

IN THE MATTER OF THE
THE APPLICATION OF
THERESA HOFFMAN, ET AL.
FOR A SPECIAL EXCEPTION AND
VARIANCE ON PROPERTY LOCATED
ON THE EAST SIDE BELAIR ROAD,
600' NORTH OF C/L OF NEW CUT
ROAD (12627 BELAIR ROAD)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* OF BALTIMORE COUNTY
* CASE NO. 92-332-XA

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner wherein the Petitions were granted with restrictions. Theresa Hoffman, Petitioner, appeared and was represented by Thomas Dore, Esquire, and Penn Advertising of Baltimore, Inc., the contract purchaser, was represented by Fred M. Lauer, Esquire. J. Carroll Holzer, Esquire, appeared on behalf of the Greater Kingsville Improvement Association, et al, Appellants /Protestants.

Testifying for the Petitioner was Donna Hayward, a representative of Penn Advertising. She testified that the sign company has a real estate agreement for a 12 ft. by 25 ft. billboard, and that the revised site plan shows the landscape proposal whereby barrels would replace the originally proposed curb and gutter.

William Monk, a land planning expert, testified that he had prepared the site plan and explained it in great detail. He noted that on Petitioner's Exhibit 4 the business uses in the area were orange-colored. He submitted many photographs of the area and various uses thereon. He further testified that this property was 3,200 ft. from the Harford County line, and that all this property was State-owned. He testified that the property contains some 8+

Case No. 92-332-XA Theresa Hoffman, et al 2
acres, one-third of which is zoned B.L. He further testified as to the need for the variance from Section 413.3.E of the Baltimore County Zoning Regulations (BCZR). He testified that the 592-foot frontage of B.L. equates to 15 percent of the area in commercial usage, but by eliminating the State land frontage, this usage would be increased to 54 percent. On cross-examination, lengthy testimony was taken as to the proposal to use barrels versus curb and gutter. Mr. Monk also testified that all sections of 502 addressing the special exception use were complied with.

John Erdman, traffic engineer, testified that he has been on site, described the road in that area, and the various sight distances, and testified he could see no problems from the proposed sign. This concluded Petitioner's case.

Protestants presented as their witnesses Edith Berger, who lives at 3801 Lochearn Drive, and testified that it was her responsibility to oppose all billboards no matter where they are located, but that especially she wanted no billboards in a rural area.

Patricia Sieracki, who resides at 7000 New Cut Road, testified in opposition to the granting of the sign. She testified in adamant opposition to the replacement of curb and gutter with the barrels, and in opposition to the sign in this rural area.

Nancy Hastings, 7714 Buck Hill Road, testified as to her opposition to the sign, and that in her opinion it was totally out of place on this site.

Dorothy Poots, from Baldwin, Maryland, who is president of the Greater Kingsville Civic Association, testified as to the Association's effort to maintain the rural area aspect in this part

Case No. 92-332-XA Theresa Hoffman, et al 3
of the County. This portion of the road is part of the Kingsville Plan which opposes billboards. It was her opinion that this was an inappropriate location for the proposed sign, and that this sign would negatively impact the character of the area.
From the testimony and evidence, the Board will find the following facts. All the requirements of Section 502.1(a) through (h) necessary to grant the special exception have been complied with. However, in addition to the Petition for Special Exception, a Petition for Variance from 413.3.E is also necessary in order for the sign to be granted its permit. Section 413.3.E is very specific in that it states:

No outdoor advertising sign shall be erected in any B.L. or B.M. zone unless at least 50% of the available frontage between streets, on that side of the street wherein the sign is proposed to be located, is improved with commercial uses.

This sign, while proposed to be located on a small parcel of very old B.L. zoning, does not meet or even nearly meet the 50 percent requirement of this section.

In addition, Section 307.1 of the BCZR gives the Board of Appeals the authority to grant a variance from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request, and where strict compliance with the zoning regulations would result in practical difficulty or unreasonable hardship. From the testimony and evidence received, the Board can see no special circumstances or conditions that would warrant the granting of this variance petition. The mere wanting to erect a sign on this small parcel of B.L. in and of itself does not represent sufficient practical difficulty or unreasonable hardship

Case No. 92-332-XA Theresa Hoffman, et al 4
to permit granting the variance petition. Section 413.3.E specifically prohibits the erection of billboard signs in basically non-commercial areas.
From the law and the above findings of fact, the Board concludes that, while the special exception requirements may have been complied with, the requirements for granting the variance have not. Therefore, the requested variance will not be granted, and the special exception request is moot, and we will so order.

ORDER

IT IS THEREFORE this 1st day of June, 1993 by the County Board of Appeals of Baltimore County
ORDERED that the variance petitioned from the requirements of Section 413.3.E be and the same is hereby DENIED; and it is further ORDERED that the requested special exception be and is hereby DISMISSED AS MOOT.

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. Hackel
William T. Hackel, Chairman
Michael B. Sauer
Harry E. Buchheiser, Jr.

IN RE: PETITIONS FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - P/S of
Belair Road, 600' N of the C/L
of New Cut Road
(12627 Belair Road)
11th Election District
5th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-332-XA

Theresa Hoffman and
Alexis Keller - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception in which the Petitioners request approval to permit one 12' x 25' illuminated double-faced advertising sign to be located on the subject property, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a Petition for Zoning Variance requesting relief from Section 413.3(E) of the B.C.Z.R. to permit said sign to be located where less than 50% (15% +/-) of the available frontage between streets is improved with commercial uses, all as more particularly described on Petitioner's Exhibit 2.

The Petitioners, by Alexis Keller, and Contract Lessee, Penn Advertising of Baltimore, Inc., appeared, testified and were represented by Fred M. Lauer, Esquire. Also appearing on behalf of the Petitioners was William F. Monk, Land Planning and Zoning Consultant. Appearing as Protestants in the matter were John and Pat Sieracki, and Nancy Hastings, nearby residents of the area, and Judith Berger, Vice President of the Lochearn Improvement Association.

Testimony indicated that the subject property, known as 12627 Belair Road, consists of 8.27 acres more or less, split zoned B.L. and R.C. 5 and is improved with a tavern, known as the Little Falls Tavern. Also located on the property are six, one-story frame dwellings used by

some of the employees of the Little Falls Tavern. All improvements on the site are located within the B.L. zoned portion of the property. The Petitioners have entered into a contract to lease approximately 450 sq.ft. of the subject property to Penn Advertising for purposes of erecting a 12' x 25' illuminated advertising sign thereon as shown on Petitioner's Exhibit 2. Testimony indicated that Ms. Hoffman and Ms. Keller have owned the property for the past 32 years, and that Ms. Keller operates the Little Falls Tavern. Ms. Keller testified that she is desirous of having the subject sign on her property for the additional income that will be derived from its rental and that the sign will provide light to the existing residences to the rear of the subject tavern. Ms. Keller testified that she discussed the matter with all of the residents of the one-story dwellings and that they have no objections to the proposed sign.

William Monk, an expert Land Consultant and Planner, appeared and testified on behalf of the Petitioners. Mr. Monk testified that the subject property has been used commercially since the 1930s. He testified that while there are no variances being requested for the size of the proposed sign, one is needed from Section 413.3(E) due to the fact that this side of Belair Road is not improved with more than 50% commercial uses. Mr. Monk further testified that in his opinion, the sign in question satisfies the special exception requirements of Section 502.1 and the variance requirements of Section 307.1 of the B.C.Z.R.

The Petitioner next called John Erdman, an expert in the field of traffic engineering. Mr. Erdman testified that he visited the subject property. He testified that it is located on a substantial downgrade on Belair Road and that there is excellent site distance in both directions from this location. Mr. Erdman testified that the proposed sign will have

no adverse effects upon existing traffic in the area. He further stated that in his expert opinion, the location of the proposed sign on the subject property will have no detrimental effect on the public health, safety or general welfare.

Appearing and testifying as a Protester in the matter was John Sieracki, who resides at 7000 New Cut Road. Mr. Sieracki testified that this stretch of Belair Road is a very dangerous area. He stated that there have been many accidents in this approximate location. He testified that his primary concern is the traffic coming and going from the Little Falls Tavern. Mr. Sieracki stated that patrons will pull in to the front of the building and when leaving, will back out onto Belair Road into oncoming traffic. He stated that given the speed limit of Belair Road, which is 50 mph at this location, the patrons should not back out onto Belair Road as this causes a very dangerous situation. He further stated that individuals travelling Belair Road whose attention might be directed towards the proposed sign, may not see an individual backing out of the Little Falls Tavern parking lot.

Nancy Hastings, who resides at 7714 Buck Hill Road, testified in opposition to the relief requested. Ms. Hastings corroborated the testimony of Mr. Sieracki and she, too, stated that it is a dangerous situation when patrons of the Little Falls Tavern back out onto Belair Road. Ms. Hastings believes that adding the proposed sign at this already dangerous location will further create a traffic problem.

Judith Berger of 3801 Lochearn Drive appeared and testified in opposition. Ms. Berger testified that she has protested billboard signs in the past. Ms. Berger believes that this area is rural in nature and to allow the proposed advertising sign at the subject location would cause

traffic problems and be visually polluting. It was Ms. Berger's opinion that these types of signs are better suited to industrial zones.

It is clear that the B.C.Z.R. permits the use proposed in a B.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

It is clear from the testimony of the Protestants who live in this area of Belair Road that their major concern is with traffic exiting

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

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Date 5/27/92
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

the business establishment known as the Little Falls Tavern. Their testimony was that patrons pull in and park in front of the tavern and back out of the parking lot onto Belair Road when leaving. It was their opinion that this practice caused a dangerous traffic situation. I agree with the Petitioners in that respect and find that this potentially dangerous situation should be corrected.

Accordingly, I find that prior to the issuance of any permit for this outdoor advertising sign, the Petitioners shall remedy this potentially dangerous situation. Pursuant to this Order, and prior to the issuance of any sign permits, the Petitioners shall construct curbing along Belair Road in front of the Little Falls Tavern. The curb shall commence at the northernmost edge of the front foundation wall of the Little Falls Tavern and run along the right-of-way line with Belair Road in a southerly direction, approximately 112' to the northern edge of an existing private road that services the Petitioners' property. The Petitioners shall backfill the tavern side of the subject curb with dirt and plant same with grass to create a grass covered island similar to that which is located on the adjacent service garage property. These grassy islands are depicted on Petitioner's Exhibit 16 which show the Little Falls Tavern and the adjacent service garage. This curb and grassy island shall be installed to prevent patrons of the Little Falls Tavern from backing out onto Belair Road. There shall be no further parking of any vehicles in front of the subject tavern along this 112' stretch of Belair Road and all parking on the Petitioners' property shall be located to the side and rear of the existing tavern in that area between the tavern and the automotive repair garage. The Petitioners shall cause to be prepared a revised site plan showing the proposed curb and grassy island and shall submit said plan to

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

this Deputy Zoning Commissioner for approval prior to the issuance of any sign permits.

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. Police, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would be 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.

Auderson 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, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of May, 1992 that the Petition for Special Exception to permit one 12' x 25' illuminated double-faced advertising sign, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and:

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 413.3(E) of the B.C.Z.R. to permit said sign to be located where less than 50% (15% +/-) of the available frontage between streets is improved with commercial uses, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their permits 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.
- 2) Prior to the issuance of any permits, Petitioners shall submit a revised site plan incorporating the relief granted herein, including the proposed curb and grassy island along Belair Road, for approval by the Deputy Zoning Commissioner. The revised site plan shall be submitted to this office within forty-five (45) days of the date of this Order.

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

TWK:bjs

When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-332-XA

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 Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for one (1) 12' x 25' illuminated double face advertising sign structure, per Section 413.3 B.C.Z.R.

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

I, or we, agree to pay expenses of above Special Exception 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/Lessor: Penn Advertising of Baltimore, Inc. (Type or Print Name)
Signature: [Signature]
Address: 3001 Remington Avenue
Baltimore, Maryland, 21211
City and State
Attorney for Petitioner: Fred M. Lauer, Esq. (Type or Print Name)
Signature: [Signature]
Address: 12627 Belair Road
Kingsville, Maryland, 21087
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: William Monk, Inc.
Address: 222 Bosley Ave., Towson, MD 494-8931
City and State
Attorney's Telephone No.: (410) 235-8820

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as of _____, 19____, 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 _____ day of _____, 19____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

ECO-No. 1

(over)

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

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Petition for Variance

to the Zoning Commissioner of Baltimore County 92-332-XA

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 413.3 (E) of the B.C.Z.R. to allow a sign to be located where less than 50% (15% +/-) of the available frontage between streets on that side is improved with commercial use(s).

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

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/Lessor: Penn Advertising of Balto, Inc. (Type or Print Name)
Signature: [Signature]
Address: 3001 Remington Avenue
Baltimore, Maryland, 21211
City and State
Attorney for Petitioner: Fred M. Lauer, Esq. (Type or Print Name)
Signature: [Signature]
Address: 12627 Belair Road
Kingsville, Maryland, 21087
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: William Monk, Inc.
Address: 222 Bosley Ave., Towson, MD 494-8931
City and State
Attorney's Telephone No.: (410) 235-8820

ORDER RECEIVED FOR FILING
Date 5/27/92
By [Signature]

Theresa Hoffman (Type or Print Name)
Signature: [Signature]
Address: 12627 Belair Road
Baltimore, Maryland, 21087
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: William Monk, Inc.
Address: 222 Bosley Ave., Towson, MD 494-8931
City and State
Attorney's Telephone No.: (410) 235-8820

ESTIMATED LENGTH OF HEARING: 1/2HR.
AVAILABLE FOR HEARING: MON./TUES./WED. - BEST TWO HOURS
ALL OTHER
REVIEWED BY: LG
DATE: 5/27/92

339

Suite 113, Lombhouse
400 Washington Avenue
Towson, MD 21201

May 27, 1992

(110) 887-4386

Fred M. Lauer, Esquire
3001 Remington Avenue
Baltimore, Maryland 21211

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
E/S Belair Road, 600' N of the C/I of New Cut Road
(12627 Belair Road)
11th Election District - 5th Councilmanic District
Theresa Hoffman and Alexia Keller - Petitioners
Case No. 92-332-XA

Dear Mr. Lauer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance I've 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 Madelitte at 897-1391.

Very truly yours,

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjs
cc: Mr. & Mrs. John Sieracki
7000 New Cut Road, Kingsville, Md. 21087

Ms. Nancy Hastings
7714 Buck Hill Road, Kingsville, Md. 21087

Ms. Judith Berger, Vice President, Lochearn Improvement Assn.,
3801 Lochearn Drive, Baltimore, Md. 21207

Mr. William P. Monk
222 Bosley Avenue, Towson, Md. 21204

People's Counsel: Frie

CERTIFICATE OF POSTING BALTIMORE DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11A Date of Posting: 3/19/92
 Posted for: Theresa Hoffman & Alan Keller
 Position: 12627 Belair Rd., 600' N of New Cut Rd
 Location of property: 12627 Belair Rd.
 Location of Sign: 12627 Belair Rd. 600' N of New Cut Rd
 Remarks: 1
 Posted by: Michael Date of return: 3/19/92
 Number of Signs: 1

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 at Room 116, Baltimore County Courthouse, 111 West Chesapeake Avenue, Towson, Maryland 21204 as follows:
 Case Number: 92-332-XA
 1/2 of New Cut Road
 12627 Belair Road
 116 Election District
 5th Councilmember
 Legal Owner(s): Theresa Hoffman
 Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
 Hearing Date: Tuesday, April 6, 1992 at 2:00 p.m.
 Special Exception for one 12' x 20' sign, illuminated double sided advertising sign structure. Maximum to allow a sign to be so used where less than 50% (15%) of the available frontage is used for such signs, on that site, is to be provided with commercial units.
 LAWRENCE E. SCHMIDT, Zoning Commissioner of Baltimore County
 NJ33211 March 19, 1992

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3/19 1992
 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 3/19 1992

THE JEFFERSONIAN,

S. Zeke Orlov
 Publisher

\$79.71

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

Account # 001-6150
 Number
 89200337

Date: 3/27/92

	QTY	PRICE
PUBLIC HEARING FEES		
050 - FILING VARIANCE (OTHER)	1 X	\$175.00
050 - SPECIAL EXCEPTION	1 X	\$175.00
TOTAL:		\$350.00

LAST NAME OF OWNER: HOFFMAN

Please Make Checks Payable To: Baltimore County \$350.00
 BA 0021307-A 2-27-92

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

Account # 001-6150
 Number
 89200337

Date: 3/27/92

OFFICIAL FEE: 1 X \$175.00
 FEE - OF 3 - FILING EXC. ORDER: 1 X \$175.00
 FEE - OF 050 - OTHER ORDERS: 1 X \$175.00
 FEE - FILING STAMP / ADVERTISING: 1 X \$175.00
 FEE - FILING OR UNRECEIVED: 1 X \$175.00

Cashier Validation

Please Make Checks Payable To: Baltimore County \$450.00
 BA 0021307-A 2-27-92

CERTIFICATE OF POSTING BALTIMORE DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11A Date of Posting: 3/19/92
 Posted for: Theresa Hoffman & Alan Keller
 Position: 12627 Belair Rd., 600' N of New Cut Rd
 Location of property: 12627 Belair Rd.
 Location of Sign: 12627 Belair Rd. 600' N of New Cut Rd
 Remarks: 1
 Posted by: Michael Date of return: 3/19/92
 Number of Signs: 1

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 Case Number: 92-332-XA
 1/2 of New Cut Road
 12627 Belair Road
 116 Election District
 5th Councilmember
 Legal Owner(s): Theresa Hoffman
 Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
 Hearing Date: Tuesday, April 6, 1992 at 2:00 p.m.
 Special Exception for one 12' x 20' sign, illuminated double sided advertising sign structure. Maximum to allow a sign to be so used where less than 50% (15%) of the available frontage is used for such signs, on that site, is to be provided with commercial units.
 LAWRENCE E. SCHMIDT, Zoning Commissioner of Baltimore County
 NJ33211 March 19, 1992

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3/19 1992
 THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/19 1992

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Orlov
 Publisher

\$79.71

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

Account # 001-6150
 Number
 89200337

Date: 3/27/92

	QTY	PRICE
PUBLIC HEARING FEES		
050 - FILING VARIANCE (OTHER)	1 X	\$175.00
050 - SPECIAL EXCEPTION	1 X	\$175.00
TOTAL:		\$350.00

LAST NAME OF OWNER: HOFFMAN

Please Make Checks Payable To: Baltimore County \$350.00
 BA 0021307-A 2-27-92

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

Account # 001-6150
 Number
 89200337

Date: 3/27/92

OFFICIAL FEE: 1 X \$175.00
 FEE - OF 3 - FILING EXC. ORDER: 1 X \$175.00
 FEE - OF 050 - OTHER ORDERS: 1 X \$175.00
 FEE - FILING STAMP / ADVERTISING: 1 X \$175.00
 FEE - FILING OR UNRECEIVED: 1 X \$175.00

Cashier Validation

Please Make Checks Payable To: Baltimore County \$450.00
 BA 0021307-A 2-27-92

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

Date: 3/31/92

From Advertising of Baltimore, Inc.
 3001 Remington Avenue
 Baltimore, Maryland 21211

RE:
 CASE NUMBER: 92-332-XA
 1/2 of New Cut Road, 600' N of New Cut Road
 12627 Belair Road
 116 Election District - 5th Councilmember
 Legal Owner(s): Theresa Hoffman
 Contract Purchaser(s): Penn Advertising of Baltimore, Inc.

Dear Petitioner(s):

Please be advised that \$ 79.71 is due for advertising and posting of the above captioned property.

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

Please forward your check with return mail to the Zoning Office, County Office Building, 111 West Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your name number listed thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Bel John

ARNOLD JABLON
 DIRECTOR

cc: Theresa Hoffman
 William Monk, Inc.
 Fred M. Lauer, Esq.

RECEIVED
 APR 6 1992
 ZONING OFFICE

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

MARCH 17, 1992

NOTICE OF POSTPONEMENT

CASE NUMBER: 92-332-XA
 PETITIONER(S): HOFFMAN/PENN ADVERTISING OF BALTIMORE, INC.
 LOCATION: 12627 BELAIR ROAD

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO HEARD ON MONDAY, APRIL 6, 1992, HAS BEEN POSTPONED AT THE REQUEST OF FRED M. LAUER, ATTORNEY FOR PETITIONERS.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

Bel John

ARNOLD JABLON
 DIRECTOR

cc: Theresa Hoffman
 William Monk, Inc.
 Fred M. Lauer, Esq.

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

APRIL 6, 1992

NOTICE OF REASSIGNMENT

CASE NUMBER(S): 92-332-XA
 LEGAL OWNER: THERESA HOFFMAN
 LESSEE: PENN ADVERTISING OF BALTIMORE, INC.
 LOCATION:

HEARING OF THE ABOVE MATTER WILL TAKE PLACE AS FOLLOWS:

FRIDAY, MAY 8, 1992 at 9:00 a.m.

IN THE BALTIMORE COUNTY ROOM 106, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204.

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT

ZONING COMMISSIONER
 BALTIMORE COUNTY

cc: Theresa Hoffman
 Penn Advertising of Baltimore, Inc.
 William Monk, Inc.
 People's Counsel

*ENCLOSED PLEASE FIND A DATE STICKER TO BE PLACED ON THE ZONING SIGN.

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

April 1, 1992

Fred M. Lauer, Esquire
 3001 Remington Avenue
 Baltimore, MD 21211

RE: Item No. 339, Case No. 92-332-XA
 Petitioner: Theresa Hoffman, et al
 Petition for Variance

Dear Mr. Lauer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: April 7, 1992

FROM: Ervin McDaniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Theresa Hoffman, Item No. 339



SUMMARY AND RECOMMENDATIONS:

The petitioner is requesting a variance to allow one illuminated double faced advertising sign to be located on a lot containing a tavern. The site is located along the east side of Belair Road almost at the Harford County line.

This site is included as comprehensive zoning issue (5-017) in which the Office of Planning and Zoning recommends a CR overlay district be added to the existing BL zoning. The CR overlay district would limit expansion of this site and also limit the surface area of signs to 25 square feet and would not allow illuminated signs, unless approved by the Zoning Commissioner.

The 1989 Baltimore County Master Plan designates this particular area as a "gateway" (page 113). A gateway is defined on page 144 as "the area where one type of physical surroundings change clearly and fairly abruptly to a very different type." These areas should not contain excessive signage. From the information provided it appears that the outdoor advertising sign would not be for the benefit of the existing commercial use but rather for general outdoor advertising use. Additionally, the site is located adjacent to the Gunpowder Falls State Park. It would be inappropriate to have an illuminated sign in this rural location.

Based upon the analysis conducted and information provided staff recommends DENIAL of the petitioner's request based upon 1) future recommended changes to the B.L. zone and 2) conflict with the 1989 Baltimore County Master Plan.

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 487-3211.

EM/FM/rdn
339.ZAC/ZAC1



BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Railee J. Famili

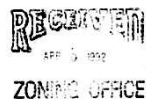
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 17, 1992

This office has no comments for item numbers 335, 338, 339, 343, 347, 349, 350, 351, 352, 353 and 355.

Railee J. Famili
Railee J. Famili
Traffic Engineer II

RJT/lvd



Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
5th day of March, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Theresa Hoffman, et al
Petitioner's Attorney: Fred M. Lauer

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

MARCH 10, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: THERESA HOFFMAN
Location: #1267 LAIR ROAD
Item No.: 339 Zoning Agenda: MARCH 17, 1992

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: *Carl J. Richards Jr.* Noted and Approved
Planning Comm. Fire Prevention Bureau
Special Inspection Division

JP/BER



APPEAL

Petition for Special Exception and Zoning Variance
E/S of Belair Road, 600' N of the c/l of New Cut Road
(12627 Belair Road)
11th Election District - 5th Councilmanic District
THERESA HOFFMAN AND ALEXIS KELLER - Petitioner
Case No. 92-332-XA

Petition(s) for Special Exception and Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Protestant's Sign in Sheets

Resume of John M. Erdman, P.E.

Petitioner's Exhibits: 1A-F Photos (Adjacent Land Use, Signage, View)

2. Plan to accompany Special Exception
3. Zoning Map
4. Aerial Map
5. 1,000 Scale Zoning Map
6. Literature Search on Sign Safety

Deputy Zoning Commissioner's Order dated May 27, 1992 (Granted with restrictions)

Notice of Appeal received June 26, 1992 from J. Carroll Holzer, Attorney on behalf of the Greater Kingsville Civic Association

cc: Theresa Hoffman and Alexis Keller
12627 Belair Road, Kingsville, MD 21087

Fred M. Lauer - 3001 Remington Avenue, Baltimore, MD 21211

William F. Monk - 222 Bosley Avenue, Towson, MD 21204

J. Carroll Holzer, Esquire - Holzer, Maher, Demilio & Lee
305 West Chesapeake Avenue, Suite 105, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, MD 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of Zoning Administration
and Development Management
Public Services

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 1, 1992

Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and Zoning Variance
E/S of Belair Road, 600' N of the c/l of New Cut Road
(12627 Belair Road)
11th Election District, 5th Councilmanic District
THERESA HOFFMAN AND ALEXIS KELLER - Petitioner
Case No. 92-332-XA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on June 26, 1992 by J. Carroll Holzer, Attorney on behalf of the Protestants. 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,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:cer

cc: Theresa Hoffman and Alexis Keller
12627 Belair Road, Kingsville, MD 21087

Fred M. Lauer - 3001 Remington Avenue, Baltimore, MD 21211

William F. Monk - 222 Bosley Avenue, Towson, MD 21204

J. Carroll Holzer, Esquire - Holzer, Maher, Demilio & Lee
305 West Chesapeake Avenue, Suite 105, Towson, MD 21204

People's Counsel of Baltimore County
Old Courthouse, 400 Washington Avenue, Towson, MD 21204

File

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 9, 1992

Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and Zoning Variance
E/S of Belair Road, 600' N of the c/l of New Cut Road
(12627 Belair Road)
11th Election District, 5th Councilmanic District
THERESA HOFFMAN AND ALEXIS KELLER - Petitioner
Case No. 92-332-XA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on June 26, 1992 by J. Carroll Holzer, Attorney on behalf of the Protestants. 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,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:cer

cc: Theresa Hoffman and Alexis Keller
12627 Belair Road, Kingsville, MD 21087

Fred M. Lauer - 3001 Remington Avenue, Baltimore, MD 21211

William F. Monk - 222 Bosley Avenue, Towson, MD 21204

J. Carroll Holzer, Esquire - Holzer, Maher, Demilio & Lee
305 West Chesapeake Avenue, Suite 105, Towson, MD 21204

People's Counsel of Baltimore County
Old Courthouse, 400 Washington Avenue, Towson, MD 21204

File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: March 13, 1992

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 17, 1992

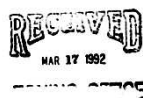
The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 335, 338, 339, 343, 347, 348, 349, 350, 352 and 353.

For Item 339, the site is subject to the previous minor subdivision comments.

For Item 355, the site must be submitted through the minor subdivision process for review and comments.

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

RWB:s





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

June 1, 1993

J. Carroll Holzer, Esquire
HOLZER, MAHER, DEMILIO & LEE
305 West Chesapeake Avenue, Suite 105
Towson, MD 21204

RE: Case No. 92-332-XA
Theresa Hoffman, et al

Dear Mr. Holzer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Matthew C. Weldenhammer
Matthew C. Weldenhammer
Administrative Assistant

encl.

cc: The Greater Kingsville Civic Assn.
Edith Berger
Patricia Sieracki
Nancy Hastings
Thomas Dora, Esquire
Theresa Hoffman and Alexis Keller
Fred M. Lauer, Esquire
William P. Monk
People's Counsel for Baltimore County
Public Services
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



8/12/92 - Following parties notified of hearing set for November 24, 1992 at 10:00 a.m.:

J. Carroll Holzer, Esquire
Greater Kingsville Civic Assoc.
Theresa Hoffman and Alexis Keller
Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
Mr. William P. Monk
People's Counsel for Baltimore County
Public Services
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon

9/04/92 - Ltr from Fred Lauer, Penn Adv., requesting PP of above matter; scheduling conflict.

9/10/92 - Above parties sent Notice of Postponement and Reassignment to December 16, 1992 at 10:00 a.m. at the request of Counsel for Petitioners.

9/18/92 - Ltr from J. C. Holzer, Esq., requesting change in hearing date -- he will be out of town from 12/12 through 12/20/92; requests date some time around above time period.

9/25/92 - Above parties notified of POSTPONEMENT and REASSIGNMENT to December 29, 1992 at 10:00 a.m. at the request of Counsel for Protestants.

12/14/92 - Request for Postponement (illness in family of witness; requires that witness be out of town due to serious nature of illness); from Fred Lauer Counsel for Penn Adv. and Petitioners.

12/16/92 - Above parties notified of POSTPONEMENT and REASSIGNMENT to March 18, 1993 at 10:00 a.m. at the request of Counsel for Petitioner.

12/30/92 - Request for POSTPONEMENT from F. Vernon Booser, Esquire; legislative session on 3/18/93.

1/7/93 - Notice of POSTPONEMENT and REASSIGNMENT sent to above parties for new hearing date of May 4, 1993 at 10:00 a.m. at the request of F. Vernon Booser, Esq. citing legislative privilege.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 1992, a copy of the foregoing Notice of Appeal was mailed, first-class, postage pre-paid to: Fred M. Lauer, Esquire
3001 Remington Avenue, Baltimore, Maryland 21211.

J. Carroll Holzer
J. CARROLL HOLZER, Esquire

notice-1(hoffman.not

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 11, 1992

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 115, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-332-XA
E/S of Belair Road, 600' N of c/l of New Cut Road
12627 Belair Road
11th Election District - 5th Councilmanic
Legal Owner(s): Theresa Hoffman
Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
HEARING: MONDAY, APRIL 6, 1992 at 2:00 p.m.

Special Exception for one 12 ft. x 20 ft. illuminated double-face advertising sign structure.
Variance to allow a sign to be located where less than 50% (150'-0") of the available frontage between streets, on that side, is improved with commercial use(s).

Laurence E. Schmidt
Laurence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Theresa Hoffman
William Monk, Inc.
Penn Advertising of Baltimore, Inc.
Fred M. Lauer, Esq.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
January 7, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH 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. 89-79.

CASE NO. 92-332-XA
THERESA HOFFMAN AND ALEXIS KELLER
E/S of Belair Road, 600' N of c/l of New Cut Road (12627 Belair Road)
11th Election District;
5th Councilmanic District
SE-illuminated double-faced adv.'g sign;
VAR-sign located where less than 50% of frontage commercial
5/27/92 - D.Z.C.'s Order GRANTING Petition with restrictions.

which was scheduled for hearing on March 18, 1993 has been POSTPONED at the request of F. Vernon Booser, Esquire citing legislative privilege and has been

REASSIGNED FOR: TUESDAY, MAY 4, 1993 AT 10:00 a.m.

cc: J. Carroll Holzer, Esquire - Counsel for Protestants

Greater Kingsville Civic Assoc. - Protestants
Theresa Hoffman and Alexis Keller - Petitioners
Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
F. Vernon Booser, Esquire
Mr. William P. Monk
People's Counsel for Baltimore County
Public Services
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Administration
LindaLee M. Kuszmaul
Legal Secretary

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S Belair Rd., 600' N of c/l of : OF BALTIMORE COUNTY
New Cut Rd., 11th Election Dist., :
5th Councilmanic District :
THERESA HOFFMAN, Owner : Case No. 92-332-XA
PENN ADVERTISING OF BALTIMORE, :
INC., Contract Lessee :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204-4606
(410) 887-2188

I HEREBY CERTIFY that on this 1st day of April, 1992, a copy of the foregoing Entry of Appearance was mailed to Fred M. Lauer, Esquire, 3001 Remington Ave., Baltimore, MD 21211, Attorney for Petitioner.

Phyllis Cole Friedman
Phyllis Cole Friedman

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - E/S of Belair Road, 600' N of the c/l of New Cut Road (12627 Belair Road) 11th Election District 5th Councilmanic District * BEFORE THE * DEPUTY * ZONING COMMISSIONER * OF * BALTIMORE COUNTY * Case No.: 92-332-XA * Petitioners *

NOTICE OF APPEAL TO COUNTY BOARD OF APPEALS

Protestants in the above captioned case, Greater Kingsville Civic Association, Inc., Lochearn Improvement Association, Judith Berger, John and Pat Sieracki, by and through their attorney, J. Carroll Holzer, hereby note an appeal of the decision of the Deputy Zoning Commissioner in Case No.: 92-332-XA rendered on May 27, 1992 as it relates to both the Petition for Special Exception and Petition for Zoning Variance.

J. Carroll Holzer
J. CARROLL HOLZER, Esquire
Holzer, Maher, Demilio & Lee
305 West Chesapeake Avenue
Suite 105
Towson, Maryland 21204
410-825-6960



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
August 12, 1992

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 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. 89-79.

CASE NO. 92-332-XA
THERESA HOFFMAN AND ALEXIS KELLER
E/S of Belair Road, 600' N of c/l of New Cut Road (12627 Belair Road)
11th Election District;
5th Councilmanic District
SE-illuminated double-faced adv.'g sign;
VAR-sign located where less than 50% of frontage commercial
5/27/92 - D.Z.C.'s Order GRANTING Petition with restrictions.

ASSIGNED FOR: TUESDAY, NOVEMBER 24, 1992 AT 10:00 a.m.

cc: J. Carroll Holzer, Esquire - Counsel for Protestants

Greater Kingsville Civic Assoc. - Protestants
Theresa Hoffman and Alexis Keller - Petitioners
Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
Mr. William P. Monk
People's Counsel for Baltimore County
Public Services
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Administration
LindaLee M. Kuszmaul
Legal Secretary

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH 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. 92-332-XA

THERESA HOFFMAN AND ALEXIS KELLER
E/s of Belair Road, 600' N of c/l
of New Cut Road (12627 Belair Road)
11th Election District;
5th Councilmanic District

SE-illuminated double-faced adv.'g
sign;
VAR-sign located where less than 50%
of frontage commercial
5/27/92 - D.Z.C.'s Order GRANTING
Petition with restrictions.

which was scheduled for hearing on November 24, 1992 has been
POSTPONED at the request of Counsel for Petitioners and has been

REASSIGNED FOR: WEDNESDAY, DECEMBER 16, 1992 AT 10:00 a.m.

cc: J. Carroll Holzer, Esquire - Counsel for Protestants
Greater Kingsville Civic Assoc. - Protestants

Theresa Hoffman and Alexis Keller - Petitioners
Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
F. Vernon Booser, Esquire
Mr. William P. Monk
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Lindalee M. Kuszmaul
Legal Secretary

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH 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. 92-332-XA

THERESA HOFFMAN AND ALEXIS KELLER
E/s of Belair Road, 600' N of c/l
of New Cut Road (12627 Belair Road)
11th Election District;
5th Councilmanic District

SE-illuminated double-faced adv.'g
sign;
VAR-sign located where less than 50%
of frontage commercial
5/27/92 - D.Z.C.'s Order GRANTING
Petition with restrictions.

which was scheduled for hearing on November 24, 1992 has been
POSTPONED at the request of Counsel for Petitioners and has been

REASSIGNED FOR: TUESDAY, DECEMBER 29, 1992 AT 10:00 a.m.

cc: J. Carroll Holzer, Esquire - Counsel for Protestants

Greater Kingsville Civic Assoc. - Protestants

Theresa Hoffman and Alexis Keller - Petitioners
Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
F. Vernon Booser, Esquire
Mr. William P. Monk
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Lindalee M. Kuszmaul
Legal Secretary

NOTICE OF POSTPONEMENT AND REASSIGNMENT

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CASE NO. 92-332-XA

THERESA HOFFMAN AND ALEXIS KELLER
E/s of Belair Road, 600' N of c/l
of New Cut Road (12627 Belair Road)
11th Election District;
5th Councilmanic District

SE-illuminated double-faced adv.'g
sign;
VAR-sign located where less than 50%
of frontage commercial
5/27/92 - D.Z.C.'s Order GRANTING
Petition with restrictions.

which was scheduled for hearing on December 29, 1992 has been
POSTPONED at the request of Counsel for Petitioners and has been

REASSIGNED FOR: THURSDAY, MARCH 18, 1993 AT 10:00 a.m.

cc: J. Carroll Holzer, Esquire - Counsel for Protestants

Greater Kingsville Civic Assoc. - Protestants

Theresa Hoffman and Alexis Keller - Petitioners
Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
F. Vernon Booser, Esquire
Mr. William P. Monk
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Lindalee M. Kuszmaul
Legal Secretary

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING
100 LITTLE RIVER TURNPIKE
SUITE 400
TOWSON, MARYLAND 21204
(410) 887-3180
100 LITTLE RIVER TURNPIKE
SUITE 400
TOWSON, MARYLAND 21204
(410) 887-3180

LETTER OF TRANSMITTAL

DATE: 2/27/92 OUR JOB NO. 92-012
FILE NO. YOUR JOB NO.
ATTENTION: 13427 Belair Road
Penn Advertising

TO: Baltimore County Zoning Office
Development Control
111 West Chesapeake Avenue
Towson, MD 21204

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via the following items:
☐ Shop drawings ☐ Prints ☒ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ Plans

DRAWING NO.	DESCRIPTION	ACTION
3 copies	Petition for Variance	
3 "	Petition for Special Exception	
12 "	Plat	
3 "	Sealed Description	
1 "	Check for 4429 of 300.0	
1 copy	Rev. Scale Zoning map	

THESE ARE TRANSMITTED as checked below:
☒ For approval ☐ As requested ☐ Submit _____ copies for distribution
☐ For your use ☐ Resubmit _____ copies for approval ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS: OUTSIDE ADVERTISING SIGNS ARE EXEMPT FROM THE NEW DEVELOPMENT PLANS PROCESS HOWEVER A SPECIAL EXCEPTION IS REQUIRED

COPY TO: _____ SIGNED: Mary T. Jones 339

If enclosures are not as noted, kindly notify us at once.

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING
100 LITTLE RIVER TURNPIKE
SUITE 400
TOWSON, MARYLAND 21204
(410) 887-3180
100 LITTLE RIVER TURNPIKE
SUITE 400
TOWSON, MARYLAND 21204
(410) 887-3180

LETTER OF TRANSMITTAL

DATE: 7-9-92 OUR JOB NO.
FILE NO. YOUR JOB NO.
ATTENTION: 14627 BELAIR ROAD
PENN ADVERTISING
CASE # 92-332 XA

TO: TIM KOTROCO
DEPT ZONING COMMISSIONER

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via the following items:
☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
2		REVISED SITE PLANS	FOR REVIEW & APPROVAL

THESE ARE TRANSMITTED as checked below:
☒ For approval ☐ As requested ☐ Submit _____ copies for distribution
☐ For your use ☐ Resubmit _____ copies for approval ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS: TIM, PLEASE REVIEW IF THIS MEETS WITH YOUR APPROVAL PLEASE SEND THEM OVER TO CARL TO BE PLACED IN THE FILE. THANKS

COPY TO: _____ SIGNED: Fred M. Lauer

If enclosures are not as noted, kindly notify us at once.

Penn Adv.
PENN ADVERTISING OF BALTIMORE, INC.
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 13, 1992

re: Case Number -92-332-XA

Dear Mr. Schmidt,

I regret to inform you that due to a conflict in my schedule, we would like the zoning hearing in the above mentioned case scheduled for April 6, 1992 at 2:00 p.m. to be postponed. Please re-schedule the hearing at the earliest available date.

Thank you for your consideration.

Very truly yours,
Fred M. Lauer
Fred M. Lauer, esq.

cc: Ms. Theresa Hoffman
Mr. William Monk

RECEIVED
MAR 16 1992
ZONING OFFICE
RECEIVED MAR 17 1992

P.O. Box 4866, Baltimore, MD 21211 Shipping: 2930 Remington Ave., Baltimore, MD 21211 (410) 235-8820

Penn Adv.
PENN ADVERTISING OF BALTIMORE, INC.
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 20, 1992

re: Case Number 92-332-XA

Dear Mr. Schmidt,

Pursuant to a conversation with your office, I am clarifying that my request for a postponement of the scheduled April 6, 1992 hearing on the above matter is due to a prior meeting at that time that has been scheduled for several months. I would appreciate the rescheduling of the hearing on this matter.

Thank you again for your consideration. Please let me know if there is any problem or you require further information.

Very truly yours,
Fred M. Lauer
Fred M. Lauer, esq.

FML:km
cc: Mr. James W. Fisher II
Mr. William Monk

RECEIVED
MAR 24 1992
ZONING OFFICE

P.O. Box 4866, Baltimore, MD 21211 Shipping: 2930 Remington Ave., Baltimore, MD 21211 (410) 235-8820

LAW OFFICES
LAMBROS & LAMBROS
A PROFESSIONAL ASSOCIATION
9900 N. YORK ROAD
COCKEYSVILLE, MARYLAND 21030
(410) 666-2200
BRANCH OFFICE
NATIONSWIDE BUILDING, SUITE C
ROUTE 140 & BELTWAY 140
1800 BALTIMORE BLVD
WEST WINDSOR, MD 21157
(410) 876-7610

June 29, 1992

Baltimore County Zoning Office
Suite 113, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Petitions for Special Exception and Zoning Variance
Theodore Solomon
Case No. 92-356-XA

Gentlemen:

Please file an Appeal to the Zoning Board of Appeals in the above-captioned matter from the decision dated June 2, 1992. I am enclosing my check in the amount of \$460 to cover the cost.

Please forward all correspondence to this office.

Very truly yours,
Michael J. Lambros

MJL:lvk
Enclosure

RECEIVED
JUN 30 1992
ZONING OFFICE

3901 McLean Dr.
Baltimore, Maryland 21207
May 8, 1992

Planning Office Baltimore County
Attn: Mr. [illegible]
The Village of [illegible]
Baltimore, Maryland 21204

Re: The matter of the issue of 92-332-XA (Vlan 534) Petition for a Special Exception and variance to allow a billboard to be erected, I am offering my protestation.

Until there is a completed, well permitting or designating the placement of such structures, I am against the granting of variances & special exceptions.

The particular issue located in a rural area and is a detriment to the landscape.

Billboards and other commercial advertising signs are inappropriate in residential settings, only they do not belong in a parkland, residential zone or RR. RR is vacant & residential zone.

Please consider my point. I have respectfully submitted it over the years.

Sincerely,
David H. Singer
Singer Improvement Assn VP
Liberty Lane Town Council Board

File

JAMES A. PINE
ATTORNEY AT LAW
807 BALTIMORE AVENUE
TOWSON, MARYLAND 21204
PHONE (410) 844-8200

May 22, 1992

RECEIVED
MAY 21 1992
PLANNING COMMISSION

CHARLOTTE W. PINE
ASSOCIATE

Mr. Timothy Kotroco
Deputy Zoning Commissioner
400 Washington Ave., Suite 113
Towson, Maryland 21204

RE: Case No. 92-332-XA

Dear Mr. Kotroco:

As Chairperson of the Zoning Committee of the Greater Kingsville Community Association I have been asked to write to you to advise that the Board of Directors has unanimously voted to oppose the granting of a variance to allow a 12 foot by 25 foot illuminated double-faced sign at 12627 Belair Road.

The sign is not in keeping with the rural residential character of the Kingsville community. Additionally, the road pattern at this location is extremely dangerous and has been the site of many serious accidents.

These signs are unsightly, distracting to the motorists and usually have messages advocating purchase of cigarettes or alcoholic beverages, such as Joe Camel. The community does not need this image for our youngsters.

Very truly yours,
Charlotte W. Pine
Charlotte W. Pine
Chairperson

CWP/ek

Erdman and Associates, Inc.
Consulting Engineers

JOHN W. ERDMAN P.E.

EDUCATION
BES - Civil Engineering - 1959
Johns Hopkins University
Traffic Engineering Short Courses - 1964
Northwestern University
Professional Program in Urban Transportation - 1971
Carnegie-Mellon University

REGISTRATION
Professional Engineer - Maryland and Delaware

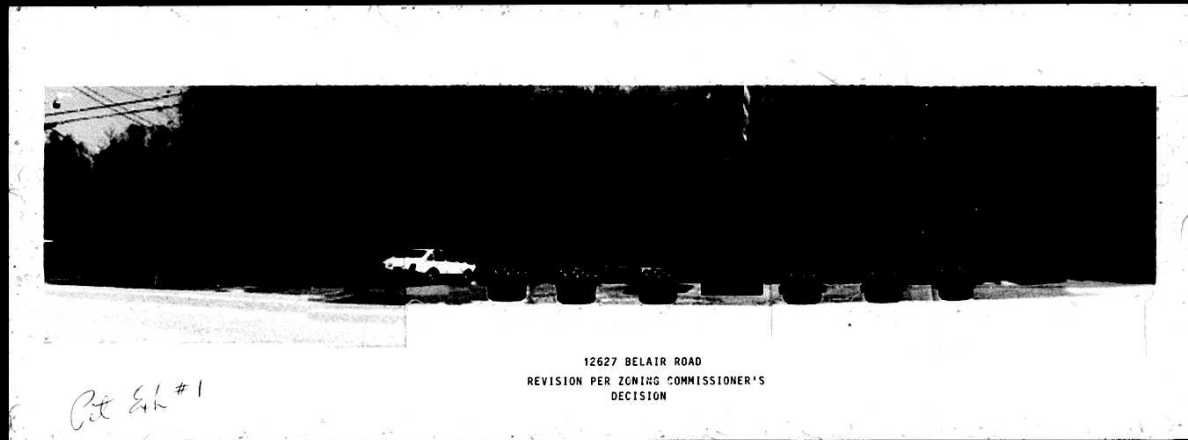
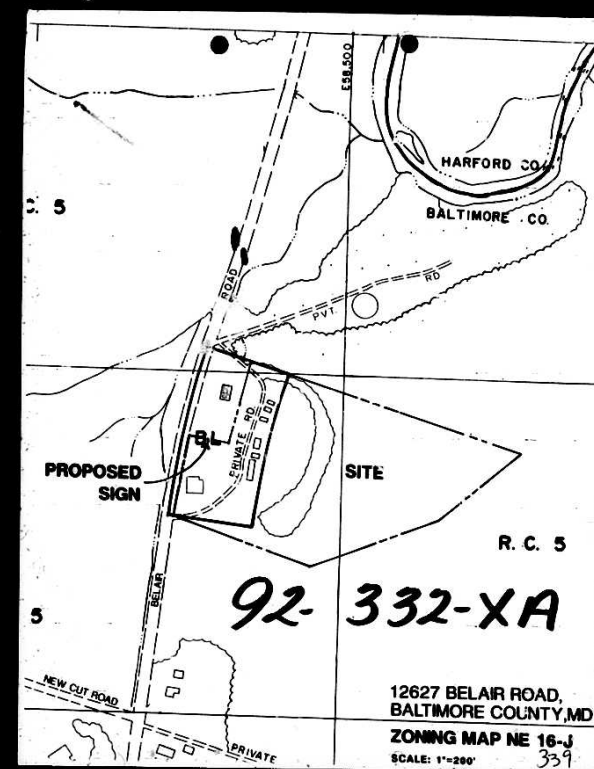
PROFESSIONAL AFFILIATIONS
Institute of Transportation Engineers
National Society of Professional Engineers
American Society of Civil Engineers
Maryland Society of Professional Engineers

EXPERIENCE
Mr. Erdman has responsibility for all Transportation Planning and Traffic Engineering Services of the Firm. The Firm provides specialized Traffic Engineering and Transportation Planning services to public and private clients. Mr. Erdman brings over thirty-two (32) years of personal experience in these fields to the tasks to be undertaken for those clients.

Mr. Erdman has testified as an expert witness over 200 times before the Zoning Authorities or Appeals Boards in Anne Arundel, Baltimore, Charles, Harford, Howard, and Montgomery Counties. His expert testimony has often been reviewed by the Circuit Court.

For 11 years, Mr. Erdman served with the Department of Transit and Traffic, City of Baltimore as an Assistant Commissioner. He was responsible for the Department's Transportation Planning functions within the City of Baltimore.

Mr. Erdman left that agency in 1980 to manage the Transportation and Traffic Engineering Group of a major consulting firm. His responsibilities included traffic system designs with particular emphasis on designing operational improvements to accommodate increased traffic flow and to provide enhanced safety.





12627 BELAIR ROAD
NORTH FACING

Pet Ex #2



12627 BELAIR ROAD
SOUTH FACING

Pet Ex #3



Belair Road EL N/O Park Avenue SF

Pet Ex #6

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT LAND USE : SOUTH



Pet Ex #12

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



VIEW LOOKING SOUTH

U.S. RTE 1

VIEW LOOKING NORTH



WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING SIGNAGE : ON SITE



WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT LAND USE : NORTH



Pet Ex #6



Pet Ex #10
40-332-KA

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: April 7, 1992

FROM: Ervin McDaniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Theresa Hoffman, Item No. 339



SUMMARY AND RECOMMENDATIONS:

The petitioner is requesting a variance to allow one illuminated double faced advertising sign to be located on a lot containing a tavern. The site is located along the east side of Belair Road almost at the Harford County line.

This site is included as comprehensive zoning issue (5-017) in which the Office of Planning and Zoning recommends a CR overlay district be added to the existing BL zoning. The CR overlay district would limit expansion of this site and also limit the surface area of signs to 25 square feet and would not allow illuminated signs, unless approved by the Zoning Commissioner.

The 1989 Baltimore County Master Plan designates this particular area as a "gateway" (page 113). A gateway is defined on page 144 as "the area where one type of physical surroundings change clearly and fairly abruptly to a very different type." These areas should not contain excessive signage. From the information provided it appears that the outdoor advertising sign would not be for the benefit of the existing commercial use but rather for general outdoor advertising use. Additionally, the site is located adjacent to the Gunpowder Falls State Park. It would be inappropriate to have an illuminated sign in this rural location.

Based upon the analysis conducted and information provided staff recommends DENIAL of the petitioner's request based upon 1) future recommended changes to the B.L. zone and 2) conflict with the 1989 Baltimore County Master Plan.

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

EM/FM/rdn
139.ZAC/EAC1



ZONING OFFICE



Maryland Department of Transportation
State Highway Administration

September 23, 1992

Ms. Charlotte W. Pine, Associate
James A. Pine
Attorney at Law
607 Baltimore Avenue
Towson MD 21204

Accident Data
US 1 from New Cut Road to Harford County Line
US 1 from Sunshine Avenue to New Cut Road
Baltimore County

Dear Ms. Pine:

Thank you for your recent letter requesting accident information for US 1. Listed below are the police-reported accidents, by year and severity, during the three-year period, 1989 through 1991, for the indicated sections of this highway.

US 1 from New Cut Road to Harford County Line

ACCIDENT SEVERITY	1989	1990	1991	TOTAL
FATAL	0	0	0	0
INJURY	6	4	2	12
PROPERTY DAMAGE	3	6	1	10
TOTAL	9	10	3	22

US 1 from Sunshine Avenue to New Cut Road

ACCIDENT SEVERITY	1989	1990	1991	TOTAL
FATAL	1	1	0	2
INJURY	15	11	12	38
PROPERTY DAMAGE	5	9	7	21
TOTAL	21	21	19	61

My telephone number is (410) 787-5822

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5882 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Literature Search

Effect of Outdoor
Advertising Signs on Safety

Prepared by: Erdman and Associates, Inc.
May 4, 1993

Literature Search

Effect of Outdoor
Advertising Signs on Safety

Prepared by: Erdman and Associates, Inc.
May 8, 1992

1D

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

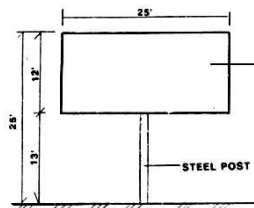
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



ADJACENT LAND USE
TO REAR

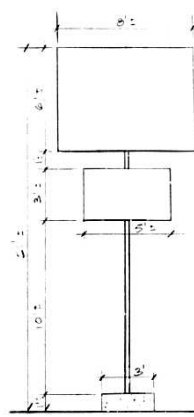
Plot L#8



ELEVATION
PROPOSED OUTDOOR ADVERTISING SIGN
SCALE: 1" = 10'

ILLUMINATED
DOUBLE FACE (300 S.F. PER SIDE) = 600 S.F. TOTAL SIGN AREA

NOTE: PROPOSED OUTDOOR ADVERTISING SIGN
MESSAGE WILL CHANGE ON AN ONGOING BASIS



EXISTING SIGN ELEVATION
(LITTLE FALLS TAVERN)
SCALE: 1/4" = 1'

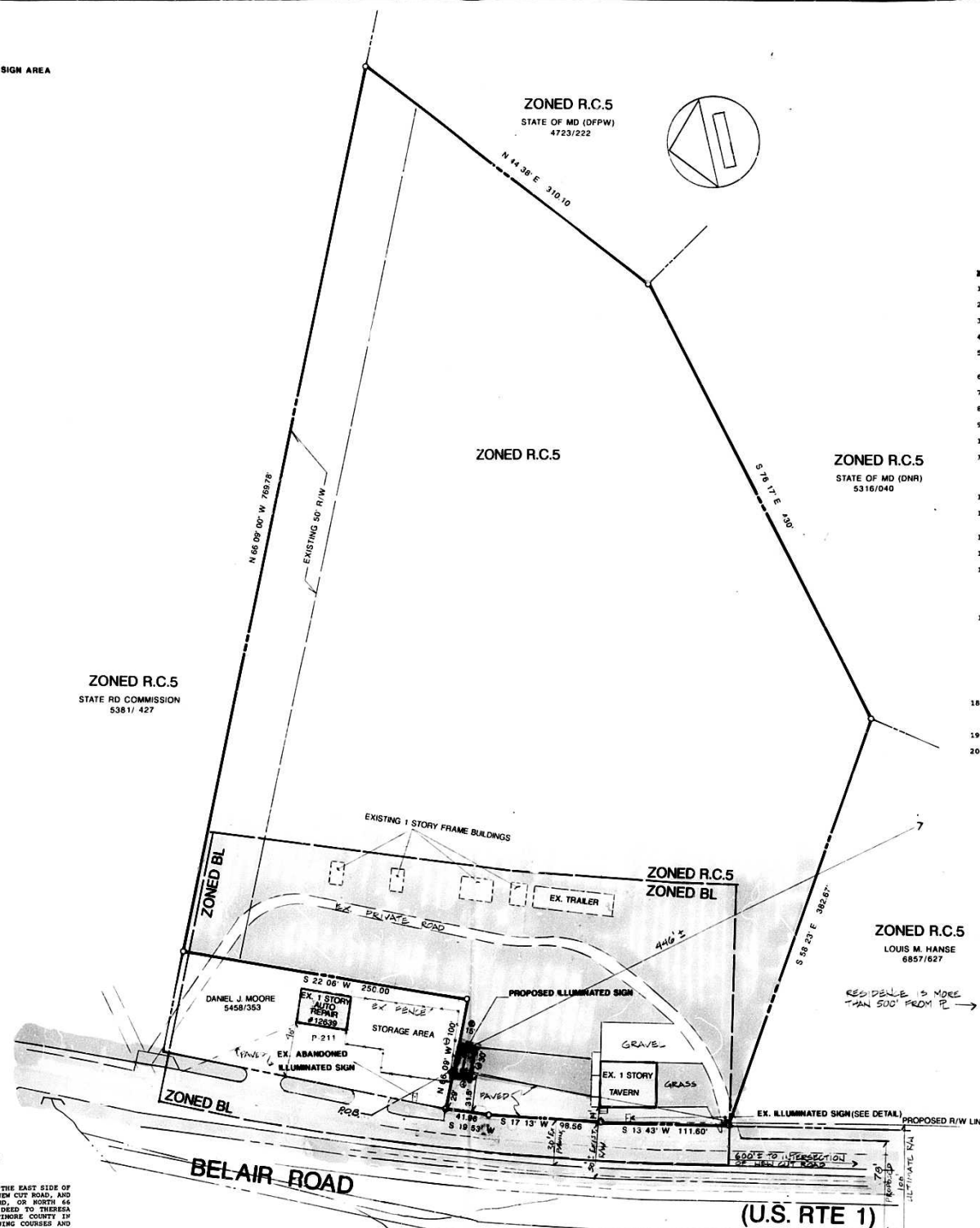


ZONING DESCRIPTION
OUTDOOR ADVERTISING SIGN
12627 BELAIR ROAD
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT 400 FEET, MORE OR LESS, ALONG THE EAST SIDE OF
BELAIR ROAD, 50 FEET WIDE, FROM THE CENTERLINE OF NEW CUT ROAD, AND
2.4 FEET, MORE OR LESS, FROM THE 3RD, OR NORTH 66
DEGREES, 09 MINUTES WEST, 100 FOOT LINE OF THE DEED TO THERESA
HOFFMAN RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN
LIBER 4944, FOLIO 483; THENCE RUNNING THE FOLLOWING COURSES AND
DISTANCES:

1. SOUTH 66 DEGREES, 09 MINUTES, 00 SECONDS EAST, 30 FEET
2. SOUTH 23 DEGREES, 51 MINUTES, 00 SECONDS WEST, 15 FEET
3. NORTH 66 DEGREES, 09 MINUTES, 00 SECONDS WEST, 30 FEET
4. NORTH 23 DEGREES, 51 MINUTES, 00 SECONDS EAST, 15 FEET

TO THE POINT OF BEGINNING,
CONTAINING 450 SQUARE FEET OF LAND, MORE OR LESS.



NOTES

1. EXISTING ZONING: BL
2. PROPOSED ZONING: BL
3. LOT AREA: 8.27 AC +/- GROSS
4. NET AREA: 8.10 AC +/- NET
5. SPECIAL EXCEPTION: TO PERMIT A FREE STANDING ILLUMINATED OUTDOOR ADVERTISING SIGN
6. VARIANCES: SEE NOTE #0.2.
7. EXISTING USE: TAVERN (TO REMAIN)
8. PROPOSED USE: OUTDOOR ADVERTISING SIGN
9. PREVIOUS ZONING HEARINGS, CRG PLANS, WAIVERS: NONE
10. PREVIOUS COMMERCIAL PERMITS: 190-86 FOR A PIT BEEF STAND
11. OWNER/INFORMATION: THERESA HOFFMAN, 12627 BELAIR ROAD, BALTIMORE, MD 21087
12. DEED REFERENCE: 4964/0483
13. TAX MAP: 55, GRID: 8, PARCEL: 350, CENSUS TRACT: 4111.02
14. ELECTION DISTRICT NO. 11
15. COUNTY COUNCIL DISTRICT NO. 5
16. SETBACK REQUIREMENTS (PROPOSED SIGN LOCATION)

REQUIRED	PROPOSED
FRONT	31' (SEE #17)
SIDE	0' / 240' +/-
REAR	0' / 442' +/-

SETBACK AVERAGING COMPUTATIONS:	EXISTING SETBACK
BLDG TO NORTH (12619 BELAIR RD)	48' +/-
BLDG TO SOUTH (12627 BELAIR RD)	14' +/-
AVERAGE SETBACK	62' +/- / 2

16. PARKING NOTE: PROPOSED SIGN LOCATION WILL NOT INTERFERE WITH ANY EXISTING PARKING SPACES, LOADING AREAS OR TRAVEL AISLES.
17. UTILITIES: SITE IS SERVED BY EXISTING PUBLIC FACILITIES
18. ZONING NOTES: OUTDOOR ADVERTISING SIGN

SECTION 413.3 (BCEB)

A. TOTAL SURFACE AREA OF SIGN = 300 S.F. PER SIDE (600 S.F. TOTAL)

B. N/A

C. THE SIGN IS LOCATED BEHIND THE FRONT YARD SETBACK. SIGN IS NOT LOCATED WITHIN 100 FEET OF ANY STREET INTERSECTION.

D. A VARIANCE IS REQUESTED TO PERMIT THE SIGN TO BE ERRECTED IN A BL ZONE WITH 15% IN LIEU OF THE REQUIRED 50% OF THE AVAILABLE FRONTAGE BETWEEN STREETS, ON THAT SIDE, IMPROVED WITH COMMERCIAL USES. THE STREET FRONTAGE (BELAIR ROAD) BETWEEN NEW CUT ROAD AND THE HARBOR COUNTY BORDER IS COMMERCIAL DEVELOPED AS FOLLOWS:

EXISTING USES	FRONTAGE
AUTO REPAIR SHOP (12619 BELAIR ROAD)	= 245 FT +/-
TAVERN (12627 BELAIR ROAD)	= 252 FT +/-
RESIDENTIAL	= 580 FT +/-
STATE PARK & S.N.A.	= 2200 FT +/-
TOTAL FRONTAGE	= 3277 FT +/-
PERCENT COMMERCIAL	= 15% +/-

- F. THERE ARE NO EXISTING OUTDOOR ADVERTISING SIGNS WITHIN 100 FEET OF THE PROPOSED SIGN LOCATION
- G. N/A
- H. N/A
- I. N/A

SECTION 413.5 (BCEB)

A. THE SURFACE AREA OF THE PROPOSED SIGN INCLUDES THE ENTIRE FACE OR FACES OF THE SIGN. (SEE ELEVATION)

B. THE SIGN DOES NOT PROJECT INTO THE STREET RIGHT-OF-WAY.

C. THE SIGN HAS BEEN LOCATED TO ALLOW CLEAR AND ANGLE VISION SIGHT LINES FROM ALL EXISTING DRIVEWAYS AND STREET INTERSECTIONS.

D. THE SIGN SHALL NOT EXTEND MORE THAN 25 FEET ABOVE THE LEVEL OF THE STREET (BELAIR ROAD).

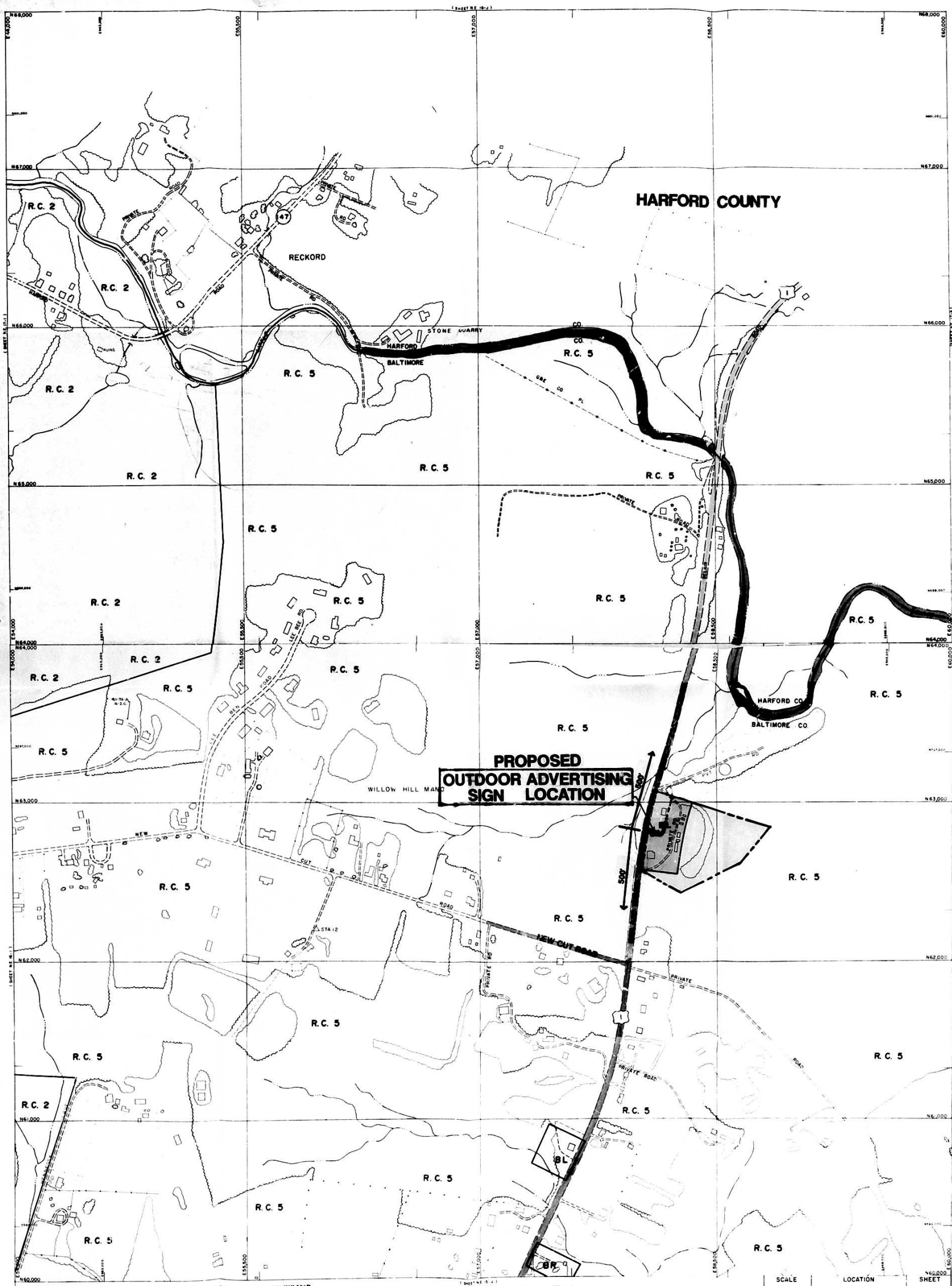
E. THE SIGN WILL BE ILLUMINATED IN SUCH A WAY TO AVOID GLARE AND REFLECTION ONTO ADJACENT ROADS, ONCOMING VEHICLES OR ONTO ANY ADJACENT RESIDENTIAL PREMISES. LIGHTING WILL BE MOUNTED ON THE TOP OF THE SIGN AND AIMED DIRECTLY AT THE SURFACE OF THE SIGN.

PETITIONERS EXHIBIT
2

**PLAN TO ACCOMPANY SPECIAL EXCEPTION
AND VARIANCE APPLICATION**
12627 BELAIR ROAD (U.S. RTE 1)
BALTIMORE COUNTY, MARYLAND

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
CONTRIBUTOR COMMONS
322 ROSLEY AVENUE SUITE B-7
BALTIMORE, MARYLAND 21204
(410) 484-8331

PREPARED BY:
WILLIAM MONK, INC.
3001 REIMANN AVENUE
BALTIMORE, MARYLAND 21211



HARFORD COUNTY

**PROPOSED
OUTDOOR ADVERTISING
SIGN LOCATION**

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

UU-SE TT-SW
Q-NE QQ-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
City of Baltimore, MD 21210

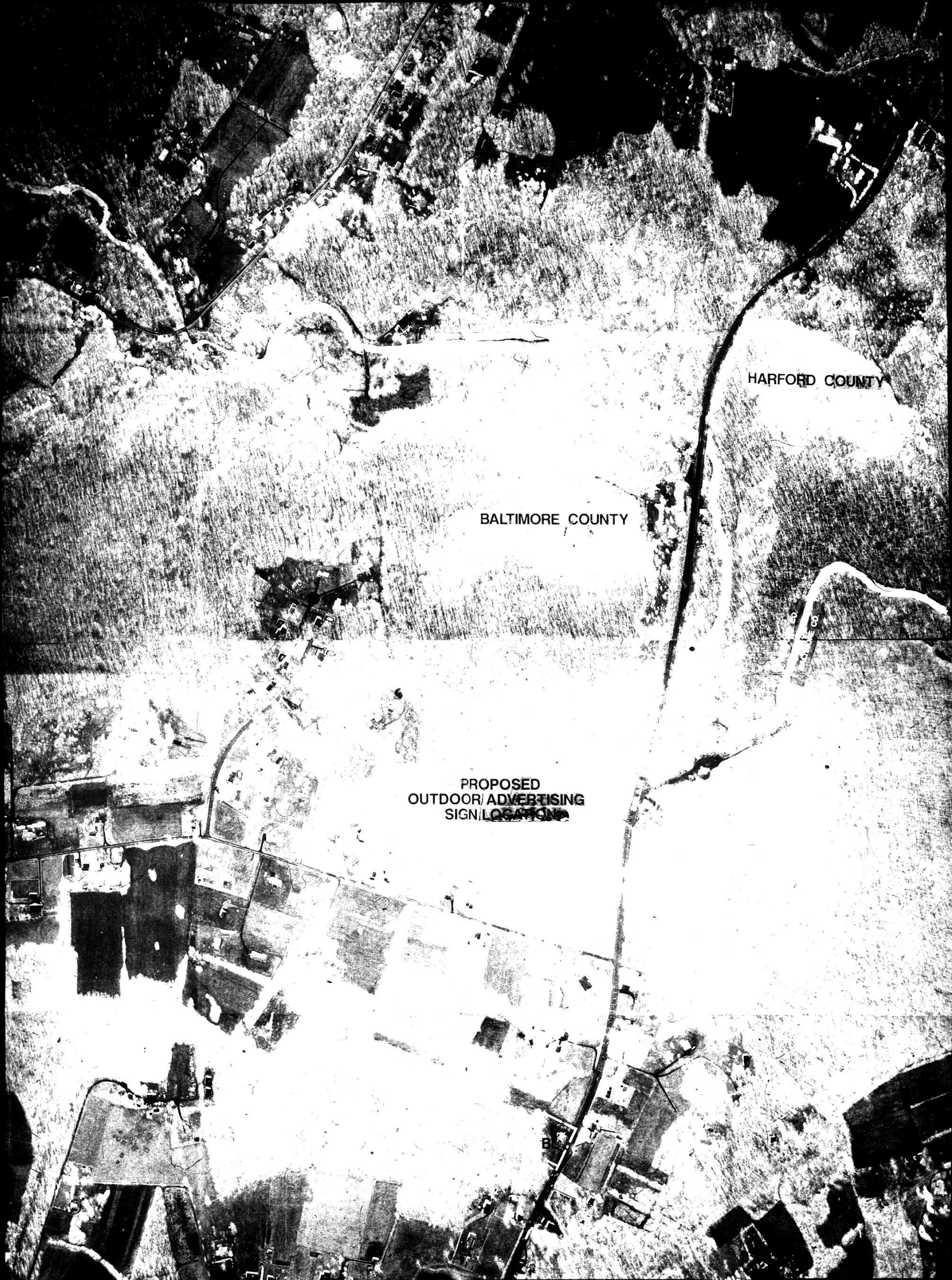
SCALE
1" = 200'
DATE
OF PHOTOGRAPHY
JANUARY
1986

LOCATION
SOUTH OF
RECKORD

SHEET
N E
16 - J

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD 21210

PETITIONERS
EXHIBIT 3



HARFORD COUNTY

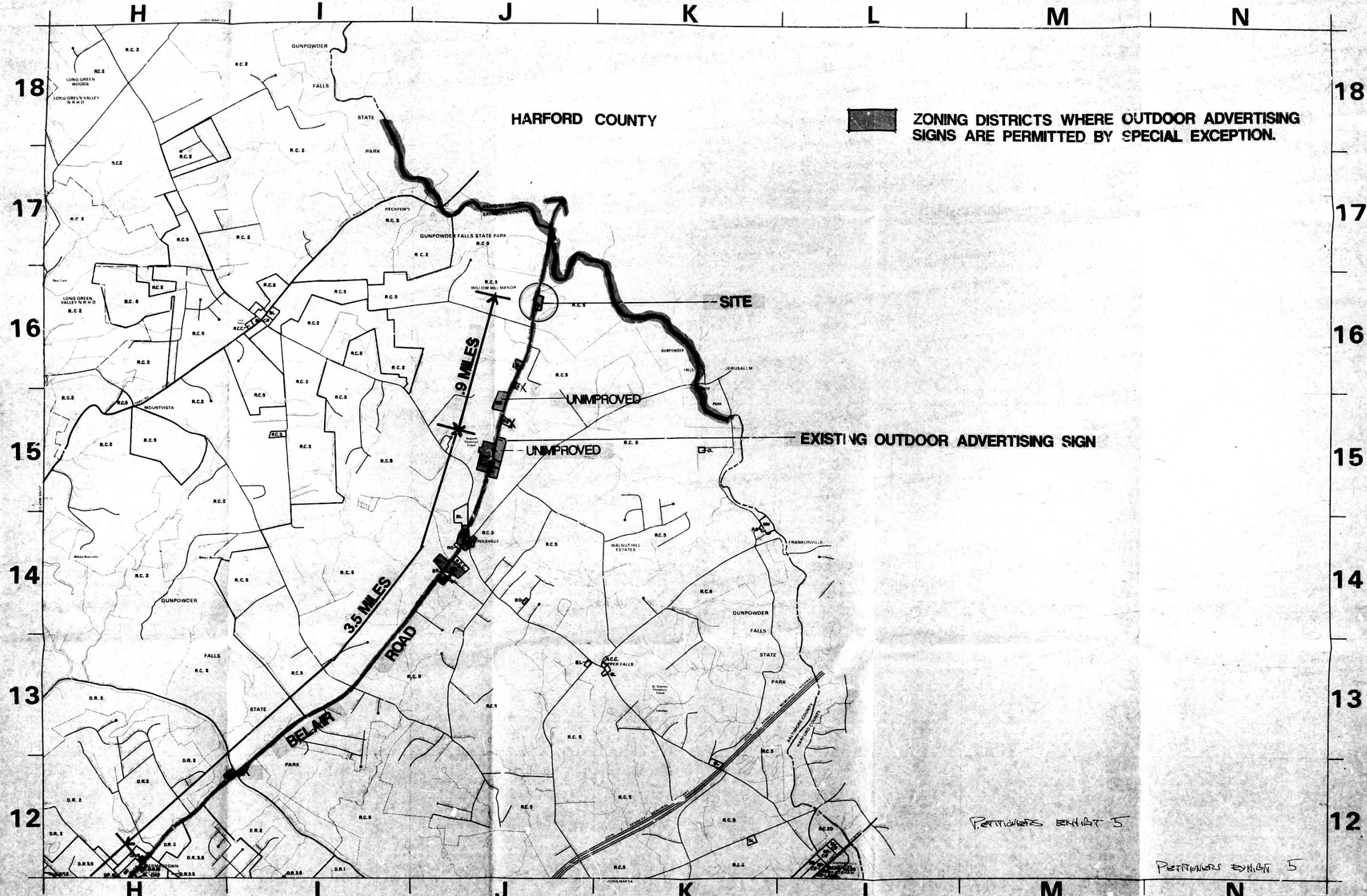
BALTIMORE COUNTY

PROPOSED
OUTDOOR ADVERTISING
SIGN LOCATION

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

POSTED MAPS
EXHIBIT
5

SCALE	LOCATION	SHEET
1" = 200'	SOUTH OF	NE
DATE OF PHOTOGRAPHY JANUARY 1986	RECORD	16-J



 ZONING DISTRICTS WHERE OUTDOOR ADVERTISING SIGNS ARE PERMITTED BY SPECIAL EXCEPTION.

Baltimore County, Maryland

A1	A2
B1	B2
C1	C2
D1	D2
E1	E2
F1	F2

Map index

Revisions

Grid North

Scale: 1"=1000'

Miles

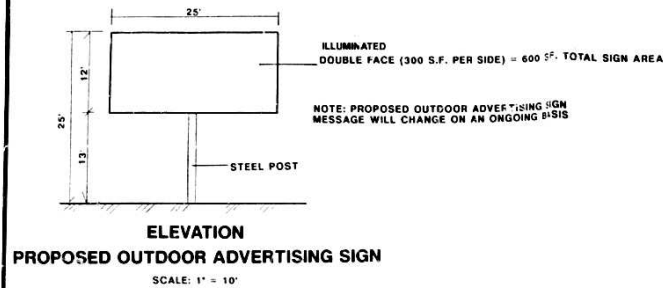
Feet

SHEET

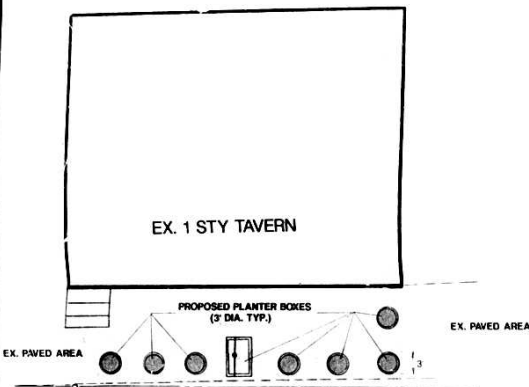
D-4

PETTINGERS EXHIBIT 5

PETTINGERS EXHIBIT 5



PLANTER BOX DETAIL
SCALE: 1" = 10'



BELAIR ROAD
NOTE: EACH PLANTER BOX WILL BE LANDSCAPED WITH A COMBINATION OF EVERGREEN SHRUBS AND SEASONAL FLOWERS

CASE # 93-332-2A

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of May, 1992 that the Petition for Special Exception to permit on 12' x 25' illuminated double-faced advertising sign, pursuant to Section 433.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and:

IT IS FURTHER ORDERED that the Petition for zoning Variance requesting relief from Section 433.3(1)(i) of the B.C.Z.R. to permit said sign to be located where less than 500' (500' +/-) of the available frontage between streets is improved with commercial uses, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- The Petitioner may apply for their permit as so granted same upon receipt of this Order; however, Petitioner are hereby notified that proceeding at this time is at their own risk until such time as the 30-day appeal 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 re-installing, the property to its original condition.
- Prior to the issuance of any permit, Petitioner shall submit a revised site plan incorporating the relief requested herein, including the proposed landscaping/terrain features along Belair Road, for approval by the Deputy Zoning Commissioner. The revised site plan shall be submitted to this office within forty-five (45) days of the date of this Order.
- When applying for any permit, the site plan and/or landscaping plan filed shall reference this use and set forth and address the restrictions of this Order.

By: Timothy M. Kutzko
Deputy Zoning Commissioner
for Baltimore County

EXISTING SIGN ELEVATION
(LITTLE FALLS TAVERN)
SCALE: 1" = 1'

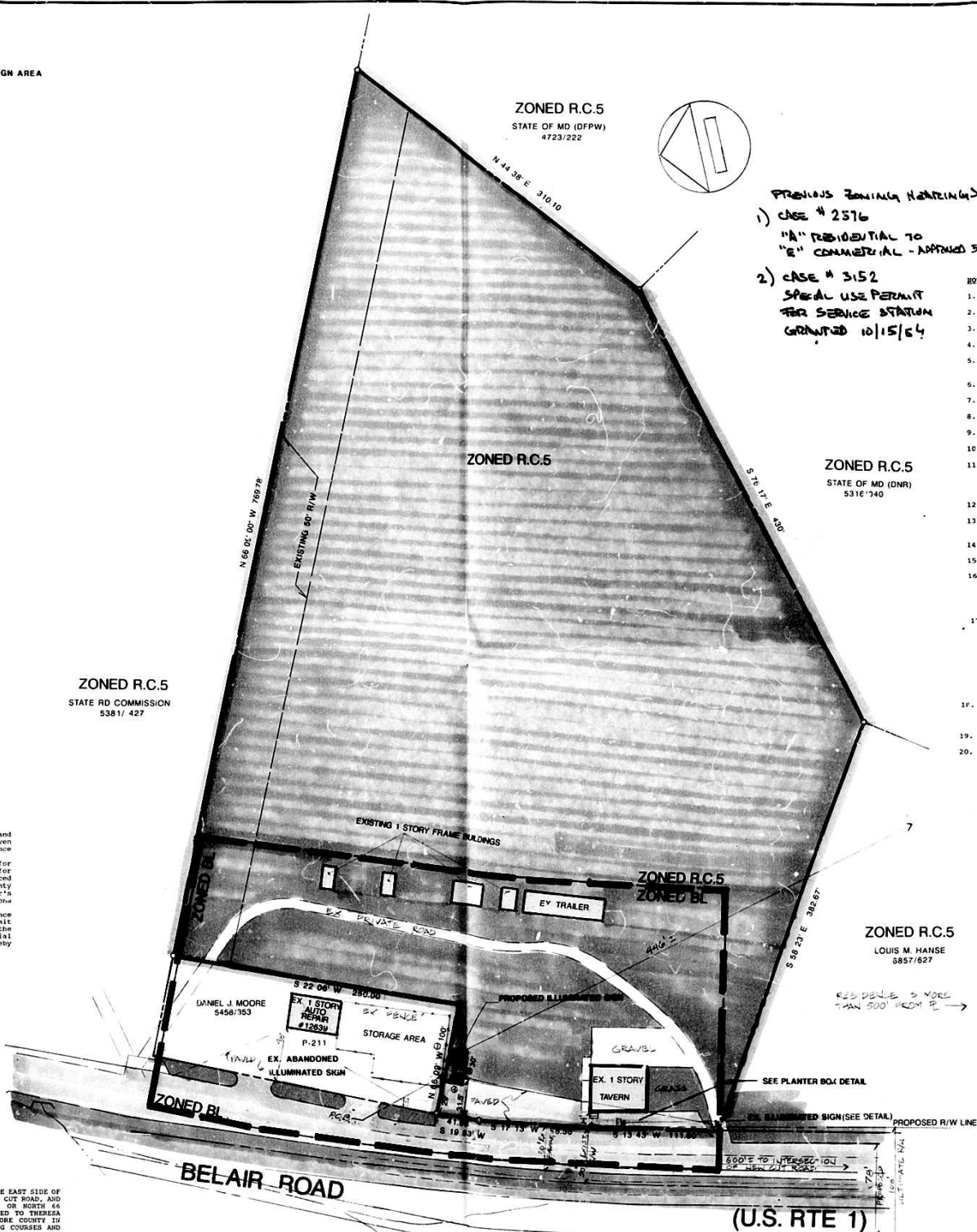


ZONING DESCRIPTION
OUTDOOR ADVERTISING SIGN VARIANCE
12627 BELAIR ROAD
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT 400 FEET, MORE OR LESS, ALONG THE EAST SIDE OF BELAIR ROAD, 50 FEET WIDE, FROM THE INTERSECTION OF NEW CUT ROAD, AND 24 FEET, MORE OR LESS, FROM THE END OF THE 3RD, OR NORTH 66 DEGREES, 09 MINUTES WEST, 100 FOOT LINE OF THE DEED TO THERESA HOFFMAN RECORDED AGAINST THE LAND RECORDS OF BALTIMORE COUNTY IN LINES 4964, FOLIO 483; THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES:

- NORTH 66 DEGREES, 09 MINUTES, 00 SECONDS EAST, 30 FEET
- SOUTH 23 DEGREES, 51 MINUTES, 00 SECONDS WEST, 15 FEET
- NORTH 66 DEGREES, 09 MINUTES, 00 SECONDS WEST, 30 FEET
- NORTH 23 DEGREES, 51 MINUTES, 00 SECONDS EAST, 15 FEET TO THE POINT OF BEGINNING.

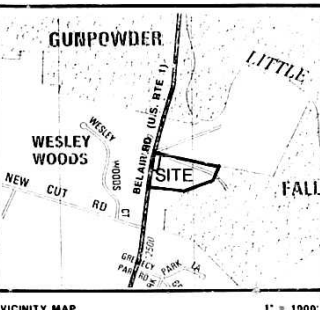
CONTAINING 450 SQUARE FEET OF LAND, MORE OR LESS.



- PREVIOUS ZONING HEARINGS:
- CASE # 2576
"A" RESIDENTIAL TO
"E" COMMERCIAL - APPROVED 3/21/53
 - CASE # 3152
SPECIAL USE PERMIT
FOR SERVICE STATION
GRANTED 10/15/64
- NOTES:
- EXISTING ZONING: BL-CR
 - PROPOSED ZONING: BL-CR
 - LOT AREA: 8.27 AC +/- GROSS
 - NET AREA: 8.10 AC +/- NET
 - SPECIAL EXCEPTION: TO PERMIT A FREE STANDING ILLUMINATED OUTDOOR ADVERTISING SIGN
 - VARIANCES: SEE NOTE 20.E.
 - EXISTING USE: TAVERN (TO REMAIN)
 - PROPOSED USE: OUTDOOR ADVERTISING SIGN
 - PREVIOUS ZONING HEARINGS, CRG PLANS, WAIVERS: NONE
 - PREVIOUS COMMERCIAL PERMITS: 190-86 FOR A PIT BEEF STAND
 - OWNERSHIP INFORMATION:
THERESA HOFFMAN
12627 BELAIR ROAD
BALTIMORE, MD 21207
 - DEED REFERENCE: 4964/0483
 - TAX MAP: 55, GRID: 8, PARCEL: 359
CENSUS TRACT: 4111.02
 - ELECTION DISTRICT NO. 11
 - COUNTY COUNCIL DISTRICT NO. 5
 - SETBACK REQUIREMENTS (PROPOSED SIGN LOCATION):
FRONT: 31' (SEE #17)
SIDE: 0'
REAR: 0'
 - SETBACK AVERAGING COMPUTATIONS:
BLDG TO NORTH (12639 BELAIR RD): 48' +/-
BLDG TO SOUTH (12627 BELAIR RD): 14' +/-
ROAD: 62' +/-
AVERAGE SETBACK: 31' +/-
 - PARKING NOTE: PROPOSED SIGN LOCATION WILL NOT INTERFERE WITH ANY EXISTING PARKING SPACES, LOADING AREAS OR TRAVEL AISLES.
 - UTILITIES: SITE IS SERVED BY EXISTING PUBLIC UTILITIES
 - ZONING NOTES: OUTDOOR ADVERTISING SIGN SECTION 433.3 (BCZR)
A. TOTAL SURFACE AREA OF SIGN = 300 S.F. PER SIDE (600 S.F. TOTAL)
B. N/A
C. THE SIGN IS LOCATED BEHIND THE FRONT YARD SETBACK.
D. SIGN IS NOT LOCATED WITHIN 100 FEET OF ANY STREET INTERSECTIONS.
E. A VARIANCE IS REQUESTED TO PERMIT THE SIGN TO BE ERECTED IN A BL ZONE WITH 15% OF THE REQUIRED 50% OF THE AVAILABLE FRONTAGE BETWEEN STREETS, ON THAT SIDE, IMPROVED WITH COMMERCIAL USES. THE STREET FRONTAGE (BELAIR ROAD) BETWEEN NEW CUT ROAD AND THE HARBOR COUNTY BORDER IS COMMERCIALLY DEVELOPED AS FOLLOWS:
- | EXISTING USES | FRONTAGE |
|--------------------------------------|---------------|
| AUTO REPAIR SHOP (12639 BELAIR ROAD) | = 245 FT +/- |
| TAVERN (12627 BELAIR ROAD) | = 252 FT +/- |
| RESIDENTIAL STATE PARK & S.H.A. | = 583 FT +/- |
| TOTAL FRONTAGE | = 2200 FT +/- |
| PERCENT COMMERCIAL | = 15% +/- |
- F. THERE ARE NO EXISTING OUTDOOR ADVERTISING SIGNS WITHIN 100 FEET OF THE PROPOSED SIGN LOCATION
- G. N/A
H. N/A
I. N/A

SECTION 259.3(C)(1) PARK REGULATIONS

- GROSS FLOOR AREA PROPOSED = 6680 S.F.
GROSS FLOOR AREA PERMITTED = 8800 S.F.
- PARK = 100 S.F. AREA
LOT AREA = 360,241 S.F. = .018
PARK PERMITTED 20
- BUILDING HEIGHT 4' 30"
EXISTING BUILDING - NO ALTERATIONS/ADDITIONS BEING MADE



PLAN TO ACCOMPANY SPECIAL EXCEPTION
AND VARIANCE APPLICATION
12627 BELAIR ROAD (U.S. RTE 1)
BALTIMORE COUNTY, MARYLAND

EXHIBIT #7

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