

CO CO
PETITION FOR SPECIAL EXCEPTION 86-440XA

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 of above Special Exception advertising, posting, etc., upon filing of this petition, and the undersigned, legal owner(s) of the property situate in Baltimore County, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for an outdoor advertising sign in a B.L. zone pursuant to Section 413.3.BCZR.

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 the undersigned, legal owner(s) of the property situate in Baltimore County, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County.

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

Licenses:
Allstate Building Supply Co., Inc. a subsidiary of Consolidated Rail Corporation
Legal Owner(s): Transportation Displays, Inc. a subsidiary of Consolidated Rail Corporation
(Type or Print Name)
Signature: Ronald C. Alessi, Pres.
Address: 1412 Railroad Avenue
City and State: Lutherville, Maryland 21093

Signature: See attached license letter
(Type or Print Name)
Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

311
PETITION FOR ZONING VARIANCE 86-440XA

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 of above Variance advertising, posting, etc., upon filing of this petition, and the undersigned, legal owner(s) of the property situate in Baltimore County, hereby petition for a Variance from Section 413.3.C to permit a setback of 25.5 ft. in lieu of the required average setback of 46 ft. to the centerline, and a 5 ft. side street setback in lieu of the required 10 ft. and Section 413.3.d to permit a 11 ft. setback to the intersection in lieu of the required 50 ft. following reasons: (indicate hardship or practical difficulty)

To be determined at the hearing

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and the undersigned, legal owner(s) of the property situate in Baltimore County, hereby petition for a Variance from Section 413.3.C to permit a setback of 25.5 ft. in lieu of the required average setback of 46 ft. to the centerline, and a 5 ft. side street setback in lieu of the required 10 ft. and Section 413.3.d to permit a 11 ft. setback to the intersection in lieu of the required 50 ft. following reasons: (indicate hardship or practical difficulty)

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

Licenses:
Allstate Building Supply Co., Inc. a subsidiary of Consolidated Rail Corporation
Legal Owner(s): Transportation Displays, Inc. a subsidiary of Consolidated Rail Corporation
(Type or Print Name)
Signature: Ronald C. Alessi, Pres.
Address: 1412 Railroad Avenue
City and State: Lutherville, Maryland 21093

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

Signature: See attached license letter
(Type or Print Name)

IN RE: PETITIONS SPECIAL EXCEPTION AND VARIANCES
Corner SW/S of Seminary Ave. and SE/S of Railroad Ave. - 8th Election District
Transportation Displays, Inc.,
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-440-XA

The Petitioner herein requests a special exception for an outdoor advertising sign in a B.L. Zone and variances to permit a setback of 25.5 feet to the centerline in lieu of the required average setback of 46 feet, a five feet side street setback in lieu of the required 10 feet, and a setback of 11 feet to the intersection in lieu of the required 50 feet.

Testimony on behalf of the Petitioner indicated that the licensee, Allstate Building Supply Co., Inc., for many years has had its business location at the deadend of Railroad Avenue, 615 feet to the southwest of the proposed sign location. Through the years, the business had a sign on the property recently developed into a Royal Farms Convenience Store location. The originally requested sign was a 7' x 12' double-faced sign for the identification of Allstate and Sentry, the hardware corporation with which Allstate is associated, as well as a 4' x 8' double-faced reader board for the advertisement of products and specials.

The Zoning Chairman of the Lutherville Community Association appeared in protest and addressed the matter of danger to traffic.

The hearing was continued at which time Counsel for the Petitioner presented a traffic study (Petitioner's Exhibit 5b) and the Zoning Chairman of the Lutherville Community Association presented a letter of agreement from the Association's President (Protestant's Exhibit 2).

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 and the Petition for Variance should be granted in part.

more 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 and the Petition for Variance should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 16th day of May, 1986, that the herein Petition for Special Exception for an outdoor advertising sign in a B.L. Zone and variances to permit a setback of 36 feet to the centerline in lieu of the required average setback of 46 feet, a 5 feet side street setback in lieu of the required 10 feet, and a setback of 21.5 feet to the intersection in lieu of the required 50 feet, in accordance with the plan prepared by Gerhold, Cross & Etzel, revised February 14, 1986 and marked Petitioner's Exhibit 4, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The sign shall not exceed 20 feet in height.
2. The sign shall consist of no more than two double-faced panels: the top one not to exceed 8 feet wide and 6 feet high and be utilized for identification purposes; the lower one not to exceed 8 feet wide and 4 feet high and be utilized as a reader board.

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

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

ARNOLD JADLON
ZONING COMMISSIONER

May 16, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

John E. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS SPECIAL EXCEPTION AND VARIANCES
Corner SW/S of Seminary Ave. and SE/S of Railroad Ave. - 8th Election District
Transportation Displays, Inc.,
Petitioner
Case No. 86-440-XA

Dear Mr. Howard:

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

Mr. Lou Noetzle
1608 Greenspring Drive
Lutherville, Maryland 21093

Case No. 86-440-XA

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
26th day of March, 1986.

ARNOLD JABLON
Zoning Commissioner
Transportation Displays, Inc.
a Subsidiary of Consolidated
Rail Corporation
Petitioner
Petitioner John B. Howard, Esquire
Attorney
Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: April 26, 1986
James G. Hoswell
FROM: Office of Planning
SUBJECT: Con. Rail Corp. No. 86-440-XA

This office is opposed to the granting of the subject request.

1. Variance from Section 413.3c. for 25.5':

This variance would allow the sign to be placed within approximately 10' from the RR grade crossing on Seminary Avenue, thus permitting a potentially distracting and obstructing sign unnecessarily close to the crossing (no matter how lightly used the line is).

2. Variance from Section 413.3c. for 5':

The standard of 10' is certainly minimal, especially because the adjoining street (Railroad Avenue) has a substandard right-of-way width. The situation is exacerbated because the edge of the paving (on Richard Avenue) is only about 3' from the R/W line. Thus the setback would allow the sign to be placed approximately 8' or 9' from the edge of the paving, clearly a substandard situation contrary to the intent of the setback requirements and not in accord with safety standards.

3. The above comment regarding the spirit and intent of the regulations as embodied in the standards for minimizing potential visibility and distraction hazards apply here as well.

Additionally, this office sees no evidence of hardship or practical difficulty and an analysis of the site plan confirms that the variance would be inappropriate.

As to the special exception, this office is opposed for the following reasons:

1. In view of the above comments on the variances, it is apparent that the special exception is not consistent with the spirit and intent of the Baltimore County Zoning Regulations.

2. The petition does not satisfy Section 413.3c. of the Baltimore County Zoning Regulations.

Finally, this office would like to reiterate that the subject proposal clearly is not in strict harmony with the spirit and intent of the zoning regulations.

JGH/sf

James G. Hoswell
James G. Hoswell

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 9, 1986

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

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

Chairman

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

RE: Item No. 311 - Case No. 86-440-XA
Transportation Displays, Inc., a
Subsidiary of Consolidated Rail
Corporation - Petitioner
Special Exception and Variance -
Petitions

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petitions. 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 petitions. 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. These petitions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

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

JED:nr

Enclosures

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204



Maryland Department of Transportation
State Highway Administration



William K. Hallmann
Secretary
Hal Karsoff
Administrator

March 19, 1986

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

Att: Mr. James Dyer

Re: ZAC Meeting of 3-18-86
ITEM: #311.
Property Owner: Transportation
Displays, Inc.
Location: SW/C Seminary Ave.
Existing Zoning: B.L.
Proposed Zoning: Special
Exception for an outdoor adver-
tising structure and variance to
permit a setback of 25.5' to the
centerline in lieu of the required
average setback of 46', a 5' side
street setback in lieu of the
required 10' and an 11' setback to
the intersection in lieu of the
required 50'.
Acres: 100 sq. ft.
District: 8th

Dear Mr. Jablon:

On review of the submittal for Special Exception for
Outdoor Advertising, 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 Engineering
Access Permits

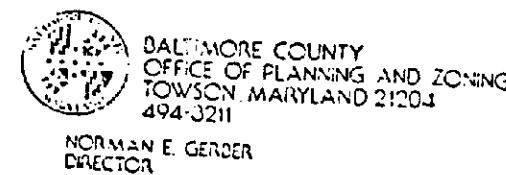
By: George Wittman

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 - 1-800-492-5062 Statewide Toll Free
P.O. Box 717/707 North Calvert St., Baltimore, Maryland 21202-0717



NORMAN E. GENDER
DIRECTOR

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

APRIL 10, 1986

Re: Zoning Advisory Meeting of March 18, 1986
Item # 311
Property Owner: TRANSPORTATION DISPLAYS, INC.
Location: SW/C SEMINARY AVE. & RAILROAD AVE.

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.
- ☒ Forward 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.
- ☒ The 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 22-03 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 1/28/86.
- ☒ Landscaping: must comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by 811 178-79. 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 area controlled by a "D" level intersection of defined by 811 178-79, and as conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments:

cc: James Hoswell

Eunice A. Bobb
Chief, Current Planning and Development



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

STEPHEN E. COLLINS
DIRECTOR

April 1, 1986

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

Item No. -ZAC- Meeting of March 18, 1986
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 311, 313, 314, 317, 319, 320, 321, and 322.

Michael S. Flanagan
Traffic Engineer Associate II

MSP/bld



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

April 10, 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: Transportation Displays, Inc.

Location: SW/C Seminary Avenue and Railroad Avenue

Item No.: 311 Zoning Agenda Meeting of 3/18/86

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.

() 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.

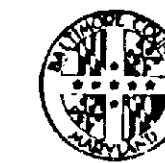
() 6. Site plans are approved, as drawn.

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

REVIEWED: [Signature] 4/10/86 Noted and
Planned Group Approved:
Special Inspection Division

John F. O'Neill
Fire Prevention Bureau

/mb



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

TED ZALESKI, JR.
DIRECTOR

April 14, 1986

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

Dear Mr. Jablon:

Comments on Item # 311 Zoning Advisory Committee Meeting are as follows:

Property Owner: Transportation Display, Inc.
Location: SW/C Seminary Avenue and Railroad Avenue
District: 8th.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ 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.D.A. Bill #1 - 1980) and other applicable Codes and Standards.
- ☒ 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. Approved seals are not acceptable.
- E. All the Group except B-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. B-4 The Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built at an interior lot line shall receive a fire or party exterior wall within 3'-0" of an interior lot line. 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 design/area and construction type is provided. See Table 501 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/Accessory Permit, an alternative 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 required. The change of the Group are the use, the use, or to mixed use. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. This plan shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- ☒ Comments: Comply with applicable sections of Article 19. Especially Section 1906.1 as amended by Bill #17-85.
- E. 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 172 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Baltimore County
Building Plans Review

L/22/86

44001

SUBURBAN STATION BUILDING, SUITE 1167 PHILADELPHIA, PA 19103-2256 563 1271

December 4, 1985

Mr. Don Howard
Allstate Building Supply Co., Inc.
1472 Railroad Ave.
P. O. Box 189
Lutherville, MD 21093

Re: Application CH-885 (attached)

Dear Mr. Howard:

Please let this letter serve as authorization to apply for permits for construction of a signboard on Conrail property covered by the attached application.

When final approval is granted by Conrail, a TDI license will be issued to you, at which time you may start construction.

If you have any other questions pertaining to this location, please feel free to contact me at any time.

Sincerely,

Robert J. Walsh, Sr.
Regional Manager,
Land Lease Division

RJW/lf
Enclosure

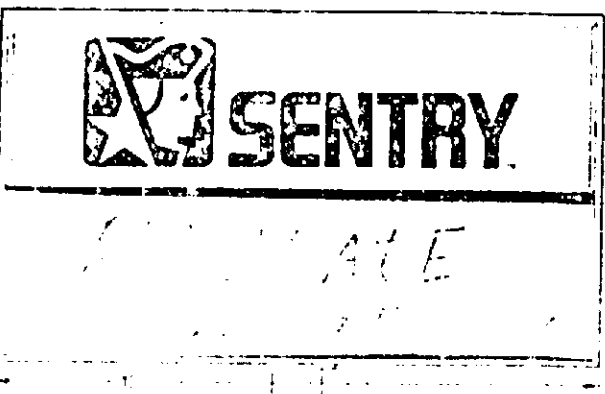
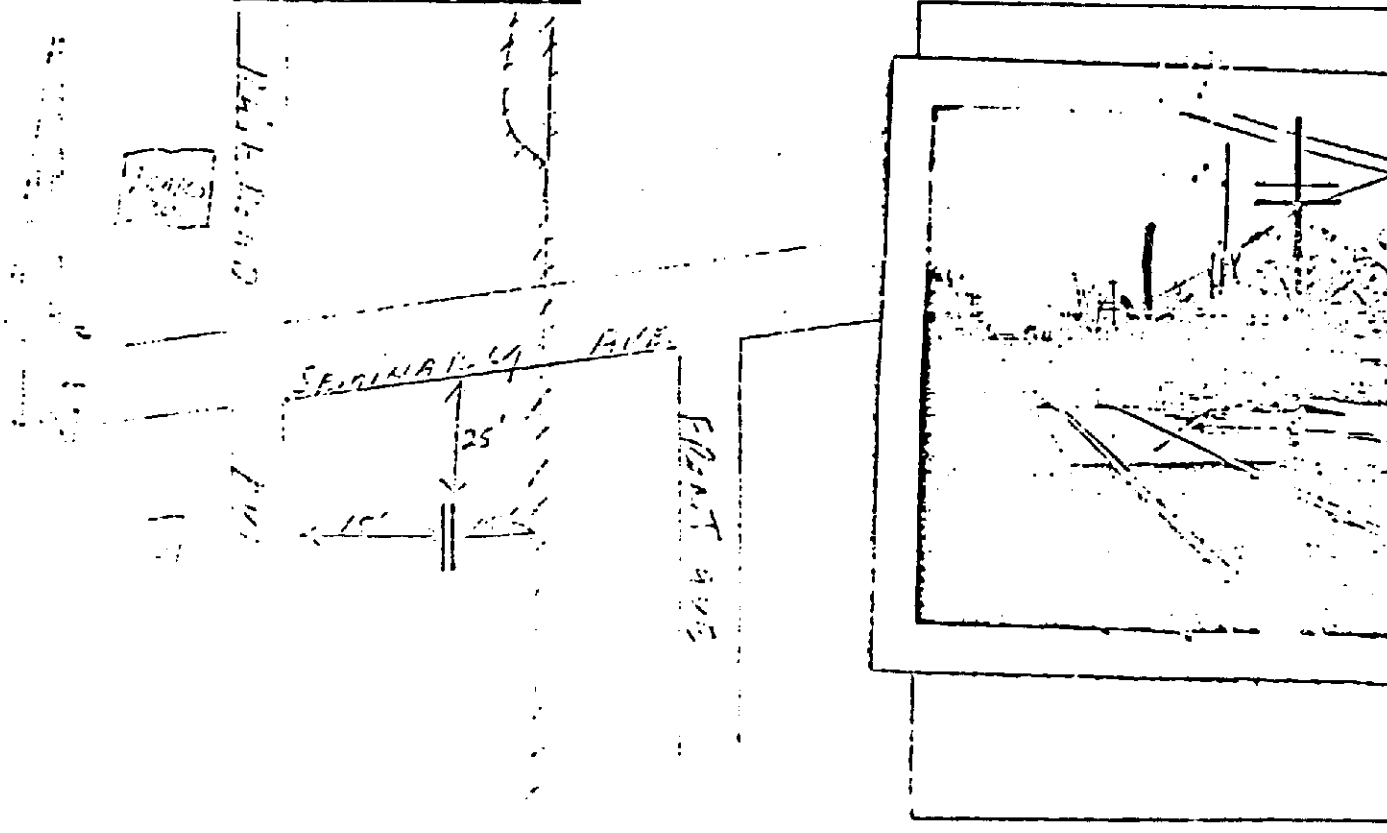
ALLSTATE SUPPLY
TIME OUTDOOR ADVERTISING, INC.

17 E 45th St.
New York, New York 10017 - MO 1-111
APPLICATION #
CH-995

Property of PENN-CENTRAL Division CHESAPEAKE
City or Town LUTHERVILLE County BALTIMORE State MARYLAND
Description of location 15' W. RAILROAD AVE. 25' S. SEMINARY AVE.
BETWEEN RAILROAD AVE. AND TOWSON
FRONT EASTWEST

Height to Bottom Molding 3' Remarks 2-4' x 8' DUAL T. BACK
Footage of Space 16' Illuminated Regular Paint Poster

DIAGRAM (Follow example on reverse side)



4 LINES
8" HIGH
CHANGEABLE
LETTERS

CARL L. BERNHOLD
PHILIP E. CROSS
JOHN F. EYEL
WILLIAM G. HUGHES
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

ROBERT W.
PAUL B. HOLLENBERG
FRED H. DOLLE-RENS

February 7, 1986

Zoning Description

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the southerly side of Seminary Avenue distant South 8 degrees 48 minutes West 25.5 feet from the intersection of the centerline of Seminary Avenue with the center line of Railroad Avenue and running thence the four following courses and distances viz: South 48 degrees 42 minutes 13 seconds West 20 feet, South 41 degrees 17 minutes 47 seconds East 5 feet, North 48 degrees 42 minutes 13 seconds East 20 feet and North 41 degrees 17 minutes 47 seconds West 5 feet to the place of beginning.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-440-XA

District 8th Date of Posting 4-11-86
Posted for: Special Exception and Variance
Petitioner: Transportation Displays, Inc., a subsidiary of Consolidated Rail Corp.
Location of property: Corner of Seminary Ave. and SE/S Railroad Ave.
Location of Sign: South side of Seminary Ave. in front of proposed sign site
Remarks: See sketch
Posted by: [Signature] Date of return: 4-18-86
Number of Signs: 2

PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES
8th Election District

LOCATION: Corner of Southwest Side of Seminary Avenue and Southeast Side of Railroad Avenue

DATE AND TIME: Tuesday, April 29, 1986, at 10:15 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 outdoor advertising sign in a B.L. Zone

Petition for Zoning Variances to permit a setback of 25.5 feet to the centerline in lieu of the required average setback of 46 feet, a 5 foot side street setback in lieu of the required 10 feet, and a setback of 11 feet to the intersection in lieu of the required 50 feet

Transportation Displays, Inc., a subsidiary of Consolidated Rail, as shown on plot 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

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER & VARIANCES
Corner of SW/S Seminary Ave. : OF BALTIMORE COUNTY
& SE/S Railroad Ave., :
8th District :
TRANSPORTATION DISPLAYS, INC. : Case No. 86-440-XA
Petitioner(s) :

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
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
(301) 494-2188

I HEREBY CERTIFY that on this 10th day of April, 1986, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

5304
5305

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 23, 1986

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES
Cor. of SW/S Seminary Ave. and SE/S Railroad Ave.
8th Election District
Transportation Displays, Inc., a subsidiary of Consolidated Rail Corp. - Petitioner
Case No. 86-440-XA

Dear Mr. Howard:

This is to advise you that \$100.00 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 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 hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 021607
DATE 4/29/86 ACCOUNT 1-01-15-000
SIGN & POSTS TO BE RETURNED AMOUNT \$ 100.00
RECEIVED FROM Cook, Howard, Downes & Tracy
Advertising & Posting re Case #86-440-XA
FOR 3 864304-1000000 021607
VALIDATION OR SIGNATURE OF CASHIER

County, Maryland, and remit
ing, Towson, Maryland

CERTIFICATE OF PUBLICATION
TOWSON, MD, April 10, 1986

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 April 10, 1986.

THE JEFFERSONIAN,

18 Kenton
Publisher

Cost of Advertising

27.50

86-440-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 9, 1986

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 April 9, 1986.

TOWSON TIMES,

18 Kentish
Publisher

4250

86-440-XA

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

March 31, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES
Cor. of SW/S Seminary Ave. and SE/S Railroad Ave.
8th Election District
Transportation Displays, Inc., a subsidiary of
Consolidated Rail Corp. - Petitioner
Case No. 86-440-XA

TIME: 10:15 a.m.
DATE: Tuesday, April 29, 1986
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

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

No. 018420

DATE: 7/25/86 ACCOUNT: 01-615-000

AMOUNT: \$ 200.00

RECEIVED FROM: C. L. H. D. + T

FOR: Sp Ex + Var. # 311

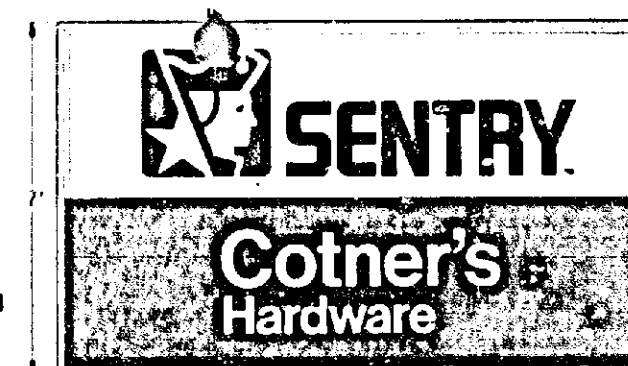
0 8015*****230003 32208

VALIDATION OR SIGNATURE OF CASHIER

No. S-11 Deluxe Illuminated Sign

Ideal for
large suburban stores
Attracts - Dominates

No. S-11



4 LINES
8" HIGH
CHANGEABLE
LETTERS

No. S-12
Reader Board
adds to the
"attention attraction"
of your S-11 Sign

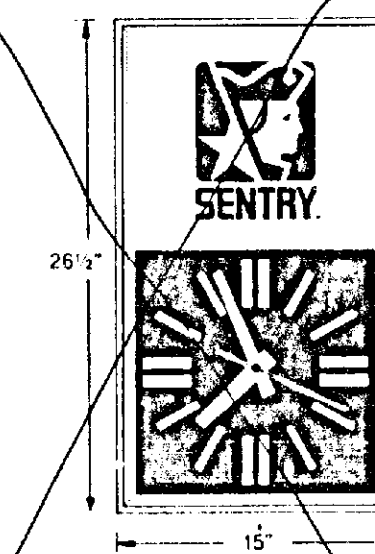
Ask your Sentry distributor for specifications.

Offered as both a double face sign for pole mounting or as a single face flush mounted unit for wall mounting, the No. S-11 is America's most impressive illuminated store sign.

Available on special order only, it measures 7 x 12 ft. overall. Upper half of this area is occupied by the Sentry trademark. The bottom section carries the local dealer's name. It can be seen from "far down the road"...blocks away.

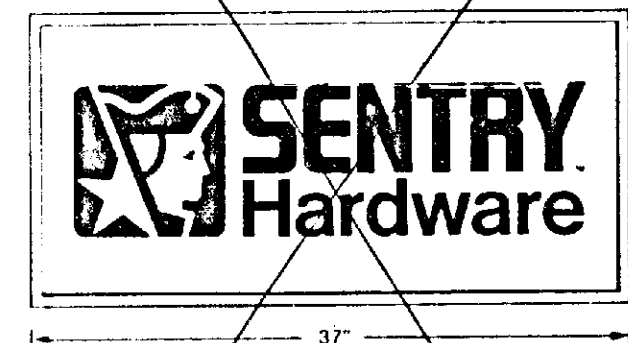
Sentry dealers, who demand the ultimate in advertising value from their signs, always include a reader board with their No. S-11 sign. Suitable for double face center pole mounting or single face flush wall use, this measures 4 x 8 ft. It will accommodate 4 lines of 8-inch high type which slides easily into grooves and can be changed to herald special sales, public interest announcements, etc.

IC-13 Illuminated Clock Sign



This attractive clock sign doubles as a night light. Ideal for in-store or window display, clock mechanism is actuated by precision, long-life movement and lighted by brilliant internal fluorescent. 5 1/2 ft. cord. U.L. listed.

ISF-14 Single Face Indoor Illuminated Sign



Installed on a store wall, in a window or over the check-out counter, ISF-14 provides bright 24-hour identification for your store. It is especially recommended for locations where restrictions prohibit the erection of large, outdoor signs. Illuminated by two 24-inch fluorescent tubes. Furnished with 6 ft. hanging chain and 6 ft. electrical cord. U.L. listed.

Sentry Hardware Corporation, 33 Public Square, Cleveland, Ohio 44113

Lutherville Community Association
P/O Box 6
Lutherville, Maryland 21093

May 14, 1986

Zoning Commissioner
Baltimore County
Maryland

Dear Sir:

On May 13, 1986, representatives of the Lutherville Community Association met with Mr. Ron Allesi and others of Allstate Building Supply Company in regard to the proposed sign that they wish to place near the intersection of Railroad and Seminary Avenues in Lutherville. We expressed our opposition to the original plans previously proposed to the Zoning Commissioner, but we have now agreed with Allstate on a plan and placement for a sign which will not degrade our community and which Allstate believes will adequately facilitate their business. Accordingly, the Board of Directors of the Association voted, at its regular meeting April 13, 1986, as follows:

Be It Resolved that the Lutherville Community Association supports the proposal of Allstate Building Supply Company to place a sign on the south side of Seminary Avenue, located approximately midway between Railroad Avenue and the adjacent railroad tracks, provided that no part of the sign is closer than 36' to the centerline of Seminary Avenue (measured the shortest distance), that the sign is not higher than 20 feet, that the sign contains no more than two panels, and that each panel will not be larger than 8 feet wide and 6 feet high.

Resolved, further, that Mr. Louis Noetzel, the Chair of the Association Zoning Committee, is authorized to: Represent the Association at all meetings of agencies of Baltimore County at which the proposal for this sign is to be considered; Present this resolution; and, Speak to any other aspect of this sign proposal that may be under consideration.

Sincerely,

Charles P. Forbes
Charles P. Forbes
President

cc: Mr. Louis Noetzel, Zoning Chair

TESTIMONY OF
EXHIBIT

THE TRAFFIC GROUP, INC.

Suite 220, Greenspring Station
2360 W. Joppa Road
Lutherville, Maryland 21093
Telephone 301-583-8405

RESUME'S AND QUALIFICATIONS

MR. GLENN E. COOK
TRAFFIC ENGINEER

Mr. Cook has three years experience conducting Traffic Impact Studies, Geometric Design Plans, Parking Lot Layout Plans, Highway Lighting Plans and Traffic Control Plans. Mr. Cook's experience extends from small family subdivisions to the 2 million square foot PortAmerica Project and the 6 million square foot Presidential Corporate Centre Project.

Mr. Cook has over 13 years experience in the preparation of traffic signal design and construction plans. First, as a member of the Maryland State Highway Administration for 11 years and more recently as a consultant. Mr. Cook has personally designed or supervised the design of over 300 signalized intersections throughout Maryland and Northern Virginia. Mr. Cook's long experience in the public sector provides him with a wide range of knowledge to deal with the complex problems associated with receiving public agency approval of design and construction projects.

JOB HISTORY

1983 to Present
Traffic Engineering Consultant

1983 - 1979
Chief, Office Engineering Section
Maryland State Highway Administration

1979 - 1972
Traffic Signal Design Section
Maryland State Highway Administration

EDUCATIONAL BACKGROUND

Civil Engineering Preparation - Community College of Baltimore

Traffic Engineering Courses: Northwestern University Traffic Institute; University of Maryland

AFFILIATIONS

Institute of Transportation Engineers

PLACES WHERE TESTIFIED RELATING TO TRAFFIC ENGINEERING MATTERS

Board of Appeals - City of Easton
Zoning Hearing Examiner - Anne Arundel County

THE TRAFFIC GROUP, INC.

Suite 220, Greenspring Station
2360 W. Joppa Road
Lutherville, Maryland 21093
Telephone 301-583-8405

May 13, 1986

Cook, Howard, Downes & Tracy
Mr. Robert Hoffman
210 Allegheny Avenue
Towson, Maryland 21204

RE: Outdoor Advertising Sign
Railroad Avenue and Seminary Avenue

Dear Mr. Hoffman:

As requested, we have conducted field observations and research relating to the proposal to locate an advertising sign at the referenced intersection. The proposed sign is 116 sq. ft. The bottom of the sign will be approximately 6 ft. from grade. The sign is planned to be located in the southeast quadrant of Seminary Avenue and Railroad Avenue/Riderwood Avenue in the Lutherville area of Baltimore County.

Field observations were made at the subject location to determine if the proposed location of the sign will restrict the sight distance for vehicles along either Railroad Avenue or Front Avenue (located approximately 150 ft. east of Railroad Avenue). The results of our field observations show that the proposed sign in no way restricts the sight distance to the east of vehicles along Railroad Avenue. The sight distance is approximately 1360 ft. The sight distance to the west for vehicles along Front Avenue is partially restricted by the proposed sign. However, field measurements made at the location show that a sight distance of ± 450 ft. will still be available even with the proposed sign. Based on Baltimore County's sight distance requirements for a 30 mph roadway (425 ft.), the resulting sight distance is acceptable.

We conducted a literature search relating to billboards and commercial signing along arterial roadways and have reviewed several court cases, traffic engineering documents, and the Maryland Motor Vehicle Code. The results of our analysis and research is as follows:

TESTIMONY OF
EXHIBIT 54

Mr. Robert Hoffman
May 13, 1986
Page Two

- In an opinion issued by District Court Judge Robert E. McLean, Denver, Colorado, March 7, 1975, Combined Communications Corp. vs. City and County of Denver, Judge McLean stated that "Based on the testimony of the witnesses presented to this Court, the following facts were established beyond any reasonable doubt. No properly run or controlled study, whether done in the field or in the laboratory, has ever established that outdoor advertising devices are a factor in the causation of traffic accidents or that their removal would enhance traffic safety. Although none of the studies which have been done relate specifically and solely to metropolitan city streets, based on the evidence in this case there is no reason to believe that this result would be any different on such streets."

"Scatter charts prepared by Doctor Blanche, which correlated the inattention accidents in Denver for three years against the location of billboards show no statistical correlation between the two."

"Although mentioning a myriad of unusual causes for accidents, not one of the 13,000 Denver Police Department records, about which testimony was produced, indicated that a billboard or outdoor advertising device had been involved in the accident in any way."

"Finally, the testimony in laboratory experiments of two highly qualified experimental psychologists, Drs. Morrison and Hulbert, established that because of complex psychological mechanisms in the operation of the human mind, the mere fact that outdoor advertising devices may be located along the roadside, and within the possible field of vision of drivers, the existence (or nonexistence) of these objects will have little, if any, effect upon traffic safety and at most, no more effect than any other roadside feature which presently exists along the city streets."

- In a case that was heard by District Judge Jeanne Franchini in Albuquerque, January 27, 1981, the Temple Baptist Church, Inc. Et Al vs. the City of Albuquerque, Et Al, Judge Franchini quoted "most traffic accidents are caused by alcohol and drugs. This Court has never seen one instance where a driver has been distracted by a sign that caused an accident."

Mr. Robert Hoffman
May 13, 1986
Page Three

- Apparently, there has been a Supreme Court case dealing with San Diego, California which recognized that traffic safety was a basis for restricting or prohibiting outdoor advertising, even though it had before it no evidence showing that outdoor advertising displays are a traffic hazard. I do not have any other information on that particular case.
- There was a report that was prepared by the U.S. Department of Transportation for the Office of Research and Development titled Analysis and Modeling of Relationships Between Accidents and the Geometric and Traffic Characteristics of the Interstate System. This report was prepared in August, 1969 and Table 5 of that report states "the results indicate that commercial signs improve safety. Even more astonishing is the result for the "underpass model" where commercial signs help, but information signs hurt. If nothing else, this result indicates limits of regression models as discussed earlier." This report seems to indicate that commercial signs do not decrease traffic safety but may very well increase the safety of vehicles traveling along the roadways.
- In general, the ingestion of incidental or superfluous non-driving related information is the lowest form of system failure with respect to drivers and accidents.
- The Denver court case transcript dealing with Dr. Blanche stated that the Federal Highway Administration published a study in 1969 covering data supplied by 20 states, covering 6,900 miles of interstate highway, over a period of approximately six years with respect to location of accidents and highway characteristics. There was approximately 45,000 accidents in the total study. A conclusion of the Federal Highway Administration Study was that there was no relationship between accidents and advertising signs and that in certain locations advertising signs were actually beneficial. Later questioning of Dr. Morrison suggested that billboards are built to be seen and therefore must distract the driver. Dr. Morrison was questioned as to whether or not he was able to form any opinion as to whether or not that suggestion was true. Dr. Morrison stated that billboards do not distract drivers. They do not force their attention upon the driver. When asked to explain, Dr. Morrison stated

Mr. Robert Hoffman
May 13, 1986
Page Four

that he based his opinion on two things. One, the model which he presented in this testimony shows how the human processes information. Even with the eye coming into contact with the billboard or sign, whether or not it becomes selected for attention depending on its pertinence at that particular moment and other things that are going on. Only a small sample of our total environment is ever sampled by any individual. The second thing is, the human selection processes. Given a primary task and a secondary task, the amount of materials he selects for attention from a secondary display goes down as the workload goes up. This has a very dramatic effect and was significant to Dr. Morrison. Dr. Morrison was asked whether billboards require a driver's undivided attention in order to be comprehended and understood. Dr. Morrison answered that the first look at a billboard the subject would probably make two or three scans of it. That is, he's looking at it, coming back, he's looking at it again, coming back to read the material. While his head may be moving or the eye may be moved in that direction, he is still processing a tremendous amount of information from his peripheral vision. So that, even if his attention is directed toward it, his attention is still being processed, though may be not at an attention conscious level. The many reasons that billboards have been advocated is that they are a reminder media. One look at it and the subject would pick up a few cues, recall from the long term memory what the billboard says, and thereby not having to go back to it. Dr. Morrison was asked whether billboards are more distracting than other types of roadside features and he answered no.

The third witness in this case was Dr. Slade Hulbert, a research psychologist at UCLA and a recognized expert in traffic signing. Dr. Hulbert was asked if he had ever had the occasion to study the effect of billboards on driver action or safety and he responded that he had. He had been asked by representatives of the Outdoor Advertising Association of America to undertake a review of the existing studies that have been done relative to billboards in urban areas and their possible distraction relative to traffic safety. Dr. Hulbert advised that he reviewed 35-40 other studies relating to billboards and traffic safety. Dr. Hulbert requested and paid for a research of the North Carolina University records that they put on

Mr. Robert Hoffman
May 13, 1986
Page Five

computer of some 200,000 accidents that were in turn compiled by the State of North Carolina. Dr. Hulbert again asked for and paid for a research of the National Highway Administration files of some 3,000 accidents. These accidents were investigated in great depth by 13 different accident investigation teams around the county comprised of not only police people, but in addition, automobile engineers, traffic engineers, psychologists and medically oriented researchers, all who might go to the scene of these accidents and provide in-depth analysis. In conclusion, Dr. Hulbert stated that "I, at this time, have no basis for concluding that banning outdoor displays on, what would be called billboards, on stationary structures would have any, would change the traffic accident situation at all."

In conclusion, it is our opinion, based on the research that we have undertaken, that the construction of the proposed sign would not have an adverse effect on traffic and would not be the cause of traffic accidents along Seminary Avenue.

If you have any questions, please call.

Sincerely,

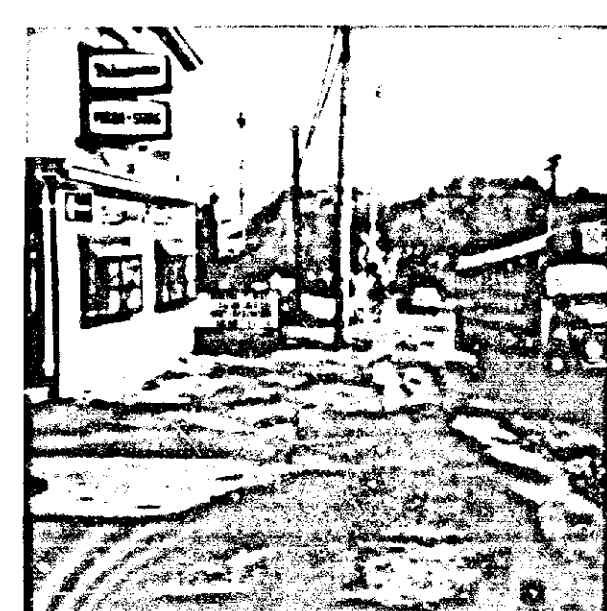
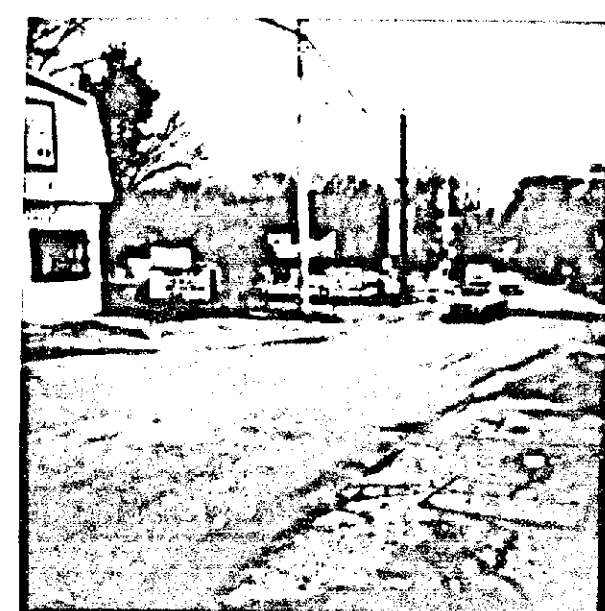
John W. Guckert
John W. Guckert
President

JWG:las

Staff Contributing To Report: Glenn E. Cook



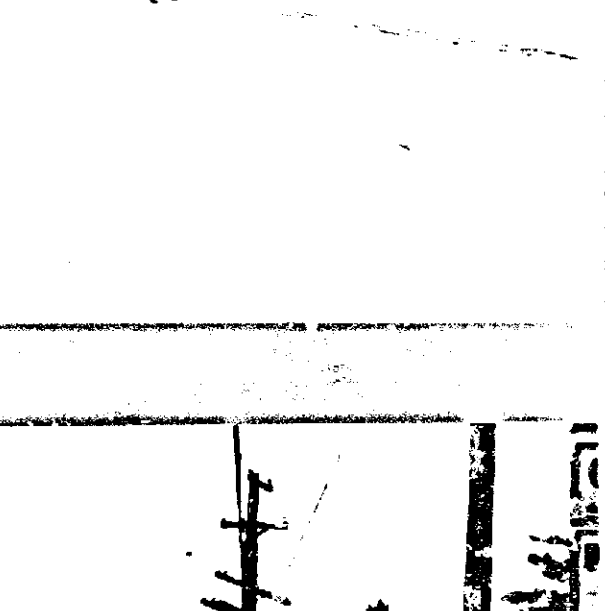
#1 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)



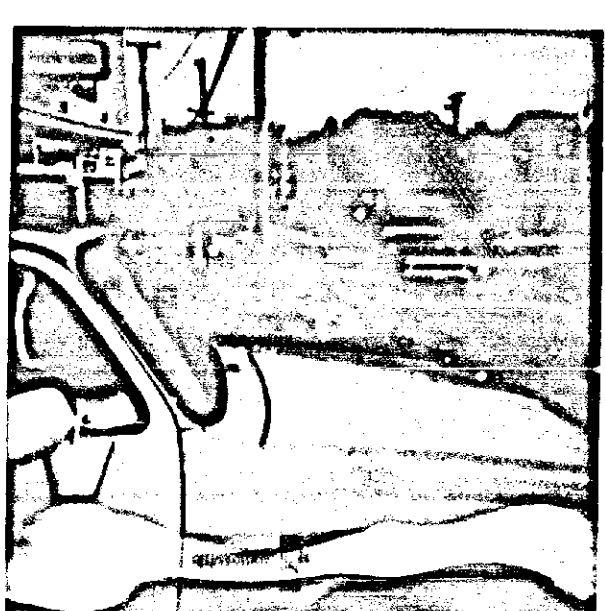
#2 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)



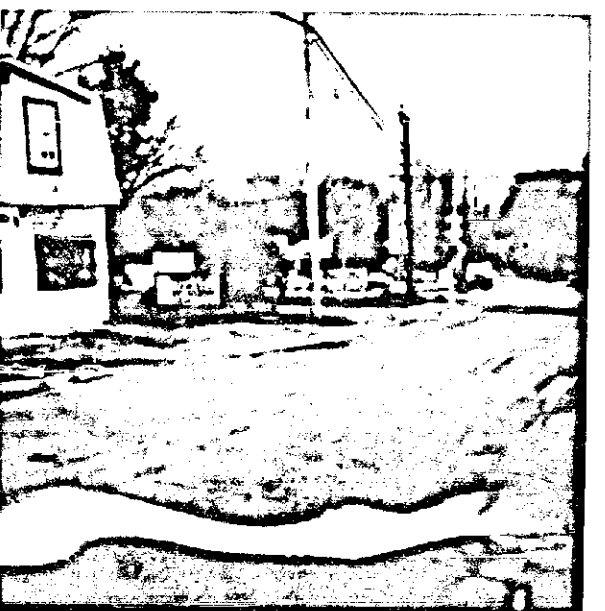
#3 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)



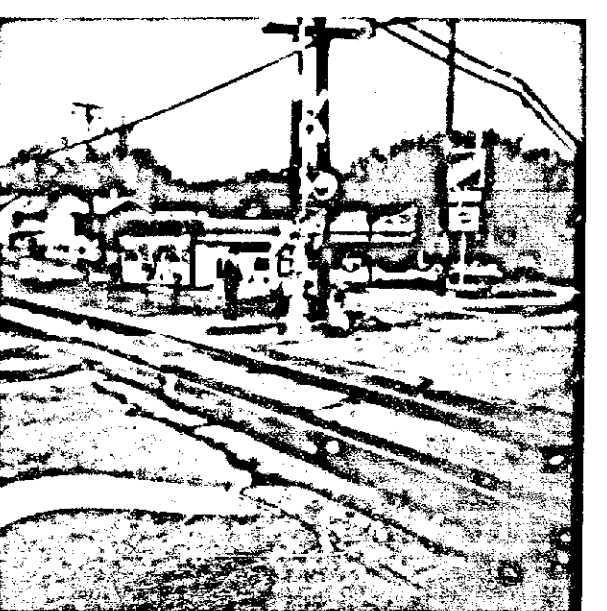
#4 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)



#5 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)



#6 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)



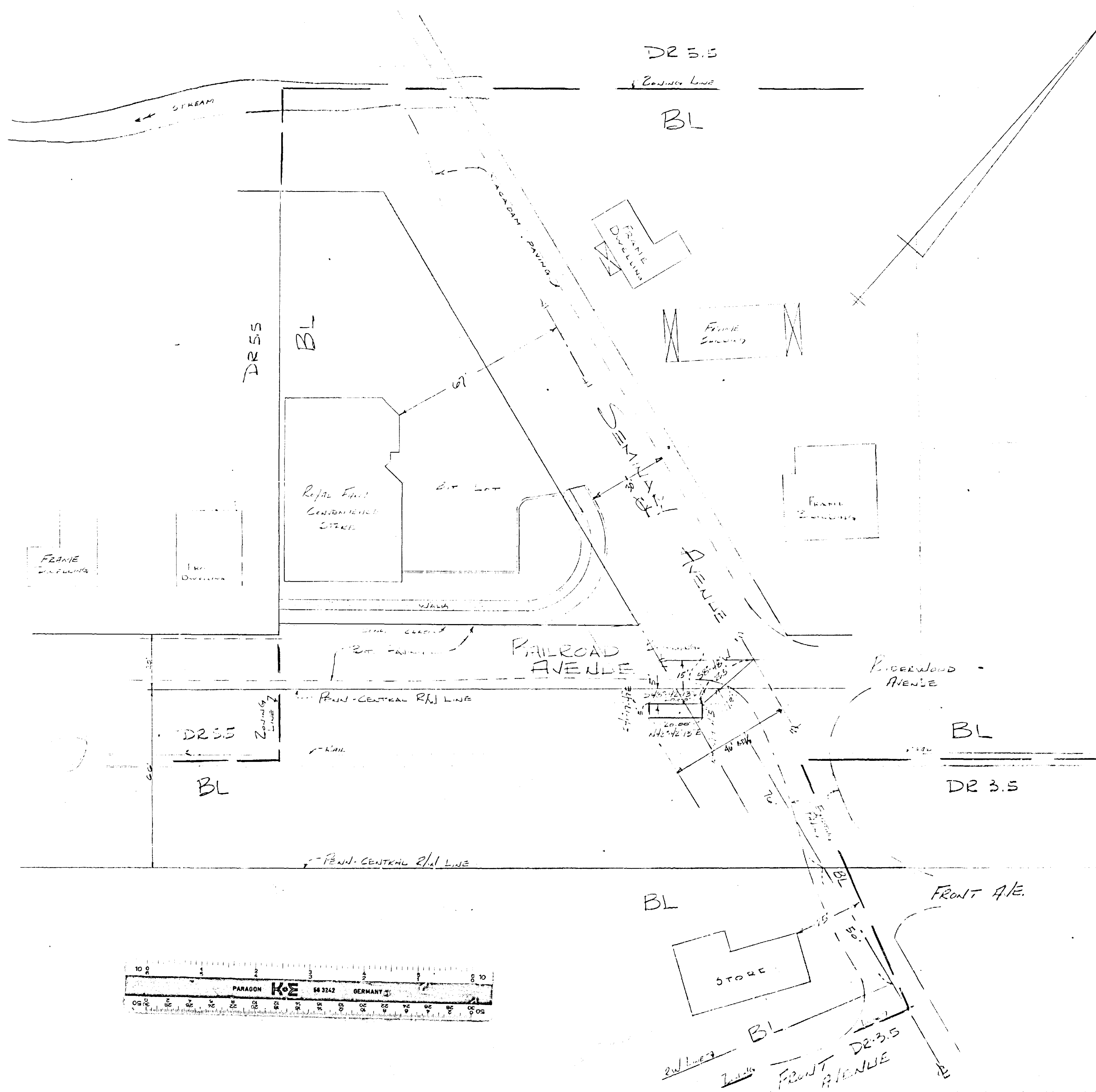
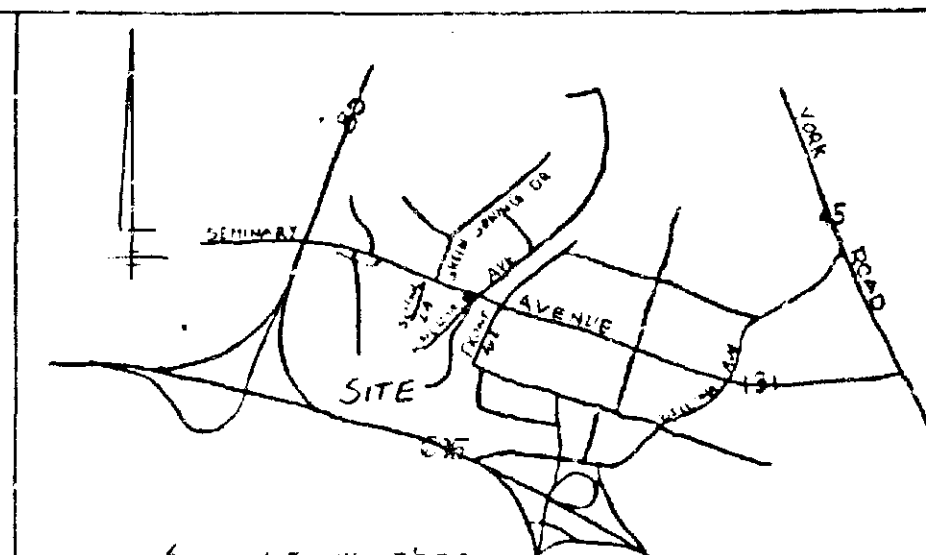
#7 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)



#8 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)

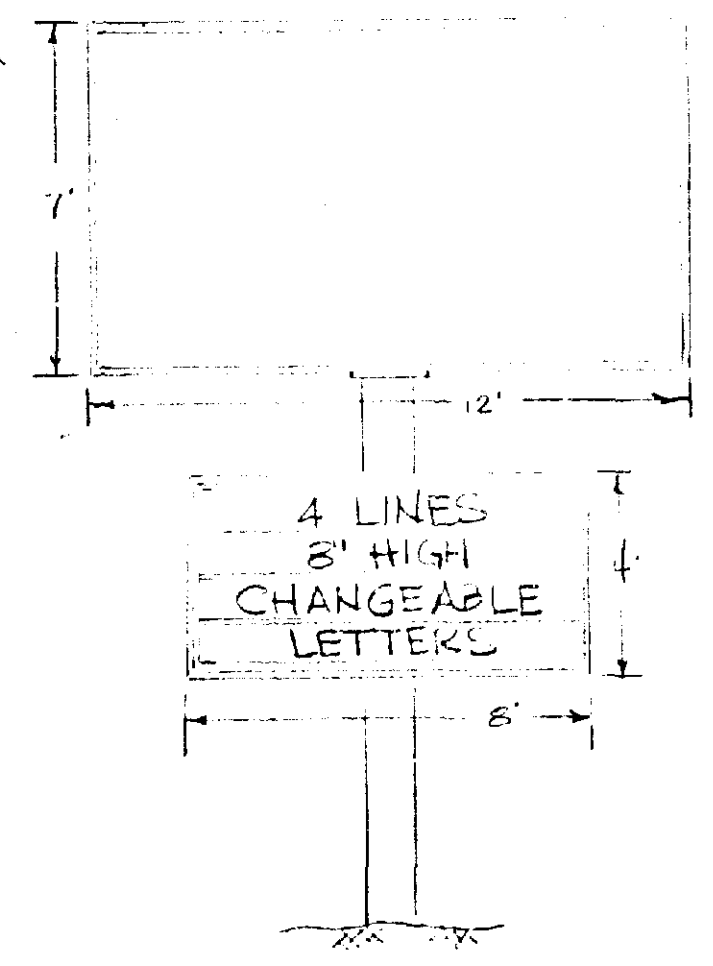


#9 - WIFE STANDING 25'
SEMINARY AVE. (TAKEN FROM
LOUIS CORNER)

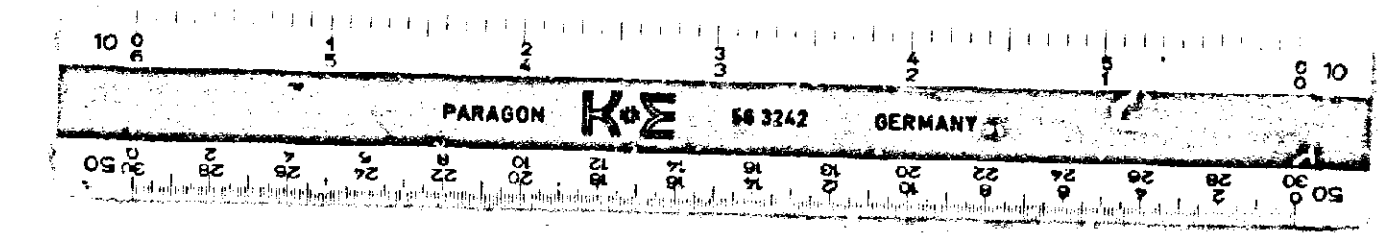


ZONING PLAT
TO ACCOMPANY PETITION
FOR SPECIAL EXCEPTION AND
VARIANCE TO PERMIT
AN OUTDOOR ADVERTISING SIGN

LOCATED IN
BTELEC. DIST. BAYD. CO. MD.



SIGN DETAIL
NO SCALE



PETITIONER'S
EXHIBIT 4

311

Revised FEB. 17, 1966
Scale 1/2" = 10' FEB. 7, 1966

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 Delaware Avenue
TOWSON, MARYLAND 21204