

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 413.2f to allow a free-standing Crown sign, price box and twin-column pole in excess of the maximum 100 sq. ft. permitted by this section of the code.

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.

Form with fields for Petitioner Name, Address, Signature, and Attorney Name/Address.

ORDERED BY The Zoning Commissioner of Baltimore County, this 22nd day of April, 1986...

Signature of Zoning Commissioner of Baltimore County.

385
86-502-A

86-502-A
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86-502-A
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86-502-A
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86-502-A
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MD-76

MAP 11110
4C
E.D. 11
DATE 2-2-87

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IN RE: PETITIONS ZONING VARIANCE * BEFORE THE
* ZONING COMMISSIONER
* 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

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

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, 266 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. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 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). Usually 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 161 (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." Giant of 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. Grosvenor 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. Purifoy 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 Maguire v. State, 192 Md. 615, 623, 65 A.2d

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- 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 conditions 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

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.

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

Signature of Zoning Commissioner of Baltimore County.

ZONING DESCRIPTION

Beginning on the Corner of the SE/S of Belair Road and the SW/S of Ebenezer Road. Thence:

- 1. S. 59° 45' 55" E. 147.85'
2. S. 43° 00' 35" W. 189.85'
3. N. 52° 52' 25" W. 152.19'
4. N. 42° 47' 25" E. 22.41'
5. N. 42° 44' 14" E. 105.51'

6. Curve to the R. N. 79° 27' 34" E. 27.80' to the place of beginning. Containing 25,266 Sq. Ft. in the 11th. Elect. District. Also known as 8913 Belair Road.

PETITION FOR ZONING VARIANCE

11th Election District
Case No. 86-502-A

LOCATION: Corner of Southeast Side of Belair Road and Southwest Side of Ebenezer Road (8913 Belair 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 William J. Schafer, et ux, 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

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
Corner of SE/S of Belair Rd. and SW/S of Ebenezer Rd. (8913 Belair Rd.) 11th District : OF BALTIMORE COUNTY

WILLIAM J. SCHAFER, et ux, : Case No. 86-502-A
Petitioners

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 Mr. and Mrs. William J. Schafer, 4111 Walter Avenue, Baltimore, MD 21236, Petitioners; and G. K. Holmes, Crown Central Petroleum Corporation, P. O. Box 1168, Baltimore, MD 21203, Contract 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 Lapyowker, 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. Lapyowker:

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" Zoning Office, Room 223 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

RECEIVED Crown Central Petroleum Corporation
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

B 8011*****736791a 8043F

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 15, 19 86

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 5, 19 86

THE JEFFERSONIAN,

18 Kenntoni

Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE
11th Election District
Case No. 86-502-A
LOCATION: Corner of Southeast Side of Bel Air Road and Southwest Side of Ebenezer Road (8913 Belair 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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 86-502-A
Towson, Maryland

District: 11th Date of Posting: 5/21/86

Posted for: Variance

Petitioner: William J. Schafer, et ux

Location of property: SE/S Belair Rd. & SW/S Ebenezer Rd.

8913 Belair Rd.

Location of Signs: Double-face I.D. signs of 181.3 sq. ft. in lieu of the permitted 100 sq. ft.

Remarks: For roadway, on property of Baltimore

Posted by: M. H. Jung Date of return: 5/1/86

Number of Signs: 1

Andrew Lapyowker, Esquire May 2, 1986
1 North Charles Street
Baltimore, Maryland 21201

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
Cor. of SE/S Belair Rd. and SW/S of Ebenezer Rd. (8913 Belair Rd.)
11th Election District
William J. Schafer, et ux - Petitioners
Lessee: Crown Central Petroleum Corp.
Case No. 86-502-A

TIME: 9:30 a.m.

DATE: Wednesday, June 4, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland



CASE NO. 86-502-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 29th day of April, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner: William J. Schafer, et ux
Petitioner's Attorney: Andrew Lapyowker, Esquire
Received by: James B. Overland
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. C19815

DATE: 4/14/86 ACCOUNT: 01-615-000

AMOUNT: \$ 100.00

RECEIVED FROM: Crown

FOR: Variance # 385

City of Baltimore, Baltimore & Ebenezer

B 8033*****000000 01-01

VALIDATION OR SIGNATURE OF CARRIER 476

The Times

Middle River, Md., May 15, 19 86

This is to Certify That the annexed

Advertisement was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 15th day of May, 19 86

of one successive weeks before the 15th day of May, 19 86

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of one successive weeks before the 15th day of May, 19 86

PETITIONER'S EXHIBIT 3

Md: 76 Belair & Ebenezer Rds. Case No. 86-502-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: May 29, 1986
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 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, III
Director

NEG:JGH:slm

CPS-008

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. 385, Case No. 86-502-A
William J. Schafer, et ux - Petitioners

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.

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.

Very truly yours,
James E. Dyer, med
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

Hai Kasloff
Administrator

May 6, 1986

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

Re: Baltimore County
Item #385
Property Owner: William J. Schafer et ux
Location: Corner of SE/S Belair Road (Rte 1-N) and SW/S Ebenezer Road
Existing Zoning: B.L. CCC
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: 25,266 District: 11th

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

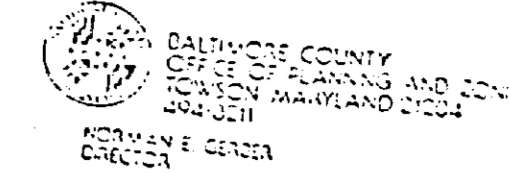
by: George Wittman

CL-GW:es

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

My telephone number is 301-659-1350

Telephone Service for Impaired Hearing or Speech
383-7555 Baltimore Metro - 465-0451 D.C. Metro - 1-800-432-5982 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 # 385 - William J. Schafer, et ux
Location: SE/CORNER OF BELAIR & EBENEZER RDS.

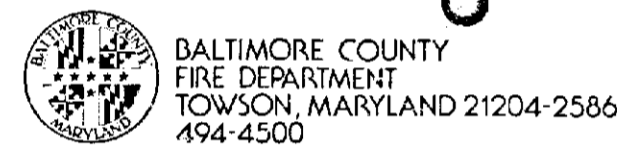
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
This site is part of a larger parcel. Therefore it is defined as a subdivision. The plan must show the entire tract.
Access to the site will be required and must be recorded prior to issuance of a building permit.
The circulation on this site is not satisfactory.
Parking arrangements must be shown on the plan.
Development on these soils is prohibited.
Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-28 of the Baltimore County Zoning Ordinance.
Development of this site may constitute a potential conflict with the amended Development Plan as approved by the Planning Board.
This property is located in a district service area as defined by Bill 112-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
The property is located in a traffic area controlled by a non-level intersection as defined by Bill 112-79. And as conditions change the intersection may become more hazardous. The basic services areas are:
Additional comments:

cc: James Dyer

George K. Borer
Chief, Current Planning and Development

86-502



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

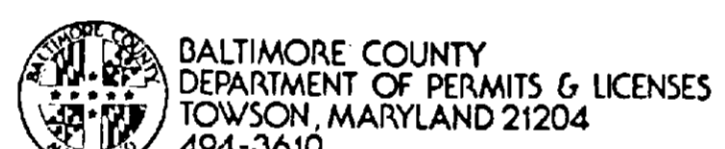
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: William J. Schafer, et ux
Location: Corner of SE/S Belair Rd. and SW/S Ebenezer Rd.
Item No.: 385 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 of 150 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.
7. The Fire Prevention Bureau has no comments at this time.

Noted and Approved: John F. O'Neill
Fire Prevention Bureau
Special Inspection Division

/mb



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

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 # 385 Zoning Advisory Committee Meeting are as follows:
Property Owner: William J. Schafer, et ux
Location: Corner of SE/S Belair Road and SW/S Ebenezer Road
District: 11th

- APPLICABLE CODES ARE CIRCLED:
A. 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 - 1985) and other applicable Codes and Standards.
B. A building and other miscellaneous permits shall be required before the start of any construction.
C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.
D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Legible seals are not acceptable.
E. All Use Groups except B-4, Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. All 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 107, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
G. The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
H. When filing for a required Change of Use/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 Fire Use, to Use, or to Mixed Use. See Section 312 of the Building Code.
I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
J. Comments

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. Jansen
Baltimore County Building Plans Bureau

1/22/86

