

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - N/S Wise Avenue, 45' W of the c/l of Melbourne Avenue (8206 Wise Avenue) 12th Election District 7th Councilmanic District Robert E. Meyerhoff, et ux Petitioners

* BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 91-175-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve that an existing 48 sq.ft. sign is permitted pursuant to Section 413.1.d, and not considered as an "outdoor advertising sign", and a variance to permit a 48 sq.ft. sign in lieu of the maximum 15 feet total, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Samuel M. Trivas, Esquire, appeared. Also appearing on behalf of the Petitions were Vincent J. Moskunas, Engineer, and John Stanofski, a nearby resident.

Testimony indicated that the subject property, known as 8206 Wise Avenue, consists of 5,790 sq.ft. zoned D.R. 5.5 and is presently vacant. Said property is located within the Chesapeake Bay Critical Areas near Chink Creek. Testimony indicated that the Petitioners acquired the subject property, which is located at the southwest corner of Wise Avenue and Melbourne Road, and the adjoining properties across Melbourne Road from the subject site, on the southeast corner of Wise Avenue, in the late 1950s. In the 1960s, Petitioners developed numerous properties to the rear of the subject site with townhomes and apartments, including a 162-unit garden apartment complex known as Holiday Gate as depicted on Petitioner's Exhibit 1. Testimony indicated that as a result of increased development in the area over the years, the Holiday Gate apartment complex

has found itself surrounded by residential uses to the point that it is not easily visible from Wise Avenue. Petitioners testified that at the time of its original development, a directional sign similar in nature to that proposed was placed on the subject property. Testimony indicated that over the years, the sign has been of great assistance to numerous visitors to the site and prospective tenants. Petitioners testified the size of the proposed sign is appropriate due to the fact that Wise Avenue is a heavily travelled route and the need to give adequate notice. The sign depicted in Petitioner's Exhibit 2 is greater than the variance requested as Petitioners failed to include in its calculations the dimensions of the directional sign at the bottom. As explained at the hearing, a variance greater than that requested cannot be granted without readvertisement and reposting. In light of a determination that the requested size of the subject sign is adequate and the sign can be redesigned, it was determined that the variance as requested would be granted. Petitioners will be given additional time to submit a revised sign plan to the Office of Planning for approval.

John Stanofski, a resident of 8202 Wise Avenue, testified in support of the relief requested, indicating that he has resided at this location for the past 30 years. Mr. Stanofski testified that he has no objections to the relief requested herein and indicated that an identification sign has existed at the subject location for as long as he can remember. He further indicated that the sign and surrounding properties had been well-maintained. Further testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

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ORDER RECEIVED FOR FILING
Date 1/14/91
By [Signature]

- Prior to the issuance of any permits, or within ninety (90) days of the date of this Order, whichever occurs sooner, Petitioners shall submit for approval by the Office of Planning a revised sign plan incorporating the information contained on Petitioner's Exhibit 2, pursuant to the relief granted herein which limits the size of the sign to 24 sq.ft. per side.
- The revised and approved sign shall be installed within one (1) year of the date of this Order after obtaining the required permits.
- The subject sign and property shall be properly maintained at all times.
- When applying for a building permit, the sign and site plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 14, 1991

Samuel M. Trivas, Esquire
1025 Cranbrook Road
Cockeysville, Maryland 21030

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
N/S Wise Avenue, 45' W of the c/l of Melbourne Road
(8206 Wise Avenue)
12th Election District - 7th Councilmanic District
Robert E. Meyerhoff, et al - Petitioners
Case No. 91-175-SPHA

Dear Mr. Trivas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Chesapeake Bay Critical Areas Commission
Taxes State Office Bldg., D-4, Annapolis, Md. 21404

DEPREM

- 5 -

ORDER RECEIVED FOR FILING
Date 1/14/91
By [Signature]

The Office of Planning submitted comments indicating that the subject sign is considered informational and directional in nature, and as such, is appropriate as requested, provided the property and sign are properly maintained at all times.

It should be noted that while the property is located within the Chesapeake Bay Critical Areas, the comments of Donald C. Outen, Acting Director of the Department of Environmental Protection and Resource Management (DEPREM) clearly indicated that the proposed sign does not require Critical Areas findings inasmuch as the sign is not considered a "development activity" as defined in the regulations.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. Petitioner has shown the proposed sign is not an outdoor advertising sign and is for directional purposes only. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

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:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 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
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

ORDER RECEIVED FOR FILING
Date 1/14/91
By [Signature]

- 3 -

PETITION FOR SPECIAL HEARING
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 Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a 48 square foot sign permitted via Section 413.1.d and not considered as an "outdoor advertising sign" via Section 101 of the BCZR

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: Robert E. Meyerhoff
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner: Samuel M. Trivas
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.: 301-628-7400

ORDERED BY The Zoning Commissioner of Baltimore County, this 3 day of Oct, 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 108, County Office Building in Towson, Baltimore County, on the 3 day of Jan, 1991, at 7:30 o'clock

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 1/14/91
By [Signature]

(over)

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

It is clear from the testimony that if the variance is granted, such use 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 health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of January, 1991, that the Petition for Special Hearing to approve that an existing 48 sq.ft. sign is permitted pursuant to Section 413.1.d, and not considered as an "outdoor advertising sign", be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a 48 sq.ft. sign in lieu of the maximum 15 feet total, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 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 30-day 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.
- The relief granted herein is limited to a sign of 48 sq.ft. total in the location shown on Petitioner's Exhibit 1. Said sign shall be permitted to remain at the subject location as long as the subject property remains vacant.

ORDER RECEIVED FOR FILING
Date 1/14/91
By [Signature]

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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 Section 1801.1.A.13 and 413.1.d to permit a 48 square foot sign (24' per face) in lieu of the maximum 15 foot total

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

To place a 24 square foot directional sign to an apartment development owned by Petitioner in order that the public, visitors and prospects can find the complex without becoming lost, due to the fact that said complex is extremely difficult to find from the main roads in the area. Both the lot on which the sign will be located and the apartment complex is owned by the same owners.

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: Robert E. Meyerhoff
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner: Samuel M. Trivas
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.: 301-628-7400

ORDERED BY The Zoning Commissioner of Baltimore County, this 3 day of Oct, 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 108, County Office Building in Towson, Baltimore County, on the 3 day of Jan, 1991, at 7:30 o'clock

Zoning Commissioner of Baltimore County

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Date 1/14/91
By [Signature]

(over)

M. & H. DEVELOPMENT ENGINEERS, INC.
300 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204

Towson Office
Malcolm E. Hudkins
Registered Surveyor
Phone 589-9905

AUGUST 9, 1990
ZONING DESCRIPTION

Beginning at a point on the North side of Wise Avenue which is 90 feet wide at the distance of 45.03 feet west of the centerline of Melbourne Road which is 60 feet wide.

BEING LOT #124, BLOCK C, PLAT 1 in the subdivision of EASTCREST as Recorded in Baltimore County Plat Book #24, Folio #65, containing 6115.57 square feet or .140 of an acre more or less. Also known as #8206 Wise Avenue and located in the 12th Election District.



MALCOLM E. HUDKINS
REGISTERED SURVEYOR #5095

CRITICAL AREA

#108

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

Account: R-001-6150
Number: 3402

Date: 9/13/90 H9100108

	QTY	PRICE
PUBLIC HEARING FEES		
920 - ZONING VARIANCE (OTHER)	1 X	\$175.00
040 - SPECIAL HEARING (OTHER)	1 X	\$175.00
TOTAL:		\$350.00

LAST NAME OF OWNER: MEYERHOFF

044048004DMICHCRC \$350.00
BA C003122P09-13-90
Please make checks payable to: Baltimore County, BUSINESS DAY

Cashier Validation

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 12/14/90
Posted for: Special Hearing & Variance
Petitioner: Robert E. & Harry C. Meyerhoff
Location of property: N.W. Wise Ave., 45' W of Melbourne Rd.
8206 Wise Ave.
Location of Sign: Facing Wise Ave., across E.O. Fran. Hardware,
on property of Petitioner
Remarks:
Posted by: M. Stetson Date of return: 12/14/90
Number of Signs: 2

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

November 29, 1990

THIS IS TO CERTIFY, that the annexed advertisement of Baltimore County Zoning Office - Notice of Hearing P.O. #0108955 - Reg. #M47749 - Case #91-175-SPHA 64 lines @ \$322.00 was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for ONE successive weeks before the 30th day of November 1990; that is to say, the same was inserted in the issues of November 29, 1990.

Kimbel Publication, Inc.
per Publisher.

By *Kimbel Belke*

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12-12, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-5, 1990

THE JEFFERSONIAN,

S. Zake Orlean

Publisher

\$ 34.16

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

Account: R-001-6150
Number:

91-175

Date:

H9100108

044048004DMICHCRC \$116.16
Please Make Checks Payable To: Baltimore County BA C003122P09-13-91

Cashier Validation

Baltimore County
Office of Planning & Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(301) 887-3353

DATE: 12/11/90

Robert E. and Harry C. Meyerhoff
1025 Cranbrook Road
Cockeysville, Maryland 21030

Dennis F. Rasmussen
County Executive

RE:

Petition for Special Hearing and Zoning Variance
CASE NUMBER: 91-175-SPHA
N/S Wise Avenue, 45' W centerline of Melbourne Road
(8206 Wise Avenue)
12th Election District - 7th Councilmanic
Petitioner(s): Robert E. Meyerhoff and Harry C. Meyerhoff
HEARING: THURSDAY, JANUARY 3, 1991 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$116.16 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.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:ga

cc: Samuel M. Trives, Esq.

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

November 13, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

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 and Zoning Variance
CASE NUMBER: 91-175-SPHA
N/S Wise Avenue, 45' W centerline of Melbourne Road
(8206 Wise Avenue)
12th Election District - 7th Councilmanic
Petitioner(s): Robert E. Meyerhoff and Harry C. Meyerhoff
HEARING: THURSDAY, JANUARY 3, 1991 at 9:30 a.m.

Special Hearing to approve a 48 sq. ft. sign permitted and not considered as an "outdoor advertising sign".

Variance to permit a 48 sq. ft. sign (24 ft. per face) in lieu of the maximum 15 ft. total.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Robert E. and Harry C. Meyerhoff
Samuel M. Trives, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 17, 1990

Samuel M. Trives, Esquire
1025 Cranbrook Road
Cockeysville, MD 21030

RE: Item No. 108, Case No. 91-175-XA
Petitioner: Robert E. Meyerhoff, et al
Petition for Zoning Variance

Dear Mr. Trives:

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: Mr. Robert E. Meyerhoff
1025 Cranbrook Road
Cockeysville, MD 21030

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 2, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Robert E. Meyerhoff, Item No. 108

The Petitioner requests a Variance to permit a 48 sq. ft. sign in lieu of 15 ft.

Since the proposed sign is for informational purposes only, staff supports the Petitioner's request provided that the sign is maintained in good repair.

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

ITEM108/ZAC1

RECEIVED

10/14/90

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

October 3, 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 73, 94, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, & 112.

Very truly yours,

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

MSF/jw

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OCT 9 1990

ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Rencke
County Executive

OCTOBER 5, 1990

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

RE: Property Owner: ROBERT AND HARRY MEYERHOFF

Location: #8206 WISE AVENUE

Item No.: 108 Zoning Agenda: OCTOBER 2, 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: *Cap. James Kelly* 10-4-90 Noted and Approved *Cap. James Kelly*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE
September 28, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES (C-21)

SUBJECT: ZONING ITEM #: 108
PROPERTY OWNER: Robert E. Meyerhoff & Harry C. Meyerhoff
LOCATION: N/S Wise Avenue, 45' W centerline of Melbourne Rd
(#8206 Wise Avenue)
ELECTION DISTRICT: 12th
COUNCILMANIC DISTRICT: 7th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMPS (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER - All signs shall comply to applicable sections of Article 29 and its amendments in County Council Bill #158-88.

PERMITS MAY BE APPLIED FOR 8 ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 3, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for October 2, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 33 (revised), 73, 94, 99, 101, 102, 103, 104, 105, 106, 108, 110, 111 and 112.

Item 107 is subject to the previous County Review Group comments.

For Item 109, a County Review Group Meeting is required. Church Lane is to be improved as a 40-foot paving section on a 60-foot right-of-way.

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

RWB:c

RECEIVED
10/4



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
DATE: December 20, 1990

FROM: Mr. Donald C. Outen

SUBJECT: Petition for a Special Hearing - Item 108
Meyerhoff Property
Chesapeake Bay Critical Area Findings

DEC 27 1990

ZONING OFFICE

SITE LOCATION

The subject property is located at the intersection of Wise Avenue and Melbourne Road. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Mr. Robert E. Meyerhoff

APPLICANT PROPOSAL

The applicant has requested a Special Hearing to approve a 48 square foot sign to be permitted via section 413.1.d and not considered as an "outdoor advertising sign" via section 101 of the Baltimore County Zoning Regulations.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines
December 20, 1990
Page 2

DEFINITIONS

"Development Activities" means the construction of substantial alteration of residential, commercial, industrial, or transportation facilities or structures <COMAR 14.15.01.01.A(21)>.

REGULATIONS AND FINDINGS

1. Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment" <Baltimore County Code Sec. 22-216>.

Findings: The placement of the "Holiday Gate" sign on this property is not considered a "Development Activity" as defined above. Therefore, this project shall not need to reduce pollutant loadings by 10% of the on-site level.

CONCLUSION

This project proposal does not require a Chesapeake Bay Critical Area Findings for the reasons stated above.

If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Donald C. Outen
Donald C. Outen, Acting Director
Department of Environmental Protection
and Resource Management

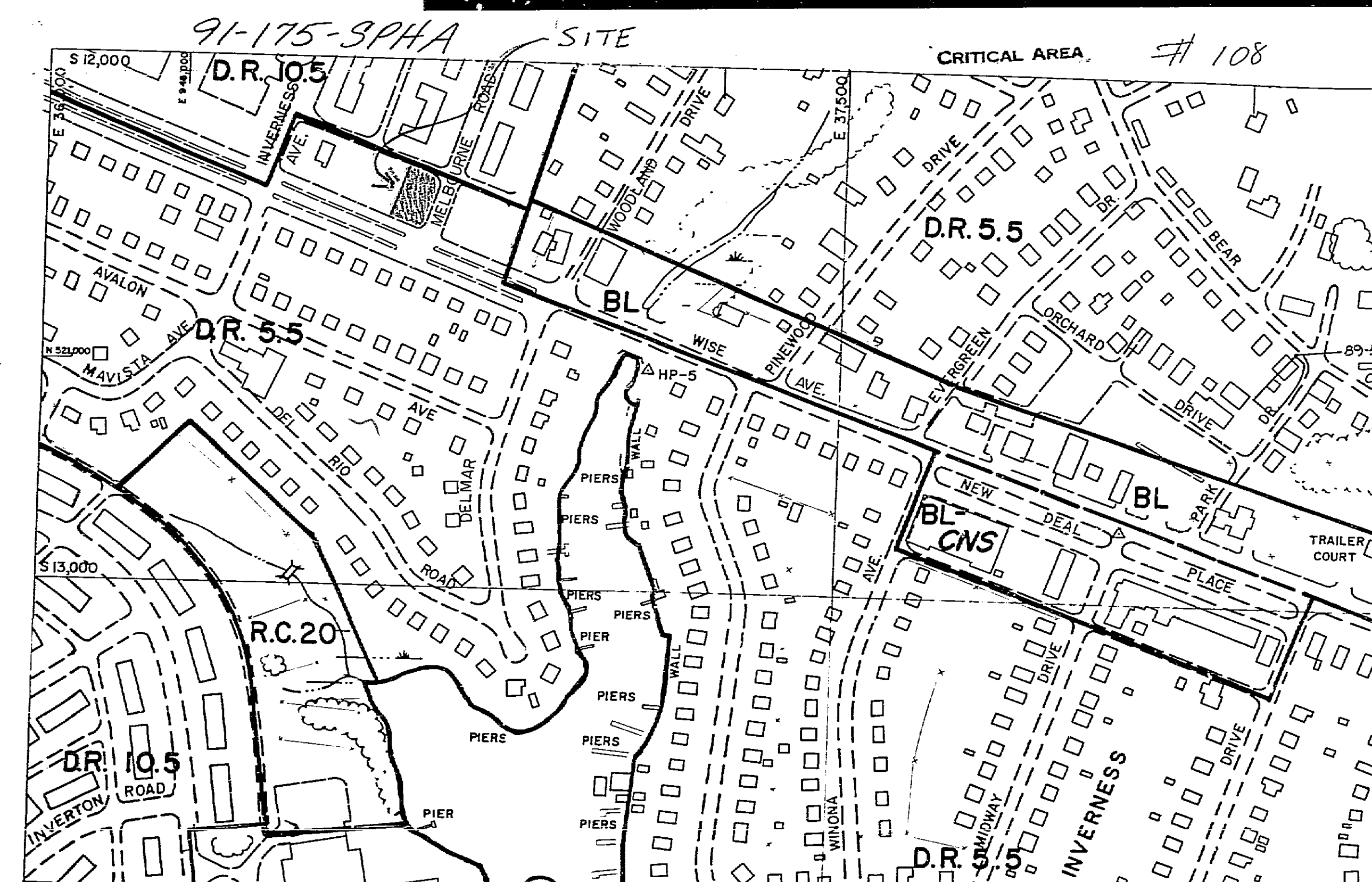
RWS:NSS:ju

cc: The Honorable Ronald B. Hickernell
The Honorable Vincent Gardina
The Honorable Donald Mason
Mrs. Janice B. Outen
Mr. Robert E. Meyerhoff
Mr. Samuel M. Trivas

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
SAMUEL TRIVAS	1625 CRANBROS ROAD 21030
VINCENT J. MOSKUNAS	200 E. JOPPA RD. 21204
JOHN STANOFSKI	8202 WISE AVE 21222



WISE AVENUE

HOLIDAY
GATE

SIGN DETAIL: NO SCALE

MELBOURNE

WISE AVENUE

INSERT: SCALE: 1" = 50'

Lynch Cove

GRAY HAVEN ROAD

GRAY HAVEN ROAD

GRAY HAVEN ROAD

GRAY HAVEN ROAD

GRAY HAVEN ROAD

GRAY HAVEN ROAD

GRAY HAVEN ROAD

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GRAY HAVEN ROAD

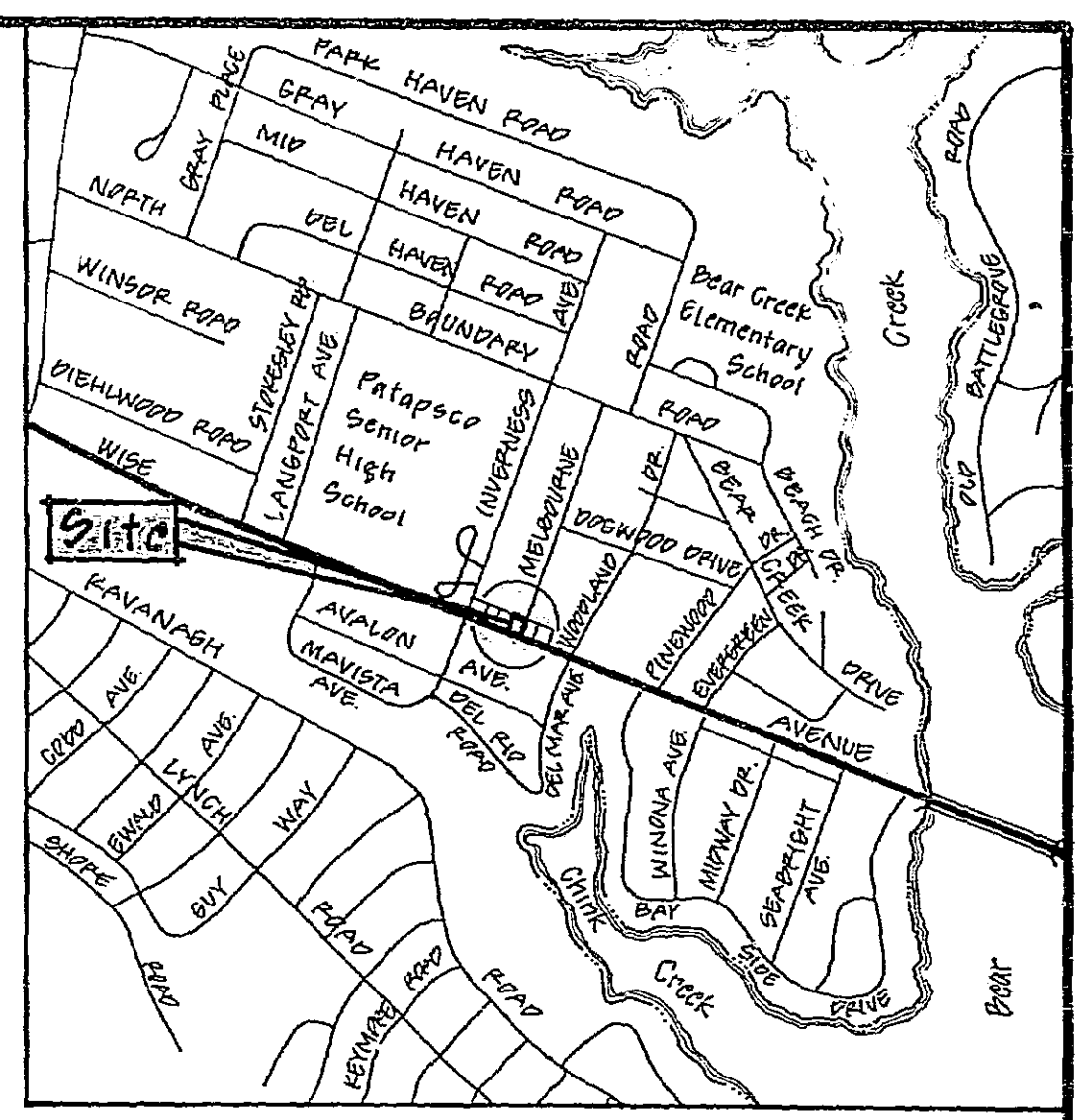
GRAY HAVEN ROAD

GRAY HAVEN ROAD

GRAY HAVEN ROAD

GRAY HAVEN ROAD

PLAN: SCALE: 1" = 200'



VICINITY MAP: SCALE 1" = 1000'

AREA OF TRACT: 9,790 SF ± OF 0.22 AC ±
EXISTING ZONING: D.R. 5.5
EXISTING USE: VACANT

INFORMATION SHOWN HEREIN TAKEN FROM BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING OFFICIAL ZONING MAPS: SE. 3-6
AND S.E. 4-6, NORTHEAST LOCATION

PETITIONER'S
EXHIBIT 1

DEVELOPMENT
ENGINEERS, INC.

200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204
(301) 828-9060

OWNER/APPLICANT:
HARRY C. AND ROBERT E. MEYERHOFF
C/O HENDERSON-WEBB INCORPORATED
1025 CRANBURY ROAD
CROFTSVILLE, MARYLAND
21030
PHONE: (301) 628-7400

DESIGNED BY: RBK
CHECKED: VJM
REVISIONS
SEPT. 13, 1990

SITE PLAN TO ACCOMPANY PETITION FOR VARIANCE
SPECIAL HEARING FOR
PROPOSED SIGN
8206 WISE AVENUE
BALTIMORE COUNTY, MARYLAND ELECT. DISTRICT NUMBER 12
SCALE AS SHOWN DATE JUNE 9, 1990