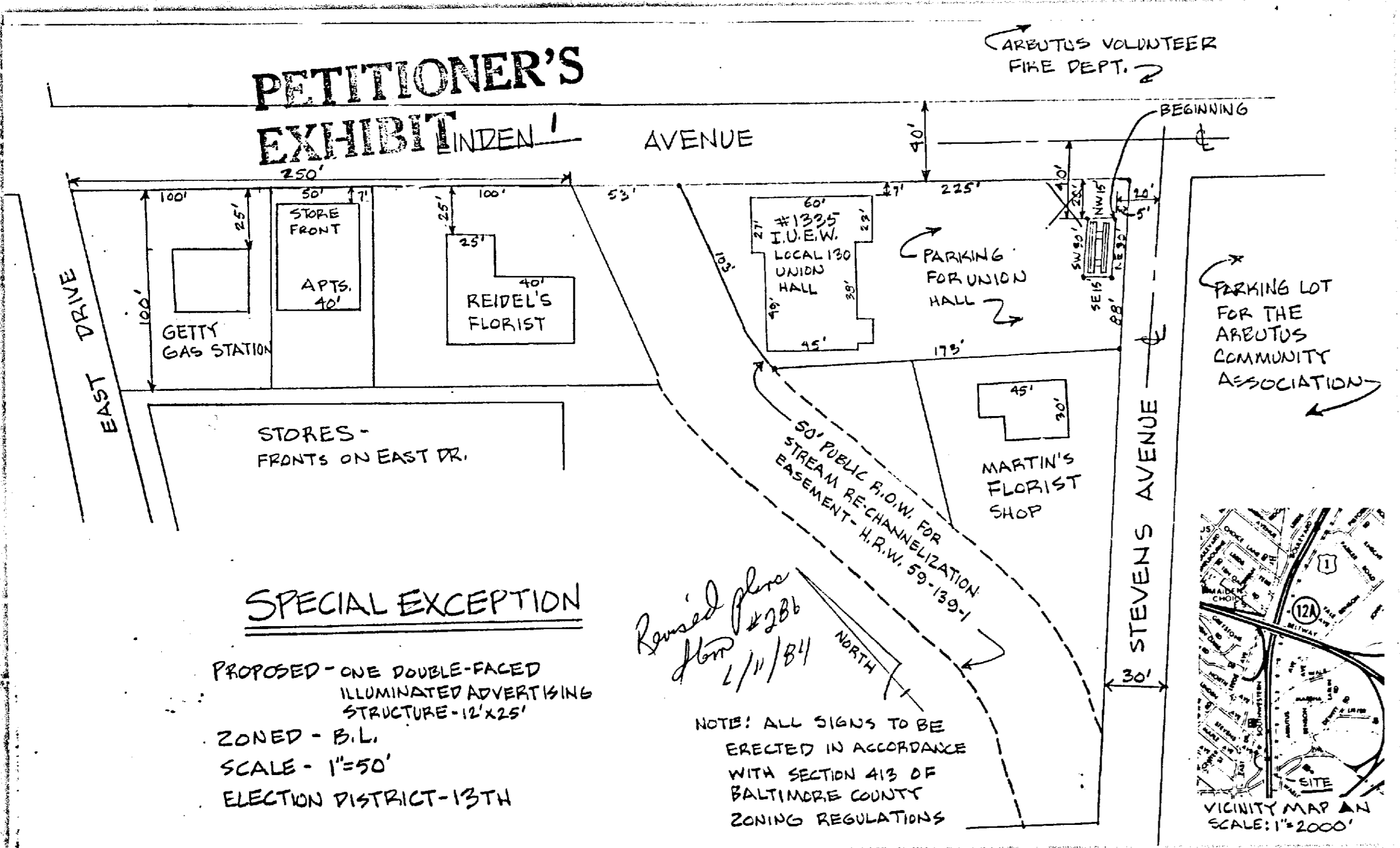
Peter Max Zimmerman

Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2168

I HEREBY CERTIFY that on this 22nd day of June, 1984, a copy of the foregoing Entry of Appearance was mailed to I.U.E. Local #130, 1335 Linden Ave., Baltimore, MD 21227; and Foster & Kleiser, 3001 Remington Ave., Baltimore, MD 21211.

Peter Max Zimmerman

Peter Max Zimmerman



JUL 5 AM '84

PETITION FOR SPECIAL EXCEPTION  
SW Corner Linden & Stevens  
Aves., 13th District  
I.U.E. LOCAL #130, Petitioner

BEFORE THE ZONING  
COMMISSIONER OF  
BALTIMORE COUNTY  
CASE NO. 85-11-X

ENTRY OF APPEARANCE

Please enter the appearance of M. Albert Figinski, and Melnicove, Kaufman, Weiner & Smouse, P.A., as counsel for Foster & Kleiser, contract lessee.

M. Albert Figinski  
M. ALBERT FIGINSKI

Melnicove, Kaufman, Weiner & Smouse, P.A.  
36 S. Charles Street  
Sixth Floor  
Baltimore, MD 21201  
(301) 332-8520

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21 day of July, 1984, a copy of the foregoing Entry of Appearance was mailed, by first class mail, to Phyllis Cole Friedman, Esquire, People's Counsel for Baltimore County, Peter Max Zimmerman, Esquire, Deputy People's Counsel for Baltimore County, at their office at Room 223, Court House, Towson, Maryland 21204 and to I.U.E. Local #130, 1335 Linden Avenue, Baltimore, Maryland 21227.

M. Albert Figinski  
M. ALBERT FIGINSKI

June 19, 1984

I.U.E. Local #130  
c/o Robt. Joseph Reed, Pres.  
1335 Linden Avenue  
Baltimore, Maryland 21227

NOTICE OF HEARING

Re: Petition for Special Exception  
SW/cor. Linden and Stevens Avenues  
I.U.E. Local #130 - Petitioners  
Case No. 85-11-X

TIME: 10:45 A.M.

DATE: Monday, July 16, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Foster and Kleiser  
c/o Bill Walker  
3001 Remington Avenue  
Baltimore, Maryland 21211

Bill Walker  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 128295

DATE: 7/17/84 ACCOUNT: P-11-114-200

AMOUNT: 210.00

RECEIVED FROM: Foster & Kleiser  
FOR: filing fee for Plan # 286  
(1 ch.)

6 643\*\*\*\*\*1000010 8198A

VALIDATION OR SIGNATURE OF CASHIER

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

85-11-X

District 13th Date of Posting 6-25-84  
Posted for: Special Ex. sign  
Petitioner: I.U.E. Local #130  
Location of property: S.W. Corner Linden and Stevens Avenue  
Location of Signs: S.W. Corner of Linden & Stevens Avenue  
Remarks:  
Posted by: A.J. Jablon Date of return 7-6-84  
Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

85-11-X

TOWSON, MD., June 28, 1984.  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 28, 1984.

THE JEFFERSONIAN,

*B. Venetok*  
Publisher

\$20.00

**PETITION FOR SPECIAL EXCEPTION**  
13th Election District  
ZONING: Petition for Special Exception  
LOCATION: Southwest corner of Linden and Stevens Avenue  
DATE & TIME: Monday, July 16, 1984 at 10:45 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 on the Petition for Special Exception for one double-faced illuminated 12' x 25' outdoor advertising structure being the property of I.U.E. Local #130, as shown on plat plan filed with the Zoning Department.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.  
By Order of  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County  
June 28

**PETITION FOR SPECIAL EXCEPTION**

13th Election District  
ZONING: Petition for Special Exception  
LOCATION: Southwest corner Linden and Stevens Avenues  
DATE & TIME: Monday, July 16, 1984 at 10:45 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 one double-faced illuminated 12' x 25' outdoor advertising structure

Being the property of I.U.E. Local #130, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING  
DATE July 18, 1984  
BY Arnold Jablon

IN RE: PETITION SPECIAL EXCEPTION  
SW/corner of Linden and Stevens Avenues - 13th Election District  
I.U.E. Local #130, Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 85-11-X

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioner herein requests a special exception to place an outdoor advertising sign on its property, as more particularly shown on Petitioner's Exhibit 1.

The Petitioner, by its Contract Lessee, Foster & Kleiser, appeared and was represented by Counsel. Testifying for Foster & Kleiser were Wilbur Walker, the Real Estate Manager, and Barry Freedman, Director of Public Affairs. No Protestants appeared.

Testimony indicated that the outdoor advertising sign would be 12' x 25', double-faced, and illuminated. It would be used for general advertising. The property in question is zoned B.L. and is surrounded by commercial uses. The sign would be located in a corner of the existing parking lot and will satisfy the setback requirements of Section 413.3 and relevant requirements of Section 413.5 of the Baltimore County Zoning Regulations (BCZR).

The Petitioner seeks relief from Section 413.3, pursuant to Section 502.1, BCZR. It is clear that the BCZR permit the use requested by the Petitioner in a B.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary commercial uses in the vicinity of the proposed sign. Therefore, it must be determined whether the conditions delineated by Section 502.1 are satisfied by the Petitioner.

**Office of PATUXENT Publishing Corp.**  
10750 Lime Patterson Pkwy  
Columbia, MD 21044

June 28 19 84

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL EXCEPTION

was inserted in the following:

Catonsville Times  
 Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for 01 successive weeks before the 30 day of June 1984 that is to say, the same was inserted in the issues of

June 28, 1984

PATUXENT, PUBLISHING CORP.  
By *[Signature]*

IN THE CIRCUIT COURT  
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

July 6, 1984

M. Albert Figinski, Esquire  
36 S. Charles Street - 6th Floor  
Baltimore, Maryland 21211

Re: Petition for Special Exception  
SW/corner Linden and Stevens Avenues  
I.U.E. Local #130 - Petitioner  
Case No. 85-11-X

Dear Sir:

This is to advise you that \$41.20 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 131918

LD JABLON  
Commissioner

DATE 7/16, 1984 ACCOUNT R-61-615-000  
AMOUNT \$41.20  
RECEIVED FROM Foster & Kleiser  
FOR Advertising and Posting Case 85-11-X  
(I.U.E. Local #130)  
C 043\*\*\*\*\*412010 6164A  
VALIDATION OR SIGNATURE OF CASHIER

PROPERTY DESCRIPTION  
BEGINNING AT A POINT LOCATED ON THE NORTHWEST CORNER OF LINDEN AVENUE (40 FEET WIDE) AND STEVENS AVENUE (30 FEET WIDE); 40 FEET FROM THE CENTERLINE OF LINDEN AVENUE AND 20 FEET FROM THE CENTERLINE OF STEVENS AVENUE AND THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: 1) NORTHWESTERLY A DISTANCE OF 15 FEET TO A POINT, THENCE 2) SOUTHWESTERLY A DISTANCE OF 30 FEET TO A POINT, THENCE 3) SOUTHEASTERLY A DISTANCE OF 15 FEET TO A POINT, THENCE 4) NORTHEASTERLY A DISTANCE OF 30 FEET TO THE BEGINNING POINT.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for should be granted, with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioner do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held and it appearing that by reason of the requirements of Section 502.1 have been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of July, 1984, that the Petition for Special Exception for a 12' x 25' double-faced illuminated outdoor advertising sign be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this

time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

*[Signature]*  
Zoning Commissioner of Baltimore County

AJ/srl  
cc: M. Albert Figinski, Esquire  
People's Counsel

ORDER RECEIVED FOR FILING  
DATE July 18, 1984  
BY Arnold Jablon