

OPINION

Testifying in favor of the proposed signs was Jerome H. Fader, Executive Vice President of Magna Financial, the holding corporation for several automobile dealerships. Mr. Fader testified as to his corporation's long-standing business within this community. Originally, the dealership operated the All-State Leasing Company and subsequently expanded by the purchase of additional dealerships. On the subject site of approximately 11 acres, the Petitioner has decided to construct an automobile park which will contain four

Second, Reverend Hanna objected to the proliferation of signs in this area, fearing a forest of signs which would detrimentally affect the Reisterstown Road corridor. Although a legitimate concern, we do not find the proposal objectionable in that regard. It should be noted that the site contains approximately 11 acres, which is of sufficient size to support four automobile dealerships and their attendant advertising signs. Additionally, as noted by the Petitioner, if the site were to be subdivided into four properties, one for each dealership, each dealer could obtain as a matter of right a sign of a size greater than requested here.

Turning to the final issue as to Section 413.5(d), we are also persuaded to grant the Petitioner's request for relief from the height restriction as it applies to the Subaru sign; designated as sign #4 on the Petitioner's plat. That sign, as it exists, is consistent with the intent of the regulations and not objectionable. Finally, we note only in passing the Petitioner's right to construct signs affixed to its building and approve same as depicted in Petitioner's Exhibit No. 4. For the aforementioned reasons, the Board is persuaded to grant the requested variances and will so order.

ORDER

It is therefore this 14th day of September, 1988 by the
County Board of Appeals of Baltimore County;

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

Lawrence E. Schmidt
Lawrence E. Schmidt

Lynn B. Moreland
Lynn B. Moreland

AMENDED ORDER

WHEREAS, the Deputy Zoning Commissioner finds that the granting of the variance as requested for the size of the sign and its location provides adequate clarification as to which brand of automobile is sold from each building;

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMN:tjs

cc: Julius W. Lichter, Esquire
305 W. Chesapeake Avenue, Towson, Md. 21204

Rev. Frederick J. Hanna
202 Chatsworth Avenue, Reisterstown, Md. 21136

Ms. Phyllis L. Daly
300 Janet Road Reisterstown, Md. 21136

Mr. Michael Quinn

Mr. Dennis R. Orr

28 Kingsley Road
People's Counsel

File

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances from Section 413.2(e) to permit four identification signs as follows: Sign #2 of 109 sq.ft.; Sign #4 of 116.22 sq.ft.; Sign #5 of 82.25 sq.ft.; Sign #6 of 80.93 sq.ft., all in lieu of the permitted one sign of 150 sq.ft. total; to permit three identification signs to be opposite land zoned residential; from Section 413.2(f) to permit other business signs, namely Sign #1 and Sign #3 to have 226 sq.ft. total (counting both sides), in lieu of the permitted total of 100 sq.ft.; and from Section 413.5(d) to permit a height for Sign #4 of 39.75 feet in lieu of the maximum allowed height of 25 feet, all as more particularly described on Petitioner's Exhibits 1 through 7.

The Petitioners, Cohen Berger Partnership, and Tenants, Heritage Chevrolet, Inc., Heritage Subaru, Inc., Heritage Volkswagen, Inc., and Heritage Dodge Inc., by Jerome H. Fader, their Executive Vice President, and Steven B. Fader, appeared, testified, and were represented by Julius Lichter, Esquire. Harry Connolly of Connolly Signs appeared on behalf of the Petition. The following persons appeared as Protestants: Rev. Frederick J. Hanna; Phyllis L. Daly, representative of the Reisterstown/Owings Mills/Glyndon Council; and Michael Guinn, representative of the Kingsley Road Community Association.

At the onset of the hearing, the Petitioners, through their Counsel, indicated that they were withdrawing their request for a variance from Section 413.5(d) to permit a height for Sign #4 of 39.75 feet in lieu of the maximum

The subject property, located in the 9400 Block of Reisterstown Road, consists of 11 acres, more or less, of which approximately 10 acres are zoned B.M. and 1 acre is zoned D.R. 10.5. Jerome Fader testified that for approximately 7 of the last 9 years, the subject property has been leased by Heritage Chevrolet, Inc. Approximately 2 years ago, the Petitioners purchased the subject property and decided to develop the property as an auto park. Testimony indicated that after lengthy County Review Group (CRG) approval and negotiations with the various dealerships involved, the project as set forth in Petitioner's Exhibit 1 was developed. Mr. Fader testified that originally he was desirous of having one sign on the property which would identify each of the dealerships within the park. He indicated that despite numerous requests and negotiations, each dealer has required that the sign be one of the various signs approved by the dealership and attached by Petitioner to their Petition. In support of Petitioners' position, Petitioners submitted letters from Volkswagen United States, Inc., Chrysler Motors, and Subaru Atlantic, Inc. In the letter from Subaru Atlantic, Inc., Petitioners were advised that the 4' x 4' logo is optional.

The Petitioners indicated that in each case, they have tried to use the smallest size and satisfy the requirements of both the dealership and the Motor Vehicle Administration (MVA). Petitioners further testified that they desire to have a good working relationship with the community and recently had met with a nearby resident to insure there would be no spillage of lighting into his residence.

Through their Counsel, the Petitioners argued that technically they could subdivide the property in which event they would be permitted, as a matter of right, to have one sign, not to exceed 100 sq.ft., for each dealership. Tes-

timony indicated that the Cohen Berger Limited Partnership has entered into separate leases with each tenant for distinct areas of the subject property as a result of MVA requirements. Petitioners argued that to deny the variance would result in practical difficulty and unreasonable hardship to them and not be within the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

Rev. Hanna, rector of All Saints Church in Reisterstown, testified that he is opposed to the Petitioner's request. He indicated that he feels Reisterstown Road has become "like Ritchie Highway." He indicated that he feels that by permitting the requested variances it will allow the dealerships to regulate signs rather than Baltimore County doing so.

Phyllis Daly, the planning and zoning coordinator for the Reisterstown/Owings Mills/Glyndon Council, indicated that she concurred with the statements of Rev. Hanna.

Michael Quinn, of the Kingsley Road Community Association, introduced as Protestant's Exhibits 1A and 1B, a letter dated March 21, 1988 to the Zoning Commissioner and a letter dated March 17, 1988 to C.A. Dutch Ruppersberger III, Councilman for Baltimore County's Third District, from the Association expressing their concerns. Mr. Quinn indicated that he is opposed to the additional signage in an area which he and other residents in the community pass every day.

The Petitioners seek relief from Sections 413.2(e) and 413.2(f), pursuant to Section 307 of the 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;

-3-

- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such uses as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances requested were not granted in part. It is equally clear that the residents of the area are strongly opposed to the placement of multiple signs on the subject property. Needless to say, the Protestants are in favor of one identification sign in strict compliance with the B.C.Z.R. However, the Petitioners' testimony regarding the hardship they would suffer if the variances were not granted, and the fact that they could subdivide the property so that each dealership would be permitted to have their own sign, cannot be ignored.

It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, in the opinion of the Deputy Zoning Commissioner, the variances requested and as modified below will not be detrimental to the public health, safety, and general welfare. However, in order to insure that the Petitioners' original desire to combine signage is pursued and the concerns of the community are taken into consideration, the restrictions set forth hereinafter will be imposed.

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Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested 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 15th day of April, 1988 that variances from Section 413.2(e) to permit four identification signs as follows: Sign #2 for Heritage Chevrolet, shall not be greater than 109 sq.ft.; Sign #4 for Heritage Subaru shall not exceed 86 sq.ft.; Sign #5 for Heritage Volkswagen shall not exceed 82.27 sq.ft.; Sign #6 for Heritage Dodge shall not exceed 50 sq.ft.; a variance to permit three identification signs to be opposite land zoned residential; and further, a variance from Section 413.2(f) to permit other business signs as follows: Sign #1, an existing Parts, Service and Body Shops sign not to exceed 18 sq.ft., and Sign #3, an existing OK Used Cars sign not to exceed 108 sq.ft., be and are hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- 2) The variances granted herein are conditioned upon no other signs of any nature being placed on the property or buildings thereon without a new public hearing.

- 3) The Petitioners shall be permitted a four-month period within which any existing signs shall be removed and replaced with signs in compliance with this Order.

- 4) The variances granted herein are limited to use of the property as set forth in Petitioner's Exhibit 1. If this parcel is used for any other purpose, a new hearing must be held prior to any placement of signs on the property, other than those permitted as a matter of right by the B.C.Z.R.

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- 5) The variances granted herein shall be valid for a period of three (3) years from the date of this Order. If the Petitioners desire having the signs remain on the property, they shall file the appropriate Petitions and another public hearing shall be required. At that time, Petitioners shall have the burden of presenting evidence as to why any variances should be granted and evidence that they have continued to seek approval of the dealerships for a combined sign. The Petitioners are hereby notified that following the next public hearing, the subject variances may be modified, including, but not limited to, a requirement that the signs not in strict compliance with the B.C.Z.R. be removed, and being required to combine the four dealership signs into one identification sign.

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

AMN:bjs

-6-

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2(e) to permit 4 T.D. signs: #2 (109 sq. ft., 14' x 16' 22 sq. ft., 15' x 13' 28 sq. ft.), #3 (30.33 sq. ft., 10' x 10' 33 sq. ft.), #4 (110 sq. ft., 10' x 11' 00 sq. ft.), and #5 (110 sq. ft., 10' x 11' 00 sq. ft.) in lieu of the allowed 1 sign of 150 sq. ft.; also to permit 3 T.D. signs to be opposite land zoned residential; 413.2(f) to permit other business signs #1 and #3 to have a total sq. footage of 434 sq. ft., (counting both sides) in lieu of the allowed total of 100 sq. ft.; also 413.5(d) to permit sign #4 (110 sq. ft.) in lieu of the allowed total height of 25 ft.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
- 1- Signs 1, 2 & 3 exist on the property pursuant to appropriate permits #123/4
 - 2- Signs as shown are required as a condition of franchise agreements with the automobile manufacturer.
 - 3- Sign necessary to identify product in auto park setting.
 - 4- Sign required by Maryland Motor Vehicle Administration regulations.

Property is to be posted and advertised as required 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.

Tenant:	Legal Owner(s):
Heritage Chevrolet, Inc.	Cohen Berger Partnership (A Maryland General Partnership)
(Type or Print Name)	(Type or Print Name)
By: <u>James F. Soley</u>	Of: <u>James F. Soley</u>
Signature	Signature
9428 Reisterstown Road	9428 Reisterstown Road
Address	Address
Garrison, Maryland 21055	Garrison, Maryland 21055
City and State	City and State
SEE ADDENDUM	Signature
Attorney for Petitioner:	9428 Reisterstown Road
Julius W. Lichter	Address
(Type or Print Name)	Phone No.
Signature	Garrison, Maryland 21055
395 N. Chesapeake Avenue	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, Maryland 21204	Julius W. Lichter
City and State	Name
Attorney's Telephone No.: (301) 321-0600	305 W. Chesapeake Ave. (301) 321-0600
	Address

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of January, 1988, 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 22nd day of March, 1988, at 9 o'clock A.M.

Zoning Commissioner of Baltimore County.

ADDENDUM TO PETITION FOR ZONING VARIANCE

Additional Tenants:

Heritage Subaru, Inc.

By: James F. Soley
9428 Reisterstown Road
Garrison, Maryland 21055

Heritage Volkswagen, Inc.

By: James F. Soley
9428 Reisterstown Road
Garrison, Maryland 21055

Heritage Dodge, Inc.

By: James F. Soley
9428 Reisterstown Road
Garrison, Maryland 21055

KIDOE CONSULTANTS, INC.

Subsidiary of Kidoe, Inc.

DESCRIPTION
0.53 ACRE, MORE OR LESS PARCEL
SOUTHWEST SIDE REISTERSTOWN ROAD
AT
HERITAGE AUTO PARK

This description is for sign variances in "BL" and "BM" zones.

BEGINNING FOR THE SAME at a point on the southwest side of Reisterstown Road, said point of beginning being South 43 degrees 43 minutes 00 seconds East 120 feet, more or less from the southeast side of Cedarmere Road, thence binding on the southwest right-of-way line of Reisterstown Road (1) South 43 degrees 43 minutes 00 seconds East 655 feet, more or less to intersect the existing DR10.5/"BL" Zone Line shown on Zoning Map NW 131, thence leaving Reisterstown Road and binding on said zoning line (2) South 46 degrees 17 minutes 00 seconds West 35.00 feet, thence binding on a line parallel to and 35.00 feet southwest of the aforesaid right-of-way line of Reisterstown Road (3) North 43 degrees 43 minutes 00 seconds West 655 feet, more or less to a point, thence (4) North 46 degrees 34 minutes 31 seconds East 35.00 feet, more or less to the point of beginning.

CONTAINING 0.53 acres of land, more or less or 22,925 square feet, more or less.

RLS/pek KCI Job Order No. 01-86159V January 28, 1988

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: March 2, 1988
Posted for: Variances
Petitioner: Cohen Berger Partnership
Location of property: SW side of Reisterstown Rd. 120' SE of Cedarmere Rd.
Location of Signs: SW side of Reisterstown Rd. 120' SE of Cedarmere Rd.
Remarks: See Petition
Posted by: J. Soley Date of return: March 4, 1988
Number of Signs: 1

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: June 2, 1988
Posted for: Variances
Petitioner: Cohen Berger Partnership
Location of property: SW side of Reisterstown Rd. 120' SE of Cedarmere Rd.
Location of Signs: SW side of Reisterstown Rd. 120' SE of Cedarmere Rd.
Remarks: See Petition
Posted by: J. Soley Date of return: July 1, 1988

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner
 FROM: Kathleen C. Weidenhamer, County Board of Appeals
 SUBJECT: Returned Plat - Case No. 88-413-A (Cohen Berger Partnership)

Date: September 7, 1988

The subject appeal was heard before the Board on August 25, 1988. At that time, a two-page plat was entered as Petitioner's Exhibit No. 1-A and No. 1-B.

The Board was requested to have a copy made of this plat and return the original to the Zoning Office, since this was the only plat in this file. Attached is the original plat from the Zoning file as we have now received our copy of same.

Attachment

LEVIN, GANN & HANKIN
 A PROFESSIONAL ASSOCIATION
 305 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21204
 301-321-0600
 FAX 301-256-2801

May 13, 1988

HAND DELIVERED

J. Robert Haines, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
 SW/S Reisterstown Road,
 120' SE of Cedarmere Road
 (9428 Reisterstown Road)
 4th Election District
 3rd Councilmanic District
 Cohen Berger Partnership, et al
 Petitioners
 Case No. 88-413-A

Dear Mr. Haines:

On behalf of the Cohen Berger Partnership, et al, Petitioners, of 9428 Reisterstown Road, Garrison, Baltimore County, Maryland, please note an appeal from the April 15, 1988 and May 13, 1988 decisions of the Deputy Zoning Commissioner in the above noted matter.

Please find attached my check in the amount of \$75.00, payable to Baltimore County, Maryland, as payment of the fee for appeal.

Sincerely,

Julius W. Lichter

JWL:lp
 Enclosure

cc: People's Counsel for Baltimore County



County Board of Appeals of Baltimore County

Room 200 Court House
 Towson, Maryland 21204
 (301) 491-3180

July 7, 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. 88-413-A

COHEN BERGER PARTNERSHIP, ET AL

SW/S Reisterstown Rd., 120' SE Cedarmere Rd.
 (9428 Reisterstown Rd.)

4th Election District

RE: Signs

4/15/88 - ZC's Order, Variances GRANTED
 subj. to restrictions

THURSDAY, AUGUST 25, 1988 at 10 a.m.

ASSIGNED FOR:

cc: Julius Lichter, Esq.

Counsel for Petitioner

Rev. Frederick J. Hanna

Protestant-Appellant

People's Counsel

P. David Fields

Planning

James Hoswell

"

J. Robert Haines

Zoning

Ann Nastarowicz

"

James Dyer

"

Docket Clerk

"

Cohen Berger Partnership

Petitioner

Heritage Chevrolet, Inc.

Tenant

June Holmen, Secretary

THE REVEREND FREDERICK JAMES HANNA

May 11, 1988

RECEIVED
 MAY 12 1988

ZONING OFFICE

Mr. J. Robert Haines
 Baltimore County Zoning Commission
 Office of Planning & Zoning
 Rm 109, County Office Building
 Towson, Maryland 21204

Dear Mr. Haines:

I would like to appeal the decision rendered in Case No. 88-413-A, PETITION FOR ZONING VARIANCE. The decision was rendered by the Deputy Zoning Commissioner the fifteenth day of April, 1988.

I am enclosing my check in the amount of \$90.00 according to the instructions from your office. Please let me know what the next step in the process will be.

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

No. 52760

DATE: 5/11/88

ACCOUNT: 201-101-1000

AMOUNT: \$ 90.00

RECEIVED FROM: FREDERICK J. HANNA
 203 E. CHATSWORTH AVENUE

FOR: APPEAL FOR ZONING VARIANCE
 COHEN BERGER PARTNERSHIP, ET AL

VALIDATION OR SIGNATURE OF CASHIER

APPEAL

Petition for Zoning Variance
 SW/S Reisterstown Road, 120' SE of Cedarmere Road
 (9428 Reisterstown Road)
 4th Election District - 3rd Councilmanic District
 Cohen Berger Partnership, et al - Petitioner
 Case No. 88-413-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1. (2A) 8" x 10" photograph of location from road

2. (2B) 8" x 10" photograph of location from opposite side of street

3. (2C) 8" x 10" photograph of location from location parking lot

4. (3) List of sign permit numbers

5. (4A) Copy of letter from Frank Petru regarding compliance with minimum signage requirements.

6. (4B) Copy of letter from R. E. Lucas regarding installation of sign.

7. (4C) Copy of letter from Rodger L. Cornish regarding approval of type of sign

8. (5) Copy of Dept. of Transportation's Consumer Affairs and Business Licensing

APPEAL
 Petition for Zoning Variance
 Case No.: 88-413-A
 Page 2

9. (6A) Copy of Lease Agreement between Cohen Berger Limited Partnership and Heritage Chevrolet, Inc.

10. (6B) Copy of Lease Agreement between Cohen Berger Limited Partnership and Heritage Subaru, Inc.

11. (6C) Copy of Lease Agreement between Cohen Berger Limited Partnership and Heritage Volkswagen, Inc.

12. (6D) Copy of Lease Agreement between Cohen Berger Limited Partnership and Heritage Dodge, Inc.

13. (7) Diagram of three Module signs

Deputy Zoning Commissioner's Order dated April 15, 1988

Deputy Zoning Commissioner's Amended Order dated May 13, 1988

Notice of Appeal received from Julius W. Lichter, Attorney for Petitioner

Notice of Appeal received from The Rev. Frederick J. Hanna, Protestant

* Julius W. Lichter, Attorney, Levin, Gann & Hankin

305 W. Chesapeake Avenue, Towson, Maryland 21204

* The Rev. Frederick J. Hanna

203 E. Chatsworth Avenue

Reisterstown, Maryland 21136

People's Counsel of Baltimore County

Rm. 223, Old Courthouse, Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning

James Hoswell, Office of Planning & Zoning

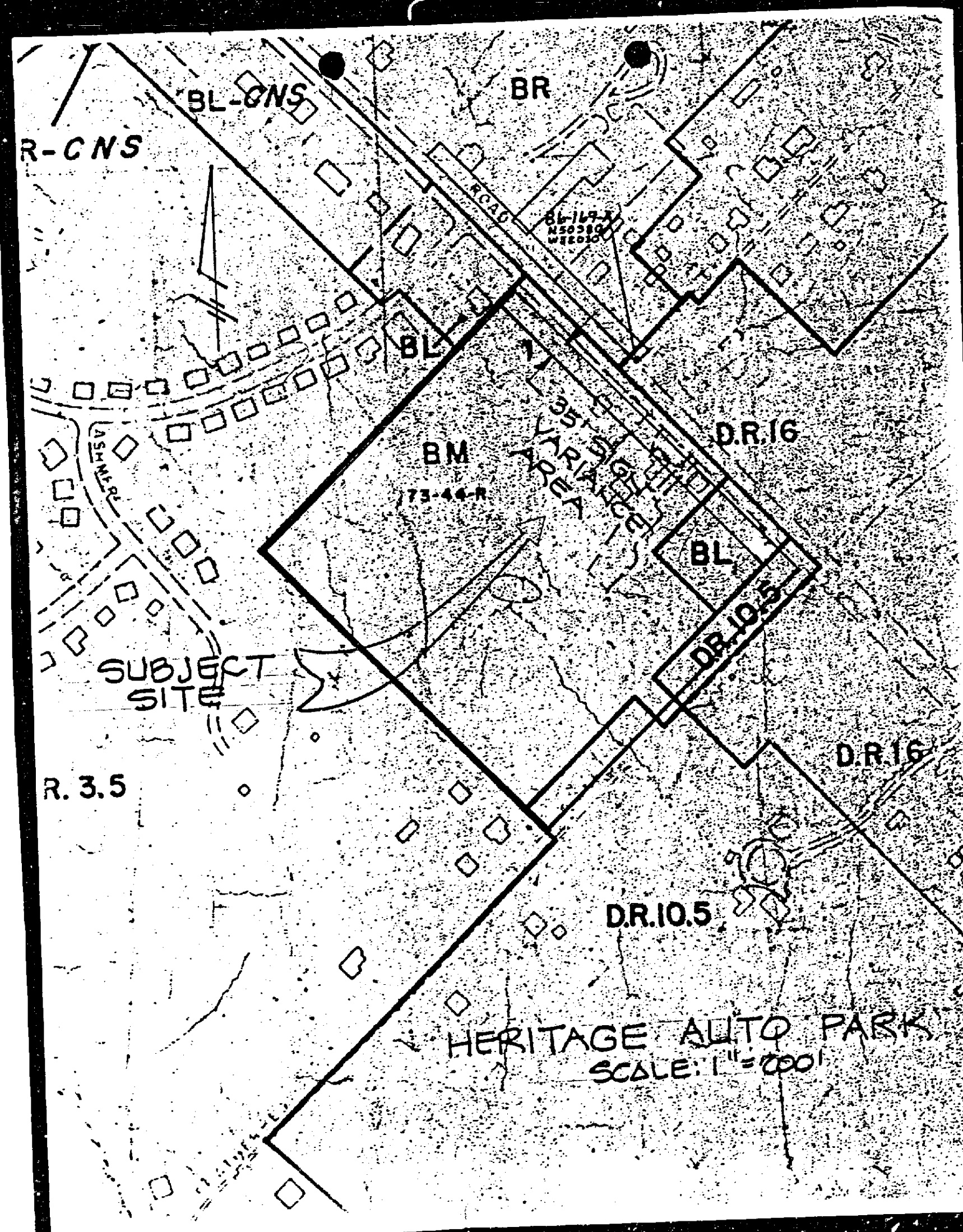
J. Robert Haines, Zoning Commissioner

Ann M. Nastarowicz, Deputy Zoning Commissioner

James E. Dyer, Zoning Supervisor

Docket Clerk

Frank Miller
 4120 York Road
 Ewing, Md. 21117



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
2nd day of February, 1988.

Petitioner Cohen Berger Partnership
Petitioner's Attorney Julius W. Lichter, Esquire

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Esq.,
Zoning Commissioner
FROM: Mr. P. David Fields, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition #88-413-A

Date: March 15, 1988

This office is opposed to the granting of the subject variances believing that the standard signage provided for in the Baltimore County Zoning Regulations is adequate. Further, we are particularly concerned with the variance to height in view of adjacent residential areas. Finally, we question whether or not the requested variance to permit signs opposite residentially zoned land can be granted in that it would appear to be a "use" variance, not an "area" variance.

David F. Rasmussen
F. Rasmussen
Office of Planning and Zoning

PDF/jat
cc: Shirley M. Hess, Peoples Counsel
Zoning Office
J. G. Hoswell

RECEIVED
MAR 17 1988

ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4541

Paul H. Reincke

Chief

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

February 11, 1988

Re: Property Owner: Cohen Berger Partnership

Location: SW/S Reisterstown Rd., 120° SE Cedamere Road

Item No.: 284

Zoning Agenda: Meeting of 2/16/88

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: John Kelly 2-11-88
Planning Group
Special Inspection Division

Noted and
Approved: John E. O'Neill
Fire Prevention Bureau

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 10, 1988

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

cc:

Julius W. Lichter, Esquire
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 284 - Case No. 88-413-A
Petitioner: Cohen Berger Partnership
Petition for Zoning Variance

Dear Mr. Lichter:

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:cer

Enclosures

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

Maryland Department of Transportation
State Highway Administration

RECEIVED
FEB 22 1988
Richard H. Trainor
Secretary
Hal Kassoff
Administrator

ZONING OFFICE

February 18, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
At: James Dyer

RE: Baltimore County
Zoning meeting 2/16/88
Heritage Auto Park
S/W/S Reisterstown Road
Opposite Kingsley Road
Item #284
Property Owner:
Cohen Berger Partnership

Dear Mr. Haines:

After reviewing the submittal for a variance of a business sign, we have the following comments.

The submittal for variance of a business sign has been forwarded to the State Highway Administration-Beautification Section C/O Morris Stein, 333-1642, for all comments relative to zoning.

The proposed zoning is as follows:

Proposed Zoning: Variance to permit 4 I.D. signs-#2 (109 sq. ft.) #4 (116.22 sq. ft.) #5 (139.00 sq. ft.) #6 (80.93 sq. ft.) in lieu of the allowed 1 sign of 150 sq. ft.; also to permit 3 I.D. signs to be opposite land zoned residential; to permit other business signs #11 and #13 to have a total square footage of 434 sq. ft. (counting both sides) in lieu of the allowed total of 100 sq. ft.; also to permit sign #14 I.D. sign a total height of 39.75 feet in lieu of the allowed total height of 25 feet.

Area: 0.53 acres.

District: 4th Election District.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,

Charles J. Mills, Jr.
Acting Chief-Bureau of
Engineering Access Permits
My telephone number is (301) 333-1350

Telephone for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

LB/es

cc: J. Ogilvie
Kiddo Consultants, Incorporated

Baltimore County, Maryland
Executive Office
Courthouse Mezzanine
Towson, Maryland 21204
494-2450
494-3728 (TTY)

June 3, 1988

Mr. Sol Snyder
513 Nassau Street
Pikesville, Maryland 21208

RE: PETITION FOR ZONING VARIANCE
SW/S Reisterstown Road, 120° SE of Cedamere Road
(9428 Reisterstown Road)
4th Election District, 3rd Councilmanic District
Cohen Berger Partnership, et al - Petitioners
Case No. 88-413-A

Dear Mr. Snyder:

Thank you for your letter expressing your position and concerns about the signs on Reisterstown Road and in particular, the variances granted in the above-captioned case. For your information, I have attached a copy of the decision dated April 15, 1988 and Amended Order dated May 13, 1988.

Please be advised that you may file an appeal of the decision rendered in this case provided you do so in writing within thirty (30) days of the date of the Amended Order, or by June 13, 1988. For further information, please contact the Office of Zoning Appeals Clerk, Ms. Charlotte Radcliffe, at 494-3391.

For your information an appeal has been filed by both the Petitioner's attorney and one of the Protestants. As a result, a de novo hearing will be held and heard by the County Board of Appeals. Their decision will be based upon the testimony and evidence presented at that hearing. If the Board reverses the decision of the Deputy Zoning Commissioner, any signs constructed in the interim will have to be removed if not in compliance with the terms and conditions of the Board of Appeals. If you would like to be notified of the date and time for the appeal hearing, it is suggested you contact Ms. Kathi Weidenhammer, Administrative Secretary for the Board, at 494-3180.

Again, thank you for sharing your concerns in this matter with me.

Very truly yours,

DENNIS F. RASMUSSEN
County Executive

DFR:bjs

cc: Ms. Kathi Weidenhammer
Ms. Charlotte Radcliffe

RECEIVED
JUN 10 1988
ZONING OFFICE

AMN
Cassidy

LAW OFFICES
LEVIN, GANN & HANKIN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-331-0600
FAX 301-256-2801
April
August 27, 1988

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
of Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Cohen-Berger Partnership, Petitioners
Case No. 88-413-A

Dear Ms. Nastarowicz:

As per my phone conversation with you following receipt of the findings of Fact and Conclusions of Law and the Order in this case, and after reviewing same with my clients, I can advise and confirm that my statement at the beginning of the hearing indicated that the requested height variance be reduced by 4 feet to 35.75 feet in lieu of the maximum allowed height of 25 feet. This reduction in height was precipitated by the fact that sign No. 4 would be located in a area protected by a curb as opposed to the unprotected location previously indicated. As the record indicates, this particular sign is the smallest sign available from the manufacturer in accordance with my clients' dealership contract.

With regard to paragraph 2 of your Order of April 15, 1988, my client had intended placing a sign on the facade of each building to clarify the location of each brand of automobile, (i.e., Chevrolet, Subaru, Volkswagen and Dodge). These signs would contain no other wording or letters other than perhaps a logo of the particular manufacturer and would be placed on the buildings in accordance with the existing sign regulations. My clients are very appreciative of your every consideration in this matter; however, they feel that the respective signs on the facades of the building as permitted by the regulations are required in the operation of their business. They feel that the signs on the facade are necessary as an additional aid and convenience to the customers visiting the Auto Park in locating the particular automobile dealership in which they are

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT2/12/88
Date

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

Zoning Item # 284, Zoning Advisory Committee Meeting of February 16, 1988
Property Owner: Cohen Berger Partnership
Location: SW/S Reisterstown Rd. near Cedamere Rd. District 4
Water Supply metro Sewage Disposal metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- (X) Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- (X) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service plans review and approval section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted and approved. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- (X) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to testing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been _____ must be _____ conducted.
- () The results are valid until _____
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____
- () Is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (X) Others: Drainage from interior service bays is to be directed to sanitary sewer via oil separator

Karen M. Murray
BUREAU OF WATER QUALITY AND RESOURCE

LEVIN, GANN & HANKIN

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
Page 2
August 27, 1988

interested.

My clients feel that they have demonstrated sensitivity in the development of their respective sites along Reisterstown Road and that the required signage pursuant to the variance request and the signs on the facades of each building are in keeping with a first class auto park. If I have contributed in failing to advise you during the hearing of my clients' intention to have the signs placed on the facades, I apologize for failing to do so and hope that my failure to do so would not be charged to my client.

As stated at the hearing, my clients have filed a request to reclassify property owned by them on the land opposite the site for the purposes of locating a fifth dealership. This request is identified as Issue No. 3-199. The residentially zoned property opposite the site is not occupied and is developed by vacant buildings which will be removed should we be successful in obtaining a change in zoning for that purpose.

Therefore, I would appreciate your entering a favorable ruling with regard to the height variance of sign No. 4 and removing the restriction as to the signage to be placed on the facades of each building as described.

Your every consideration would be greatly appreciated.

Sincerely,

Julius W. Lichter
Julius W. Lichter

JWL:lsp

VOLKSWAGEN UNITED STATES, INC.
Washington Region
8300 M.L. King, Jr. Highway
Lanham, Maryland 20706
Tel. 201/458-7000
Western Union Telex 892 456

March 15, 1988

Mr. Jerry Fader, President
Heritage Volkswagen, Inc.
11216 Reisterstown Road
Owings Mills, MD 21117

Dear Mr. Fader:

As the newly approved Volkswagen dealer in Owings Mills, Maryland, you will be required to comply with our minimum signage requirements. You are expected to erect, as soon as possible, a minimum 6' diameter VW logo double-faced sign, either single or double-pole mount. This sign area totals 22.26 square feet.

Please contact me for ordering and shipping details.

Enclosed are signage schematics and current prices.

Regards,

Frank Petru
Dealer Development Manager

FP/nad

Enclosures

PETITIONER'S
EXHIBIT 4A

CHRYSLER
MOTORS

WASHINGTON ZONE OFFICE

March 14, 1988

Mr. Louis Cohen
Heritage Dodge, Inc.
9424 Reisterstown Road
Owings Mills, Md. 21117-0589

Re: Corporate Signage

Dear Lou:

With reference to your new Dodge dealership now under construction, I do wish to reiterate Chrysler Motors Corporation's requirement that we be allowed to provide and install our standard Dodge Brand Sign on your property on Reisterstown Road. Based on code requirements we plan to install the standard "six foot" Brand Sign. This sign is approximately 48 square feet with a standard height of 21' 11".

If there are any questions regarding this matter, please let me know.

Best regards,

R. E. Lucas
Dealer Placement Manager

REL/ht

cc: D. S. McKenney

PETITIONER'S
EXHIBIT 4B

P.O. BOX 3120
LANHAM, MARYLAND 20706

Subaru of America, Inc.
1011 Larkin Road
P.O. Box 427
Savage, Maryland 20763
(301) 588-1100

March 15, 1988

Mr. Jerry Fader
Heritage Subaru, Inc.
11234 Reisterstown Road
Owings Mills, MD 21117

Dear Jerry:

As a reminder, your approval as a Subaru dealer was based upon your meeting all of Subaru of America, Inc.'s minimum requirements. One requirement, a road front brand sign, is still needed. We prefer you to erect a Subaru brand sign using the 5' x 6' block letters. If this becomes impossible, we will approve a sign using the 4' x 4' block letters. With either size sign, the logo is optional. Please let me know when we can expect completion of this requirement.

Thanks,

Rodger L. Cornish
Market Development Manager

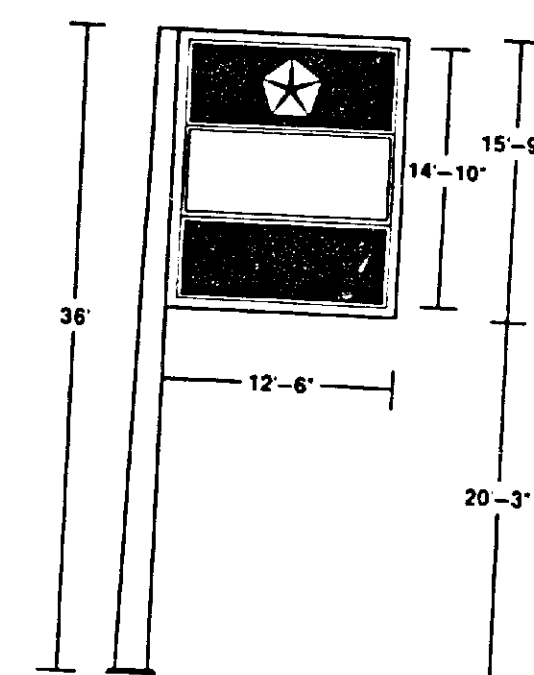
RLC/mo

cc: H.H. Purcell
J. Miller

PETITIONER'S
EXHIBIT 4C

THREE MODULE BRAND IDENTIFICATION SIGNS

(Dimensions and areas without Pole)

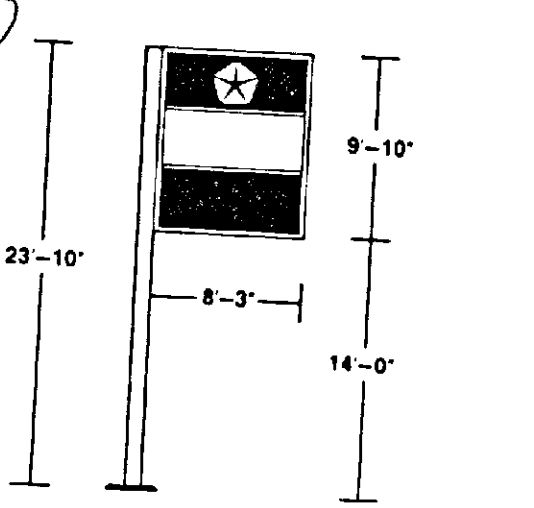


12' SIGN

AREAS

Three panel sign unit only
Three panel sign unit with 5' frame

185.38 sq. ft.
206.25 sq. ft.

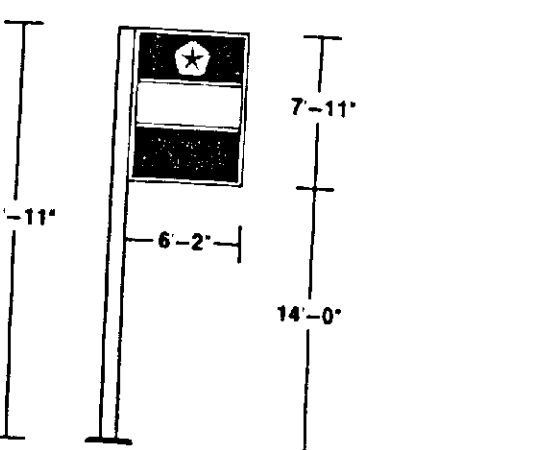


8' SIGN

AREA

Three panel sign unit only

81.10 sq. ft.



6' SIGN

AREA

Three panel sign unit

48.87 sq. ft.

PETITIONER'S
EXHIBIT 4D

March 12, 1988

L. J. Oland
3 Cedarmere Road
Owings Mills, Maryland 21117

M. J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case Number 88-413-A 4C-P8-1373

Dear Mr. Haines:

I am writing to you in reference to the variance requested by Cohen Berger Partnership allowing I.D. signs to be of a size and position not normally permitted by Baltimore County Zoning Codes.

We, the residents of Cedarmere Road and adjoining neighborhoods, feel very strongly about this variance. The auto dealership in question is in an area of established housing and small businesses, and the addition of the requested signs would certainly be an eyesore, resulting in the ultimate drop of property values in the area. In addition to the negative environmental impact these signs would have on this older neighborhood to add more, larger signs seems to be a waste of money which could possibly be spent better in making the dealership as aesthetically pleasing as possible. Cohen Berger Partnership is planning on creating an auto park of approximately six acres - they can't possibly need large signs to advertise the obvious fact that they're there.

During this phase of construction there have been repeated flagrant violations of existing codes. For example, the new lights installed by the dealership resulted in a serious spill-over of light on residential property which caused residents to change their living patterns and spend their own money "light proofing" their houses. When this was reported to Citizens Assistance, case number C-88-1373, the dealership was given 30 days to correct the problem. The residents of this neighborhood chose not to press charges when, after the allotted 30 days was up, there was still a problem. After yet another week and numerous phone calls from the county representative the lights were finally adjusted properly. During the installation of these lights electrical safety codes were violated as the service panels were left open with hot wires dangerously exposed, even adjacent to public sidewalks. At the moment, the dealership has chosen to ignore set-back guidelines and has placed a mobile home, with electrical hook-up, on the property line adjacent to the houses of Cedarmere Road. There has been some question as to whether this is a "temporary" building or not. It is currently being used as a Used Car Sales office and appears to be quite permanent.

RECEIVED
MAR 15 1988

ZONING OFFICE

Mr. J. Robert Haines
March 12, 1988
Page Two

We feel Cohen Berger Partnership has not acted in a responsible manner during construction, and we have no reason to believe this will change. The addition of these larger signs would not add to the visibility of the dealership, which is already very visible, and would only detract from our neighborhood further. We ask you not to grant this variance, and if there is anything we can do to help you with your decision please feel free to contact me at any time. I can be reached at my office at (301) 955-4040 or at home, (301) 356-4612. The other members of the community would also be glad to answer any questions you may have.

Thank you for your time and consideration.

Sincerely,

Linda J. Oland
Linda J. Oland

(for the Residents of
Cedarmere Road and
Adjoining Properties)

February 25, 1988

Julius W. Lichter, Esquire
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Request for Conditional Permit for Proposed Sign #4 (Subaru)
PETITION FOR ZONING VARIANCE
SW/S Reisterstown Road, 120' SE of Cedarmere
(9428 Reisterstown Road)
4th Election District - 3rd Councilmanic District
Cohen Berger Partnership - Petitioners
Case No. 88-413-A

Dear Mr. Lichter:

In response to the Petitioner's request for a conditional permit for the proposed Subaru sign, identified as Proposed Sign #4 on the plat submitted with the above-referenced Petition, the Zoning Office will approve the request under the representations, terms and conditions set forth below:

- 1) The Petitioners agree that if the Subaru sign is denied following the public hearing, the Petitioner will remove the sign as required by the terms of the Order, which could be immediately.
- 2) The Petitioners understand that the granting of the conditional permit does not in any way mean that the Zoning Commissioner or Deputy Zoning Commissioner is inclined to grant the variances being requested in the Petition. The Petitioners shall not infer that the Zoning Commissioner or Deputy Zoning Commissioner is inclined to grant the variances for size and height of the proposed Sign #4.
- 3) The Petitioners will not request conditional permits for any other sign relative to the property subject to the above-referenced case.
- 4) One of the Petitioners, Heritage Chevrolet, Inc., has advised the Zoning Office that its representatives believed the subject sign was in compliance when it ordered the sign and relied on statements made by representatives of the Connolly Sign Company that the size and height of the sign was in compliance with the zoning regulations.

Julius W. Lichter, Esquire
February 25, 1988
Page 2

If you have any questions concerning the aforementioned requirements, please do not hesitate to contact me. If the conditions set forth herein are acceptable to you and your client, please acknowledge by having the enclosed copy signed by the Petitioners.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AND: cc: W. Carl Richards
Case File

READ AND AGREED TO:

JULIUS W. LICHTER, Esquire

READ AND AGREED TO:

Cohen Berger Partnership

BY: [Signature]

LAUS A. GORDON, PRES. (Print Name & Title)

READ AND AGREED TO:

Heritage Chevrolet, Inc.

BY: [Signature]

LAUS A. GORDON, PRES. (Print Name & Title)

LAW OFFICES
LEVIN, GANN & HANKIN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
FAX 301-296-2801
CARMAN A. LEVIN
STANFORD C. GANN
ROBERT M. HANKIN
JULIUS W. LICHTER
SINCEY WEIMAN
ROBERT L. PELLER
ANDREW R. SANDLER
RANDOLPH C. KNEPPER
BRIAN I. FRANK
HOWARD L. ALDERMAN, JR.
STUART D. KARLOW
JUDITH S. GANN
MARC C. GANN
*ALSO ADMITTED IN DC
*ALSO ADMITTED IN NEW YORK

February 22, 1988

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Sign Variances at Heritage Auto Park
Item No. 284

Dear Ms. Nastarowicz:

In reply to our discussion of the other day regarding Section 413.5(d) and its application to the Heritage Auto Park request for sign variance:

This section limits the "as of right" height of signs in relation to the street which the sign abuts. If the sign is to be erected on ground which is at an elevation higher than that which it abuts, the maximum height of the sign is 25 feet. If the sign to be erected is on ground at an elevation lower than that of the street which it abuts, the maximum height of such a sign is 35 feet; however, no such sign can extend more than 25 feet above the street grade which it abuts without a variance.

Example:

Elevation Above (+)/Below (-) Abutting Street	Maximum Height of Sign Above Grade of Abutting Street	Maximum Height of Sign
+ 1 or greater feet	Unlimited	25'
0 feet	25'	25'
- 1 foot	25'	26'
-10 feet	25'	35'
-11 feet	25'	35'

This section merely states that the maximum "as of right"

HAND DELIVERED

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
Page 2
February 22, 1988

height is 25 feet above grade. Section 307 of the BCZR authorizes the Zoning Commissioner, upon a proper showing, to allow a sign of any height.

Sincerely,

Julius W. Lichter

JWL:isp

LEVIN, GANN & HANKIN

LAW OFFICES
LEVIN, GANN & HANKIN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
FAX 301-296-2801

February 18, 1988

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

HAND DELIVERED

Re: Sign Variances at Heritage Auto Park
Item No. 284

Dear Ms. Nastarowicz:

In response to our conversation of yesterday, please find enclosed a xerox copy of our Petition for Zoning Variance with the two corrections indicated in red.

Specifically, the first correction corrects the total square feet measurements for sign #5 so that the figure should read 82.25 square feet. The second correction is to correct the total square footage of other business signs so that the figure is 226 square feet.

It is my understanding that the correct numbers will be substituted within the text of the Petition for Zoning Variance as filed. The information on the plat is correct and does not require modification.

I believe that the two corrections noted above address your concerns with the Petition. Should you have any further questions or should I need be of any further assistance to you on this matter, please do not hesitate to give me a call. Please be assured that all of your courtesies in expediting this matter are most appreciated.

Sincerely,

Julius W. Lichter

JWL:isp
Enclosure

LAW OFFICES
LEVIN, GANN & HANKIN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
FAX 301-296-2801

February 8, 1988

J. Robert Haines
Zoning Commissioner for Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

HAND DELIVERED

RE: Petition for Sign Variance of
Heritage Chevrolet, Inc.
Heritage Subaru, Inc.
Heritage Volkswagen, Inc.
Heritage Dodge, Inc.
Variance No. 284
Filed February 5, 1988

Dear Mr. Haines:

Please be advised that the above Petition has been filed and was accepted on February 5, 1988. The Petitioner relies solely to requests for variances to Baltimore County Zoning Regulations involving signs.

I have represented the Owner and Developer of this site relative to zoning and development matters for six years. My clients are in the midst of developing the site as an Auto Park where four dealerships are to be located. They have struggled through the process by obtaining the required zoning and have received CRG approval and building permits to bring to fruition the completion of the project.

A portion of the site has been occupied for a number of years by Heritage Chevrolet and is serviced by an identification sign and two business signs all of which have been installed with appropriate permits. With the addition of three new dealerships, one of which (Subaru) is open for business, has come the necessity to erect three additional identification signs. My clients had been under the impression (mistakenly) that each

J. Robert Haines
Page 2
February 8, 1988

dealership was allowed to have one I.D. sign as long as each sign was less than 150 square feet in size. When applying for permits, they were made aware of the provisions of Section 413.2(e) of the regulations which allows only one and perhaps two signs on any one property. Therefore, the cumulative size of the signs proposed having a square footage in excess of 150 square feet has initiated this Petition.

My clients have engaged in a cooperative fashion with Baltimore County, the area residents and improvements associations to develop the site sensitive to public needs and requirements. The development and construction is active and moving forward to completion. Each of the dealerships is contained in separate facilities housing sales, office, parts and service functions. The Chevrolet and now the Subaru facilities are in place and functioning.

The manufacturer and Motor Vehicle Administration regulations require that each dealership have a separate I.D. sign. Each manufacturer has its own sign requirements as a condition of its franchise agreement with the dealer.

Due to my clients misunderstanding, the signs which they have ordered and are ready for installation cannot be installed due to the fact that a Variance is required. The Subaru facility is open for business and is operating under a severe disability without an I.D. sign. The signs are reasonable in size and aesthetically pleasing (copies of design enclosed).

I hereby request the following:

1. That in view of the circumstances and the fact that the Petition involves the sign regulations alone that a hearing be set at the earliest possible date as most agencies will not be required to comment due to the nature of the request.

2. That you authorize the erection of the Subaru sign TEMPORARILY pending the outcome of the Variance Hearing with the specific understanding that it would be removed promptly if the Variance requested were not granted.

As you are aware, my client has invested in the development of the site and considers the erection of these signs as an

LEVIN, GANN & HANKIN

J. Robert Haines
Page 3
February 8, 1988

important part of the future success of their business. In addition, the successful business generated will provide a public benefit in creating substantial job opportunities.

Your earliest response will be appreciated.

Sincerely,

Julius W. Lichter

JWL:isp
Enclosures

LEVIN, GANN & HANKIN

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: ZONING OFFICE

DATE: 12/4/86

PROJECT NAME: Heritage Auto Park

PLAN: 11/10/86

LOCATION: SW/S Reisterstown Road between Featherbed Lane & Cedarmer Road

REV: REV: REV:

DISTRICT: 4th Election District

REVISED PLAN KEY:
COMPLIANCE WITH COMMENT CHECKED
NON-COMPLIANCE IS CIRCLED
ADDITIONAL COMMENTS ADDED LAST

- Zoning approval of the parking area in the DR 10.5 zone will be contingent upon meeting all RTA requirements and a zoning special hearing. A hearing has not been filed for in the Zoning Office as of this writing.
- Include all offsite dwellings and small lots (less than 2 acres) that create an RTA within the proposed parking area in the DR 10.5 zone. Show RTA Arcs and provide 75' buffers where required. Clearly label and outline RTA buffer areas. Driveway, parking and maneuvering areas are not permitted within an RTA buffer. Acreages should be included on offsite vacant properties.
- Include a note that all offsite dwellings and small lots that create an RTA onsite are shown.
- Provide coordinate ties so that the zoning can be verified. The DR 16/BR line adjoining on the NE side of Reisterstown Road appears to be wrong.
- If customer parking is to be stacked or blocked from clear access, these particular bays (two locations) should be labeled "valet parking."
- The 8.5' x 16' spaces (six located to the rear of Building #3 and on Reisterstown Road should be shown as a full 18 feet deep; 16.5' spaces can be shown, but the 1.5' overhang should be included, and cannot interface with the sides of other spaces. Also, the Auto storage area encroaches on the rear of Building #3. If 16' compact spaces are shown and indicated, they should be separately totaled and cannot count towards the required number of spaces.
- The count of auto storage and customer parking spaces do not match the general notes and the individual bay totals do not scale as per the indicated size. Also include the number of service bays as a separate total in the parking provided.
- Include elevations and square footage of the existing F/S signs and a note that any proposed signs will comply with Section 413 (BCZR).
- Include existing uses of offsite properties.
- Include an 8' screen fenced area per S. 405A (B.C.Z.R.).

W. CARL RICHARDS, JR.
Zoning Coordinator

PRICES OF THE FOLLOWING PARCELS:
24 LEONARD R. BERGER: 0.40 AC. ACCT. N: 04-16-000000
30 LEONARD R. BERGER: 4.45 AC. " 04-14-010050
16 WILDER & BERGER: 0.16 AC. " 04-12-020000
33 BALTO. COUNTY: 0.03 AC.
TOTAL = 11.03 AC. SUBJECT SITE IS ON TAX MAP N: 50.

NO OPEN SPACE REQUIREMENT
SWANMANAGEMENT BASIN WILL BE A PRIVATE FACILITY
ALL AUTO STORAGE & PARKING SPACES WILL BE MACADAM

DEVELOPER:

MAGNA FINANCIAL CORP.
3420 REISTERSTOWN RD
GARRISON, MO
TEL. 301-363-6300

- ALL OFFSITE DWELLINGS & SMALL LOTS THAT CREATE AN RTA ON SITE ARE SHOWN.
- ALL PROPOSED STANDING SIGN SHALL COMPLY WITH SECTION 413 (BCZR).
- FLOOR DRAINS IN THE SERVICE BAYS WILL BE CONNECTED TO THE PUBLIC SEWER AND AN OIL SEPARATOR WILL BE INSTALLED.
- ALL DAMAGED AND/OR DISABLED AUTOS SHALL BE STORED INSIDE IN SERVICE BUILDINGS.
- THE BALTIMORE COUNTY SOIL SURVEY INDICATES THAT SOILS ON SITE MAY POSE SEVERE LIMITATIONS ON DEVELOPMENT. TO MITIGATE THE EFFECTS OF SUCH LIMITATIONS THE FOLLOWING MEASURES WILL BE TAKEN:
1. SOIL ANALYSIS WILL BE DONE PRIOR TO FINAL SITE DESIGN.
2. UNDERDRAINS, SPECIAL FOOTINGS, ETC. WILL BE INCORPORATED AS DIRECTED BY THE SOIL ANALYSIS.
3. SITE GRADING WILL TAKE INTO ACCOUNT THE SOIL ANALYSIS AND WILL MINIMIZE THE EFFECTS OF SLOPE FAILURE OR INTERFERENCE WITH ADJACENT PROPERTIES.

PUBLIC SERVICES C. REG. NO. 12-14-000000
PLANNING N: 12-14-000000

HERITAGE AUTO
4TH ELECTION DISTRICT BALTIMORE COUNTY
SCALE: 1" = 30'

AUG. 27, 1986
REV. DEC. 20, 1986
REV. NOV. 10, 1986
REV. JAN. 13, 1987

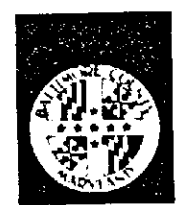
ENGINEER:

KIDDE CONSULTANTS, INC.
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21204
TEL. 301-321-3300

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

J. Robert Haines
Zoning Commissioner

June 20, 1988



Dennis F. Rasmussen
County Executive

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

RE: Petition for Zoning Variance
SW/S Reisterstown Road, 120' SE of Cedarmere Road
(9428 Reisterstown Road)
4th Election District, 3rd Councilmanic District
Cohen Berger Limited Partnership, et al - Petitioner
Case No. 88-413-A

Dear Board:

Please be advised that appeals of the above-referenced case were filed in this office on May 12, 1988, by The Rev. Frederick J. Hanna, Protestant, and also May 13, 1988 by Julius W. Lichter, Attorney on behalf of the Petitioner. 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:cer

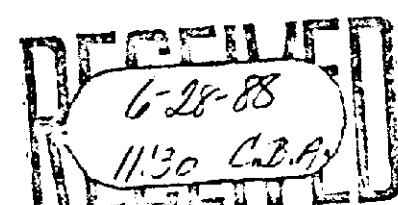
Enclosures

cc: Julius W. Lichter, Attorney for Petitioner
Levin, Gann & Hankin, 305 W. Chesapeake Avenue, Towson, MD 21204

The Rev. Frederick J. Hanna, Protestant
203 E. Chatsworth Avenue
Reisterstown, Maryland 21136

People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Md. 21204

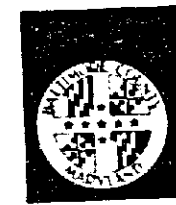
File



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

J. Robert Haines
Zoning Commissioner

June 20, 1988



Dennis F. Rasmussen
County Executive

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

RE: Petition for Zoning Variance
SW/S Reisterstown Road, 120' SE of Cedarmere Road
(9428 Reisterstown Road)
4th Election District, 3rd Councilmanic District
Cohen Berger Limited Partnership, et al - Petitioner
Case No. 88-413-A

Dear Board:

Please be advised that appeals of the above-referenced case were filed in this office on May 12, 1988, by The Rev. Frederick J. Hanna, Protestant, and also May 13, 1988 by Julius W. Lichter, Attorney on behalf of the Petitioner. All materials relative to the case are being forwarded herewith.

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Very truly yours,

J. ROBERT HAINES
Zoning Commissioner

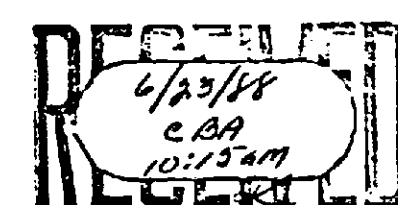
JRH:cer

Enclosures

cc: Julius W. Lichter, Attorney for Petitioner
Levin, Gann & Hankin, 305 W. Chesapeake Avenue, Towson, MD 21204

The Rev. Frederick J. Hanna, Protestant
203 E. Chatsworth Avenue
Reisterstown, Maryland 21136

People's Counsel of Baltimore County



LAW OFFICES
LEVIN, GANN & HANKIN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 321 0600
FAX 301 296 2801

May 13, 1988

ELLIS LEVIN (1803-1960)

BALTIMORE OFFICE
10 LIGHT STREET
BALTIMORE, MD 21202
301 539-3700
FAX 301 625-1000
CARROLL COUNTY OFFICE
1127 LIBERTY ROAD
STEELESVILLE, MD 21784
301 793-6600

HAND DELIVERED

J. Robert Haines, Zoning Commissioner
Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED ZONING OFFICE
DATE: 5/13/88

RE: PETITION FOR ZONING VARIANCE
SW/S Reisterstown Road, 120' SE of Cedarmere Road
(9428 Reisterstown Road)
4th Election District
3rd Councilmanic District
Cohen Berger Partnership, et al
Petitioners
Case No. 88-413-A

Dear Mr. Haines:

On behalf of the Cohen Berger Partnership, et al, Petitioners, of 9428 Reisterstown Road, Garrison, Baltimore County, Maryland, please note an appeal from the April 15, 1988 and May 13, 1988 decisions of the Deputy Zoning Commissioner in the above noted matter.

Please find attached my check in the amount of \$75.00, payable to Baltimore County, Maryland, as payment of the fee for appeal.

Sincerely,

Julius W. Lichter

JWL:lsp
Enclosure

cc: People's Counsel for Baltimore County

7/7/88
4 Lynnbrook Ave
Dorsey Mills, Md
2117

Board of Appeals
Room 315
County Office Bldg
Towson, Md. 21204

Dear Mr. Haines:

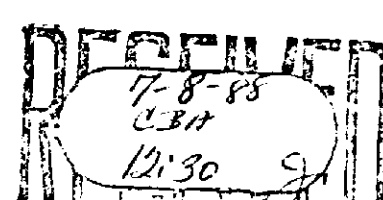
Re: Case # 88-413A

Cohen & Berger Partnership

Please advise me of any action
taken on the above and also advise me
of the hearing date when it comes up.

Yours truly,

Frank L. Moser



LAW OFFICES
LEVIN, GANN & HANKIN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 321 0600
FAX 301 296 2801

May 16, 1988

ELLIS LEVIN (1803-1960)

BALTIMORE OFFICE
10 LIGHT STREET
BALTIMORE, MD 21202
301 539-3700
FAX 301 625-1000
CARROLL COUNTY OFFICE
1127 LIBERTY ROAD
STEELESVILLE, MD 21784
301 793-6600

Mr. William T. Hackett
Chairman
Board of Appeals for Baltimore County
Court House
Towson, Maryland 21204

Re: Appeal of Order of Deputy Zoning Commissioner
Petition for Zoning Variance
SW/S Reisterstown Road
120' SE of Cedarmere Road
(9428 Reisterstown Road)
4th Election District
3rd Councilmanic District
Cohen Berger Partnership, et al, Petitioners
Case No. 88-413-A

Dear Mr. Hackett:

I would appreciate your scheduling the above captioned case at the earliest possible date. The Petitioners developed the subject property, comprised of four automobile dealerships and four separate buildings, and have a considerable investment and success of the project. It is necessary that the decision of the Deputy Zoning Commissioner be reviewed upon appeal at the earliest possible date so that my clients may move forward.

I would appreciate your having your secretary call me upon receipt of this letter to advise as to the earliest date possible for the hearing.

Sincerely,

Julius W. Lichter

JWL:lsp

cc: People's Counsel for Baltimore County

1440 LI AW 031
317334V 30 04V08 AINOC
03A1329



County Board of Appeals of Baltimore County
Room 315, County Office Building
Towson, Maryland 21204
(301) 494-3188

September 14, 1988

Julius W. Lichter, Esquire
LEVIN, GANN & HANKIN
305 W. Chesapeake Avenue
Towson, MD 21204

RE: Case No. 88-413-A
Cohen Berger Partnership, et al

Dear Mr. Lichter:

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
Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: The Reverend Frederick J. Hanna
Frank Moser
P. David Fields
Pat Keller
J. Robert Haines
Ann Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

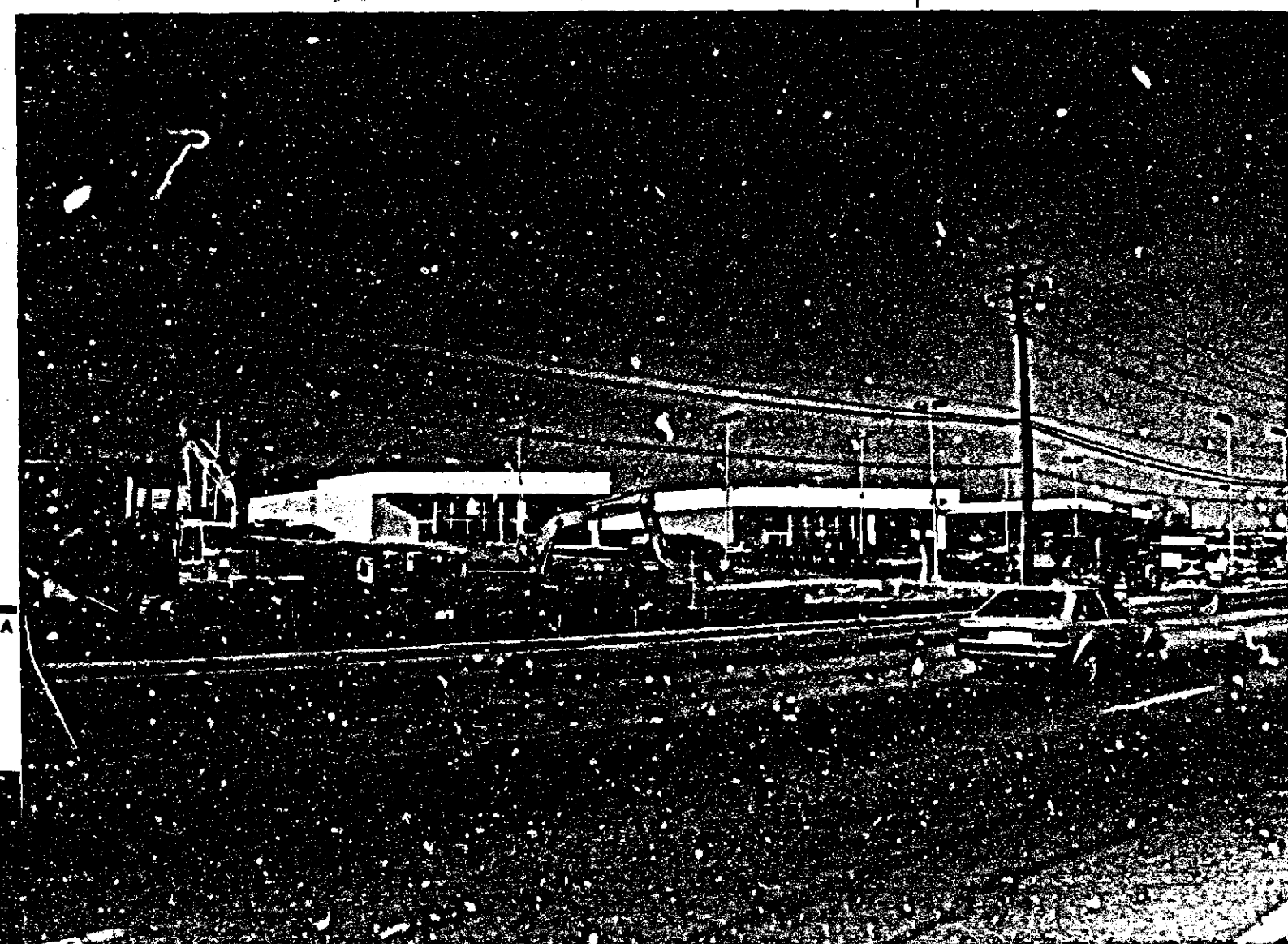
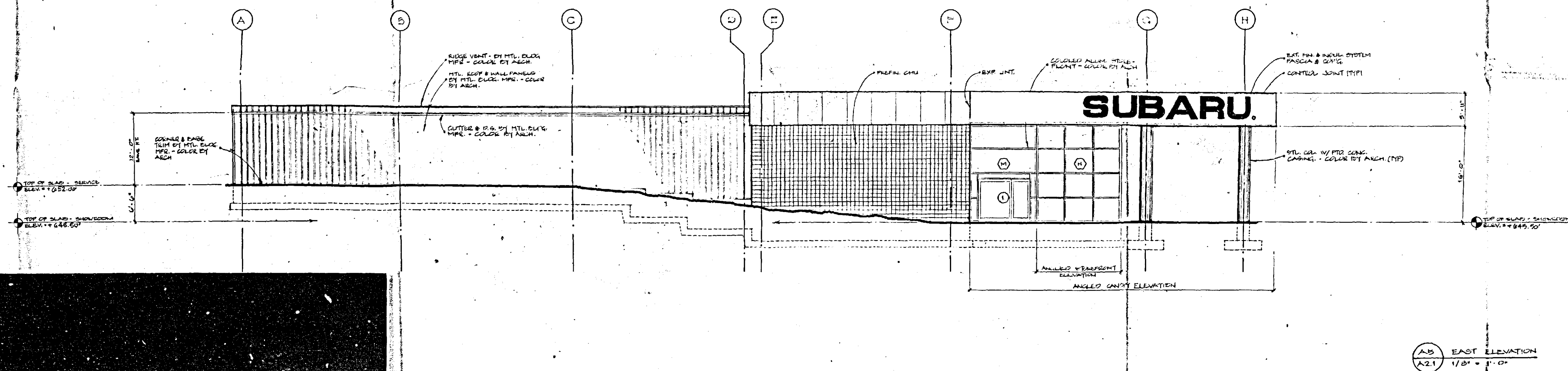
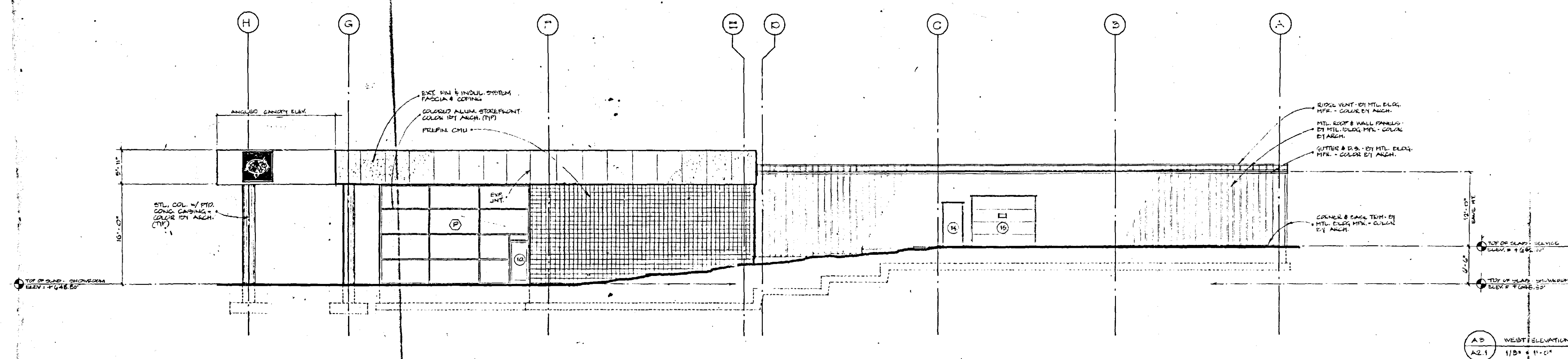
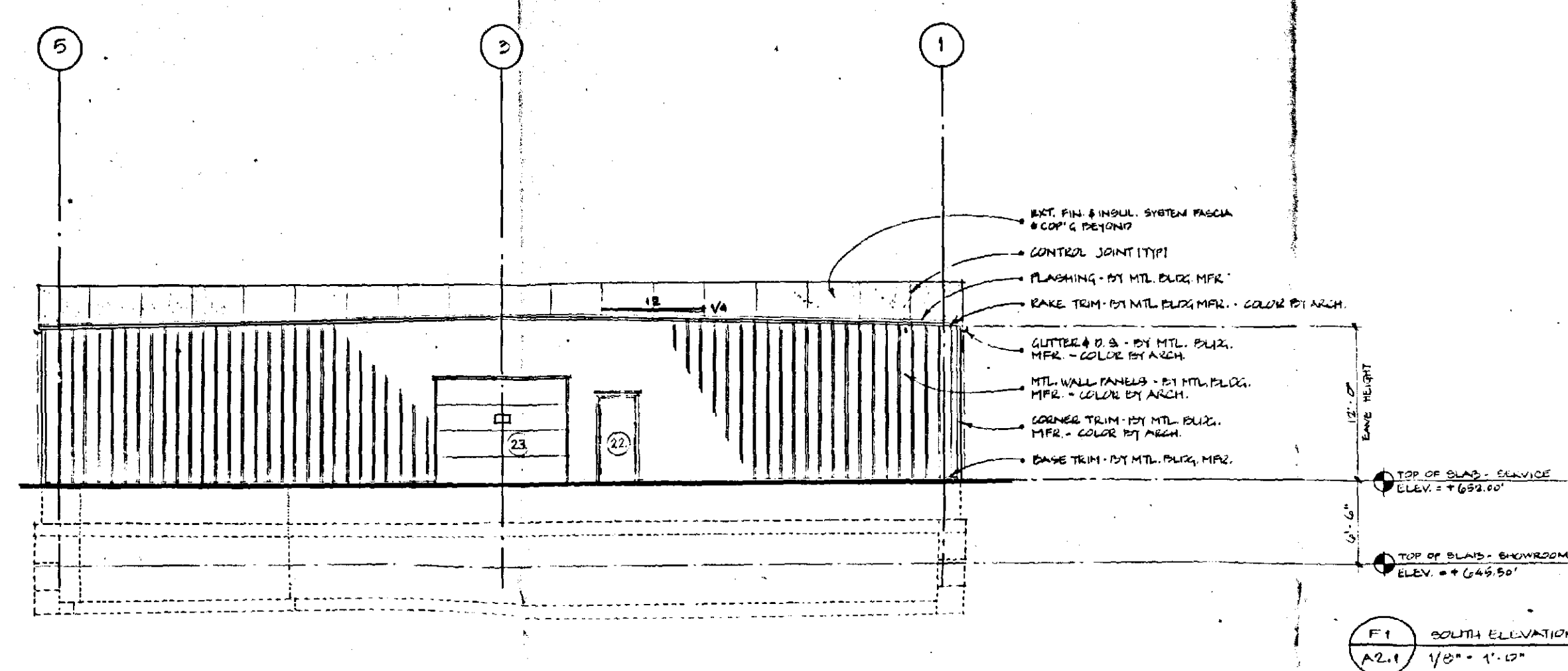
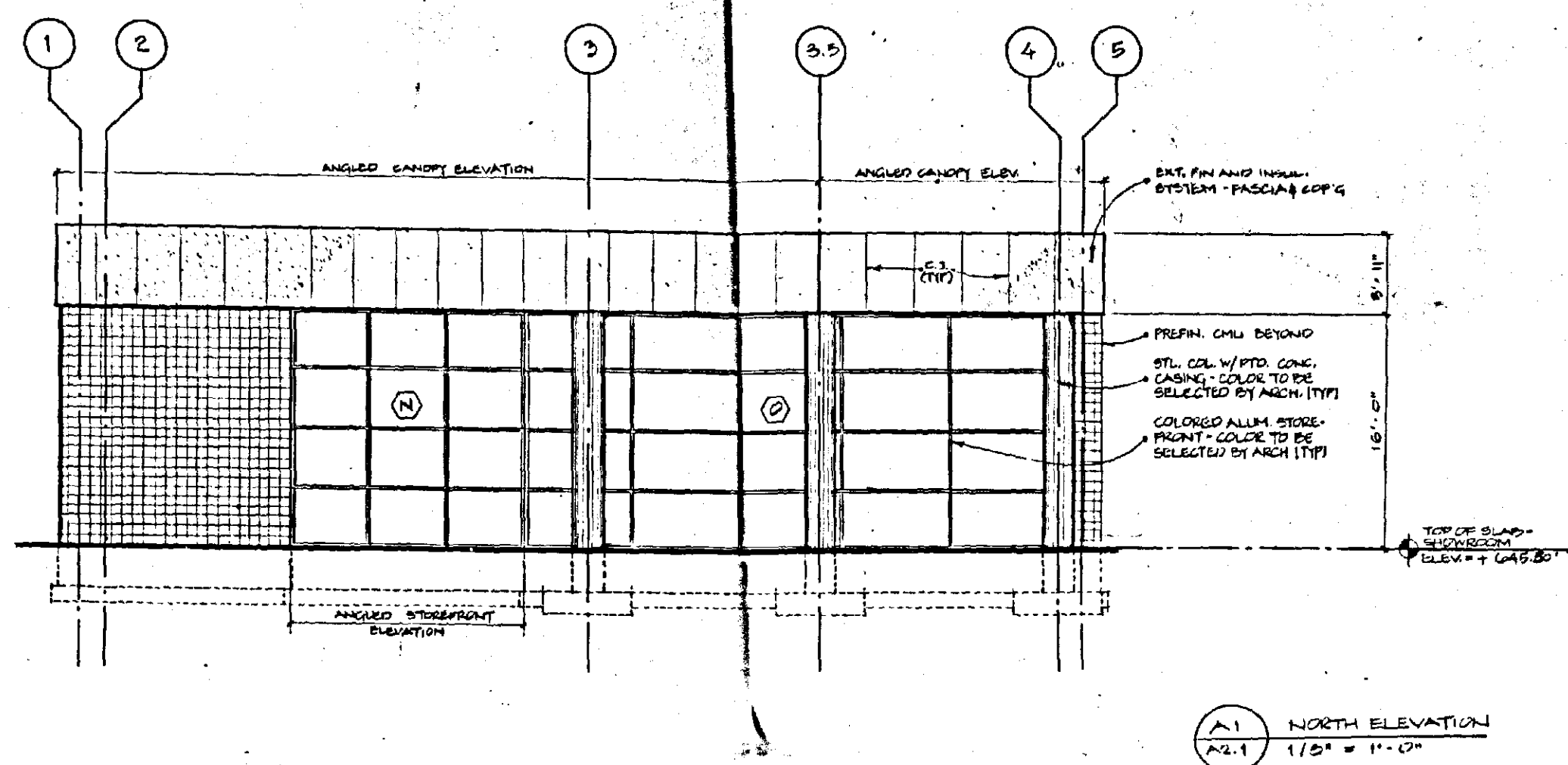
J. Robert Haines
Zoning Commissioner
Date: September 7, 1988

Kathleen C. Weidenhammer
County Board of Appeals
Returned Plat -
Case No. 88-413-A (Cohen Berger Partnership)
SUBJECT

The subject appeal was heard before the Board on August 25, 1988. At that time, a two-page plat was entered as Petitioner's Exhibit No. 1-A and No. 1-B.

The Board was requested to have a copy made of this plat and return the original to the Zoning Office, since this was the only plat in this file. Attached is the original plat from the Zoning file as we have now received our copy of same.

Attachment

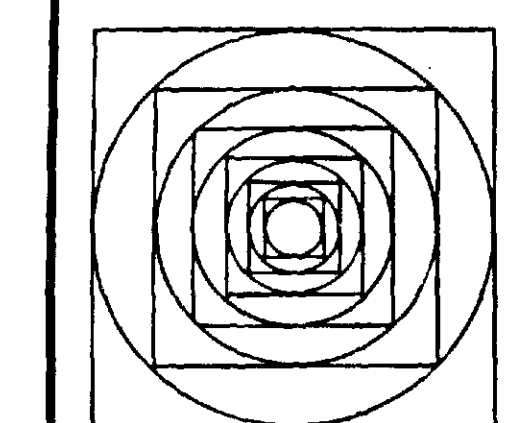


Revision	No.	Date	Item	Ref.

Seal

*Ret
Nov
Meyers*

Meyers and D'Aleo, Inc.
Architects and Planners
108 Water Street Baltimore Md 21202



HERITAGE
AUTO-PARK

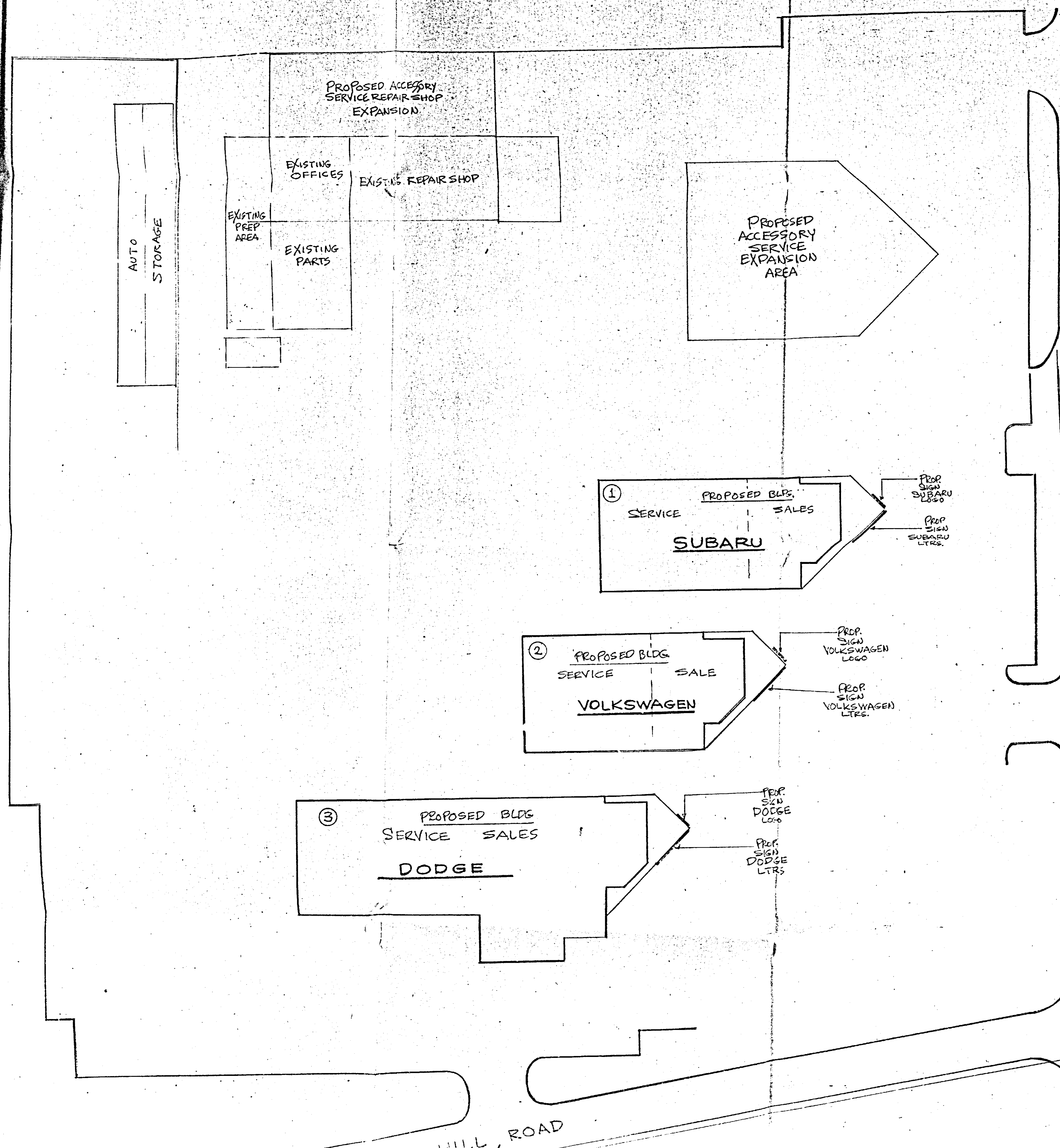
SUBARU DEALERSHIP

OWINGS MILLS, MD

ELEVATIONS

Project	2000	Date	4-10-87
Scale	1/8" = 1'-0"	Last Rev.	

A2.1

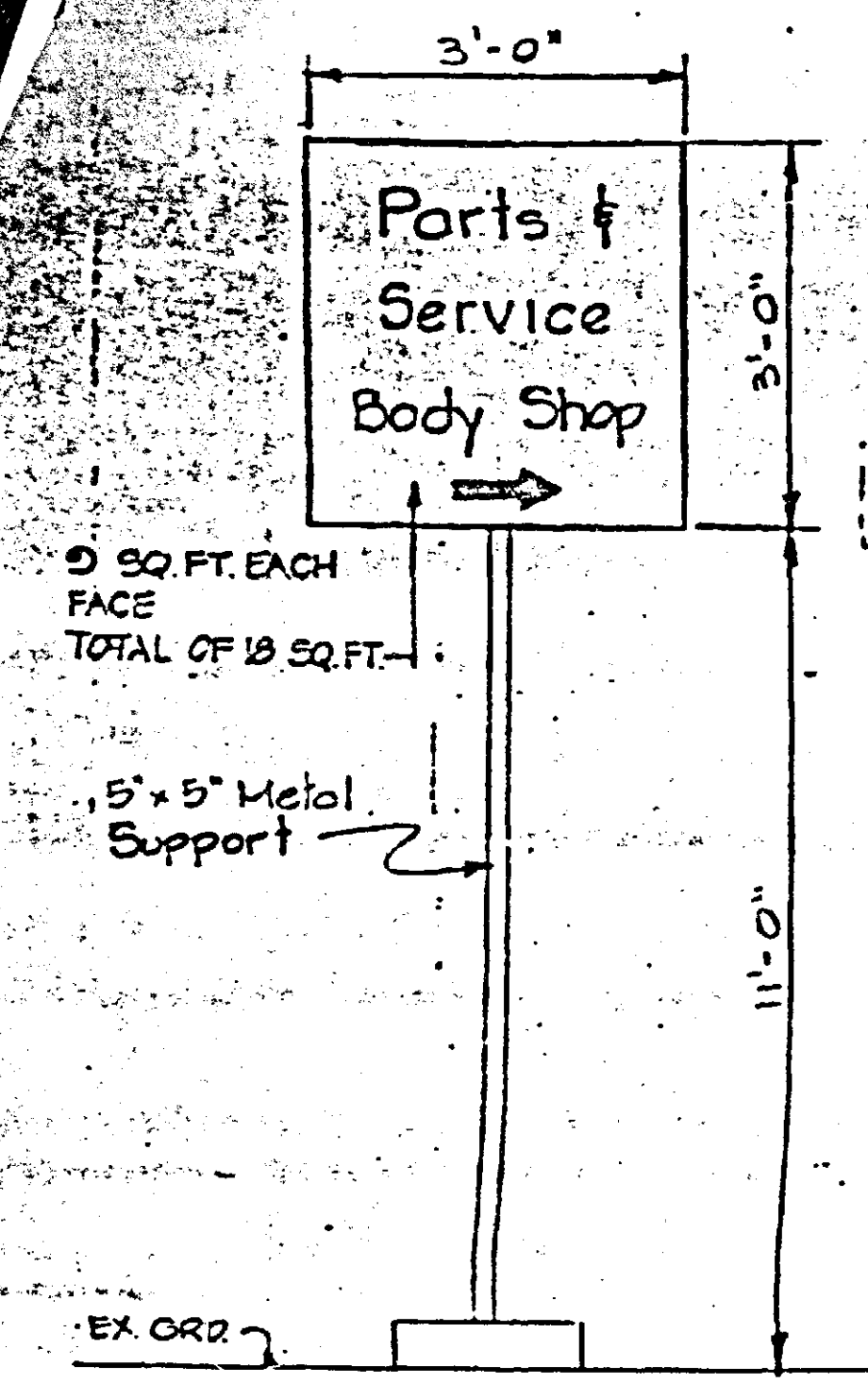


REISTERSTOWN ROAD

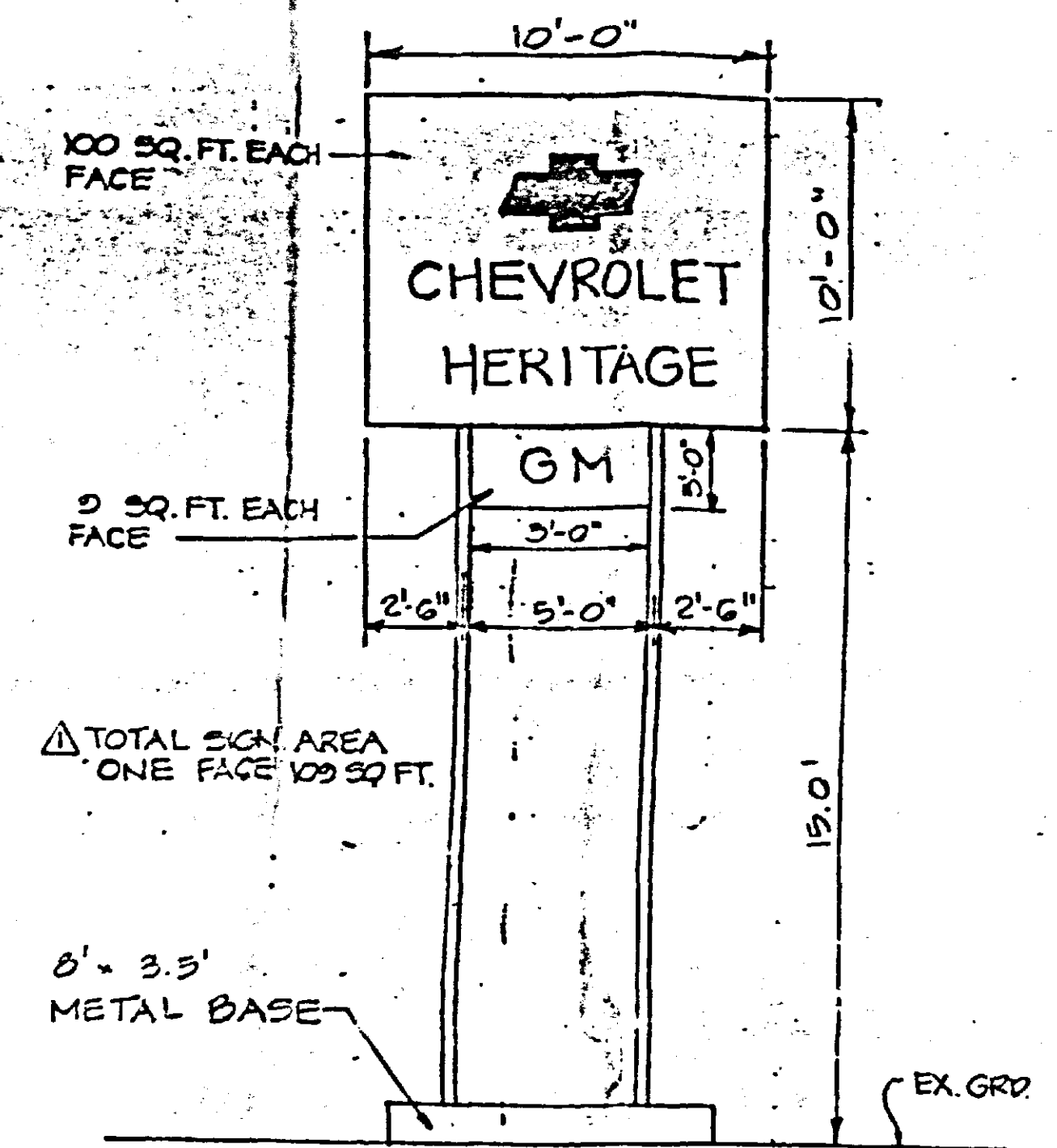
KINGSLEY ROAD

Pet No 3
Ad of appeals

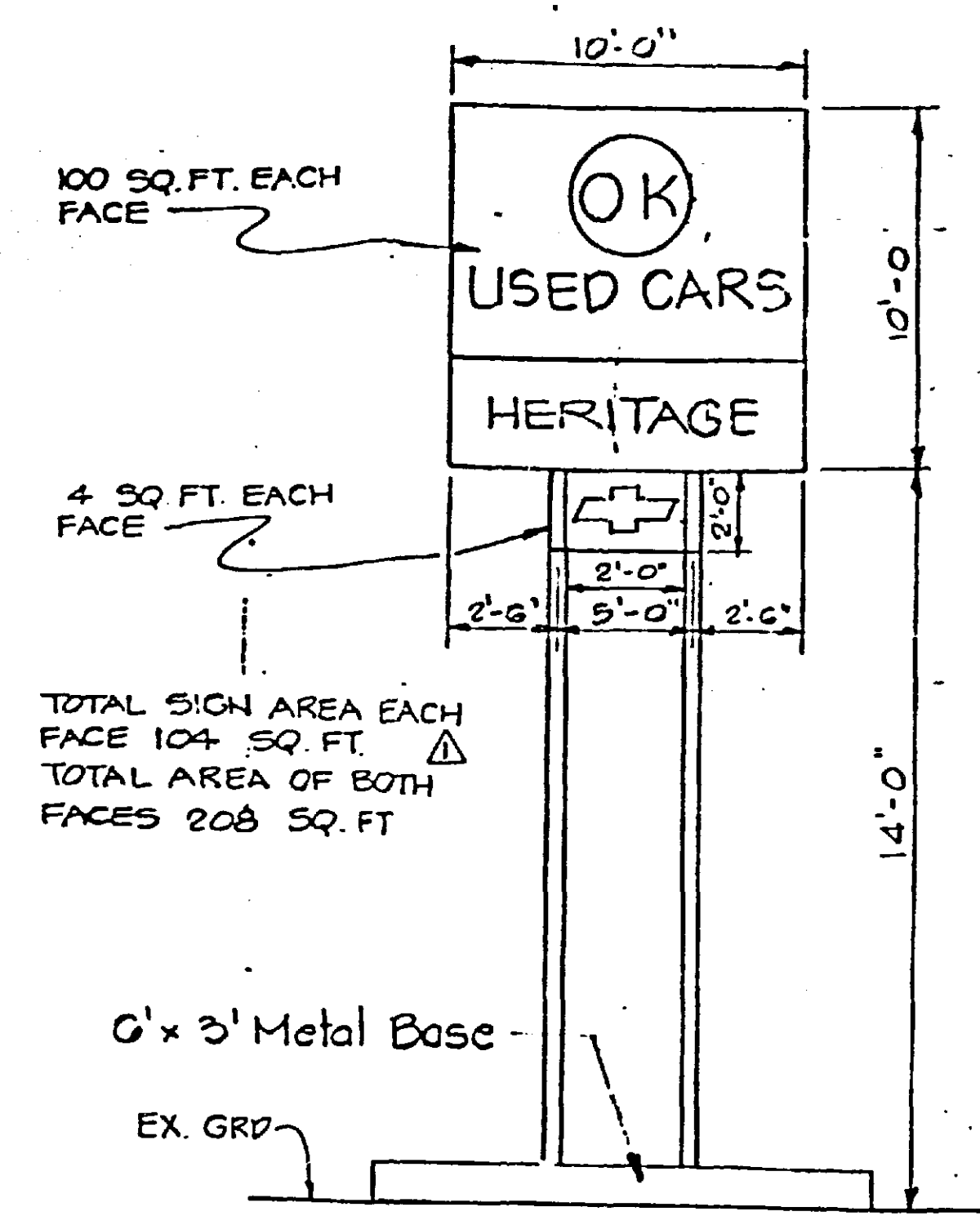
PROPOSED SIGNAGE FOR: HERITAGE AUTO PARK OWINGS MILLS, MD.
SIGNWORK ON CANOPY FASCIA OF #1-2-3 DEALERSHIPS
SIGNWORK BY: CONNOLLY SIGN CO., INC. 825 FORTLAND ST. BALTO. MD. - 21230
DWG. BY: JAMES W. LEWIS
DATE: AUGUST 24, 1988



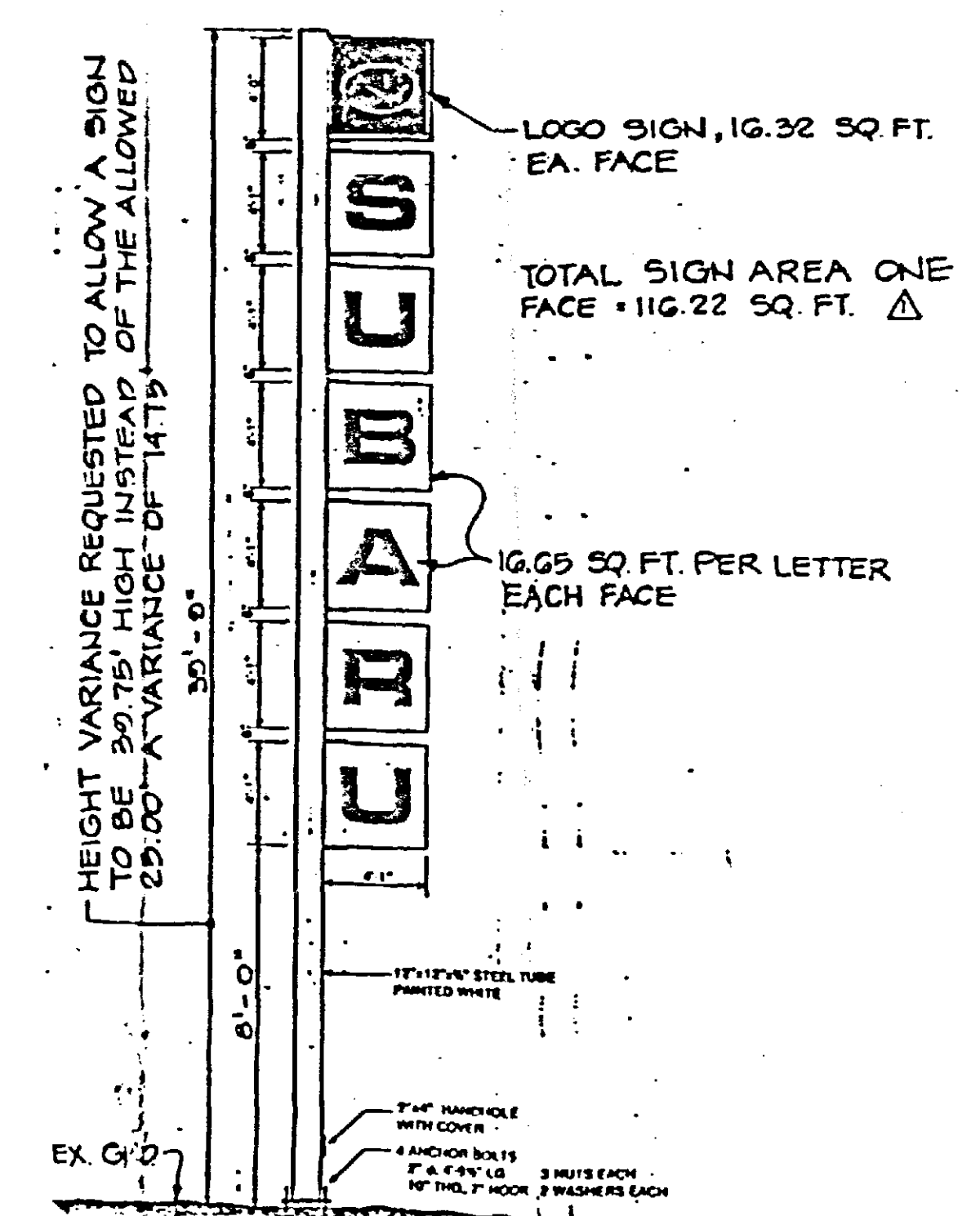
EXISTING SIGN #1
OTHER BUSINESS SIGN
N.T.S.
BETWEEN POLE DEALER IMPRINT SIGN



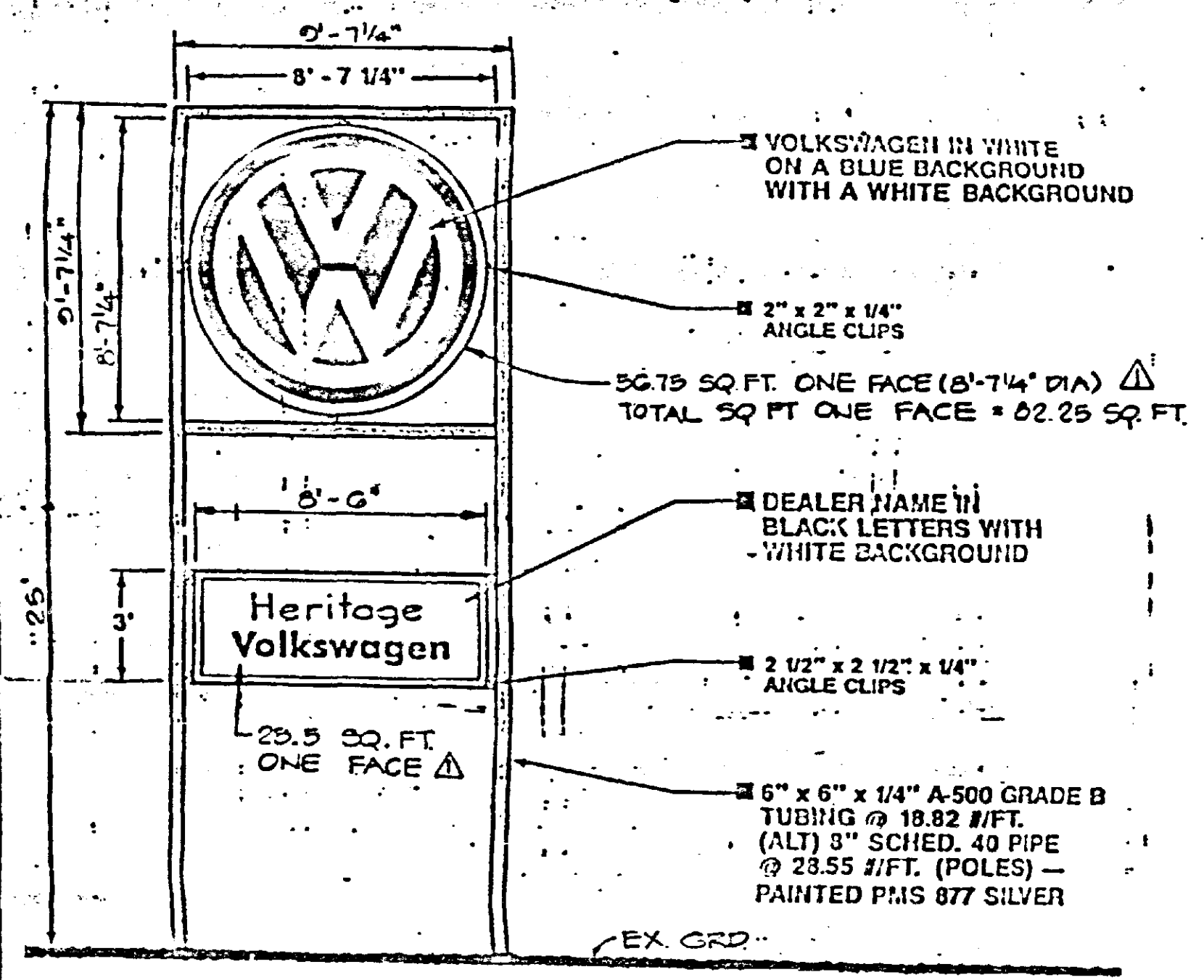
EXISTING SIGN #2
BUSINESS IDENTIFICATION SIGN
N.T.S.



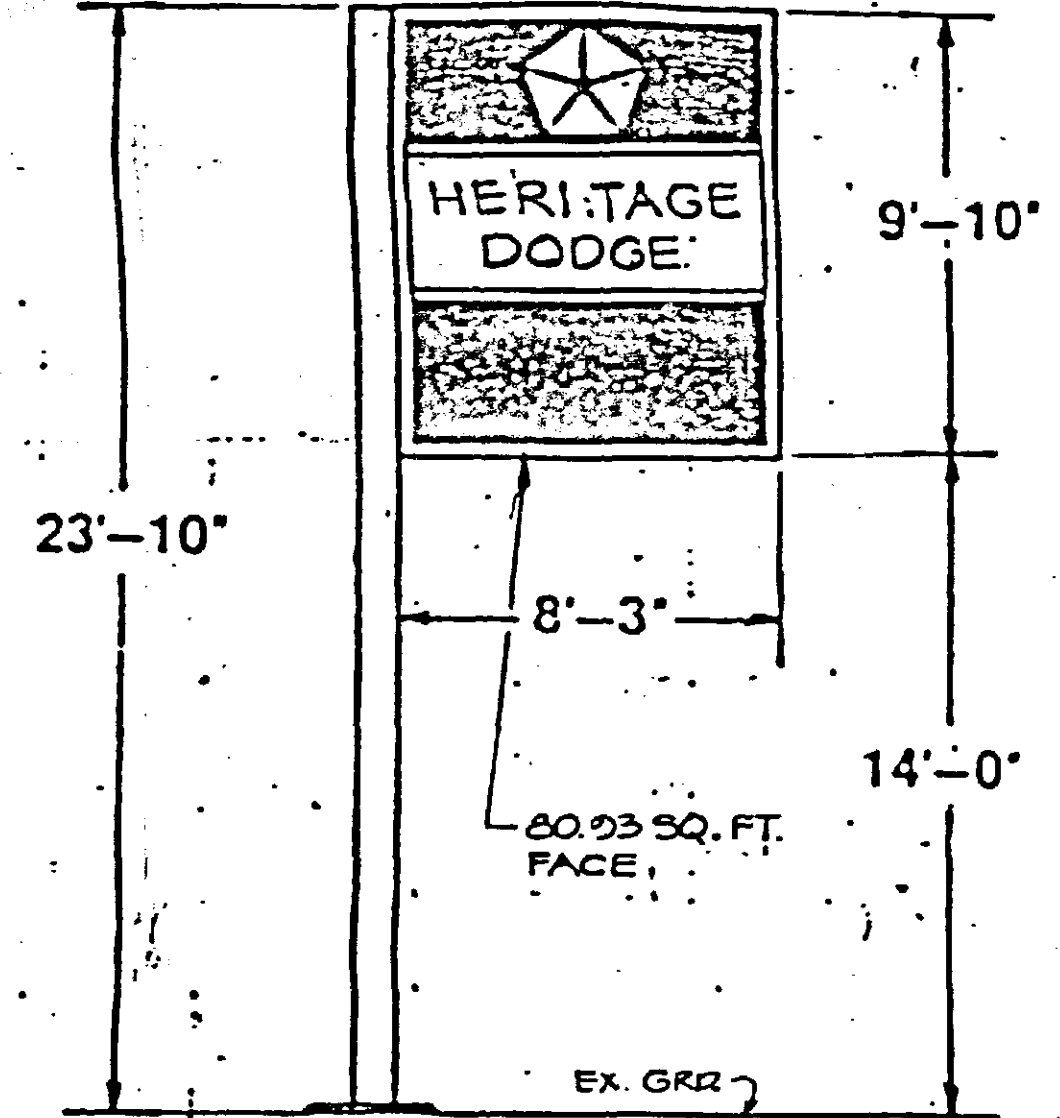
EXISTING SIGN #3
OTHER BUSINESS SIGN
N.T.S.



PROPOSED SIGN #4
BUSINESS IDENTIFICATION SIGN
N.T.S.



PROPOSED SIGN #5
BUSINESS IDENTIFICATION SIGN
N.T.S.



PROPOSED SIGN #6
BUSINESS IDENTIFICATION SIGN
N.T.S.

OTHER BUSINESS SIGNS

SIGN NO	SIGN AREA EACH FACE	TOTAL SIGN AREA BOTH FACES
EXISTING SIGN NO 1	9	18 SQ. FT.
EXISTING SIGN NO 3	104	208 SQ. FT.
TOTAL	113	226 SQ. FT.

BUSINESS IDENTIFICATION SIGNS

SIGN NO	TOTAL SIGN AREA ONE FACE
EXISTING SIGN NO 2	100 SQ. FT.
PROPOSED SIGN NO 4	116.22 SQ. FT.
PROPOSED SIGN NO 5	62.25 SQ. FT.
PROPOSED SIGN NO 6	80.93 SQ. FT.
TOTAL	360.40 SQ. FT.

NOTES:
1. SEE SITE PLAN FOR SIGN LOCATIONS, SHEET 1 OF 2
2. SEE SHEET 1 OF 2 FOR SIGN NOTES

Petitioner's #1-B
#88.413-A



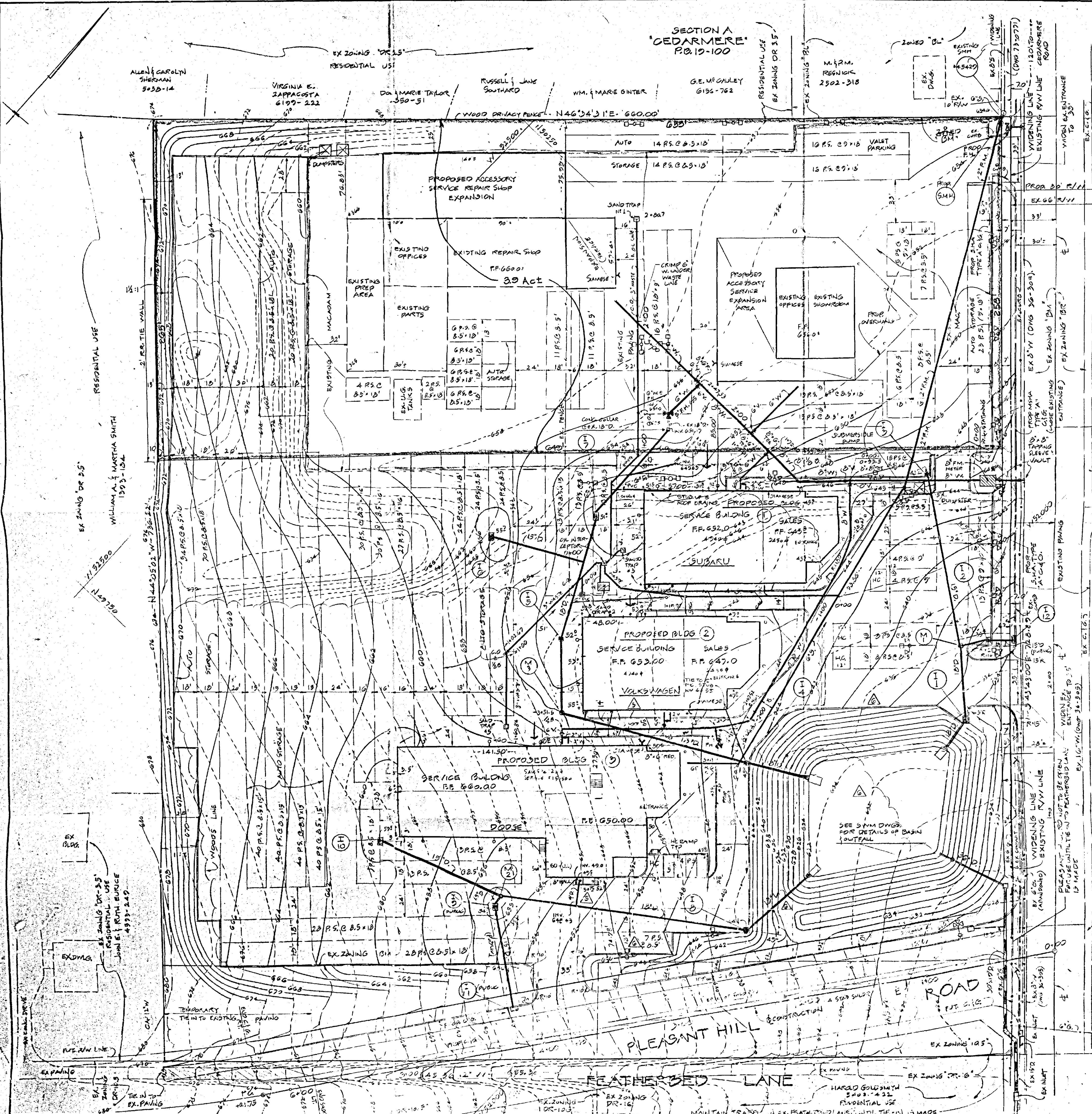
DATE	REVISIONS
2-3-88	ADDED SIGN TABLES, REVISED NOTES
2-3-88	EX. SIGNS NO 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

KIDDE CONSULTANTS, INC.
ENGINEERS • PLANNERS • SURVEYORS
1020 CROMWELL BRIDGE ROAD, BALTIMORE, MARYLAND 21201

DEVELOPER
MAGNA FINANCIAL CORP.
2420 REISTERSTOWN ROAD
GARRISTOWN, MARYLAND 21040

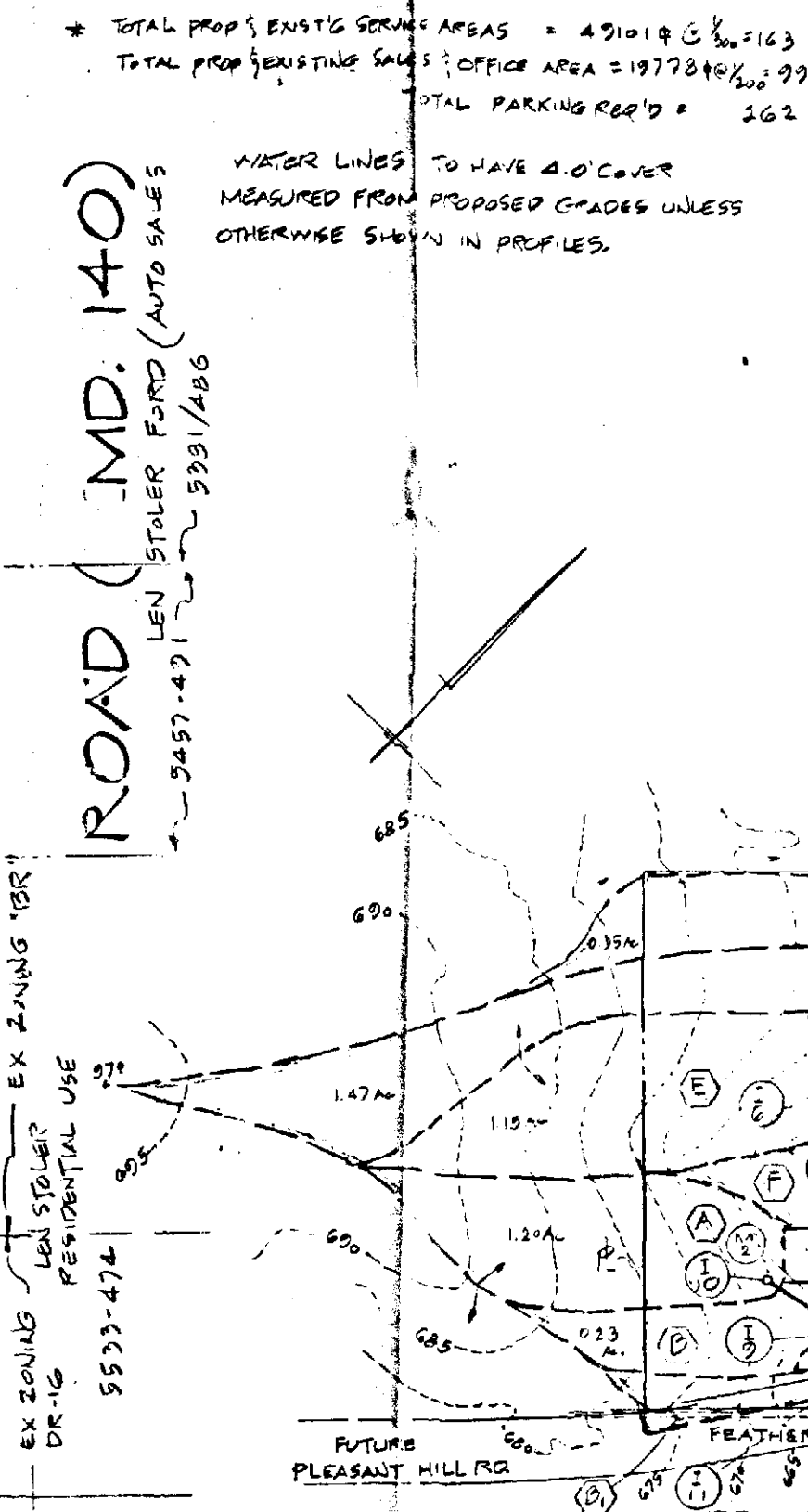
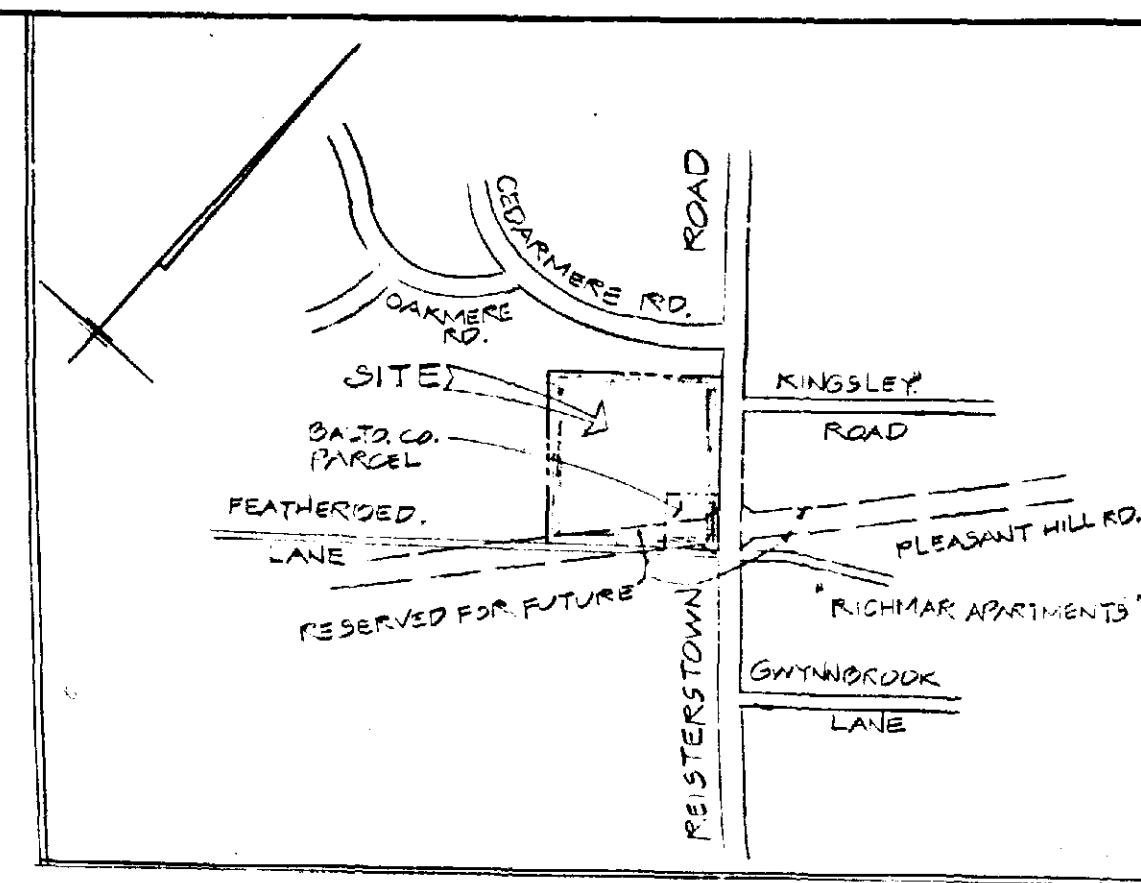
HERITAGE AUTO PARK

SHEET 2 OF 2
DATE JAN 27, 1988
JOB NUMBER



GENERAL NOTES

1. SITE DECREASE 1.02 AC. RUD 0.20 AC. (LEASED FROM BAYCO COUNTY)
TOTAL: 11.03 AC. NET (400' x 5')
2. ZONING: B1M² (0.91 ac.) DR H-1 (12 ac.)
3. EX. USE OF SITE AUTO SERVICE (SALES 3.77 AC.
REMAINDER WOODED VACANT AND (2.70 ac.)
4. PREP. USE AUTO SALES SERVICE EXPANSION
5. PARKING REQ'D 262 (REMAINDER OF PARKING @
PARKING PREOR 266 AUTO USE)
- 7 H.C. SPACES REQ'D PROVIDED



STORM DRAIN CALCULATIONS										* EXCEPT AS NOTED *			
LOCATION	AREA	ACROSS	W	CA	5 SA	TIME	CONV	W	1/4	1/4 CA	1/4 CA	1/4 CA	1/4 CA
STATION	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-10	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-11	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-12	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-13	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
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I-16	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-17	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-18	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
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I-61	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-62	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-63	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-64	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-65	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-66	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-67	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-68	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-69	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-70	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-71	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-72	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-73	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-74	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-75	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-76	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-77	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-78	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-79	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-80	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-81	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-82	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-83	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-84	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-85	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-86	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-87	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-88	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-89	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-90	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-91	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-92	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-93	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-94	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-95	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-96	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-97	1-0	2-0	3-0	4-0	5-0	6-0	7-0	8-0	9-0	10-0	11-0	12-0	13-0
I-98	1												

REISTERSTOWN

PUBLIC SERVICES, C.R.G. NO 86272

OFFICE OF PLANNING & ZONING
APPROVED BY:

DIRECTOR OF PLANNING

DATE

ZONING COMMISSIONER

DATE

DEVELOPMENT PLAN
HERITAGE AUTO PARK

4TH ELECTION DISTRICT
SCALE: 1"=30'

REV. GRADING, CURB & S.W.M. POND
ADDED LIGHTING TO PLAN 10/12/87

REV. ADDED ROADWAY, ADDED P.D. &
NEW FURN. BUSHES
10-1-87

BALTIMORE COUNTY, MD.

4-12-87

2-16-87 (EX. 100% D. APPROV.)

REV. 6-1-87

REV. 8-7-87

REV. 2-2-87 (SWM POND & LIGHTING)

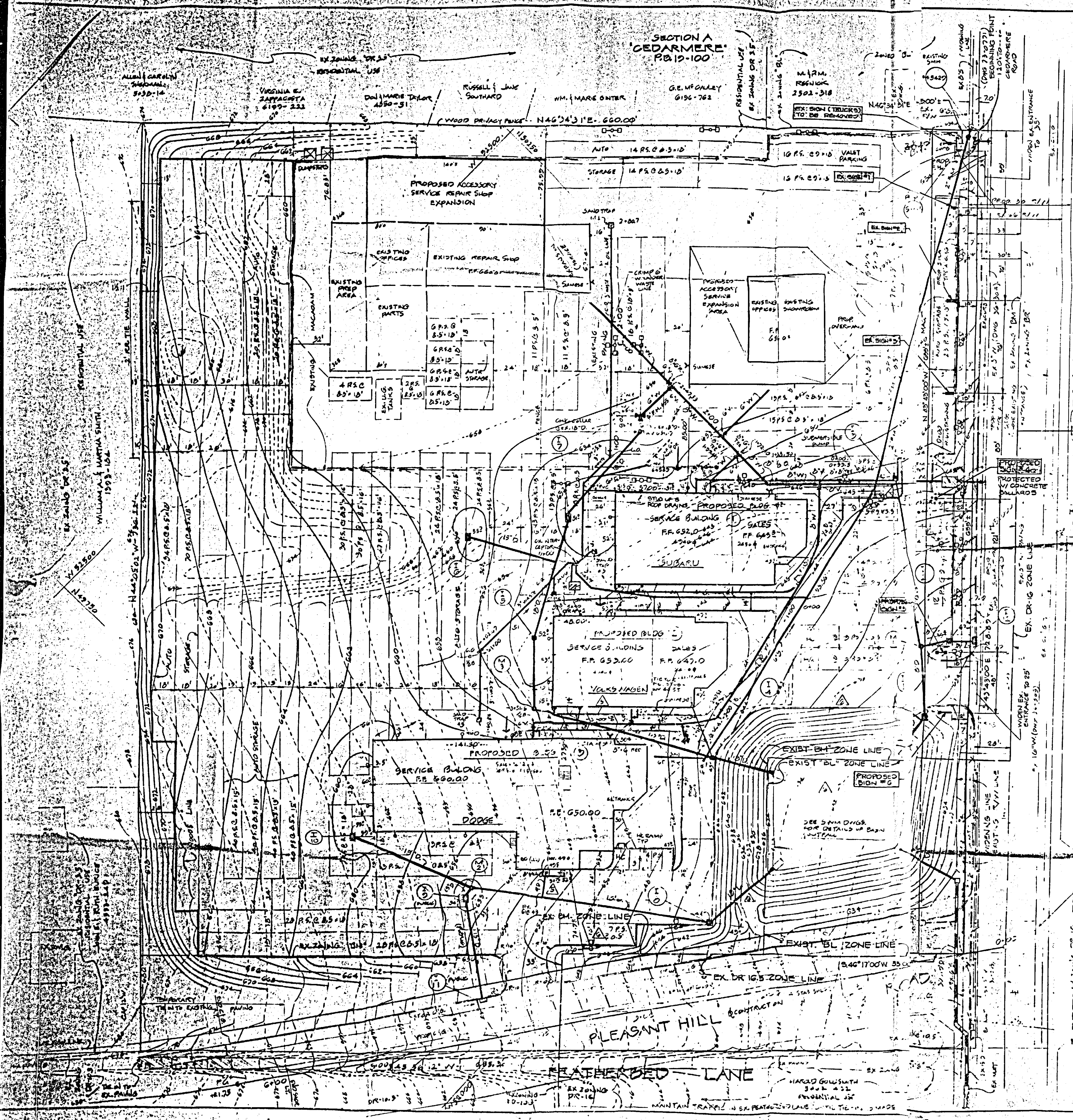
SHEET 1 OF 2

ENGINEER:

KIDDE CONSULTANTS, INC.
1020 GROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21204
TEL. 301-321-3300

A circular professional seal for William J. Kidde, No. 10000, State of Maryland, Mechanical Engineering. The seal features a signature across the center and the text "WILLIAM J. KIDDE", "No. 10000", "STATE OF MARYLAND", and "MECHANICAL ENGINEERING".

S.I.
IAL CORP.
N ROAD
12
00



GENERAL NOTES

1. SITE ACRESAGE 10.10 AC. (BASED ON 1950 AERIAL PHOTOGRAPH)
2. TOTAL 11.03 AC. (1950 AERIAL PHOTOGRAPH)
3. EX. USE OF SITE AUTO SERVICE (1.5 AC.)
4. REMAINDER WOODS VACANT LAND (7.77 AC.)
5. PROPOSED USE AUTO SALES SERVICE EXPANSION
6. PARKING 262 (REMAINDER OF PARKING)
7. H.C. SPACES REQ'D 262

TOTAL PROPOSED EXISTING AREAS = 4,914 G.S. 1163
 TOTAL PROPOSED EXISTING AREAS OFFICE AREA 211,781 G.S. 299
 TOTAL PARKING REQ'D = 262

VICINITY MAP

SCALE: 1" = 500'

SIGN NOTES

1. EXISTING SIGN #1 IS A PARTS & SERVICE SIGN & IS "ANOTHER BUSINESS SIGN"
2. EXISTING SIGN #2 IS A "BUSINESS IDENTIFICATION" SIGN
3. EXISTING SIGN #3 IS A "USED CAR" SIGN & IS "ANOTHER BUSINESS SIGN"
4. PROPOSED SIGN #4, #5 & #6 ARE "BUSINESS IDENTIFICATION" SIGNS
5. FOR DETAILS OF THESE SIGNS SEE SHEET 2 OF 2

SIGN VARIANCES REQUESTED

1. EXISTING SIGN #1 & 3:
PETITIONER IS REQUESTING A VARIANCE TO SECTION 413.2(f) OF THE BCZR TO ALLOW A TOTAL OF 226 SQUARE FEET FOR OTHER BUSINESS SIGNS INSTEAD OF THE ALLOWED 100 SQUARE FEET (A VARIANCE OF 126 SQUARE FEET)
2. EXISTING SIGN #2 + PROPOSED SIGN #4, #5 & #6:
PETITIONER IS REQUESTING A VARIANCE TO SECTION 413.2(c) OF THE BCZR TO ALLOW A TOTAL OF 4 BUSINESS IDENTIFICATION SIGNS TO BE ERECTED ALONG A STREET FRONTAGE INSTEAD OF THE 1 ALLOWED SIGN (A VARIANCE OF 3 SIGNS)
3. PROPOSED SIGN #4:
PETITIONER IS REQUESTING A VARIANCE TO SECTION 413.4(d) OF THE BCZR TO ALLOW A TOTAL HEIGHT ABOVE STREET LEVEL TO BE 39.75' INSTEAD OF THE ALLOWED 25' (A VARIANCE OF 14.75')
4. PROPOSED SIGN #5, #6 & #7:
PETITIONER IS REQUESTING A VARIANCE TO SECTION 413.2(c) TO ALLOW 3 BUSINESS SIGNS TO BE OPPOSITE LAND NOT ZONED COMMERCIAL
5. EXISTING SIGN #2 AND PROPOSED SIGN #4, #5, #6 AND #7:
PETITIONER IS REQUESTING A VARIANCE FROM SECTION 413.2(c) OF THE BCZR TO ALLOW A TOTAL OF 368.4 SQUARE FEET FOR BUSINESS IDENTIFICATION SIGNS INSTEAD OF THE ALLOWED 150 SQUARE FEET (A VARIANCE OF 218.4 SQUARE FEET)

1 Sign

Petitioner's #1-A
 #88-413-A
 #284
 REVISED PLANS

PLAT TO ACCOMPANY PETITION
 FOR
 SIGN VARIANCES
 AT
HERITAGE AUTO PARK
 4TH ELECTION DISTRICT
 SCALE: 1" = 30'

DALTIMORE COUNTY, MD.
 JANUARY 20, 1988

DEVELOPER:
MAGNA FINANCIAL CORP.
 9428 REISTERSTOWN ROAD
 GARRI, MD.
 TEL. 301-365-6300

ENGINEER:
KIDDE CONSULTANTS INC.
 1020 CROMWELL BRIDGE ROAD
 TOWSON, MARYLAND 21204
 TEL. 301-321-3500

[illegible][illegible]

A hand-drawn map of the Pleasant Hill Road area in Gwynedd Township. The map shows the intersection of Cedarhurst Road, Oakmere Road, and Resterstown Road. A 'SITEL' is marked with a dashed line and an arrow, labeled 'SITEL' and 'PARCEL'. The area is labeled 'PLEASANT HILL RD' and 'RICHMAR APARTMENTS'. Other labels include 'FEATHERED LANE', 'RESERVED FOR FUTURE', 'KINGSLEY ROAD', and 'GWYNEDD TOWNSHIP'.

A hand-drawn map titled "DRAINAGE AREA MAP" with a scale of "1" = 200'". The map shows a rectangular area divided into sections labeled A through H. The map includes various elevation points (e.g., 685, 690, 695, 700, 705, 710, 715, 720, 725, 730, 735, 740, 745, 750, 755, 760, 765, 770, 775, 780, 785, 790, 795, 800, 805, 810, 815, 820, 825, 830, 835, 840, 845, 850, 855, 860, 865, 870, 875, 880, 885, 890, 895, 900, 905, 910, 915, 920, 925, 930, 935, 940, 945, 950, 955, 960, 965, 970, 975, 980, 985, 990, 995, 1000, 1005, 1010, 1015, 1020, 1025, 1030, 1035, 1040, 1045, 1050, 1055, 1060, 1065, 1070, 1075, 1080, 1085, 1090, 1095, 1100, 1105, 1110, 1115, 1120, 1125, 1130, 1135, 1140, 1145, 1150, 1155, 1160, 1165, 1170, 1175, 1180, 1185, 1190, 1195, 1200, 1205, 1210, 1215, 1220, 1225, 1230, 1235, 1240, 1245, 1250, 1255, 1260, 1265, 1270, 1275, 1280, 1285, 1290, 1295, 1300, 1305, 1310, 1315, 1320, 1325, 1330, 1335, 1340, 1345, 1350, 1355, 1360, 1365, 1370, 1375, 1380, 1385, 1390, 1395, 1400, 1405, 1410, 1415, 1420, 1425, 1430, 1435, 1440, 1445, 1450, 1455, 1460, 1465, 1470, 1475, 1480, 1485, 1490, 1495, 1500, 1505, 1510, 1515, 1520, 1525, 1530, 1535, 1540, 1545, 1550, 1555, 1560, 1565, 1570, 1575, 1580, 1585, 1590, 1595, 1600, 1605, 1610, 1615, 1620, 1625, 1630, 1635, 1640, 1645, 1650, 1655, 1660, 1665, 1670, 1675, 1680, 1685, 1690, 1695, 1700, 1705, 1710, 1715, 1720, 1725, 1730, 1735, 1740, 1745, 1750, 1755, 1760, 1765, 1770, 1775, 1780, 1785, 1790, 1795, 1800, 1805, 1810, 1815, 1820, 1825, 1830, 1835, 1840, 1845, 1850, 1855, 1860, 1865, 1870, 1875, 1880, 1885, 1890, 1895, 1900, 1905, 1910, 1915, 1920, 1925, 1930, 1935, 1940, 1945, 1950, 1955, 1960, 1965, 1970, 1975, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015, 2020, 2025, 2030, 2035, 2040, 2045, 2050, 2055, 2060, 2065, 2070, 2075, 2080, 2085, 2090, 2095, 2100, 2105, 2110, 2115, 2120, 2125, 2130, 2135, 2140, 2145, 2150, 2155, 2160, 2165, 2170, 2175, 2180, 2185, 2190, 2195, 2200, 2205, 2210, 2215, 2220, 2225, 2230, 2235, 2240, 2245, 2250, 2255, 2260, 2265, 2270, 2275, 2280, 2285, 2290, 2295, 2300, 2305, 2310, 2315, 2320, 2325, 2330, 2335, 2340, 2345, 2350, 2355, 2360, 2365, 2370, 2375, 2380, 2385, 2390, 2395, 2400, 2405, 2410, 2415, 2420, 2425, 2430, 2435, 2440, 2445, 2450, 2455, 2460, 2465, 2470, 2475, 2480, 2485, 2490, 2495, 2500, 2505, 2510, 2515, 2520, 2525, 2530, 2535, 2540, 2545, 2550, 2555, 2560, 2565, 2570, 2575, 2580, 2585, 2590, 2595, 2600, 2605, 2610, 2615, 2620, 2625, 2630, 2635, 2640, 2645, 2650, 2655, 2660, 2665, 2670, 2675, 2680, 2685, 2690, 2695, 2700, 2705, 2710, 2715, 2720, 2725, 2730, 2735, 2740, 2745, 2750, 2755, 2760, 2765, 2770, 2775, 2780, 2785, 2790, 2795, 2800, 2805, 2810, 2815, 2820, 2825, 2830, 2835, 2840, 2845, 2850, 2855, 2860, 2865, 2870, 2875, 2880, 2885, 2890, 2895, 2900, 2905, 2910, 2915, 2920, 2925, 2930, 2935, 2940, 2945, 2950, 2955, 2960, 2965, 2970, 2975, 2980, 2985, 2990, 2995, 3000, 3005, 3010, 3015, 3020, 3025, 3030, 3035, 3040, 3045, 3050, 3055, 3060, 3065, 3070, 3075, 3080, 3085, 3090, 3095, 3100, 3105, 3110, 3115, 3120, 3125, 3130, 3135, 3140, 3145, 3150, 3155, 3160, 3165, 3170, 3175, 3180, 3185, 3190, 3195, 3200, 3205, 3210, 3215, 3220, 3225, 3230, 3235, 3240, 3245, 3250, 3255, 3260, 3265, 3270, 3275, 3280, 3285, 3290, 3295, 3300, 3305, 3310, 3315, 3320, 3325, 3330, 3335, 3340, 3345, 3350, 3355, 3360, 3365, 3370, 3375, 3380, 3385, 3390, 3395, 3400, 3405, 3410, 3415, 3420, 3425, 3430, 3435, 3440, 3445, 3450, 3455, 3460, 3465, 3470, 3475, 3480, 3485, 3490, 3495, 3500, 3505, 3510, 3515, 3520, 3525, 3530, 3535, 3540, 3545, 3550, 3555, 3560, 3565, 3570, 3575, 3580, 3585, 3590, 3595, 3600, 3605, 3610, 3615, 3620, 3625, 3630, 3635, 3640, 3645, 3650, 3655, 3660, 3665, 3670, 3675, 3680, 3685, 3690, 3695, 3700, 3705, 3710, 3715, 3720, 3725, 3730, 3735, 3740, 3745, 3750, 3755, 3760, 3765, 3770, 3775, 3780, 3785, 3790, 3795, 3800, 3805, 3810, 3815, 3820, 3825, 3830, 3835, 3840, 3845, 3850, 3855, 3860, 3865, 3870, 3875, 3880, 3885, 3890, 3895, 3900, 3905, 3910, 3915, 3920, 3925, 3930, 3935, 3940, 3945, 3950, 3955, 3960, 3965, 3970, 3975, 3980, 3985, 3990, 3995, 4000, 4005, 4010, 4015, 4020, 4025, 4030, 4035, 404

STORM DRAIN CALCULATIONS										* BASED ON AVERAGE USED
LOCATION		SSEED		CA		SSEED		SSEED		REMARKS
FROM	TO	AREA	TOTAL	CA	SSEED	SSEED	SSEED	SSEED		
-10	I-9	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-10	I-9	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-11	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-12	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-13	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-14	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-15	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-16	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-17	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-18	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-19	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-20	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-21	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-22	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-23	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-24	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-25	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-26	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-27	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-28	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-29	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-30	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-31	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-32	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-33	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-34	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-35	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-36	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-37	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-38	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-39	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-40	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-41	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-42	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-43	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-44	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-45	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-46	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0
-47	I-10	A	3.0	72	2.0	2.0	2.0	2.0	2.0	2.0

DEVELOPMENT PLAN
HERITAGE AUTO PARK

4TH ELECTION DISTRICT
SCALE: 1" = 30'

REV. GRADINGS, CURB & S.D. & SWM POND
ADDED LIGHTING TO PLAN 10/12/87

BALTIMORE COUNTY, MD.
4-13-87 7-16-87 (see P. 100F D. ADDED)
REV. 6-1-87
REV. 8-7-87
REV. 7-2-87 (SWIM BASIN & CURBING)

10-1-87

DEVELOPER:
MAGNA FINANCIAL CORP
9428 REISTERSTOWN ROAD
GARY, SUN MD
TEL: 301-303-6900

ENGINEER:
KIDDE CONSULTANTS, INC.
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21204
TEL. 301-321-3367