327	PETITON FOR ZONING VALANCE 327		
Address  City and State  1. Lutherville, Maryland 21093  City and State  1. Name and telephone number of legal owner, contract purchaser or representative to be contacted tract purchaser or representative to be contacted to be contacted.  Towson, Maryland 21204  City and State  Attorney's Telephone No.: 828-1050  ORDERED By The Zoning Commissioner of Baltimore County, this	TO THE ZONING COMMISSIONER OF RALTIMORE COUNTY:  The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat statched hereto and made a part hereof, hereby petition for a Variance from Section 41.1.3(b). to allow. I setback of 10.feet .Instead of  the .required.100.feet.from.the.right.of.way.of.a.dual.highway	IN RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE N/S of Padonia Road, 725' DEPUTY ZONING COMMISSIONER W of Broad Avenue 8th Election District OF BALTIMORE COUNTY  Padonia Road Limited Case No. 86-462-XA Partnership, Petitioner Petitioner The Petitioner herein requests a special exception for an outdoor advertising sign and a variance to permit a 10 foot setback from the right-of-way of a dual highway in lieu of the required 100 feet.  Testimony on behalf of the Petitioner indicated that the Padonia Park Shopping Center was developed as an integrated group of stores as well as a racquet-ball/handball facility. Subsequently, the property was subdivided into parcels A, B, C and D. The racquetball court building, occupied by the Padonia Fitness Center, is on parcel A which has no road frontage. The building is located on a low piece of ground and the parcel is a considerable distance from Padonia Road.  The requested sign, located and illustrated on the plan prepared by George William Stephens, Jr. and Associates, Inc., dated March 3, 1986 and marked Petitioner's Exhibit 1, would be a permitted business sign in both size and	Variance should be gran  Therefore, IT IS  County, this 15  Exception for an outdo back from the right-of in accordance with Pet: the date of this Order  1. At any than by the mess and the
Commissioner of Baltimore County in Robin 100, County, Office Sounty, on the 14th day of May 19 86, at 10:45 o'clock  Zoning Commissioner of Baltimore County.  Zoning Commissioner of Baltimore County.  (over)	County on the 14th day of May 19 86, at 10:45 o'clock  Zoning Commissioner of Baltimore County.		
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON MARY AND 21204	FROM THE OFFICE OF GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, NC. ENGINEERS		

April 18 Section 19

TOWSON, MARYLAND 21204 494-3353

() C

ARNOLD JABLON ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

May 15, 1986

R. Bruce Alderman, Esquire 29 West Susquehanna Avenue Towson, Maryland 21204

> RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE N/S of Padonia Road, 725' W of Broad Avenue 8th Election District Padonia Road Limited Partnership, Petitioner Case No. 86-462-XA

Dear Mr. Alderman:

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

Députy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

Description to Accompany a Petition For a Special Exception and Variance

March 10, 1986

RE: Padonia Racquet Ball

Point of beginning being located on the north side of Padonia Road 725 feet  $\pm$ westerly from the intersection of west side of Broad Avenue with the north side of Padonia Road, thence in a clockwise direction:

- 1) North 87° 41' 31" West 35.0 feet +
- 2) North 41° 11' 31" West 50.0 feet +
- 3) South 87° 41' 31" East 35.0 feet + and
- 4) South 41° 11' 31" East 50.00 feet + to the place of beginning. Containing 0.028 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE

8th Election District Case No. 86-462-XA

North Side of Padonia Road, 725 feet West of Broad Avenue

DATE AND TIME: Wednesday, May 14, 1986, at 10:45 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 and Petition for Zoning Variance to permit a 10 foot setback from the right-of-way of a dual highway in lieu of the required 100 feet

Being the property of <u>Padonia Road Limited Partnership</u>, as shown on plat 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

S ORDERED by the Deputy Zoning Commissioner of Baltimore day of May, 1986, that the herein Petitions for Special door advertising sign and Variance to permit a 10 foot setof-way of a dual highway in lieu of the required 100 feet, titioner's Exhibit 1, are hereby GRANTED, from and after r, subject, however, to the following:

any such time as building #212 is occupied other by a fitness center/racquetball/handball court, ressage board portion of the sign shall be removed he sign be no larger than 4' x 8'.

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RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER PETITION FOR VARIANCE N/S Padonia Rd., 725' W of OF BALTIMORE COUNTY Broad Ave., 8th District

PADONIA ROAD LIMITED Case No. 86-462-XA

PARTNERSHIP, Petitioner

ENTRY OF APPEARANCE

::::::

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

Phyllis Cole Friedman
People's Counsel for Baltimore County

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 April, 1986, a copy of the foregoing Entry of Appearance was mailed to R. Bruce Alderman, Esquire, 29 W. Susquehanna Ave., Towson, MD 21204, Attorney for Petitioner.

feter Max Commence

BALLMORE COUNTY, K. RYLLND 00 60 INTER-OFFICE CORRESPONDENCE BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 Arnold Jablon Date April 30, 1986 TO Zoning Commissioner ARNOLD JABLON ZONING COMMISSIONER Norman E. Gerber, AICP, Director DEPUTY ZONING COMMISSIONER FROM Office of Planning and Zoning May 6, 1986 SURJECT Zoning Petition No. 86-462-XA R. Bruce Alderman, Esquire 29 West Susquehanna Avenue Towson, Maryland 21204 This office is not unduly concerned with the proposed size and placement of the sign, however, we are concerned with what appears to be the RE: PETITION FOR SPECIAL EXCEPTION AND PETITION FOR changeable-message component of the sign. We believe this type of signage ZONING VARIANCE is nothing more than a fixed-position version of a portable sign. Such N/S Padonia Rd., 725' W of Broad Ave. signs are inherently more likely to be distracting and thereby more hazardous 8th Election District to the motorist than constant-message signs. The relative proximity of the Padonia Road Limited Partnership - Patitioner I-83 interchange and the sight distance limitations from the overpass simply Case No. 86-462-XA compound the undesirability. Dear Mr. Alderman: This is to advise you that \_\_\_\_\_\_ is due for advertising and posting of the above property. This fee must be paid before an NEG/JGH/sf Order is issued. THIS FEE MUST BE PAID AND THE ZOWING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. Do <u>not</u> remove sign from property from the time it is placed by this office until the day of the hearing itself. re County, Maryland, and remit lding, Towson, Maryland No. U21707 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANZOUS CASH RECEIPT R-01-615-000 SIGNS RETURNED - TO DE Returned 5/10/86 Padonia Fitness Center Advertising and Posting re Case #86-462-XA .B B824\*\*\*\*\*3388∶a 8162F

NORMAN E. GERDER DIRECTOR Mr. Arnold Jablon APRIL 21, 1986 Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Zoning Advisory Meeting of MARCH 25, 1986 Iten + 327
Procerty Owner: Patonia Ro. Limited PART. LOCATION: W/S PROONIN RO. 725 W.OF Dear Mr. Jablon: BROAD DUE. The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are There are no site planning factors requiring comment. )A County Review Group Meeting is required. )A County Review Group meeting is required.
)A County Review Group meeting was held and the minutes will be forward by the Bureau 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 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 floodolain 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 Haster 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 Sill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated innually by the County Council. Eugene A. Bober cc: James Hoswell Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610 April 23, 1986 TED ZÁLESKI, JR. DIRECTOR Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning Town in, Maryland 21204 Comments on Item # 327 Zoning Advisory Committee Meeting are as follows: Padonia Road Limited Partnership N/S Padonia Road, 725 feet W of Broad Avenue 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.N.S.I. #117-1 - 1980) 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 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. B. All Use Groups except R-h Single Pamily Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. 2-4 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. 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 permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and C. The requested variance appears to conflict with Section(s) \_\_\_\_\_\_, of the Baltimore 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 sea level for the lot and the finish floor levels including basement. J. Comments: Signs shall comply with Section 1906.1 as amended in Council Bill #17-85 as well as the other applicable Sections of 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 Strashs & Sumbu

BY: C. E. Burnham, Chief
Building Plans Review W. Chesapeake Avenue, Towson, Maryland Zl 204.

March 27, 1986

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Marie San

00 00 April 14, 1986 R. Bruce Alderman, Esquire 29 West Susquehanna Avenue Towson, Maryland 21204 NOTICE OF HEARING RE: PETITION FOR SPECIAL EXCEPTION AND PETITION FOR ZONING VARIANCE N/S Padonia Rd., 725' W of Broad Ave. 8th Election District Padonia Road Limited Partnership - Petitioner Case No. 86-462-XA 10:45 a.m. Wednesday, May 14, 1986 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland BALTIMORE COUNTY, MARYLAND No. 019326 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 01-615-000

VALIDATION OR SIGNATURE OF CASHIER

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April 30, 1986 COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 . Bruce Alderman, Esquire 29 West Susquehanna Avenue Towson, Maryland 21204 Chairman RE: Item No. 327 - Case No. 86-462-XA Petitioner - Padonia Rd Limited Partnership Special Exception and Variance Petitions MEMBERS Bureau of Dear Mr. Alderman: Engineering Department of Traffic Engineering State Roads Commission Bureau of The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments Health Department are not intended to indicate the appropriateness of the zoning action Project Planning requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a Building Department bearing on this case. The Director of Planning may file a written Board of Education report with the Zoning Commissioner with recommendations as to Zoning Administration 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 F. DYFR Zoning Plans Advisory Committee JFD:bsc **Fnclosures** cc: George William Stephens, Jr. and Associates, Inc. 303 Allegheny Avenue Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Meeting of March 25, 1986 Item No. Property Owner: Location: Existing Zoning: Proposed Zoning: Acres: District: Dear Mr. Jablon: The Department of Traffic Engineering has no comments for items numbered 324, 325, 326, 327, 328, 329, and 330.

April 1, 1986

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

STEPHEN E. COLLINS DIRECTOR

Baltimore County Office Building Towson, Maryland 21204 Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee RE: Property Owner: Padonia Road Limited Partnership Location: N/S Padonia Road, 725 feet W. of Broad Avenue Zoning Agenda: Meeting of 3/25/86 Item No.: 327 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.

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

PAUL H. REINCKE CHIEF

Mr. Arnold Jablon

Zoning Commissioner

Office of Planning and Zoning

Special Inspection Division

MSF/bld

Fire Prevention Bureau

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 \_\_\_\_\_\_, 1986 .

Zoning Commissioner

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Petitioner Padonia Rd Limited Partnershipeceived by: James E. Dyec, Chairman

Petitioner's R. Bruce Alderman, Esquire Attorney

Zoning Plans Advisory Committee

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## CERTIFICATE OF PUBLICATION

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PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE 8th Election District Case No. 86-462-XA

LOCATION: North Side of Padonia Road, 725 feet West of Broad Avenue DATE AND TIME: Wednesday, May

14, 1986, at 10:45 a.m. PUBLIC HEARING: Room 106. County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

outdoor advertising ugn and Petition for Zoning Variance to permit a 10 foot setback from the right-of-way of a dual highway in lieu of the required 100

feet.

Being the property of Padonia Road
Limited Partnership, as shown on plat
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 waiting by the date of the hearing set

above or made in the hearing.

By Order Of

ARNOLD JABLON, Zoning Commissioner of Baitimore County

TOWSON, MD., \_\_\_\_\_\_\_April 24 19\_86

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 24 , 1986.

THE JEFFERSONIAN,

Cost of Advertising

## CERTIFICATE OF PUBLICATION

PETITIONS FOR SPECIAL EXCEPTION AND WARRANCE 8th Election District Case No. 85-462-XA LOCATION: North Side of Padonia load, 725 lest West of Broad Ave-DATE AND TIME Wednesday, May 14, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W. Cheeapacks Avenue, Towson, Maryland The Zoning Commissioner of Batt-more County, by authority of the Zoning Act and Regulations of Batt-more County, will hold a public hear-mer. Petition for Special Exception for an outdoor advertising sign and Petition for Zoning Variance to permit a 10 foot setbeck from the right-of-way of a dual highway in leas of the required 100 feet. Being the property of Padonia Road Limited Partnership, as shown on plat plan filed with the Zoring Office. In the event that this Petron(s) is granted, a building permit may be sessed within the thirty (30) day appeal penol. The Zoning Commissioner will, however, entertain any request for a stary of the issuance of aaid permit during this region for testages for it susy or the resturnor or haid permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set abo

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

75967-L89358 April 23

TOWSON, MD., \_\_\_\_\_April 23 \_\_\_\_, 19 86 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 23 , 19 86

TOWSON TIMES,

38.25

CERTIFICATE OF POSTING	
ZONING DEPARTMENT OF BALTIMORE CO	UNTY
Towers, Maryland	86-462-XA

District Still	
Posted for: Social Cycepton  Petitioner: Padmin Road I  Location of property: 11/5 H Code	Date of Posting
Petitioner: Sadmin Road I	emited Post
Location of property: 11/5 11 Tolons	Ray 1 32
Location of property: N/S of Polonia	CHA / LOVE
Location of Signs: 200th side of 1- proposed sign botation	admie B
proposed sign brothen	the front of
Remarks:	· · · · · · · · · · · · · · · · · · ·
Posted by J. G. Parala	
fumber of Signs:	Date of return: 5-25-56



