

PETITION FOR SPECIAL HEARING
 SW/S Reisterstown Road, 220'
 NW of the E/1 of Tobin Lane
 (9610 Reisterstown Road)
 3rd Election District
 3rd Councilmanic District
 9610 Reisterstown Rd. Ltd. Part.
 Petitioner

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 91-11-SPH

FINDINGS OF FACT AND CONCLUSION OF LAW

The Petitioner herein requests a special hearing to approve modification of certain conditions and restrictions imposed by the Zoning Commissioner in Case No. 90-268-A in the Order of March 12, 1990.

By the said Order of March 12, 1990, certain variances were granted, subject to restrictions.

The Petitioner was represented by Stuart D. Kaplow, Esquire. There was no Protestants. Mr. Kaplow proffered that subsequent to the issuance of the said Order it became apparent that a modification of certain conditions and restrictions was necessary and proper.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of September, 1990 that the Petition for Special Hearing to determine whether or not the Zoning Commissioner should approve the modification of certain conditions and restrictions imposed by the Zoning Commissioner in Case No. 90-268-A in the Order of March 12, 1990 be and hereby is GRANTED.

IT IS FURTHER ORDERED that the variance in Case No. 90-268-A to permit a second, other business sign of 130 sq.ft. total

(65 sq.ft. per face) yielding a total of 440 sq.ft. of signage for the subject site in lieu of the maximum permitted 100 sq.ft. and a height for said sign of 30 feet in lieu of the maximum permitted 25 feet, in accordance with Petitioner's Exhibit 2, shall remain in full force and effect subject, however, not to the restrictions in that earlier Order, but rather to the following restrictions which are conditions precedent to the relief granted:

- 1) A landscape plan as approved by the Deputy Director of Planning and Zoning has been filed with the County Landscape Planner. A copy of the approved plan shall be submitted to the Zoning Commissioner for inclusion in the case file.
- 2) The Merkur sign currently existing on the subject site shall be removed as soon as is practicable following termination of any and all obligations of the Petitioner and its related entities to display such sign.
- 3) At such time as a streetscape plan is adopted for the planned Middle Reisterstown Road Corridor Study (Community Plan), Petitioner shall provide such landscaping improvements on the subject property as may be reasonably required by the Deputy Director of the Office of Planning and Zoning in compliance with that streetscape plan.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.
- 5) Petitioner shall comply with all requirements as set forth in the Zoning Plans Advisory Committee comments which have been adopted in their entirety and made a part of this Order.
- 6) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an

inspection of the subject property to insure compliance with this Order.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

11990.000
 Pet-2var-01A
 09/18/90

ORDER RECEIVED FOR FILING
 Date 9/21/90
 By [Signature]

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

September 21, 1990



Dennis F. Rasmussen
 County Executive

Stuart H. Kaplow, Esquire
 Frank, Bernstein, Conaway and Goldman
 Suite 630
 210 W. Pennsylvania Avenue
 Towson, Maryland 21204

RE: Petition for Special Hearing
 9610 Reisterstown Road Ltd. Partnership, Petitioner
 Case #91-11-SPH

Dear Mr. Kaplow:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

JRH:mmm
 att:
 cc: Peoples Counsel

409
PETITION FOR SPECIAL HEARING
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-11-SPH**

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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the modifications of certain conditions and restrictions imposed by the Zoning Commissioner in Case No. 90-268-A in the Order of March 12, 1990.

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

I, or we, agree to pay expenses of the above Special Hearing 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: 9610 Reisterstown Road Limited Partnership
 Signature: [Signature]
 Address: [Address]
 City and State: [City and State]

Attorney for Petitioner: Stuart D. Kaplow
 Signature: [Signature]
 Frank, Bernstein, Conaway & Goldman
 210 W. Pennsylvania Avenue, Suite 630
 Towson, MD 21204
 Attorney's Telephone No.: 821-3193

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of September, 1990, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of August, 1990, at 2 o'clock P.M.

J. Robert Haines
 Zoning Commissioner of Baltimore County

apri associates, inc.
 surveyors-engineers

ALEXANDER H. PATTON, PRINCIPAL
 RICHARD J. TRULOVE, JR.

DESCRIPTION OF PROPERTY
 9610 REISTERSTOWN ROAD
 THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
EXHIBIT "A" (1)
 BEGINNING FOR THE SAME at a point on the Southwest side of Reisterstown Road, 66 feet wide, and at the beginning of the first line of a parcel of land which by Deed dated March 3, 1978 and recorded among the Land Records of Baltimore County in Liber 5863, page 467 was conveyed by Morris Lindenbaum and wife to Kenneth M. Sprafkin and Susan C. Sprafkin, his wife, and Paul Lichtenstein and Phyllis T. Lichtenstein, his wife; thence running from said point of beginning along the Southwest side of Reisterstown Road and binding along said first line and continuing the same course along the last line of a parcel of land described in Exhibit "A", in the Declaration of Restriction, by Morris Lindenbaum and Rebecca Lindenbaum, his wife, dated March 3, 1978 and recorded in Liber 5863, page 556; in all, South 48 degrees 51 minutes 05 seconds East 310.00 feet; thence leaving Reisterstown Road and binding along the first and second lines in said Exhibit "A", South 41 degrees 08 minutes 55 seconds West 150.00 feet and South 48 degrees 51 minutes 05 seconds East 40.03 feet to intersect the Northerly side of 30 foot wide private road known as Tobin Lane; thence binding thereon the following four courses and distances: (1) South 87 degrees 54 minutes 55 seconds West 139.87 feet (2) South 76 degrees 35 minutes

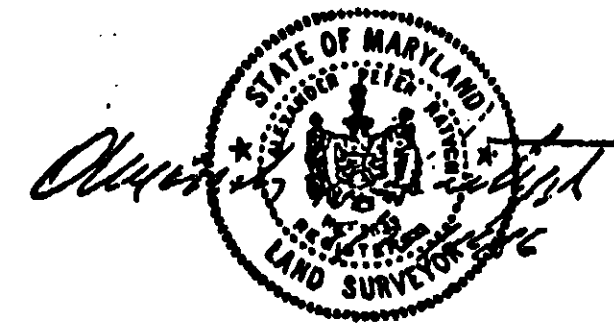
7427 harford road ballimore, md. 21234 tel: 301 444 4312

DESCRIPTION OF PROPERTY
 9610 REISTERSTOWN ROAD
 THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
PAGE 2

55 seconds West 198.60 feet (3) South 72 degrees 16 minutes 10 seconds West 198.08 feet and (4) South 74 degrees 03 minutes 55 seconds West 76.08 feet; thence leaving said road and binding along the outlines of the firstly hereinmentioned parcel of land the following five courses and distances: (1) North 08 degrees 34 minutes 55 seconds East 314.00 feet (2) South 85 degrees 25 minutes 05 seconds East 115.00 feet (3) North 85 degrees 04 minutes 55 seconds East 100.00 feet (4) North 62 degrees 37 minutes 55 seconds East 49.30 feet and (5) North 41 degrees 08 minutes 55 seconds East 190.00 to the point of beginning; containing 159,068 square feet or 3.6516 acres more or less.

BEING and comprising the land conveyed to Morris Lindenbaum and wife by the Lindy Corporation, by Deed dated April 22, 1976 and recorded in Liber 4607, page 480, including the land conveyed by Morris Lindenbaum and wife, to Kenneth M. Sprafkin and wife and Paul Lichtenstein and wife by Deed dated March 3, 1978 and recorded in Liber 5863, page 467.

7/14/1986



Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Account: R-001-6150
 Number

receipt
 No: 2536

Date: _____
 RECEIVED FOR FILING
 SPECIAL HEARING (OTHER)
 LAST NAME OF CLIENT: _____
 B 80EB*****175001a 521-F
 Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 3rd Date of Posting: August 17, 1990
 Posted for: Special Hearing
 Petitioner: 9610 Reisterstown Road Limited Partnership
 Location of property: SW/S Reisterstown Road, 220' NW of E/1 of Tobin Lane, 9610 Reisterstown Road
 Location of Sign: South west side of Reisterstown Road on front of 9610 Reisterstown Road
 Remarks:
 Posted by: S.D. Wata Date of return: August 24, 1990
 Number of Signs: 1

ORDER RECEIVED FOR FILING
 Date 9/21/90
 By [Signature]

722k-5/21/90
 and another hearing - less than 1/2 hr.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284
(301) 887-3353

Account: R 001-6150
Number: No 3358

Date: 9-1-90

91-11

MR100190

DESCRIPTION	QTY	PRICE
PUBLIC HEARING FEES		
080 - POSTING SIGNS / ADVERTISING	1 X	\$109.94
TOTAL:		\$109.94

LAST NAME OF OWNER: NINETY-SIX TEN

04A04#0015M1CHRC \$109.94
BA C002:50PND9-07-90

Please make checks payable to Baltimore County NEXT BUSINESS DAY

Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE: 8-30-90

9610 Reisterstown Road Limited Partnership
6701 Rockledge Drive
Bethesda, Maryland 20817

Re: Petition for Special Hearing
CASE NUMBER: 91-11-SPH
S/W/S Reisterstown Road, 220' NW of c/l Tobin Lane
9610 Reisterstown Road
3rd Election District - 3rd Councilmanic
Petitioner(s): 9610 Reisterstown Road Limited Partnership
HEARING: FRIDAY, SEPTEMBER 7, 1990 at 3:00 p.m.

Gentlemen:

Please be advised that \$ 109.94 is due for advertising and posting of the above captioned property.

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.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:ga
cc: Stuart D. Kaplow, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 13, 1990

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 21204 as follows:

Petition for Special Hearing
CASE NUMBER: 91-11-SPH
S/W/S Reisterstown Road, 220' NW of c/l Tobin Lane
9610 Reisterstown Road
3rd Election District - 3rd Councilmanic
Petitioner(s): 9610 Reisterstown Road Limited Partnership
HEARING: FRIDAY, SEPTEMBER 7, 1990 at 3:00 p.m.

Special Hearing: Modifications of certain conditions and restrictions imposed by the Zoning Commissioner in CASE #90-268-A in the Order of March 12, 1990.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: 9610 Reisterstown Road Limited Partnership
Stuart D. Kaplow, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 27, 1990

Stuart D. Kaplow, Esquire
Frank, Bernstein, Conway & Goldman
210 W. Pennsylvania Avenue, Suite 630
Towson, MD 21204

RE: Item No. 409, Case No. 91-11-SPH
Petitioner: 9610 Reisterstown Rd Ltd Prt
Petition for Special Hearing

Dear Mr. Kaplow:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Reisterstown Road Ltd Prtshp
6701 Rockledge Drive
Bethesda, MD 20817

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 13th day of June, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

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

Petitioner: 9601 Reisterstown Road Limited Partnership
Petitioner's Attorney: Stuart D. Kaplow

SHA
Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

RECEIVED
JUN 28 1990
ZONING OFFICE

June 26, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: S/S Reisterstown Road
(MD. 140) 220 West of Tobins
Lane - Balto. County Zoning
Item #409

Dear Mr. Haines:

On June 25, 1990, I made an on-site inspection, and reviewed the plans submitted concerning the above subject. The sign as located on the plans is considered an on-premise sign. Unless the sign presents a traffic hazard, this office has no jurisdiction over on-premise signs.

We have no objections to the location of the sign as per plans submitted. The sign shall not project into the State's Right-of-Way.

Sincerely,
George T. Dawson
George T. Dawson, Chief
Highway Beautification Section

GTD:jak

My telephone number is (301) 333-1641

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 865-0451 D.C. Metro - 1-800-482-5092 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

SHA
Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

June 18, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County
Koon's Lincoln Mercury
Zoning Meeting of 6-12-90
S/S Reisterstown Road
(MD 140) 220' West of
Tobins Lane
(Item #409)

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve the modifications of certain conditions and restrictions imposed by the Zoning Commissioner in Case No. 90-268-A in the order of March 12, 1990, we have forwarded this plan to our Highway Beautification Section, c/o Mary Benner (333-1642) for all comments relative to zoning.

If you have any questions, please contact Larry Brocato of this office at 333-1350.

Very truly yours,
Charles Rose
Charles Rose, Acting Chief
Engineering Access Permits
Division

LB:maw

cc: Mr. Mary Benner (w-attachment)
Mr. J. Ogle

RECEIVED
JUN 22 1990
ZONING OFFICE

My telephone number is (301) 333-1350 (Fax #333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 865-0451 D.C. Metro - 1-800-482-5092 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

Dennis F. Rasmussen
County Executive

June 6, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 355, 395, 408, 409, 410, 411, 412, 413, 414, 416, 417, 418, and 421.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

RECEIVED
JUN 18 1990
ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21284-5500
(301) 887-4600

JUNE 6, 1990



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

Dennis F. Rasmussen
County Executive

RE: Property Owner: 9610 REISTERSTOWN ROAD LIMITED PARTNERSHIP
Location: 9610 REISTERSTOWN ROAD
Item No.: 409 Zoning Agenda: JUNE 12, 1990
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

REVIEWER: *Pat Keller* Noted and Approved *Pat Keller*
Planning Group Fire Prevention Subject
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 14, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting for June 12, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 355, 408, 409, 410, 411, 412, 414, 416, 417, 418 and 421.

For Item 395, the side yard as shown on the plat is 34.7 feet. The variance requested to 37 feet would not be adequate.

For Item 413, the previous County Review Group comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

SEPT 7th 91-11-SPHWA

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: August 23, 1990
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: 9610 Reisterstown Road, Ltd. Partnership, Item No. 409

The Petitioner requests a Special Hearing to approve modifications of certain conditions and restrictions imposed by the Zoning Commissioner in Case No. 90-268-A.

In reference to this request, staff submits a copy of the comments originally submitted in Case No. 90-268-A. (see attached)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
Attachment
ITEM409/ZAC1

RECEIVED
SEP 6 1990

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: January 8, 1990
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: 9610 Reisterstown Road Limited Partnership, Item 114
Zoning Petition No. 90-268

Staff has met with Stuart Kaplow to discuss the office's comment regarding the above-referenced property. Mr. Kaplow agreed that his client would be willing to modify the size of the requested sign. Staff has reviewed specifications for three standard Volvo signs and finds the small-faced 30' primary pylon to be the most acceptable sign.

Based on the additional information provided, staff supports the petitioner's request for a Variance subject to the following:

- The sign shall be limited to the small-faced 30' primary pylon sign.
- The petitioner shall submit a landscape plan for approval to the Director of the Office of Planning and Zoning prior to the issuance of any future building permit.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat
90268.SUP

RECEIVED
SEP 6 1990

ZONING OFFICE

LAW OFFICES
FRANK, BERNSTEIN, CONAWAY & GOLDMAN

300 EAST LOMBARD STREET
BALTIMORE, MARYLAND 21202
(301) 887-3500
10227 WINDOPIN CIRCLE
COLUMBIA, MARYLAND 21044
(301) 730-8477
7798 LEESBURG PIKE
TYSONS CORNER, VIRGINIA 22043
(703) 893-4670

18 WEST CHURCH STREET
FREDERICK, MARYLAND 21701
(301) 883-8338
8701 DEMOCRACY BOULEVARD
BETHESDA, MARYLAND 20817
(301) 887-8383
WRITER'S DIRECT NUMBER
821-3103

May 7, 1990

RECEIVED
MAY 8 1990

ZONING OFFICE

HAND-DELIVERY
J. Robert Haines, Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, MD 21204

Re: PETITION FOR ZONING VARIANCE
SW/S Reisterstown Road, 220' NW
of the c/l of Tobin Lane
(9610 Reisterstown Road)
3rd Election District - 3rd Councilmanic District
9610 Reisterstown Road Ltd. Part. - Petitioner
Case No. 90-268-A

Dear Bob:

By this letter, I would kindly request an opportunity to meet with you later today so that we might discuss the issuance of a building permit for the erection of a Volvo sign at the above noted location.

I am aware that you have determined it not appropriate that a sign be erected at this time, however, I would ask that you please reconsider that determination. My client is well aware of the risks incident to erecting the sign while the case is on appeal and fully understands that he will have to remove the sign should the Board of Appeals not look favorably upon his request in its de novo hearing.

Unfortunately, the business exigencies of the automobile business this year necessitate that a sign be erected at the very earliest possible date. While I believe that a sign permit may be properly issued at this time, should you determine

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

J. Robert Haines, Zoning Commissioner
May 7, 1990
Page 2

that a conditional permit is appropriate, be assured that my client is full aware of the business risks that he runs.

I cannot express to you the urgency to which the Koons Organization attributes to this matter. With that in mind, I might kindly request that I be able to speak with you during the day today. Be assured that I will make myself available at your convenience. Thanking you for your courtesies, I will telephone Mrs. Novak later this morning.

Sincerely,

Stuart D. Kaplow
Stuart D. Kaplow

SDK:cc

cc: Mr. James Koons

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 14, 1990



Dennis F. Rasmussen
County Executive

Frank, Bernstein, Conaway & Goldman
Suite 630, 210 West Pennsylvania Avenue
Towson, Md. 21204

Attention: Stewart Kaplow

RE: B-054853
SI-6528

91-11-SPH

Dear Mr. Kaplow:

Your letter, dated May 7, 1990, has been forwarded to me for response. After speaking with J. Robert Haines, Zoning Commissioner, my understanding of the situation is as follows:

By appealing the order granting relief, that decision is stayed. As such, the permit cannot be signed until the Board of Appeals makes a new decision.

If I may be of further assistance, please do not hesitate to call me at 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

Catherine A. Milton
By: Catherine A. Milton
Planner I

CM:jet
cc: File

LAW OFFICES
FRANK, BERNSTEIN, CONAWAY & GOLDMAN

300 EAST LOMBARD STREET
BALTIMORE, MARYLAND 21202
(301) 887-3500
10227 WINDOPIN CIRCLE
COLUMBIA, MARYLAND 21044
(301) 730-8477
7798 LEESBURG PIKE
TYSONS CORNER, VIRGINIA 22043
(703) 893-4670

SUITE 630
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 881-3100
FACSIMILE (301) 881-3116
CABLE FRASGAP
TELETYPE 87939

18 WEST CHURCH STREET
FREDERICK, MARYLAND 21701
(301) 883-8338
8701 DEMOCRACY BOULEVARD
BETHESDA, MARYLAND 20817
(301) 887-8383
WRITER'S DIRECT NUMBER
821-3103

September 18, 1990

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

Re: 9610 Reisterstown Road Limited Partnership
Case No. 91-11-SPH

Dear Bob:

Please find enclosed a proposed Findings of Fact and Conclusions of Law in the above-noted matter.

Please note that this is a modification of the originally proposed capital Amended Order as provided to you at the hearing. The only modifications have been in the caption and in the first three paragraphs of the order. With those exceptions, the order remains as originally presented.

Should you have any questions or should any modification of the order be required, of course, do not hesitate to give me a call.

Thanking you for all of your courtesies, I am,

Sincerely,

Stuart D. Kaplow
Stuart D. Kaplow

SDK:cc
Enclosure

RECEIVED
SEP 19 1990

ZONING OFFICE

APPLICATION FOR BUILDING PERMIT

PERMIT #: 8054853 CONTROL #: 51-1920 DIST: 03 PREP: 01

LOCATION: 9610 BELLESTOWN RD
 SUBDIVISION:
 TAX ASSESSMENT #:

OWNERS INFORMATION
 NAME: 9610 BELLESTOWN LTD PART
 ADDR: 9610 BELLESTOWN RD BAL TO, MD 21055

APPLICANT INFORMATION
 NAME: NICHOLAS COMBARI
 COMPANY: DMS SIGNS
 ADDR: 102 CROCKETT AVE
 ADDR: RT ATRY, MD 21771
 PHONE #: 831-7530 LICENSE #:

NOTES:
 MR/BAC

TRACT: BLOCK: PLAT: DATA: ELEC YER: PLIN NO

PLANS: CONST PLAT 1 PLAT 2 DATA ELEC YER PLIN NO

TRMNT: DMS

ENGR: DMS

SELLR: DMS

WORK: ERECT FREESTANDING SIGN ON FRONT OF PROPERTY.
 DE/ILLUMINATED SIGN 12' X 5'6" X 30' = 64SF
 REFER TO PD 1709 FOR ELECTRIC. LICENSE TAG
 MUST BE AFFIXED TO SIGN.

PROPOSED USE: CAR DEALERSHIP & SIGN
 EXISTING USE: CAR DEALERSHIP

BLDG. CODE: 800A CODE OWNERSHIP: PRIVATELY OWNED
 RESIDENTIAL CATEGORY:
 ESTIMATED COST OF MATERIAL AND LABOR: 3600

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION
 USE: SIGN
 FOUNDATION: BASEMENT:
 SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST
 CONSTRUCTION: FUEL:
 CENTRAL AIR:

SINGLE FAMILY UNITS
 TOTAL 1 FAMILY BEDROOMS
 MULTI FAMILY UNITS
 EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM:
 NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE:
 TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS:

PAGE 1 OF 2

PERMIT #: 8054853

DIMENSIONS - INSTALL FIXTURES

GARBAGE DISP:	FLOOR:	122	LOT SIZE AND SETBACKS
POWDER ROOMS:	WIDTH:	12	SIZE:
BATHROOMS:	DEPTH:	5'8"	FRONT STREET:
KITCHENS:	HEIGHT:	30'	SIDE STREET:
	STORIES:		FRONT SETB:
			SIDE SETB:
			REAR SETB:

LOT NOS:
 CORNER LOT:

ZONING INFORMATION
 DISTRICT: BLOCK:
 PETITION: SECTION:
 DATE: LIBER:
 MAP: FOLIO:
 CLASS:

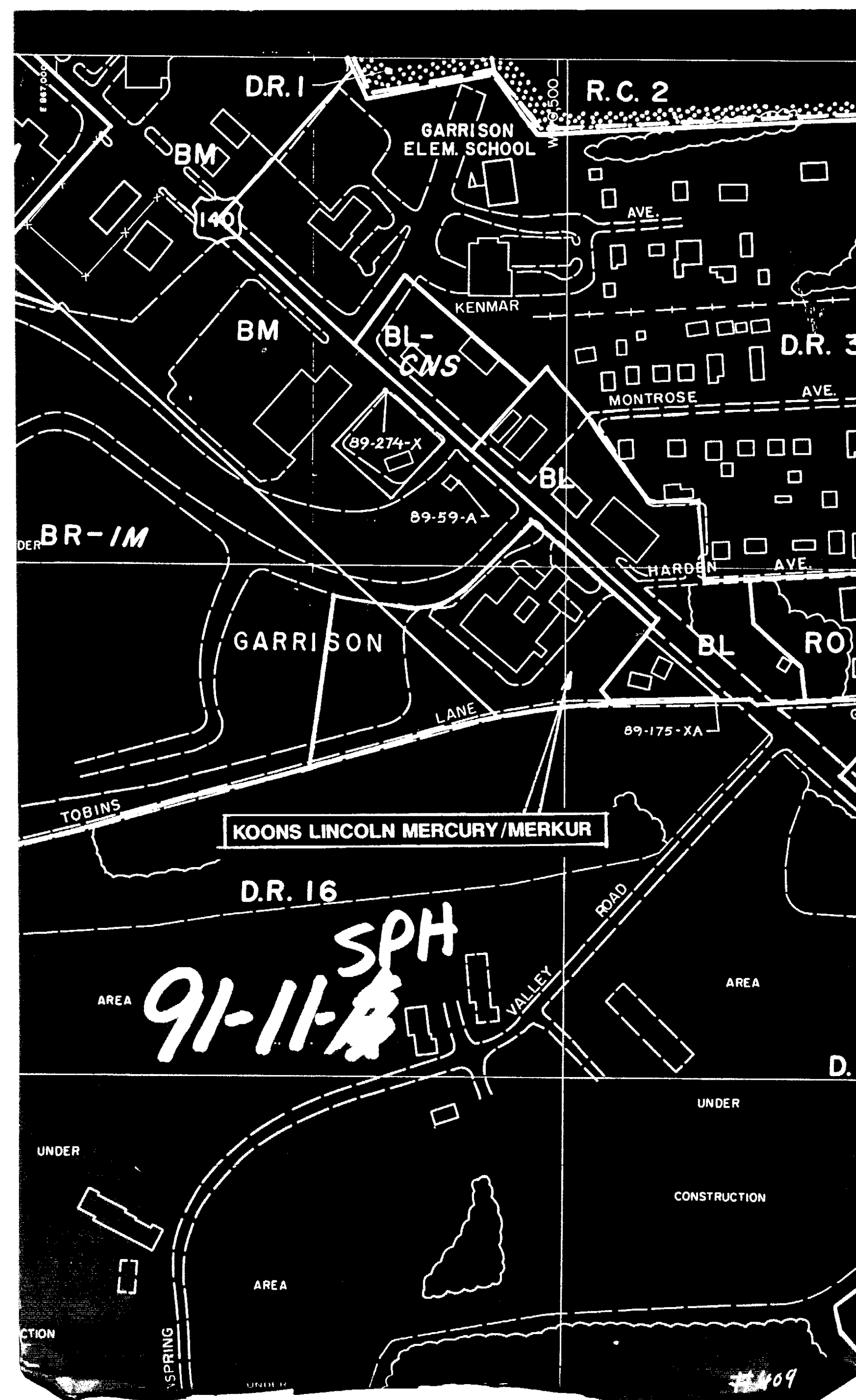
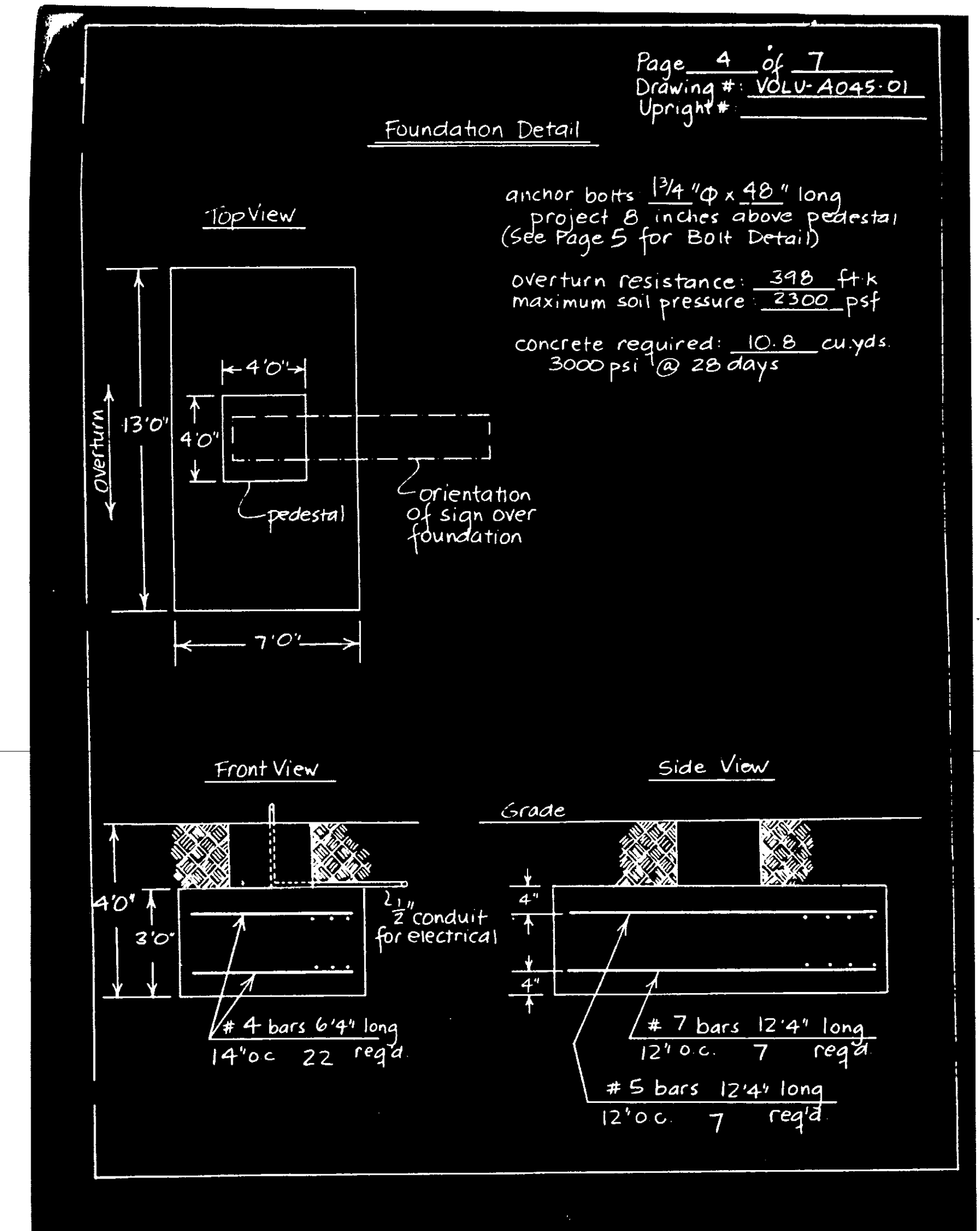
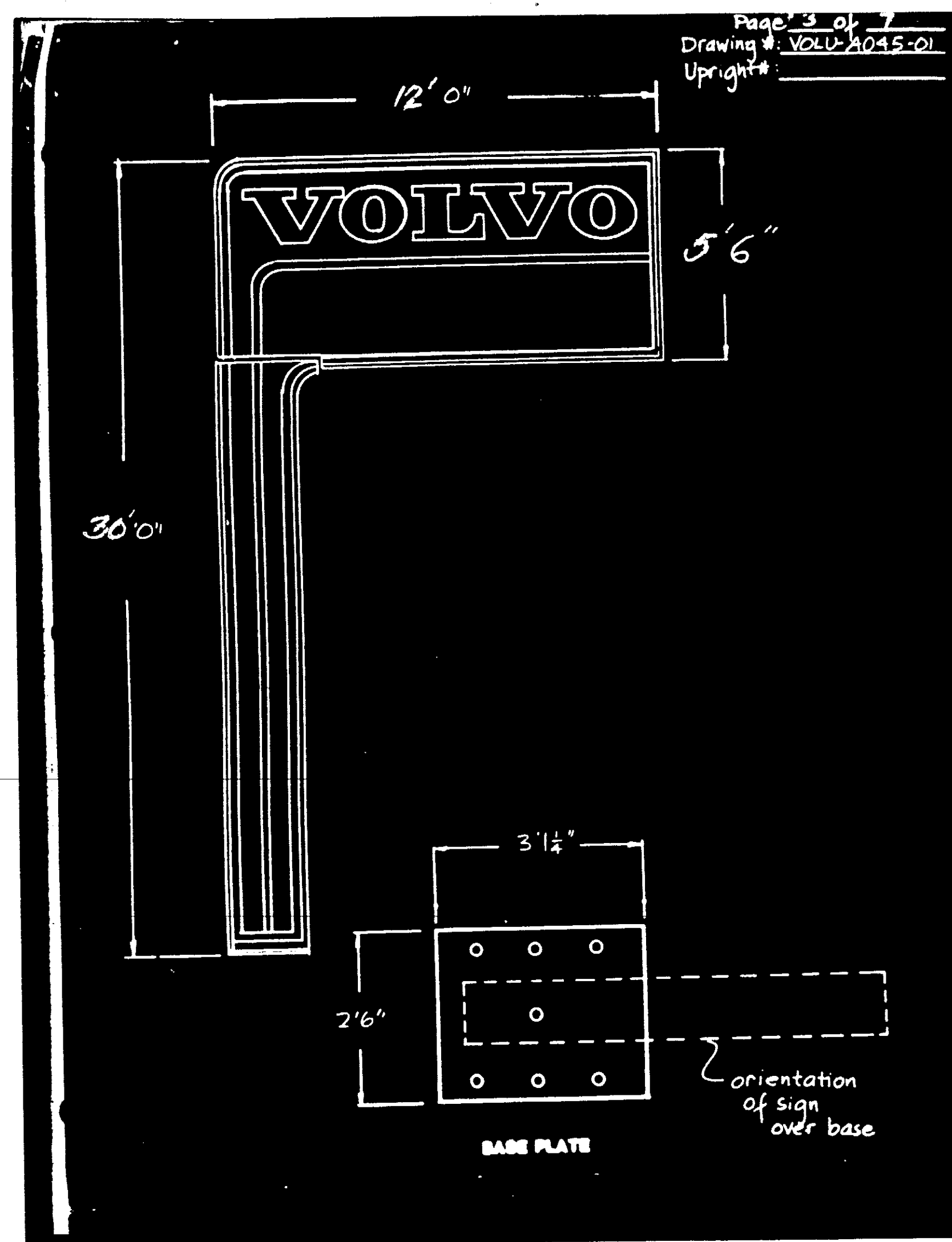
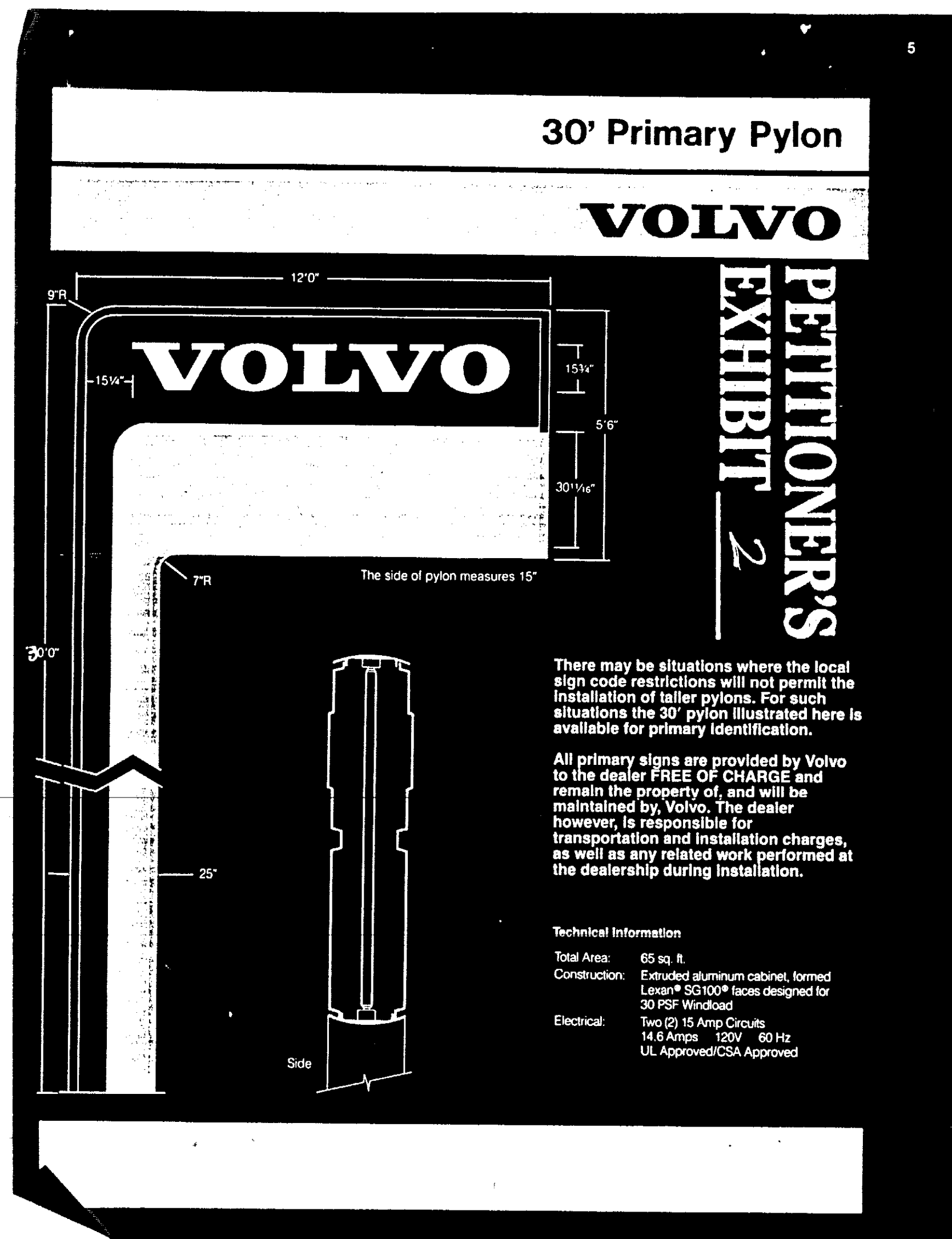
ASSESSMENTS
 LAND:
 IMPROVEMENTS:
 TOTAL ASS.:

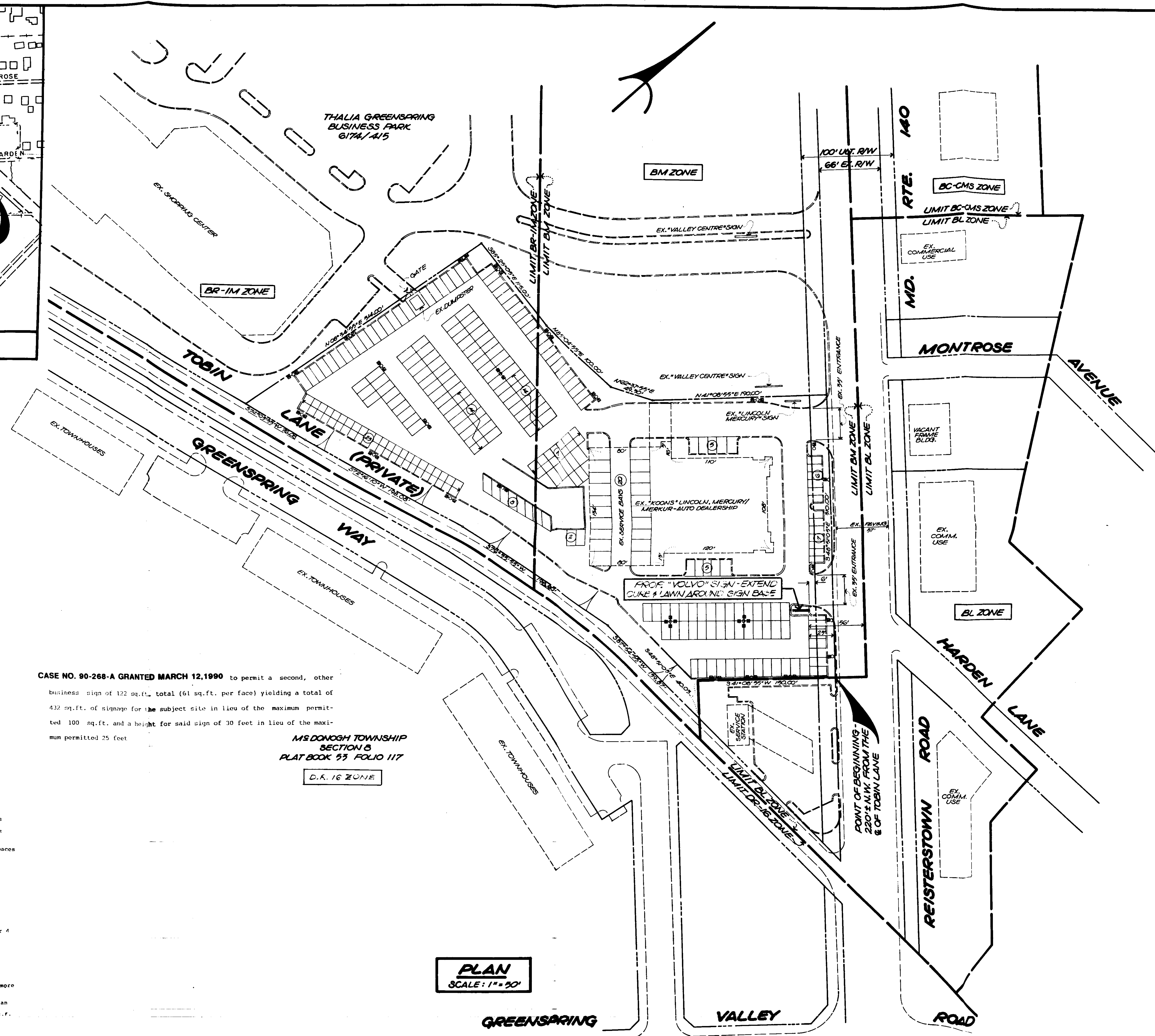
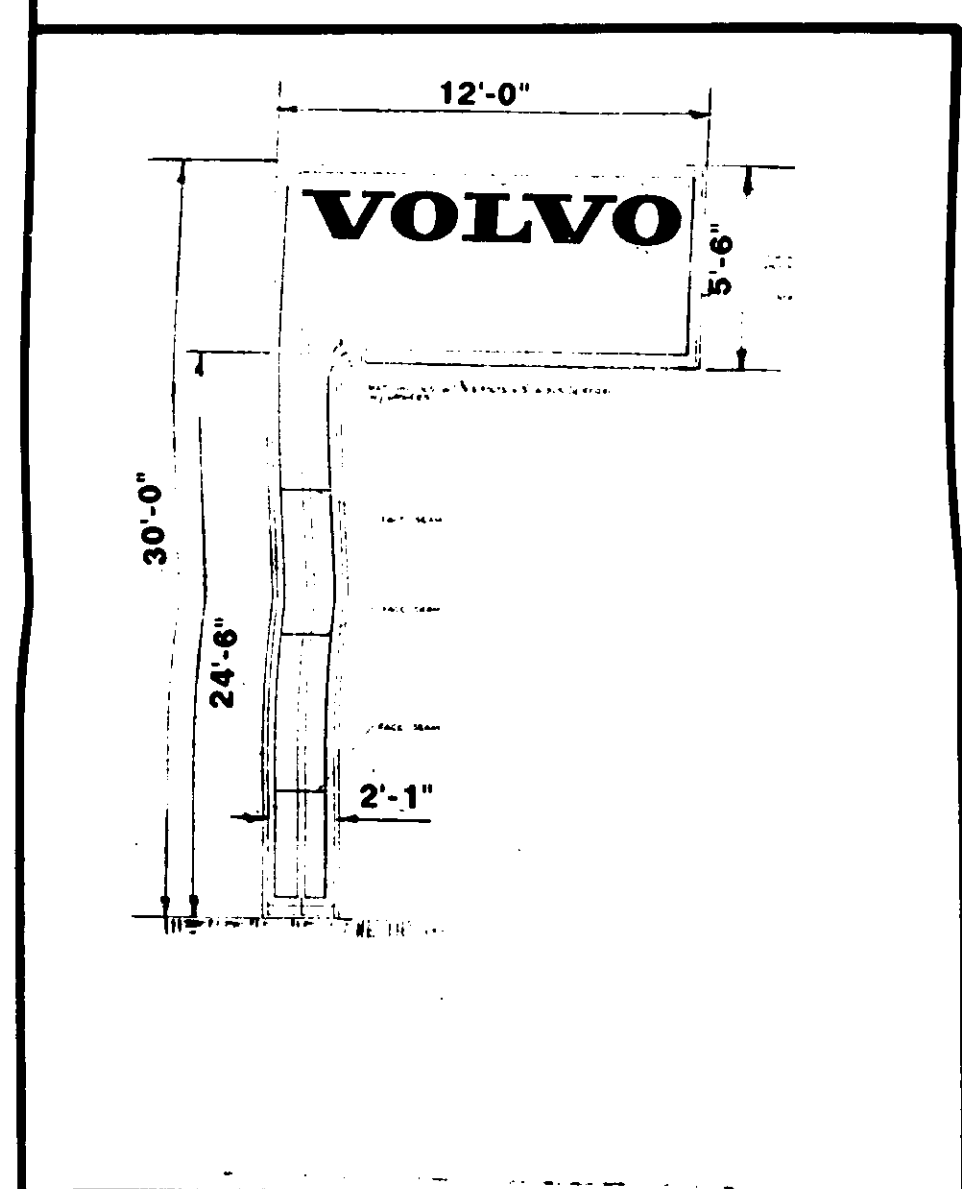
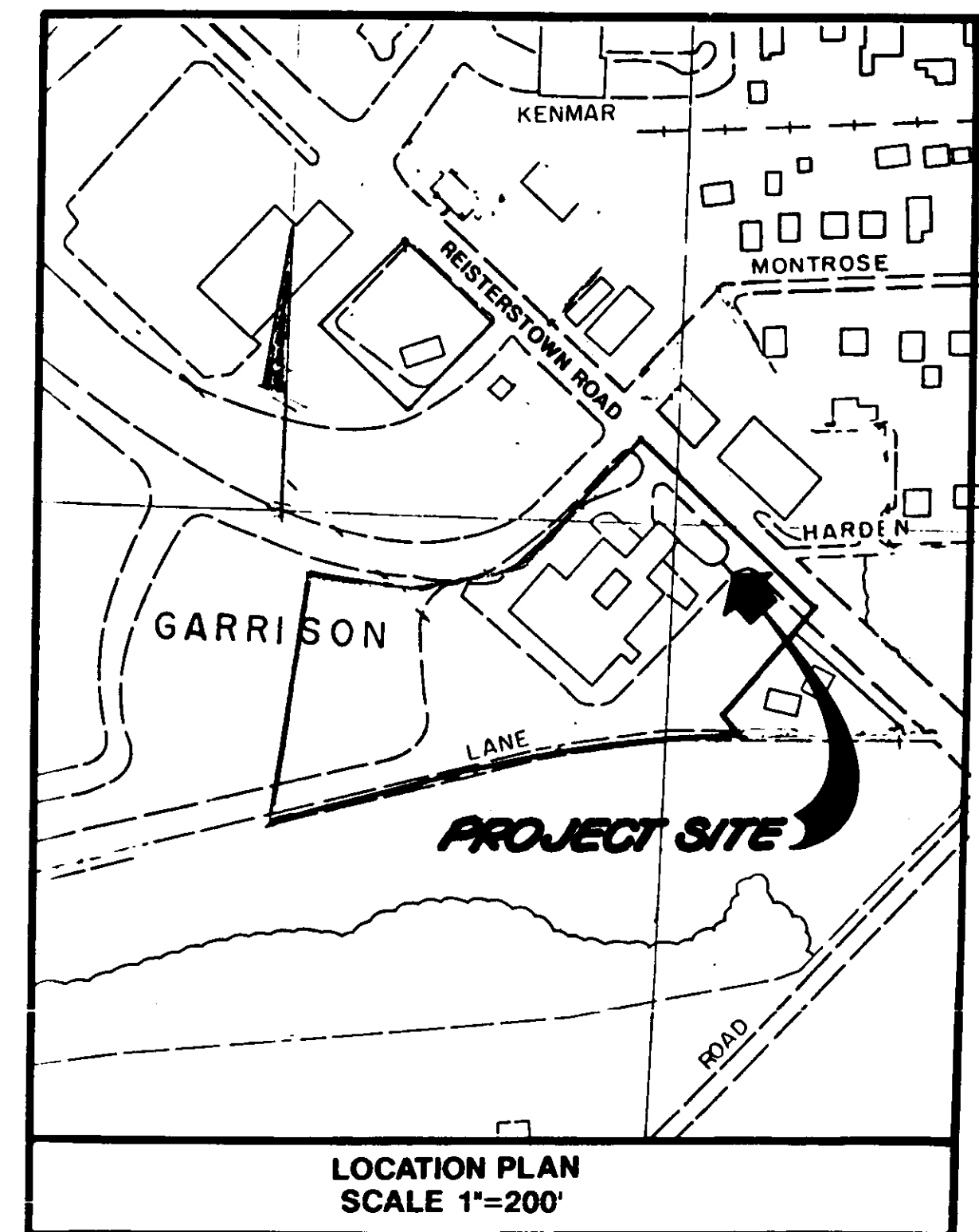
PLANNING INFORMATION
 MASTER PLAN AREA: SUBSEWERSHED: CRITICAL AREA:

DATE APPLIED: 05/04/90 INSPECTOR INITIALS: SH
 FEE: \$15.00 PAID: \$15.00 RECEIPT #: A95362
 PAID BY: APP

(I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE. AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE DALLAS COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS)

COMPANY OR OWNER: _____ DATE: _____





CASE NO. 90-268-A GRANTED MARCH 12, 1990 to permit a second, other business sign of 122 sq. ft. total (61 sq. ft. per face) yielding a total of 432 sq. ft. of signage for the subject site in lieu of the maximum permitted 100 sq. ft. and a height for said sign of 30 feet in lieu of the maximum permitted 25 feet

MS DONOGH TOWNSHIP
SECTION 6
PLAT BOOK 53 FOLIO 117
D.K. 16 ZONE

PLAN
 SCALE: 1"=50'

- GENERAL NOTES**
1. Site Zoning: BR, IM-TM
 2. Site Area: 3.65 Acres ±
 3. Offstreet Parking Data:

REQUIRED	PROVIDED
Showroom: 4370 sq. ft. @ 5/1000 = 21.6 spaces	91
Sales Offices: 7662 sq. ft. @ 5/1000 = 17.2 spaces	20
Parts: 4380 sq. ft. @ 5/1000 = 21.9 spaces	111
Business Offices: 7265 sq. ft. @ 3.3/1000 = 24.0 spaces	
Shop Area: 9450 sq. ft. @ 3.3/1000 = 21.2 spaces	
Shop Area: 110.5	
Required Parking = 111 spaces	
4. All paved areas are surrounded by existing curb
5. All utilities are existing.
6. Fire hydrant spacing meets the requirements of the Baltimore County Design Manual
7. Screening conforms with the approved Site Development Plan
8. Previous zoning variances 88-162 A to allow a sign 105' x 4' per side and 35' in height.

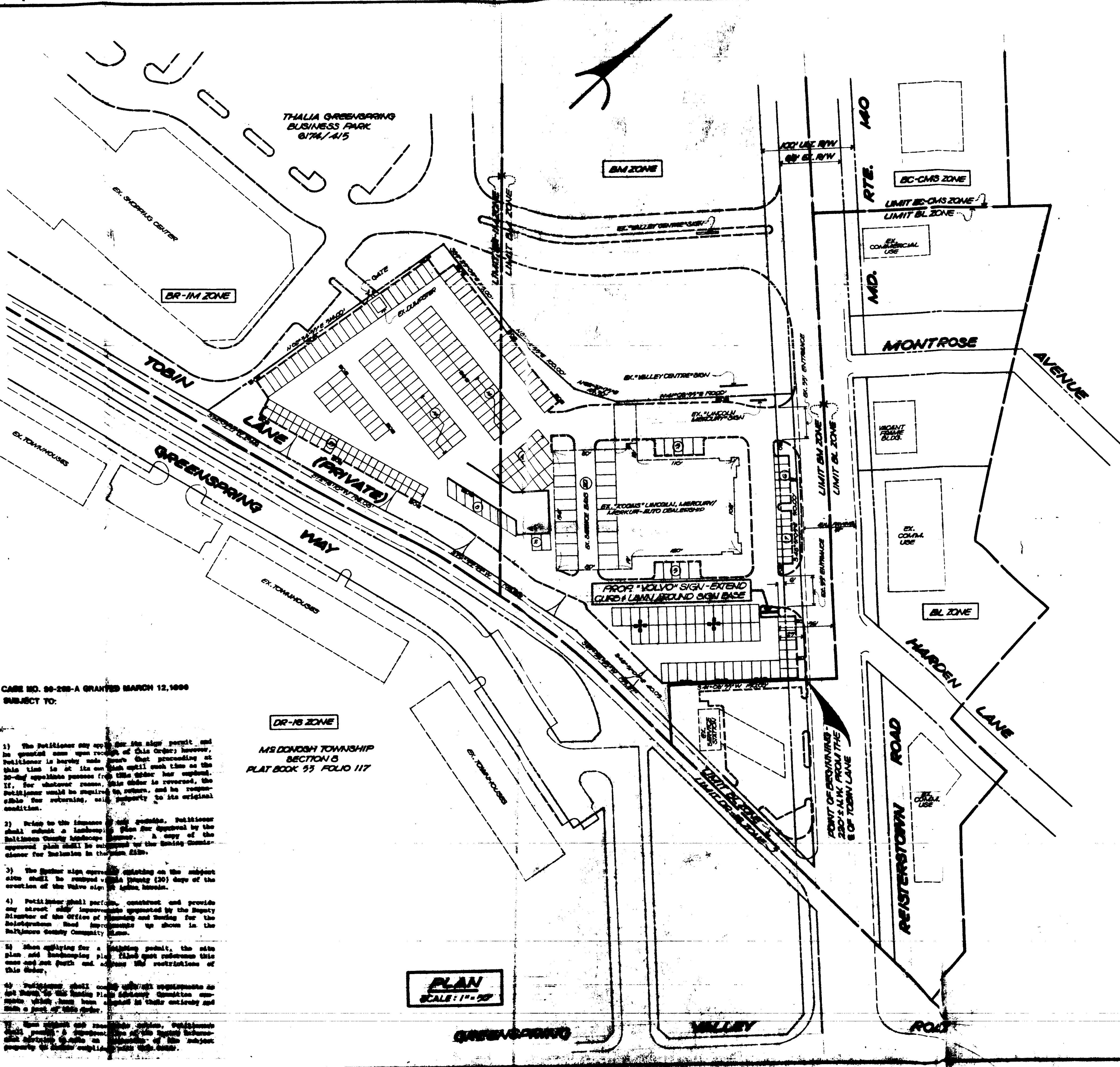
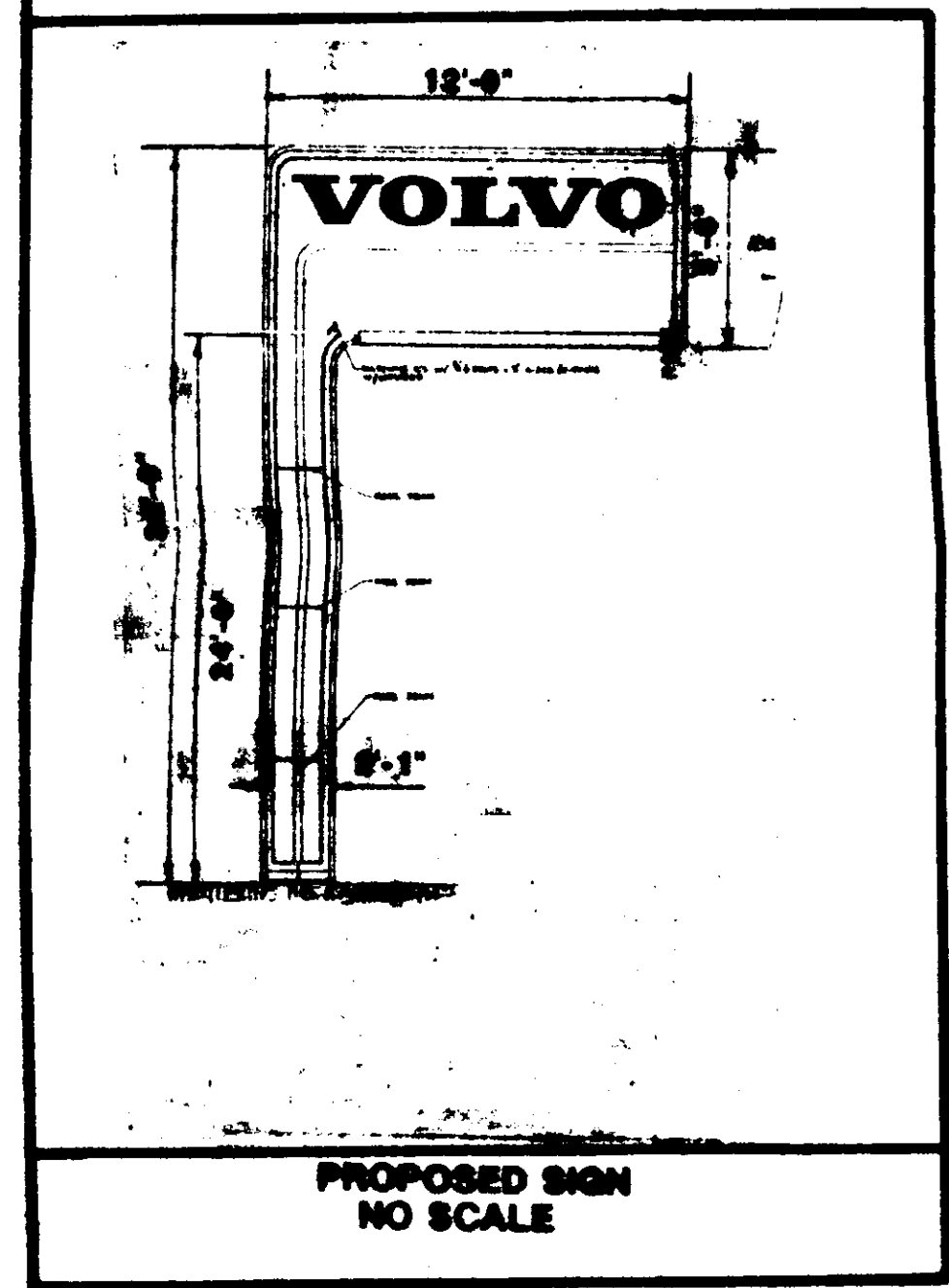
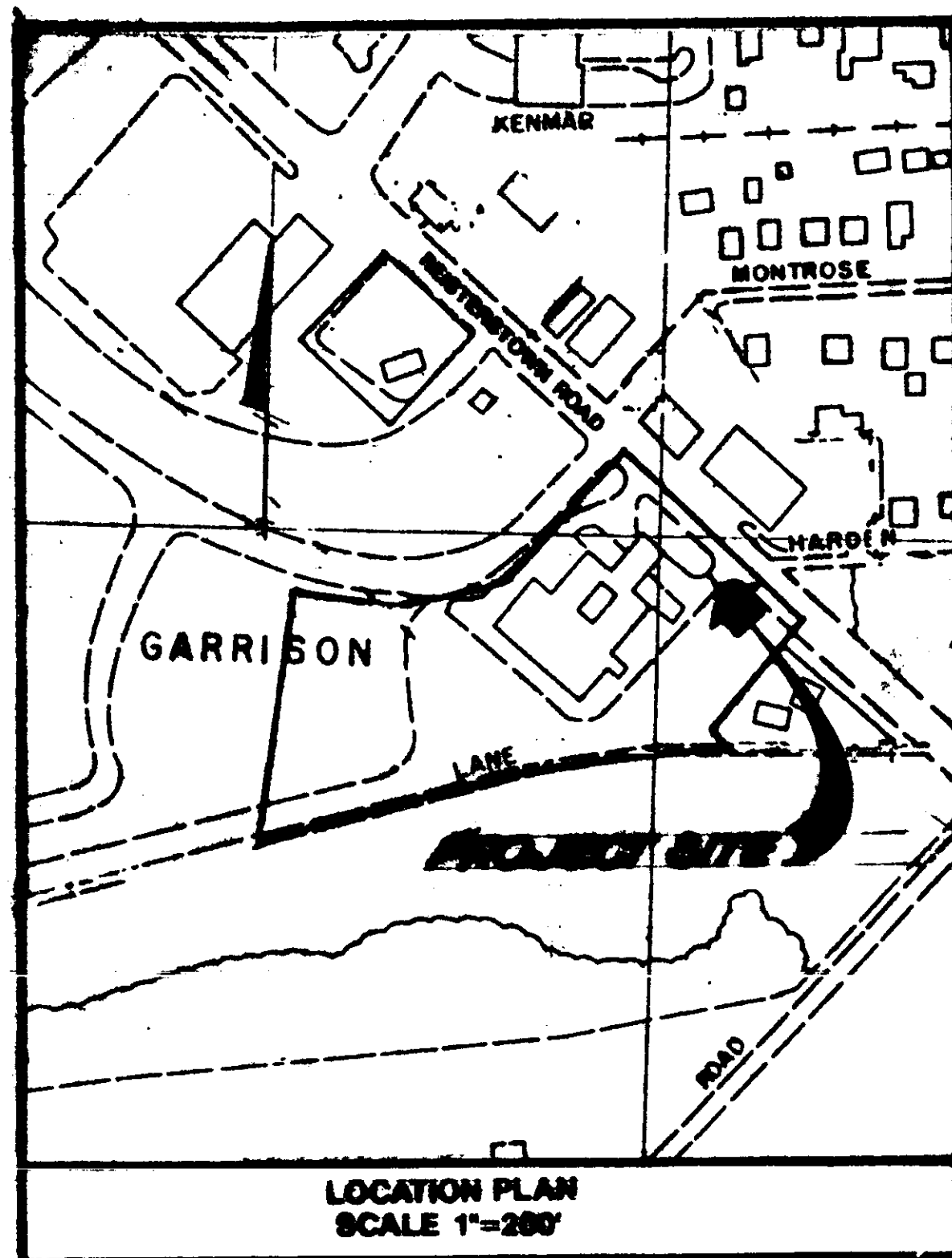
91-11-A

409

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING
KOONS LINCOLN MERCURY / MERKUR
 9610 REISTERSTOWN ROAD
 THIRD ELECTION DISTRICT, THIRD COUNCILMANIC DISTRICT, BALTIMORE COUNTY, MARYLAND
 SCALE AS SHOWN
 MAY 17, 1990

REVISIONS

86014



CASE NO. 80-282-A GRANTED MARCH 12, 1988
SUBJECT TO:

DR-16 ZONE
MS DONOH TOWNSHIP
SECTION 6
PLAT BOOK 53 FOLIO 117

PLAN
SCALE 1"=50'

GENERAL NOTES

1. Site Zoning DR, DR-16
2. Site Area 3.65 Acres ±
3. Offstreet Parking Data

REQUIREMENT	AMOUNT	PROVIDED
Showroom	4320 sq. ft. @ 5/1000 = 21.6 spaces	24
Sales Offices	2442 sq. ft. @ 5/1000 = 12.2 spaces	12
Parts	4380 sq. ft. @ 5/1000 = 21.9 spaces	22
Business Offices	7765 sq. ft. @ 3.3/1000 = 24.0 spaces	24
Shop Area	8450 sq. ft. @ 3.3/1000 = 25.6 spaces	26
Total		111

Required Parking = 111 spaces

4. All paved surfaces are bituminous concrete
5. Provide site lighting - 25' hooded poles with 1.7, or 4 square foot lights on each pole.
6. Provide number of non-blocked customer parking spaces
7. All paved areas are surrounded by existing curb
8. All utilities are existing
9. All setbacks comply with the requirements of the Baltimore County Zoning Ordinance
10. Screening conforms with the approved site development plan
11. All signs shall be in accordance with the requirements of the Baltimore County Zoning Ordinance

- 1) The Petitioner may apply for this sign permit and shall comply with the requirements of this Ordinance; however, the Petitioner is hereby notified that proceeding at this time is at its own risk until such time as the 30-day appealable process for this sign 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.
- 2) Prior to the issuance of any permits, Petitioner shall submit a landscape plan for approval by the Baltimore County Landscape Review. A copy of the approved plan shall be submitted to the Planning Commissioner for inclusion in the case file.
- 3) The Petitioner shall provide a site plan showing the location of the sign on the subject site. The site plan shall be submitted to the Planning Commissioner for review and approval (30) days of the creation of the Volvo sign permit.
- 4) Petitioner shall provide, construct and provide any street view improvements as required by the Deputy Director of the Office of Planning and Zoning for the Baltimore County Zoning Ordinance as shown in the Baltimore County Zoning Ordinance.
- 5) When applying for a sign permit, the site plan and landscaping plan shall not reference this case and not both and address the restrictions of this order.
- 6) Petitioner shall comply with all requirements of the Baltimore County Zoning Ordinance and shall be held responsible for any violations of the Baltimore County Zoning Ordinance.
7. The Petitioner shall provide a site plan showing the location of the sign on the subject site. The site plan shall be submitted to the Planning Commissioner for review and approval (30) days of the creation of the Volvo sign permit.

8054853-51 2105

PLAT TO ACCOMPANY PERMIT FOR SIGN CONSTRUCTION

PLAT TO ACCOMPANY VARIANCE PETITION
KOONS LINCOLN MERCURY / MERKUR
9010 REISTERSTOWN ROAD
REISTERSTOWN, MARYLAND

THIS VARIANCE PETITION WAS CONSIDERED BY THE BALTIMORE COUNTY BOARD OF ZONING APPEALS ON SEPTEMBER 11, 1988

Table with 2 columns: No., Description. Contains 10 rows of information.