IN THE MATTER OF THE APPLICATION OF DeCHIARO LTD. PARTNERSHIP FOR A ZONING VARIANCE ON PROPERTY LOCATED ON THE SOUTHWEST CORNER OF SMITH AVENUE AND SANZO ROAD 3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT	: : : : : :	BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 88-259-A

: :

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner granting the requested variance with restrictions.

Prior to the taking of any testimony, the attorney for the Petitioner/Appellee, in his opening statement, indicated that, in a meeting with the Appellant, agreement had been reached with the Appellant regarding an amendment to the requested variance. He submitted as Petitioner's Exhibit No. 1 a letter designating the construction of the signs and an artist's protrayal of what they would look like. People's Counsel entered a series of four photographs that showed the existing signs on People's Counsel Exhibit No. 1; a sign to be removed from two posts and installed on a stake as People's Counsel Exhibit No. 2; and two directional signs as Exhibits No. 3 and No. 4. Since all concerns and questions have been alleviated, the Board will order the variance granted as proposed.

ORDER

It is therefore this 28th day of March, 1989 by the County Board of Appeals of Baltimore County ORDERED that the requested variance be

GRANTED as follows:

1) That the sign in question be installed in complete conformity with Petitioner's Exhibit No. 1; and

2) That the directional sign as shown on People's Counsel Exhibit No. 2 be removed from its present mountings and installed on a single stake.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Lynn B. Moreland
Lynn B. Moreland

IN RE: PETITION FOR ZONING VARIANCE SW/corner Smith Avenue and Sanzo Road 3rd Election District 2nd Councilmanic District DeChiaro Ltd. Partnership Petitioner	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 88-259-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

ORDER RECEIVED FOR FILING
Date 3/4/88
By Bettie J. Schulmann

The Petitioner herein requests a variance to permit two directional or informational signs totalling 122.72 sq.ft. (61.36 sq.ft. per side of double faced signs) in lieu of the permitted one sign totalling 25 sq.ft., as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Antonia M. Blucher, Property Manager, appeared, testified and was represented by Counsel. Robert Goldman and Eugene Laskin of the Smith-Greenspring Association appeared as interested parties.

Testimony indicated that the subject property, zoned D.R. 16, is located at the corner of Sanzo Road and Smith Avenue and is currently improved with an apartment building known as the Pickwick Apartments. A limited number of apartments are occupied as professional offices. The Petitioner contends that the two signs currently existing on the property are necessary to provide directional or informational assistance to visitors and/or patrons of the businesses.

Testimony indicated that the larger of the two signs, which is located at the corner of Sanzo Road and Smith Avenue, totals 49 sq.ft. on each side. Petitioner introduced as Petitioner's Exhibit 2 a copy of a permit for said sign which was approved in August of 1986. Ms. Blucher testified that the present sign was a replacement of the original sign which had been installed at the time the building was constructed. Ms. Blucher further testified that she was property manager for the Pickwick Apartments from March 1983 through August 1987. She remembered that prior to construction of the sign, the Petitioner had been concerned that its location would serve its directional and informational purpose and not hinder traffic, and that the lettering be of a reasonable size to insure visibility. Furthermore, trees were removed and landscaping was done around the sign to prevent blind spots and to allow the free flow of traffic. Ms. Blucher indicated that a sizable amount of money was invested for the construction of the larger sign at the corner of Sanzo Road and Smith Avenue after being issued a permit which was approved by various departments in the County, including Zoning. As a result, the sign shown in photos on Petitioner's Exhibit 4 was constructed after approval of the permit. Ms. Blucher testified that the second sign is necessary to identify the entrance to the offices located at 2899 Smith Avenue as, in the past, many people have tried to enter offices from the Sanzo Road entrance causing unnecessary disturbance of other businesses and residents of apartments. Petitioner testified that this sign was constructed without a permit and introduced photos of the sign marked Petitioner's Exhibit 6. The first two sections of the sign display the names of two dental specialists, and the third section gives the address of their offices. Ms. Blucher testified that if both signs are not permitted to remain, practical difficulty would result as many of the patients and/or visitors to the offices would get lost.

ORDER RECEIVED FOR FILING
Date 3/4/88
By Bettie J. Schulmann

Mr. Goldman and Mr. Laskin testified that while the Smith-Greenspring Association had sent a letter to J. Robert Haines, Zoning Commissioner, indicating opposition to the requested variances, the Association did not realize the request referred to the two existing signs. The gentlemen indicated that they had no objection to the signs as they presently exist on the property but are opposed to the granting of any additional signs or future variances in the area.

The Petitioner seeks relief from Section 413.1(e)3 pursuant to Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

An area variance may be granted where strict application of the zoning regulations 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).

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance for the sign located at the corner of Smith Avenue and Sanzo Road, and as shown in photos on Petitioner's Exhibit 4, is not granted. The sign provides directional and informational data and was constructed by the Petitioner after a permit was issued, in reliance that said sign was valid. With respect to the sign as depicted on Petitioner's Exhibit 6, which was constructed by Petitioner without a permit, in the opinion of the Deputy Zoning Commissioner, the variance should be granted only with respect to that section containing approximately 2.64 sq.ft. which identifies the address of the building with the directional arrow below the wording. The additional information provided is not necessary, directional or informational. The first section is listed on the larger sign at the corner of Smith Avenue and Sanzo Road. In the opinion of the Deputy Zoning Commissioner, the address with pointing arrow provides sufficient directional and informational data to direct visitors to the offices at 2899 Smith Avenue.

ORDER RECEIVED FOR FILING
Date 3/4/88
By Bettie J. Schulmann

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons stated above, the requested variances should be granted in part with restrictions as more fully described below.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of March, 1988 that variances to permit a directional or informational sign totalling 98 sq.ft. (49 sq.ft., plus or minus each side of a double faced sign) at the corner of Smith Avenue and Sanzo Road, in accordance with Petitioner's Exhibit 1, and a directional or informational sign totalling 5.28 sq.ft. (2.64 sq.ft. plus or minus each side) with the lettering "2899 Smith Avenue," located on Smith Avenue by the existing concrete walkway, be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1) Petitioner shall remove all other information on the sign currently consisting of 24.72 sq.ft. and apply for the applicable sign permit within 30 days of the date of this Order.

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date 3/4/88
By Bettie J. Schulmann

101

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1 (e) 3 to permit two directional or informational signs totalling 122.72 square feet (61.36 square feet per sides of double faced signs) in lieu of the permitted one sign totalling 25 square feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Hardship and Practical Difficulty; the existing informational and directional sign is the only sign that indicates from the street where the doctor's offices are located in the building. Without this sign, patients could wander into the residential portion of the buildings, disturbing residents, or if driving, the patients could miss the building location altogether as the main building entrances are addressed and identified to Sanzo Road.

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)
Signature
Address
City and State

Legal Owner(s):
DeCHIARO LIMITED PARTNERSHIP
Formerly RALPH DeCHIARO ENTERPRISES, INC
(Type or Print Name)
Signature ANTHONY P. RUBINO, Partner
(Type or Print Name)
Signature

MAP NWPD
2C
E.D. 3rd
DATE 6/3/87
BF
BF
CP
W-29,950
N-28-500

Attorney for Petitioner:
Leonard Rottman, Esquire
(Type or Print Name)
Signature
Suite 1808 Charles Center South
36 South Charles Street
Address
Baltimore, Md. 21201
City and State
Attorney's Telephone No.: 547-1500

700 Fairmount Avenue 823-0637
Address Phone No.
Towson, Md. 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address Phone No.

ORDER RECEIVED FOR FILING
Date 3/4/88
By Bettie J. Schulmann

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of November, 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 12th day of January, 1988, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc
Description for Pickwick Apartments
KCI Job Order No. 01-87117
June 25, 1987
Page 2

seconds East 148.30 feet to the fillet line connecting the south side of Smith Avenue to the west side of Sanzo Road, thence binding on said fillet line (7) South 05 degrees 48 minutes 00 seconds East 14.00 feet to the place of beginning.

CONTAINING 0.87 acres of land, more or less.

RLS/pek KCI Job Order No. 01-87117 June 25, 1987

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

DESCRIPTION
PARCEL ON SOUTHWEST CORNER OF SMITH AVENUE
AND SANZO ROAD, PICKWICK APARTMENTS, THIRD
ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Existing Zoning: DR-16 with Special Exception

BEGINNING FOR THE SAME at a point on the west side of Sanzo Road, as laid out sixty feet wide, at the distance of 10.00 feet as measured southerly along said west side of Sanzo Road from its intersection with the south side of Smith Avenue, both streets being shown on the plat entitled "Addition to and Resubdivision Plat of Part of Plat 1, Section 3, Pickwick" and recorded among the Land Records of Baltimore County in Plat Book R.R.G. 30, Page 68, and running thence, binding on said west side of Sanzo Road, (1) South 01 degrees 05 minutes 48 seconds East 180.06 feet, thence (2) South 88 degrees 45 minutes 00 seconds West 177.68 feet, thence along the outlines of "Pickwick", as shown on said plat, (3) North 01 degrees 15 minutes 00 seconds West 189.23 feet, to intersect the south side of Smith Avenue as widened, thence binding on the south side of Smith Avenue the three following courses and distances (4) North 81 degrees 55 minutes 32 seconds East 1.67 feet, (5) by a line curving to the right with a radius of 150.00 feet and an arc length of 18.26 feet with a chord bearing of North 85 degrees 24 minutes 52 seconds East with a length of 18.26 feet, thence (6) North 88 degrees 54 minutes 12

APPEAL

Petition for Zoning Variance
SW/corner Smith Avenue and Sanzo Road
3rd Election District - 2nd Councilmanic District
DeCHIARO LTD. PARTNERSHIP - Petitioner
Case No. 88-259-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 revised 6/19/87

2) Copy of Baltimore County Building Permit dated 8/29/86

3) Color Photographs of Property

4, 5 and 6) Color Photographs of Informational Signs

7) Layout of Pickwick Apartment Buildings

Letter of Protest from Jerome Paymer, Director of Greenspring Association, dated 1/7/88

Deputy Zoning Commissioner's Order dated March 4, 1988

Notice of Appeal received March 25, 1988 from People's Counsel for Baltimore County, Protestants

Leonard Rottman, Esquire, Attorney for Petitioner
Tabor and Rottman
The Blaustein Building, Suite 1115,
One N. Charles Street, Baltimore, Md. 21201

Mr. Jerome Paymer, Director
Greenspring Association
2705 Smith Avenue, Baltimore, Md. 21209

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

Request Notification: P. David Fields, Director of Planning
James Hoswell, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Docket Clerk

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
SW/C SMITH Avenue and Sanzo Road
3rd Election District — 2nd Councilmanic District
DeChiaro Limited Partnership — Petitioner
Case No. 88-259-A

DATE/TIME: Tuesday, January 12, 1988 at 2:00 p.m.

Petition for Zoning Variance to permit two directional or informational signs totalling 122.72 square feet (61.36 square feet per sides of double faced signs) in lieu of the permitted one sign totalling 25 square feet.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

12229 Dec. 24.

CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec 24, 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 Dec 24, 1987.

THE JEFFERSONIAN,

Susan Gruber Obrecht
Publisher

March 4, 1988

Leonard Rottman, Esquire
Tabor and Rottman
Suite 1115, The Blaustein Building
One North Charles Street
Baltimore, Maryland 21201

RE: Petition for Zoning Variance
SW/corner Smith Avenue and Sanzo Road
3rd Election District; 2nd Councilmanic District
DeChiaro Ltd. Partnership - Petitioner
Case No. 88-259-A

Dear Mr. Rottman:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted in part, and subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMNbjs
Enclosures

cc: Messrs. Goldman, Laskin & Paymer
c/o Greenspring Association
2705 Smith Avenue, Baltimore, Md. 21209

People's Counsel

File

April 7, 1988

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

RE: Petition for Zoning Variance
SW/corner Smith Avenue and Sanzo Road
3rd Election District - 2nd Councilmanic District
DeChiaro Ltd. Partnership - Petitioner
Case No. 88-259-A

Dear Board:

An appeal of the above-referenced matter was filed in this office on March 25, 1988 by the People's Counsel for Baltimore County. All materials relative to the case are being forwarded herewith.

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

Very truly yours,

J. ROBERT HAINES
Zoning Commissioner

JRHbjs
cc: Leonard Rottman, Esquire, Attorney for Petitioners
Tabor and Rottman, The Blaustein Building, Suite 1115
One North Charles Street, Baltimore, Md. 21201

Mr. Jerome Paymer, Director of Greenspring Association
2705 Smith Avenue, Baltimore, Md. 21209

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

File

RE: PETITION FOR VARIANCE
SW Corner Smith Ave. and Sanzo Rd., 3rd Election District; 2nd Councilmanic District
DeCHIARO LTD. PARTNERSHIP, Petitioner

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 88-259-A

NOTICE OF APPEAL

Please note an appeal from the decision of the Deputy Zoning Commissioner in the above-captioned matter, under date of March 4, 1988, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

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 March, 1988, a copy of the foregoing Notice of Appeal was mailed to Leonard Rottman, Esquire, Tabor and Rottman, Suite 1115, The Blaustein Bldg., One N. Charles St., Baltimore, MD 21201; and Messrs. Goldman, Laskin & Paymer, c/o Greenspring Association, 2705 Smith Ave., Baltimore, MD 21209.

Phyllis Cole Friedman
Phyllis Cole Friedman

RECEIVED
MAR 25 1988
ZONING OFFICE

CERTIFICATE OF POSTING 88-259-A
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd
Date of Posting: December 27, 1987
Posted for: Variance
Petitioner: DeChiaro Limited Partnership
Location of property: SW/cor. Smith Ave. and Sanzo Road
Location of Signs: SW/cor. of Smith Ave. and Sanzo Road 66±' South Ave.
Remarks:
Posted by: S. J. Costo (Signature)
Date of return: December 30, 1987
Number of Signs: 1

CERTIFICATE OF PUBLICATION

Pikesville, Md., December 23, 19 87

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 24th day of December 19 87
the first publication appearing on the 23rd day of December, 19 87
the second publication appearing on the _____ day of _____, 19____
the third publication appearing on the _____ day of _____, 19____

THE NORTHWEST STAR

Jon Berle
Manager

Cost of Advertisement $19.20

RE: PETITION FOR VARIANCE
SW/Corner Smith Ave. & Sanzo Rd.
3rd Election District

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY

DeCHIARO LIMITED PARTNERSHIP,
Petitioner

: Case No. 88-259-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 25th day of November, 1987, a copy of the foregoing Entry of Appearance was mailed to Leonard Rottman, Esquire, Suite 1808 Charles Center South, 36 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

November 19, 1987

Mr. Anthony P. Rubino
DeChiaro Limited Partnership
700 Fairmont Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance
SW/C Smith Avenue and Sanzo Road
3rd Election District - 2nd Councilmanic District
DeChiaro Limited Partnership - Petitioner
Case number: 88-259-A

Dear Mr. Rubino:

Please be advised that $68.16 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

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

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:

cc: Leonard Rottman, Esq.

file

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
SW/C Smith Avenue and Sanzo Road
3rd Election District - 2nd Councilmanic District
DeChiaro Limited Partnership - Petitioner
Case number: 88-259-A

DATE/TIME: Tuesday, January 12, 1988 at 2:00

Petition for Zoning Variance to permit two directional or informational signs totalling 122.72 square feet (61.36 square feet per sides of double faced signs) in lieu of the permitted one sign totalling 25 square feet.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

ROBERT HAINES
ing Commissioner of
.timore County

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

No. 41585

DATE 3/10/88 ACCOUNT 01-615

AMOUNT $ 100.00

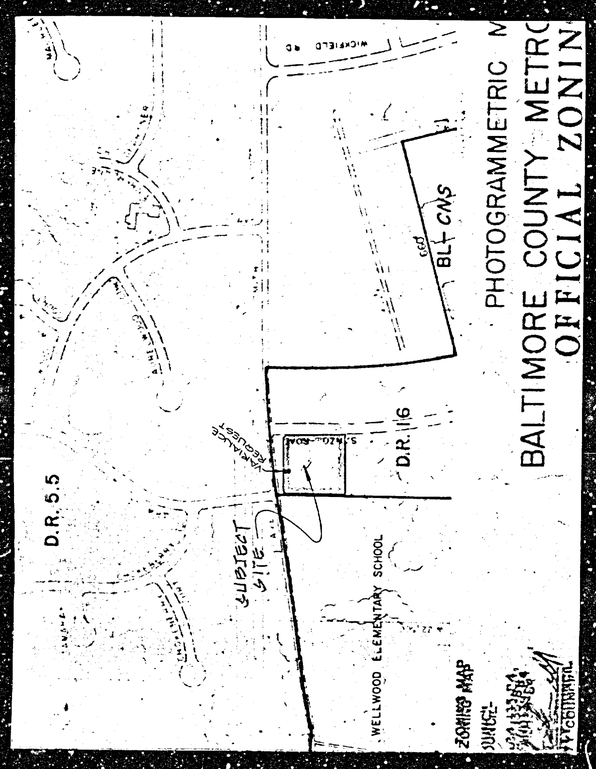
RECEIVED FROM: S. Leonard Rottman

FOR: Zoning Appeal Variance Case #88-259

B 012S*****1000:a 8:02PM

DeChiaro Ltd Partnership, Petitioner

VALIDATION OR SIGNATURE OF CASHIER



January 7, 1988
2705 Smith Avenue
Baltimore, Maryland
21209

J. Robert Haines
Zoning Commissioner
Baltimore County

Dear Mr. Haines:

Re: Case Number 88-259-A
Petition for Zoning Variance
Tuesday, January 12, 1988

As a director of the Smith- Greenspring Assn., this letter is written to protest the erection of two signs on the SW/C of Smithave. and Sanzo Roads.

Should these signs be erected, it would serve only to endanger the chances of small children being hurt or killed. You see, these proposed sins are immediately adjacent to the Wellwood School.

The height and position of these signs would impede the vision of the motorists at the corner of Smith and Sanzo.

These proposed signs are not in conformity with other signs in the area.

There is really no real need for these signs.

I hope you will show the proper judgement and refuse to allow any change in these zoning laws.

Yours truly,

Jerome Fayer

Jerome Fayer
Director, Greenspring Assn.

RECEIVED
JAN 11 1988
ZONING OFFICE

Pickwick

APARTMENTS

OWNED
BY
DECHIARO LIMITED PARTNERSHIP
RENTAL OFFICE
(301) 486-8900

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

88-259-A

Date of Posting 11-20-87

District 3rd

Posted for: Appeal

Petitioner: DeChiaro Ltd. Partnership

Location of property: S.W./Corner Smith Ave and Sanzo Rd

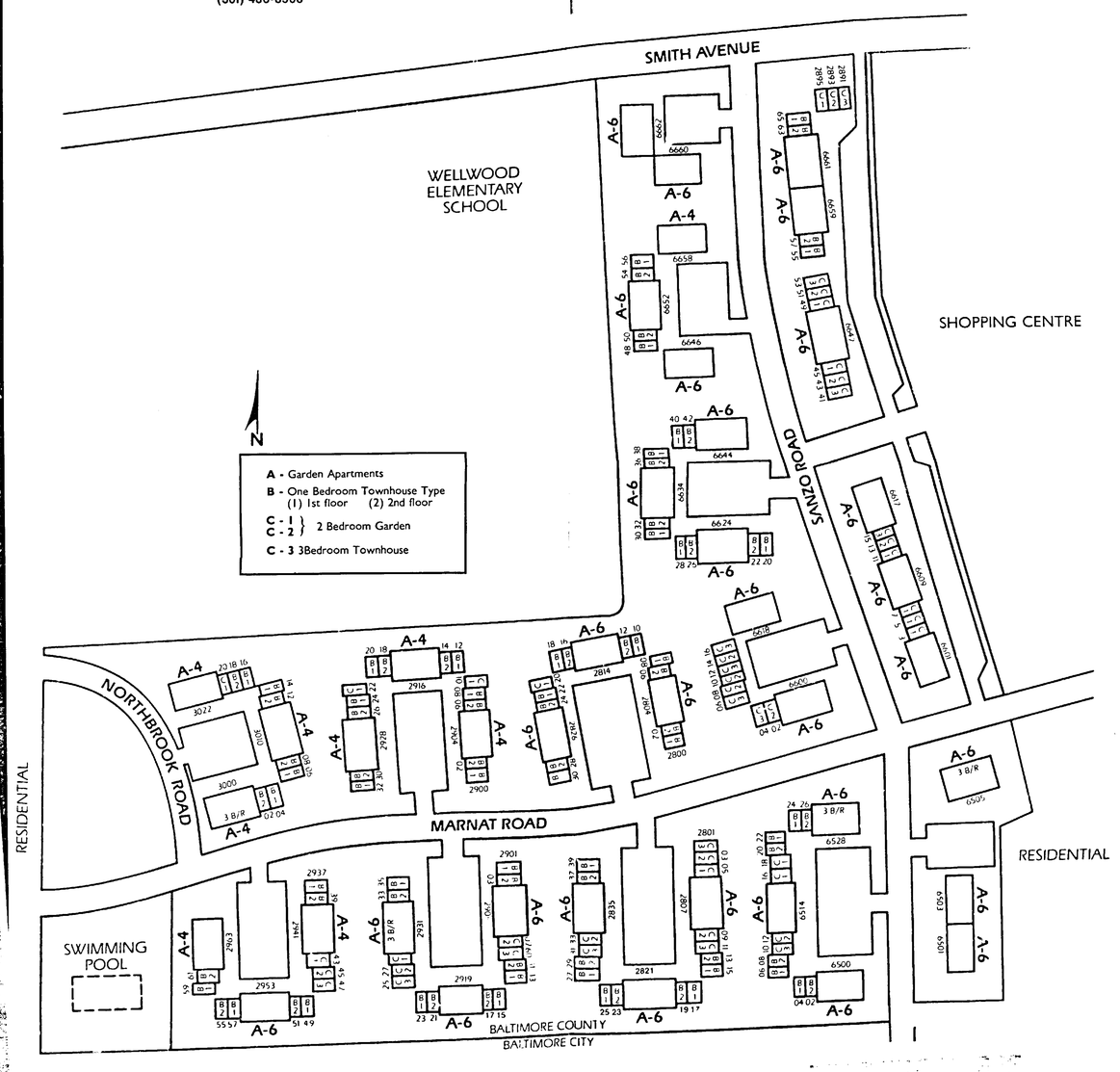
Location of Signs: S.W./Corner of Smith Ave and Sanzo Road

Remarks:

Posted by A. J. Dreste
Signature

Date of return: 11-20-87

Number of Signs: 1



88-259-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 3rd day of November, 1987.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner DeChiaro Limited Partnership
Petitioner's Attorney Leonard Rottman, Esquire

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

"DUPLICATE"

CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec 24, 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 Dec 24, 1987

THE JEFFERSONIAN,

Susan Gudeu Obrecht
Publisher

$33.96

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing, on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
SW/C SMITH Avenue and Sanzo Road
3rd Election District — 2nd Councilmanic District
DeChiaro Limited Partnership
Petition No. 88-259-A
Case No. 88-259-A
DATE/TIME: Tuesday, January 19, 1988 at 2:00 p.m.

Petition for Zoning Variance to permit two directional or informational signs totalling 122.72 square feet (61.36 square feet per sides of double faced signs) in lieu of the permitted one sign totalling 25 square feet.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

12229 Dec. 24.

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

September 2, 1987

Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: DeChiaro Ltd. Partnership

Location: SW/c Smith Avenue and Sanzo Road

Item No.: 101 Zoning Agenda: 9/22/87

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 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: Capt. Joseph Kelly 9-22-87 Noted and Approved: John E. O'Neill
Planning Group — Fire Prevention Bureau
Special Inspection Division

/jl

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

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

January 6, 1988

Leonard Rottman, Esquire
36 South Charles Street
Charles Center South, Suite 1808
Baltimore, Maryland 21201

RE: Item No. 101 - Case No. 88-259-A
Petitioner: DeChiaro Limited Partnership
Petition for Zoning Variance

Dear Mr. Rottman:

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 /KKB
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Kidde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

October 5, 1987

Dennis F. Rasmussen
County Executive

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Meeting of September 22, 1987

Dear Zoning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 96, 97, 98, 99, 100, 101, 102, 103, 104, and 105.

Very truly yours,

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

MSF:sb

4

EXHIBIT 2

PERMIT

BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

BUILDING ADDRESS: Sanzo Rd & Smith Ave
OWNER'S NAME: Lewick Pickwick East
BUILDING ADDRESS OF OWNER: 4 B Fallstaff Road Balto. MD 21209
BUILDING CONTRACTOR: IMAGERY, INC. 7190 OAKLAND HILLS RD COLUMBIA MD 21046 995-0707
TYPE OF IMPROVEMENT: Free standing non illuminated sign on front of property displaying business name & sign. REPLACING EXISTING SIGN 185SF NO INCREASE IN SQUARE FOOTAGE
ESTIMATED COST OF MATERIAL + LABOR: $3000.00
COMMENTS
TYPE OF SEWAGE DISPOSAL: PUBLIC SEWER / PRIVATE SYSTEM
TYPE OF WATER SUPPLY: PUBLIC SYSTEM / PRIVATE SYSTEM
LOT SIZE: 487 x 6
FRONT STREET / REAR STREET / SIDE STREET
PROPERTY LINE SETBACKS: FRONT / SIDE / SIDE STREET / REAR
IN LINE WITH EXISTING BLDGS. / CORNER LOT / LOT NUMBERS
SUBDIVISION NAME / LIBER / FOLIO
OWNER: 995-0707
PHONE
FEE PAID $ 11/23/87
AGENCY / ZONING / APPROVAL SIGNATURE / DATE
APPROVED 12/21/87
Inspector, Green-Permit, Canary-Assessor

January 7, 1988
2705 S 4th Avenue
Baltimore, Maryland
21230

J. Robert Haines
Zoning Commissioner
Baltimore County

Dear Mr. Haines:

Re: Case Number 88-259-A
Petition for Zoning Variance
Tuesday, January 12, 1988

As a director of the Smith- Greenspring Assn., this letter is written to protest the erection of two signs on the S/C of Smithave. and Sanzo Roads.

Should these signs be erected, it would serve only to enhance the chances of a fatal child vehicle hunt on Smithave. It is, also, not proposed at a site that is adjacent to the Hillcrest School.

The height and position of these signs would also obstruct the vision of the motorists at the corner of Smith and Sanzo.

These proposed signs are not in compliance with other signs in the area.

There is really no real need for these signs.

I hope you will show the proper judgement and refuse to allow any change in these zoning laws.

Sincerely,

Irene Fe
President, Greenspring Assn.

RECEIVED
JAN 11 1988
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer, Zoning Supervisor Date: 9/10/87

FROM: James Thompson, Zoning Enforcement Coordinator

SUBJECT: Item No.: 101 (if known) Petitioner: Rottman (if known)

VIOLATION CASE # C-87-1391

LOCATION OF VIOLATION: Sanzo and Smith Avenue

DEFENDANT: Lawrence Rochester ADDRESS: 700 Fairmont Avenue

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
Marc Miller	4 Stonemarket Ct #8 Owings Mills MD 21117

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines, Zoning Commissioner Date: November 24, 1987

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

SUBJECT: Zoning Petition No. 88-259-A

This office is opposed to the granting of the subject request, believing that the standards set forth in the Baltimore County Zoning Regulations are quite adequate. Further, a sign sized in conformance with these regulations can identify the building(s) and a directory can be placed inside the building(s).

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director

NEG:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

CPS-008

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

March 28, 1989

Phyllis Cole Friedman
People's Counsel for Baltimore County
Room 304, County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Case No. 88-259-A
DeChiaro Ltd. Partnership

Dear Ms. Friedman:

Enclosed is a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject case.

Sincerely,

Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Leonard Rottman, Esquire
Mr. Anthony Rubino
Dechiaro Ltd. Partnership
Jeffrey I. Platt, DDS
Michael K. Exler, DDS
Mr. Jerome Paymer, Director
Greenspring Association
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

JEFFREY I. PLATT, D.D.S.
MICHAEL K. EXLER, D.D.S.
6662-A BALTIMORE ROAD
BALTIMORE, MARYLAND 21206
TELEPHONE 485-[illegible]57

May 9, 1988

County Board of Appeals
Room 200
Court House
Towson, Maryland 21204

Gentlemen:

We would like our name to be added to the files for Case No. 88-259-A, and to be notified of the Hearing date. Please send us a copy of the Board's order.

Thank you very much.

Very truly yours,

Sheila J. Eick
Sheila J. Eick
Office Manager

RECEIVED
COUNTY BOARD OF APPEALS
MAY 10 A 10:16

11/87

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301)-494-3180

HEARING ROOM #218

May 24, 1988

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). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-259-A — DeCHIARO LTD. PARTNERSHIP
SW/corner Smith Avenue and Sanzo Road
3rd Election District
2nd Councilmanic District
VAR -signs
3/04/88 -D.Z.C. granted w/restrictions

ASSIGNED FOR: THURSDAY, JULY 21, 1988 at 10:00 a.m.

cc: Leonard Rottman, Esquire — Counsel for Petitioner/Appellee
Anthony P. Rubino, DeChiaro Ltd. Partnership — Petitioner/Appellee
Mr. Jerome Paymer
Phyllis C. Friedman — People's Counsel/Appellant
Jeffrey I. Platt, DDS
Michael K. Exler, DDS
P. David Fields
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

Kathleen C. Weidenhammer
Administrative Secretary

11/87

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301)-494-3180

HEARING ROOM #218

July 13, 1988

NOTICE OF POSTPONEMENT

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). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-259-A — DeCHIARO LTD. PARTNERSHIP
SW/cor. Smith Ave. and Sanzo Rd.
3rd Election District
3nd Councilmanic District
VAR. - Signs
3/4/88 - DZC granted w/restrictions

The above case which was set for hearing on Thursday, July 21, 1988, at 10:00 a.m., has been POSTPONED by the Board. This is a mutually agreed upon postponement by all counsel.

cc: Leonard Rottman, Esq.
Anthony P. Rubino
Jerome Paymer
Phyllis C. Friedman
Jeffrey I. Platt, DDS
Michael K. Exler, DDS
P. David Fields
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk - Zoning
Arnold Jablon, County Attorney

12/20/88 Ltr in file Cert 3/3/89 pvc pc cc 1/17/89

June Holmen, Secretary

Baltimore County, Maryland
PEOPLE'S COUNSEL
ROOM 304, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
887-2188

PHYLLIS COLE FRIEDMAN, People's Counsel
PETER MAX ZIMMERMAN, Deputy People's Counsel

November 17, 1988

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 318, County Office Bldg.
Towson, Maryland 21204

RE: DeChairo Limited Partnership,
Petitioner - Zoning Case No.
88-259-A

Dear Chairman Hackett:

On behalf of all counsel, we respectfully request that a hearing be set in the above-referenced case. After consultation with the County Zoning Office, a revised sign proposal has been prepared and will be submitted to the Board at the time of the hearing.

Thank you for your assistance in this matter.

Sincerely yours,

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

cc: Alan Betten, Esquire

PCF:sh

RECEIVED 11/17/88 C.B.of A. 11:00 am

Baltimore County, Maryland
PEOPLE'S COUNSEL
Room 304, County Office Bldg.
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN, People's Counsel
PETER MAX ZIMMERMAN, Deputy People's Counsel

July 13, 1988

The Honorable
William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 315, County Office Building
Towson, Maryland 21204

RE: DeChairo Limited Partnership,
Petitioner - Zoning Case No.
88-259-A

Dear Chairman Hackett:

On behalf of all counsel, we respectfully request a postponement of the above-referenced case so that we can meet to determine what, if anything, can be done to resolve this matter.

Sincerely yours,

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

cc: Alan Betten, Esquire
Leonard Rottman, Esquire
Tabor and Rottman
Suite 1808 Charles Center South
36 S. Charles Street
Baltimore, Maryland 21201

PCF:sh

RECEIVED C.B.A. 7-13-88 12:40

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301)-494-3180

June 30, 1988

RELOCATION

PLEASE NOTE:

Effective July 11, 1988, all cases scheduled to be heard before the County Board of Appeals in Hearing Room 218 of the Old Courthouse will be heard in ROOM 301, THIRD FLOOR, COUNTY OFFICE BUILDING (111 W. Chesapeake Avenue--across the street from the Old Courthouse). Scheduled date and time remain the same.

In addition, the administrative offices of the Board will relocate on Friday, July 1, 1988 to Room 315, County Office Building.

If you have any questions, please call 494-3180 (the telephone number will remain the same).

Kathleen C. Weidenhammer
Administrative Secretary

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 494-3180 887-3180

HEARING ROOM -
Room 301, County Office Building

December 20, 1988

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). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-259-A — DeCHIARO LTD. PARTNERSHIP
SW/cor Smith Avenue and Sanzo Road
3rd Election District
2nd Councilmanic District
VAR -signs
3/04/88 -D.Z.C. GRANTED w/restrictions

ASSIGNED FOR: WEDNESDAY, MARCH 15, 1989 at 10:00 a.m.

cc: Leonard Rottman, Esquire — Counsel for Petitioner/Appellee
Anthony P. Rubino, DeChiaro Ltd. Ptnshp. — Petitioner/Appellee
Alan Betten, Esquire — Counsel for Petitioner/Appellee
Mr. Jerome Paymer
Phyllis C. Friedman — People's Cousnel /Appellant
Jeffrey I. Platt, DDS
Michael K. Exler, DDS
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

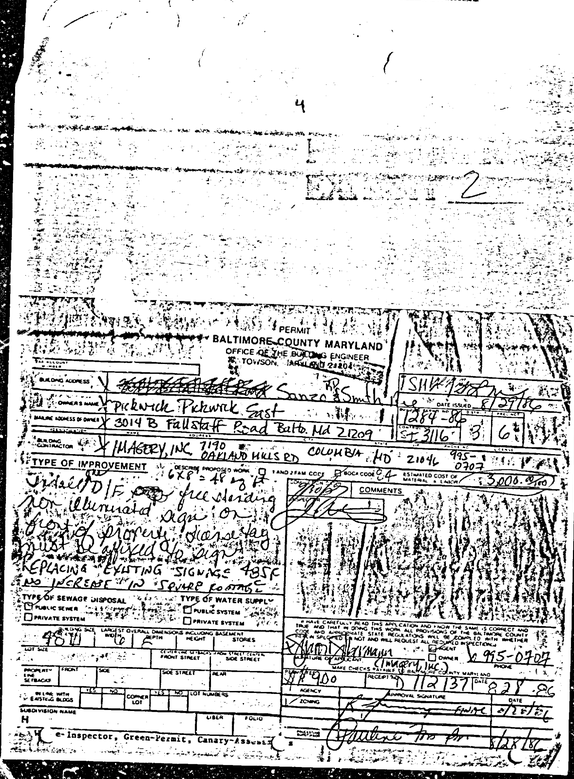
Kathleen C. Weidenhammer
Administrative Secretary

5/24/88 -Notice of Assignment to following; hearing set for Thursday, July 21, 1988 at 10:00 a.m.:

Leonard Rottman, Esq.
Anthony P. Rubino (DeChiaro)
Jerome Paymer
Phyllis Friedman
Jeffrey Platt, DDS
Michael Exler, DDS
P. David Fields
~~James G. Hoswell~~ Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

7/13/88 -POSTPONED at mutual request of all counsel by letter dated 7/13/88 from Phyllis C. Friedman, Esq.

12/20/88 -Notice of Assignment sent to above setting in case for Wednesday, March 15, 1989 at 10:00 a.m. per letter dtd 11/17/88 from PC and on behalf of all counsel.



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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

April 7, 1988

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

RE: Petition for Zoning Variance
SW/corner Smith Avenue and Sanzo Road
3rd Election District - 2nd Councilmanic District
DeChiaro Ltd. Partnership - Petitioner
Case No. 88-259-A

Dear Board:

An appeal of the above-referenced matter was filed in this office on March 25, 1988 by the People's Counsel for Baltimore County. All materials relative to the case are being forwarded herewith.

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

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:bjs
cc: Leonard Rottman, Esquire, Attorney for Petitioners
Tabor and Rottman, The Blaustein Building, Suite 1115
One North Charles Street, Baltimore, Md. 21201

Mr. Jerome Paymer, Director of Greenspring Association
2705 Smith Avenue, Baltimore, Md. 21209

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

File

RE: PETITION FOR VARIANCE
SW Corner Smith Ave.
and Sanzo Rd., 3rd
Election District;
2nd Councilmanic District

DeCHIARO LTD. PARTNERSHIP,
Petitioner

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
:
: Case No. 88-259-A

: : : : : : :

NOTICE OF APPEAL

Please note an appeal from the decision of the Deputy Zoning Commissioner in the above-captioned matter, under date of March 4, 1988, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

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 March, 1988, a copy of the foregoing Notice of Appeal was mailed to Leonard Rottman, Esquire, Tabor and Rottman, Suite 1115, The Blaustein Bldg., One N. Charles St., Baltimore, MD 21201; and Messrs. Goldman, Laskin & Paymer, c/o Greenspring Association, 2705 Smith Ave., Baltimore, MD 21209.

Phyllis Cole Friedman
Phyllis Cole Friedman

RECEIVED
MAR 25 1988
ZONING OFFICE

Petitioner's #1

October 10, 1988

Pickwick Rental Office
3014-B Fallstaff Rd.
Baltimore, Md. 21208
Attn: Ms. Connie Rollman

Ref. Sign at Clarks Lane and Smith Ave. for Pickwick Rental Office

We propose to furnish all necessary artwork, labor, material, equipment, etc. to manufacture and install sandblasted panels on the above referenced location sign:

2) 27" X 64" Panels for Pickwick Rental Office
2) 27" X 64" Panels for Medical Offices
2) P's
2) Sets of Squiggles (see layout)
Installation and Trip
Md. State Sales Tax
TOTAL

	2,640.00
	400.00
	152.00
	3,192.00

These panels are 5/4 redwood over 3/4 Marine Grade for absolute stability. This process provides a warp free, non-splitting and stable panel that will outlast any other product we have seen in current production. We can also use and 6/4 redwood but this process costs about 10.00/sq. ft. more. We feel that 5/4 is your best selection on this brick column. You will have the most economical approach.

If you require any additional information please contact me.

Respectfully,

Edgar L. Rase
Edgar L. Rase
General Manager

ELR/jlm
cc: file
Encl. 2

LAW OFFICES OF
TABOR AND ROTTMAN
PROFESSIONAL ASSOCIATION
SUITE 1115-THE BLAUSTEIN BUILDING
ONE NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201

NEIL TABOR
B. LEONARD ROTTMAN
JONATHAN H. GLENN
ALAN BETTEN

TELEPHONE 547-1500
AREA CODE 301

October 17, 1988

FILE
DEF!
PMZ!

Phyllis Cole Friedman, Esquire
People's Counsel for
Baltimore County
Room 304, County Office Building
Towson, Maryland 2204

Re: DeChiaro Limited Partnership - Pickwick Apartments Sign Zoning Variance
88-259-A

Dear Phyllis:

Enclosed please find a copy of the proposed signage for the brick signboard locatad at the corner of Smith Avenue and Sanzo Road. As you will note, the plaques contain the language agreed upon at our conference of July 21, 1988.

For your information, the "P" at the top of the sign measures 18" x 14". Each plaque is 27" high x 64" long.

I would appreciate your calling me after you have had a chance to review this and to discuss this matter with the Zoning Enforcement Office, so that an appropriate Stipulation can be drafted and filed with the Board of Appeals.

We are still attempting to resolve the parking space matter and hope to have a resolution to present to you within a fairly short period of time.

I look forward to hearing from you shortly concerning this matter.

Very truly yours,

Alan Betten
Alan Betten

AB:lck
Enclosure

cc: Mr. Anthony Mierzwicki

October 10, 1988

Pickwick Rental Office
3014-B Fallstaff Rd.
Baltimore, Md. 21208
Attn: Ms. Connie Rollman

Ref. Sign at Clarks Lane and Smith Ave. for Pickwick Rental Office

We propose to furnish all necessary artwork, labor, material, equipment, etc. to manufacture and install sandblasted panels on the above referenced location sign:

2) 27" X 64" Panels for Pickwick Rental Office
2) 27" X 64" Panels for Medical Offices
2) P's
2) Sets of Squiggles (see layout)
Installation and Trip
Md. State Sales Tax
TOTAL

	2,640.00
	400.00
	152.00
	3,192.00

These panels are 5/4 redwood over 3/4 Marine Grade for absolute stability. This process provides a warp free, non-splitting and stable panel that will outlast any other product we have seen in current production. We can also use and 6/4 redwood but this process costs about 10.00/sq. ft. more. We feel that 5/4 is your best selection on this brick column. You will have the most economical approach.

If you require any additional information please contact me.

Respectfully,

Edgar L. Rase
Edgar L. Rase
General Manager

ELR/an
cc: file
Encl. 2

Appeal

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

May 24, 1988
NOTICE OF ASSIGNMENT

HEARING ROOM #218

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). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-259-A — DeCHIARO LTD. PARTNERSHIP
SW/corner Smith Avenue and Sanzo Road
3rd Election District
2nd Councilmanic District
VAR -signs
3/04/88 -D.Z.C. granted w/restrictions

ASSIGNED FOR: THURSDAY, JULY 21, 1988 at 10:00 a.m.

cc: Leonard Rottman, Esquire — Counsel for Petitioner/Appellee
Anthony P. Rubino, DeChiaro Ltd. Partnership — Petitioner/Appellee
Mr. Jerome Paymer
Phyllis C. Friedman — People's Counsel/Appellant
Jeffrey I. Platt, DDS
Michael K. Exler, DDS
P. David Fields
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

RECEIVED
MAY 26 1988
ZONING OFFICE

Kathleen C. Weidenhammer
Administrative Secretary

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. J. Robert Haines
Zoning Commissioner

Date November 24, 1987

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

SUBJECT Zoning Petition No. 88-259-A

This office is opposed to the granting of the subject request, believing that the standards set forth in the Baltimore County Zoning Regulations are quite adequate. Further, a sign sized in conformance with these regulations can identify the building(s) and a directory can be placed inside the building(s).

Norman E. Gerber, AICP
Director

NEG:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

CPS-008

APPEAL

Petition for Zoning Variance
SW/corner Smith Avenue and Sanzo Road
3rd Election District - 2nd Councilmanic District
DeCHIARO LTD. PARTNERSHIP - Petitioner
Case No. 88-259-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 revised 6/19/87

2) Copy of Baltimore County Building Permit dated 8/29/86

3) Color Photographs of Property

4, 5 and 6) Color Photographs of Informational

7) Layout of Pickwick Apartment Buildings

Letter of Protest from Jerome Paymer, Director of Greenspring Association dated 1/7/88

Deputy Zoning Commissioner's Order dated March 4, 1988

Notice of Appeal received March 25, 1988 from People's Counsel for Baltimore County, Protestants

Leonard Rottman, Esquire, Attorney for Petitioner
Tabor and Rottman
The Blaustein Building, Suite 1115,
One N. Charles Street, Baltimore, Md. 21201

Mr. Jerome Paymer, Director
Greenspring Association
2705 Smith Avenue, Baltimore, Md. 21209

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

Request Notification: P. David Fields, Director of Planning
James Hoswell, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Docket Clerk

Add to file:
Jeffrey I. Platt, DDS
Michael K. Exler, DDS
6662-A Sanzo Road
Baltimore, MD 21209

Anthony Rubino, Partner
DeChiaro Ltd. Partnership
700 Fairmount Avenue
Towson, MD 21204 PETITIONER

PETITIONER(S) EXHIBIT (3)

3a

3b

PETITIONER(S) EXHIBIT (4)

4a Permit #3116

4b

PETITIONER(S) EXHIBIT (5)

5a

5b

5c

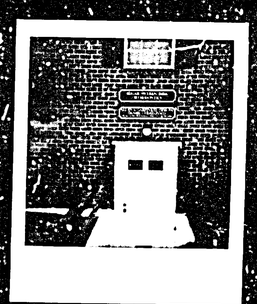
5d

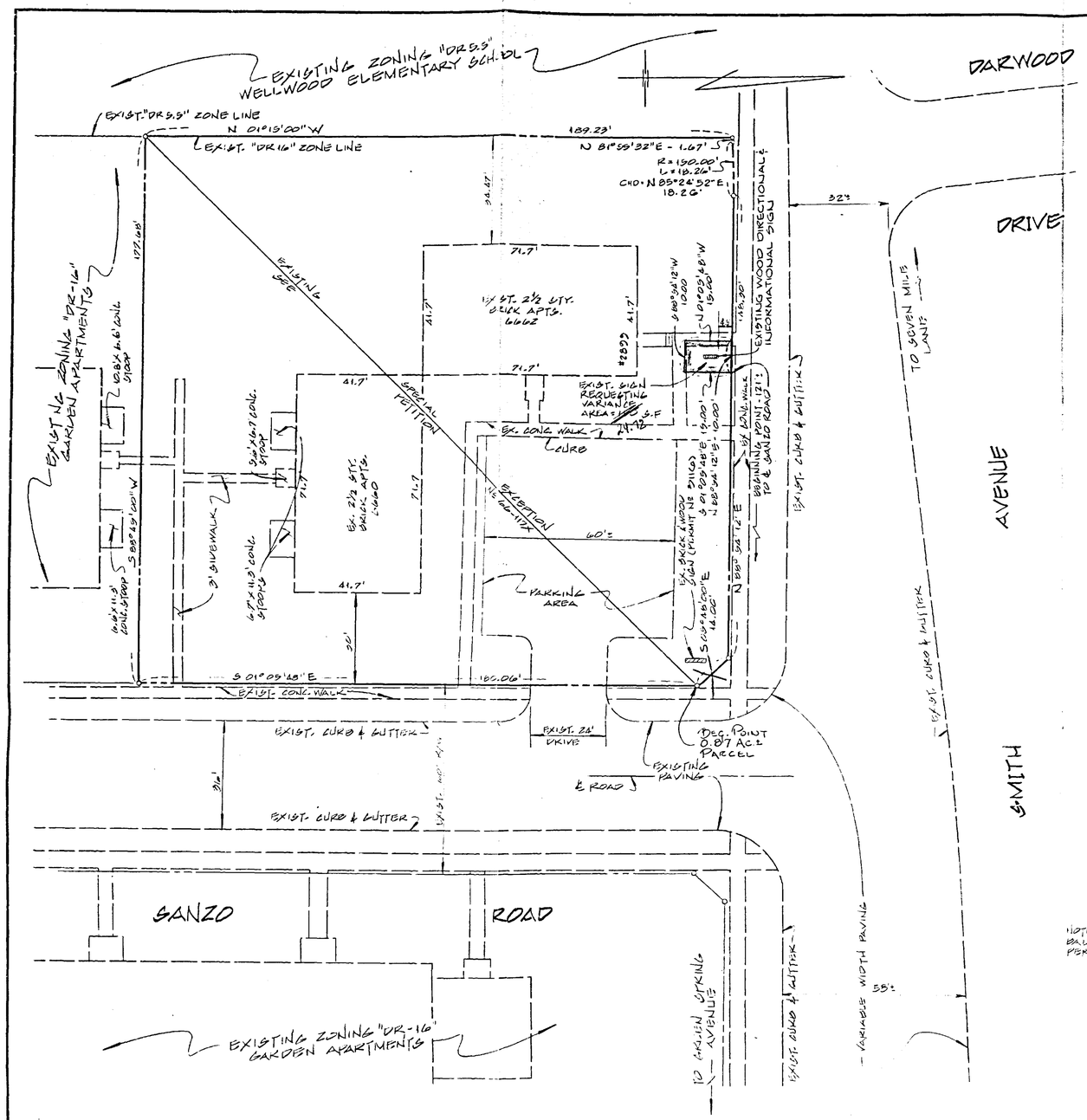
PETITIONER(S) EXHIBIT (6)

6a

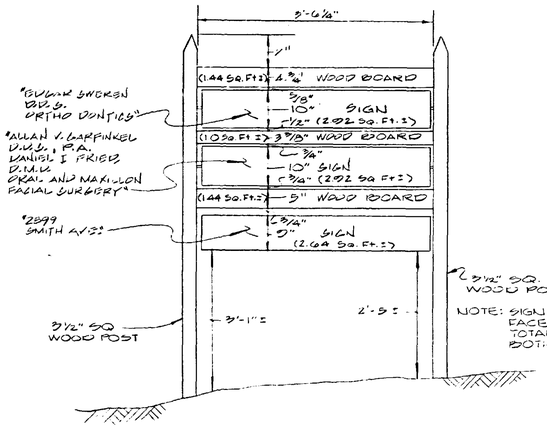
6b

P.O. #1

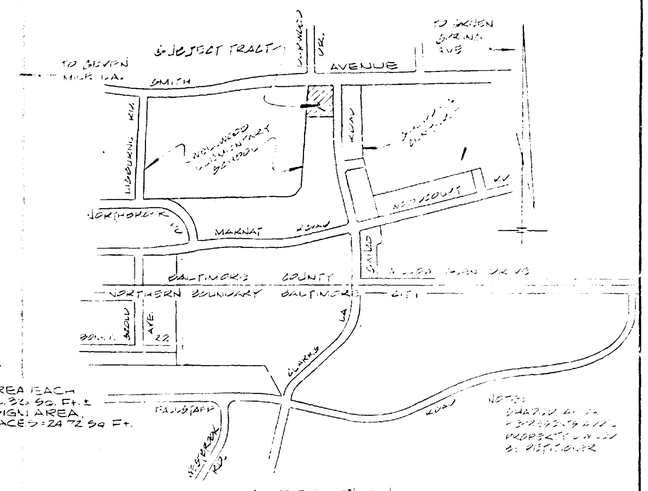




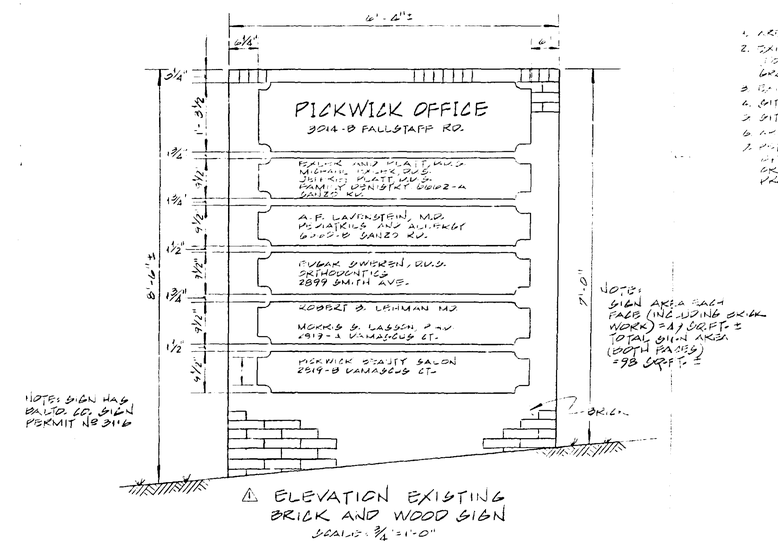
PLAN
SCALE: 1" = 20'



ELEVATION
SIGN REQUESTING VARIANCE
SCALE: ¾" = 1'-0"



LOCATION PLAN
SCALE: 1" = 1000'



⚠ ELEVATION EXISTING
BRICK AND WOOD SIGN
SCALE: ¾" = 1'-0"

GENERAL NOTES

1. AREA OF SITE: 0.87 ACRES ±
2. EXISTING ZONING ON SITE DATE OF ORIGINAL ZONING: CHANGED VIA THE ORIGINAL INTERIM ZONE PETITION - 1976 GRANTED NOVEMBER 10, 1976.
3. EXISTING USE OF PROPERTY: RESIDENTIAL & OFFICE
4. SITE HAS PUBLIC UTILITIES.
5. SITE IS LOCATED IN THE WESTERN KOSHER DINING AREA
6. AREA OF REQUESTED SIGN VARIANCE: 49 (98) 12.36 (24.72) = 122.72
7. PETITIONER'S RESPONSE TO VARIANCE PROTECTION 413.1.C.3: THE SIGN IS BEING REQUESTED TO ALLOW A NEW SIGN THAT WILL BE IN KEEPING WITH THE CHARACTER SIGNS IN THE SUBJECT PROPERTY AND NOT INCREASING ITS SIGNAGE BEYOND WHAT IS NEEDED.

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Drafting R.J.G.	DATE	REVISIONS
Check R.L.S.		
Design R.L.S.		
Check R.L.S.	6/19/87	ADDED ELEVATION OF BRICK & WOOD SIGN AND REVISED OUTLINE OF SITE TO LOC. PLAN

KIDDE CONSULTANTS, INC.
ENGINEERS • PLANNERS • SURVEYORS
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ELECTION DISTRICT 3
COUNCILMANIC DISTRICT 2
CENSUS TRACT 4033
BALTIMORE COUNTY, MD.

PLAT TO ACCOMPANY PETITION
FOR SIGN VARIANCE
SOUTHWEST CORNER SMITH AVENUE & SANZO ROAD

SHEET	DATE	JOB NUMBER
1 OF 1	MAY 15, 1987	87117
	SCALE AS SHOWN	