IN RE: PETITION ZONING VARIANCES SE/S of Eastern Boulevard. 500' SW of Eyring Avenue ZONING COMMISSIONER (1211 Eastern Boulevard) -15th Election District OF BALTIMORE COUNTY J-R Realty, a Maryland Case No. 86-484-A Partnership, Petitioner * * * * * * * * * * * FINDINGS OF FACT AND CONCLUSIONS OF LAW The Petitioner herein requests variances to permit five other business signs totaling 371 square feet instead of the permitted three signs totaling 100 square feet, as more particularly described on Petitioner's Exhibit 1. The Petitioner, by Paul Goodman, a principal, appeared and was represented by Counsel. The Contract Purchaser, B, G, & L Foods, Inc., by Geneva Thomas, its President, appeared and testified and was also represented by Counsel. Tony Corteal, STV/Lyon Associates, testified in support of the requested variances. Mary Ginn, The Alliance of Baltimore County Community Councils, Inc., testified in opposition. Testimony indicated that the subject property, located off Eastern Avenue and zoned B.R.-C.S.A., will be improved with a Kentucky Fried Chicken (KFC) fast-foot restaurant with a drive-thru. The oddly shaped lot has only a 60-foot frontage on Eastern Avenue, and the proposed building will be 20 to 25 feet off the road. The Petitioner proposes an 8' x 14' double-faced identifi-(ID) sign, an approximately 8' x 5' double-faced reader board, a 5' x 5' single-faced menu board, and three, 14 square foot directional signs with the blonel's logo. Counsel argued that due to the commercial character of the area on Eastern Avenue and the level of traffic, together with the narrow road PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2.f to permit/other business signs instead of the required 3 and a total square footage of 371 square feet instead of the required 100 square feet [I.D. and reader board - 304 square feet; menu board - 25 square feet; three 14 square foot directional signs). of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) following reasons: (indicate hardship or practical difficulty)

B, G, & L Foods, Inc. desires to construct a Kentucky Fried Chicken Restaurant at 1203 Eastern Boulevard. The corporation requests a variance to allow more than three free-standing business signs on the premises, namely three directional signs, 1 main I.D. sign, 1 menu board, and 1 reader board, the area of which is shown on the attached plats, which area totals 371 square feet instead of the permitted 100 square feet.

A variance is sought for the approval of these signs as to their number, footage, height and construction in accordance with Section 413.2. The restaurant requires these signs in order to protect the safety of its customers as to the directional signs and visibility in accordance with other KFC restaurants and other property is to be posted and advertised as prescribed by Zoning Regulations fast food outlets. required to return, and be responsible for returning, said property to its original condition. 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 Baltimore County adopted pursuant to the Zoning Law For Baltimore County, AJ/srl cc: C. John Serio, Esquire under the penalties of perjury, that I/we up are the legal owner(s) of the property which is the subject of this Petition.

E. D. 15 Mrs. Mary Ginn Contract Purchaser: 2905 Fendall Road Baltimore, Maryland 21207 City and State Attorney for Petitioner: C. John Serio (Type or Print Name) 501 Provident Financial Center 114 E. Lexington Street Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, Maryland 21202 .C. John Serio City and State Name 501 Provident Bank Building Attorney's Telephone No.: 752-1946 Baltimore, Maryland 21202
Address 114 E. Lexingtonphie No. 752-1946 ORDERED By The Zoning Commissioner of Baltimore County, this _____ 22nd______ day of April 19.86, that the subject matter of this petition be advertised, as recorded by the Zoming Law of Baktimore County, it two newspapers of general circulation throughout Bettimore County, that property be posted, and that the public hearing be had before the Zoming

23

frontage, KFC requires a large ID sign so that the site can be recognized by the motoring public. A sign measuring 6' x 10' would not provide the recognition required, and KFC strongly believes that a smaller sign would cause traffic to by-pass the access to the site because vehicles would not slow down in time to enter the site.

Mrs. Ginn argued that the smaller sign is sufficient and particularly opposed the reader board.

The Petitioner seeks relief from Section 413.2.f, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

If the Colonel's well-known and much beloved countenance were removed from the three directional signs, they would be considered directional, not business signs, and would comply with Section 413.1.e.1, BCZR, since each is less than the permitted 15 square feet. In addition, the variance to permit five business signs in lieu of the permitted three signs would not be re-

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

> 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome:

2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief;

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

S10/Lyon associates.

ELECTION DISTRICT NO. 15

BALTIMORE COUNTY. MARYLAND

ZONING DESCRIPTION
NO. 1211 EASTERN BOULEVARD
LOT 1, PLAT OF "MIDDLESEX EAST SHOPPING PLAZA"

BEGINNING FOR THE SAME at a point on the southeast right-of-way line of Eastern Boulevard (Md. Route 150), said point being located 50D feet, more or less, from the intersection of said southeast right-of-way line of Eastern Boulevard and the center line of Eyring Avenue, thence leaving Eastern Boulevard and running the four following courses and

ENGINEERS, ARCHITECTS & PLANNERS. 21 GOVERNOR'S COURT BALTIMORE, MD 21207-2722

1) South 61°10'56" East 134.64 feet, thence

2) South 12024'40" East 310.00 feet, thence

3) South 77°35'20" West 148.03 feet, thence

4) North 12024'40" West -361.15 feet to intersect said

5) North 38047'50" East 60.00 feet to the point of

southeast right-of-way line of Eastern Boulevard, thence running along Eastern Boulevard,

beginning.... containing 1.2317 acres of land, more or less.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if a variance were granted, such use would not be contrary to the spirit of the BCZR and would not regult in substantial detriment to the public good.

After due corsideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if a variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, a variance will not be detrimental to the public health, safety, and general

The Petitioner has not been able to prove a practical difficulty for the reader board and, as such, that sign will not be allowed.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, a variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3nd day of June, 1986, that a variance to permit an ID sign containing 224 square feet and a menu board containing 25 square feet, both in lieu of the permitted 100 square feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The three directional signs shall be permitted without the Colonel's log.

The Petitioner may apply for its sign permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be

PETITION FOR ZONING VARIANCE 15th Election District Case No. 86-484-A

Southeast Side of Eastern Boulevard, 500 feet Southwest of Eyring Avenue (1211 Eastern Boulevard)

DATE AND TIME: Wednesday, May 28, 1986, at 11:45 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 Zoning Variance to permit five other business signs with a total of 371 square feet in lieu of the required three signs with a total of 100 square feet

Being the property of J-R Realty, a Maryland Partnerships 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.

> DY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

Thomas M. Hoffman, Jr.

Md. Reg. Property Line Surveyor No. 267

distances.

CERICE CCPY

February 12, 1986

BALTIMORE COUNTY
OFFICE OF PLANNING & ZÖNING
TOWSON, MARYLAND 21204 RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER SE/S of Eastern Blvd. 500' SW of Eyring Ave. OF BALTIMORE COUNTY (1211 Eastern Blvd.) ARNOLD JABLON ZONING COMA: ISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER 15th District J-R REALTY, A MARYLAND : Case No. 86-484-A PARTNERSHIP, Petitioner ::::::: ENTRY OF APPEARANCE C. John Serio, Esquire Please enter the appearance of the People's Counsel in the above-501 Provident Financial Center 114 East Lexington Street Baltimore, Maryland 21202 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 RE: PETITION FOR ZONING VARIANCE SE/S Eastern Blvd., 500' SW of Eyring Ave. (1211 Eastern Blvd.) 15th Election District J-R Realty, a Maryland Partnership - Petitioner Case No. 86-484-A Phyllis Cole Friedman People's Counsel for Baltimore County • This is to advise you that \$66.55 is due for advertising and posting of the above property. This fee must be paid before an THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON Peter Max Zimmerman THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. Deputy People's Counsel Room 223, Court House Do <u>not</u> remove sign from property from the time it is placed by this office until the day of the hearing itself. Towson, Maryland 21204 494-2188 ounty, Maryland, and remit g, Towson, Maryland I HEREBY CERTIFY that on this 7th day of May, 1986, a copy of MISCELLANEOUS CASH RECEIPT the foregoing Entry of Appearance was mailed to C. John Serio, Esquire, R-01-615-000 501 Provident Financial Center, 114 East Lexington Street, Baltimore, SIGN & POST RETURNED MD 21202, Attorney for Petitioner. Geneva Thomas Advertising & Posting re Case #86-484-A 8 8875*****6655:a 826%F VALIDATION OR SIGNATURE OF CASHIEL BALTIMORE COUNTY, MARYLAND C. JOHN SERIO OFFICE JEFFREY F. HIGDON (301)752-1946 JAMES B. LARRIMORE INTER-OFFICE CORRESPONDENCE C. JOHN SERIO Arnold Jablon ATTORNEY AT LAW TO Zoning Commissioner 501 PROVIDENT FINANCIAL CENTER Date May 22, 1986 114 E. LEXINGTON STREET BALTIMORE, MARYLAND 21202-1703

August 29, 1986

Norman E. Gerber, AICP, Director FROM Office of Planning and Zoning SUBJECT Zoning Petition No. 86-484-A This office is opposed to the granting of the subject variances in their present form. The ID sign is too large. KFC has a 6' x 10' size that has been used elsewhere; this office sees no reason to grant variances for anything larger here. This office consistently has opposed readerboards; i.e., portable non-portable signage. If read by the motorist it's a traffic hazard; if not read by the motorist, it's excess sigrage. NEG/JGH/sf

THIS IS TO CERTIFY, that the annexed advertisement was ublished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on more County, by authority of the Zon-ing Act and Regulations of Baltimore County, will hold a public herring: Petition for Zoning Variance to per-mit five other business agas with a botal of 371 square feet in liets of the THE JEFFERSONIAN. plat plan filed with the Zoning Office In the event that this Petition(s) Cost of Advertising a stay of the issuance of mid permit during this period for good cause shows. Such request must be received in writing by the date of the hearing set Petition for Times Zoning Variance This is to Certify, That the annexed was inserted in the Times, a newspaper printed and published in Baltimore County, once in each one successive square feet.

Being the property of J.R Realty, R. mit during this period for good cause mit during this period for good cause shown. Such request neart be received in writing by the date of the hearing CERTIFICATE OF POSTING ZONING DEPART. NT OF BALTIMORE COUNTY 86-H84-A Date of Posting 5/5/86 Petitioner: F-B Reolty, a Maryland Parlmoships

Location of property: SE/S of Eastern Blod, 200' SW/Eyring fro

1711 Eastern Blod Location of Signe: Feling Fostern Blud opprex 10' Fr. You dway, on Number of Signe: Building Department Board of Education Zoning Administratio Industrial . Development BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chasspeake Avenue Towson, Maryland 21204 petition has been received and accepted for filing this day of April . 1986. Zoning Commissioner J-fi Realty C Received by: James E. Dyer Petitioner's John Serio, Beg. Chairman, Zoning Plans & Advisory Committed

CERTIFICATE OF PUBLICATION

C. John Serio, Esquire April 25, 1986 501 Provident Financial Center 114 East Lexington Street Baltimore, Maryland 21202 NOTICE OF HEARING RE: PETITION FOR ZONING VARIANCE SE/S Eastern Blvd., 500' SW of Eyring Ave. (1211 Eastern Blvd.) 15th Election District J-R Realty, a Maryland Partnership - Petitioner Case No. 86-484-A 11:45 a.m. Wednesday, May 28, 1986 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT FOR J.R REALHY 1000010 20321

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE May 6, 1986 COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 2120 C. John Serio, Esquire 501 Provident Financial Center 114 East Lexington Street Baltimore, Maryland 21202 RE: Item No. 355 - Case No. 86-484-A

J-R Realty, a Maryland Partnership - Petitioner MEMBERS Petition for Zoning Variance Bureau of Dear Mr. Serio: Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention Health Department Project Planning

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, Chairman

Zoning Plans Advisory Committee

Enclosures ccs: Ms. Geneva Thomas, President B. G. & L. Foods, Inc.

> STV/Lyon Associates 21 Governor's Court Baltimore, Maryland 21207

Mr. William T. Hackett

RE: J-R Realty

1203 Eastern Blvd. Case No. 86-484-A

to a stipulation whereby the free standing signs for our

Attached are new drawings which display these signs.

to present the stipulation to the Board for its considera-

tion. The restaurant is almost completed and thus we are anxious to pull our permits and order the signs.

Thank you for your kind consideration.

Kentucky Fried Chicken Restaurant will be as follows:

As you know, I represent the petitioner in connection with the above referenced matter. Through negotiations with Phyllis Friedman, Esquire, People's Counsel, we have agreed

A. 6 X 10 main ID sign
B. 3-14 square foot directional signs with

We would like to schedule a five minute hearing before the Board if possible during the week of September 8, 1986 to present the stipulation to the Board for its consideration

C. 1-5 X 5 single face menu board
D. 1 double faced 1 X 6 drive through strip to be

Very truly yours,

Board of Appeals

Towson, MD 21204

Dear Mr. Hackett:

Kentucky Fried Chicken's logo

placed below the main ID sign.

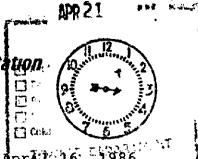
Chairman

Room 200

Court House

7

Maryland Department of Transportation



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

Attention: Mr. James Dyer

Re: ZAC Meeting of 4-15-86 ITEM: 355. Property Owner: J R Realty Location: SE/S Eastern Blvd. Route 150, 500 feet SW of Eyring Ave Existing Zoning: B.R. - CSA Proposed Zoning: Variance to permit five other business signs instead of the required 3 and a total footage of 371 square feet instead of the required 100 square feet (1.D. and reader board 304 square feet, mend board 25 square feet, and three 14 square foot directional signs) Acres: 1.2317 acres

District: 15th Election District

Dear Mr. Jablon:

On review of the submittal for sign variances 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,

Charl Re Charles Lee, Chief Bureau of Engineering Access Permits

CL:GW:maw

THE RESERVE AND ADDRESS OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN

FIRE DEPARTMENT

Office of Planning and Zoning

Baltimore County Office Building

RE: Proporty Owner: J R Realty

Attention: Nick Commodari, Chairman

Zoning Plans Advisory Committee

494-4500

PAUL H. REINCKE CHIEF

Mr. Arneld Jablon

Zoning Commissioner

Towson, Maryland 21204

Location:

: Item No.:

C

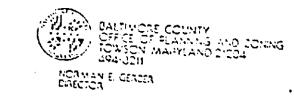
St d

TOWSON, MARYLAND 21204-2586

By; George Wittman

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 21203 - 0717



Mr. Arnold Jabion Zoning Commissioner County Office Building Towson, Maryland 21201

Dear Mr. Jablon:

MAY 12, 1986

Re: Zoning Advisory Meeting of APRIL 15, 1986

Item + 355
Property Owner: J.C. REALTY
Locations LOCATION SE/S EDSTEAU BUD, 500 SWOF EYRING ALE.

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 was held and the minutes will be

TA County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.

Sinis 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 crior to issuance of a building permit.
)The access is not satisfactory.)The circulation on this site is not satisfactory. The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and)This property contains soils which are derined 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 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 Baltimore County Landscape Manual. Dangscaping: Must comply with daltimore County Langscape Manual.

The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service Its property is located in a traffic area controlled by a "D" level intersection as defined by Bill 172-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas A WAYER OF CIRG MAY BE APPLIED FOR ON THE BACIS OF COMMERCIAL DEVELOPMENT

Chist, Current Planning and Development

VARIANCES FROM $\S413.2.f - 5$ signs instead of 3, total square footage of 371 sq. ft. instead of req. 100 sq. ft., and

SE/S of Eastern Boulevard, 500' SW of Lyring Ave. (1211 Lastern Boulevard 15th Election District J-R Realty, a Maryland Partnership -Petitioner

reader board 304 sq. ft.: menu board 25 sq. ft; and 3-14 sq. ft. directional

l signs	Case No. 00-404-A

 $X \checkmark$ 1. Copy of Petition [See Petitioner's Exhibit No. 1] Copy of Description of Property

Copy of Certificate of Posting Copy of Certificates of Publication

Copy of Order of Zoning Commissioner 6/3/86 - Reader board not allowed:

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Eureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

SE/S Eastern Blvd., 500 feet SW of Eyring Avenue

Zoning Agenda: Meeting of April 15, 1986

() 1. Fire hydrants for the referenced property are required and shall be feet along an approved road in located at intervals or feet along an approved road i 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

Fig. Prevention Code prior to occupancy or beginning of operation, 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

) 6. Site plans are approved, as drawn.

(x)7. The Fire Prevention Bureau has no commen Fire Prevention Bureau Special Inspection Division

Copy of Zoning Advisory Committee Comments Copy of Comments from the Director of Planning Copy of Order to Enter Appearance Copy of Plat of Property GRANTED 224 sq.ft. ID sign & 25 sq.ft.
Petitioner's Exhibit No. 1 - Petition for Zoning Variances Menu Board Notice of Appeal of People's Counsel, filed on 6/13/86 X 12. Letter from Arnold Jablon to all parties, dated 6/18/86. notifying them of the filing of an appeal ¥Phyllis Cole Friedman. Esquire Appellants People's Counsel for Baltimore County Peter Max Zimmerman, Esquire Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 (494-2188)C. John Serio, Esquire Attorney for Appellees/Petitioner 501 Provident Financial Center 114 East Lexington Street Baltimore, Maryland 21202 (752-1946)Ms. Geneva Thomas. President Contract Purchager B. G. & L. Foods, Inc. 2905 Fendall Road Baltimore, Maryland 21207 Mrs. Mary Ginn Protestant 606 Horncrest Road Towson, Maryland 21204 arnold Gablon

O.

11111 🕸

SS 20 1082 (1)

Services.

Zoning Commissioner

County Office Building

Towson, Maryland 21204

Water Supply Public

COMMENTS ARE AS FOLLOWS:

Office of Planning and Zoning

Property Owner: JR REALTY

(5) square feet or more.

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

September 17. 1986

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Item # 355, Zoning Advisory Committee Meeting of April 15, 1986

LOCATION: SEIS EASTERN BLYD 500 H SW OF EYRING AVBIRTICE 15th

(X) Prior to approval of a Building Permit for construction, renovation and/or

complete plans and specifications must be submitted to the Plans Review

Section, Environmental Support Services, for final review and approval.

ments for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required

into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required

() Prior to approval of a Building Permit Application for renovations to exist-

ing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to

of Health and Mental Hygiene for review and approval.

the Division of Maternal and Child Health.

with Water Resources Administration requirements.

() Prior to new installation/s of fuel burning equipment, the owner should

installation of equipment for any existing or proposed food service facility.

contact the Division of Air Pollution Control, 494-3775, to obtain require-

for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts

for any charbroiler operation which has a total cooking surface area of five

be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department

Prior to any new construction or substantial alteration of public swimming

facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County

Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact

method providing for the elimination of waste oil must be in accordance

() If lubrication work and oil changes are performed at this location, the

pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage

Sewage Disposal Public

Phyllis C. Friedman People's Counsel for Baltimore County Court House

Towson, Md. 21204

Re: Case No. 86-484-A Dear Mrs. Friedman: J-R Realty

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

> Very truly yours. June Holmen, Secretary

cc: C. John Serio. Esq. Ms. Geneva Thomas Mrs. Mary Ginn Arnold Jaclon Jean Jung James Dyer Norman Gerber James Hoswell

Zoning Item # 355 Zoning Advisory Committee Meeting of April 15 1186 () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768. () Soil percolation tests (have been/must be) conducted. The results are valid until Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled. () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until
is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples. () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

April 21,1986

THE APPLICATION OF J-R REALTY FOR VARIANCES ON PROPERTY LOCATED ON THE SOUTHEAST SIDE OF EASTERN BLVD., 500 ' SOUTH-WEST OF EYRING AVENUE (1211 EASTERN BOULEVARD) 15th DISTRICT

SS 20 1283 (2) R

COUNTY BOARD OF APPEALS

Ian J. Forrest. Director

BUREAU OF ENVIRONMENTAL SERVICES

BALTIMOFE COUNTY

No. 86-484-A

OPINION

This case comes before this Board on appeal from a decision by the Zoning Commissioner granting a 224 sq. ft. identification sign and a 25 sq. ft. menu board sign. When the case was opened on the record, opening statements from

C. John Serio, counsel for Petitioner, and Phyllis C. Friedman, People's Counsel indicated that agreement between the Petitioner and the People's Counsel had been reached relative to the issue that occasioned this appeal. The stipulations as entered on the record and will become a part of the Board's Order, and having been agreed to by both parties, will be granted by this Board.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 17th day of September, 1986, by the County Board of Appeals, ORDERED that the following variances from Section 413.2.f of the Baltimore County Zoning Regulations be GRANTED to permit only the following signs:

1. One 6 ft. by 10 ft. main identification sign.

2. Three 14 sq. ft. directional signs with the Kentucky Fried Chicken logo upon them.

3. One 5 ft. by 5 ft. single-faced menu board sign.

4. One double-faced 1 ft. by 6 ft. drive-thru strip sign to be placed below the main identification sign.

Salara lance along the Salara was a second

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 J-R Realty Case No. 86-484-A Any appeal from this decision must be in accordance with Rules ARNOLD JABLON ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER B-1 thru B-13 of the Maryland Rules of Procedure. COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY June 18, 1986 C. John Serio, Esquire 501 Provident financial Center 114 East Lexington Street Baltimore, Maryland 21202 Ms. Geneva Thomas, President
B. G. & L. Foods, Inc.
2905 Fendall Road Baltimore, Maryland 21207 RE: PETITION FOR ZONING VARIANCE SE/S Eastern Blvd., 500' SW of Eyring Ave. (1211 Eastern Blvd.) 15th Election District J-R Realty, a Maryland Partnership - Petitioner Case No. 86-484-A Dear Mr. Serio and Ms. Thomas: Please be advised that on June 13, 1986, an appeal was filed by People's Counsel for Baltimore County from the decision rendered by the Zoning Commissioner of Baltimore County in the above-captioned matter. You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals. Chroneld Cablen ARNOLD JABLON Zoning Commissioner AJ:med ccs: People's Counsel Mrs. Mary Ginn 606 Horncrest Road Towson, Maryland 21204

15th District J-R REALTY, A MARYLAND : Case No. 86-484-A PARTNERSHIP, Petitioner ::::::: NOTICE OF APPEAL Please note an appeal from your decision in the above-captioned matter, under date of June 3, 1986, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing. Phyllis Cole Friedman
People's Counsel for Baltimore County Peter Max Zummerin Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188 I HEREBY CERTIFY that on this 12th day of June, 1986, a copy of the foregoing Notice of Appeal was mailed to C. John Serio, Esquire, 501 Provident Financial Center, 114 E. Lexington St., Baltimore, MD 21202; and Geneva Thomas, President, B, G, & L Foods, Inc., 2905 Fendall Rd., Baltimore, MD 21207. Peter Max Zimmerman

: BEFORE THE ZONING COMMISSIONER

OF BALITMORE COUNTY

RE: PETITION FOR VARIANCES SE/S of Eastern Blvd., 500' SW of Eyring Ave. (1211 Eastern Blvd.)

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

Reptember 4, 1986

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(a). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(a), COUNTY COUNCIL BILL \$59-79

CASE NO. 86-484-A J.

A J-R REALTY

For Variances from Section 413.2.f of BCZR (Signs)

SE/S Eastern Blvd. 500' SW of Eyring Avenue (1211 Eastern Boulevard)

15th District

6/3/86 - ZC GRANTED 224 sq. ft. ID sign and 25 sq. ft. Menu Board (Reader Board not allowed)

ASSIGNED FOR:

GNED FOR: TUESDAY, SEPTEMBER 9, 1986 at 9:30 a.m.

cc: C. John Serio, Esquire

Counsel for Petitioner

B. G. & L. Foods, Inc.

Contract Purchaser

Phyllis Cole Friedman

Ms. Geneva Thomas, President

People's Counsel

Protestant

Mrs. Mary Ginn Armold Jablon

Amnold Jablon Jean M. H. Jung James E. Dyer Norman E. Gerber

Edith T. Eisenhart, Adm. Secretary

I hearing scheduled for TUESDAY, SEPTEMBER 9, 1986 at 9:3

9/4/86 - Notified of appeal hearing scheduled for TUESDAY, SEPTEMBER 9, 1986 at 9:30 a.m.

C. John Serio, Esquire Ms. Geneva Thomas Mrs. Mary Ginn Phyllis Cole Friedman

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