

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 413.2f to allow a free-standing

replacement, relocated, double-face I.D. Sign of 181.3 Sq. Ft. in lieu of the allowed 100 Sq. Ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Better visibility for the motoring public.
2. To conform to the 6' sign set back requirement.
3. To convert the existing BP sign, price box and pole to Crown's I.D. logo and image.

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 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.

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

Contract Purchaser:
Crown Central Petroleum Corp.
(Type or Print Name)
Signature: G. K. Holmes
P.O. Box 1168
Baltimore, Md. 21203
City and State

Legal Owner(s):
UTF - Maryland Limited Partnership
(Type or Print Name)
Crown Central Petroleum Corporation
By: G. K. Holmes
(Type or Print Name)
Signature: G. K. Holmes

Attorney for Petitioner:
Andrew LaPawowker
(Type or Print Name)
Signature: Andrew LaPawowker
11 N. Charles Street
Address
Baltimore, MD 21201
City and State
Attorney's Telephone No.: 332-7400

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day

of June, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of June, 1986, at 9:30 o'clock

31 York Rd. Baltimore
Zoning Commissioner of Baltimore County.

(over)

299, 302 (1949), "[a]dherence to the meaning of words does not require or permit isolation of words from their context...[since] the meaning or the plainest words in a statute may be controlled by the context..." In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light of all of the provisions concerning signs so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law or Zoning, Section 16.08.

Only Section 413.2.e, BCZR, permits a multiple-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other interpreted group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any

IN RE: PETITIONS ZONING VARIANCE * BEFORE THE
UTF - Maryland Limited * ZONING COMMISSIONER
Partnership, * OF BALTIMORE COUNTY
Property Owner *
Case Nos. 86-495, 496, 497,
498, 499, 500, 501, 503, 504,
and 505-A *
William J. Schafer, et ux, * Case No. 86-502-A
Property Owner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance in each of the above-referenced cases to permit a free-standing business sign totaling 181.3 square feet in lieu of the permitted 100 square feet, as more particularly described on Petitioner's Exhibits 1, respectively marked in each case.

The Petitioner, by Stephen Broache, Engineering Manager; Bernard Mannion, Real Estate Representative; and G. Kenneth Holmes, Real Estate Consultant, all of whom represented Crown Central Petroleum Corporation (Crown), appeared and testified and were represented by Counsel. Mary Ginn, The Alliance of Baltimore County Community Councils, Inc., appeared in opposition.

Testimony indicated that 10 of the 11 gas stations presented are existing BP stations recently taken over by Crown and that it proposes to replace the existing BP station identification signs with its own. The eleventh gas station, Case No. 86-504-A, is an abandoned BP station which will be renovated and reopened as a Crown station. In each case, the existing sign will be replaced in its entirety with the standard Crown sign containing 181.3 square feet which includes the Crown logo containing 104.3 square feet, the price sign containing 36 square feet, and the structure holding the signs, which by its construction is part of the overall sign, containing 41 square feet. In

ten of the sites, the square footage of existing signs will be reduced anywhere from 5.3 square feet to 227.9 square feet, inasmuch as two sites with two signs will have been replaced by one. Only on one site will there be an increase, Case No. 86-495-A, from 121.4 square feet to 181.3 square feet.

All of the existing signs were erected at a time when the policy of the Zoning Commissioner was to compute only one side of a multi-faced sign; therefore, if a sign had less than 100 square feet per side, the sign was legal. If the requests here were denied, the Petitioner would only need to replace the actual logo and leave the size of the signs as they are. The Petitioner does not like the existing sign and believes its sign is better suited to the sites, both aesthetically and practically. The policy has been changed and all sides of a sign are now computed in accordance with the language of Section 413.2, BCZR.

For many years, a Zoning Office policy permitted both sides of a multiple-faced business sign to be computed as one for the purpose of determining the size permitted. If a business sign such as the multiple-faced, free-standing sign proposed here was computed to be 98 square feet on each side, past policy would have counted only one side. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet, and therefore, a sign such as described above would be permitted as a matter or right without the need for a variance. Of course, if both sides were counted for a total of 196 square feet, a variance would be required.

This interpretation does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are initially adopted. They may be used to interpret and/or to construe the

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law but cannot supplant or contradict the law. Official administrative interpretations of statutes in the form of policy that have long-continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied. Farber's Inc. v. Comptroller of the Treasury of the State of Maryland, 256 Md. 44 (1972).

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purfoy v. Merc. Safe Dep. & Trust, 273 Md. 56, 327 A.2d 483 (1974); Scoville Serv. Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be "considered in its entirety, and in the context of the purpose underlying [its] enactment." Grant v. Md. v. State's Attorney, 267 Md. 501 at 509, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import or its language, since it is the language or the statute which constitutes the primary source for determining the legislative intent. Grovesnor v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purfoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Masquie v. State, 192 Md. 615, 623, 65 A.2d

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such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area including the entire face or faces.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Supervisor v. Southgate Harbor, 279 Md. 586 (1977). If all multiple-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all multiple-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higginbotham, 187 Md. 115. If after computation, the two sides of the multiple-faced business sign exceed the permitted size as delineated by law, a variance shall be required.

The Petitioner seeks relief from Sections 405.4.A.2.a and 413.2.f, pursuant to Section 307, BCZR.

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; and

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

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

It is clear from the testimony that if the variances were granted, such uses as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulties or unreasonable hardships would result if the instant variances 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 these particular parcels. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of June, 1986, that the Petitions for Zoning Variance to permit a free-standing business sign totaling 181.3 square feet in lieu of the permitted 100 square feet in each of the referenced cases be and are hereby GRANTED, from and after the date of this Order, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. All signs must comply with Section 405.4.A.2.a, BCZR.
2. The Petitioner may apply for its sign permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that

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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 required to return, and be responsible for returning, said properties to their original condition.

Zoning Commissioner of Baltimore County

AJ/srl

cc: Andrew LaPawowker, Esquire
Mrs. Mary Ginn
People's Counsel

ZONING DESCRIPTION

Beginning on the NW/Cor of York Road and W. Burke Ave. Thence:

1. S. 84° 05' 41" E. 27.76'
2. S. 79° 40' 20" E. 47.19'
3. S. 11° 48' 00" W. 213.32'
4. S. 68° 55' 45" E. 85.27'
5. N. 11° 48' 00" E. 178.90'
6. N. 78° 17' 34" W. 71.1'
7. Curve to the R. S. 40° 31' 14" W. 18.31' to the place of beginning. Containing 17,707 Sq. Ft. in the 9th. election District. Also known as 31 York Road.

383

PETITION FOR ZONING VARIANCE

9th Election District
Case No. 86-500-A

LOCATION: Northwest Corner of York Road and West Burke Avenue (31 York Road)

DATE AND TIME: Wednesday, June 4, 1986, at 9:30 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 a freestanding replacement, relocated, double-face I.D. sign of 181.3 square feet in lieu of the permitted 100 square feet

Being the property of UTF - Maryland Limited 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.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW/Corner of York Rd. : OF BALTIMORE COUNTY
and West Burke Ave. :
(31 York Rd.), 9th District :
UTF - MARYLAND LIMITED : Case No. 86-500-A
PARTNERSHIP, Petitioner :

ENTRY OF APPEARANCE

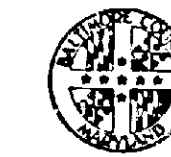
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 8th day of May, 1986, a copy of the foregoing Entry of Appearance was mailed to Andrew Lapayowker, Esquire, 1 N. Charles St., Baltimore, MD 21201, Attorney for Petitioner; and G. K. Holmes, Real Estate Representative, Crown Central Petroleum Corporation, P. O. Box 1168, Baltimore, MD 21203, Lessee.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 28, 1986

Andrew Lapayowker, Esquire
1 North Charles Street
Baltimore, Maryland 21201

RE: PETITIONS FOR ZONING VARIANCE
UTF - Maryland Limited Partnership - Petitioner
William J. Schafer, et ux - Petitioners
Contract Lessee: Crown Central Petroleum Corp.
Case Nos. 86-495-A, 86-496-A, 86-497-A, 86-498-A,
86-499-A, 86-500-A, 86-501-A, 86-502-A, 86-503-A,
86-504-A and 86-505-A

Dear Mr. Lapayowker:

This is to advise you that \$736.79 is due for advertising and posting of the properties involved in the above-captioned cases. This fee must be paid before any Orders are issued in these cases.

THIS FEE MUST BE PAID AND THE ZONING SIGNS AND POSTS RETURNED ON THE DAY OF THE HEARING OR THE ORDERS WILL NOT BE ISSUED.

Do not remove the signs from the properties from the time they are placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, Planning Office, Room 04 before the hearing.

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

No. 021727

DATE: 6/4/86 ACCOUNT: R-01-615-000
SIGN: POSTS TO BE RETURNED 1-CK-\$500.00 + 1-CK-\$236.79 = \$736.79
AMOUNT: \$

RECEIVED: Crown Central Petroleum Corporation
FROM: Advertising & Posting re Case Nos. 86-495-A, 86-496-A, 86-497-A, 86-498-A, 86-499-A, 86-500-A, 86-501-A, 86-502-A, 86-503-A, 86-504-A & 86-505-A
FOR: B 8011*****73679: 8042F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 15, 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 May 15, 1986

THE JEFFERSONIAN,

W. Venturini

Publisher

Cust of Advertising

24.75

PETITION FOR ZONING VARIANCE
9th Election District
Case No. 86-500-A
LOCATION: Northwest Corner of York Road and West Burke Avenue (31 York Road)
DATE AND TIME: Wednesday, June 4, 1986, at 9:30 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 a freestanding replacement, relocated, double-face I.D. sign of 181.3 square feet in lieu of the permitted 100 square feet.
Being the property of UTF - Maryland Limited Partnerships, 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
May 15, 1986

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 9th Date of Posting May 6, 1986

Posted for: Variance

Petitioner: UTF - Maryland Limited Partnerships

Location of property: NW/Cor of York Rd. and West Burke Ave. (31 York Rd.)

Location of Sign: NW/Cor of York Rd. and West Burke Ave.

Remarks:

Posted by: E. J. Proter Date of return: 5-16-86

Number of Signs: 1

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NW/Cor. of York Rd. and West Burke Ave.
(31 York Rd.)
9th Election District
UTF - Maryland Limited Partnership - Petitioner
Contract Lessee: Crown Central Petroleum Corp.
Case No. 86-500-A

TIME: 9:30 a.m.

DATE: Wednesday, June 4, 1986

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

Avenue, Towson, Maryland

Andrew Lapayowker, Esquire
1 North Charles Street
Baltimore, Maryland 21201

May 2, 1986

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

No. 019913

DATE: 4/16/86 ACCOUNT: 01-615-000
AMOUNT: \$ 100.00

RECEIVED: Crown Central Petroleum Corporation
FROM: York & Burke
FOR: Variance # 383
B 8091*****100000 8102F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 14, 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 May 14, 1986

TOWSON TIMES,

W. Venturini

Publisher

38.25

PETITION FOR ZONING VARIANCE
9th Election District
Case No. 86-500-A
LOCATION: Northwest corner of York Road & West Burke Avenue (31 York Road)
DATE AND TIME: Wednesday, June 4, 1986, at 9:30 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 a freestanding replacement, relocated, double-face I.D. sign of 181.3 square feet in lieu of the permitted 100 square feet.
Being the property of UTF - Maryland Limited Partnerships, 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
May 14, 1986

86-500-A

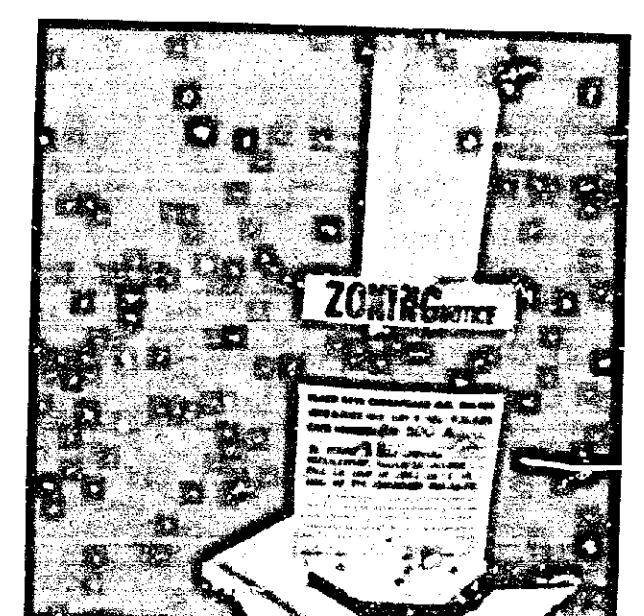
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this day of May, 1986

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: UTF - Maryland Limited Partnerships
Petitioner's Attorney: A. Lapayowker Esq.
Received by: James E. Reyes Esq.
Chairman, Zoning Plans Advisory Committee



PETITIONER'S
EXHIBIT 3

31 York Rd. & Burke Ave. Case No. 86-500-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 22, 1986

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

SUBJECT: Zoning Petitions Nos. 86-495-A, 86-496-A, 86-497-A, 86-498-A, 86-499-A,
86-500-A, 86-501-A, 86-502-A, 86-503-A, 86-504-A
and 86-505-A

We are not opposed to the granting of this request, particularly in view of the fact that the replacement is slightly smaller.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 21, 1986

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

ooo

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

Andrew Lapayowker, Esquire
Crown Central Petroleum Corporation
1 North Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
Item No. 383, Case No. 86-500-A
UTF - Maryland Limited Partnership - Petitioner

Dear Mr. Lapayowker:

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.

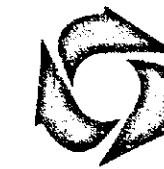
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing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

Very truly yours,

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

JED:med
Enclosures

cc: Mr. G. K. Holmes
Real Estate Representative
Crown Central Petroleum Corporation.



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

May 6, 1986

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

RE: Baltimore County
Item # 383
Property Owner: U.T.F.
Maryland Limited Partn.
(Crown Lessee)
Location: NW/cor. York Rd
(Route 45) and W. Burke Ave.
Existing Zoning: B.R.
CS1
Proposed Zoning: Var. to
allow a free standing
replacement, relocated
double face I.D. sign of
181.3 sq. ft. in lieu of
the allowed 100 sq. ft.
Acres: 17.707
District: 9th

ATT: James Dyer

Dear Mr. Dyer:

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

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits

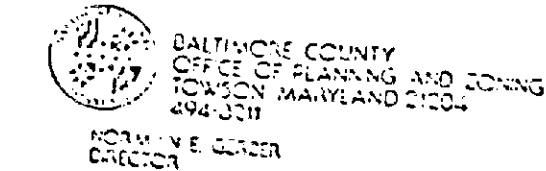
by: George Wittman

CL-GW:es

cc: J. Ogle
M. Steine w/att.

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717



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

MAY 12, 1986

Re: Zoning Advisory Meeting of April 29, 1986
Item # 383 - U.T.F. - MD. LIMITED PARTN.
(CROWN LESSEE)
NW/CORNER YORK RD. & W. BURKE AVE.

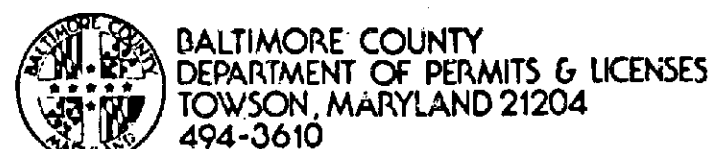
Dear Mr. Jablon:

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.
 - ☒ 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 to this site is not satisfactory.
 - ☒ The circulation on this site is not satisfactory.
 - ☒ The parking arrangement is not satisfactory.
 - ☒ 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 22-23 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 1/25/86.
 - ☒ The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service is 1/25/86.
 - ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 173-77, and its conditions change are re-evaluated annually by the County Council.

cc: James Russell

Eugene A. Jorner
Chief, Current Planning and Development



May 19, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 383 Zoning Advisory Committee Meeting are as follows:

Property Owner: U.T.F. - Maryland Limited Partnership (Crown Lessee)
Location: NW/Corner York Road and W. Burke Avenue
District: 9th.

APPLICABLE CODES AND ORDINANCES:

☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicap and Aged (A.M.S.I. #11-1 - 1980) and other applicable Codes and Standards.

☒ A building and other miscellaneous permits shall be required before the start of any construction.

☒ Reside title: 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.

☒ 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.

☒ All Use Groups 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 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 101, Section 1007, Section 1008.2 and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

☒ 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 height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

☒ 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. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Altered Use _____. See Section 312 of the Building Code.

☒ The proposed project appears to be located in a Flood Plain. Flood/Alleviation. 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:

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 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Jorner
301 C. E. Jorner, Chief
Building Plans Review

4/77/86



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

PAUL H. REINCKE
CHIEF

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

RE: Property Owner: U.T.F. - Maryland Limited Partnership (Crown Lessee)

Location: NW/Corner York Rd. & W. Burke Avenue

Item No.: 383

Zoning Agenda: Meeting of April 29, 1986

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 comment at this time.

REVIEWER: *John F. O'Neill*
Noted and Approved:
Planning Group
Special Inspection Division

/mb

