

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

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

(Request for Variance continued):

It has been brought to my attention that after verbal approval from Mr. Swan of accepted size of my proposed sign, that we now face a new interpretation of the size limitations.

It would cause me extreme hardship to have to absorb loss of monies invested in good faith, due to recent change of interpretations of size regulations.

In view of the above, I am in desperate need of your approval of this variance which I am hereby applying for.

Petition for Variance

11th Election District
LOCATION: Northeast corner of
Belair Road and Raab Avenue (8801
Belair Road).

DATE & TIME: Monday, March 4,
1985 10:00 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 Variance to allow a free-
standing sign of 192 sq. ft. instead of
the permitted 100 sq. ft.

Being the property of Marvin L.
Johnson, Jr., as shown on the plat
filed with the Zoning Office.

In the event that this Petition is
granted, a building permit may be in-
sued within the thirty (30) day appeal
period. The Zoning Commissioner
will, however, maintain any request
for a stay of the issuance of said per-
mit 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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 2/15/85
Posted for: Var. License, Ex. 85-242-A
Petitioner: Marvin L. Johnson, Jr.
Location of property: N.E. Cor. Belair Rd. & Raab Ave.
8801 Belair Rd.
Location of Sign: Facing Belair Rd. Approx. 10' From 770' Mark
on N.E. Cor. Belair Rd. Approx. 10' From 770' Mark
Remarks: None
Posted by: Arnold Jablon Date of return: 2/15/85
Number of Signs: 1



PAUL H. RENCKE
CHIEF

January 23, 1985

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Marvin L. Johnson, Jr.

Location: NE Corner of Belair Rd. and Raab Avenue

Item No.: 190 Zoning Agenda: Meeting of 1/9/85

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.

Noted and Approved: Arnold Jablon
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

February 3, 1985

Mr. Marvin L. Johnson, Jr.
8801 Belair Road
Baltimore, Maryland 21236

NOTICE OF HEARING

Re: Petition for Variance
NE Cor. Belair Road and Raab Avenue
(8801 Belair Road)
Marvin L. Johnson, Jr. - Petitioner
Case No. 85-242-A

TIME: 10:00 A.M.

DATE: Monday, March 4, 1985

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

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

No. 003149

DATE: 2/15/85 ACCOUNT: 10-615-000

FOR: 801 PD: 100-1-4-85-111

RECEIVED: 2/15/85 FROM: 100-1-4-85-111

FOR: 801 PD: 100-1-4-85-111

RECEIVED: 2/15/85 FROM: 100-1-4-85-111

FOR: 801 PD: 100-1-4-85-111

RECEIVED: 2/15/85 FROM: 100-1-4-85-111

FOR: 801 PD: 100-1-4-85-111

RECEIVED: 2/15/85 FROM: 100-1-4-85-111

FOR: 801 PD: 100-1-4-85-111

RECEIVED: 2/15/85 FROM: 100-1-4-85-111

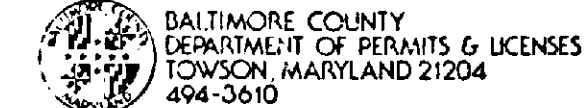
FOR: 801 PD: 100-1-4-85-111

RECEIVED: 2/15/85 FROM: 100-1-4-85-111

FOR: 801 PD: 100-1-4-85-111

RECEIVED: 2/15/85 FROM: 100-1-4-85-111

FOR: 801 PD: 100-1-4-85-111



January 17, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 190 Zoning Advisory Committee Meeting are as follows:

Property Owner: Marvin L. Johnson, Jr.
Location: NE Corner of Belair Road and Raab Avenue
Existing Zoning: B-1
Proposed Zoning: Variance to allow a free standing sign of 192 sq. ft. instead of the permitted 100 sq. ft.

Agrees: .61
District: 11th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

(B) A building/ & other / permit shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is 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.

2. An exterior wall erected within 5'0" 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 1102, also Section 503.2.

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

4. 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.

5. 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 205 and the required construction classification of Table 401.

6. Comments

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 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

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

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

CEB:sa

DESCRIPTION OF PROPERTY KNOWN AS 8801 BELAIR ROAD:

Beginning at a point on the Northeast corner of Belair Road and Raab Avenue and thence running North 50° 16', East 114.94'; thence South 46° East 231.63'; thence South 50° 16' West 114.94'; thence North 46° West 231.63' to the beginning point.

Also known as 8801 Belair Road.

PETITION FOR VARIANCE
11th Election District

LOCATION: Northeast corner Belair Road and Raab Avenue (8801 Belair Road)

DATE AND TIME: Monday, March 1, 1985 at 10:00 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 Variance to allow a free-standing sign of 192 sq. ft. instead of the permitted 100 sq. ft.

Being the property of Marvin L. Johnson, Jr. 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

IN RE: PETITION ZONING VARIANCE
NE/corner of Belair Road and
Raab Avenue - 11th Election
District
Marvin L. Johnson, Jr.,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-242-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a free-standing business sign of 198 square feet instead of the permitted 100 square feet, as shown on Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants.

Testimony indicated that the subject property, located on Belair Road and zoned B.L., is being utilized for commercial purposes by the Petitioner. Prior to purchasing the proposed sign for his business in March, 1984, the Zoning Office advised the Petitioner that a multi-faced sign of 100 square feet, determined by computing the area of one side of the sign, could be erected on the property. Based on this information, the Petitioner purchased the sign at a cost of \$9,500. Subsequent thereto, the Petitioner found that this interpretation of the sign regulations had been changed and that both sides of a business sign must be computed to determine the legal size permitted. The area surrounding the instant site is commercial.

The Petitioner seeks relief from Section 413.2.f, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *M. L. Johnson v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 29 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1st day of March, 1985, that the Petition for Zoning Variance to permit a free-standing business sign of 198 square feet instead of the permitted 100 square feet be and the same is hereby GRANTED, from and after the date of this order, subject to the following:

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

time is at his 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.

Arnold Jablon
Zoning Commissioner of
Baltimore County

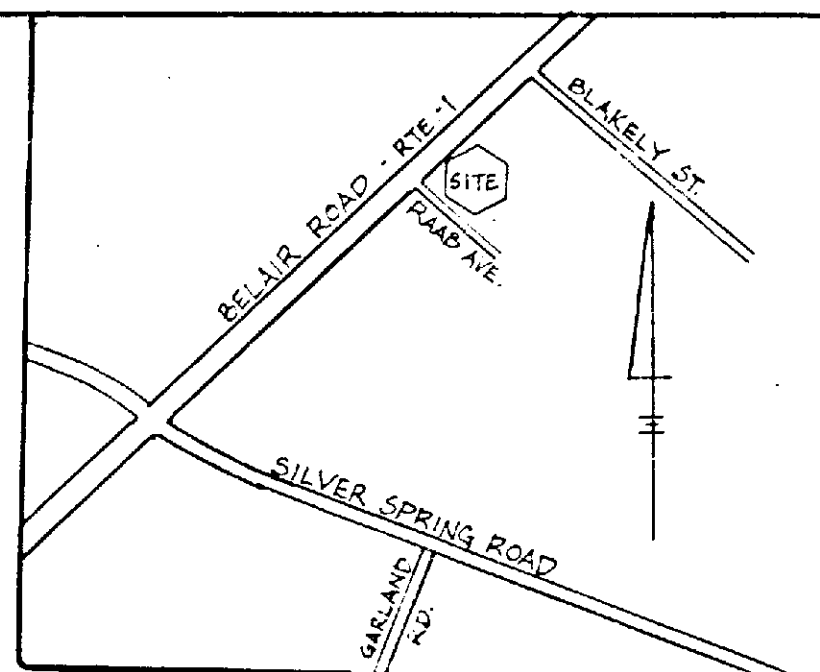
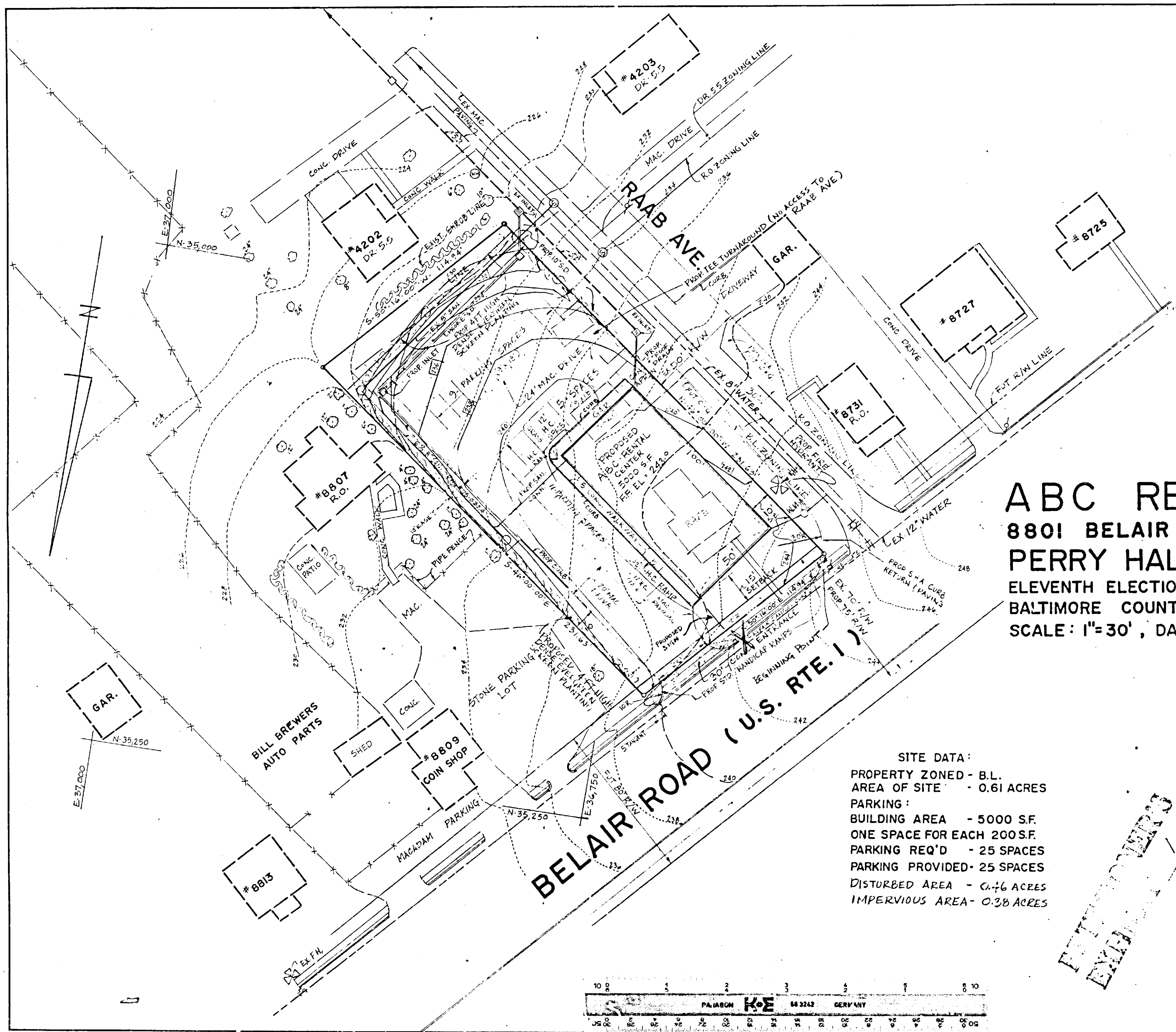
AJ/srl

cc: Mr. Marvin L. Johnson, Jr.

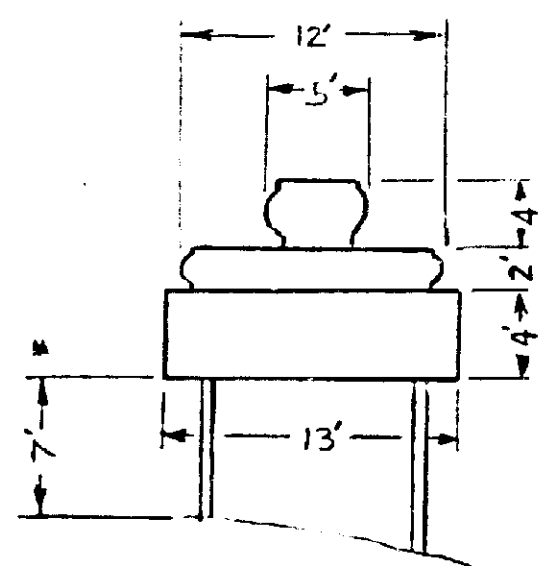
People's Counsel

ORDER RECEIVED FOR FILING

DATE *March 1, 1985*
BY *John P. Long*
ADMINISTRATIVE SERVICES



VICINITY MAP
1" = 500'



SIGN DETAIL

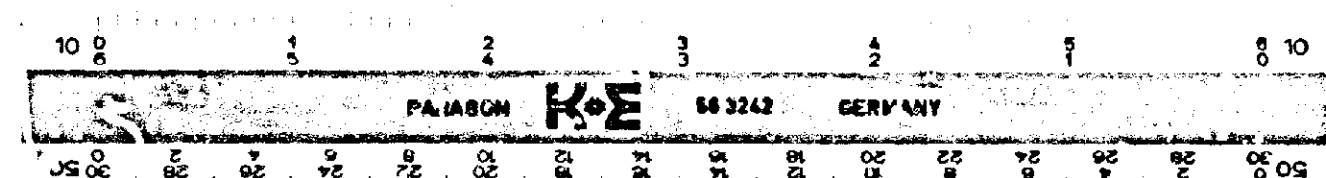
ABC RENTAL
8801 BELAIR ROAD
PERRY HALL
 ELEVENTH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 SCALE: 1"=30', DATE: JULY 1981

REV. AUG. 31, 1981 (EX. 5'S.)
 REV. SEPT. 14, 1981 (COMMENTS)
 REV. SEPT. 21, 1981 (FIRE HYDRANT UTIL.)
 REV. SEPT. 23, 1981 (PARKING R.O. ZONE)
 REV. JAN. 4, 1985 (SIGN)

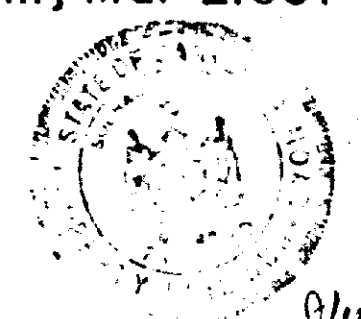
DEVELOPER:
 MARVIN L. JOHNSON, JR.
 % ABC RENTAL CENTER
 2601 BELAIR RD.
 PERRY HALL, MD. 21236

SITE DATA:
 PROPERTY ZONED - B.L.
 AREA OF SITE - 0.61 ACRES
 PARKING:
 BUILDING AREA - 5000 S.F.
 ONE SPACE FOR EACH 200 S.F.
 PARKING REQ'D - 25 SPACES
 PARKING PROVIDED - 25 SPACES
 DISTURBED AREA - 0.46 ACRES
 IMPERVIOUS AREA - 0.38 ACRES

Benchmark Consultants
 10,400 Harford Rd.
 Glen Arm, Md. 21057



PREPARED BY
 BENCHMARK CONSULTANTS
 DATE: JULY 1981



Permit - C-1313-81