

STEPHEN E. COLLINS
DIRECTOR

July 2, 1986

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

Item No. 455 -ZAC- Meeting of June 17, 1986
Property Owner: Edgar F. Lassahn
Location: SE/C Belair Road and Fullerton Avenue
Existing Zoning: B.L. - CS 2 and D.R. 5.5
Proposed Zoning: Variance to permit a total sign square footage of 205.65 square feet in lieu of the allowed 100 square feet and permit 6 other business signs in lieu of the allowed 3 other business signs
Acres: 0.775 acres
District: 14th Election District

Dear Mr. Jablon:

The site plan fails to provide sufficient stacking spaces from the order board.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MEF:lt

Zoning Item # 455 Zoning Advisory Committee Meeting of 6/17/86
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 _____

WWQ 2 4/86

Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED ZALESKI, JR.
DIRECTOR

July 24, 1986

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

Dear Mr. Jablon:

Comments on Item # 455 Zoning Advisory Committee Meeting are as follows:
Property Owner: Edgar F. Lassahn
Location: SE/C Belair Road and Fullerton Avenue
District: 14th.

APPLICABLE ITEMS ARE CIRCLED:

- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Building and Code (A.S.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- () A building and other miscellaneous permits shall be required before the start of any construction.
- () Residential: 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. Registered seals are not acceptable.
- () All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-1 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 101. 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. Apply 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 Mixed Use _____ See Section 112 of the Building Code.
- () The proposed project appears to be located in a Flood Plain, Flood/Overturn. Please see the attached copy of Section 154.0 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 finished floor levels including basement.
- () Comments: 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 obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Shuman
City Engineer, Chief
Building Plans Review

4/22/86

IN RE: TYPSTONS 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 here. The size of the pylon signs will not change, only their location, but now 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 307, Baltimore County Zoning Regulations (BCZR).

DATE RECEIVED FOR REVIEW
DATE APPROVED
BY

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Zoning Item # 455, Zoning Advisory Committee Meeting of 6/17/86
Property Owner: Edgar F. Lassahn
Location: SE/C Belair Rd & Fullerton Ave. District: 14th
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 tanks (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 chaffronier 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 amusements 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)

PAUL H. REINCKE
CHIEF

June 24, 1986

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

RE: Property Owner: Edgar F. Lassahn

Item No.: 455

Zoning Agenda: Meeting of 6/17/86

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 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 comments at this time.

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

/mb

STEPHEN E. COLLINS
DIRECTOR

July 2, 1986

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

Item No. 455 -ZAC- Meeting of June 17, 1986
Property Owner: Edgar F. Lassahn
Location: SE/C Belair Road and Fullerton Avenue
Existing Zoning: B.L. - CS 2 and D.R. 5.5
Proposed Zoning: Variance to permit a total sign square footage of 205.65 square feet in lieu of the allowed 100 square feet and permit 6 other business signs in lieu of the allowed 3 other business signs

Acres: 0.775 acres
District: 14th Election District

Dear Mr. Jablon:

The site plan fails to provide sufficient stacking spaces from the order board.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MEF:lt

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 be 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:

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 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.

- 2 -

DATE RECEIVED FOR REVIEW
DATE APPROVED
BY

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:

1. 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.
2. No temporary signs shall be permitted at any time.
3. 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.

Stanley S. Fine
Zoning Commissioner of
Baltimore County

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

PETITION FOR ZONING VARIANCE
14th Election District
Case No. 87-47-A

LOCATION: Southeast Corner of Belair Road and Fullerton Avenue
(7407 Belair Road)

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 6 other business signs totaling 205.65 square feet in lieu of the permitted 3 other business signs totaling 100 square feet

Bring the property of Edgar F. Lassahn, 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

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

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
SP/cor. of Belair Rd. and Fullerton Ave. (7407 Belair Rd.)

BALTIMORE COUNTY, MARYLAND No. 021823
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 8/18/86
AMOUNT: \$310.43
RECEIVED FROM: Stanley S. Fine, Esquire, 222 E. Redwood Street, Suite 300, Baltimore, Md. 21202
FOR: ADVERTISING & POSTING COSTS RE CASE NOS. 87-44-A, 87-45-SPHA, 87-46-A, and 87-47-A
BY: B 0076***310431*8168F
VALIDATION OR SIGNATURE OF CARRIER

\$62.60

due for advertising and
to be paid before an Order

SIGNS AND POSTS RETURNED ON
BE ISSUED.

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-0880
April 27, 1986

BE LAIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 636-0889

DESCRIPTION FOR ZONING VARIANCE - 7407 BELAIR ROAD:

Beginning for the same at the point formed by the intersection of the southeast side of Belair Road (60 feet wide) with the west side of Fullerton Avenue (30 feet wide) thence (1) South 55 degrees 29 minutes 43 seconds East 146.78 feet (2) South 39 degrees 36 minutes 16 seconds West 74.52 feet (3) South 50 degrees 12 minutes 43 seconds East 82.03 feet (4) South 40 degrees 31 minutes 16 seconds West 100.00 feet (5) North 50 degrees 12 minutes 43 seconds West 230.00 feet and (6) North 40 degrees 31 minutes 16 seconds East 151.00 feet to the place of beginning.

Malcolm E. Hudkins
Registered Surveyor #5095

RE: PETITION FOR VARIANCES
SE/Corner of Belair Rd. &
Fullerton Ave. (7407 Belair
Rd.), 14th District
EDGAR F. LASSAHN, Petitioner
Case No. 87-47-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
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th 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 Mr. David D. Bock, Area Construction Mgr., Taco Bell Corp., 1940 Route 70 E., Suite 203, Cherry Hill, N. J. 08003, Lessee.

Peter Max Zimmerman
Peter Max Zimmerman

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

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
Southeast Corner of Belair Road and Fullerton Avenue
(7407 Belair Road)
14th Election District
Edgar F. Lassahn - Petitioner
Case No. 87-47-A

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

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

BALTIMORE COUNTY, MARYLAND No. 021692
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 6/11/86
ACCOUNT: 01-615
AMOUNT: \$100.00
RECEIVED FROM: STANLEY S. FINE
FOR: FILING FEE FOR VARIANCE / ITEM NO 455
LASSAHN - PETITIONER
B 0490***010300*8116F
VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Dispersed: 14/86 Date of Posting: 7/19/86
Posted for: Variance
Petitioner: Edgar F. Lassahn
Location of property: SE/Corner Belair Rd. & Fullerton Ave.
Location of Signs: SE/Corner Belair Rd. & Fullerton Ave. & Joppa Rd.
Remarks: roadway at Fullerton Ave. on property of P.H. Hoover
Posted by: M. J. Jung Date of return: 7/19/86
Number of Signs: Three

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 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 July 31, 1986

THE JEFFERSONIAN,

Susan Shuler O'Connell
Publisher

Cost of Advertising
24.75

Petition for Zoning
Variance
Case No. 87-47-A
14th Election District
LOCATION: Southeast Corner of Belair Road and Fullerton Avenue (7407 Belair Road)
DATE & TIME: Monday, August 18, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the Petition for Zoning Variance to permit 6 other business signs totaling 205.65 square feet in lieu of the permitted 3 other business signs totaling 100 square feet.
Being the property of Edgar F. Lassahn, 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

The Times

Middle River, Md., July 31, 1986

This is to certify, that the annexed
Petition - *Edgar F. Lassahn*
No. 87-47-A

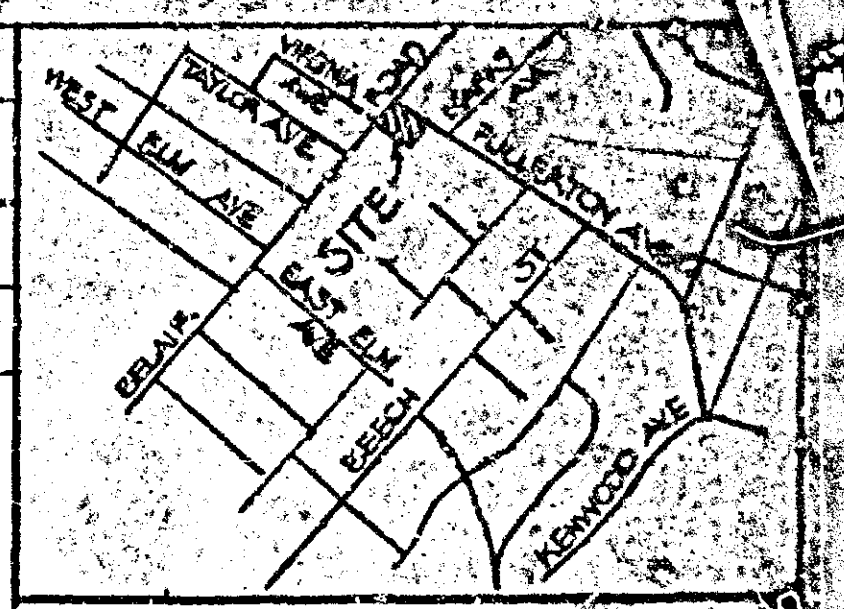
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 31st day of July, 1986

John B. Bock Publisher

BELAIR ROAD (U.S. RTE. 1)
(60' R/W)

PLANT SCHEDULE

KEY	QUANT.	NOTIONAL NAME COMMON NAME	SIZE
A	8	TAXUS CUSPIDATA INTERMEDIA MEDIA YEW	3" HT 8 1/2"
B	11	TAXUS CUSPIDATA NANA DWARF YEW	18" HT. 5 1/2"



LOCATION PLAN
SCALE 1"=1000'

BENCH MARK
X-828 ELEV. 232.046
1/2" IRON BAR AT THE N.E. CORNER
BELAIR ROAD AND FULLERTON AVENUE.

LEGEND

EXISTING CONTOURS $\text{---} \text{---} \text{---}$ EXIST. ELEVATIONS $\text{---} \text{---} \text{---}$
 PROPOSED ELEVATION $\text{---} \text{---} \text{---}$
 NEW CONCRETE CURB $\text{---} \text{---} \text{---}$
 NEW MACADAM PAVING $\text{---} \text{---} \text{---}$
 NEW CONCRETE PAVING OR WALK $\text{---} \text{---} \text{---}$
 DRIVE THRU STACKING SPACES $\text{---} \text{---} \text{---}$
 TRAFFIC DIRECTIONAL ARROWS $\text{---} \text{---} \text{---}$
 DO NOT ENTER PAINTED WHITE (24" HIGH)
 NEW LT. POLE $\text{---} \text{---} \text{---}$

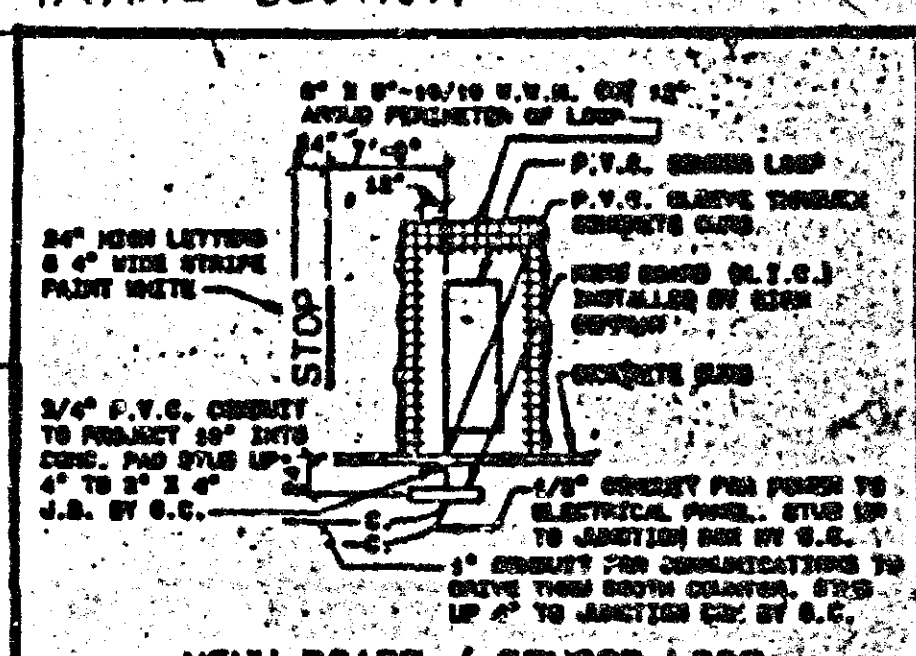
NOTES:

- EX. ZONING BL C5-2 FOR S.S.
- GROSS AREA 0.775 AC. ± NET AREA 0.719 AC. ±
- BLDG. AREA 1640 SF
- PARKING DATA
REQUIRED: 1640/50 = 33 SPACES
PROVIDED: 33 SPACES

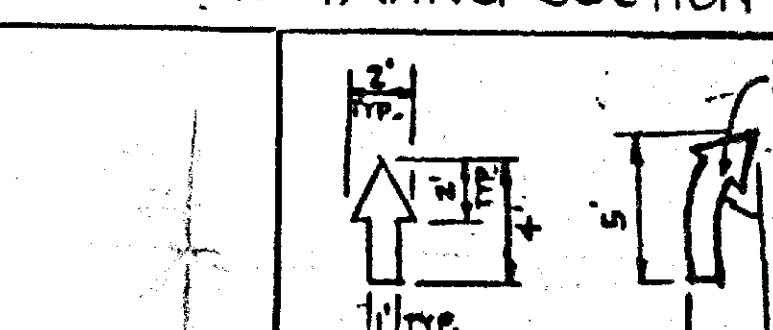
SINGLE FACE 4.1 S.F.
DOUBLE FACE 8.2 S.F.

EXISTING FACILITIES

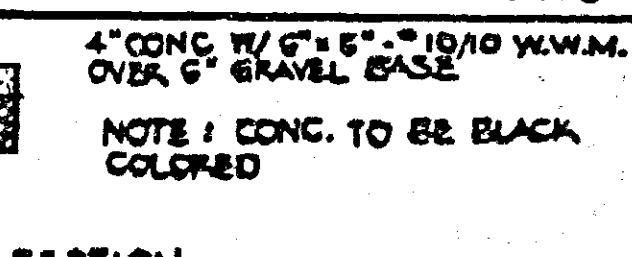
PAVING SECTION



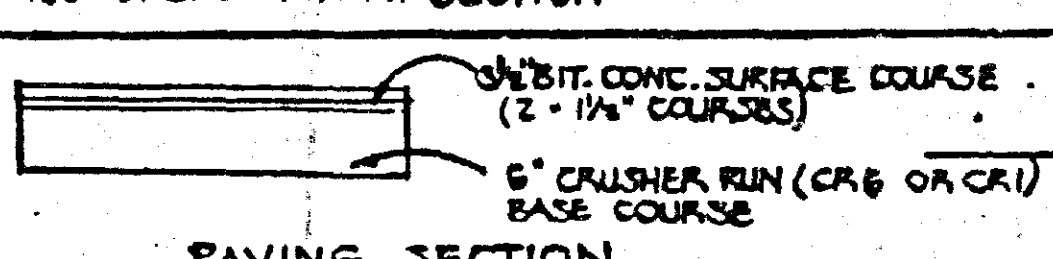
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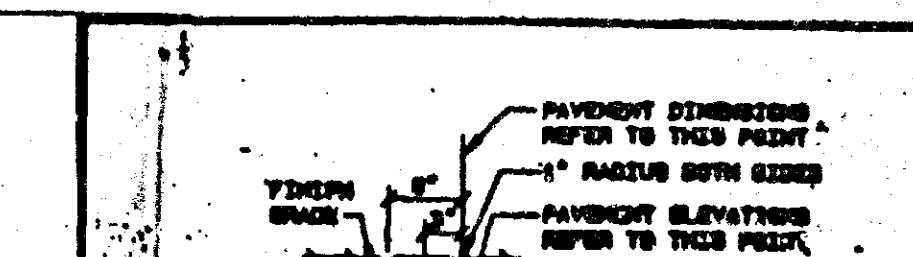
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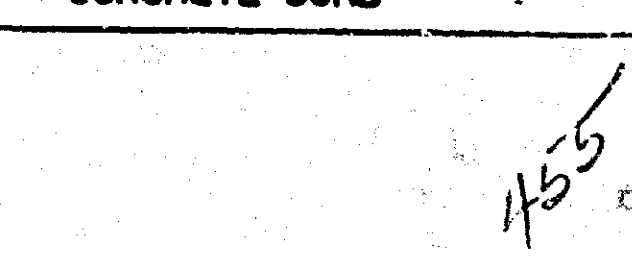
CONCRETE PAVING SECTION



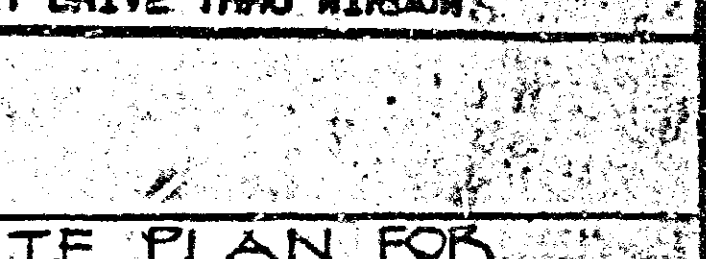
PAVING SECTION



CONCRETE CURB



MJ-60 CURB DETAIL AT DRIVE THRU WINDOW



**SITE PLAN FOR
PROPOSED DRIVE-THRU**

TACO BELL

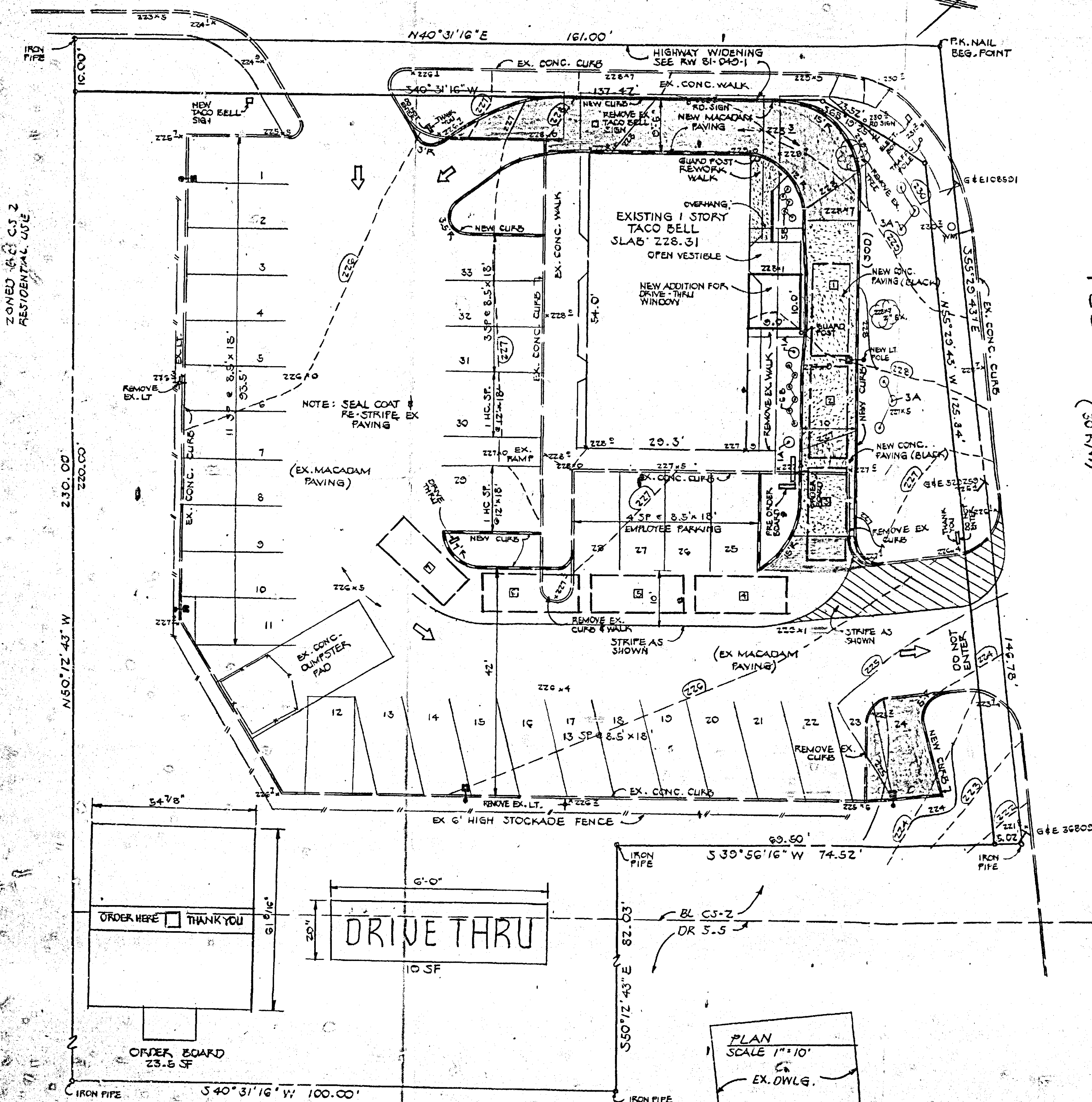
7407 BELAIR ROAD
ELECT. DISTRICT 14 BALTO. CO., MARYLAND

FEB 21, 1994 TAX MAP 81
SCALE 1"=10' PARCEL 035
LOT 5 1/2



HUDKINS ASSOCIATES, INC.
210 N. E. 10th Ave.
Room 101, Seattle, WA 98101
FORUM, MARYLAND 2104

PLAN
SCALE 1"=10'
EX. DWLG.

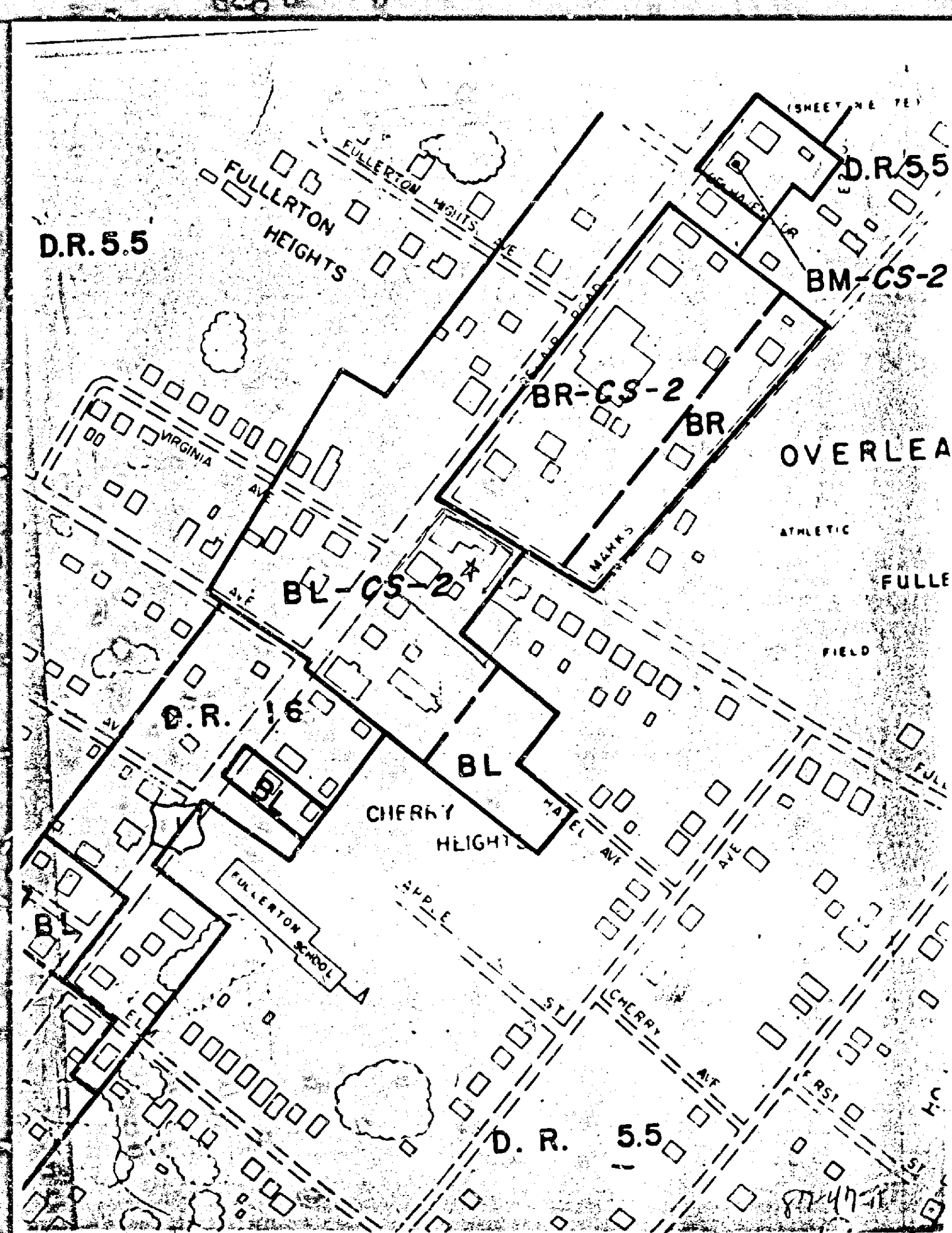
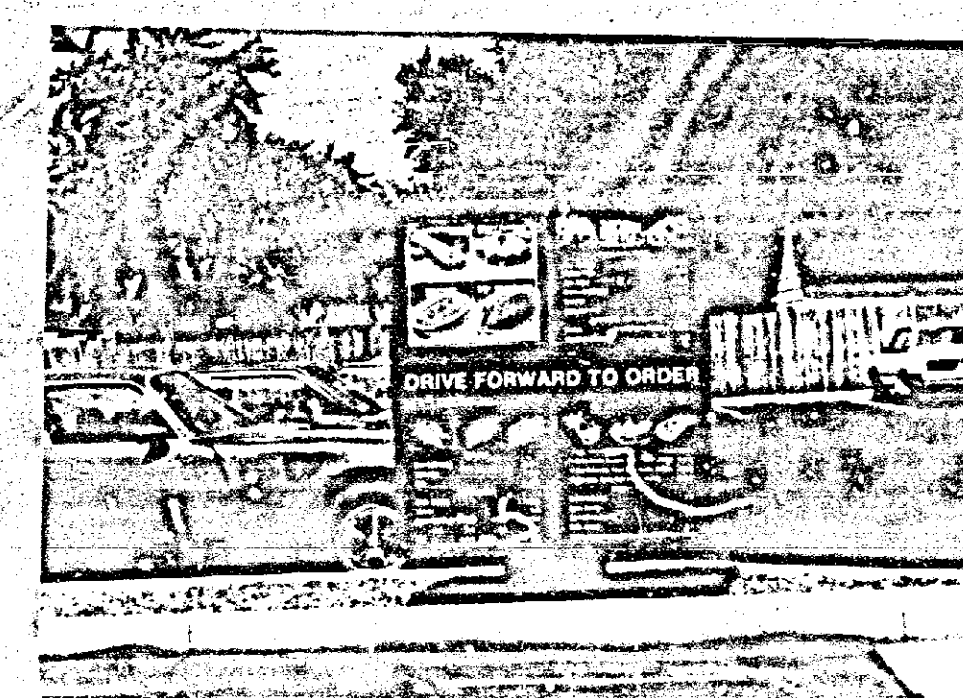
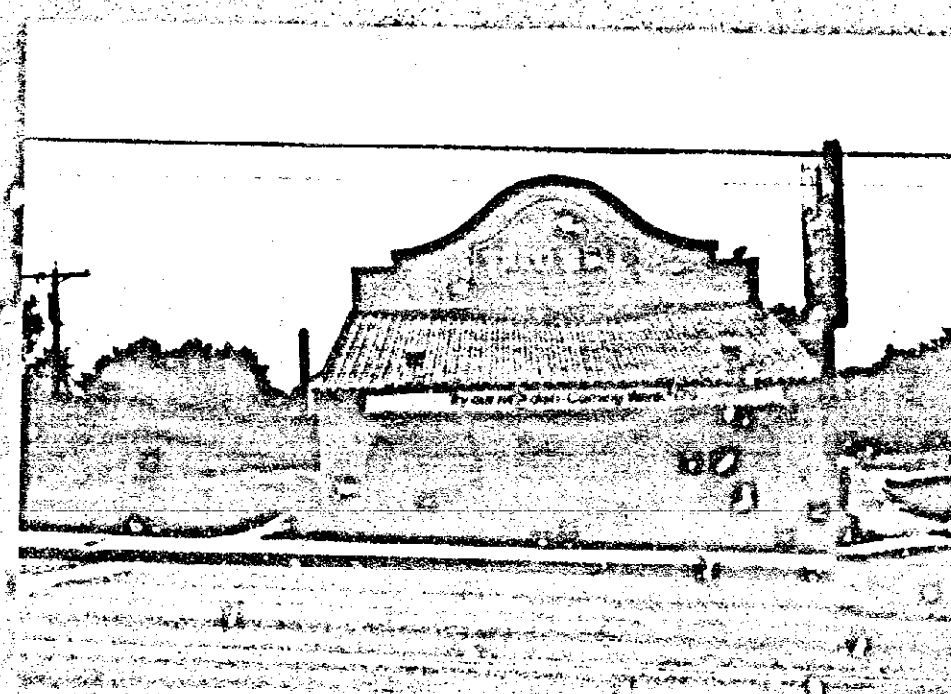
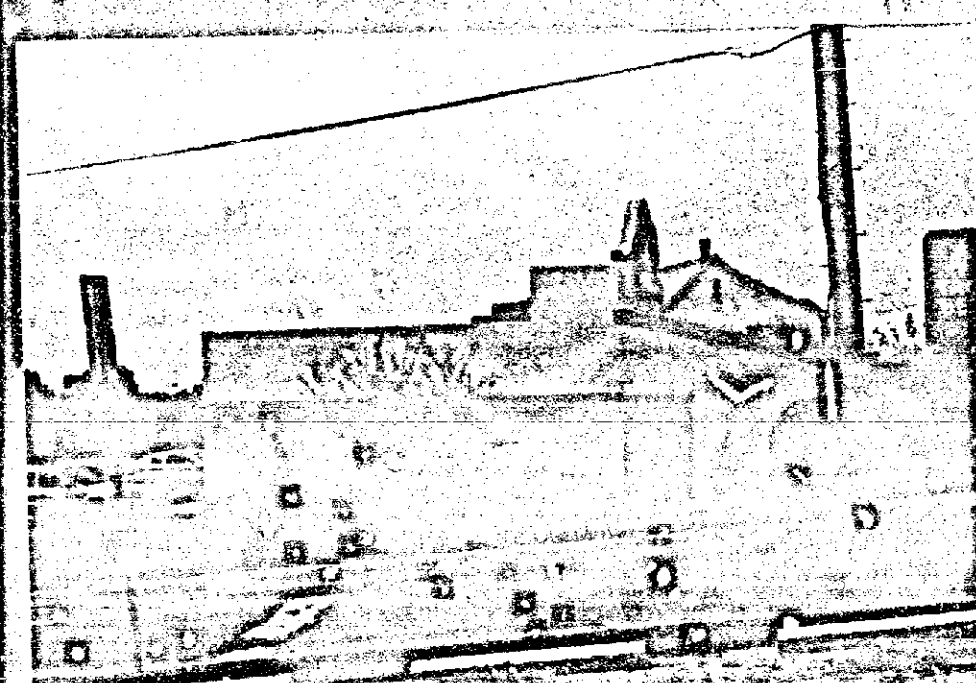
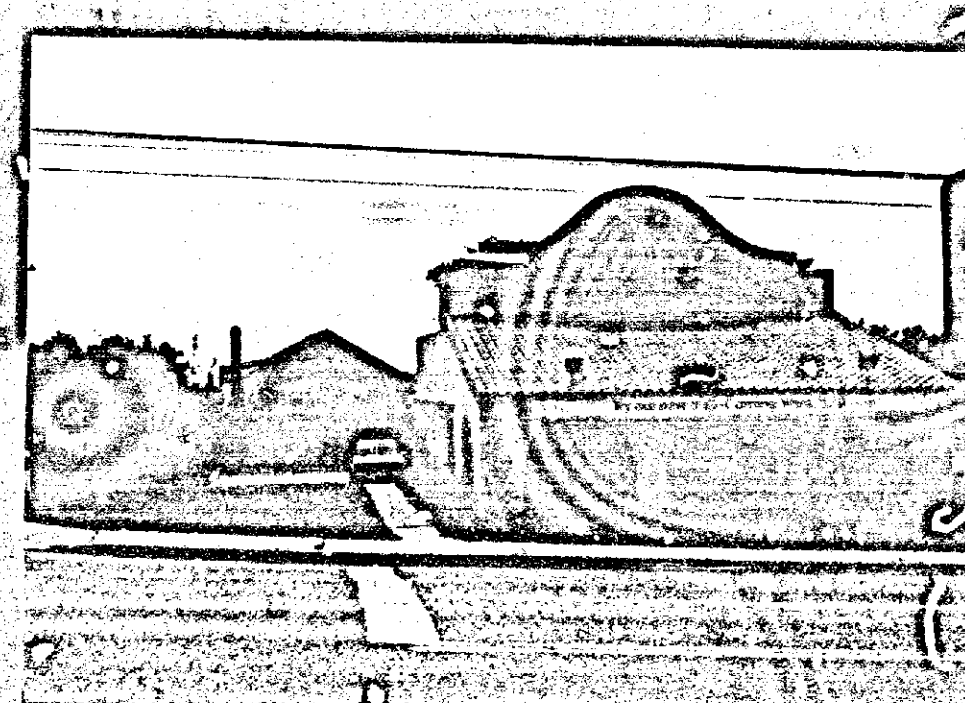
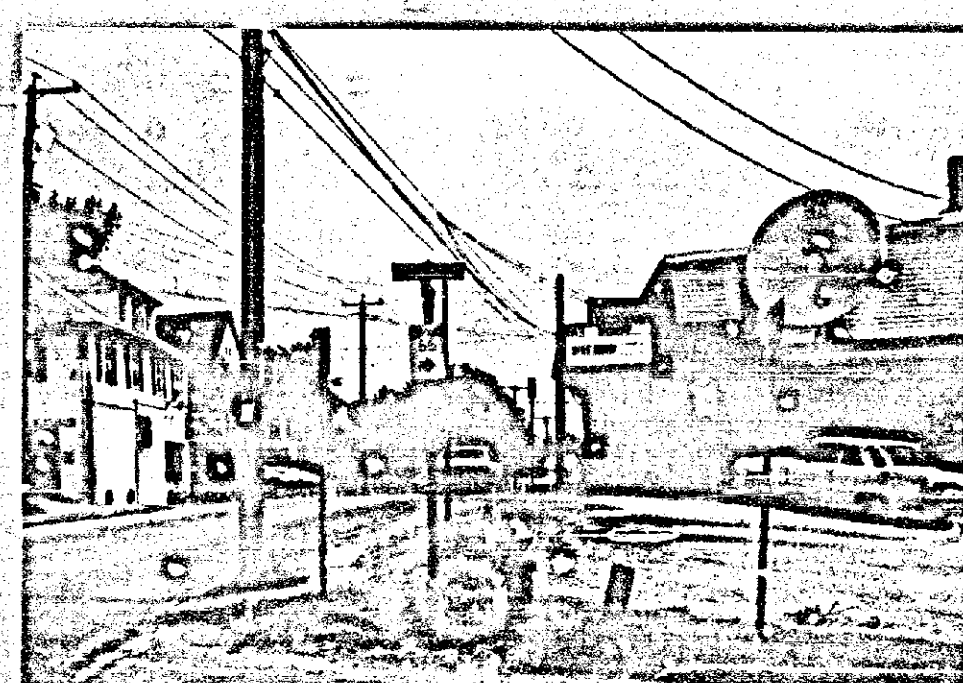
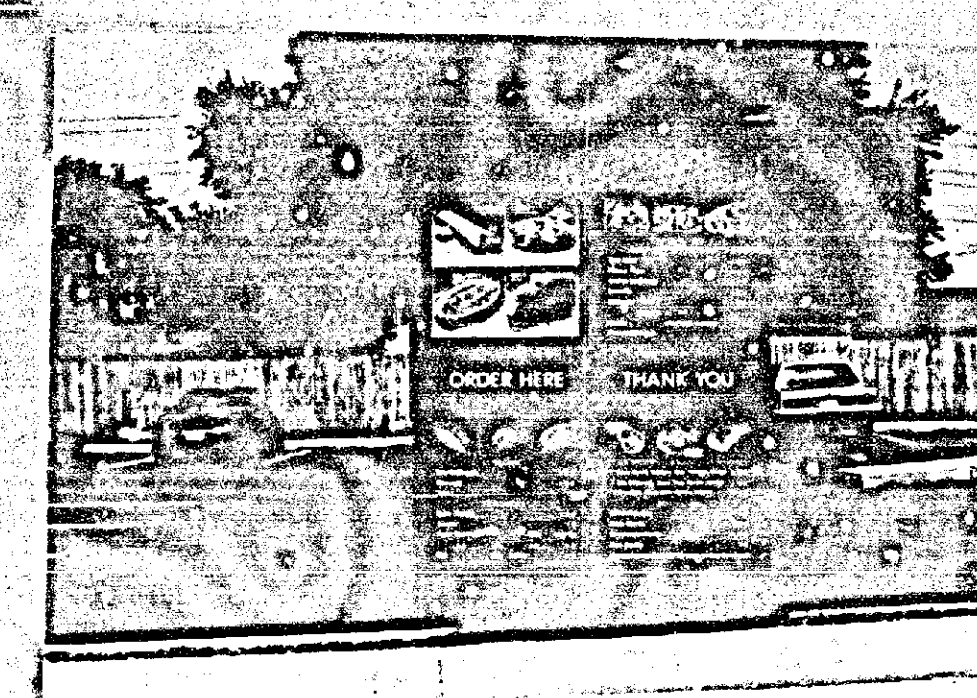
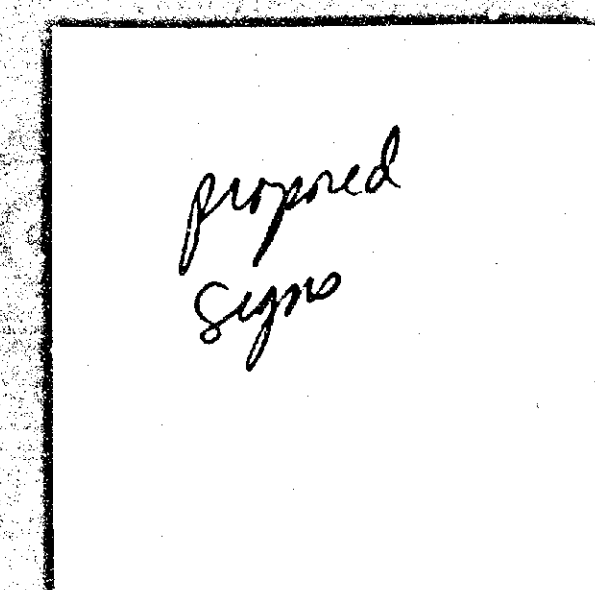
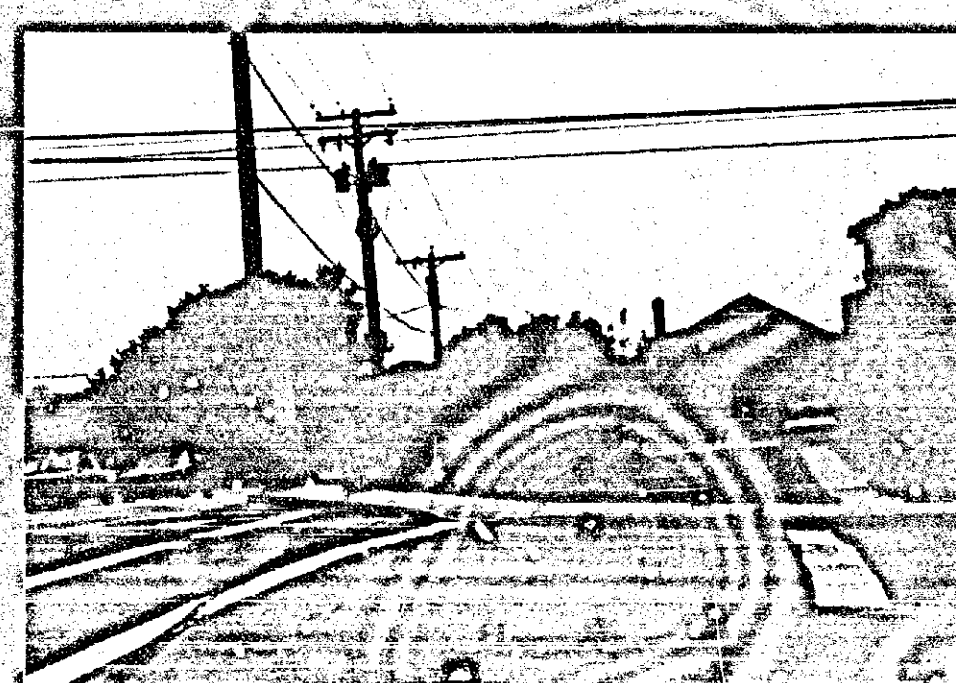
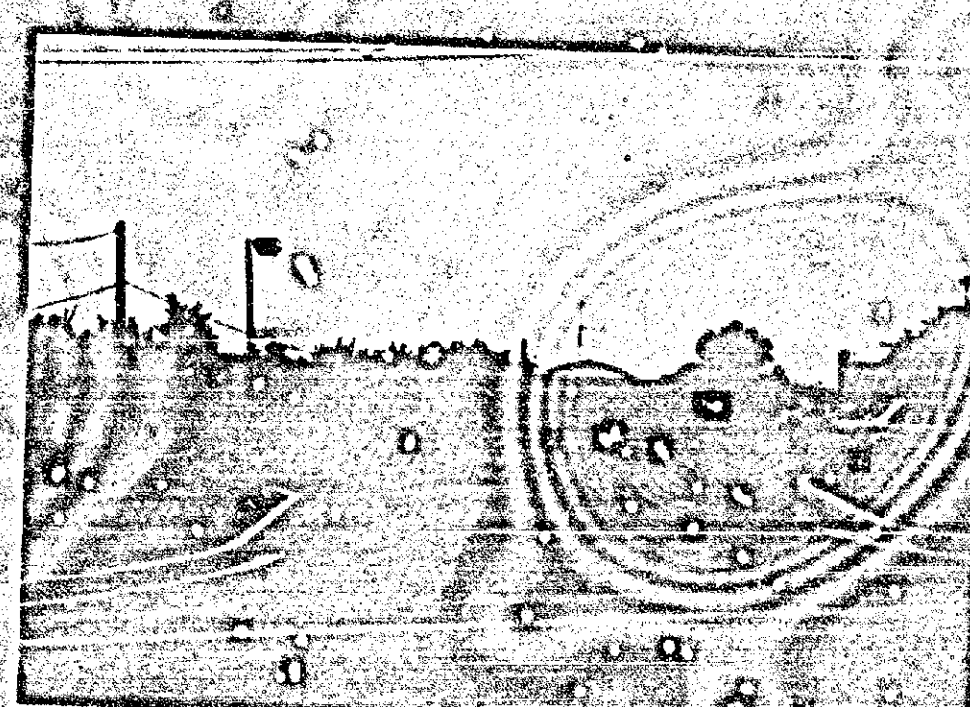
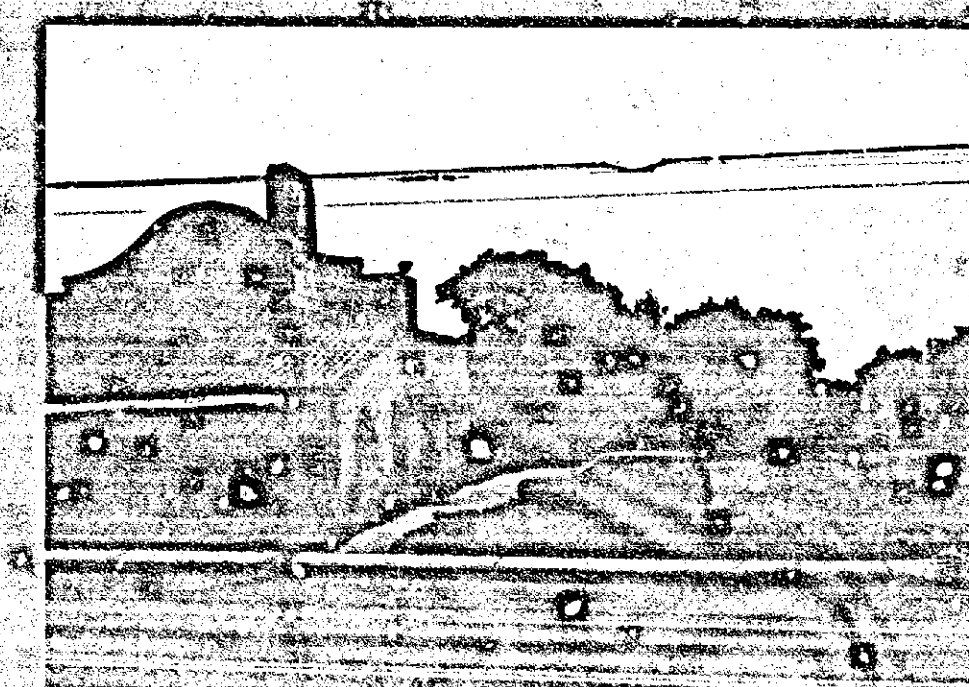
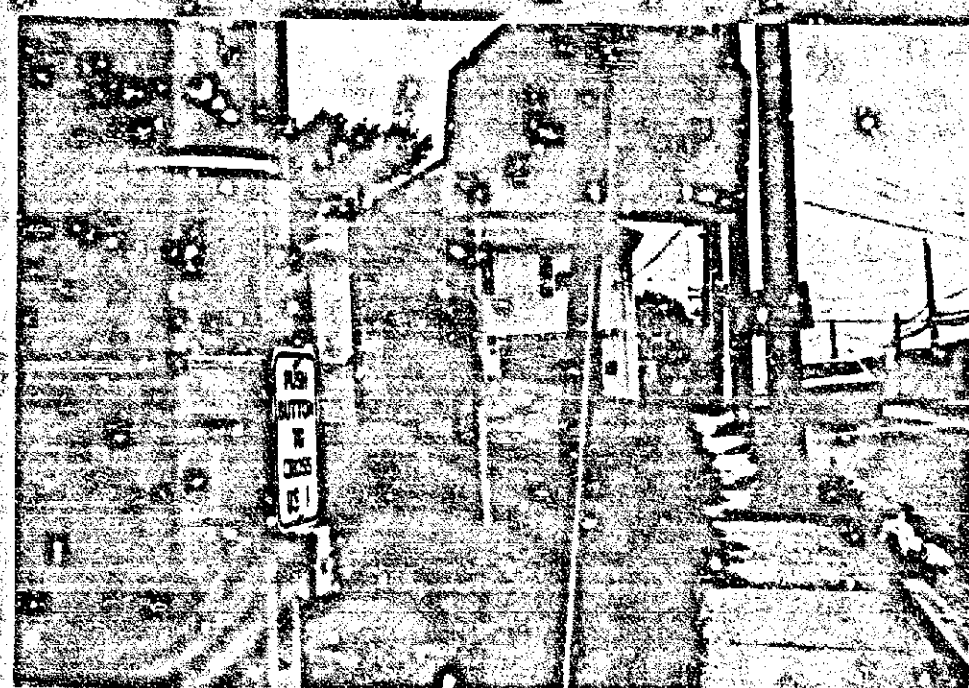


TACO BELL CORP. SIGNAGE
7407 Belair Road

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.
1 directional sign (single-faced)	<u>4.11 sq. ft.</u>
Totals: 6 signs	205.65 sq. ft.

205.65
20.55
185.10

PETITIONER'S
EXHIBIT



455 87-47-A 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 11.1.2.1. to permit a total sign square footage of 205.65 square feet in lieu of the allowed 100 square feet and permit 6 other business signs in lieu of the allowed 3 other business signs (75 sq. ft. each) on Belair Road.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (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 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.

Lessee: Taco Bell Corp.
(Type or Print Name)
Signature: David L. Bock, Area Construction Manager
Address: 1240 Route 20 East, Suite 203
City and State: Cherry Hill, NJ 08003

Legal Owner(s): Edgar F. Lassahn
(Type or Print Name)
Signature: Edgar F. Lassahn
(Type or Print Name)

Address: 3825 Bay Drive
Baltimore, Maryland 21220
City and State

Attorney for Petitioner: Stanley S. Fine, P.A.
(Type or Print Name)
Signature: Stanley S. Fine
Address: 222 S. Redwood Street, Ste. 300
Baltimore, Maryland 21202
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Edgar F. Lassahn
Name
Address: Same as above
City and State
Phone No.

Attorney's Telephone No.: 752-6597

ORDERED By The Zoning Commissioner of Baltimore County, this 30th 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 through-out Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of August, 1986, at 10:45 o'clock.

Edgar F. Lassahn
87-47-A
Zoning Commissioner of Baltimore County

DATE: August 15, 1986
BY: [Signature]

RECEIVED FOR FILED

DATE: August 15, 1986
BY: [Signature]

RECEIVED FOR FILED

DATE: August 15, 1986
BY: [Signature]

RECEIVED FOR FILED

DATE: August 15, 1986
BY: [Signature]

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BY: [Signature]

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DATE: August 15, 1986
BY: [Signature]

RECEIVED FOR FILED

DATE: August 15, 1986
BY: [Signature]

RECEIVED FOR FILED

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 I.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.

NEG:JGH:alm

Norman E. Gerber, AICP
Director

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. 455 - Case No. 87-47-A
Petitioner: Edgar F. Lassahn
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,

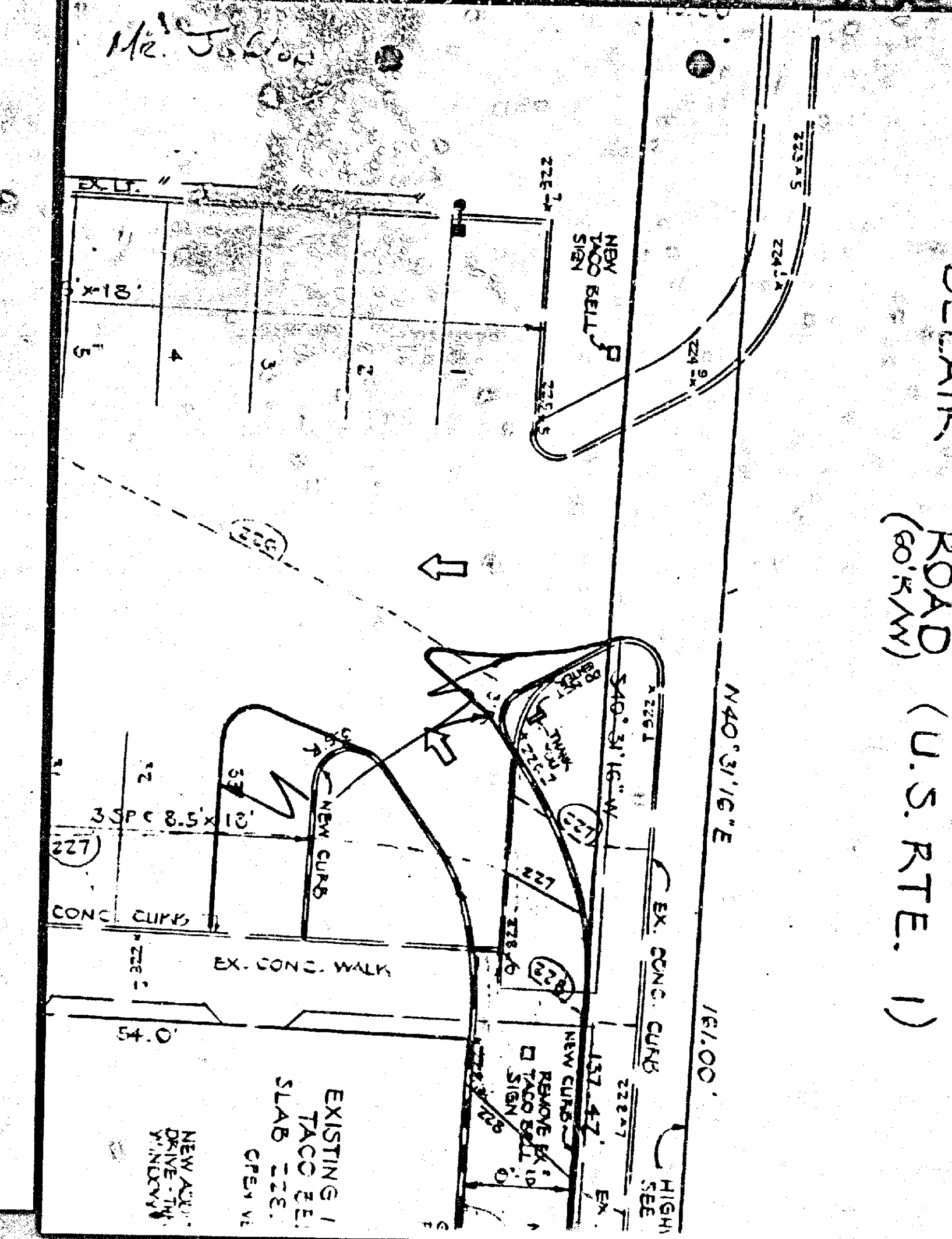
James E. Dyer, Esq.
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

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

Mr. Edgar F. Lassahn
3825 Bay Drive
Baltimore, Maryland 21220



Maryland Department of Transportation State Highway Administration

William K. Hoffmann
Secretary
Hal Kassoff
Administrator

June 30, 1986

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

Re: Baltimore County
Item # 455
Property Owner: Edgar Lassahn
Location: SE/C Belair Road (Route 1-N) and Fullerton Avenue
Existing Zoning: B.L. CS 2 and D.R. 5.5
Proposed Zoning: Var. to permit a total sign sq. footage of 205.65 sq. ft. in lieu of the allowed 100 sq. ft. and permit 6 other business signs in lieu of the allowed 3 other business signs
Acres: 0.775
District 14th

Dear Mr. Jablon:

On review of the submittal for sign variance, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein, at 659-1642 for all comments relative to zoning.

However, on review of this submittal showing a proposed drive through, the State Highway Administration Bureau of Engineering Access Permits finds the interim egress of the drive thru at the Belair Road Ingress Only access unacceptable as shown.

If the site is reconstructed to accommodate the drive thru as shown, all access to the Taco Bell site must be by way of northbound traffic on Belair Road.

This design would seriously hamper business at the sites with the existing prohibited left turn to Belair Road southbound traffic at the Taco Bell entrances.

Continued

Mr. A. Jablon
Page 2
June 20, 1986

The State Highway Administration Bureau of Engineering Access Permits will require the interior drive thru and Belair Road ingress to be revised as shown on the attachment.

It is requested the site plan be revised to show the Belair Road access revision prior to a hearing date being set.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

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

attachment

BALTIMORE COUNTY
ZONING COMMISSION
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

July 14, 1986

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

Re: Zoning Advisory Meeting of June 17, 1986
Item # 455
Petitioner: EDGAR F. LASSAHN
Location: SE/C BELAIR RD. & FULLERTON 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.
- ☐ 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. 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 is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The driving arrangement is not satisfactory.
- ☐ The 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 22-59 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.
- ☐ Landscaping: Just comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service is to be corrected by the County Council.
- ☐ The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service is to be corrected by the County Council.
- ☐ Intersection as defined by Bill 1984-29, and as conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments:
AS PER SECTION 11.1.2.1 OF THE BALTIMORE COUNTY ZONING ORDINANCE, THE PROPOSED DRIVE THRU AND INTERIOR DRIVE THRU ACCESS REQUIRE THAT THE PROPOSED DRIVE THRU ACCESS CONFORM TO THE STANDARDS OF THIS MANUAL.

cc: James Hoffmann

James A. Dyer
Chief, Current Planning and Development

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
303-7555 Baltimore Metro - 505-0451 D.C. Metro - 1-800-402-5062 Statewide Toll Free
P.O. Box 717/1707 North Calvert St., Baltimore, Maryland 21203-0717

STEPHEN E. COLLINS
DIRECTOR

July 2, 1986

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

Item No. 455 -ZAC- Meeting of June 17, 1986
Property Owner: Edgar F. Lassahn
Location: SE/C Belair Road and Fullerton Avenue
Existing Zoning: B.L. - CS 2 and D.R. 5.5
Proposed Zoning: Variance to permit a total sign square footage of 205.65 square feet in lieu of the allowed 100 square feet and permit 6 other business signs in lieu of the allowed 3 other business signs
Acres: 0.775 acres
District: 14th Election District

Dear Mr. Jablon:

The site plan fails to provide sufficient stacking spaces from the order board.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MEF:lt

Zoning Item # 455 Zoning Advisory Committee Meeting of 6/17/86
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
 - () 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 _____

WWQ 2 4/86

Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

July 24, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 455 Zoning Advisory Committee Meeting are as follows:

Property Owner: Edgar F. Lassahn
Location: SE/C Belair Road and Fullerton Avenue
District: 14th.

APPLICABLE ITEMS ARE CIRCLED:

- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Building and Code (A.S.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- () A building and other miscellaneous permits shall be required before the start of any construction.
- () Residential: 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. Registered seals are not acceptable.
- () All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-1 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 101. 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. Apply 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 Mixed Use _____ See Section 112 of the Building Code.
- () The proposed project appears to be located in a Flood Plain, Flood/Hydrology. Please see the attached copy of Section 154.0 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 finished floor levels including basement.
- () Comments: 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. To obtain the applicable provisions additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Shuman
City Engineer, Chief
Building Plans Review

4/22/86

IN RE: TYPSTONS 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 here. The size of the pylon signs will not change, only their location, but now 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 307, Baltimore County Zoning Regulations (BCZR).

DATE RECEIVED FOR REVIEW
DATE APPROVED
BY

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 455, Zoning Advisory Committee Meeting of 6/17/86

Property Owner: Edgar F. Lassahn
Location: SE/C Belair Rd & Fullerton Ave. District: 14th
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 amusements 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)

PAUL H. REINCKE
CHIEF

June 24, 1986

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

RE: Property Owner: Edgar F. Lassahn

Item No.: 455

Zoning Agenda: Meeting of 6/17/86

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 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 comments at this time.

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

/mb

STEPHEN E. COLLINS
DIRECTOR

July 2, 1986

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

Item No. 455 -ZAC- Meeting of June 17, 1986
Property Owner: Edgar F. Lassahn
Location: SE/C Belair Road and Fullerton Avenue
Existing Zoning: B.L. - CS 2 and D.R. 5.5
Proposed Zoning: Variance to permit a total sign square footage of 205.65 square feet in lieu of the allowed 100 square feet and permit 6 other business signs in lieu of the allowed 3 other business signs

Acres: 0.775 acres
District: 14th Election District

Dear Mr. Jablon:

The site plan fails to provide sufficient stacking spaces from the order board.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MEF:lt

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 be 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:

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 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.

- 2 -

DATE RECEIVED FOR REVIEW
DATE APPROVED
BY

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:

1. 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.
2. No temporary signs shall be permitted at any time.
3. 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.

[Signature]
Zoning Commissioner of
Baltimore County

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

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

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-0060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-0080
April 27, 1986

161 AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 636-0884

DESCRIPTION FOR ZONING VARIANCE - 7407 BELAIR ROAD:

Beginning for the same at the point formed by the intersection of the southeast side of Belair Road (60 feet wide) with the west side of Fullerton Avenue (30 feet wide) thence (1) South 55 degrees 29 minutes 43 seconds East 146.78 feet (2) South 39 degrees 36 minutes 16 seconds West 74.52 feet (3) South 50 degrees 12 minutes 43 seconds East 82.03 feet (4) South 40 degrees 31 minutes 16 seconds West 100.00 feet (5) North 50 degrees 12 minutes 43 seconds West 230.00 feet and (6) North 40 degrees 31 minutes 16 seconds East 151.00 feet to the place of beginning.

Malcolm E. Hudkins
Registered Surveyor #5095

RE: PETITION FOR VARIANCES
SE/Corner of Belair Rd. &
Fullerton Ave. (7407 Belair
Rd.), 14th District
EDGAR F. LASSAHN, Petitioner
Case No. 87-47-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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 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 Mr. David D. Bock, Area Construction Mgr., Taco Bell Corp., 1940 Route 70 E., Suite 203, Cherry Hill, N. J. 08003, Lessee.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE
14th Election District
Case No. 87-47-A

LOCATION: Southeast Corner of Belair Road and Fullerton Avenue
(7407 Belair Road)
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 6 other business signs totaling 205.65 square feet in lieu of the permitted 3 other business signs totaling 100 square feet

Bring the property of Edgar F. Lassahn, 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 JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JARLON
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
SE/cor. of Belair Rd. and Fullerton Ave. (7407 Belair Rd.)

BALTIMORE COUNTY, MARYLAND No. 021823
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 8/18/86
AMOUNT: \$310.43
RECEIVED FROM: Stanley S. Fine, Esquire, 222 E. Redwood Street, Suite 300, Baltimore, Md. 21202
FOR: ADVERTISING & POSTING COSTS RE CASE NOS. 87-44-A, 87-45-SPHA, 87-46-A, and 87-47-A
BY: B 0076***310431* \$168F
VALIDATION OR SIGNATURE OF CARRIER

\$62.60

due for advertising and
to be paid before an Order

SIGNS AND POSTS RETURNED ON
BE ISSUED.

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

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
Southeast Corner of Belair Road and Fullerton Avenue
(7407 Belair Road)
14th Election District
Edgar F. Lassahn - Petitioner
Case No. 87-47-A

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

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

BALTIMORE COUNTY, MARYLAND No. 021692
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 6/11/86
ACCOUNT: 01-615
AMOUNT: \$100.00
RECEIVED FROM: STANLEY S. FINE
FOR: FILING FEE FOR VARIANCE / ITEM NO 455
LASSAHN - PETITIONER
B 0490***103000* \$116F
VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Disseminated: 14/86 Date of Posting: 7/19/86
Posted for: Variances
Petitioner: Edgar F. Lassahn
Location of property: SE/Cor. Belair Rd. & Fullerton Ave.
Location of Signs: SE/Cor. Belair Rd. & Fullerton Ave. & Joppa Rd.
Remarks: roadway at Fullerton Ave. on property of P.H. Hoover
Posted by: [Signature] Date of return: 7/19/86
Number of Signs: 3

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 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 July 31, 1986.

THE JEFFERSONIAN,

[Signature]
Susan Shuler O'Connell

Publisher

Cost of Advertising
24.75

Petition for Zoning
Variance
Case No. 87-47-A
14th Election District
LOCATION: Southeast Corner of
Belair Road and Fullerton Avenue
(7407 Belair Road)
DATE & TIME: Monday, August
18, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
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 on a Petition for Zoning Variance to permit 6 other business signs totaling 205.65 square feet in lieu of the permitted 3 other business signs totaling 100 square feet.
Being the property of Edgar F. Lassahn, 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 Jarlon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., July 31, 1986

This is to certify, that the annexed

Petition - *[Signature]*
By 192701

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each

of one successive

weeks before the 31st day of

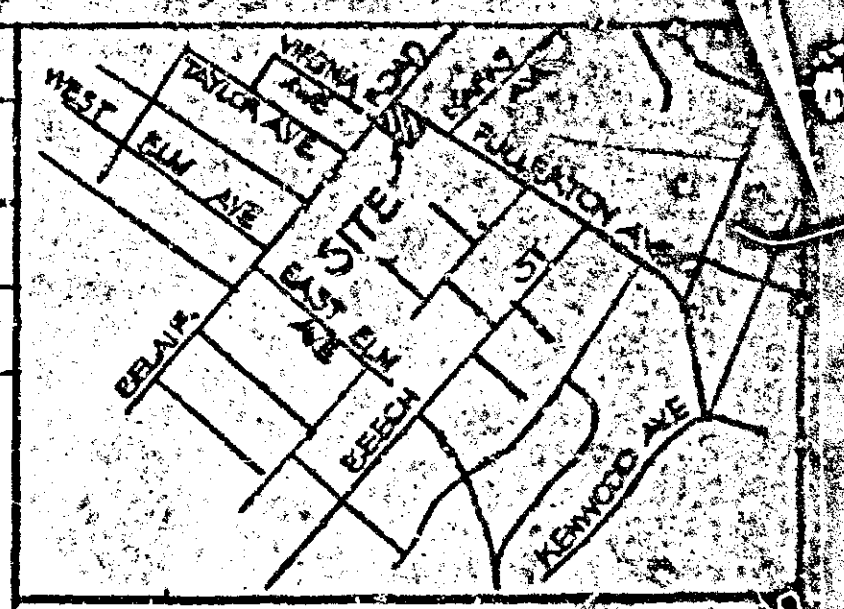
July, 1986

Publisher: *[Signature]*

BELAIR ROAD (U.S. RTE. 1)
(60' R/W)

PLANT SCHEDULE

KEY	QUANT.	BOTANICAL NAME COMMON NAME	SIZE
A	8	TAXUS CUSPIDATA INTERMEDIA MEDIA YEW	3" HT 8 1/2"
B	11	TAXUS CUSPIDATA NANA DWARF YEW	18" HT. 5 1/2"



LOCATION PLAN
SCALE 1"=1000'

BENCH MARK
X-828 ELEV. 232.046
1/2" IRON BAR AT THE N.E. CORNER
BELAIR ROAD AND FULLERTON AVENUE.

LEGEND

EXISTING CONTOURS (---) EXIST. ELEVATIONS (---)
PROPOSED ELEVATION (---)
NEW CONCRETE CURB (---)
NEW MACADAM PAVING (---)
NEW CONCRETE PAVING OR YWALK (---)
DRIVE THRU STACKING SPACES (---)
TRAFFIC DIRECTIONAL ARROWS (---)
DO NOT ENTER PAINTED WHITE (24" HIGH)
NEW LT. POLE (---)

NOTES:

- EX. ZONING BL C5-2 DR 5.5
- GROSS AREA 0.775 AC. ± NET AREA 0.719 AC. ±
- BLDG AREA 1640 SF
- PARKING DATA
REQUIRED: 1640/50 = 33 SPACES
PROVIDED: 33 SPACES

SINGLE FACE 4.1 S.F.
DOUBLE FACE 8.2 S.F.

EXISTING FACILITIES

PAVING SECTION

3/4" BIT. CONC. SURFACE COURSE
(2 - 1/2" COURSES)
6" CRUSHER RUN (CR6 OR CR1)
BASE COURSE

CONCRETE PAVING SECTION

4" CONC. W/ 6" x 6" x 10/10 WWM
OVER 6" GRAVEL BASE
NOTE: CONC. TO BE BLACK
COLORED

PAINTED TRAFFIC ARROWS

4" CONC. W/ 6" x 6" x 10/10 WWM
OVER 6" GRAVEL BASE
NOTE: CONC. TO BE BLACK
COLORED

CONCRETE PAVING SECTION

3/4" BIT. CONC. SURFACE COURSE
(2 - 1/2" COURSES)
6" CRUSHER RUN (CR6 OR CR1)
BASE COURSE

PAVING SECTION

PAVEMENT DIMENSIONS
REFER TO THIS POINT
1" RADIUS BOTH SIDES
PAVEMENT ELEVATIONS
REFER TO THIS POINT
CHANGING LOT SURFACE
AS SPECIFIED
ALL CURBS TO BE 3000
P.S.I. 30 DAY P.S.I.
6" 40 BARS CONC.
TOP & BOTTOM
PROVIDE EXPANSION
JOINTS AT 30'-0" O.C.

CONCRETE CURB

GUARD POST

8" 3/4" STEEL POST
FILLER WOODWORK
FINISH SURFACE
18" x 18" CONCRETE
FOOTING

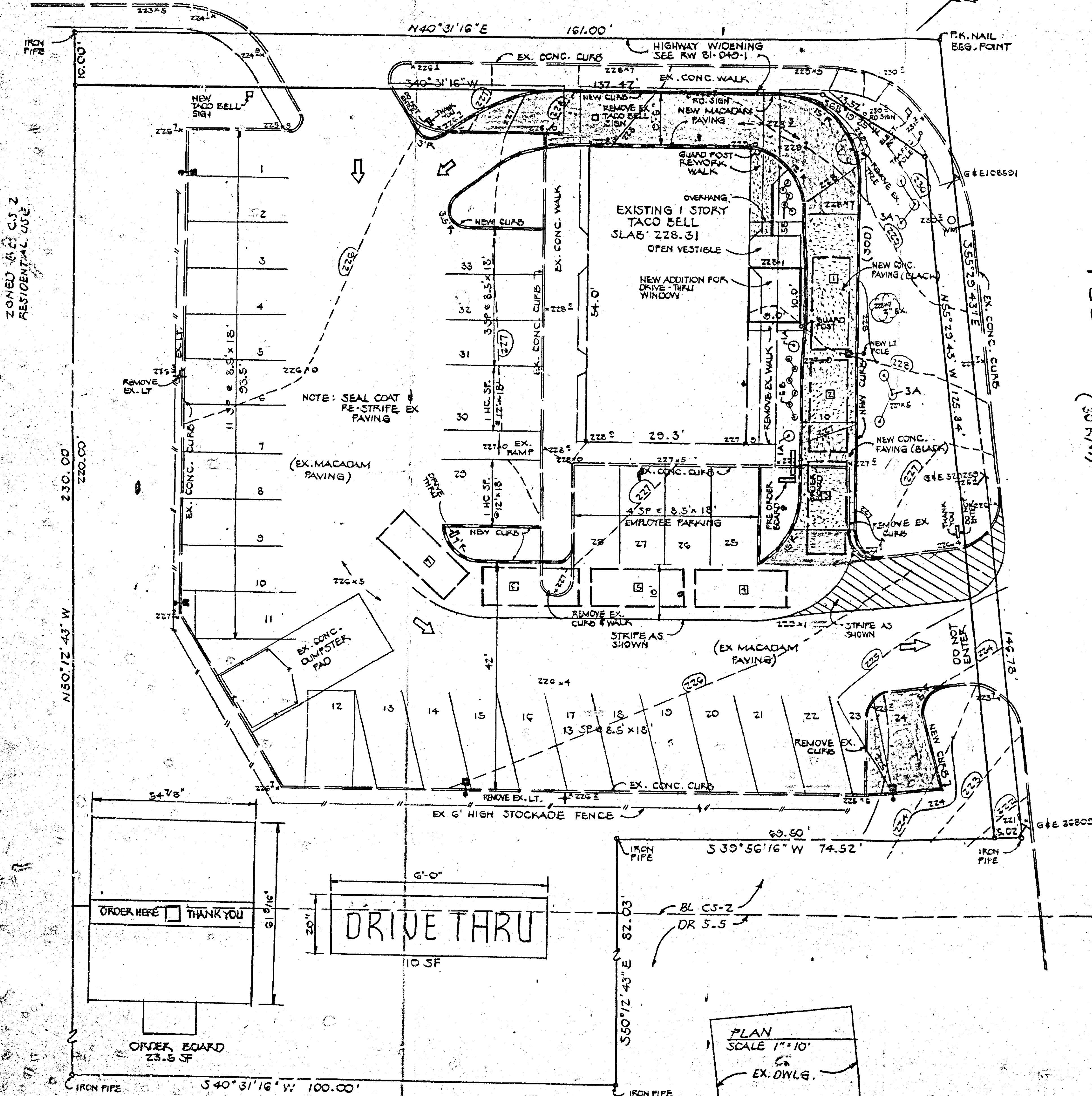
MJ-60 CURB DETAIL
AT DRIVE THRU WINDOW

SITE PLAN FOR
PROPOSED DRIVE-THRU
TACO BELL
7407 BELAIR ROAD
ELECT. DISTRICT 14 BALTO. CO., MARYLAND
FEB 21, 1994 TAX MAP 81
SCALE 1"=10' PARCEL 035
LOT 5 1/2



HUDKINS ASSOCIATES, INC.
210 N. E. 10TH AVE. SUITE 200
FORT WORTH, TEXAS 76104

PLAN
SCALE 1"=10'
EX. DWLG.



TACO BELL CORP. SIGNAGE
7407 Belair Road

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.
1 directional sign (single-faced)	<u>4.11 sq. ft.</u>
Totals: 6 signs	205.65 sq. ft.

205.65
20.55
185.10

PETITIONER'S
EXHIBIT

