PETITION FOR ZONING VARIANCE REGILE Pursuant to the advertisement, posting of the property, and public hear-The undersigned, legal owner(s) of the property situate in Baltimore County and which is rear but both property owners have indicated their support of the requested described in the description and plat attached hereto and made a part hereof, hereby petition for a ing on this Petition held, and for the reasons given above, variances should BEFORE THE IN RE: PETITION ZONING VARIANCES sign variances to the Petitioners. Indeed, the subject office building pro-SW/corner of Belair Road and Variance from Section ZONING COMMISSIONER Raab Avenue (8731 Belair 203 3C to permit an illuminated standing sign of 23 sq. ft, in vides the only family doctors in the area. Road) - 11th Election District Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, OF BALTIMORE COUNTY The Petitioners seek relief from Section 203.3.c, pursuant to Section frew of the required 8 square ft attached to the building non-Cesar Garcia Gamboa, et ux, day of May, 1986, that variances to permit a free-standing, Case No. 86-466-A illuminated sign 307, Baltimore County Zoning Regulations (BCZR). Petitioners of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the 3' x 3' illuminated sign with a 3 square foot arc on top in lieu of the perfollowing reasons: (indicate hardship or practical difficulty) An area variance may be granted where strict application of the zoning Belair Rd. is a very busy section and a lot of my older patients have mitted non-illuminated 8 square foot sign attached to a building be and is * * * * * * * * * * regulation would cause practical difficulty to the petitioner and his propproblems locating my office without a large sign. hereby GRANTED, from and after the date of this Order, subject, however, to FINDINGS OF FACT AND CONCLUSIONS OF LAW erty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for The Petitioners herein request variances for a free-standing, illuminated the following restrictions: an area variance, the petitioner must meet the following: sign totaling 23 square feet instead of the permitted non-illuminated 8 square 1. The Petitioners may apply for their sign permit 1. whether strict compliance with requirement would and be granted same upon receipt of this Order; foot sign attached to a building, as more particularly described on Petitionunreasonably prevent the use of the property for a however. Petitioners are hereby made aware that Property is to be posted and advertised as prescribed by Zoning Regulations. permitted purpose or render conformance unnecesproceeding at this time is at their own risk I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of until such time as the applicable appellate procers' Exhibit 1. sarily burdensome; ess from this Order has expired. If, for whatever The Petitioners appeared and testified. Kay Turner of The Alliance of 2. whether the grant would do substantial injustice reason, this Order is reversed, the Petitioners Baltimore County adopted pursuant to the Zoning Law For Baltimore County. to applicant as well as other property owners in would be required to return, and be responsible the district or whether a lesser relaxation than Baltimore County Community Councils, Inc., appeared in opposition. There were under the penalties of perjury, that I/we = 36,620 for returning, said property to its original conthat applied for would give substantial relief; are the legal owner(s) of the property no other Protestants. which is the subject of this Petition. 2. If the size of the sign granted herein proves to Testimony indicated that the subject property, located at the corner of 3. whether relief can be granted in such fashion that be insufficient, the Petitioners may request an Contract Purchaser: Legal Owner(s): the spirit of the ordinance will be observed and additional variance for a larger sign after one CESAR GARCIA GAMBOA Belair Road and Raab Avenue and zoned R-O, is improved with a Class A office public safety and welfare secured. year from the date of this Order. (Type or Print Name) building owned by the Petitioners and serving as the offices of Dr. Gamboa and Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). Cerar Recubou It is clear from the testimony that if variances were granted, such use four other doctors. Dr. Gamboa testified that approximately 98% of his *ALICIA LEDENA GAMBON would not be contrary to the spirit of the BCZR and would not result in patients cannot locate his office because the only sign on the site is the Address permitted sign attached to the building, which is located 26 1/2 feet off substantial detriment to the public good. After due consideration of the testimony and evidence presented, it is City and State Belair Road. Many of his patients are geriatric and are unable to identify cc. Dr. & Mrs. Cesar Garcia Gamboa Dr. Cesar G. Gamboa Attorney for Petitioner: r that a practical difficulty or unreasonable hardship would result if site from this sign. Dr. Gamboa further testified that they ride up and Ms. Kay Turner 9605 Hickoryburst Drive. 256-0990 variances were not granted. It has been established that the requirement wh Belair Road trying to locate his office without much success. Further, (Type or Print Name) Phone No. 22 21236 Baltimore, Maryland from which the Petitioners seek relief would unduly restrict the use of the he diacent property to the south is zoned B.L. and is improved with an ABC Signature City and State language to the special conditions unique to this particular parcel. In ad-Rental Center, and a major shopping center with many commercial businesses is ୍ର ଲ dition, variances will not be detrimental to the public health, safety, and tract purchaser or representative to be contacted across Belair Road from the site. There are two residential properties to the RUDY ADUINO general welfare. STATE B - 3 **-**ENTE. Cesar Garcia Gambo SW/cor. of Belair (8731 Belair Rd.) ©RDERED By The Zoning Commissioner : Baltimore County, this ____14th_____ day of _______, Arxil______, 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 through-CHOER RECEIVED FOR FILLIA out B. Limore County, that property be posted, and that the public hearing be had before the Zoning County in Room 106, County Office Building in Towson, Baltimore BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 PETITION FOR ZONING VARIANCE 11th Election District RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER SW/Corner of Belair Rd. Case No. 86-466-A and Raab Ave. (8731 : OF BALTIMORE COUNTY ARNOLD JABLON JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER Belair Rd.), 11th Dist. ZONING DESCRIPTION ZONING COMMISSIONER Beginning on the corner of the SE/S of Belair Rd. and the SW/S CESAR GARCIA GAMBOA, Case No. 86-466-A May 6, 1986 Southwest Corner of Belair Road and Raab Avenue et ux, Petitioners of Raab Ave. Thence the following 4 courses and distances. (8731 Belair Road) ::::::: DATE AND TIME: Monday, May 12, 1986, at 10:00 a.m. Dr. Cesar Garcia Gamboa 1. N50° 24'W ENTRY OF APPEARANCE 50' 2. N45° 30'E Mrs. Alicia L. Gamboa PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue. 200' 3. S44' 30'E 9605 Hickoryhurst Drive Towson, Maryland 50° 4. S45° 30'W Baltimore, Maryland 21236 Please enter the appearance of the People's Counsel in the above-The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and RE: PETITION FOR ZONING VARIANCE To the place of beginning. Containing more or less than $\underline{10,000}$ sq. ft. also known as 8731 Belair Rd. in the 11th Election District. Regulations of Baltimore County, will hold a public hearing: captioned matter. Notices should be sent of any hearing dates or other SW/cor. of Belair Rd. and Raab Ave. (8731 Belair Rd.) proceedings in this matter and of the passage of any preliminary or final 11th Election District Petition for Zoning Variance to permit an illuminated freestanding Cesar Garcia Gamboa, et ux - Petitionera sign of 23 square feet in lieu of the required non-illuminated Case No. 86-466-A 8 square feet sign attached to the building Dear Dr. and Mrs. Gemboa: Phyllis Cole Friedman · This is to advise you that \$62.60 is doe for advertising People's Counsel for Baltimore County 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.

BALTIMORE COUNTY, MARYLAND

MISCELLANEOUS CASH RECEIPT

OFFICE OF FINALCE - REVENUE DIVISION

Maryland, and remit

ing, Towson, Maryland

Peter Max Zimmerman

494-2188

of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Cesar

Mr. Rudy Aquino, 1055 Taylor Ave., Towson, MD 21204, who requested

G. Gamboa, 9605 Hickoryhurst Dr., Baltimore, MD 21236, Petitioners; and

Deputy People's Counsel

Towson, Maryland 21204

I HEREBY CERTIFY that on this 24th day of April, 1986, a copy

Room 223, Court House

-- 1

Being the property of <u>Cesar Garcia Gamboa. et ux</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

BY ORDER OF

ARNOLD JABLON

ZONING COMMISSIONER OF BALTIMORE COUNTY

hearing set above or made at the hearing.

notification.

Do not remove sign from property from the time it is placed by

this office until the day of the hearing itself.

_ACCOUNT_KOOKUS CCC

0 CASE NO. 86-466-A м_г. 1 15, 1986 Dr. Cesar Garcia Gamboa Mrs. Alicia L. Gamboa BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE 9605 Hickorynurst Drive BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Baltimore, Maryland 21236 DALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON MARYLAND 21204 April 22, 1986 County Office Building 111 W. Chesapeake Avenue NOTICE OF HEARING COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Towson, Maryland 21204 NORMAN E. GERBER DIRECTOR RE: PETITION FOR ZONING VARIANCE Dr. Cesar G. Gamboa Your petition has been received and accepted for filing this SW/cor. of Belair Rd. and Raab Ave. Mrs. Alicia L. Gamboa _ day of _____, 19 86 (8731 Belair Rd.) 000 9605 Hickoryhurst Drive 11th Election District Baltimore, Maryland 21236 Cesar Garcia Gamboa, et ux - Petitioners Chairman Case No. 86-466-A RE: Item No. 345 - Case No. 86-466-A Mr. Arnold Jablon APRIL 21, 1986 Zoning Commissioner Cesar Garcia Gamboa, et ux - Petitioners County Office Building MEMBERS Variance Petition Towson, Maryland 21204 Bureau of Engineering Dear Dr. and Mrs. Gamboa: Iten + 345
Property Owner: CESAR G. GAMBOL, RTUX Zoning Commissioner Department of Traffic Engineering __Received by: PLACE: Room 106, County Office Building, 111 West Chesapeake Location: COR. SE/S BELDIE RO. + SW/S State Roads Commission Dear Mr. Jablon: Chairman, Zoning Plans ROAB AUE. Attorney Bureau of The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items enecked below are Avenue, Towson, Maryland Advisory Committee Fire Prevention 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 ()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 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 issuance of a building permit.
()The access is not satisfactory.
()The circulation on this site is not satisfactory. Project Planning requested, but to assure that all parties are made aware of plans Building Department or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written Board of Education report with the Zoning Commissioner with recommendations as Zoning Administration to the suitability of the requested zoning. Industrial Development CERTIFICATE OF PUBLICATION Enclosed are all comments submitted from the members of the The circulation on this site is not satisfactory.

The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan. Committee at this time that offer or request information on your petition. If similar comments from the remaining members are)Parking calculations must be shown on the plan.
)This property contains soils which are defined as wetlands, and development on these soils is prohibited.
()Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-93 of the Development received, I will forward them to you. Otherwise, any comment that TOWSON, MD., April 24 is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed Coning Compassioner PETITION FOR ZONING filing certificate and a hearing scheduled accordingly. of Baltimore County VARIANCE
11th Election District
Case No. 86-466-A 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 THIS IS TO CERTIFY, that the annexed advertisement was LOCATION: Southwest Corner of Belsir Road and Rash Avenue (873 published in THE JEFFERSONIAN, a weekly newspaper printed Very truly yours, No. 039860 BALTIMORE COUNTY, MARYLAND On Standscaping: Must comply with daltimore County Landscape Manual.

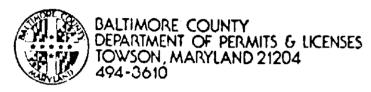
[Although the property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service Belair Road) DATE AND TIME: Monday, May 17 OFFICE OF FINANCE - REVENUE DIVISION and published in Towson, Baltimore County, Md., appearing on MISCELLANEOUS CASH RECEIPT Annes Co. Kess. 1986, at 10:00 a.m. PUBLIC HEARING: Room 10 April 24 County Office Building, 111 V Chesapeake Avenue, Towson 01-615-000 JAMES E. DYER The property is rocated in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and as conditions change traffic capacity may become more limited. The Basic Services areas are re-evaluated annually by the County Council. Chairman The Zoning Commissioner of Bal Zoning Plans Advisory Committee more County, by authority of the Zoring Act and Regulations of Baltimor 100.00 JED:med THE JEFFERSONIAN, county, will hold a public hearing: Petition for Zoning Variance to per Additional comments:

A WAIVER OF CRG WAS GROWTED BY PLN: BRD
ON 9/19/185-SEE FILEH W-85-124 (KD EQUEST
BROOT + DEDWECKWINGPTE) Enclosures retinon for Zoning variance to perzint an illumizated freestanding sign of
23 square feet in lieu of the required
non-illuminated 8 square feet sign attached to the building.
Being the property of Cesar Garcia
Gamboa, et ux, as shown on plat plan
filled with the Zoning Office.

In the event that this Petition(s) is 18 Venetorli cc: Mr. Rudy Aquino 1055 Taylor Avenue Towson, Maryland 21204 Cost of Advertising granted, a building permit may be Eugene A. Gober 3 B013*****13090:a 52.25 Chier, Current Planning and Development will, however, entertain any request for a stay of the assuance of said permit during this period for good cause shown. Such request must be received VALIDATION OR SIGNATURE OF CASHIER in writing by the date of the hearing a 24.75 above or made at the hearing. By Order Of ARNOLD JABLON, OMIL M BACTIMORE COUNTY, MARY AND 0 BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MAPYLAND 21204-2586 INTER-OFFICE CORRESPONDENCE Maryland Department of Transportation Arnold Jablon Date April 30, 1986 TO Zoning Commissioner Hal Kassoff PAUL H. REINCKE CHIEF Norman E. Gerber, AICP, Director April 7, 1986 FROM Office of Planning and Zoning Petition for: **Q**le Times · Zening Variance Mr. Arnold Jablon 11th Election District
Case No. 36-466-A
LOCATION: Southwest corner of Zoning Commissioner SUBJECT Zoning Petition No. 86-466-A Middle River, Md., April 19 86 Mr. A. Jablon Re: ZAC Meeting of 4-1-86 Office of Planning and Zoning Belair Road and Raab Avenue (8731 Belair Road). DATE & TIME: Menday, May 12, Zoning Commissioner ITEM: #345. Baltimore County Office Building County Office Building Property Owner: Cesar G. Towson Maryland 21204 Petition - Sanboa Towson, Maryland 21204 1986, at 10:00 a.m.
PUBLIC HEARING: Boom 106,
County Office Building, 111 West
Chesspeake Avenue, Towson, Gamboa, et ux Location: Cor. SE/S Belair Rd. Att: Mr. James Dyer Route 1-N, and SW/S Raab Ave. This office is opposed to the granting of the subject request. The faryland.
The Zening Comm selener of Baltilegislative policy of the R.O. zoning classification explicitly states that Existing Zoning: R.O. more County, by authority of the Zen-ing Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variance to per-Proposed Zoning: Variance to non-residential uses shall be highly compatible with nearby residential RE: Property Owner: Cesar G. Gamboa, et ux uses. Yet the petitioner is requesting variances from every element of the permit an illuminated freewas inserted in Gre Times, a newspaper printed governing sign regulations (Section 203.3C). Perhaps the most useful comment standing sign of 23 sq. ft. in Cor. SE/S Belair Rd. & SW/S Raab Avenue mit an illuminated freestancing sign of 23 square feet in lieu of the required lieu of the required 8 sq. ft. might be to ask the following questions: and published in Baltimore County, once in each attached to the building non-Zoning Agenda: Meeting of April 1, 1986 Item No.: non-illuminated 2 square feet sign attached to the building.
Being the property of Cesar Garcia illuminated sign 1. Would extra numbers on the structure with a smaller sign out _____ successive Square Feet: 10,000 sq. ft. Being the property of Cesar Gardia Gamboa, et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be is-sued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request Gentlemen: front suffice? weeks before the _____ A F + ____ day of District: 11th Election District Pursuant to your request, the referenced property has been surveyed by this 2. Would a single-faced sign parallel to Belair Road suffice? Dear Mr. Jablon: 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. 3. Does the sign need to be this large; are there large signs on Brown Publisher. On review of the submittal for sign variance for for a stay of the issuance of said peradjacent properties? Outdoor Advertising, the site plan has been forwarded to mit during this period for good cause shows. Such request must be received () 1. Fire hydrants for the referenced property are required and shall be the State Highway Administration Beautification Section, located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the in writing by the date of the hearing set above or made at the hearing. 4. Is the 3 square foot decorative top portion of the sign c/o Morris Stein, (659-1642) for all comments relative necessary? Department of Public Works. 5. Why does the sign have to be illuminated? Very truly yours, () 2. A second means of vehicle access is required for the site. Charle Pa () 3. The vehicle dead end condition shown at Charles Lee, Chief Bureau of Engineering Access Permits EXCEEDS the maximum allowed by the Fire Department. NEG/JGH/sf CL:GW:maw By: George Wittman () 4. The site shall be made to comply with all applicable parts of the CERTIFICATE OF POSTING Fire Prevention Code prior to occupancy or beginning of operation. cc: Mr. J. Ogle Mr. M. Stein (w-attachment) ZONING DEPARTMENT OF BALTIMORE COUNTY 84- 466-A () 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. Petitioner: Lesar Garaia Gambun, atur 1 X) 7. The Fire Prevention Bureau has no comments at this time. Location of property: 5w/cor, Blair Rd. 4 Raab Ats.

8731 Blair Rd. My telephone number is (301) 659-1350 Location of Signs: Facing Boloir Rd, Appren. 70 Fr. Youd way on property Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewida Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717 Posted by Mittes lay



April 30, 1986

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TED ZALESKI, JR. DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 345 Zoning Advisory Committee Meeting are as follows:

Cesar G. Gamboa, et ux

Locations

Cor. SE/S Belair Road, and SW/S Raab Avenue

Districts

11th.

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.N.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. Remidential: 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 sats of construction drawings scaled and signed by a registered in Haryland Architect or Engineer shall be required to file with a permit application. Reproduced scale are not acceptable.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 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 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) _____.

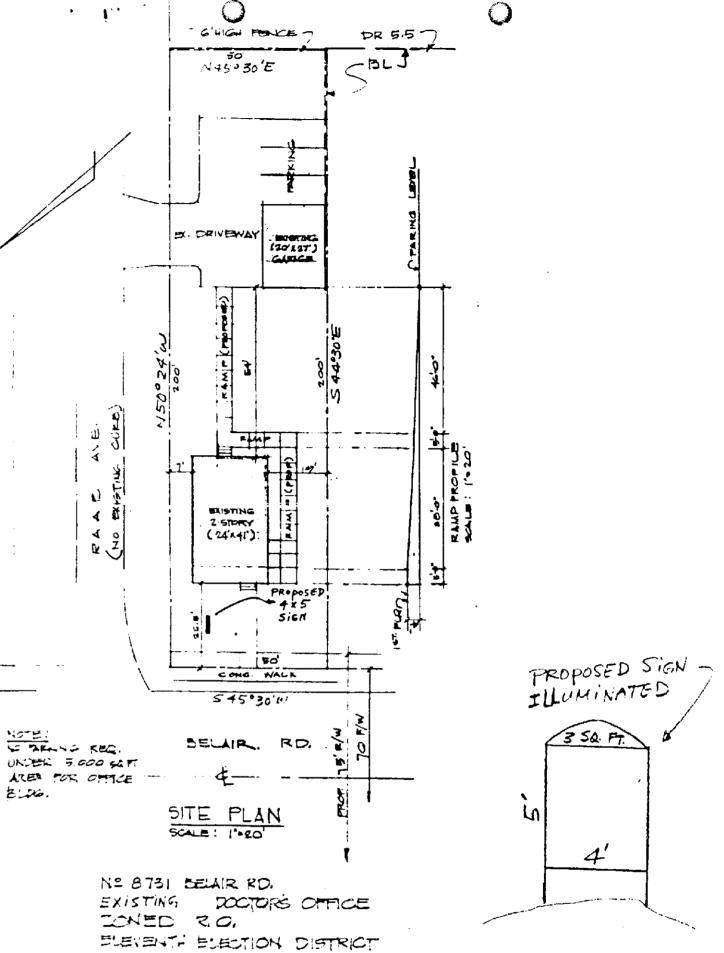
 County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use, Mary'and Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use . See Section 312 of the Building Code.
- The proposed project appears to be located in a Flood Plain, Tidal/Biverine. 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.

Signs shall comply to Article 19 as amended by Council Bill #17-85.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Cifice 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 Noom 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Meanth & Merchan BY: C. E. Burnham, Thief Building Plans fevies

4/22/85

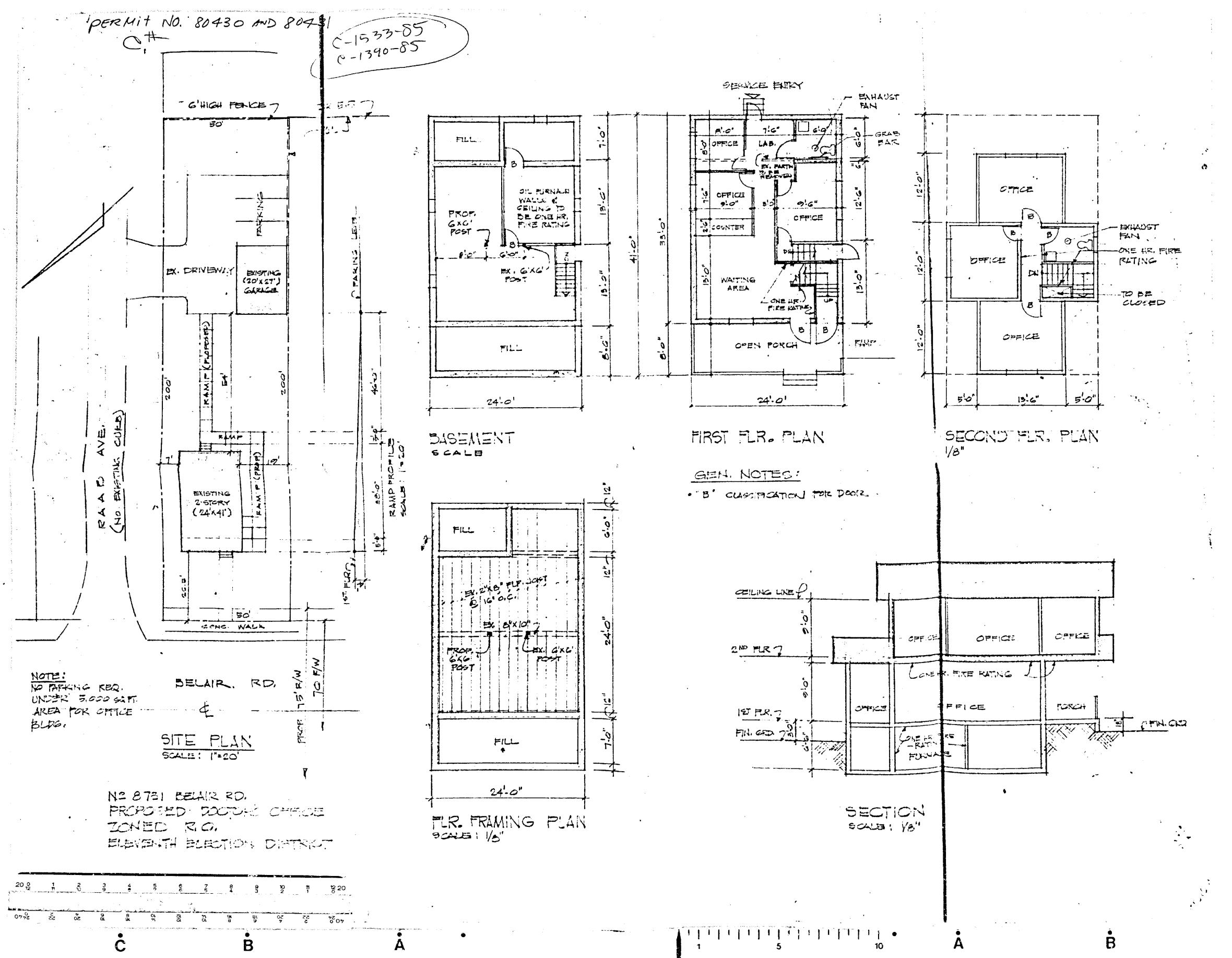


PLEVENTY ELECTION DISTRICT C-1390-85

PLAT FOR ZOMING VARIANCE OWNER-CESAR & ALICIA GAMBOA EXECUTIVES IN BELAIR MEL

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