IN RE: PETITION FOR ZONING

ZONING COMMISSIONER

BALTIMORE COUNTY

PARTNERSHIP Petitioners

Case No. 90-18-A

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

The Petitioners herein request a zoning variance to permit three illuminated signs: two signs totaling 46 square feet each, located on decorative stone walls and one sign totaling 39 square feet in lieu of the permitted 15 square feet, all to identify an Owings Mills community known as the Village of Painters Mill, with one of its component apartment communities called Chase Mill.

The Petitioner was represented by Robert A. Hoffman, Esquire.

There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Zoning Commissioner that the relief requested complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and that an undue hardship or practical difficulty would exist if the requested community identification signs were not permitted. The signs would allow people to find the community, as well as give residents a needed and desirable

sense of "neighborhood". Therefore, the variance should be granted. Further, there is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public and the Office of Planning and Zoning supports the granting of the requested Variance.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Zoning Commissioner, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 3/ day of August, 1989 that a zoning variance to permit three illuminated signs: two signs totaling 46 square feet each, located on decorative stone walls, and one sign totaling 39 square feet all in lieu of the permitted 15 square feet be and is hereby GRANTED, subject to the following restrictions:

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

 No additional signage of any type or nature shall be permitted along Painters Mill Road without further hearing.

 All signage currently displayed along PainLers Mill Road regardless of type or nature that is any way associated with and/or under the control of Petitioner shall be removed prior to the erection of any signage granted pursuant to this Order.

> Zoning Commissioner of Baltimore County

cc: Robert A. Hoffman, Esquire

DAFT-McCUNE-WALKER, INC.



Description

To Accompany Petition For Zoning Variance Sign Parcel No. 2

Southwest Corner of Painters Mill Road and Lakeside Boulevard Second Election District, Baltimore County, Maryland

Beginning for the same on the southwest side of Lakeside Boulevard at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Painters Mill Road with the centerline of Lakeside Boulevard, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) Northwesterly 150 feet more or less along the centerline of said Lakeside Boulevard and thence (2) Southwesterly 40 feet more or less to the point of beginning, thence leaving said point of beginning and running and binding on said southwest side of Lakeside Boulevard the two following courses and distances, viz: (1) South 69 degrees 28 minutes 23 seconds East 51.35 feet and thence (2) South 24 degrees 03 minutes 44 seconds East 70.20 feet to intersect the northwest side of Painters Mill Road, thence running and binding thereon (3) Southwesterly by a line curving to the right having a radius of 4535.16 feet for a distance of 53.23 feet (the arc of said curve being subtended by a long chord bearing South 22 degrees

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALITIMORE 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 described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and plat attached hereto and made a part hereof, hereby petition for a described in the description and described hereby petition for a described hereby petition and described hereby petition at the description and described hereby petition for a described hereby petition and described hereby petition for a described hereby petition for a described hereby petition and described hereby petition for a described hereby petition for a described hereby petition and described hereby petition for a described hereb 46 sq. ft. each, located on decorative stone walls, and one sign totaling 39 sq. ft. in lieu of the permitted 15 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing

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 Chase Mill Limited Partnership (Type or Print Name) By: TCR / Maryland, Inc. (Type or Print Name) General Partner Signature By: Lois S. Fried, Vice President (Type or Print Name) City and State Attorney for Petitioner: P.O. Box 10147 John B. Howard, Esquire (Type or Print Name) Baltimore, Maryland 21285 Name, address and phone number of legal owner, con-210 Allegheny Avenue tract purchaser or representative to be contacted John B. Howard, Esquire Towson, Maryland 21204

Name 210 Allegheny Avenue Towson, Maryland 21204 823-4111 Attorney's Telephone No.: \_\_\_\_823-4111

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_

ANY HEARING TIME IHR DURATION .

City and State

00 minutes 01 seconds West 53.23 feet). thence leaving said northwest side of Painters Mill Road and running the two following courses and distances, viz: (4) North 67 degrees 39 minutes 48 seconds West 99.32 feet and thence North 20 degrees 31 minutes 37 seconds East 100.07 feet to the point of beginning; containing 0.206 acres of land. NOTE: THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONVEYANCE. March 28, 1989

Our Job No. 85020-B (L85020B)



DAFT-McCUNE-WALKER, INC.

200 East Pennsylvania Avenue Towson, Maryland 21204 elephone: 301-296-3333 Landscape Architects Engineers & Surveyors

Description

To Accompany Petition for Zoning Variance Sign Parcel No. 1

Northwest Corner Painters Mill Road and Lakeside Boulevard Second Election District, Baltimore County, Maryland

Beginning for the same on the northeast side of Lakeside Boulevard at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Painters Mill Road with the centerline of Lakeside Boulevard, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) Northwesterly 150 feet more or less along the centerline of said Lakeside Boulevard and thence (2) Northeasterly 40 feet more or less to the point of beginning. thence leaving said point of beginning and running the two following courses and distances, viz: (1) North 20 degrees 31 minutes 37 seconds East 101.12 feet, and thence (2) South 70 degrees 2<sup>6</sup> minutes 20 seconds East 99.71 feet, to intersect northwest side of Painters Mill Road, thence running and binding thereon (3) South 19 degrees 33 minutes 40 seconds West 52.81 feet, to intersect the said northeast side of said Lakeside Boulevard, thence running and binding on said northeast side of Lakeside Boulevard, the two following courses and distances, viz: (4) South 65 degrees 07 minutes 41 seconds West 70.22 feet Page 1 of 2

and thence (5) North 69 degrees 28 minutes 23 seconds West 51.29 feet to the point of beginning; containing 0.207 acres of land, more or less.

NOTE: THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONVEYANCE

March 28, 1989 Our Job No. 85020-B (L85020B.1)



Page 2 of 2

Page 1 of 2

Page 2 of 2



200 East Pennsylvania Avenue owson, Maryland 21204 elephone: 301-296-3333 Land Planning Consultants Landscape Architects **Engineers & Surveyors** 

Description

To Accompany Petition for Zoning Variance

Sign Parcel No. 3 Northeast Side Lakeside Boulevard

Second Election District, Baltimore County, Maryland

Beginning for the same on the northeast side of Lakeside Boulevard at the end of the second of the two following courses and distances, measured from the point formed by the intersection of the centerline of Painters Mill Road with the centerline of Lakeside Boulevard, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) Northwesterly 545 feet more or less along the centerline of said Lakeside Boulevard and thence (2) Northeasterly 40 feet more or less to the point of beginning, thence leaving said point of beginning and running and binding on said northeast side of Lakeside Boulevard, (1) North 88 degrees 58 minutes 00 seconds West 83.50 feet, thence leaving said northeast side of Lakeside Boulevard and running the three following courses and distances, viz: (2) North 01 degree 02 minutes 00 seconds East 50.00 feet, thence (3) South 88 degrees 58 minutes 00 seconds East 83.50 feet, and thence (4) South 01 degree 02 minutes 00 seconds West 50.00 feet to the point of beginning; containing 0.096 acres of land, more or

Page 1 of 2

CERTIFICATE OF PUBLICATION

granted, a building permit may be leased within the timity (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the iniblished in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearsuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing sat above or presented at the hearing. THE JEFFERSONIAN

> OWINGS MILLS TIMES, 5. Zefe Orlm

PO 13658 109 M30997 ca 90-18-1

price \$ 74.86

CERTIFICATE OF PUBLICATION

TOWSON, MD. 926413 1989 published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appear-THE JEFFERSONIAN

owings mills times,
S. Zehe Dulm

NOTE: This description has been prepared for zoning purposes

ONLY AND IS NOT TO BE USED FOR CONVEYANCE.

March 28, 1989

Our Job No. 85020-B (L85020B.2)



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Posted for:

Petitioner: Chase Mill Limited Part nerships

Location of property: Weet side of Lainters Mill Rock

Location of Signs: 5 W Corner of Painters Mill Rock

Location of Signs: 5 W Corner of Painters Mill Rock  VENABLE, BAETJER AND HOWARD ATTORNEYS AT LAW

FAX (301) 821-0147

210 ALLEGHENY AVENUE MCLEAN, VA P.O. BOX 5517 NSON, MARYLAND 21285-5517 BEL AIR, MO

August 28, 1989

WRITER'S DIRECT NUMBER IS

Hand Delivery

Towson, Maryland 21204

RICHARD H, VEHABLE (1838-180) EDWIN 6, BAETJER (1868-1848) HARLES MCH, HOWARD (1870-184

J. Robert Haines, Zoning Commissioner 1st Floor, County Office Building 111 W. Chesapeake Avenue

AUG 29 1989 ZONING OFFICE Potition for Zoning Variance

B Mill Limited Partnership

nts, enclosed please find a revised copy Conclusions of Law with regard to the ould you have any questions, please do Sincerely,

Robert W Hoffman

ZONING OFFICE

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

WASHINGTON, D. C.

MCLEAN, VA

BEL AIR, MD

RICHARO M. VENABLE (1839-1910) EDWIN D. BAETJER (1866-1945) CHARLES MCM. HOWARD (1870-1942)

Dear Joe:

RAH: cns

Enclosure

Mr. Joseph Merrey, Clerk Zoning Commissioner's Office

Re: Petition for Zoning Variance

Case No. 90-18-A

County Office Building

you have any comments.

Towson, Maryland 21204

ROCKVILLE, MD

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

210 ALLEGHENY AVENUE

P.Q. BOX 5517

TOWSON, MARYLAND 21285-5517

FAX (301) 821-0147

Petitioner: Chase Mill Limited Partnership

Enclosed please find a draft copy of the Findings of Fact and Conclusions of Law with regard to the above-captioned matter. Once

Sincerely,

Robert A. Hoffman

you have had an opportunity to review same please let me know if

August 22, 1989

WRITER'S DIRECT NUMBER !

301-494-9162

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 CASE NUMBER: 90-18-A W side Peinters Mill Road, 10001 t N Lyons Mill Road 2nd Election District - 2nd Councilmenic Petitioner(s): Chase Mill Limited Partnership HEARING SCHEDULED: TUESDAY, AUGUST 1, 1989 at 11:00 a.m.

Baltimore County
Zoning Commissioner
Office of Flanning & Zoning
Towson, Maryland 21204

(301) 887-3353

Variance: To permit three signs: two signs totaling 46 square feet each, located on decorative stone walls and one sign totaling 39 square feet in lieu of the permitted 15 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 office by the date of the hearing set above or presented at the hearing.

> ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

John B. Howard, Esq.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner Chase Mill Limited Partnership P. Q. Box 10147

Baltimore, Maryland 21285

Res Pelition for Zoning Variance CASE NUMBER: 90-18-A W side Painters Mill Road, 1000'± N Lyons Mill Road 2nd Election District - 2nd Councilmanic Petitioner(s): Chase Mill Limited Partnership HEARING SCHEDULED: TUESDAY, AUGUST 1, 1989 at 11:00 a.m.

Please be advised that \$178.46 is due for advertising and posting of the above captioned property.

DATE \_7/17/89

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)
RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

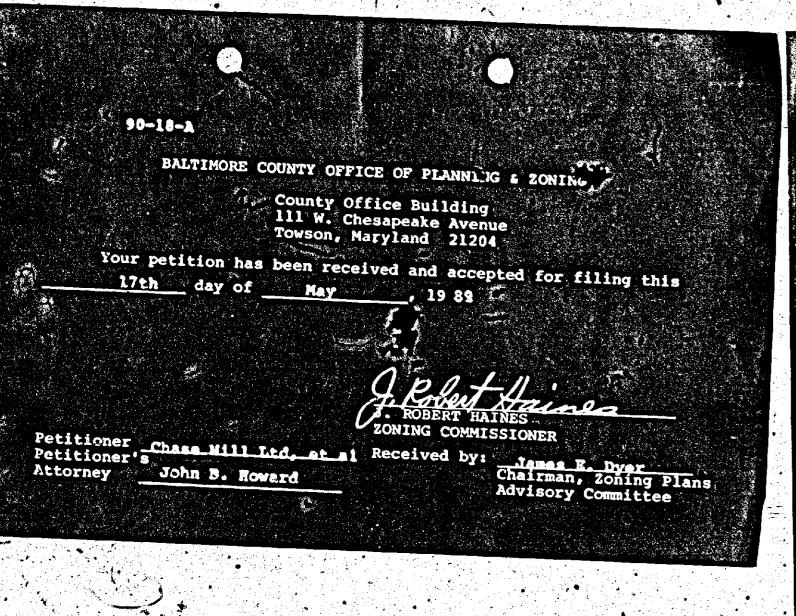
Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

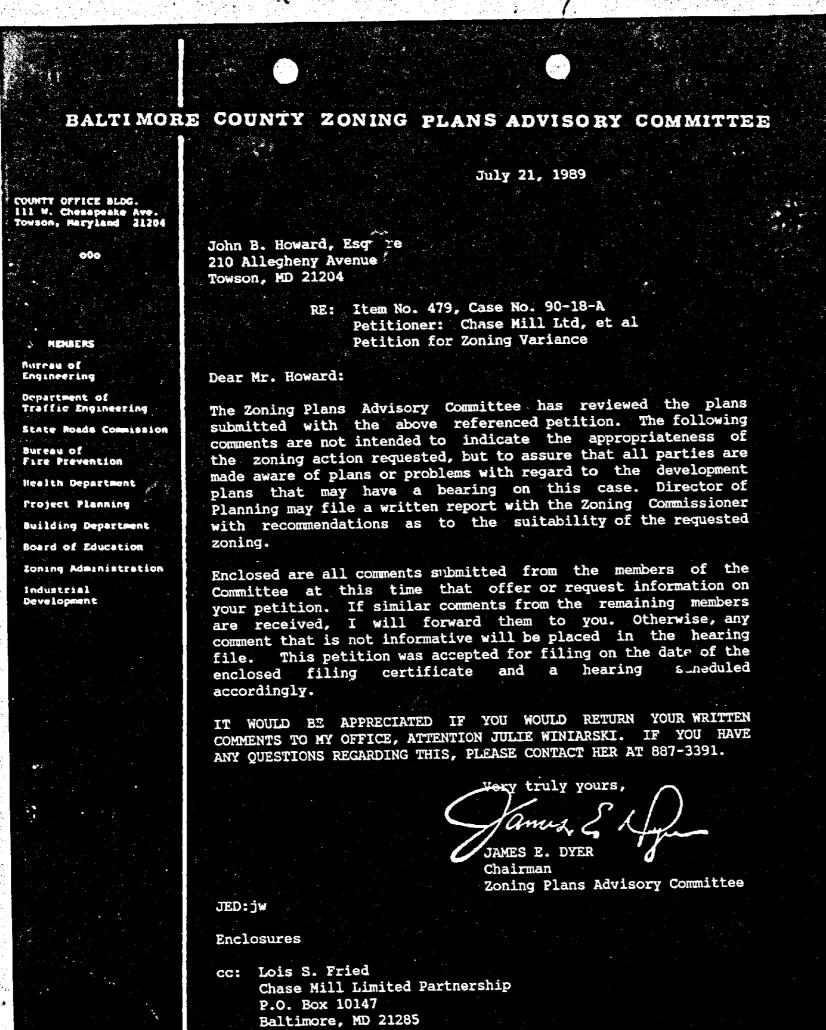
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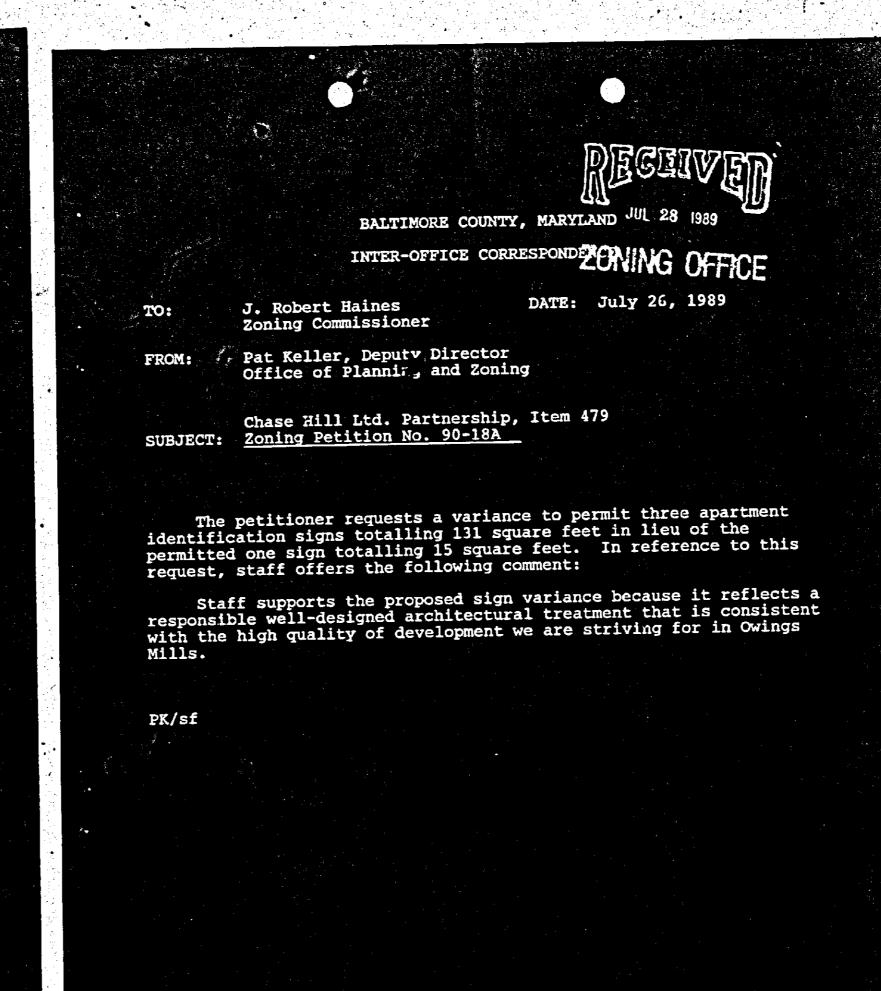
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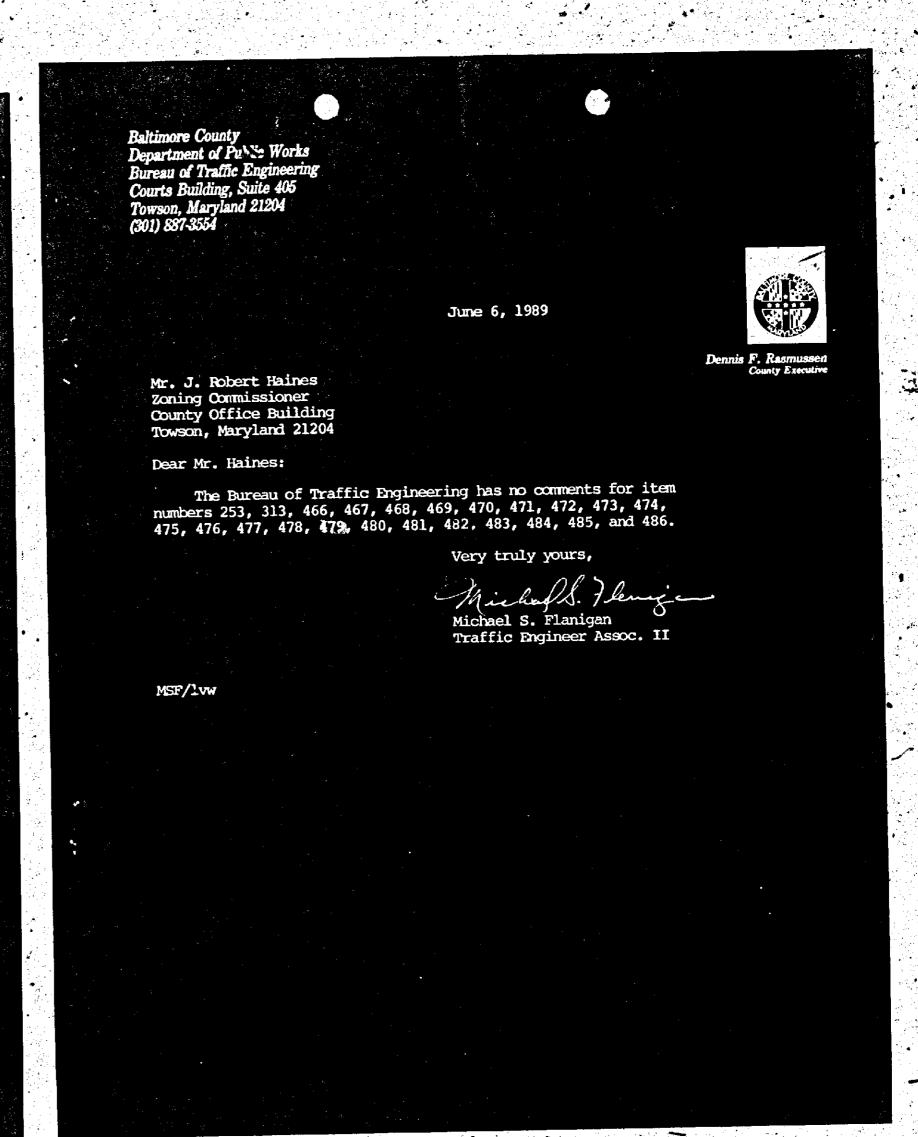
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granted, a bullary parametry or granted within the thirty (30) day appeal parked. The Zorking Commissioner will, forwaver, entertain any request for a stay of the insurance of said period fulling this provide for good cause shown. Such sequent must be in writing and received in this office by the data of the hearing said aby a or presented at the hearing.









Fire Department Towson, Maryland 21204-258; Paul H. Reincke Chief J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204 Dennis F. Rasmussen
County Executive F.e: Property Owner: Chase Mill Limited Partnership

Location: W side Painters Mill Road, 1,000' N of Lyons Mill Road Zoning Agenda: May 16, 1989

Item No.: 479

Baltimore County

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 or upancy.

( ) 6. Site plans are approved, as drawn.

The Fire Prevention Bureau has no comments at this time.

Planding Group
Special Inspection Division

TO: Zoning Advisory Committee DATE: June 1, 1989 FROM: Robert W. Bowling, P.E. RE: Zoning Advisory Committee Meeting for May 16, 1989 The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 466, 468, 469, 470, 471, 474, 475, 476, 478, 480, 481, 482, 485, and 486. For Item 253 the previous County Review Group Comments still apply. For Item 313 contact the State Highway Administration for right-of-way requirements for Reisterstown Road. For Item 467 contact the State Highway Administration for the necessary improvements for Reisterstown Road. For Item 472 the previous County Review Group Comments for Festival at Woodholme still apply. For Item 473 the building being in a revertible slope easement must be addressed prior to approval. For Item 477 the previous County Review Group Comments still apply. For Item & TSi the previous County Review Group Comments still apply. For Item 483 contact the State Highway Administration

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

RWB:s

still apply.

for right-of-way requirements on Park Heights Avenue. For Item 484 the previous County Review Group Comments JUN 0 2 1080

