

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 a total sign square footage of 201.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs

(7815 Wise Avenue, Dundalk, Maryland).
 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
 1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the existing Taco Bell Restaurant at the property.
 2. The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

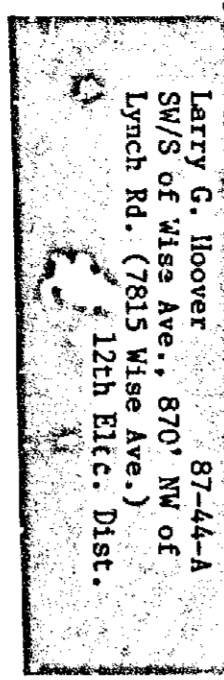
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

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.

Contractor/Architect/Lessee: **Taco Bell Corp.**
 (Type or Print Name)
 Signature - *David D. Book*
 Construction Manager
 1940 Route 70 East, Suite 201
 Address
 Cherry Hill, NJ 08003
 City and State

Legal Owner(s): **Larry G. Hoover**
 (Type or Print Name)
 Signature *Larry G. Hoover*
 (Type or Print Name)
 1011 Harris Mill Road (301)357-4195
 Address Phone No.
Maryland Line, Maryland 21105
 City and State
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
LARRY G. HOOPER
 Name
 Same as above 357-4195
 Address Phone No.

Attorney for Petitioner: **Stanley S. Fine, P.A.**
 (Type or Print Name)
 Signature *Stanley S. Fine*
 222 E. Redwood Street, Ste. 300
 Address
 Baltimore, Maryland 21202
 City and State
 Attorney's Telephone No: 752-5597



IN RE: PETITIONERS ZONING VARIANCES * BEFORE THE
 Larry G. Hoover, * ZONING COMMISSIONER
 Taco Bell Corporation, and * OF BALTIMORE COUNTY
 Edgar F. Lassahn, *
 Petitioners * Case Nos. 87-44-A, 87-46-A,
 and 87-47-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit 5 or 6 other business signs totaling in excess of the permitted 3 signs totaling 100 square feet in each of the cases, as more particularly described on Petitioner's Exhibit 1 in each case.

The Petitioners, by Taco Bell Corporation, the owner or lessee of the properties, by their District Managers and by David D. Book, Area Construction Manager, appeared and testified and were represented by Counsel. There were no Protestants.

Testimony indicated that Taco Bell restaurants exist at all three sites. Each has had a drive-thru added or one is proposed. Each has double-faced pylon signs totaling 138 square feet, has or proposes single-faced menu boards totaling 23.55 square feet, and has directional signs. The original signs were erected at a time when multi-faced signs were computed as single faced.

If the original signs are to remain the same size but need to be relocated, the present policy to count all sides would be applicable. Such is the case here. The size of the pylon signs will not change, only their location, but no each side must be counted. The addition of the drive-thru requires an additional sign, i.e., a pre-order menu board totaling 23.55 square feet.

The Petitioners seek relief from Section 413.2.f, pursuant to Section 301 of the Baltimore County Zoning Regulations (BCZR).

The Petitioners request to place Taco Bell's logo on the directional signs, which would transform them from directional to business signs, thereby subjecting them to the need for the requested variances. However, no practical difficulty has been shown nor would there any consistency with the spirit and intent of the BCZR for such to be permitted.

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:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 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
- 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 variances other than those denied above 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 a practical difficulty or unreasonable hardship would result if variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to these particular parcels. In addition, the variances will not be detrimental to the public health, safety, and general welfare.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of August, 1986, that variances to permit other business signs totaling 185.10 square feet, to include a double-faced pylon sign containing 138 square feet and a single-faced menu board and pre-order menu board, each containing 23.55 square feet, in lieu of the permitted 100 square feet be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- No temporary signs shall be permitted at any time.
- Where appropriate, the Petitioners have 60 days to replace the existing directional signs containing logos with those without logos.

IT IS FURTHER ORDERED that variances to permit five or six other business signs in lieu of the permitted three be and are hereby DENIED.

Arnold Jablon
 Zoning Commissioner of Baltimore County

cc: Stanley S. Fine, Esquire
 People's Counsel

COPIES RECEIVED FOR FILING
 DATE August 29, 1986
 BY [Signature]

COPIES RECEIVED FOR FILING
 DATE August 29, 1986
 BY [Signature]

COPIES RECEIVED FOR FILING
 DATE August 29, 1986
 BY [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, Maryland, on the 18th day of August, 1986, at 10:45 o'clock.

Arnold Jablon
 Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
 TO: Zoning Commissioner Date: July 21, 1986
 Norman E. Gerber, AICP, Director
 FROM: Office of Planning and Zoning
 SUBJECT: Zoning Petitions No. 87-44-A, 87-45-SpA, 87-46-A and 87-47-A

As to these requests for variances, this office has no problem with the menu boards or directional signs; however, the proposed L.D. signs are much too large. This office is opposed not only to the excessive height but to the excessive size of these signs. Baltimore County's arterial roads have been blessed with a plethora of signage. Additionally we fail to see the need for such height and size considering the proposed locations of the signs.

Norman E. Gerber
 Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1986

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

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

Stanley S. Fine, Esquire
 222 E. Redwood Street, Suite 300
 Baltimore, Maryland 21202

RE: Item No. 441 - Case No. 87-44-A
 Petitioner: Larry G. Hoover
 Petition for Zoning Variance

Dear Mr. Fine:

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,

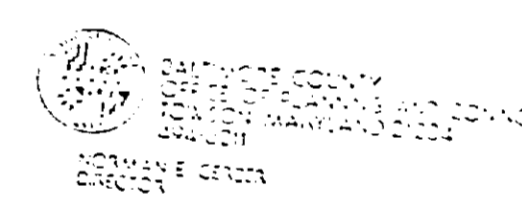
James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Hudkins Associates, Inc.
 200 East Joppa Road, Room 101
 Towson, Maryland 21204

Larry G. Hoover
 1011 Harris Mill Road
 Maryland Line, Maryland 21105



July 14, 1986

Re: Zoning Advisory Meeting of July 10, 1986
 Item #441
 Petitioner: LARRY G. HOOPER
 Location: SW/S WISE AVENUE
 870 W. OF LYUCH ROAD

- 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.
 - A County Review Group Meeting was held and the minutes will be forwarded to the Bureau of Public Services.
 - This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
 - The access to the site will be reviewed and must be reviewed prior to issuance of a building permit.
 - The circulation on this site is not satisfactory.
 - The parking arrangement is not satisfactory.
 - Parking calculations must be shown on the plan.
 - This property contains soils which are defined as wetlands, and development in or alteration of the floodplain is prohibited under the provisions of section 22-59 of the Development Regulations.
 - Construction on these soils is prohibited.
 - Development of this site will constitute a potential conflict with the Baltimore County Master Plan.
 - The attached development plan was approved by the Planning Board on [Date].
 - The property is located in a deficient service area as defined by the Baltimore County Land Use Manual, 2111.13-29. No building permit may be issued until a Deficient Service Certificate has been issued. The deficient service area is located in a traffic area controlled by a 70' level traffic capacity may decrease more than 10%. The basic service area is located in a deficient service area as defined by the Baltimore County Land Use Manual, 2111.13-29.
 - UNDER SECTION V.A.3 OF THE BALTIMORE COUNTY LAND USE MANUAL, THE ZONING COMMISSIONER HAS REVIEWED THE PETITION OF LARRY G. HOOPER AND HAS DETERMINED THAT THE PETITION OF LARRY G. HOOPER DOES NOT MEET THE STANDARDS OF THIS MANUAL.

cc: [Signature]

James E. Dyer
 Chairman, Current Planning and Development

STEPHEN E. COLLINS
DIRECTOR

June 30, 1986

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

Item No. 441 -ZAC- Meeting of June 10, 1986
Property Owner: Larry G. Hoover
Location: SW/S Wise Avenue, 870 feet NW of Lynch Road
Existing Zoning: B.L. - QMS
Proposed Zoning: Variance to permit a total sign square footage of 201.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs
Acres: 0.475 acres
District: 12th Election District

Dear Mr. Jablon:

The site plan fails to provide a sufficient radius between the exit of the drive-thru lane and Wise Avenue. Failure to provide a sufficiently large radius will cause vehicles to cross the center line of Wise Avenue and add to the congestion on Wise Avenue.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

NSP:lt

6/23/86
late

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 441, Zoning Advisory Committee Meeting of 6/10/86

Property Owner: Larry G. Hoover

Location: SW/S WISE AVE, 870 FT NW of Lynch Rd District 12th

Water Supply Public Sewage Disposal Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required 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 into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage 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 Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 441 Zoning Advisory Committee Meeting of 6/10/86
Page 2

- () 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 Applications.
- () 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.
- () Others _____

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



PAUL H. RENCKE
CHIEF

June 24, 1986

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

RE: Property Owner: Larry G. Hoover
Location: SW/S Wise Avenue, 870' NW of Lynch Road
Item No.: 441 Zoning Agenda: 6/10/86

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 _____ 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 on this item.

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

/mb

TED ZALESKI, JR.
DIRECTOR

July 9, 1986

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

Dear Mr. Jablon:

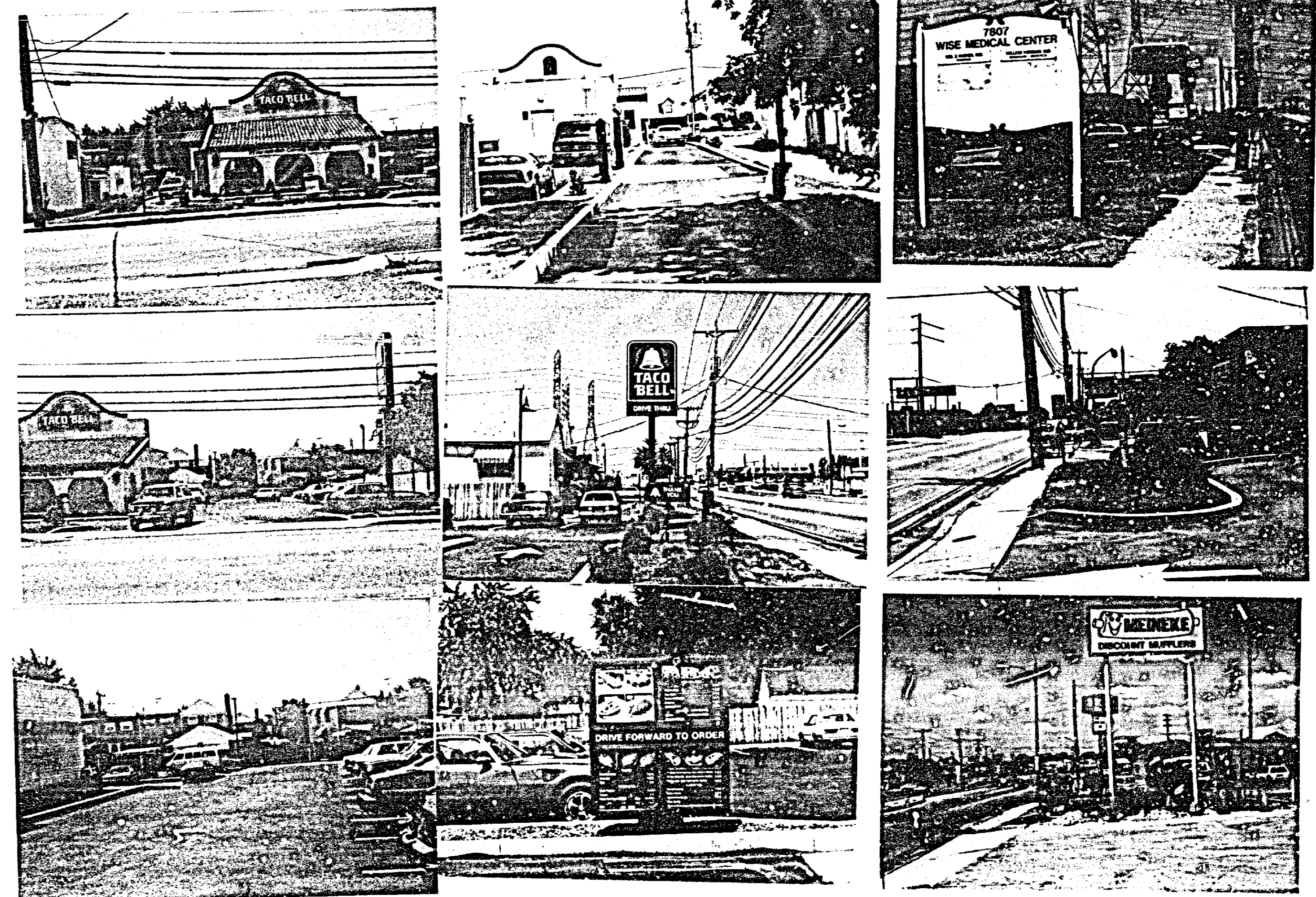
Comments on Item # 441 Zoning Advisory Committee Meeting are as follows:

Property Owner: Larry G. Hoover
Location: SW/S Wise Avenue, 870 feet NW of Lynch Road
District: 12th

APPLICABLE ITEMS 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 (Ad. & A. Pub. L. 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered or Maryland Architect or Engineer is/are not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered or Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Ten Groups except 204 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 3'-0" to an interior lot line. 204 Ten 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 601, Section 1007, Section 1002.2 and Table 1002. 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 from Use _____ to Use _____ or Mixed Use _____ See Section 317 of the Building Code.
- (I) The proposed project appears to be located in a Flood Plain, Flood/Inundation. Please see the attached copy of Section 110 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: Section 505.2 is applicable if the building is increased in height or area. Signs shall comply to Article 19 as amended in Council Bill #17-85.
- (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 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

4/21/86



COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9080

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE 828-9000
May 23, 1986

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

DESCRIPTION FOR ZONING VARIANCE - 7815 WISE AVE:

Beginning for the same at a point on the south side of Wise Avenue (60 feet wide) said point being distant North 61 degrees 36 minutes 20 seconds West 870 feet from the point formed by the intersection of the south side of Wise Avenue with the centerline of Lynch Road thence (1) South 28 degrees 41 minutes 24 seconds West 206.27 feet (2) North 62 degrees 16 minutes 20 seconds West 100.00 feet (3) North 28 degrees 41 minutes 24 seconds East 207.43 feet and (4) South 61 degrees 36 minutes 20 seconds East 100.00 feet to the place of beginning.

Maclain E. Hudkins
Registered Surveyor #5095

PETITION FOR ZONING VARIANCE

12th Election District
Case No. 87-44-A

LOCATION: Southwest Side of Wise Avenue, 870 feet Northwest of Lynch Road (7815 Wise Avenue)

DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 5 other business signs totaling 201.54 sq. ft. in lieu of the permitted 3 other business signs totaling 100 sq. ft.

Being the property of Larry G. Hoover, 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 VARIANCES : BEFORE THE ZONING COMMISSIONER
SW/S of Wise Ave., 870' NW : OF BALTIMORE COUNTY
of Lynch Rd. (7815 Wise Ave.) :
12th District :
LARRY G. HOOVER, Petitioner : Case No. 87-44-A

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, MD 21204
494-2188

I HEREBY CERTIFY that on this 28th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, P.A., 222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner; and David D. Book, Area Construction Mgr., Taco Bell Corp., 1940 Route 70 E., Suite 203, Cherry Hill, N. J. 08003, 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

August 14, 1986

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
SW/S of Wise Ave., 870' NW of Lynch Rd. (7815 Wise Ave.)
12th Election District
Larry G. Hoover - Petitioner
Case No. 87-44-A (A & P COSTS - \$65.75)

PETITIONS FOR SPECIAL HEARING AND VARIANCES
SW/cor. of Joppa Rd. and Old Harford Rd. (2317 E. Joppa Rd.)
9th Election District
Taco Bell Corp. - Petitioner
Case No. 87-45-SPHA (A & P COSTS - \$116.71)

PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill La. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A (A & P COSTS - \$65.37)

PETITION FOR ZONING VARIANCE
in Ave. (7407 Belair Rd.)

BALTIMORE COUNTY, MARYLAND No. 021623
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT \$2.60

DATE 8/14/86 ACCOUNT 01-615
AMOUNT \$ 2.60
RECEIVED FROM Stanley S. Fine, Esquire, 222 E. Redwood St., Suite 300, Baltimore, MD 21202
FOR SIGNAGE AND POSTS RETURNED TO BE ISSUED.
VALIDATION OR SIGNATURE OF CASHIER

Stanley S. Fine, Esquire August 14, 1986
Page 2

Stanley S. Fine, Esquire July 7, 1986
222 East Redwood Street, Suite 300
Baltimore, Maryland 21202

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/S of Wise Ave., 870' NW of Lynch Rd.
(7815 Wise Ave.)
12th Election District
Larry G. Hoover - Petitioner
Case No. 87-44-A

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

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

TACO BELL CORP. SIGNAGE
7815 Wise Avenue

1 pylon sign (double-faced) 138.00 sq. ft.
1 menu board (single-faced) 23.55 sq. ft.
1 pre-order menu board (single-faced) 23.55 sq. ft.
2 directional signs (double-faced) 16.44 sq. ft.
Totals: 5 signs 201.54 sq. ft.

Do not remove the signs from the property 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" and remit it to the Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Sincerely,
Arnold Jablon
ARNOLD JABLON
Zoning Commissioner
AJ:med

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 7/18/86
Posted for Variance
Petitioner Larry G. Hoover
Location of property SW/S of Wise Ave., 870' NW of Lynch Rd., 7815 Wise Ave.
Location of Signs Facing Wise Ave. corner E. of road, on property at Petitioner
Remarks
Posted by M. Healy Date of return 7/18/86
Number of Signs 1

PETITIONER'S
EXHIBIT 1 441

BALTIMORE COUNTY, MARYLAND No. 021655
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 8/21/86 ACCOUNT 01-615
AMOUNT \$ 100.00
RECEIVED FROM Stanley S. Fine
FOR Petition for Variance (Taco Bell signs etc.)
VALIDATION OR SIGNATURE OF CASHIER

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 a total sign square footage of 201.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs

(7815 Wise Avenue, Dundalk, Maryland).
 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
 1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the existing Taco Bell Restaurant at the property.
 2. The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

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 of 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.

Lessee: **Taco Bell Corp.**
 (Type or Print Name)
 Signature - *David D. Bock*
 Construction Manager
 1940 Route 70 East, Suite 201
 Address

City and State: **Cherry Hill, NJ 08003**

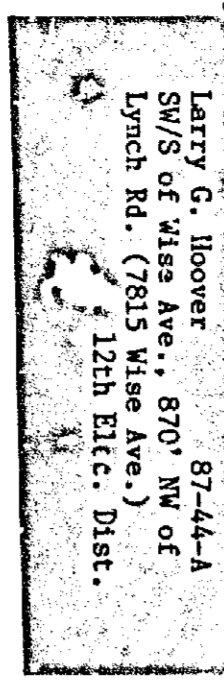
Legal Owner(s): **Larry G. Hoover**
 (Type or Print Name)
 Signature *Larry G. Hoover*
 (Type or Print Name)

Address: **1011 Harris Mill Road (301)357-4195**
 Phone No.

City and State: **Maryland Line, Maryland 21105**

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
LARRY G. HOOPER
 Name
 Same as above
 Address **357-4195**
 Phone No.

Attorney for Petitioner: **Stanley S. Fine, P.A.**
 (Type or Print Name)
 Signature *Stanley S. Fine*
 222 E. Redwood Street, Ste. 300
 Address
 Baltimore, Maryland 21202
 City and State
 Attorney's Telephone No: **752-5597**



IN RE: PETITIONS ZONING VARIANCES * BEFORE THE
 Larry G. Hoover, * ZONING COMMISSIONER
 Taco Bell Corporation, and * OF BALTIMORE COUNTY
 Edgar F. Lassahn, *
 Petitioners * Case Nos. 87-44-A, 87-46-A,
 and 87-47-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit 5 or 6 other business signs totaling in excess of the permitted 3 signs totaling 100 square feet in each of the cases, as more particularly described on Petitioner's Exhibit 1 in each case.

The Petitioners, by Taco Bell Corporation, the owner or lessee of the properties, by their District Managers and by David D. Bock, Area Construction Manager, appeared and testified and were represented by Counsel. There were no Protestants.

Testimony indicated that Taco Bell restaurants exist at all three sites. Each has had a drive-thru added or one is proposed. Each has double-faced pylon signs totaling 138 square feet, has or proposes single-faced menu boards totaling 23.55 square feet, and has directional signs. The original signs were erected at a time when multi-faced signs were computed as single faced.

If the original signs are to remain the same size but need to be relocated, the present policy to count all sides would be applicable. Such is the case with the size of the pylon signs will not change, only their location, but no each side must be counted. The addition of the drive-thru requires an additional sign, i.e., a pre-order menu board totaling 23.55 square feet.

The Petitioners seek relief from Section 413.2.f, pursuant to Section 301 of the Baltimore County Zoning Regulations (BCZR).

The Petitioners request to place Taco Bell's logo on the directional signs, which would transform them from directional to business signs, thereby subjecting them to the need for the requested variances. However, no practical difficulty has been shown nor would there any consistency with the spirit and intent of the BCZR for such to be permitted.

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:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 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
- 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 variances other than those denied above 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 a practical difficulty or unreasonable hardship would result if variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to these particular parcels. In addition, the variances will not be detrimental to the public health, safety, and general welfare.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of August, 1986, that variances to permit other business signs totaling 185.10 square feet, to include a double-faced pylon sign containing 138 square feet and a single-faced menu board and pre-order menu board, each containing 23.55 square feet, in lieu of the permitted 100 square feet be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- No temporary signs shall be permitted at any time.
- Where appropriate, the Petitioners have 60 days to replace the existing directional signs containing logos with those without logos.

IT IS FURTHER ORDERED that variances to permit five or six other business signs in lieu of the permitted three be and are hereby DENIED.

Arnold Jablon
 Zoning Commissioner of Baltimore County

cc: Stanley S. Fine, Esquire
 People's Counsel

COPIES RECEIVED FOR FILING
 DATE August 29, 1986
 BY [Signature]

COPIES RECEIVED FOR FILING
 DATE August 29, 1986
 BY [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of August, 1986, at 10:45 o'clock

Arnold Jablon
 Zoning Commissioner of Baltimore County

(over)

COPIES RECEIVED FOR FILING
 DATE August 29, 1986
 BY [Signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
 TO: Zoning Commissioner Date: July 21, 1986
 Norman E. Gerber, AICP, Director
 FROM: Office of Planning and Zoning
 SUBJECT: Zoning Petitions No. 87-44-A, 87-45-SpA, 87-46-A and 87-47-A

As to these requests for variances, this office has no problem with the menu boards or directional signs; however, the proposed L.D. signs are much too large. This office is opposed not only to the excessive height but to the excessive size of these signs. Baltimore County's arterial roads have been blessed with a plethora of signage. Additionally we fail to see the need for such height and size considering the proposed locations of the signs.

Norman E. Gerber
 Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1986

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

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

Stanley S. Fine, Esquire
 222 E. Redwood Street, Suite 300
 Baltimore, Maryland 21202

RE: Item No. 441 - Case No. 87-44-A
 Petitioner: Larry G. Hoover
 Petition for Zoning Variance

Dear Mr. Fine:

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,

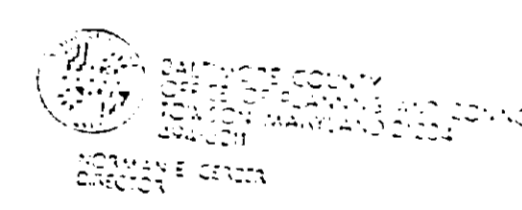
James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Hudkins Associates, Inc.
 200 East Joppa Road, Room 101
 Towson, Maryland 21204

Larry G. Hoover
 1011 Harris Mill Road
 Maryland Line, Maryland 21105



July 14, 1986

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21202

Re: Zoning Advisory Meeting of July 10, 1986
 Item #441
 Petitioner: LARRY G. HOOPER
 Location: SW/S WISE AVENUE
 870 W. OF LYNN ROAD

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.
- A 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 tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- The access to the site will be reviewed and must be reviewed prior to issuance of a building permit.
- The circulation on this site is not satisfactory.
- The parking arrangement is not satisfactory.
- Parking calculations must be shown on the plan.
- This property contains soils which are defined as wetlands, and development in or alteration of the floodplain is prohibited under the provisions of Section 22-59 of the Development Regulations.
- Construction on these soils is prohibited.
- Development of this site will constitute a potential conflict with the Baltimore County Master Plan.
- The attached development plan was approved by the Planning Board on [Date].
- The property is located in a deficient service area as defined by Section 13-29. No building permit may be issued until a Deficient Service Certificate has been issued. The deficient service is [Description].
- The property is located in a traffic area controlled by a 70% level traffic capacity as defined by 2111 120-23, and its operations change the operational capacity of the adjacent streets. The Basic Services Area is [Description].

SECTION V, A.3 OF THE BALTIMORE COUNTY ZONING MANUAL
 DEFICIENT SERVICE AREAS AND TRAFFIC CAPACITY
 THAT THE PORTION OF THE ZONING MANUAL THAT THE PORTION OF THE ZONING MANUAL TO THE STANDARDS OF THIS MANUAL.

cc: [Name]

James S. Dyer
 Chief, Current Planning and Development

STEPHEN E. COLLINS
DIRECTOR

June 30, 1986

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

Item No. 441 -ZAC- Meeting of June 10, 1986
Property Owner: Larry G. Hoover
Location: SW/S Wise Avenue, 870 feet NW of Lynch Road
Existing Zoning: B.L. - QMS
Proposed Zoning: Variance to permit a total sign square footage of 201.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs
Acres: 0.475 acres
District: 12th Election District

Dear Mr. Jablon:

The site plan fails to provide a sufficient radius between the exit of the drive-thru lane and Wise Avenue. Failure to provide a sufficiently large radius will cause vehicles to cross the center line of Wise Avenue and add to the congestion on Wise Avenue.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

NSP:lt

6/23/86
late

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 441, Zoning Advisory Committee Meeting of 6/10/86

Property Owner: Larry G. Hoover

Location: SW/S WISE AVE, 870 FT NW of Lynch Rd District 12th

Water Supply Public Sewage Disposal Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required 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 into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage 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 Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

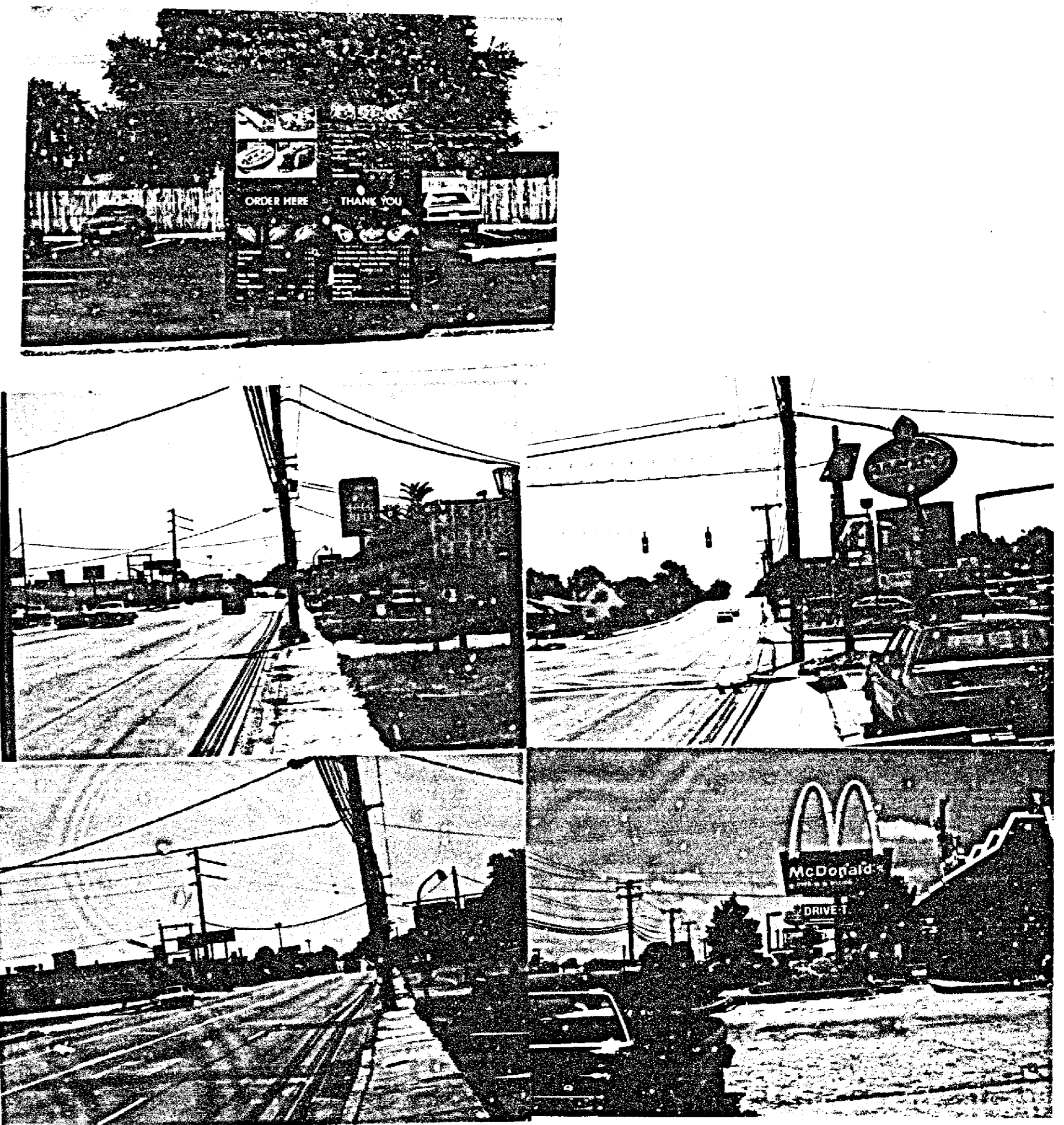
SS 20 1082 (1)

Zoning Item # 441 Zoning Advisory Committee Meeting of 6/10/86
Page 2

- () 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 Applications.
- () 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.
- () Others _____

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



PAUL H. RENCKE
CHIEF

June 24, 1986

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

RE: Property Owner: Larry G. Hoover
Location: SW/S Wise Avenue, 870' NW of Lynch Road
Item No.: 441 Zoning Agenda: 6/10/86

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 _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments on this site.

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

/mb

TED ZALESKI, JR.
DIRECTOR

July 9, 1986

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

Dear Mr. Jablon:

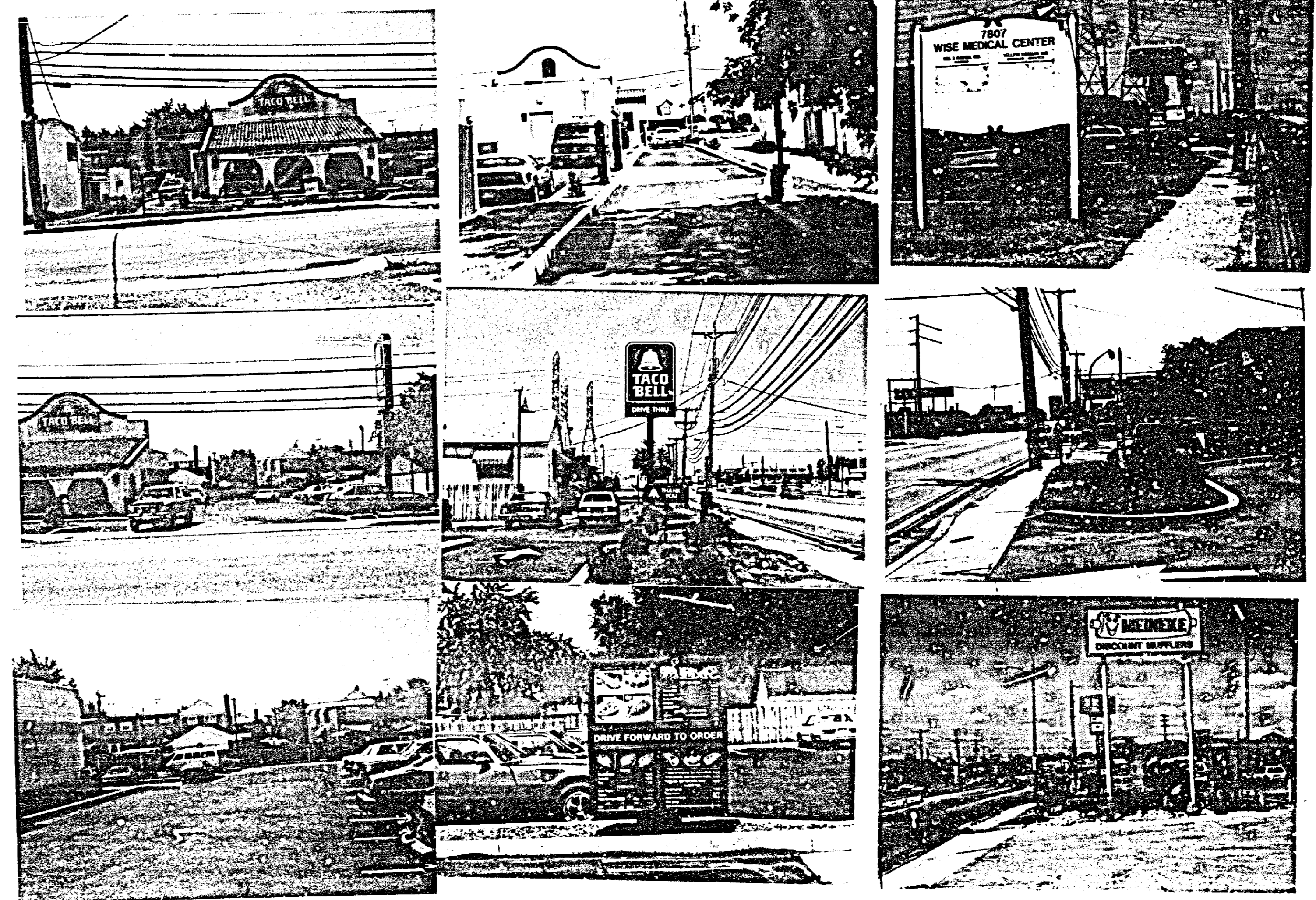
Comments on Item # 441 Zoning Advisory Committee Meeting are as follows:

Property Owner: Larry G. Hoover
Location: SW/S Wise Avenue, 870 feet NW of Lynch Road
District: 12th

APPLICABLE ITEMS 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 (Ad. & A. Pub. L. 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered or Maryland Architect or Engineer is/are not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered or Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Ten Groups except 204 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 3'-0" to an interior lot line. 204 Ten 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 601, Section 1007, Section 1008.2 and Table 1009. 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 from Use _____ to Use _____ or Mixed Use _____ See Section 317 of the Building Code.
- (I) The proposed project appears to be located in a Flood Plain, Flood/Inundation. Please see the attached copy of Section 110 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: Section 505.2 is applicable if the building is increased in height or area. Signs shall comply to Article 19 as amended in Council Bill #17-85.
- (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 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

4/21/86



COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9080

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE 828-9000
May 23, 1986

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

DESCRIPTION FOR ZONING VARIANCE - 7815 WISE AVE:

Beginning for the same at a point on the south side of Wise Avenue (60 feet wide) said point being distant North 61 degrees 36 minutes 20 seconds West 870 feet from the point formed by the intersection of the south side of Wise Avenue with the centerline of Lynch Road thence (1) South 28 degrees 41 minutes 24 seconds West 206.27 feet (2) North 62 degrees 16 minutes 20 seconds West 100.00 feet (3) North 28 degrees 41 minutes 24 seconds East 207.43 feet and (4) South 61 degrees 36 minutes 20 seconds East 100.00 feet to the place of beginning.

Maclain E. Hudkins
Registered Surveyor #5095

PETITION FOR ZONING VARIANCE

12th Election District
Case No. 87-44-A

LOCATION: Southwest Side of Wise Avenue, 870 feet Northwest of Lynch Road (7815 Wise Avenue)

DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 5 other business signs totaling 201.54 sq. ft. in lieu of the permitted 3 other business signs totaling 100 sq. ft.

Being the property of Larry G. Hoover, 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 VARIANCES : BEFORE THE ZONING COMMISSIONER
SW/S of Wise Ave., 870' NW : OF BALTIMORE COUNTY
of Lynch Rd. (7815 Wise Ave.) :
12th District :
LARRY G. HOOVER, Petitioner : Case No. 87-44-A

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, MD 21204
494-2188

I HEREBY CERTIFY that on this 28th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, P.A., 222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner; and David D. Book, Area Construction Mgr., Taco Bell Corp., 1940 Route 70 E., Suite 203, Cherry Hill, N. J. 08003, 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

August 14, 1986

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
SW/S of Wise Ave., 870' NW of Lynch Rd. (7815 Wise Ave.)
12th Election District
Larry G. Hoover - Petitioner
Case No. 87-44-A (A & P COSTS - \$65.75)

PETITIONS FOR SPECIAL HEARING AND VARIANCES
SW/cor. of Joppa Rd. and Old Harford Rd. (2317 E. Joppa Rd.)
9th Election District
Taco Bell Corp. - Petitioner
Case No. 87-45-SPHA (A & P COSTS - \$116.71)

PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill Ln. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A (A & P COSTS - \$65.37)

PETITION FOR ZONING VARIANCE
in Ave. (7407 Belair Rd.)

BALTIMORE COUNTY, MARYLAND No. 021523
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT \$2.60

DATE 8/14/86 ACCOUNT 12-1-13-251
RECEIVED FROM Stanley S. Fine, Esquire, 222 E. Redwood St., Suite 300, Baltimore, MD 21202
FOR \$ 2.60
VALIDATION OR SIGNATURE OF CASHIER

Stanley S. Fine, Esquire August 14, 1986
Page 2

Stanley S. Fine, Esquire July 7, 1986
222 East Redwood Street, Suite 300
Baltimore, Maryland 21202

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/S of Wise Ave., 870' NW of Lynch Rd.
(7815 Wise Ave.)
12th Election District
Larry G. Hoover - Petitioner
Case No. 87-44-A

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

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

TACO BELL CORP. SIGNAGE
7815 Wise Avenue

1 pylon sign (double-faced) 138.00 sq. ft.
1 menu board (single-faced) 23.55 sq. ft.
1 pre-order menu board (single-faced) 23.55 sq. ft.
2 directional signs (double-faced) 16.44 sq. ft.
Totals: 5 signs 201.54 sq. ft.

Do not remove the signs from the property 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" and remit it to the Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Sincerely,
Arnold Jablon
ARNOLD JABLON
Zoning Commissioner
AJ:med

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 7/11/86
Posted for Variance
Petitioner Larry G. Hoover
Location of property SW/S of Wise Ave., 870' NW of Lynch Rd., 7815 Wise Ave.
Location of Signs Facing Wise Ave. across E. Joppa Rd., on property at Petitioner
Remarks
Posted by M. Healy Signature Date of return 7/18/86
Number of Signs 1

PETITIONER'S
EXHIBIT 1 441

BALTIMORE COUNTY, MARYLAND No. 021655
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 8/21/86 ACCOUNT 01-615
AMOUNT \$ 100.00
RECEIVED FROM Stanley S. Fine
FOR Petition for Variance 11-11-86
Hoover, Larry G. (Taco Bell Corp.)