

86-189-X PAH Hauswald CASOPH MX. ITEM 53 PETITION FOR SPECIAL EXCEPTION

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) illuminated 12' x 25' advertising (sign) structure

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/We 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: Lessee:

Foster & Kleiser

Type of Property

3001 Remington Avenue

Address

Baltimore, MD 21211

City and State

Attorney for Petitioner:

M. Albert Figinski

Type of Property

36 S. Charles Street

Address

Baltimore, MD 21201

City and State

Attorney's Telephone No.:

Legal Owner(s):

Philip J. Hauswald, Jr.

Type of Property

112 Wellham Avenue

Address

Baltimore, MD 21201

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

W. R. Walker, Foster & Kleiser

Name

3001 Remington Avenue

Address

Baltimore, MD 21211

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of September, 1985, 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 29th day of October, 1985, at 1:30 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

PROPERTY DESCRIPTION

BEGINNING AT A POINT LOCATED ON THE EAST SIDE OF YORK ROAD (66 FEET WIDE), 270 FEET FROM THE NORTH SIDE OF HADDINGTON ROAD (30 FEET WIDE) AND 53 FEET FROM THE CENTERLINE OF YORK ROAD AND THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: 1.) NORTH-WESTERLY AND PARALLEL TO YORK ROAD A DISTANCE OF 6 FEET TO A POINT, THENCE 2.) NORTHEASTERLY AT A RIGHT ANGLE A DISTANCE OF 30 FEET TO A POINT, THENCE 3.) SOUTHEASTERLY AT A RIGHT ANGLE A DISTANCE OF 6 FEET TO THE NORTH SIDE OF EXISTING BUILDING THENCE, 4.) SOUTHWESTERLY AND ALONG EXISTING BUILDING A DISTANCE OF 30 FEET TO THE BEGINNING POINT.



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

ARNOLD JABLON
ZONING COMMISSIONER

December 19, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

M. Albert Figinski, Esquire
36 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
E/S of York Road, 270' N of
Haddington Road -
8th Election District
Philip J. Hauswald, Jr.,
Petitioner
Case No. 86-189-X

Dear Mr. Figinski:

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

Very truly yours,

JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:tg

Attachments

cc: People's Counsel

Ms. Mary Ginn
Baltimore County Community Councils, Inc.
605 Horncrest Road
Towson, Maryland 21204

PETITION FOR SPECIAL EXCEPTION

8th Election District

LOCATION:

East side of York Road, 270' North of
Haddington Road

DATE AND TIME:

Tuesday, October 29, 1985 at 1:30 p.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 one (1) illuminated 12' x 25' advertising structure (sign).

Being the property of Philip J. Hauswald 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

RE: PETITION FOR SPECIAL EXCEPTION
E/S of York Road, 270' N of
Haddington Road -
8th Election District
Philip J. Hauswald, Jr.,
Petitioner
Case No. 86-189-X

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

The Petitioner herein requests a special exception for one illuminated advertising structure.

Testimony on behalf of the Petitioner indicated that the lessee proposes to locate a single sign adjacent to the north side of an existing commercial building. There are no other outdoor advertising signs on the east side of York Road from Joppa Road into Cockeysville.

A representative of the Alliance of Baltimore County Community Councils, Inc. testified that property one block south is zoned R.O. and housing is located immediately to the east of the site. A sign as large as the one proposed is not appropriate to the area. In addition, such a size may be hazardous considering the congested traffic conditions in that specific portion of York Road.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty or unreasonable hardship upon the petitioner, the requirements of Section 502.1, BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 19th day of December, 1985, that the herein Petition for Special Exception for one illuminated advertising structure, in accordance with the plan submitted and filed herein marked Petitioner's Exhibit 1, is hereby

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
E/S York Rd., 270' N of
Haddington Rd., 8th District : OF BALTIMORE COUNTY
PHILIP J. HAUSWALD, JR., : Case No. 86-189-X
Petitioner

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
494-2188

I HEREBY CERTIFY that on this 2nd day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to M. Albert Figinski, Esquire, 36 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner; and Mr. W. R. Walker, Foster & Kleiser, 3001 Remington Ave., Baltimore, MD 21211, Lessee.

Peter Max Zimmerman
Peter Max Zimmerman

GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. Illumination shall be cut off at 11:00 p.m.

JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County

JMHJ:tg

RECEIVED FOR FILE
DATE December 19, 1985
ADMINISTRATIVE ASSISTANT



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

ARNOLD JABLON
ZONING COMMISSIONER

October 24, 1985

M. Albert Figinski, Esquire
36 S. Charles Street
Baltimore, Maryland 21201

Re: Petition for Special Hearing
E/S York Rd., 270' N/Haddington Rd.
8th Election District
Philip J. Hauswald, Jr. - Petitioner
Case No. 86-189-X

Dear Mr. Figinski:

This is to advise you that \$61.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, County Office Building, Inc.

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

DATE 10-29-85 ACCOUNT R-01-615-000

AMOUNT \$ 61.00

RECEIVED FOR: Foster and Kleiser

FOR: Advertising and Posting 86-189-X

8 0107*****610018 5316F

VALIDATION OR SIGNATURE OF CASHIER

JUN 12 1986

M. Albert Figinski, Esquire
36 S. Charles Street
Baltimore, Maryland 21201

September 27, 1985

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
F/S York Rd., 270' N/Haddington Rd.
8th Election District
Philip J. Hauswald, Jr., Petitioner
Case No. 86-189-X

TIME: 3:30 p.m.

DATE: Tuesday, October 29, 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. 008650

DATE: 9-26-85 ACCOUNT: R-01-615-000

AMOUNT: \$100.00

RECEIVED FROM: Filing fee for Item 53 (ORD 544)

FOR: Filing fee for Item 53 (ORD 544)

B 8145*****1302013 10747

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 26, 1985

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

Item No. 53 - ZAC Meeting of August 20, 1985
Property Owner: Philip J. Hauswald, Jr.
Location: E/S York Road, 270' north of Haddington Road
Existing Zoning: B/L
Proposed Zoning: Special Exception for one illuminated 12' x 25' advertising sign

Acres: 8th Election District

Dear Mr. Jablon:

The Department of Traffic Engineering has no comment on this particular item.

Very truly yours,

Michael S. Flanagan
Traffic Engineering Associate II

MSE/bza

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 7, 1985

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

M. Albert Figinski, Esquire
36 South Charles Street
Baltimore, Maryland 21201

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

Dear Mr. Figinski:

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.

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,

James E. Dyer, Inc.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: W. R. Walker, Foster & Kleiser
3001 Remington Avenue
Baltimore, Maryland 21211

Maryland Department of Transportation
State Highway Administration

September 4, 1985

William K. Hellmuth
Secretary
Hal Kassatf
Administrator

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

Att: Mr. James E. Dyer

Re: ZAC Meeting of August 20, 1985
ITEM: #53
Property Owner: Philip J. Hauswald, Jr.
Location: E/S York Road, Route 45, 270' N. of Haddington Road
Existing Zoning: B.L.
Proposed Zoning: Special Exception for one illuminated 12' x 25' advertising sign
District: 8th Election District

Dear Mr. Jablon:

On review of the submittal of Special Exception for one illuminated advertising sign, Zoning Item #53 has been forwarded to the State Highway Administration Reauthorization Section c/o Mr. Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle
Mr. M. Stein (w-attachment)

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
P.O. Box 777/707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

August 20, 1985

Mr. Arnold Jablon
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: Philip J. Hauswald, Jr.

Location: E/S York Road, 270' N of Haddington Road

Item No.: 53 Zoning Agenda: Meeting of August 20, 1985

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 100 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.

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

REVIEWER: Noted and Approved: Roy W. Kemmer
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

September 10, 1985

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

Dear Mr. Jablon:

Comments on Item # 53 Zoning Advisory Committee Meeting are as follows:

Property Owner: Philip J. Hauswald, Jr.
Location: E/S York Road, 270' N of Haddington Road
District: 8th.

APPLICABLE CODES ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.D.C. #17-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland architect or Engineer is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.

5. All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are not acceptable. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____ See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Flood/Alleviation. Please see the attached copy of Section 316.6 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the Flood Plain Flood/Alleviation.

10. Comments: Signs shall comply with Article 19 and its amendments by County Council Bill #17-85.

11. These abbreviated 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 the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Johnson
City Engineer
Building Plans Review

10/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: October 22, 1985

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

SUBJECT: Zoning Petition No. 86-189-X

This office is opposed to the granting of the subject request. Arterial roads in Baltimore County already are over-saturated with signage of all shapes, sizes and colors. The subject proposal would add to the existing visual chaos along our highways.

NEG:JCH:alm

Norman E. Gerber, Director
Office of Planning and Zoning

JUN 12 1986

PETITION FOR SPECIAL EXCEPTION
8th Election District

LOCATION: East side of York Road, 270' North of Haddington Road
DATE AND TIME: Tuesday, October 29, 1985 at 1:30 p.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 (1) illuminated 12' x 25' advertising structure (sign).

Being the property of Philip J. Hauswald 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
Oct. 10.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 10, 1985

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 10, 1985

THE JEFFERSONIAN,

JB Venturi

Publisher

Cost of Advertising
22.00

86-189-X

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 9, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 9, 1985.

TOWSON TIMES,

JB Venturi

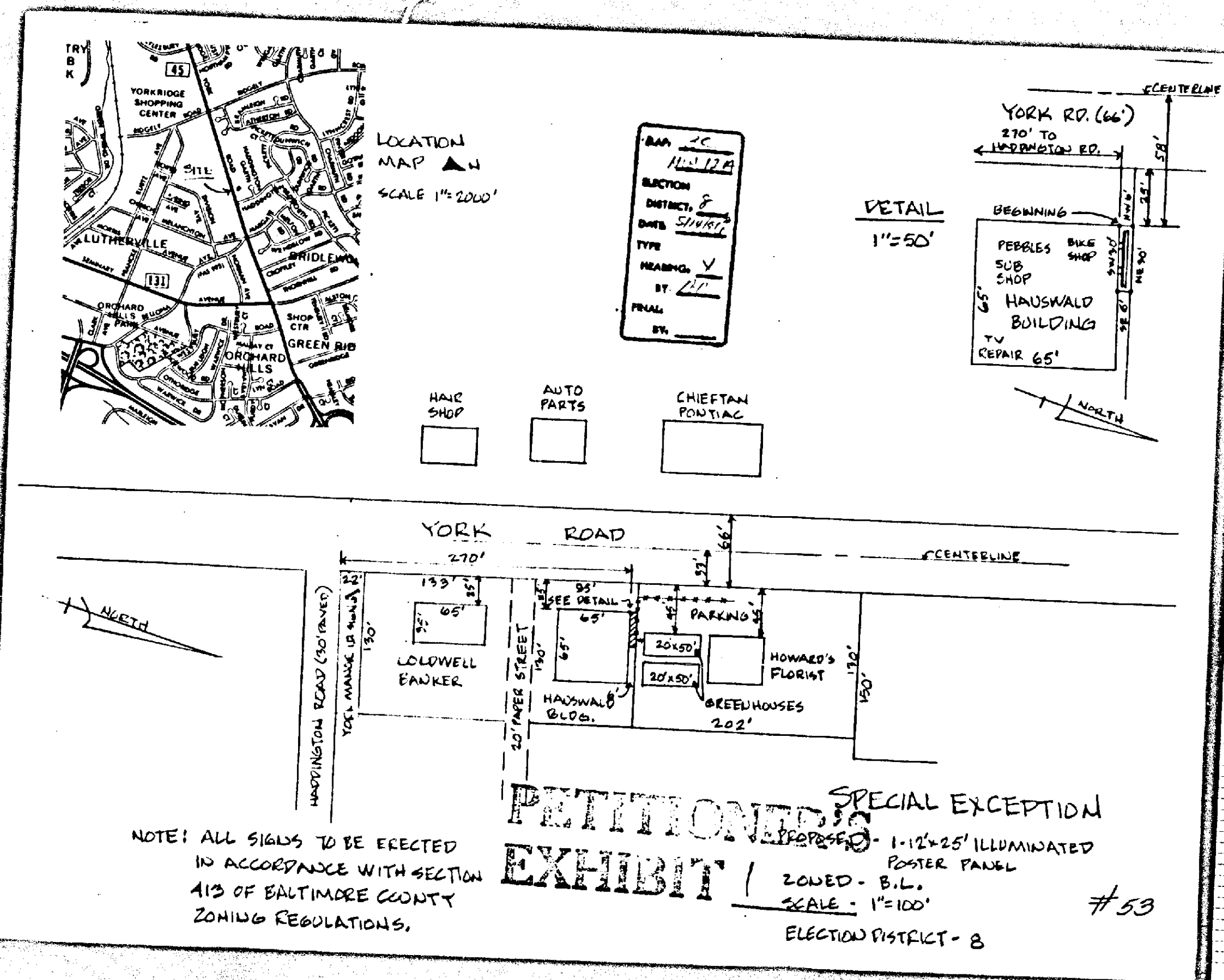
Publisher

34.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-189-X

District: 8th Date of Posting: 10/8/85
Posted for: Special Exception
Petitioner: Philip J. Hauswald, Jr.
Location of property: E/S York Rd., 270' N/Haddington Rd.
Location of Signs: Facing York Rd., Approx. 6' Fr. road & way
on property of Petitioner
Remarks: _____
Posted by: M. Healy Date of return: 10/8/85
Number of Signs: 1



Case No. 86-189-X

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 24th day of September, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Philip J. Hauswald, Jr.
Petitioner's Attorney: W. Albert Figinski, Esquire

Received by: JAMES E. DYER, Chairman
Zoning Plans Advisory Committee