

COPY TO: J. Robert Haines ✓

CIRCUIT COURT FOR BALTIMORE COUNTY
CIVIL GENERAL

File

DOCKET 53 PAGE 250 CASE NO. 88CG1050 CATEGORY APPEAL

CIVIL ASSIGNMENT		ATTORNEYS
V	PEOPLE'S COUNSEL FOR BALTIMORE COUNTY APPELLANT  MAYS CHAPEL VILLAGE, INC. APPELLEE COUNTY BOARD OF APPEALS Zoning File No. 87-444-A	Phyllis Cole Friedman Peter Max Zimmerman Rm. 223, Courthouse (04) 494-2188 Eugene P. Smith Weinberg and Green 1400 Equitable Bank Ctr, 100 S. Chas St (1) 332-8713 MAYS CHAPEL VILLAGE, INC. <i>4/29/88 true copy test of d/e & dismissal sent to Board of Appeals.</i>

	COSTS
(1) Feb 25, 1988 - Appellant's Appeal from the Opinion and Order of the County Board of Appeals and Petition fd. (2) feb 25,1988 - certificate of Notice fd. (3) Mar 24, 1988 - App of Eugene P. Smith for the Appellee MAYS CHAPEL VILLAGE, INC. and Same Day Answer to Petition of Appeal fd. (4) March 28, 1988 - Transcript of Proceedings fd. (5) March 28, 1988 - Notice of Filing of Record fd. Copies sent. APR 27 1988 <i>Dismissed</i> PAID SETTLED AND SATISFIED ORDER OF PLAINTIFF'S ATTORNEY FILED. RECEIVED COUNTY BOARD OF APPEALS 1988 MAY -2 P 1:00 True Copy Test SUZANNE MENSCH, Clerk Per <i>Sharon S. Williams</i> Assistant Clerk	CLERK _____ SAC LBA _____ FILE _____ SHS _____ _____ _____ _____ _____ _____ TOTAL COSTS _____

PEOPLE'S COUNSEL FOR
BALTIMORE COUNTY,

Appellant

v.

MAYS CHAPEL VILLAGE, INC.

Appellee

: IN THE CIRCUIT COURT

: FOR BALTIMORE COUNTY

: AT LAW

: Case No. ~~86001050~~

:

: : : : : :

88CB1050

53/250

C/A

App.

NOTICE OF DISMISSAL

People's Counsel for Baltimore County, Protestant below and Appellant
herein, hereby dismisses its appeal in the above-captioned case because
it is no longer in the public interest to maintain this appeal.

Phyllis Cole Friedman

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman

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

I HEREBY CERTIFY that on this 26th day of April, 1988, a copy of
the foregoing Notice of Dismissal was mailed to Eugene P. Smith, Esquire,
1400 Equitable Bank Center, 100 S. Charles St., Baltimore, MD 21201.

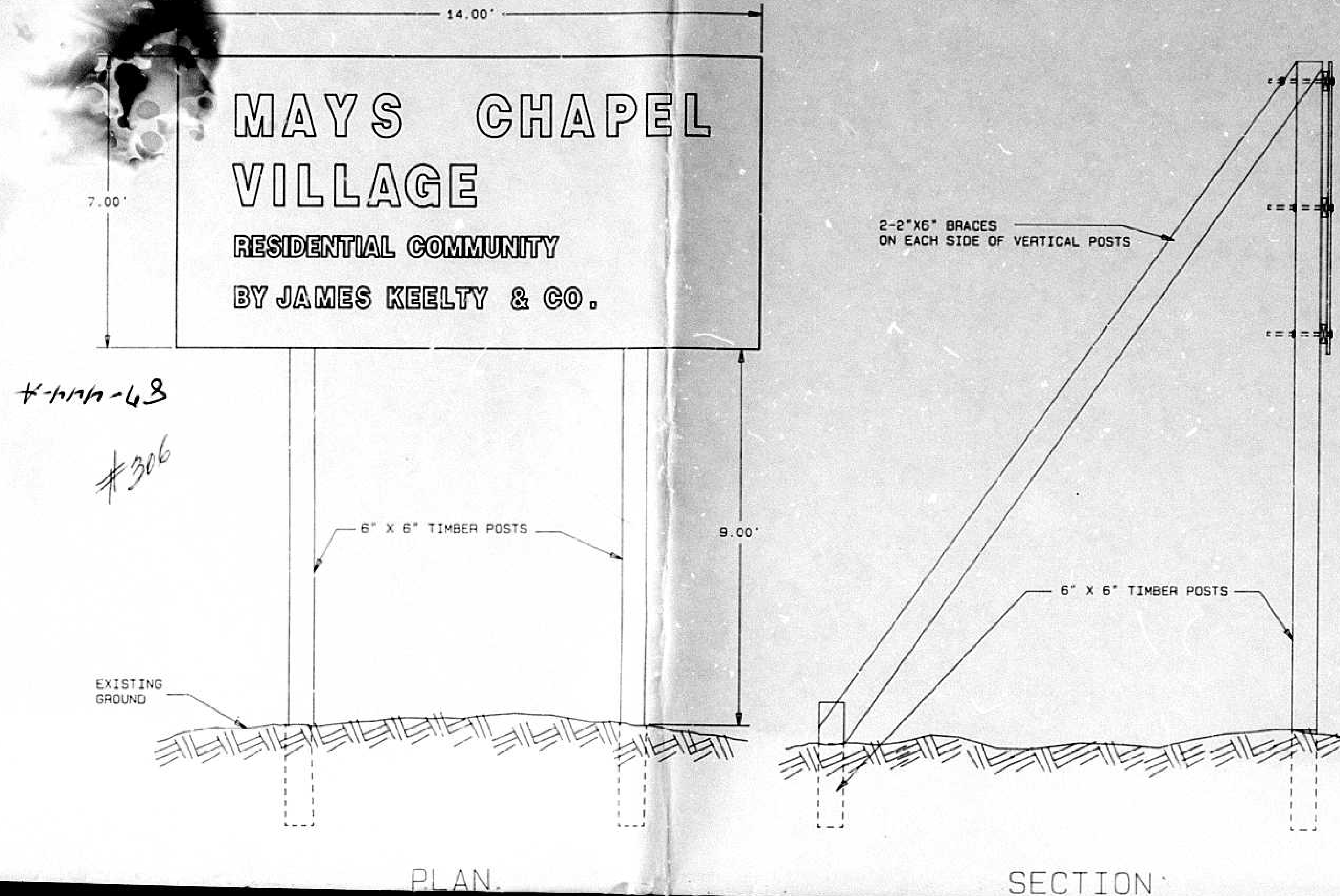
Peter Max Zimmerman

Peter Max Zimmerman

FILED APR 27 1988

True Copy Test
SUSANNE WENGL, Clerk

Per Maureen S. Williams
Assistant Clerk



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
date day of March, 1987.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Mays Chapel Village, Inc.
Petitioner's Attorney: Eugene P. Smith, Esquire

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

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

Date: APRIL 13, 1987

SUBJECT: Zoning Petition No. 87-444-A

This office is opposed to the proliferation of signage along Interstate highways. Consequently, it is recommended that the subject request be denied.

Norman E. Gerber, AICP
Director

NEG:JGH:sib

County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 994-3180
January 28, 1988

Phyllis C. Friedman
People's Counsel for Baltimore County
Court House
Towson, Md. 21204

Dear Mrs. Friedman: Re: Case No. 87-444-A
Mays Chapel Village, Inc.

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

Very truly yours,

June Holmen, Secretary

Encl.
cc: Eugene P. Smith, Esq.
Mr. David Fields
James Hoswell
J. Robert Haines
Ann M. Mastarowicz
James E. Dyer
Pocket Clerk

IN THE MATTER OF
THE APPLICATION OF
MAYS CHAPEL VILLAGE, INC.
FOR VARIANCE ON PROPERTY
LOCATED ON THE WEST SIDE OF
I-83, 2,280 FT. SOUTH OF THE
C/VL OF PADONIA RD.
8TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 87-444-A

OPINION

This case comes before the Board on appeal by the People's Counsel from the decision of the Zoning Commissioner granting the Petitioner, with restriction, a variance to the Baltimore County Zoning Regulations (BCZR) for a sign identifying the Mays Chapel Village Community on the west side of I-83, 2,280 ft. from Padonia Road in the 8th Election District. This case was heard this day in its entirety.

The Board heard testimony from Mr. Eugene Smith, representing the Petitioner, describing the Mays Chapel Village development of 1740 dwellings, its location, and of the essential need of the requested sign identifying the community.

George S. Badders, Engineer for the Petitioner, testified that the authorized sign under Sec. 413.1E of the BCZR (25 sq. ft.) would be too small. Existing foliage and trees limit the sign's visibility from I-83 and the larger (98 sq. ft.) sign would suffice for community identification for either north or southbound traffic, particularly northbound.

Testifying for the Petitioner was Diane E. Tydings, Real Estate Broker and Sales Manager for the Petitioner, James Keelty Company, who testified as to the hardship and difficulty of locating Mays Chapel Village. Office telephone inquiries in advance by prospective customers for directions may be easily explained, but moving vehicular traffic along I-83 has difficulty in identifying the development.

Mays Chapel Village, Inc.
Case No. 87-444-A

Counsel for the Petitioner summarized that identification of the community is needed to inform vehicular traffic of where to exit from I-83, a conclusion that can be readily ascertained as drivers see the requested sign identifying Mays Chapel Village.

In opposition to the Petition for the Variance in the size of the sign, and its erection, People's Counsel emphasized that there are no variances to the regularly authorized signs permitted along Interstate highways.

Testifying in opposition to the petition, Mr. James Hoswell, Planner for Baltimore County, cited the absence of signs on the west side of I-83 for several miles along the residentially zoned land bordering the interstate highway. The existing signs on the east side of I-83, advertising commercial enterprises, are in complete contrast to the west side.

People's Counsel stated that justification for the sign as a directional source or community identifier was not warranted as people could function without the sign. The case of Sealy vs. The Circuit Court was cited by People's Counsel as a reference for reason to deny this petition, wherein a sign's erection for the purpose of directing traffic to a location from an interstate highway, over a number of roads, implies an intent for advertising rather than site identification.

Section 307 of the BCZR empowers the Board of Appeals to grant sign variances only in cases where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship. In the opinion of this Board, the Petitioner has shown that their development is difficult to locate by transients and cannot be identified by traffic along I-83.

The erection of the requested sign as a residential community identifier would obviously eliminate a hardship and serve the good of many without resulting in injury to public health, safety or general welfare.

Mays Chapel Village, Inc.
Case No. 87-444-A

Unlike the sign in the Sealy Case, the location of Petitioner's requested sign will provide clear indication of the direction to reach Mays Chapel Village, and in the opinion of this Board, the decision in Sealy is not comparable to this petition for a sign variance.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 28th day of January, 1988, by the County Board of Appeals, ORDERED that the variance for a 7 ft. by 14 ft. sign of 98 sq. ft. identifying the community of Mays Chapel Village be GRANTED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Thomas J. Bollinger, Acting Chairman
Harry E. Buchheister, Jr.
Patricia Phipps

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 5, 1987

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

Eugene P. Smith, Esquire
Weinberg & Green
1400 Equitable Bank Center
100 South Charles Street
Baltimore, Maryland 21201

RE: Item No. 306 - Case No. 87-444-A
Petitioner: Mays Chapel Village, Inc.
Petition for Zoning Variance

Dear Mr. Smith:

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, Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

306
Revised 3/10/87
87-444-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 413.1.e.f.g.h. to permit the erection of a modified residential community sign of a permanent nature indicating the name of the community and the name of the developer in lieu of the contractor. Said sign is also intended to serve as a directional sign, indicating by its placement the location of the community in relation to Padonia and Timonium Road Exits from I-83. Said sign to be 98 sq. ft. 7'x14' with an overall height of 14 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Identification of the community is needed, along the Baltimore-Harrisburg Expressway (I-83) to inform transients of the need to exit at either Padonia Road (if northbound), or Timonium Road (if southbound) on the Expressway, as there is no other direct access to the community from the highway. Grant of the variance is in harmony with the spirit and intent of the sign regulations and will result in no injury to public health, safety or general welfare.

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

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

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

Contract Purchaser: _____
(Type or Print Name)

Legal Owner(s): _____
(Type or Print Name)

Signature: _____
James Keelty, III, Vice President
(Type or Print Name)

Address: _____
City and State: _____

Signature: _____
C/O Eugene P. Smith
1400 Equitable Bank Center
100 South Charles Street
Baltimore, Maryland 21201
City and State: _____

Attorney for Petitioner: _____
Eugene P. Smith
1400 Equitable Bank Center
100 South Charles Street
Baltimore, Maryland 21201
City and State: _____

Attorney's Telephone No.: (301) 332-8713

ORDERED by The Zoning Commissioner of Baltimore County, this 26th day of March, 1987, 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 11th day of May, 1987, at 11:30 o'clock.

Callahan
Zoning Commissioner of Baltimore County.

(over)

PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, Appellant
v.
MAYS CHAPEL VILLAGE, INC., Appellee

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY
AT LAW
Case No. 88CG1050
53/250

NOTICE OF DISMISSAL

People's Counsel for Baltimore County, Protestant below and Appellant herein, hereby dismisses its appeal in the above-captioned case because it is no longer in the public interest to maintain this appeal.

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

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

I HEREBY CERTIFY that on this 26th day of April, 1988, a copy of the foregoing Notice of Dismissal was mailed to Eugene P. Smith, Esquire, 1400 Equitable Bank Center, 100 S. Charles St., Baltimore, MD 21201.

Peter Max Zimmerman
Peter Max Zimmerman

True Copy Test
Suzanne M. Mendenhall, Clerk
Charles P. Williams
Assistant Clerk

**DESCRIPTION OF
PART OF MAYS CHAPEL VILLAGE APARTMENTS**

Beginning for the same at a point on the northeast side of Rutledge Road, 60 feet wide, said point being designated "9" as shown on a plat entitled "PLAT THREE SECTION ONE, MAYS CHAPEL VILLAGE" and recorded among the Plat Books of Baltimore County, Maryland in Liber E.H.K. Jr. 42, Folio 25, running thence and binding on the northeast side of Rutledge Road, the following course and distance, (1) N 27°56'00" W 184.22 feet; thence leaving the northeast side of Rutledge Road and binding on the outline of the above-mentioned plat the three following courses and distances: (2) N 62°10'00" E 184.99 feet; (3) N 47°03'29" E 115.94 feet; (4) N 41°31'20" E 352.81 feet, to intersect the southwest side of the Baltimore-Harrisburg Expressway (I-83), thence binding on the southwest side of the Baltimore-Harrisburg Expressway the seven following courses and distances: (5) S 67°11'48" E 20.16 feet; (6) S 53°09'38" E 200.00 feet; (7) S 36°32'23" E 69.92 feet; (8) S 66°42'31" E 85.38 feet; (9) S 53°09'38" E 95.79 feet; (10) by a spiral line curving to the right for a distance of 197.03 feet and a chord bearing S 52°36'51" E 197.03 feet; (11) by a line curving to the right with a radius of 3337.74 feet for a distance of 202.89 feet, said curve being subtended by a chord bearing S 49°47'14" E 202.86 feet; thence leaving the southwest side of the Baltimore-Harrisburg Expressway and binding on the outline of the above-mentioned plat, and also binding on the outline of a plat entitled "FIRST AMENDED PLAT TWO, SECTION ONE, MAYS CHAPEL VILLAGE" and recorded among the Plat Books of Baltimore County, Maryland in Liber E.H.K. Jr. 42, Folio 24, the four following courses and distances: (12) S 86°28'30" W 191.25 feet, (13) N 59°47'50" W 200.00 feet; (14) S 30°12'10" W 133.52 feet; (15) S 86°28'30" W 653.47 feet to the place of beginning. Containing 7.822 ACRES of land, more or less.

Office Copy only

APPEAL

Petition for Zoning Variance
W/S of I-83, 2,280' S of the Centerline of Padonia Road
8th Election District - 4th Councilmanic District
Mays Chapel Village, Inc., - Petitioner
Case No. 87-444-A

Petition for Zoning Variance
Description of Property
Certificate of Posting
Certificates of Publication
Entry of Appearance of People's Counsel
Zoning Plans Advisory Committee Comments
Director of Planning & Zoning Comments
Petitioner's Exhibits: 1) Plat of Property dated 12/9/86
Zoning Commissioner's Order dated June 12, 1987
Notice of Appeal received July 7, 1987 from People's Counsel

Eugene P. Smith, Esquire, Attorney for Petitioner
1400 Equitable Bank Ctr., 100 S. Charles St., Baltimore, Md. 21201
Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204

Request Notification: Norman E. Gerber, Director of Planning
James Hoswell, Office of Planning & Zoning
Arnold Jablon, Zoning Commissioner
Jean M. H. Jung, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Margaret E. duBois, Docket Clerk

**CIRCUIT COURT FOR BALTIMORE COUNTY
CIVIL GENERAL**

DOCKET 53 PAGE 250 CASE NO. 88CG1050 CATEGORY APPEAL

PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
APPELLANT

MAYS CHAPEL VILLAGE, INC.
APPELLEE
COUNTY BOARD OF APPEALS

Zoning File No. 87-444-A

ATTORNEYS

Phyllis Cole Friedman
Peter Max Zimmerman
Rm. 223, Courthouse 1041
494-2188

Eugene P. Smith
Weinberg and Green
1400 Equitable Bank Ctr.,
100 S. Charles St. 332-8713
MAYS CHAPEL VILLAGE, INC.

4/20/88 True Copy Test of
appeal & dismissal sent
to Board of Appeals.

(1) Feb 25, 1988 - Appellant's Appeal from the Opinion and Order of the County Board of Appeals and Petition fd.
(2) Feb 25, 1988 - certificate of Notice fd.
(3) Mar 24, 1988 - App of Eugene P. Smith for the Appellee MAYS CHAPEL VILLAGE, INC. and Same Day Answer to Petition of Appeal fd.
(4) March 28, 1988 - Transcript of Proceedings fd.
(5) March 28, 1988 - Notice of Filing of Record fd. Copies sent.

APR 27 1988
RECEIVED
COUNTY BOARD OF APPEALS
1-10-88
1988 MAY -2

True Copy Test
SUZANNE MENDENHALL, CLERK
Charles P. Williams
Assistant Clerk

DOCKET 53 PAGE 250 88CG 1050

PETITION FOR ZONING VARIANCES

8th Election District - 4th Councilmanic District
Case No. 87-444-A

LOCATION: West Side of I-83, 2280 feet South of the Centerline of Padonia Road
DATE AND TIME: Monday, May 11, 1987, at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Zoning Variances to permit the erection of a modified residential community sign of a permanent nature indicating the name of the community and the name of the developer in lieu of the contractor. Said sign is also intended to serve as a directional sign, indicating by its placement the location of the community in relation to Padonia and Timonium Road Exits from I-83. Said sign to be 98 square feet (7 feet x 14 feet) with an overall height of 14 feet

Being the property of Mays Chapel Village, Inc., 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
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

May 5, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Eugene P. Smith, Esquire
1400 Equitable Bank Center
100 South Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCES
W/S I-83, 2280' S of the c/l of Padonia Road
8th Election District - 4th Councilmanic District
Mays Chapel Village, Inc. - Petitioner
Case No. 87-444-A

Dear Mr. Smith:

This is to advise you that \$108.31 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, 100 S. Charles St., Towson, Maryland

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

No. 35844

DATE 5/11/87 ACCOUNT D-01-615-0-0

SIGN & POST TO BE RETURNED AMOUNT \$ 108.31

James Keelty & Co., Inc., 61 East Padonia Rd., P.O. Box 528, Timonium, Md. 21093

ADVERTISING & POSTING COSTS RE CASE 87-444-A

0053*****10631*4 8118F

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCES W/S I-83, 2280' S of C/L of Padonia Rd., 8th District
MAYS CHAPEL VILLAGE, INC., Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 87-444-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, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of April, 1987, a copy of the foregoing Entry of Appearance was mailed to Eugene P. Smith, Esquire, 1400 Equitable Bank Center, 100 S. Charles St., Baltimore, MD 21201, Petitioner's Attorney.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-444-A

District: 8th Date of Posting: April 22, 1987
Posted for: Mays Chapel Village, Inc.
Petitioner: Mays Chapel Village, Inc.
Location of property: W/S of I-83, 2280' S. of the c/c of Padonia Rd.
Location of Sign: W/S of I-83, 2280' S. of the c/c of Padonia Rd.
Remarks: 8 J. Grata
Posted by: 8 J. Grata Date of return: May 1, 1987
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 23, 1987.

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 April 23, 1987.

THE JEFFERSONIAN,

Publisher

LOCATION: West Side of I-83, 2280' S. of the Centerline of Padonia Road.
DATE AND TIME: Monday, May 11, 1987 at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, in accordance with the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit the erection of a modified residential community sign of a permanent nature indicating the name of the community and the name of the Developer in lieu of the Contractor. Said sign is also intended to serve as a directional sign, indicating the location of the community in relation to Padonia and Timonium Roads. Said sign is to be 98 square feet (7' x 14') with an overall height of 14 feet. Being the property of Mays Chapel Village, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petitioner 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 the 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
4/26/87 Apr 23

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 22, 1987.

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 22, 1987.

TOWSON TIMES,

Publisher

5470

LOCATION: West Side of I-83, 2280' S. of the Centerline of Padonia Road.
DATE AND TIME: Monday, May 11, 1987 at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, in accordance with the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit the erection of a modified residential community sign of a permanent nature indicating the name of the community and the name of the Developer in lieu of the Contractor. Said sign is also intended to serve as a directional sign, indicating the location of the community in relation to Padonia and Timonium Roads. Said sign is to be 98 square feet (7' x 14') with an overall height of 14 feet. Being the property of Mays Chapel Village, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petitioner 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 the 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
4/26/87 Apr 23

Eugene P. Smith, Esquire
1400 Equitable Bank Center
100 South Charles Street
Baltimore, Maryland 21201

April 6, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
W/S I-83, 2280' S. of the c/c of Padonia Road
8th Election District - 4th Councilmanic District
Mays Chapel Village, Inc. - Petitioner
Case No. 87-444-A

TIME: 11:30 a.m.

DATE: Monday, May 11, 1987

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

Mays Chapel Village, Inc.

Vs.

Phyllis C. Friedman, People's Counsel

IN THE CIRCUIT COURT

FOR

BALTIMORE COUNTY

Docket 53 Folio 250

Case No. 88CG1050

NOTICE OF FILING OF RECORD

TO: Phyllis Cole Friedman
Weinberg & Green
Eugene P. Smith
1400 Equitable Bank Center
100 S. Charles St.
Baltimore, Md. 21201

In accordance with Maryland Rule of Procedure 112, you are notified that the record in the above entitled case was filed on March 28, 1988.

Suzanne Mennin
Clerk

True Copy Test
SUZANNE MENNIN, Clerk

Per: Patricia Little
Deputy Clerk

IN THE MATTER OF THE APPLICATION OF MAYS CHAPEL VILLAGE, INC. FOR VARIANCE ON PROPERTY LOCATED ON THE WEST SIDE OF I-83, 2,280 FT. SOUTH OF THE C/L OF PADONIA RD. 8TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT
PHYLLIS C. FRIEDMAN, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, PLAINTIFF
CASE NO. 87-444-A

CIRCUIT COURT

FOR

BALTIMORE COUNTY

AT LAW

CG Doc. No. 53

Folio No. 250

File No. 88-CG-1050

CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND THE BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Thomas J. Bollinger, Harry E. Buchheister, Jr. and Patricia Phipps, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

No. 87-444-A
March 24, 1987 Petition of Mays Chapel Village, Inc. for a variance from Sec. 413.1.c.f.g.h. to permit the erection of a modified residential community sign of a permanent nature indicating the name of the community and the name of the Developer in lieu of the Contractor. Said sign is also intended to serve as a directional sign, indicating by its placement the location of the community in relation to Padonia and Timonium Rd. exits from I-83. Said sign to be 98 sq. ft. 7' x 14' with an overall height of 14 ft.
March 24 Order of Zoning Commissioner directing advertisement and posting of property. Date of hearing, May 11, 1987, at 11:30 a.m.
April 24 Certificate of Posting of Property
April 23 Certificate of Publication in Newspaper

Mays Chapel Village, Inc.
Case No. 87-444-A
May 5, 1987 Comments of Baltimore County Zoning Plans Advisory Committee
April 13 Comments of Baltimore County Director of Planning
May 11 At 11:30 a.m. hearing held on petition by Zoning Commissioner.
June 12 Order of Zoning Commissioner that a variance to permit a directional or informational sign containing 98 sq. ft. in lieu of the permitted 25 sq. ft. be GRANTED, subject to restrictions; FURTHER ORDERED that the variance to permit advertising of the developer's name on the proposed sign be DENIED.
July 7 Order for Appeal to the C.B. of A. from Phyllis C. Friedman, People's Counsel for Baltimore County.
January 12, 1988 Hearing on appeal before County Board of Appeals
January 28 Order of the County Board of Appeals that the variance for a 7 ft. by 14 ft. sign of 98 sq. ft. identifying the community of Mays Chapel Village be GRANTED.
February 25 Order for Appeal filed in the Circuit Ct. for Baltimore County by Phyllis C. Friedman, People's Counsel for Baltimore County.
February 25 Petition to accompany Order for Appeal filed in the Circuit Ct. for Baltimore County.
February 25 Certificate of Notice sent to interested parties.
March 25 Transcript of testimony filed
Petitioner's Exhibit No. 1 - Drawing of Sign
" " " 2 A,B,C - Photos
March 29, 1988 Record of proceedings filed in the Circuit Ct. for Baltimore County.
Record of proceedings pursuant to which said Order was entered and upon which said Board acted are hereby forwarded to the Court, together with exhibits entered into evidence before the Board. However, all tangible material or evidence of an unwieldy or bulky nature will be retained in the Board of Appeals' office, and upon request of the parties or the Court will be transmitted to the Court by whomsoever institutes the request.
Respectfully submitted,
June Holmen, County Board of Appeals

CC: Phyllis C. Friedman
Eugene P. Smith, Esq.

MAYS CHAPEL VILLAGE, W/S of I-83, 2280' S. of Padonia Road
VAR - sign

#87-444-A
8th E. 4th C

March 24, 1987 Petition of Mays Chapel Village, Inc. for a variance to permit erection of modified residential community sign to serve as directional sign; to be 98 sq. ft. with overall height of 14ft.
May 11 Hearing held on petition by Zoning Commissioner
June 12 Order of Zoning Commissioner: VAR to permit directional or informational sign containing 98 sq. ft. be GRANTED w/ restrictions; VAR -to permit advertising of developer's name on proposed sign be DENIED.
July 7 Order for appeal to C.B. of A. from Phyllis C. Friedman, People's Counsel
January 12, 1988 Hearing on appeal before C.B. of A.
January 28 Order of C.B. of A.: variance 98sq ft sign be GRANTED.
February 25 Order for Appeal filed by Phyllis C. Friedman in CCT. Petition filed.
March 28 Transcript of testimony and Record of proceedings filed in CCT for BCo.
April 27 Notice of Dismissal filed by Phyllis C. Friedman, People's Counsel, in CCT.
April 27 Dismissed in Circuit Court.



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
February 25, 1988

Phyllis C. Friedman
People's Counsel for Baltimore County
Court House
Towson, Md. 21204
Dear Mrs. Friedman:
Re: Case No. 87-444-A
Mays Chapel Village, Inc.

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above entitled matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of other documents necessary for the completion of the record must also be at your expense.

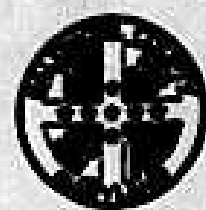
The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

June Holmen, Secretary

Enclosures



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-2188

February 25, 1988

Eugene P. Smith, Esq.
1400 Equitable Bank Center
100 S. Charles St.
Baltimore, Md. 21201

Dear Mr. Smith:

Re: Case No. 87-444-A
Mays Chapel Village, Inc.

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary

Encl.
cc: P. David Fields
James Hoswell
J. Robert Haines
Ann Nastarowicz
Docket Clerk

PEOPLE'S COUNSEL FOR
BALTIMORE COUNTY, : IN THE CIRCUIT COURT
Appellant : FOR BALTIMORE COUNTY
v. : AT LAW
MAYS CHAPEL VILLAGE, INC., : Docket No. 53
Appellee : Folio No. 250
Zoning Case File No. 87-444-A : File No. 88CC1050

NOTICE OF APPEAL

Please note an appeal from the Opinion and Order of the County Board of Appeals dated January 28, 1988 in the above-captioned matter.

RECEIVED
COUNTY BOARD OF APPEALS
1988 FEB 25 P 3 05

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 25th day of February, 1988, a copy of the foregoing Notice of Appeal was served on the Administrative Secretary, County Board of Appeals, Room 200, Court House, Towson, MD 21204; and a copy mailed to Eugene P. Smith, Esquire, 1400 Equitable Bank Center, 100 South Charles Street, Baltimore, MD 21201.

Phyllis Cole Friedman
Phyllis Cole Friedman

PEOPLE'S COUNSEL FOR
BALTIMORE COUNTY, : IN THE CIRCUIT COURT
Appellant : FOR BALTIMORE COUNTY
v. : AT LAW
MAYS CHAPEL VILLAGE, INC., : Docket No. 53
Appellee : Folio No. 250
Zoning Case File No. 87-444-A : File No. 88CC1050

PETITION ON APPEAL

People's Counsel for Baltimore County, Appellant herein and Protestant below, having heretofore filed a Notice of Appeal from the Opinion and Order of the County Board of Appeals under date of January 28, 1988 in the above-captioned matter, in compliance with Maryland Rule 8-2(e), files this Petition on Appeal setting forth the grounds upon which this Appeal is taken, viz:

1. The Board of Appeals had no legally sufficient evidence upon which to base its conclusion that the requested variance was warranted by unnecessary hardship or practical difficulty, or that its grant is in the public interest and consistent with the intent of the Baltimore County Zoning Regulations, and therefore their Order passed herein is illegal, arbitrary and capricious.

WHEREFORE, Appellant prays that the Order of the County Board of Appeals under date of January 28, 1988 be reversed, and the petition for variance be denied.

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

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

I HEREBY CERTIFY that on this 25th day of February, 1988, a copy of the foregoing Petition on Appeal was served on the Administrative Secretary, County Board of Appeals, Room 200, Court House, Towson, MD 21204; and a copy mailed to Eugene P. Smith, Esquire, 1400 Equitable Bank Center, 100 South Charles St., Baltimore MD 21201.

Phyllis Cole Friedman
Phyllis Cole Friedman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Arnold Jablon
Zoning Commissioner

July 14, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petition for Zoning Variance
W/S I-83, 2,280' S of the Centerline of Padonia Road
Mays Chapel Village, Inc. - Petitioner
Case No. 87-444-A

Dear Board:

Please be advised that on July 7, 1987 an appeal of the decision rendered in the above-referenced case was filed by People's Counsel for Baltimore County.

Please notify all parties to the case of the appeal hearing date and time when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:bjs

cc: Eugene P. Smith, Esquire
1400 Equitable Bank Ctr., 100 S. Charles Street, Baltimore, Md. 21201

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Rm. 223, Towson, Maryland 21204

File

Dennis F. Rasmussen
County Executive

RE: PETITION FOR VARIANCES
W/S of I-83, 2,280' S of
Centerline of Padonia Rd.
8th Election District
MAYS CHAPEL VILLAGE, INC., : Case No. 87-444-A
Petitioner :

NOTICE OF APPEAL

Please note an appeal from your decision in the above-entitled case, under date of June 12, 1987, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

RECEIVED
JUL 7 1987
ZONING OFFICE

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

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

I HEREBY CERTIFY that on this 7th of July, 1987, a copy of the foregoing Notice of Appeal was mailed to Eugene P. Smith, Esquire, 1400 Equitable Bank Center, 100 South Charles St., Baltimore, MD 21201.

Phyllis Cole Friedman
Phyllis Cole Friedman

**DESCRIPTION OF PARCEL FOR SIGN
MAYS CHAPEL VILLAGE**

All that land located in the Eighth Election District of Baltimore County, Maryland, described as follows:

Beginning at a point on the southwest side of the Baltimore-Harrisburg Expressway approximately 2,280 feet from the centerline of Padonia Road as measured along the southwest side of the Baltimore-Harrisburg Expressway, and said point of beginning being also approximately 44 feet southeasterly from the beginning of the tenth line as described in the description of part of Mays Chapel Village Apartments; thence southwesterly 30 feet, thence southeasterly 25 feet, thence northeasterly 30 feet, thence northwesterly 25 feet to the point of beginning, as shown on the Plat for Sign Variance Mays Chapel Village Apartments. Containing 750 Sq. Ft.

306

10/15/87 - Following notified of hearing set for Tues. Jan. 12, 1988, at 10 a.m.

Eugene Smith, Esq.
Phyllis C. Friedman
N. Gerber, J. Hoswell
J. R. Haines, A. Nastarowicz, J. Dyer, B. duBois

OFFICE COPY



Maryland Department of Transportation

State Highway Administration

FEB 19 1987

William K. Hollmann
Secretary

Hal Kassoff
Administrator

February 17, 1987

Re: Baltimore County
Item 306
Property Owner: Mays
Chapel Village Inc.
Location: W/S I-83,
2280' S of centerline
Padonia Road
Existing Zoning: D.R.
3-3
Proposed Zoning:
Variance to allow the
erection and maintenance
of an information sign of
a quasi-public nature,
stating the name of the
community and the
originator thereof, the
sign to be 14' wide and
7' high (98 sq. ft. in
lie of 1,15 or 25 sq.
ft as required
Area: 750 sq. ft.
District: 8th

Att: James Dyer

Dear Mr. Jablon:

On review of the submittal for variance of a business sign, the submittal has been forwarded to the State Highway Administration Beautification Section, c/o Morris Stein, (333-1642) for all comments relative to zoning.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

by: George Gosman

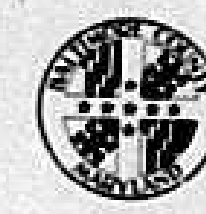
My telephone number is 333-1350

Teletypewriter for impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 - 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Mr. A. Jablon
Page 2
February 17, 1987

cc: J. Ogile
Morris Stein w/att.

CL-GG:es



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

March 19, 1987

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 317, 318, 319, 320, 321, 323, 324, 325, and 326.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt



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

PAUL H. REINCKE
CHIEF

February 18, 1987

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

Re: Property Owner: Mays Chapel Village, Inc.

Location: W/S I-83, 2280' ft. S of centerline Padonia Rd.

Item No.: 306 Zoning Agenda: Meeting of 2/17/87

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.
7. The Fire Prevention Bureau has no comments, at this time.

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

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

February 12, 1987

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

Dear Mr. Jablon:

Comments on Item # 306 Zoning Advisory Committee Meeting are as follows:

Property Owner: Mays Chapel Village, Inc.
Location: W/S I-83, 2280 Feet S of Centerline Padonia Road
District: 8th

APPLICABLE ITEMS ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.D.C. #117-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
5. All One Group except 2-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All One Group 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 L21, Section L207, Section L206.2 and Table L202. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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 L21 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a required Change of Use/Conversion 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 312 of the Building Code.
9. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
10. Comments: Signs shall comply with Article 19 and its amendments in Council Bill #17-85.
11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Schuman
By: C. E. Burbanck, Chief
Building Plans Review

WEINBERG AND GREEN

ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

ZONING OFFICE

BALTIMORE (301) 332-8600
WASHINGTON AREA 470-7400

WRITER'S DIRECT DIAL NUMBER

(301) 332-8713

March 9, 1987

FILE NUMBER
16222.58

James E. Dyer, Zoning Supervisor
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Galway, Inc.

Dear Mr. Dyer:

I return to you herewith the Petition for Zoning Variance signed by Mays Chapel Village, Inc., and myself, as its attorney. This Petition should be accompanied by the descriptions and plats previously submitted. When finally reviewed, I understand the matter will be set for hearing and I will be advised of the date. Thanking you for your courtesy and consideration, I am,

Sincerely,
Eugene P. Smith
Eugene P. Smith

119/11k

Enclosure

WEINBERG AND GREEN

ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

BALTIMORE (301) 332-8600
WASHINGTON AREA 470-7400

WRITER'S DIRECT DIAL NUMBER

(301) 332-8713

January 19, 1987

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

Re: Sign Variance
Mays Chapel Village

Dear Mr. Jablon:

Enclosed herewith are petitions, plats and description seeking variance for a 98 square foot sign on the west side of the Baltimore-Harrisburg Expressway (I-83), between Timonium and Padonia Roads, in the Eighth Election District of Baltimore County, Maryland, along with check in the amount of \$100.00 to cover the filing costs. I ask that the enclosed, previously cleared with your staff members, be filed, and that I be advised of the hearing date, when scheduled.

Thanking you for your courtesy and consideration, I am

Yours very truly,
Eugene P. Smith
Eugene P. Smith

119/hib

Enclosures



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

February 25, 1988

Eugene P. Smith, Esq.
1400 Equitable Bank Center
100 S. Charles St.
Baltimore, Md. 21201

Dear Mr. Smith:

Re: Case No. 87-444-A
Mays Chapel Village, Inc.

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: P. David Fields
James Howell
J. Robert Haines
Ann Nastarowicz
Docket Clerk
James Howell

IN THE MATTER OF : IN THE
THE APPLICATION OF : CIRCUIT COURT
MAYS CHAPEL VILLAGE, INC. :
FOR ZONING VARIANCE ON PROPERTY :
LOCATED ON THE WEST SIDE OF I-83, :
2280 FT. SOUTH OF THE CENTER LINE :
OF PADONIA ROAD : BALTIMORE COUNTY
8th ELECTION DISTRICT :
4th COUNCILMANIC DISTRICT : AT LAW
PHYLLIS C. FRIEDMAN, PEOPLE'S :
COUNSEL FOR BALTIMORE COUNTY, : CG Doc. No. 53
PLAINTIFF : Folio No. 250
CASE NO. 87-444-A : File No. 88-CG-1050

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Thomas J. Bollinger, Harry E. Buchheister, Jr. and Patricia Phipps, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceedings before it; namely, Eugene P. Smith, Esq., 1400 Equitable Bank Center, 100 S. Charles St., Baltimore, Md. 21201, Counsel for the Petitioner, and Phyllis C. Friedman, Court House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
June Holmen
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
494-3180

APPEAL

Petition for Zoning Variance
W/S of I-83, 2,280' S of the Centerline of Padonia Road
8th Election District - 4th Councilmanic District
Mays Chapel Village, Inc., - Petitioner
Case No. 87-444-A

Petition for Zoning Variance
Description of Property
Certificate of Posting
Certificates of Publication
Entry of Appearance of People's Counsel
Zoning Plans Advisory Committee Comments
Director of Planning & Zoning Comments
Petitioner's Exhibits: 1) Plat of Property dated 12/9/86
Zoning Commissioner's Order dated June 12, 1987
Notice of Appeal received July 7, 1987 from People's Counsel

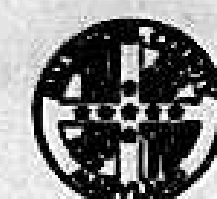
Eugene P. Smith, Esquire, Attorney for Petitioner
1400 Equitable Bank Ctr., 100 S. Charles St., Baltimore, Md. 21201
Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204

Request Notification: Norman E. Gerber, Director of Planning
James Hoswell, Office of Planning & Zoning
Arnold Jablon, Zoning Commissioner
Jean M. H. Jung, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Margaret E. duBois, Docket Clerk

Mays Chapel Village, Inc.
Case No. 87-444-A

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Eugene P. Smith, Esq., 1400 Equitable Bank Center, 100 S. Charles St., Baltimore, Md. 21201, Counsel for the Petitioner, and Phyllis C. Friedman, Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 25th day of February, 1988.

June Holmen
June Holmen
County Board of Appeals of Baltimore County



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 15, 1987

NOTICE OF ASSIGNMENT

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

CASE NO. 87-444-A

MAYS CHAPEL VILLAGE, INC.

W/s of I-83, 2280' S of the c/l of
Padonia Road

8th Election District

Var.-Size of sign and advertising
of developer's name

6/12/87 - Z.C.'s Order - Variance GRANTED

ASSIGNED FOR:

TUESDAY, JANUARY 12, 1988, at 10 a.m.

cc: Eugene P. Smith, Esq.

Counsel for Petitioner

Phyllis C. Friedman

People's Counsel

Norman E. Gerber
James Hoswell
J. Robt. Haines
Ann Nastarowicz
James Dyer
Margaret duBois

RECEIVED
OCT 20 1987

ZONING OFFICE

June Holmen, Secretary

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
W/S of I-83, 2,280' S of :
Centerline of Padonia Rd. : OF BALTIMORE COUNTY
8th Election District :
MAYS CHAPEL VILLAGE, INC., : Case No. 87-444-A
Petitioner :
: : : : :
: : : : :

NOTICE OF APPEAL

Please note an appeal from your decision in the above-entitled case, under date of June 12, 1987, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

RECEIVED
JUL 7 1987

ZONING OFFICE

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

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

I HEREBY CERTIFY that on this 7th of July, 1987, a copy of the foregoing Notice of Appeal was mailed to Eugene P. Smith, Esquire, 1400 Equitable Bank Center, 100 South Charles St., Baltimore, MD 21201.

Phyllis Cole Friedman
Phyllis Cole Friedman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Arnold Jablon
Zoning Commissioner

July 14, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petition for Zoning Variance
W/S I-83, 2,280' S of the Centerline of Padonia Road
Mays Chapel Village, Inc. - Petitioner
Case No. 87-444-A

Dear Board:

Please be advised that on July 7, 1987 an appeal of the decision rendered in the above-referenced case was filed by People's Counsel for Baltimore County.

Please notify all parties to the case of the appeal hearing date and time when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:bjls

cc: Eugene P. Smith, Esquire
1400 Equitable Bank Ctr., 100 S. Charles Street, Baltimore, Md. 21201

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Rm. 223, Towson, Maryland 21204

File

Dennis F. Rasmussen
County Executive

PLAT FOR SIGN VARIANCE
 MAYS CHAPEL VILLAGE APARTMENTS
 FIRST AMENDED PLAT TWO SECTION ONE & PLAT THREE SECTION ONE
 + MAYS CHAPEL VILLAGE
 BALTIMORE CO, MD
 SCALE: 1" = 50'
 ELECTION DISTRICT NO. 8
 DATE: DEC. 9, 1986



