

PETITION FOR SPECIAL EXCEPTION

85-102-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... sets (locations) of double-faced illuminated... 12' x 25' advertising structures.

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

I or 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.

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

Contract Purchaser: Foster & Kleiser; Legal Owner(s): Canton Railroad Company; 3001 Remington Avenue; Baltimore, Maryland 21211; 4201 Boston Street; Baltimore, Maryland 21224

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of September, 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 108, County Office Building in Towson, Baltimore County, on the 7th day of November, 1984, at 11:00 o'clock A.M.

REC-101 (over)

Vertical stamp: Baltimore County Office of Planning and Zoning, 111 W. Chesapeake Ave., Towson, Maryland 21204

Vertical stamp: 85-102-X

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE October 30, 1984. Mr. Thomas H. Myers, President; Nicholas B. Commodari, Chairman; RE: Case No. 85-122-X (Item No. 61) Petitioner - Canton Railroad Company Special Exception Petition

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204 HARRY J. PISTEL, P.E. DIRECTOR October 11, 1984. Mr. Arnold Jablon, Zoning Commissioner; RE: Item #61 (1984-198*) Property Owner: Canton Railroad Company; Very truly yours, James K. Markle, Chief

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Mr. Arnold Jablon, Zoning Commissioner; Attention: Nick Commodari, Chairman; RE: Property Owner: Canton Railroad Company; Meeting of 9/11/84

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 STEPHEN E. COLLINS, DIRECTOR; September 11, 1984; Mr. Arnold Jablon, Zoning Commissioner; Attention: Nick Commodari, Chairman; RE: Property Owner: Canton Railroad Company; Meeting of 9/11/84

BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586 PAUL H. REINCKE, CHIEF; September 27, 1984; Mr. Arnold Jablon, Zoning Commissioner; Attention: Nick Commodari, Chairman; RE: Property Owner: Canton Railroad Company; Meeting of 9/11/84

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 14th day of September, 1984.

Furnant 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 DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 494-3000

September 20, 1984

YEO TALESKI, JR. DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 61 Zoning Advisory Committee Meeting are as follows:

Property Owner: Canton Railroad Company Location: N/S Rolling Mill Road 570' E. from c/l Canton Center Drive Existing Zoning: M-1 E/S Rolling Mill Road 650' S. from c/l Balto. St. Proposed Zoning: Special Exception for two sets (locations) of double-faced illuminated 12 x 25 advertising structures.

Acres: 15 x 30 District: 15th.

The items checked below are applicable:

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82

A building/other miscellaneous permit shall be required before beginning construction.

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

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

An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line. see Table 101, line 2, Section 107 and Table 102, also Section 502.1.

Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____

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.

Before this office can comment on the above structure, please have the owner, thru the services 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 101.

SPECIAL NOTE: Comments - Clearance from railroad tracks is controlled by the Public Service Commission, Transportation Department. The Section of Code is Article 25, Section 3B of the Annotated Code of Maryland. The Public Service Order # is 50138.

NOTES: 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 102 (Plans Review) at 111 West Chesapeake Ave., Towson.

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

CEB:es

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER N/S of Rolling Mill Rd., 570' E of the Centerline of Canton Center Dr., & E/S of Rolling Mill Rd., 650' S of the Center - line of Baltimore St., 15th District : OF BALTIMORE COUNTY CANTON RAILROAD COMPANY, : Case No. 85-122-X Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-entitled 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 494-2188

I HEREBY CERTIFY that on this 17th day of October, 1984, a copy of the foregoing Entry of Appearance was mailed to Canton Railroad Company, 4201 Boston St., Baltimore, MD 21224, ATTN: Thomas H. Myers, President, General Manager; and Mr. Wilbur R. Walker, Foester & Kleiser, 3001 Remington Ave., Baltimore, MD 21211, Contract Lessee.

Peter Max Zimmerman Peter Max Zimmerman

October 4, 1984

Mr. Thomas H. Myers General Manager Canton Railroad Company 4201 Boston Street Baltimore, Maryland 21224

NOTICE OF HEARING RE: Petition for Special Exception Sign No. 1-N/S Rolling Mill Rd., 570' E of c/l of Canton Center Drive Sign No. 2-E/S Rolling Mill Rd., 650' S of the c/l of Baltimore St. Canton Railroad Company - Petitioner Case No. 85-122-X

TIME: 11:00 A.M.

DATE: Wednesday, November 7, 1984

PLACE IN ENVELOPE, 111 West Chesapeake

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 133254 DATE 10/31/84 ACCOUNT R-85-122-X AMOUNT \$120.00 RECEIVED FROM Paul Walker FOR City fee for Item 401 Special Exception

cc: Mr. Wilbur Walker Foester and Kleiser 3001 Remington Avenue Baltimore, Maryland 21211

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 10/19/84 85-122-X 8:51 AM Posted for: Spec Exception for two double-faced illuminated 12x25 advertising structures Petitioner: Canton Railroad Company Location of property: N/S Rolling Mill Rd. 570' E of Canton Center Drive, 21224 E/S Rolling Mill Rd. 650' S of Baltimore St. Location of Signs: 1 - N/S Rolling Mill Rd. 570' E of Canton Center Drive, 21224 2 - E/S Rolling Mill Rd. 650' S of Baltimore St. Remarks: Posted by: [Signature] Date of return: 10/25/84 Number of Signs: 2

ORIGINAL

85-122-X

59203

CERTIFICATE OF PUBLICATION

Dundalk, MD., 10/19/84 THIS IS TO CERTIFY that the annexed advertisement was published in THE BALTIMORE COUNTY JOURNAL, a weekly newspaper, published in Dundalk, Baltimore County, Maryland, appearing on 10/18, 1984

The Baltimore County Journal, Publisher

LEGAL NOTICE box with text regarding publication requirements and a signature line.

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

ARNOLD JABLON ZONING COMMISSIONER

December 4, 1984

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

Mr. Barry Freedman Foester & Kleiser 3001 Remington Avenue Baltimore, Maryland 21211

RE: Petition for Special Exception Sign No. 1 - N/S of Rolling Mill Rd., 570' E of the center line of Canton Center Dr., Sign No. 2 - E/S of Rolling Mill Rd., 650' S of the center line of Baltimore St. - 15th Election District Canton Railroad Company - Petitioner No. 85-122-X (Item No. 61)

Dear Mr. Freedman:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours, Jean M. H. Jung Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Counsel

PETITION FOR SPECIAL EXCEPTION

15th Election District

LOCATION: Sign No. 1 - Northside of Rolling Mill Road, 570 feet East of the centerline of Canton Center Drive Sign No. 2 - East side of Rolling Mill Road, 650 feet South of the centerline of Baltimore Street

DATE AND TIME: Wednesday, November 7, 1984 at 11:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 two sets (locations) of double-faced illuminated 12' X 25' advertising structures.

Being the property of Canton Railroad Company as shown on the plat filed with the Zoning Office.

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

OFFICE FOR VARIATIONS
150 E. Baltimore Street
Towson, Md. 21286
Tel. 278-1100

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 25, 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 October 25, 1984

THE JEFFERSONIAN,
B. Keutark
Publisher

Cost of Advertising

OFFICE FOR SPECIAL
150 E. Baltimore Street
Towson, Md. 21286
Tel. 278-1100

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 18, 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 October 18, 1984

THE JEFFERSONIAN,
B. Keutark
Publisher

Cost of Advertising 22.00

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

October 26, 1984

Mr. Thomas H. Myers
Canton Railroad Company
4201 Boston Street
Baltimore, Maryland 21224

RE: Petition for Special Exception
N/S Rolling Mill Rd., 570' E of c/l of
Canton Center Drive and E/S Rolling Mill
Road, 650' S of the c/l of Baltimore St.
Canton Railroad Company - Petitioner
Case No. 85-122-X

Dear Mr. Myers:
This is to advise you that \$52.00 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. Remove sign until day of hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 135844
DATE Nov. 7, 1984 ACCOUNT 4-01-615-000
AMOUNT 52.00
RECEIVED John H. Myers FOR Mr. T. H. Myers
ARNOLD JABLON
Zoning Commissioner

PROPERTY DESCRIPTIONS

SIGN #1
BEGINNING AT A POINT LOCATED ON THE NORTH SIDE OF ROLLING MILL ROAD (50 FEET WIDE) 770 FEET EAST OF THE CENTERLINE OF CANTON CENTER DRIVE (70 FEET WIDE) AND 60 FEET FROM THE CENTERLINE OF ROLLING MILL ROAD AND THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: 1) NORTHEASTERLY A DISTANCE OF 30 FEET TO A POINT, THENCE 2) SOUTHEASTERLY A DISTANCE OF 15 FEET TO A POINT, THENCE 3) SOUTHWESTERLY A DISTANCE OF 30 FEET TO A POINT, THENCE 4) NORTHWESTERLY A DISTANCE OF 15 FEET TO THE BEGINNING POINT.

SIGN #2
BEGINNING AT A POINT LOCATED ON THE EAST SIDE OF ROLLING MILL ROAD (50 FEET WIDE) 650 FEET SOUTH OF THE CENTERLINE OF BALTIMORE STREET (60 FEET WIDE) AND 75 FEET FROM THE CENTERLINE OF ROLLING MILL ROAD AND THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: 1) NORTHEASTERLY A DISTANCE OF 30 FEET TO A POINT, THENCE 2) SOUTHEASTERLY A DISTANCE OF 15 FEET TO A POINT, THENCE 3) SOUTHWESTERLY A DISTANCE OF 30 FEET TO A POINT, THENCE 4) NORTHWESTERLY A DISTANCE OF 15 FEET TO THE BEGINNING POINT.

PETITION FOR SPECIAL EXCEPTION
15th Election District

LOCATION: Sign No. 1 - Northside of Rolling Mill Road, 570 feet East of the centerline of Canton Center Drive
Sign No. 2 - East side of Rolling Mill Road, 650 feet South of the centerline of Baltimore Street
DATE AND TIME: Wednesday, November 7, 1984 at 11:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West 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 two sets (locations) of double-faced illuminated 12' X 25' advertising structures.

Being the property of Canton Railroad Company as shown on the plat filed with the Zoning Office.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: October 16, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Canton Railroad Company
SUBJECT: No. 85-122-X

This office is not opposed to the proposed billboard within the non-residential area. However, we are strongly opposed to the proposed location of the other billboard adjacent to residential development.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEB/JCH/af

RE: PETITION FOR SPECIAL EXCEPTION
Sign No. 1 - N/S of Rolling Mill Rd., 570'
E of the center line of Canton Center Dr.
Sign No. 2 - E/S of Rolling Mill Rd., 650'
S of the center line of Baltimore St.
15th Election District
Canton Railroad Company - Petitioner
No. 85-122-X (Item No. 61)

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing:

- The petitioners propose to construct two sets of double-faced illuminated, 12'x25' advertising structures on two separate parcels. Both parcels are zoned manufacturing.
- The property to the north and east of Rolling Mill Road, in the vicinity of the proposed sites, is improved with railroad tracks and Eastern Stainless Steel Company. From sign No. 2 to Eastern Boulevard on the east side of Rolling Mill Road the land is zoned M.L.-I.M. and B.M.-C.S.A. and is occupied by retail establishments, i.e., Frank's Nursery and Crafts and Legum Chevrolet. South of Rolling Mill Road across from sign No. 1 is vacant land zoned M.H.-I.M. West of Rolling Mill Road across from sign No. 2 is the established community of Colgate, zoned D.R. 10.5.
- Comments submitted by the Director of the Office of Planning and Zoning state:

"This office is not opposed to the proposed billboard within the non-residential area. However, we are strongly opposed to the proposed location of the other billboard adjacent to residential development."

After due consideration of all testimony and evidence presented and an on-site field inspection of the property, in the opinion of the Deputy Zoning Commissioner, sign No. 1 would not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of the zoning regulations. However, as sign No. 2 would be located directly across the road from a residential neighborhood, this sign would be detrimental to the health, safety, and general welfare of the community and would not be within the spirit and intent of the zoning regulations.

ORDER RECEIVED FOR FILING
DATE: December 4, 1984
BY: *Myra Campagna* (Clk)

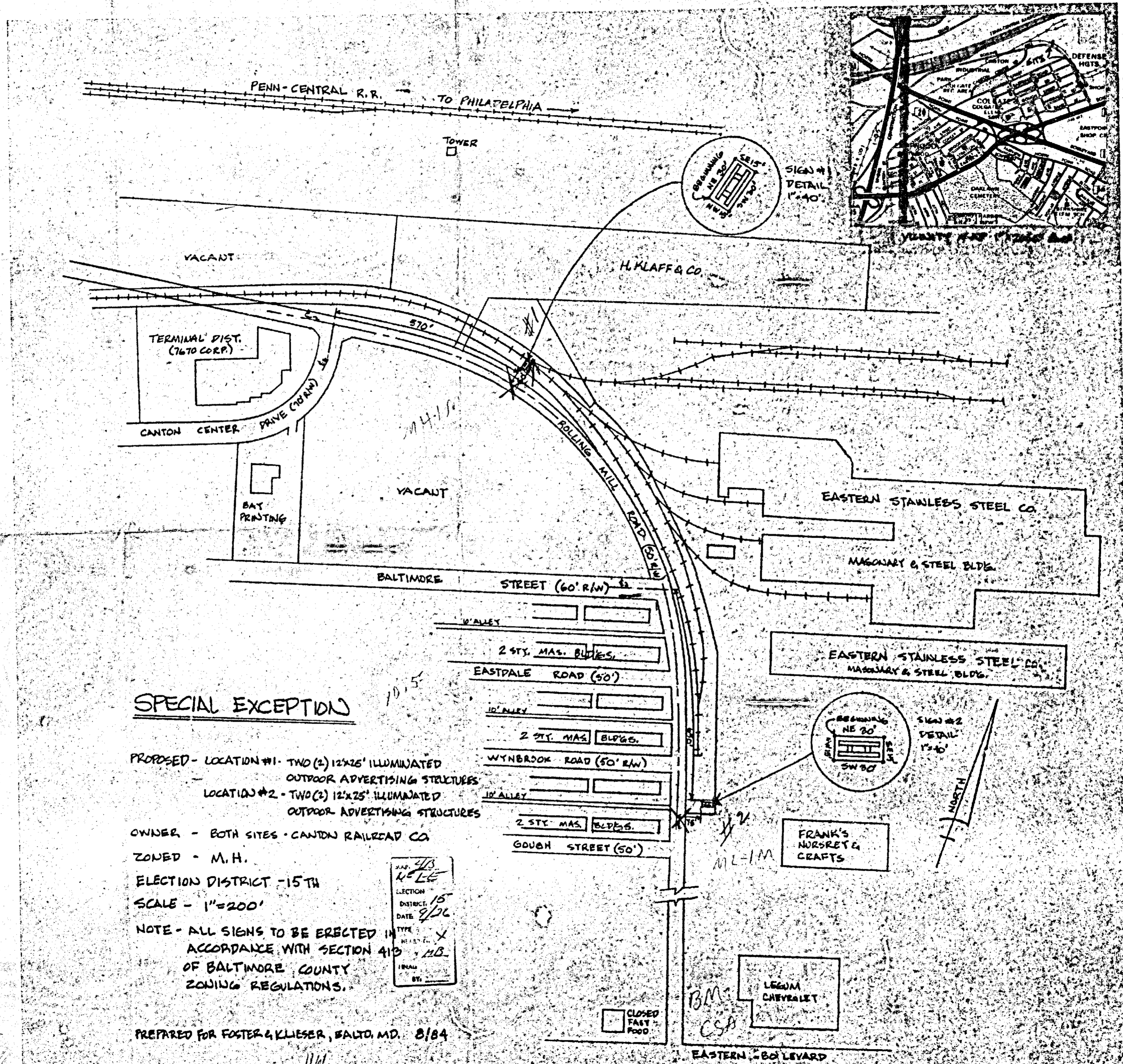
Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 4th day of December, 1984, that to construct a 12'x25' double-faced illuminated advertising structure, sign No. 1, on the north side of Rolling Mill Road, 570' east of the center line of Canton Center Drive, is GRANTED, from and after the date of this Order, subject to the following:

- The site plan submitted shall be revised to indicate all zoning designations within the area.

IT IS FURTHER ORDERED that sign No. 2, on the east side of Rolling Mill Road, 650 feet south of the center line of Baltimore Street, is hereby DENIED.

Jan M. H. Jones
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE: December 15, 1984
BY: *Myra Campagna* (Clk)



SPECIAL EXCEPTION

PROPOSED - LOCATION #1 - TWO (2) 12'x25' ILLUMINATED
OUTDOOR ADVERTISING STRUCTURES
LOCATION #2 - TWO (2) 12'x25' ILLUMINATED
OUTDOOR ADVERTISING STRUCTURES

OWNER - BOTH SITES - CANTON RAILROAD CO

ZONED - M. H.

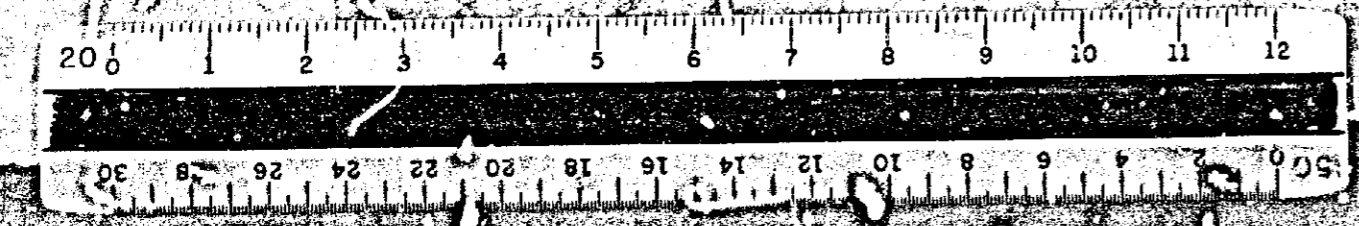
ELECTION DISTRICT - 15TH

SCALE - 1"=200'

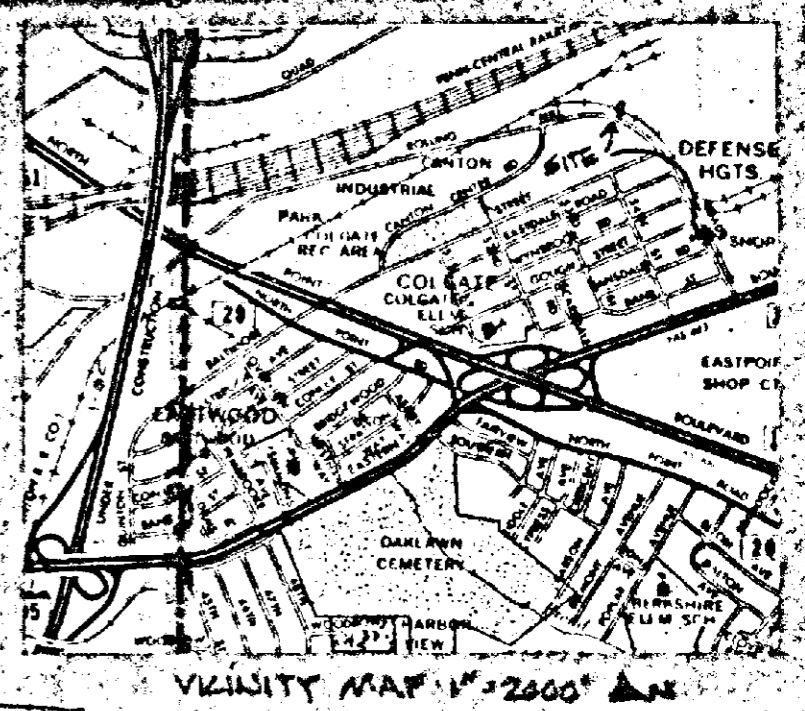
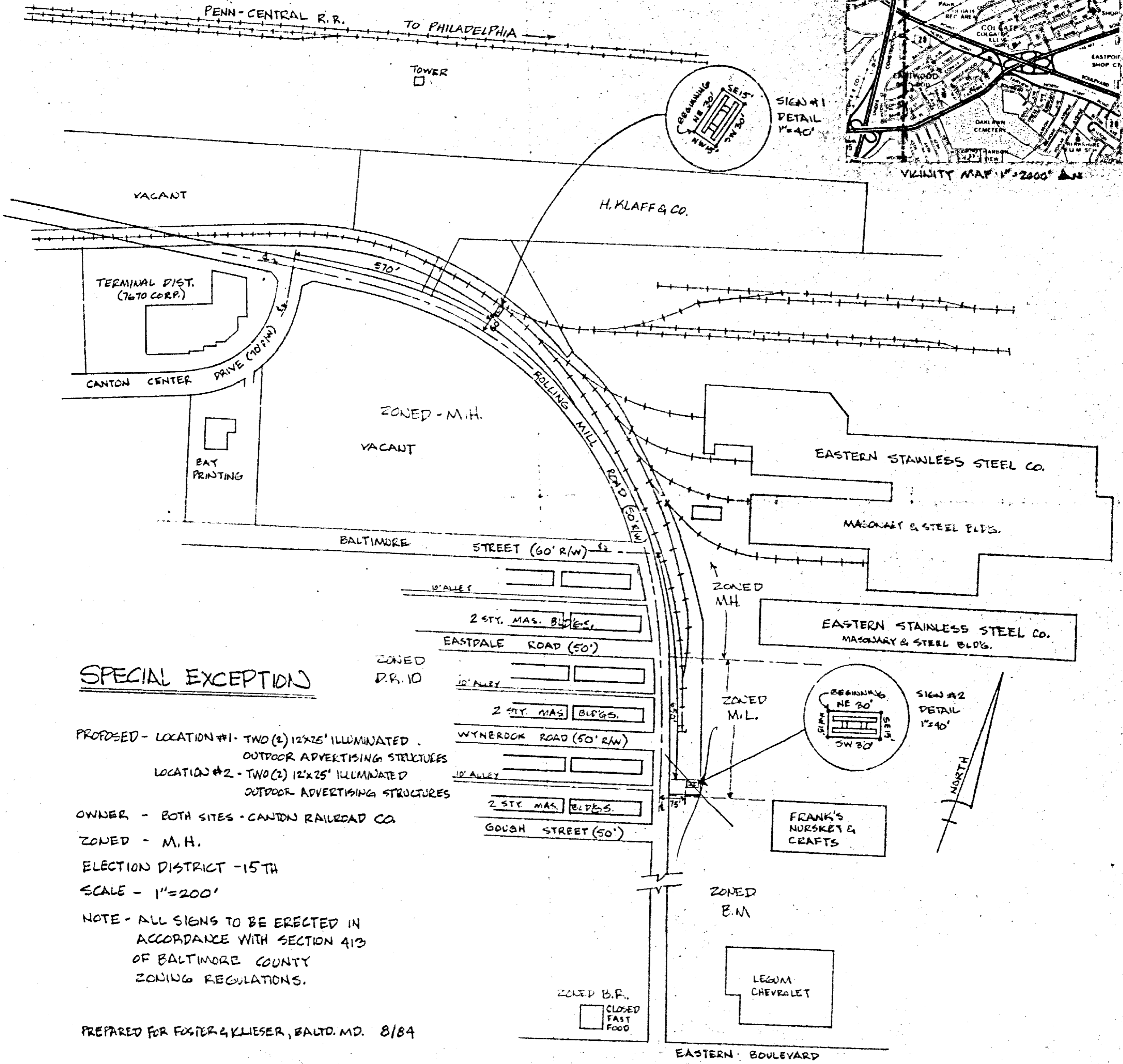
NOTE - ALL SIGNS TO BE ERRECTED IN
ACCORDANCE WITH SECTION 410
OF BALTIMORE COUNTY
ZONING REGULATIONS.

MAP 413
NELE
ELECTION
DISTRICT 15
DATE 8/26
TYPE X
BY HB
BY

PREPARED FOR FOSTER & KLIESER, BALTO, MD. 8/84



36-A/12
7/24



SPECIAL EXCEPTION

PROPOSED - LOCATION #1 - TWO (2) 12'x25' ILLUMINATED OUTDOOR ADVERTISING STRUCTURES
 LOCATION #2 - TWO (2) 12'x25' ILLUMINATED OUTDOOR ADVERTISING STRUCTURES

OWNER - BOTH SITES - CANTON RAILROAD CO.
 ZONED - M.H.

ELECTION DISTRICT - 15TH
 SCALE - 1"=200'

NOTE - ALL SIGNS TO BE ERECTED IN ACCORDANCE WITH SECTION 413 OF BALTIMORE COUNTY ZONING REGULATIONS.

PREPARED FOR FOSTER & KLIESER, BALTO. MD. 8/84

Case 85-1227