

MAP REF. 82
4C
E.D. 14
DATE 1-28-87
200
1000
DP

86-225-X
#109

11-21-85
#4784

86-225-X
#109

Paul Goodman Co. 86-225-X
SE/CR - Belair and Ridge 14th District

Case No. 86-225-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
14th day of October, 1985.
ARNOLD JABLON
Zoning Commissioner
Petitioner: Paul Goodman
Petitioner's Attorney: M. Albert Figinski, Esquire
Received by: James E. Dyer, Jr.
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
Arnold Jablon
Zoning Commissioner
TO: Norman E. Gerber, Director
Office of Planning and Zoning
FROM: Zoning Petition No. 86-225-X
SUBJECT: Zoning Petition No. 86-225-X
Date: November 13, 1985
There are no comprehensive planning factors requiring comment on this petition.
Norman E. Gerber, Director
NEG:JGH:alm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
October 25, 1985
COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
M. Albert Figinski, Esquire
36 South Charles Street
Baltimore, Maryland 21201
RE: Item No. 109 - Case No. 86-225-X
Petitioner - Paul Goodman
Special Exception Petition
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, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee
JED:mr
Enclosures

Maryland Department of Transportation
State Highway Administration
William K. Hellmann
Secretary
Hal Kassoff
Administrator
October 3, 1985
Re: Baltimore County
Item No. 109
Property Owner: Paul Goodman
Location: SE/centerline Belair Rd.
(Maryland Route 1-N) and Ridge Road
Existing Zoning: B.L.
Proposed Zoning: Spec.
Exception for 1 illum-
inated double faced 12'
x 25' advertising sign
Acres: .46
District: 14th
Att: James Dyer
Dear Mr. Dyer:
On review of the submittal for Special Exception, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein (659-1642) for all comments relative to zoning.
Very truly yours,
Charles L.
Charles Lee, Chief
Bureau of Eng. Access Permits
by: George Wittman
CL-GW/es
cc: J. Ogile
M. Stein w/att.
My telephone number is 301-659-1350
Teletypewriter for Impaired Hearing or Speech
303-7066 Baltimore Metro. - 205-0451 D.C. Metro - 1-800-482-0002 Statewide Toll Free
P.O. Box 717 707 North Calver, St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR
Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204
NOVEMBER 6, 1985
Re: Zoning Advisory Meeting of September 24, 1985
Item #109
Property Owner: SE/PAUL GOODMAN
Location: SE/2 BELAIR RD. + RIDGE RD.
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.
() 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 22-98 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 1/25/85.
() Landscaping: Must comply with Baltimore County Landscape Manual.
() The property is located in a deficient service area as defined by Bill 176-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is located in a traffic area controlled by a "D" level intersection as defined by Bill 176-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
() Additional comments:
Eugene A. Bober
Chief, Current Planning and Development
cc: James Howell

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
STEPHEN E. COLLINS
DIRECTOR
September 23, 1985
Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Item No. -2AC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:
Acres:
District:
Dear Mr. Jablon:
The Traffic Engineering has no comments for items number 100, 101, 102, 103, 104, 106, 107, 109, 111, 112, and 114.
Michael S. Flannigan
Traffic Engineer Assoc II
MSF/blt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4200
PAUL H. RENCKE
CHIEF
September 26, 1985
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee
RE: Property Owner: Paul Goodman
Location: SE/centerline Belair Rd. and Ridge Rd.
Item No.: 109
Zoning Agenda: Meeting of 9/24/85
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 or _____ 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.
REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Division Fire Prevention Bureau
Special Inspection Division

APR 20 1987

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th
Parcel for: Paul Goodman Company
Location of property: Belair, Belair & Ridge Rds.
Location of sign: Southeast corner of Belair & Ridge Rds.
Remedy: Erect 12' x 25' illuminated double-faced sign.
Filed by: JMHJ:bg
Date of return: 1/19/86



January 6, 1986

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County
111 W. Chesapeake Ave.,
Towson, MD 21204

Dear Mrs. Jung:

Please enter an appeal to the Board of Appeals in the matter of Petition for Special Exception (Case No. 86-225-X SE Corner of Belair and Ridge Roads - 14th Election District.) The referenced Petition was denied by Deputy Commissioner's Order dated December 20, 1985.

We are enclosing herewith our check for \$105.00 to cover filing fee and posting of the premises.

Sincerely,
W. R. Walker
Real Estate Dev. Manager

W/R/kg

Enclosure

cc: M. Albert Figinski, Esq.
Phyllis C. Friedman, Esq.
People's Counsel

SERVING MAJOR METROPOLITAN MARKETS THROUGHOUT THE UNITED STATES

PAUL GOODMAN COMPANY #86-225-X
SE/corner of Belair and Ridge Rds. 14th District
SE-One illuminated double-faced 12' x 25' sign

Oct. 14, 1985 Petition filed
Nov. 27 Hearing before the D.Z.C.
Dec. 20 Order of D.Z.C. that the Pet. for S. E. for one ill. sign be DENIED.
Jan. 6, 1986 Order for Appeal to C.B. of A.
June 18 Hearing on appeal before the Board
July 17 Order of the Board ordering that the S.E. for the ill. sign be GRANTED
July 28 Order for Appeal filed in the Cir. Ct. for Balto. Cty. by People's Counsel
July 29 Certificate of Notice filed
Aug. 27, 1986 Record of Proceedings filed in the Circuit Court for Baltimore County
December 1 Decision of CBA AFFIRMED (Judge Fader)

RE: PETITION FOR SPECIAL EXCEPTION
SE/corner of Belair and Ridge
Roads - 14th Election District
Paul Goodman Co.,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-225-X

The Petitioner herein requests a special exception for one illuminated, double-faced, 12' x 25' advertising structure.

Testimony on behalf of the Petitioner indicated that the lessee proposes to locate the double-faced sign on a single pole, one and one-half feet in diameter, placed off-center and closer to Ridge Road as shown on the plan submitted and marked Petitioner's Exhibit 1. The property described for the Petition is a part of an Amoco service station indicated on the plan prepared by Evans, Hagan & Holdefer, Inc., revised July 16, 1979, and marked Petitioner's Exhibit 3. Testimony further indicated that the sign will not occupy any of the existing parking spaces and that its lower edge will be 13 feet above ground level.

A representative of the Alliance of Baltimore County Community Councils, Inc. protested the granting of the variance particularly as it would affect the closest resident on the south side of Ridge Road. The structure shown on Petitioner's Exhibit 1 as a 10' x 12' two-story building on Ridge Road to the southeast of the site is a residence, in fact, the first of continuous residences on both sides of Ridge Road.

After due consideration of all the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, an outdoor advertising sign, illuminated and of the extensive size proposed, in a location which appears (although there is an intervening piece of property) to be the last commercially utilized property off Belair Road before the beginning of an extensive resi-

MICROFILMED

cential neighborhood, is totally inappropriate and, indeed, not only interferes with the light available to the residents of the adjacent home, but is detrimental to the general welfare of the locality involved.

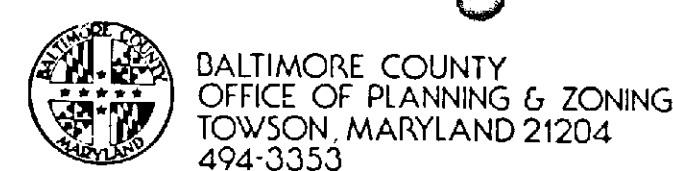
Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations (BCZR) would not result in practical difficulty or unreasonable hardship upon the Petitioner, the requirements of Section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

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of December, 1985, that the herein Petition for Special Exception for one illuminated, double-faced, 12' x 25' advertising structure is hereby DENIED.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

MICROFILMED



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 20, 1985

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

RE: PETITION FOR SPECIAL EXCEPTION
SE/corner of Belair and Ridge
Roads - 14th Election District
Paul Goodman Co., Petitioner
Case No. 86-225-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
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

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

MICROFILMED

PROPERTY DESCRIPTION

LOCATED ON THE SOUTH EAST/ CORNER OF BELAIR AND RIDGE ROADS. BEGINNING AT A POINT LOCATED 165 FEET SOUTH-EAST FROM THE CENTER LINE OF BELAIR ROAD (60 FEET WIDE) AND 40 FEET SOUTH-WEST FROM THE CENTERLINE OF RIDGE ROAD AND THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: 1) SOUTHWESTERLY AND AT A RIGHT ANGLE TO RIDGE ROAD A DISTANCE OF 30 FEET TO A POINT, THENCE 2) SOUTHEASTERLY AT A RIGHT ANGLE A DISTANCE OF 10 FEET TO A POINT, THENCE 3) NORTHEASTERLY AT A RIGHT ANGLE A DISTANCE OF 30 FEET TO A POINT, THENCE 4) NORTHWESTERLY AND PARALLEL TO RIDGE ROAD A DISTANCE OF 10 FEET TO THE BEGINNING POINT.

MICROFILMED

PETITION FOR SPECIAL EXCEPTION 14th Election District

LOCATION: Southeast corner of Belair Road and Ridge Roads

DATE AND TIME: Wednesday, November 27, 1985 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 One (1) illuminated double-faced 12' x 25' advertising (sign) structure.

Being the property of Paul Goodman 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

MICROFILMED

ORDER RECEIVED FOR FILING
DATE December 20, 1985
BY Andrew A. Schmitt
ADMINISTRATIVE ASSISTANT

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

October 25, 1985

NOTICE OF HEARING

RE: SE/cor. Belair and Ridge Roads
14th Election District
Paul Goodman - Petitioner
Case No. 86-225-X

TIME: 11:00 a.m.
DATE: Wednesday, November 27, 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. 012553

DATE: 11/1/85 ACCOUNT: R-01-415-000
AMOUNT: \$ 100.00
RECEIVED BY: Bill Walker
FOR: for filing for Stop #109
Validation or Signature of Cashier

[Signature]
Zoning Commissioner
Baltimore County

The Times

Middle River, Md., Nov 7, 1985

This is to Certify, That the annexed
Petition - Goodman
Reg L 84000

was inserted in The Times, a newspaper printed
and published in Baltimore County, once in each
of one successive

weeks before the 7th day of
Nov. 1985
Jaw Brun Publisher.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 11/1/85
Posted for: Special Exception
Petitioner: Paul Goodman
Location of property: SE/cor. Belair & Ridge Rds.
Location of Sign: Facing Ridge Rd. Approx. 10' E. of 100' S.W. & 100' S.E. of Ridge Rd. on property of Paul Goodman
Remarks: [Signature]
Posted by: [Signature] Date of return: 11/85
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 7, 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
November 7, 1985.

THE JEFFERSONIAN,

Cost of Advertising
22.00

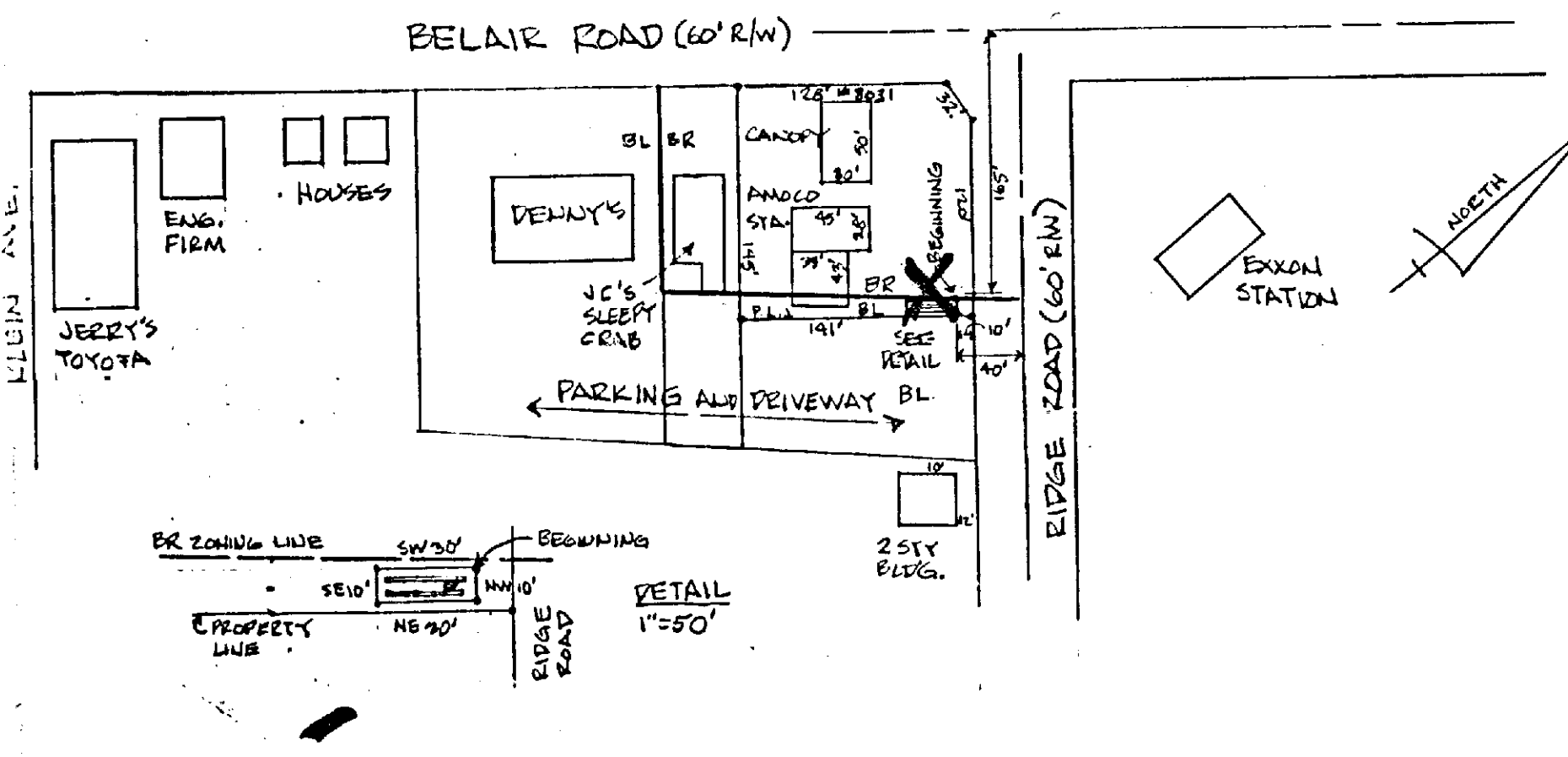
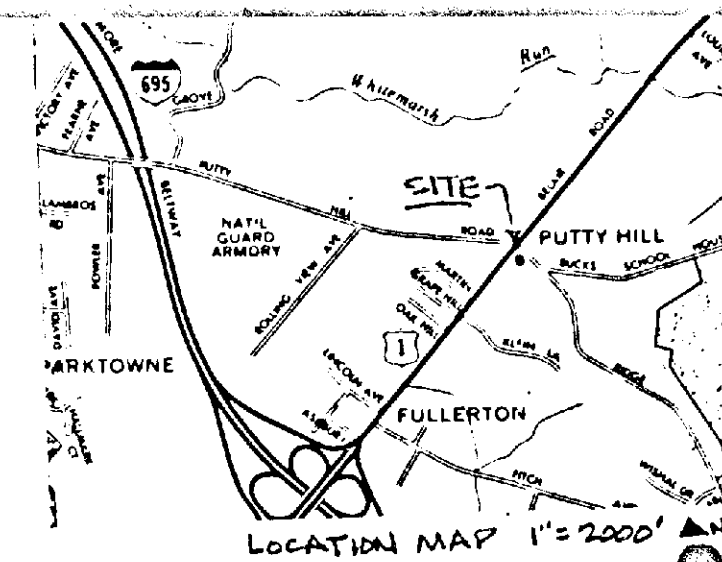
PETITION FOR SPECIAL EXCEPTION
14th Election District
LOCATION: Southeast corner of Belair Road and Ridge Roads
DATE AND TIME: Wednesday, November 27, 1985 at 11:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Special Exception for One (1) illuminated double-faced 12' x 24' advertising (sign) structure. Being the property of Paul Goodman 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 JARLON,
Zoning Commissioner
of Baltimore County
Nov. 7.

SPECIAL EXCEPTION

PROPOSED - ONE 12'x24' ILLUMINATED
DOUBLE FACED POSTER PANEL

ZONED - B.L.
SCALE - 1"=100'
ELECTION DISTRICT-14

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



FOSTER AND KLEISER

A METROMEDIA COMPANY
3001 REMINGTON AVENUE
BALTIMORE, MARYLAND 21211
(301) 325-6920

January 6, 1986

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County
111 W. Chesapeake Ave.,
Towson, MD 21204

Dear Mrs. Jung:

Please enter an appeal to the Board of Appeals in the matter of
Petition for Special Exception: (Case No. 86-225-X SE Corner of
Belair and Ridge Roads - 14th Election District.) The referenced
Petition was denied by Deputy Commissioner's Order dated December
20, 1985.

We are enclosing herewith our check for \$105.00 to cover filing
fee and posting of the premises.

Sincerely,

[Signature]
W. R. Walker
Real Estate Dev. Manager

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

No. 016185

DATE: 11/1/85 ACCOUNT: R-01-415-000
AMOUNT: \$ 105.00
RECEIVED FROM: J. M. Walker, Foster & Kleiser
FOR: appeal fee for Case No. 86-225-X
Validation or Signature of Cashier

BALTIMORE, MARYLAND 21211
CHECK FOR PAYMENT
LEASE SEC. # CASH ACCT. ☐ CASH REVERSAL (X)
IN PAYMENT OF
F&K Lease # 2090
Appeal of Special Exception
[Signature]

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE Corner Belair Rd. & Ridge Rd., 14th District : OF BALTIMORE COUNTY
PAUL GOODMAN, Petitioner : Case No. 86-225-X

ENTRY OF APPEARANCE

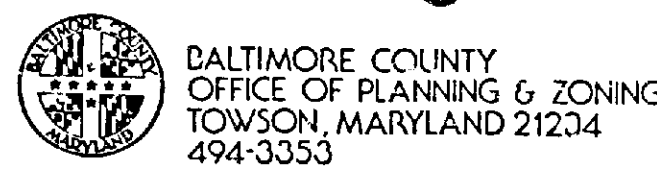
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or other Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
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 29th 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 Foster & Kleiser, P. O. Box 4868, Baltimore, MD 21211, Contract Lessee.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUKS
DEPUTY ZONING COMMISSIONER

November 21, 1985

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

RE: Petition for Special Exception
SE/cor. Belair and Ridge Roads
14th Election District
Paul Goodman - Petitioner
Case No. 86-225-X

Dear Mr. Figinski:

This is to advise you that \$ 47.84 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove the time it is placed by self.

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

No. 016140

DATE 11-27-85 ACCOUNT R-01-615-000

AMOUNT \$ 47.84

RECEIVED FROM Paul Goodman

FOR: Advertisement - Petition 86-225-X

U 8830-0000-07411-200

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner's Office
Kathi Weidenhamer
County Board of Appeals
FROM: Case No. 86-225-X
Paul Goodman Company
SUBJECT: Zoning Petition No. 86-225-X

Date: October 29, 1987

Since no further appeal has been taken from the Circuit Court's decision of December 1, 1986, we have closed the subject file and are returning the attached case file to your office.

Attachment

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: November 13, 1985

SUBJECT: Zoning Petition No. 86-225-X

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director

NEG:JGH:slm

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
October 25, 1985

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

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

RE: Item No. 109 - Case No. 86-225-X
Petitioner - Paul Goodman
Special Exception Petition

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.

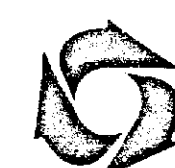
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing 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, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nrr

Enclosures



Maryland Department of Transportation
State Highway Administration

William K. Holmann
Secretary
Hal Kasoff
Administrator

October 3, 1985

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

Att: James Dyer

Re: Baltimore County
Item No. 109
Property Owner: Paul Goodman
Location: SE/centerline
Belair Rd.
(Maryland Route 1-N)
and Ridge Road
Existing Zoning: B.L.
Proposed Zoning: Spec.
Exception for 1 illuminated double faced 12' x 25' advertising sign
Acres: .46
District: 14th

Dear Mr. Dyer:

On review of the submittal for Special Exception, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

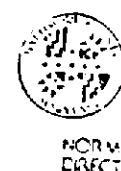
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:s

cc: J. Ogle
M. Stein w/att.

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 505-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



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

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

NOVEMBER 6, 1985

Re: Zoning Advisory Meeting of September 24, 1985
Item #109
Property Owner: PAUL GOODMAN
Location: SE 1/2 BELAIR RD. + RIDGE RD.

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 22-58 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 _____.
- ☒ The proposed site plan complies with Baltimore County Landscape Manual, §111.178-179. No building permit may be issued until a Reserve Capacity Use Certificate has been issued.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by §111.178-179, and its location, shape, and are re-evaluated annually by the County Council.
- ☒ Additional comments: _____

cc: James Haswell

Eugene A. Sober
Chief, Current Planning and Development



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

STEPHEN E. COLLINS
DIRECTOR

September 23, 1985

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

Item No. 109
Property Owner: -ZAC-
Location: SE 1/2 BELAIR RD. + RIDGE RD.
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The traffic Engineering has no comments for items number 100, 101, 102, 103, 104, 106, 107, 109, 111, 112, and 114.

Michael S. Flanagan
Traffic Engineer, Assoc II

MSF/bld



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

PAUL H. REINCKE
CHIEF

September 26, 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: Paul Goodman

Location: SE/centerline Belair Rd. and Ridge Rd.

Item No.: 109 Zoning Agenda: Meeting of 9/24/85

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 or _____ 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.

REVIEWER: *C. E. Burham* 9/26/85
Planning Group
Special Inspection Division

Noted and
Approved: *John F. O'Neill*
Fire Prevention Bureau

/mb

MICROFILMED



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

November 14, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 109 Zoning Advisory Committee Meeting are as follows:

Property Owner: Paul Goodman
Location: SE/Centerline Belair Road and Ridge Road
District: 14th.

APPLICABLE ITEMS ARE CIRCLED:

- A. 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.S.L. #117-1 - 1981) and other applicable Codes and Standards.
- B. A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. 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. Reproduced seals are not acceptable.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 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 wall. See Table L01, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. 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 L01 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.
- H. 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 usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.3 of the Building Code as adopted by Bill #17-85. Elevation plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments: Signs shall comply with Article 19.

K. 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 122 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burham
By: C. E. Burham, Chief
Building Plans Review

MICROFILMED

LAW OFFICES OF

MELNICOVE, KAUFMAN, WEINER & SMOUSE, P. A.

36 SOUTH CHARLES STREET

SIXTH FLOOR

BALTIMORE, MARYLAND 21201-3060

TELEPHONE (301) 332-8500

TELECOPIER (301) 332-8594

TELEX 710-234-2414

(WRITER'S DIRECT DIAL NO.)

332-8520

HAND DELIVERED

November 27, 1985

Zoning Commissioner of
Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: 86-225-X

Dear Commissioner:

Because of a scheduling conflict, I am unable to appear at the hearing on the above-referenced matter. Please allow Stuart R. Berger, Esq., my associate, to present the case on behalf of the Petitioner and Contracting Party.

Thank you.

Very truly yours,

M. Albert Figinski
M. Albert Figinski

MAF/ko

MICROFILMED

PROPERTY DESCRIPTION

LOCATED ON THE SOUTH EAST/ CORNER OF BELAIR AND RIDGE ROADS. BEGINNING AT A POINT LOCATED 165 FEET SOUTH-EAST FROM THE CENTER LINE OF BELAIR ROAD (60 FEET WIDE) AND 40 FEET SOUTH-WEST FROM THE CENTERLINE OF RIDGE ROAD AND THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: 1) SOUTHWESTERLY AND AT A RIGHT ANGLE TO RIDGE ROAD A DISTANCE OF 30 FEET TO A POINT, THENCE 2) SOUTHEASTERLY AT A RIGHT ANGLE A DISTANCE OF 10 FEET TO A POINT, THENCE 3) NORTHEASTERLY AT A RIGHT ANGLE A DISTANCE OF 30 FEET TO A POINT, THENCE 4) NORTHWESTERLY AND PARALLEL TO RIDGE ROAD A DISTANCE OF 10 FEET TO THE BEGINNING POINT.

PETITION FOR SPECIAL EXCEPTION 14th Election District

LOCATION: Southeast corner of Belair Road and Ridge Roads

DATE AND TIME: Wednesday, November 27, 1985 at 11:00 a.m.

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

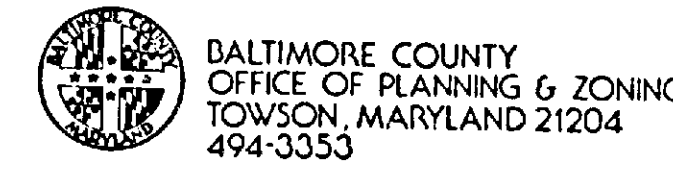
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for One (1) illuminated double-faced 12' x 25' advertising (sign) structure.

Being the property of Paul Goodman 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



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

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

RE: Petition for Special Exception
SE/cor. Belair and Ridge Roads
14th Election District
Paul Goodman - Petitioner
Case No. 86-225-X

Dear Mr. Figinski:

This is to advise you that \$ 47.84 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from premises before the time it is placed by self.

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

No. 016140

DATE 11-27-85 ACCOUNT 8-01-615-000

AMOUNT \$ 47.84

RECEIVED FROM Paul Goodman

FOR Advertising and Posting 86-225-X

VALIDATION OR SIGNATURE OF CARRIER

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE Corner Belair Rd. & Ridge Rd., 14th District : OF BALTIMORE COUNTY

PAUL GOODMAN, Petitioner : Case No. 86-225-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 other 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 29th 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 Foster & Kleiser, P. O. Box 4868, Baltimore, MD 21211, Contract Lessee.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 86-225-X Towson, Maryland

District 14th Date of Posting 11/1/85

Posted for: Special Exception

Petitioner: Paul Goodman

Location of property: SE/cor. Belair & Ridge Rds.

Location of Sign: SE/cor. Belair Rd. approx. 10' E. of road way & approx. 100' S. of Belair Rd. on property of petitioner.

Remarks: None

Posted by: Phyllis Cole Friedman Date of return: 11/85

Number of Signs: 1

86-225-X CERTIFICATE OF PUBLICATION

TOWSON, MD. November 7, 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 November 7, 1985.

THE JEFFERSONIAN,

18 Kenton
Publisher

Cost of Advertising

22.00

PETITION FOR SPECIAL EXCEPTION
14th Election District

LOCATION: Southeast corner of Belair Road and Ridge Roads

DATE AND TIME: Wednesday, November 27, 1985 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 One (1) illuminated double-faced 12' x 25' advertising (sign) structure.

Being the property of Paul Goodman, 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

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

October 25, 1985

NOTICE OF HEARING

RE: SE/cor. Belair and Ridge Roads
14th Election District
Paul Goodman - Petitioner
Case No. 86-225-X

TIME: 11:00 a.m.

DATE: Wednesday, November 27, 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. 012553

DATE 11/1/85 ACCOUNT R01-615-000

AMOUNT \$ 100.00

RECEIVED FROM Bill Walker

FOR for filing for Petition #109 Special Exception

VALIDATION OR SIGNATURE OF CARRIER

Petition for Special Exception
14th Election District

LOCATION: Southeast corner of Belair Road and Ridge Roads

DATE AND TIME: Wednesday, November 27, 1985 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 One (1) illuminated double-faced 12' x 25' advertising (sign) structure.

Being the property of Paul Goodman, 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.

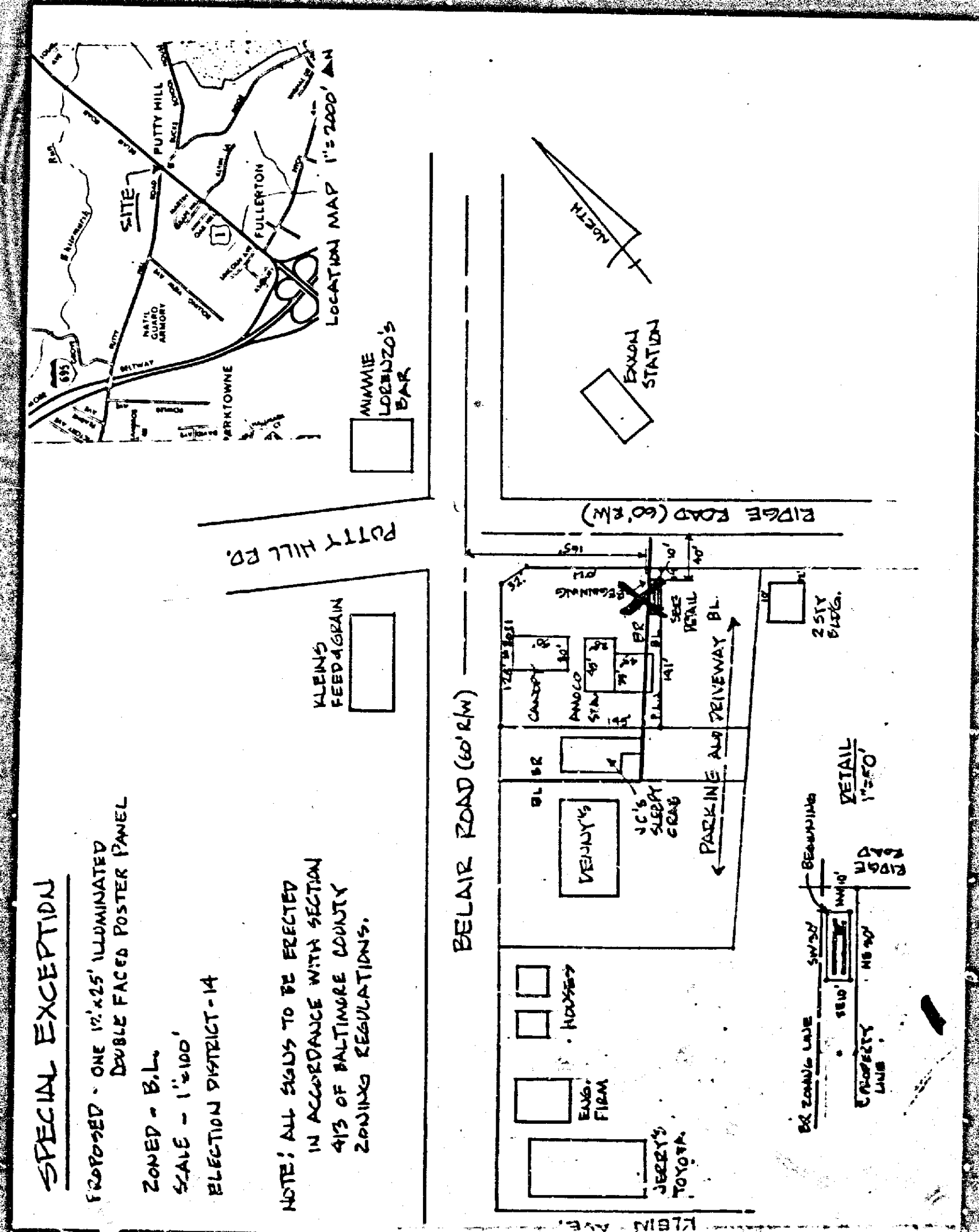
By Order of:
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

86-225-X The Times

Middle River, Md., Nov 1 1985

This is to certify, that the annexed advertisement was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 27th day of Nov. 1985.

Jan. Penn Publisher.



SPECIAL EXCEPTION

FORWARDED - ONE (1) ILLUMINATED DOUBLE FACED POSTER PANEL

ZONED - B.L.

SCALE - 1"=100'

ELECTION DISTRICT - 14

NOTE: ALL SHOTS TO BE RECEIVED IN ACCORDANCE WITH SECTION 415 OF BALTIMORE COUNTY ZONING REGULATIONS.

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 double-faced 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.

LESSEE:

Contract base:

Foster & Kleiser 235-8820
(Type or Print Name)

[Signature]
Signature

P.O. Box 4868
Address

Baltimore, MD 21211
City and State

Attorney for Petitioner:

M. Albert Figinski
(Type or Print Name)

[Signature]
Signature

36 S. Charles Street
Address

Baltimore, MD 21201
City and State

Attorney's Telephone No.:

Legal Owner(s):

Paul Goodman
(Type or Print Name)

[Signature]
Signature

Paul Goodman Company
(Type or Print Name)

[Signature]
Signature

Suite 110, Village of Cross Keys
Address Phone No.

Baltimore, MD 21210
City and State

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

Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of October, 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

on the 27th day of November, 1985, at 11:00 o'clock

[Signature]
Zoning Commissioner of Baltimore County.

(over)

Case No. 86-225-X
Item No. 109
Date: January 6, 1986
SE/corner of Belair and Ridge Roads
14th Election District
Paul Goodman, Co., Petitioner

- ☒ 1. Copy of Petition
- ☒ 2. Copy of Description of Property
- ☒ 3. Copy of Certificate of Posting (1 Sign)
- ☒ 4. Copy of Certificates of Publication
- ☒ 5. Copy of Zoning Advisory Committee Comments
- ☐ 6. Copy of Comments from the Director of Planning
- ☐ 7. Planning Board Comments and Accompanying Map
- ☒ 8. Copy of Order to Enter Appearance
- ☒ 9. Copy of Order - Zoning/Deputy Zoning Commissioner
- ☒ 10. Copy of Plat of Property (Petitioner's Exhibit 1)
- ☐ 11. 200' Scale Location Plan
- ☐ 12. 1000' Scale Location Plan
- ☐ 13. Memorandum in Support of Petition
- ☐ 14. Letter(s) from Protestant(s)
- ☐ 15. Letter(s) from Petitioner(s)
- ☐ 16. Protestants' Exhibits to
- ☒ 17. Petitioners' Exhibits 1 to 3 1:Plat of Property
2:Photographs
3:Site Plan of Property
- ☒ 18. Letter of Appeal

Mr. Paul Goodman
Paul Goodman Company
Suite 110, Village of Cross Keys
Baltimore, MD 21210
Petitioner

M. Albert Figinski, Esquire
36 S. Charles Street
Baltimore, MD 21201
Attorney for Petitioner

W. R. Walker, Foster and Kleiser
3001 Remington Avenue
Baltimore, MD 21211
Contract Lessee

Ms. Mary Ginn
606 Horncrest Road
Towson, MD 21204
Protestant

Phyllis C. Friedman, Esquire
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
People's Counsel
Request Notification
Request Notification
Request Notification
Request Notification
Request Notification

CIRCUIT COURT FOR BALTIMORE COUNTY CIVIL GENERAL

DOCKET 29 PAGE 360 CASE NO. 86CG2860 CATEGORY APPEAL

ATTORNEYS

Phyllis Cole Friedman
Peter Max Zimmerman
Room 223 Gurt House (04) 494-2188

M. Albert Figinski
Stuart R. Berger
Melnicove, Kaufman, Weiner
Smouse, & Garbis, PA
600 chas. Ctr. S., 36 S. Chas St.
(01-3060) 332-8520

IN THE MATTER OF THE PETITION FOR SPECIAL EXCEPTION
FOR ONE ILLUMINATED DOUBLE FACED 12' x 25'
ADVERTISING SIGN STRUCTURE
SE CORNER BELAIR & RIDGE RDS., 14th District
PAUL GOODMAN, Petitioner

Case # 86-225-X

CENTRAL ASSIGNMENT

(1) July 28, 1986 = People's Counsel for Balto. Co.'s Order for Appeal from the decision of the County Board of Appeals of Balto. Co. and Petition for Appeal fd.

(2) July 29, 1986 - Certificate of Notice fd.
(3) Aug. 26, 1986 - Answer of Appellee, Paul Goodman, to petition on appeal fd.

(4) Aug. 27, 1986 - Transcript of Record fd.

(5) August 27, 1986 - Notice of Filing of Record fd.

(6) Sept. 24, 1986 - People's Counsel's Memorandum fd.

(7) Oct. 27, 1986 - Petitioner (Paul Goodman) Memorandum of Law fd.

Decdmber 1, 1986 Hon. John F. Fader, II. Hearing had. Decision of the County Board of Appeals of Baltimore County - Affirmed.

COSTS

RECEIVED
COUNTY BOARD OF APPEALS
FEB DEC 2 A M 34

DOCKET 29 PAGE 360 CASE NO. 86CG2860



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180
March 7, 1986

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 #59-79

CASE NO. 86-225-X PAUL GOODMAN, CO.
SE/cor. Belair and Ridge Rds.
14th District
SE-One illuminated double-faced
12' x 25' Advertising sign
12/20/85 - DCO's Order - DENIED

ASSIGNED FOR: WEDNESDAY, JUNE 15, 1986, at 10 a.m.

cc: Paul Goodman Petitioner
M. Albert Figinski, Esq. Counsel for Petitioner Stuart Berger
W. R. Walker Contract Lessee
Mary Ginn Protestant
Phyllis C. Friedman People's Counsel
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer
John Copsey

June Holmen, Secy.

CASE NO. 29/360/86-CG-2860 AT LAW

Paul Goodman Company VS. Phyllis C. Friedman,
People's Counsel
RECEIVED FROM THE COUNTY BOARD OF
APPEALS CERTIFIED DOCUMENTS, EXHIBITS,
BOARD'S ANSWER & TRANSCRIPT FILED IN
THE ABOVE ENTITLED CASE.

Katie Nichols
Clerk's Office

Date: Aug. 27, 1986

IN THE MATTER OF THE APPLICATION OF PAUL GOODMAN CO. FOR SPECIAL EXCEPTION FOR ONE ILLUMINATED DOUBLE-FACED ADVERTISING STRUCTURE SE CORNER OF BELAIR AND RIDGE ROADS 14th DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY NO. 86-225-X

OPINION

This case comes before the Board on an appeal from the findings of the Deputy Zoning Commissioner and her Order of December 20, 1985. Reasons for denial of the petition were that the location appears to be the last commercially utilized property of Belair Road (at Ridge) before the beginning of an extensive residential neighborhood along Ridge Road; that the sign will interfere with the light available to the residents of the adjacent homes; and that the sign is inappropriate and detrimental to the general welfare of the locality involved.

The Board heard testimony from the Petitioner to the effect that zoning of the area is either B.L. or B.R.; that the subject sign will be in the middle of two commercial properties (parking lot and gasoline station); and that the proposed sign is not in violation of any County regulations.

People's Counsel questioned the Petitioner's plat as being non-specific in showing the residential area approximate to the site. Counsel referred to §413.3.e of the Baltimore County Zoning Regulations (BCZR) as further argument against the petition for a double-faced, illuminated outdoor advertising sign in a B.L. zone.

On behalf of Baltimore County one witness appeared, Mr. James Hoswell of the Planning Office. Mr. Hoswell stated concern for the prolifera-

PAUL GOODMAN CO. - #86-225-X

tion of signs in the area, and objections in view of the residential zoning on the south side of Ridge Road

In argument, counsel for the Petitioner stressed that the north side of Ridge Road, opposite the sign location, is zoned commercial, completely as B.L. and B.R. Evidence was also presented indicating commercial activities on the two residential properties most likely to be detrimentally affected by the illuminated sign.

Review of the area zoning map shows solid commercial zoning along the Belair Road corridor, on both sides of the road, including and beyond the Ridge Road intersection. Petitioner's requested sign would be positioned within the bounds of this heavily commercialized area.

It is noteworthy that no Protestants from the community appeared before the Board.

Upon review of the testimony and exhibits produced before the Board, we are persuaded that the special exception should be granted, and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 17th day of July, 1986, by the County Board of Appeals, ORDERED that the Special exception for an illuminated double-faced 12' x 25' advertising sign petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rule

PAUL GOODMAN CO. - #86-225-X

B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William R. Evans, Acting Chairman

Harry E. Buchheister Jr.

William T. Hackett

IN THE MATTER OF THE APPLICATION OF PAUL GOODMAN COMPANY FOR SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF BELAIR AND RIDGE ROADS 14th DISTRICT

CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW

PHYLLIS C. FRIEDMAN, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, PLAINTIFF

CG Doc. No. 29

Folio No. 360

ZONING FILE NO. 86-225-X

File No. 86-CG-2860

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

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, William R. Evans and Harry E. Buchheister, Jr., 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 papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 86-225-X

October 14, 1985 Petition of Paul Goodman for a Special Exception for one (1) illuminated double-faced 12' x 25' advertising (sign) structure.

October 14 Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for Nov. 27, 1985, at 11:00 a.m.

November 1 Certificate of Posting of property - filed

November 7 Certificate of Publication in newspaper - filed

Paul Goodman Company
29/360/86-CG-2860

October 25, 1985 Comments of Baltimore County Zoning Plans Advisory Committee - filed

November 13 Comments of Baltimore County Director of Planning - filed

November 27 At 11:00 a.m. hearing held on petition by Deputy Zoning Commissioner.

December 20 Order of Deputy Zoning Commissioner that the Petition for Special Exception for one illuminated, double-faced, 12' x 25' advertising structure is DENIED.

January 6, 1986 Order for Appeal to C.B. of A. from Order of Deputy Zoning Commissioner.

June 18, 1986 Hearing on appeal before County Board of Appeals

July 17 Order of County Board of Appeals ordering that the special exception for an illuminated double-faced 12' x 25' advertising sign petitioned for be GRANTED.

July 28 Order for Appeal filed in the Circuit Ct. for Baltimore County by Phyllis C. Friedman, People's Counsel for Baltimore County.

July 28 Petition to accompany Order for Appeal filed in the Circuit Ct. for Baltimore County

July 29 Certificate of Notice sent to all interested parties

August 27 Transcript of testimony filed

Petitioner's Exhibit No. 1 - Hand drawn plat of area.

" " " 2 - Property description

" " " 3 - Correspondence, 11/13/85, James Hoswell

People's Counsel's Exhibit No. 1 - Photo marked as 1C

" " " 2 - Photo marked as 1K

" " " 3 - Series of photos - 1A thru 1J less 1C and 1K.

" " " 4 - Portion of Zoning Map

August 27, 1986 Record of proceedings filed in the Circuit Court for Baltimore County

Paul Goodman Company
29/360/86-CG-2860

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, 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 whenever directed to do so by this Court.

Respectfully submitted,

June Holman
County Board of Appeals of Baltimore County

cc: Stuart R. Berger, Esq.
M. Albert Figinski, Esq.
Phyllis C. Friedman

IN THE MATTER OF THE PETITION FOR SPECIAL EXCEPTION FOR ONE ILLUMINATED DOUBLE-FACED 12' x 25' ADVERTISING (SIGN) STRUCTURE SE CORNER BELAIR & RIDGE ROADS 14th DISTRICT

PAUL GOODMAN, Petitioner

ZONING FILE NO. 86-225-X

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW

Case No.: 86 CG 2860

Docket No.: 29

Folio: 360

ANSWER OF APPELLEE PAUL GOODMAN TO PETITION ON APPEAL

Appellee, Paul Goodman, by his undersigned attorneys, pursuant to Maryland Rule B9, in Answer to the People's Counsel for Baltimore County's Petition on Appeal, states as follows:

1. Appellee admits the allegations of Paragraph 1 of the Petition.

2. Appellee denies the allegations of Paragraph 2 of the Petition.

3. Further answering the Petition, the Order passed by the County Board of Appeals was not arbitrary, illegal or capricious inasmuch as the Board had legally sufficient evidence upon which to base its conclusion that the Special Exception should be granted.

WHEREFORE, the Appellee prays:

A. That the Court affirm the Opinion and Order of the County Board of Appeals, and accordingly, grant the

Petition for Special Exception for an illuminated double-faced 12' x 25' advertising sign.

B. That the Appellee be awarded such other and further relief as the nature of this case shall require.

M. Albert Figinski
M. ALBERT FIGINSKI

Stuart R. Berger
STUART R. BERGER

MELNICOVE, KAUFMAN, WEINER, SMOUSE & GARBIS, P.A.
600 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201-3060
301-332-8520

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of August, 1986, a copy of the foregoing Answer of Appellee Paul Goodman, to Petition on Appeal was hand-delivered to Phyllis Cole Friedman, Esquire and Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County, Room 223, Court House, Towson, Maryland 20204, and a copy was mailed to the Administrative Secretary, County Board of Appeals, Room 200, Court House, Towson, Maryland 21202.

Stuart R. Berger
STUART R. BERGER

3455f

Kathy Rushion - 494-2660
Assignment - July - Mornings
Marcia Fennell
Assignment - July - Mornings
Irene Summers - 494-2661
Assignment - Non-July - Mornings
Freddie Grove
Assignment - July - Mornings

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COUNTY BOARD OF APPEALS
1986 SEP - 14 A 10 16

CIRCUIT COURT FOR BALTIMORE COUNTY
ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bessey Avenue
PO Box 6754
Towson, Maryland, 21204-0754
September 3, 1986

Free Of
John Adams - 494-2660
Civil Assignment Commissioner
Salem Court
Marie Erolino - 494-2662
Master Assignment Clerk
Medical Records

Phyllis Cole Friedman, Esq.
Peter Max Zimmerman, Esq.
County Board of Appeals
of Baltimore Co.
N. Albert Figinski, Esq.
Stuart R. Berger, Esq.

RE: Non-July 86-CC-2660 Paul Goodman
HEARING DATE: Monday, December 1, 1986, @ 9:30 a.m.
ON THE FOLLOWING: Appeal: 1/2 hour

UPON RECEIPT OF THIS NOTICE, Counsel shall contact each other immediately to confirm calendars. Claim of not receiving notice will not constitute reason for postponement.
POSTPONEMENTS: If the above date is not agreeable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment Office AS SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS WITHIN 15 DAYS OF TRIAL must be made to the attention of the Director of Central Assignments - Joyce Ginn - 494-3497.
SETTLEMENT CONFERENCES: At least 15 business days before the date of trial, all parties must appear at a settlement conference with the Assignment Office. THERE WILL BE NO EXCEPTIONS PER ORDER OF JUDGE FRANK E. GUNNE. Please direct all inquiries to the attention of John Adams.
SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put on the record if no order of satisfaction is filed prior to trial.



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
July 29, 1986

Phyllis C. Friedman
People's Counsel for Balto. County
Court House
Towson, Md. 21204

Re: Case No. 86-225-X
Paul Goodman Co.

Dear Mrs. Friedman:
In accordance with Rule B-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 appeal which you have taken to the Circuit Court for Baltimore County in the above entitled matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of 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 file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

June Holmen
June Holmen, Secretary

Enclosures
JH



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
July 29, 1986

Stuart R. Berger, Esq.
M. Albert Figinski, Esq.
36 S. Charles Street
Baltimore, Md. 21201

Re: Case No. 86-225-X
Paul Goodman Co.

Gentlemen:
Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

Enclosures
cc: Mr. Paul Goodman
W. R. Walker
Mary Ginn
John F. Copesey
Norman E. Gerber
James Joswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
JH

IN THE MATTER OF : IN THE
THE APPLICATION OF : CIRCUIT COURT
PAUL GOODMAN COMPANY :
FOR SPECIAL EXCEPTION :
ON PROPERTY LOCATED ON THE :
SOUTHEAST CORNER OF BELAIR :
AND RIDGE ROADS :
14th DISTRICT :
BALTIMORE COUNTY
AT LAW
PHYLIS C. FRIEDMAN, PEOPLE'S :
COUNSEL FOR BALTIMORE COUNTY, :
PLAINTIFF :
CG Dec. No. 29
Folio No. 360
ZONING FILE NO. 86-225-X :
File No. 86-CG-2960

CERTIFICATE OF NOTICE

Mr. Clerk:
Pursuant to the Provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, William R. Evans, and Harry E. Buchheister, Jr., 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, Paul Goodman, Paul Goodman Co., Suite 110, Village of Cross Keys, Baltimore, Md. 21210, Petitioner; Stuart R. Berger, Esq. and M. Albert Figinski, Esq., 36 S. Charles St., Baltimore, Md. 21201, Counsel for the Petitioner; W. R. Walker, Foster and Kleiser, 3001 Remington Ave., Baltimore, Md. 21211, Contract Lessee; Mary Ginn, 606 Horncrest Rd., Towson, Md. 21204, Protestant; John F. Copesey, 4509 Ridge Rd., Baltimore, Md. 21236; and Phyllis C. Friedman, Court House, Towson, Md. 21204, People's Counsel for Baltimore County, Plaintiff, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
June Holmen
County Board of Appeals of Baltimore
County, Pm. 200, Court House, Towson, Md.
494-3180

Paul Goodman Company
Case No. 86-225-X

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Paul Goodman, Paul Goodman Co., Suite 110, Village of Cross Keys, Baltimore, Md. 21210, Petitioner; Stuart R. Berger, Esq. and M. Albert Figinski, Esq., 36 S. Charles St., Baltimore, Md. 21201, Counsel for the Petitioner; W. R. Walker, Foster and Kleiser, 3001 Remington Ave., Baltimore, Md. 21211, Contract Lessee; Mary Ginn, 606 Horncrest Rd., Towson, Md. 21204, Protestant; John F. Copesey, 4509 Ridge Rd., Baltimore, Md. 21236; and Phyllis C. Friedman, Court House, Towson, Md. 21204, People's Counsel for Baltimore County, Plaintiff, on this 29th day of July, 1986.

June Holmen
June Holmen
County Board of Appeals of Baltimore County

IN THE MATTER OF THE PETITION : IN THE CIRCUIT COURT
FOR SPECIAL EXCEPTION FOR ONE :
ILLUMINATED DOUBLE-FACED 12' x 25' : FOR BALTIMORE COUNTY
ADVERTISING (SIGN) STRUCTURE :
SE Corner Belair & Ridge Rds., : AT LAW
14th District :
DOCKET NO. 29
PAUL GOODMAN, Petitioner :
Folio No. 360
Zoning File No. 86-225-X :
File No. 86CG2960

NOTICE OF APPEAL

Please note an appeal from the decision of the County Board of Appeals of Baltimore County in the above-captioned matter, under date of July 17, 1986, to the Circuit Court for Baltimore County, and forward all papers in connection therewith to the Court for hearing.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 28th day of July, 1986, a copy of the foregoing Notice of Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, MD 21204; and a copy was mailed to M. Albert Figinski, Esquire, & Stuart R. Berger, Esquire, Charles Center South, 36 S. Charles St., Baltimore, MD 21201; W. R. Walker, Foster & Kleiser, 3001 Remington Ave., Baltimore, MD 21211; & Mary Ginn, 606 Horncrest Rd., Towson, MD 21204.

Peter Max Zimmerman
Peter Max Zimmerman

IN THE MATTER OF THE PETITION : IN THE CIRCUIT COURT
FOR SPECIAL EXCEPTION FOR ONE :
ILLUMINATED DOUBLE-FACED 12' x 25' : FOR BALTIMORE COUNTY
ADVERTISING (SIGN) STRUCTURE :
SE Corner Belair & Ridge Rds., : AT LAW
14th District :
DOCKET NO. 29
PAUL GOODMAN, Petitioner :
Folio No. 360
Zoning File No. 86-225-X :
File No. 86CG2960

PETITION ON APPEAL

The People's Counsel for Baltimore County, Protestant below and Appellant herein, having heretofore filed a Notice of Appeal from the Opinion and Order of the County Board of Appeals of Baltimore County, under date of July 17, 1986, in compliance with Maryland Rule B-2(e), files this Petition on Appeal setting forth the grounds upon which this Appeal is taken, viz:

That the County Board of Appeals had no legally sufficient evidence upon which to base its conclusion that the special exception should be granted, and therefore their Order passed herein is illegal, arbitrary, and capricious.

WHEREFORE, Appellant prays that the Order of the Board of Appeals of Baltimore County under date of July 17, 1986 be reversed, and the decision of the Zoning Commissioner under date of December 20, 1985, be affirmed.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

- 2 -

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

I HEREBY CERTIFY that on this 28th day of July, 1986, a copy of the foregoing Petition on Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, MD 21204; and a copy was mailed to M. Albert Figinski, Esquire, & Stuart R. Berger, Esquire, Charles Center South, 36 S. Charles St., Baltimore, MD 21201; W. R. Walker, Foster & Kleiser, 3001 Remington Ave., Baltimore, MD 21211; & Mary Ginn, 606 Horncrest Rd., Towson, MD 21204.

Peter Max Zimmerman
Peter Max Zimmerman

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