NESH 4 B 1/15/87

Granibed

PETITION FOR VARIANCE (CONTINUED)

Variance from Section 413.3 b to permit said sign 10 feet instead of 100 feet from the right of way of any dual highway: variance from Section 413.3 c (255.1, 238.1) to permit 10 feet instead of 30 feet.

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

April 11, 1986

John B. Gontrum, Esquire 809 Eastern Boulevard Baltimore, MD 21221

> RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE SE/S of Pulaski Highway, 1010' NE of the centerline of Holly Drive 15th Election District Grimaldi, Inc. - Petitioner

Case No. 86-396-XA

Dear Mr. Gontrum:

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

> Very truly yours, JEÁN M. H. JUNG Députy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Ms. Mary Ginn Alliance of Baltimore County Community Councils, Inc. 606 Horncrest Towson, MD 21204

I/We do solemnly declare and affirmate 1/5/87

## PETITION FOR SPECIAL EXCEPTION / AND VARIANCES

1 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

413.3 of the Baltimore County Zoning Regulations allowing said sign to be located 250 feet from an existing sign located on the same side of the street. instead of the required 1000 feet and (see attached

Property is to be posted and advertised as prescribed by Zoning Regulations. MAP NE 5H 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.

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: FORWARD DEVELOPMENT Legal Owner(s): (JEAN GUNZELMAN) 10504 Vincent Road White Marsh, MD 21162 City and State Attorney for Petitioner: John B. Gontrum 8125 Philadelphia Road (Type or Print Name) Baltimore, Maryland 21237 City and State 809 Eastern Boulevard Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, Maryland 21221 John B. Gontrum City and State

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_4th\_\_\_\_ day of \_\_\_\_March\_\_\_\_, 19\_86, 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

686-8274

Attorney's Telephone No.:

809 Eastern Boulevard 686-8274

IN RE: PETITIONS SPECIAL EXCEPTION \* BEFORE THE AND VARIANCE SE/S of Pulaski Highway, 1010' \* DEPUTY ZONING COMMISSIONER NE of the centerline of Holly Drive OF BALTIMORE COUNTY 15th Election District Case No. 86-396-XA Grimaldi, Inc.,

Petitioner \*

- # # # # # # # # # A

The Petitioner herein requests a special exception for an 8' x 8' outdoor advertising sign and, additionally, variances to permit a sign to be located 250' away from an existing sign on the same side of the street in lieu of the required 1,000 feet and to permit said sign to be 10 feet from the right-of-way of a dual highway in lieu of the required 100 feet and 10 feet from the street right-of-way in lieu of the required 50 feet.

Testimony indicated that the site is wooded except for frontage where three billboards, existing since prior to 1950, and two signs, advertising the availability of the site for lease, are located. The contract leasee proposes to locate a temporary two-sided sign as indicated on the plan prepared by Bafitis and Associates, revised February 3, 1986 and marked Petitioner's Exhibit 1, for the purpose of advertising Brier Wood Mobile Home Park on Bletzer Road, a park now being developed and rented. There were no Protestants.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Balti-County Zoning Regulations (BCZR) would result in practical difficulty or unreasonable hardship upon the Petitioner, the requirements of Section 502.1, have been met, and the health, safety and general welfare of the community will got be adversely affected, and, therefore, the special exception and variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore day of April, 1986, that the herein Petition for Special

Exception for an 8' x 8' outdoor advertising sign and, additionally, the Petition for Variances to permit a sign to be located 250 feet away from an existing sign on the same side of the street in lieu of the required 1,000 feet and to permit said sign to be 10 feet from the right-of-way of a dual highway in lieu of the required 100 feet and 10 feet from the street right-of-way in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, are hereby GRANTED, from and after the date of this Order, subject, however, to the following:

1. The sign shall be removed within twelve (12) months from the date of this Order.

JMHJ:bg

RECEIVED FOR

Description of Sign Envelope for Special Exception and Variance for Proposed 2 Outdoor Signs 8'x 8' for Forward Development Company.

Beginning at a point South 42"-38' East 10 feet from the east side of Pulaski Highway, 150 feet wide, said point being North 47'-22' East 1,010 feet, more or less, from the center of the intersection of Holly Drive and the east side of Pulaski Highway; thence running the following four

- 1. South 42°-38' East 14 feet to a point; thence
- 2. North 47°-22' East 14 feet to a point; thence
- 3. North 42°-38' West 14 feet to a point; thence
- 4. South 47°-22' West 14 feet to the point of beginning.

Containing 196 aquare feet or 0.004 acres of land, more or



PETITION FOR SPECIAL EXCEPTION AND VARIANCES 15th Election District

Southeast Side of Pulaski Highway, 1010 feet Northeast of the Centerline of Holly Drive

DATE AND TIME: Tuesday, April 8, 1986, at 10:00 a.m.

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

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

Petition for Special Exception for an advertising sign 8 feet by 8 feet

Petition for Variances to permit a sign to be located 250 feet away from an existing sign on the same side of the street in lieu of the required 1,000 feet, to permit said sign to be 10 feet from the right-of-way of a dual highway in lieu of the required 100 feet and 50 feet

Being the property of <u>Grimaldi, In</u> plan filed with the Zoning Office.

In the event that this Petition(s) 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

> > 0

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER SE/S Pulaski Hwy., 1010' NE of : C/L Holly Dr., 15th District

GRIMALDI, INC., Petitioner Case No. 86-396-XA ::::::::

## 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.

People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 18th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Actorney for Petitioner; and Jean Gunzelman, Forward Development, 10504 Vincent Rd., White Marsh, MD 21162, Contract Purchaser.

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

April 2, 1986

John B. Gontrum, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES SE/S Pulaski Highway, 1010' NE of the c/1 Holly Dr. 15th Election District Grimaldi, Inc. - Petitioner Case No. 86-396-X

Dear Mr. Gontrum:

This is to advise you that \_\_\$81.55 \_\_\_is due for advertising and posting of the above property. This fee must be paid before an

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 property from the time it is placed by this office until the day of the left.

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

pre County, Maryland, and remit lding, Towson, Maryland

0

4-14-86 ACCOUNT\_R-01-615-000 RECEIVED Furward molicle Sales. Inc.

FOR Convertising & Pasting 86-396-X

.3 8592\*\*\*\*\*\*8155±a 3198F

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Zoning Commissioner

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

SUBJECT Zoning Petition No. 86-396-A

This office is opposed to the granting of the subject request. Section 413.3 contains very explicit standards or the spacing of off-premises signs. We see no reason here to ignore them. The site plan delineates three billboards and a "For Lease" sign along the frontage of the subject property. The State Highway Administration's representative to the Zoning Plans Advisory Committee stated that the subject site plan has been forwarded "to the S.H.A. Beautification Section ... for comments. This office believes that the granting of the subject petition would not be in keeping with the State's program.

Office of Planning and Zoning

NEG/JGH/dmi

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Bureau of

Engineering

Department of

Bureau of Fire Prevention

Health Department

Project Planning Building Department

Board of Education

Industrial

Zoning Administration

State Roads Commissio

Baltimore, Maryland 21221

Grimaldi, Inc. - Petitioner Special Exception and Variances

mitted 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

mittee 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.

Chairman

Enclosures

cc: Bafitis and Associates 3482 Dunhaven Road

John B. Gontrum, Esquire 809 Eastern Boulevard

RE: Item No. 266 - Case No. 86-396-XA

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee has reviewed the plans subthe requested zoning.

Enclosed are all comments submitted from the members of the Com-

Zoning Plans Advisory Committee

Baltimore, Maryland 21222

CERTIFICATE OF PUBLICATION PETITION FOR SPECIAL EXCEPTION AND VARIANCES LOCATION: Southeast Side of Palaski Highway, 1010 feet Northeast of the Centerline of Holly Drive DATE AND TIME: Tuesday, April \$. March 20 1986, at 10:00 a.m. PUBLIC HEARING: Room 100 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed The Zoning Commissioner of Balti-more County, by authority of the Zon-ing Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Exception for an and published in Towson, Baltimore County, Md., appearing on March 20 dvertising sign & feet by & feet in siz sign to be located 250 feet away from a existing sign on the same side of th street in lieu of the required 1,000 feet to permit said sign to be 10 feet from the right-of-way of a dual highway lieu of the required 100 feet and 50 fee THE JEFFERSONIAN. Being the property of G. imaldi, Inc., as shown on plat plan filed with he Zoning Office.

In the event that this Petition(s) is period. The Zoning Commissioners will, however, constraint any request for a stay of the immence of said permit during this period for good cause shows. Such request must be received Cost of Advertising above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

Mar. 20. 27,50 86-396-XA

Petition for Special

**Exception and Variances** 

18th Election District LOCATION: Southeast side of Pu-laski Highway, 1010 feet Northeast of

the centerline of Holly Drive.

DATE & TIME: Tuesday, April 8,

1986, at 10:00 a.m.
PUBLIC HEARING: Room 106.

County Office Building, 111 West Chesapeake Avenue, Toyson,

more County, by authority of the Zon-ing Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Exception for an

ivertising sign 8 feet by 8 feet in size. Petition for Variances to permit a

an existing sign on the same side of the

mit during this period for good cause shown. Such request must be received

of Baltimore County BALTIMORE COUNTY, MARYLAND No. 018308 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT . 01-615.000 AMOUNT \$ 200,00 BD77\*\*\*\*\*200001a 2214F

John B. Gontrum, Esquire

Baltimore, Maryland 21221

809 Eastern Boulevard

March 7, 1986

NOTICE OF HEARING

15th Election District

PLACE: Room 106, County Office Building, 111 West Chesapeake

Case No. 86-396-X

Grimaldi, Inc. - Petitioner

Holly Dr.

Tuesday, April 8, 1996

Avenue, Towson, Maryland

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES

SE/S Pulaski Highway, 1010' NE of the c/1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 86-396-XA District 157/ • of Posting 3/15/86 Special Exception + Variance Grimaldi Inc Location of property: SE/S Pulaski Hwy, 1010' NE/Holly Drive Location of Signer Facing Pulaski Huy apprex 70 Fr. yeadway , on Proporty of Petitioner

**Que Times** 

Keg L 87610

was inserted in Ole Times, a newspaper printed

and published in Baltimore County, once in each

This is to Certify, That the annexed

Gae successive

ZOTT

march

Brom

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this

Zoning Commissioner

Petitioner Grinaldi. Inc.

Chairman, Zoning Flans Advisory Committee



## Maryland Department of Transportation

William K. Hellmann

Hal Kassoff

February 6, 1986

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

Re: Baltimore County Item No. 266 Property Owner: Grimaldi Incorporated Location: SE/S Pulaski Highway, (Route 40-E) 1010' NE of centerline Holly Drive Existing Zoning: M.L.

Att: James Dyer

Proposed Zoning: Spec. exception & Variance for outdoor advertising sign 8' by 8' and Var. allowing said sign to be located 250' from an existing sign located on the same side of the street instead of the required 1000' and to permit said sign 10' instead of 100' from the right-of-way of any dual highway & variance from Section 413.3 c to permit 10' instead of 50' Acres: .004 District 15th

Dear Mr. Dyer:

On review of the submittal for sign variance for Outdoor Advertising, the site plan has been forward to the S.H.A. Beautification Section, c/o Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

Charle Lee

Charles Lee, Chief Bureau of Engr. Access Permits

by: George Wittman

CL=GW:es

cc: J. Ogle M. Stein My telephone number is 301-659-1350

Teletypewriter for impaired Hearing or Speech 383-7555 Baltimore Metro --- 565-0451 D.C. Metro --- 1-800-492-5682 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON MAINLAND 21204

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21203

MARCH 19, 1986

Re: Zoning Advisory Meeting of FEBRUDRY4, 1986

Item + 266
Property Owner: GRIMALDI, INC. Location: SE/S PULASKI HIGHWAY, 1010

Dear Mr. Jablon:

NE OF & HOLLY DRIVE The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items enecked below are

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 forward by the Sureau of Public Services.

This site is part of a larger tract; therfore 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 pennit. )The access is not satisfactory. The circulation on this site is not satisfactory. The parking arrangement is not satisfactory. Parking calculations most be shown on the plan. )This property contains soils which are defined as wetlands, and Jinis property contains soils which are defined as wellands, 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 )Landscaping: Must comply with daltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service

Is

The property is located in a traffic are, controlled by a "D" level intersection as defined by Bill 179-79, and as conditions change

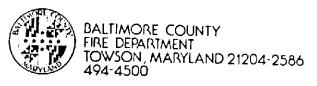
are re-evaluated innually by the County Council.

traffic capacity may become more limited. The Basic Services Areas

cc: James Hoswell

)Additional comments:

Eugene A. Bober Chief, Current Planning and Development



PAUL H. REINCKE CHIFF

February 18, 1986

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: Grimaldi, Inc.

Location: SE/S Pulaski Highway, 1010' NE of centerline Holly Drive

Item No.: 266

Zoning Agenda: Meeting of 2-4-86

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.

- ( ; l. 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 feet along an approved road in Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.

(	J	3.	The	<i>vehicle</i>	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 af this time.

REVIEWER: 1 19-14-16 Approved: Special Inspection Division

Noted and

Fire Prevention Bureau

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

February 11, 1986

TED ZALESKI, JR. DIRECTOR

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

Comments on Item # 266 Zoning Advisory Committee Meeting are as follows:

Grimaldi. Inc.

SE/S Pulaski Highway, 1010' NE of c/l of Holly Drive

Districts

APPLICABLE ITEMS ARE CIRCLED:

All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Haryland Code for the Handicapped and Aged (A.F.S.I. #117-1 - 1980) and other applicable Codes and Standards.

- A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residentials Two sets of construction drawings are required to file a parmit application. The seal of a registered in Maryland Architect or Engineer to/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 Femily 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 401, Section 1407, Section 1406.2 and Table 1402. To 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 purmissable height/area. Reply to the requested variance by this office carmot 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.
- G. The requested variance appears to conflict with Section(s) \_\_\_\_\_\_, of the Baltimore
- E. 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 plane 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 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 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above see level for the lot and the finish floor levels including bedement.
- Comments: Signs shall comply with Article 19 and the amended Sections in Bill #17-85 of the County Council.
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Flamming 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 b. Chesapeake Avenue, Towson, Maryland 21204. Marks & Sumban

BY: C. E. Burnham, Chief Building Plans Review

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