

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Eastern Blvd., 300 ft.
SW of Wiltshire Road * ZONING COMMISSIONER
120 Eastern Boulevard
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Legal Owner: Euclay Realty Corp. * Case No. 95-379-A
Contract Purchaser: Papa John's
International, Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for the property located at 120 Eastern Boulevard in the Essex section of Baltimore County. The Petition is filed by Alvin G. Caplan, Chairman of the Euclay Realty Corporation, property owner and Ed Gruber, General Contractor on behalf of Papa John's International Restaurants, Tenant. Variance relief is requested from Section 413(2)(f) of the Baltimore County Zoning Regulations (BCZR) to permit a total area of 466 sq. ft. of free-standing business signage in lieu of the permitted 100 sq. ft. The subject property is more particularly shown on Petitioner's Exhibit No. 1, the plan to accompany the Petition for Variance.

Appearing at the requisite public hearing was Richard E. Matz from Colbert, Matz, Rosenfelt, Inc., engineers. The Petitioner was represented by John B. Gontrum, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered was that the subject property is approximately 107,000 sq. ft. in area and is zoned B.R.-C.S.1. This is a commercial property which fronts Eastern Boulevard in Essex. The property is presently improved with an existing commercial building which houses several tenants. That portion of the lot which is not occupied by the building contains a parking area. The building's tenants include the Papa John's Restaurant which is located at the western end of the existing building, a

WILSON

machine shop/auto shop and an animal hospital and several other small retail uses. Several free-standing signs also exist on the site. These include a sign for the machine shop and the animal hospital sign. The Petitioner proposes constructing a third free-standing sign advertising the Papa John's Restaurant. This will be a two tiered sign which sits atop a single pole. The bottom portion of the sign contains a message board and telephone number. The top portion of the sign, as shown on the site plan, measures 8 ft. x 15 ft. and features Papa John's logo. When the signs are combined, a total of 466.8 sq. ft. of free-standing signage would exist. This is significantly more than the 100 sq. ft. allowed. It is also to be noted that an existing outdoor advertising sign is located on site and that several of the businesses feature signs attached to their buildings.

Testimony and evidence offered from the Petitioner was that the Papa John's Restaurant sign is necessary to draw attention to the use. It was stated that a free-standing sign perpendicular to Eastern Boulevard was necessary so that patrons traveling in both the eastbound and westbound direction would have notice of the restaurant.

Although no Protestants appeared, several comments were received from the Zoning Plans Advisory Committee (ZAC) in opposition to the request.

The office of Planning and Zoning recommends denial of the variance because of the significant amount of signage along the Eastern Boulevard corridor. The Developers Engineering Section recommends denial of the request because the signage may be located within proximity of the existing 10 ft. right of way for utilities.

This is another difficult case where strict compliance with the sign regulations would cause harsh impact on the property owner. The sign regulations limit the property to 100 sq. ft. of free-standing signage irrespective of the lot size and number of separate businesses. Obviously, this is

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1980
BY

a large lot with many tenants. An appropriate amount of signage for each would well exceed the regulations.

I noted these concerns at the hearing and also the proliferation of signage along Eastern Boulevard. At the hearing, the Petitioner agreed to modify its request and reduce the top tier of the Papa John's sign from 15 ft. x 8 ft. to 14 ft. x 6 ft. Thus, the Petition for Variance was amended and the relief granted shall, likewise, be altered to reflect this change. Moreover, the Petitioner agreed that, in the event the sign needed to be moved for service of utilities, that the property owner would bear the burden for those costs. Thus, this restriction will also be added.

Based upon the testimony and evidence presented, I am persuaded to grant the relief requested, as amended. Moreover, I will direct that the site not contain any free standing temporary signage. A photograph of the property shows a "Help Wanted" sign attached from the side of the building to a telephone pole. Such free standing temporary signage shall be prohibited. That is, the only free standing business sign permitted, either on a temporary or permanent basis, shall be as shown on the site plan, which includes only including the modified Papa John's sign, the existing machine shop/auto shop sign and the animal hospital sign. I believe this to be an appropriate condition to protect the neighborhood and address the concerns expressed by the ZAC Committee.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of August, 1995 that a variance from Section 413(2)(f) of the Baltimore County Zoning Regulations (BCZR) to permit a total area of 466 sq. ft. of free-standing business signage in lieu of the permitted 100

ORDER RECEIVED FOR FILING

1995

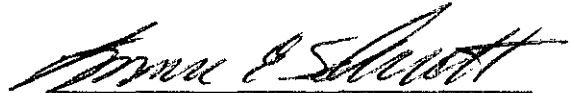
27

sq. ft., as shown on Petitioner's Exhibit No. 1 (as modified, to reduce the top tier of the sign from 15 ft. x 8 ft. to 14 ft. x 6 ft.), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The property owner shall bear the burden for costs in the event the sign needed to be moved for service of utilities.

3. The site shall contain no free-standing signage, either temporary or permanent, other than the three signs (Papa John's Restaurant, Machine Shop and Animal Hospital) as described hereinabove.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

1/2/80

1/2/80

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 14, 1995

John Gontrum, Esquire
814 Eastern Avenue
Baltimore, Maryland 21221

RE: Case No. 95-379-A
Petition for Zoning Variance
120 Eastern Blvd.
Papa John's International/ Euclay Realty Corp., Petitioner

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

cc: Mr. Ed Gruber, General Contractor, Papa John's International
cc: Mr. Alvin G. Caplan, Euclay Realty Corp.

MICROFILMED



371



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 120 Eastern Avenue

which is presently zoned BR-CS-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 413(2)(f) of the Baltimore County Zoning Regulations to permit a total area of 466.8 square feet of freestanding business signage in lieu of the permitted 100 square feet.

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

The proposed use is a highly competitive business which requires an onsite sign with a recognizable company logo visible to the travelling public.

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.

Contract Purchaser/Lessee:

Ed Gruber, General Contractor
Papa John's International

(Type or Print Name)

Signature

c/o EMG Associates
915 Tyson Drive

Address

West Chester, PA 19382

City State Zipcode

Attorney for Petitioner:

John Gontrum, Esq.

(Type or Print Name)

Signature

814 Eastern Ave. 686-8274

Address

Phone No.

Baltimore, MD 21221

City

State

Zipcode

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.

Legal Owner(s):

Alvin G. Caplan, Chairman
Euclay Realty Corp.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

5810 Park Heights Ave.

Address

Phone No.

Baltimore, MD 21215-3932

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Richard E. Matz, PE

Colbert Matz Rosenfelt, Inc.

Name

3723 Old Court Road #206

Baltimore, MD 21208

Phone No. 653-3838

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

DROP-OFF
No REVIEW

4/20/95
UCR



371

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

95-379-A

DESCRIPTION FOR VARIANCE

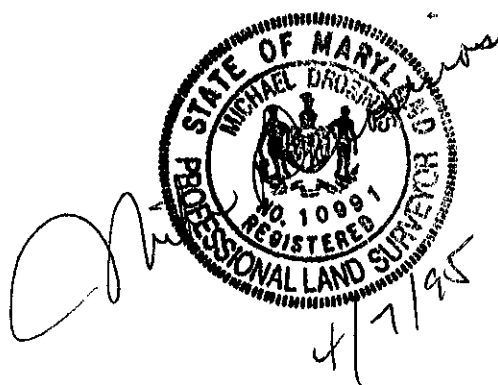
ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATED IN THE NINTH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING THE LAND CONVEYED TO EUCLAY REALTY CORPORATION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE NORTHWEST SIDE OF EASTERN AVENUE, 69.33 FEET WIDE, AS SHOWN ON MARYLAND STATE ROAD COMMISSION PLAT #4768, SAID POINT OF BEGINNING BEING DISTANT 300 FEET, MORE OR LESS, FROM THE CENTERLINE OF WILTSHIRE ROAD AS MEASURED ALONG SAID NORTHWEST SIDE OF EASTERN AVENUE, RUNNING THENCE BINDING OF SAID NORTHWEST SIDE (1) SOUTH 54 DEGREES 06 MINUTES 51 SECONDS WEST 455.00 FEET, THENCE LEAVING SAID EASTERN AVENUE THE FOLLOWING FIVE (5) COURSES: (2) NORTH 35 DEGREES 53 MINUTES 09 SECONDS WEST 198.50 FEET, (3) NORTH 54 DEGREES 06 MINUTES 51 SECONDS EAST 495.00 FEET, (4) SOUTH 35 DEGREES 53 MINUTES 09 SECONDS EAST 73.34 FEET, (5) SOUTH 54 DEGREES 13 MINUTES 12 SECONDS WEST 40.00 FEET, AND (6) SOUTH 35 DEGREES 53 MINUTES 09 SECONDS EAST 125 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

CONTAINING 2.14 ACRES OF LAND, MORE OR LESS.

ALSO BEING KNOWN AS 120 EASTERN AVENUE.

J:\COLBERT\DESCRIPT\94161.DES



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-379

District 15th

Date of Posting 5/13/95

Posted for: Variances

Petitioner: Encloy Realty Corp. & Papa John's

Location of property: 120 Eastern Blvd, NWPs

Location of Signs: Facing roadway, on property being zoned.

Remarks: _____

Posted by M. H. Hooley
Signature

Date of return: 5/19/95

Number of Signs: 1



CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #85-379-A

(Item 371)

120 Eastern Boulevard

NW/SE Eastern Boulevard,

300' SW of Wiltshire Road

15th Election District

5th Councilmanic

Legal Owner:

Eucley Realty Corporation

Contract Purchaser:

Papa John International

Hearing: Friday,

June 2, 1995 at 9:00 a.m.

In Rm. 106, County Office

Building

Variance to permit a total area of 466.8 square feet of free-standing business signage in lieu of the permitted 100 square feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

5/069 May 4.

TOWSON, MD.,

5/5

, 19 95

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 5/4, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

Signature



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-379-A

Account: R-001-6150

Number 371 (WCR)

NO REVIEW — DROP-OFF

Date 4/20/95

#020 - VARIANCE	-----	\$250.00
#080 - SIGN POSTING	-----	35.00
TOTAL	-----	\$285.00

Legal Owner - Euclay Realty Corp.
Contract Purchaser - Papa John's International
120 Eastern Avenue
2.14 +/- acres
District - 9c4
Zoned B.R.-C.S.-1
Previous Permits - 84-93-X & 84-109-X
Attorney - John Contrum

Checks from EMG Assoc., Inc.

MICROFILMED

01A01H0096MICRRC

\$285.00

BA 0011:49AND4-21-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 28, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-379-A (Item 371)
120 Eastern Boulevard
NW/S Eastern Boulevard, 300' SW of Wiltshire Road
15th Election District - 5th Councilmanic
Legal Owner: Euclay Realty Corporation
Contract Purchaser: Papa John International
HEARING: FRIDAY, JUNE 2, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to permit a total area of 466.8 square feet of free-standing business signage in lieu of the permitted 100 square feet.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Euclay Realty Corporation
Papa John's International/Ed Gruber
John B. Gontrum, Esq.
Richard E. Matz, PE

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



West Chesapeake Avenue
son, MD 21204

(410) 887-3353

May 24, 1995

John B. Gontrum, Esquire
814 Eastern Blvd.
Baltimore, Maryland 21221

RE: Item No.: 371
Case No.: 95-379-A
Petitioner: Euclay Realty Corp.

Dear Mr. Gontrum:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 20, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director 
Office of Planning and Zoning

DATE: May 18, 1995

SUBJECT: 120 Eastern Avenue

INFORMATION:

Item Number: 371
Petitioner: Papa John's International
Property Size: _____
Zoning: BR-AS
Requested Action: Variance
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit a total area of 466.8 square feet of freestanding business signage in lieu of the permitted 100 square feet.

Staff recommends that the applicant's request be denied because the subject request is not in keeping with the County's goal of upgrading and improving the image of the Eastern Avenue corridor.

In addition, it appears that a violation exists in that two outdoor advertising signs (one of which is not indicated on the plan but is in fact located on the western property line of the Terrace Inn) are located within 100 feet of each other. A review of Section 413.3F clearly indicates that {outdoor advertising signs} "shall be spaced not less than 100 feet apart" on contiguous improved commercial properties.

Prepared by: Jeffrey M. Long

Division Chief: Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: May 8, 1995
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 8, 1995
Item No. 371

The Developers Engineering Section has reviewed the subject zoning item. Baltimore County Policy prohibits the construction of a permanent structure within a designated utility right-of-way. The proposed sign is located within an existing 10-foot right-of-way for utilities.

We recommend that a 10-foot right-of-way setback for landscaping be required.

RWB:sw

WINGO-ILMER

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 5/16/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 5/1/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 362
363
368
370
371
372
373
374
375₄

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/05/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 1, 1995.

Item No.: SEE BELOW Zoning Agendas

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.

8 The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 362, 363, 364, 365, 366, 367, 369, 370, 371, 372, 373, 374, 375, 376 and 377.

RECEIVED
MAY 8 1995
ZADM

REVIEWER: LT. ROBERT P. SCHERWALD
Fire Marshal Office, PHONE 887-4881, US-110CF

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-2-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 371 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 12, 1995

John Gontrum, Esquire
814 Eastern Avenue
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #371)
Legal Owner: Euclay Realty Corp.
Contract Purchaser: Papa John's Inter.
120 Eastern Avenue
9th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Zoning case number 84-109-X on plan is incorrect (Reisterstown Road).
2. Add zoning hearing case or "grandfather" plan file number and date allowing commercial parking in a residential zone.
3. Label "general" office.
4. Parking calculation for bingo use is maximum number of people as determined by the Fire Department divided by 4.



John Gontrum, Esquire
May 12, 1995
Page 2

5. Add the type of paving.
6. If applicable, add note that "Illumination for off-street parking does not reflect into residential lots and public streets".
7. Show any loading area.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



John J. Sullivan, Jr.
Planner II

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

4/17/95 10:30

RE: PETITION FOR VARIANCE * BEFORE THE
120 Eastern Boulevard, NW/S Eastern Blvd., *
300' SW of Wiltshire Road, 15th * ZONING COMMISSIONER
Election District, 5th Councilmanic * OF BALTIMORE COUNTY
Euclay Realty Corp. / Papa John's International *
Petitioners * CASE NO. 95-379-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Romadka, Gontrum & McLaughlin, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

COLBERT MATZ ROSENBLUM, INC.

 3723 Old Court Road Suite 206
 BALTIMORE, MARYLAND 21208

 (410) 653-3838
 FAX (410) 653-7953

LETTER OF TRANSMITTAL

371

 TO BALTIMORE COUNTY OFFICE OF ZONING

DATE	4-19-95	JOB NO.	94161
ATTENTION	CARL RICHARDS		
RE:	VARIANCE PETITION (SIGN)		
	PAPA JOHN'S PIZZA		
	120 EASTERN AVENUE.		

HAND DELIVER

 WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☒ **VARIANCE PACKAGE**

COPIES	DATE	NO.	DESCRIPTION
1			CHECK \$250 PAYABLE TO BALTO. CO.
1			CHECK \$35 PAYABLE TO BALTO CO.
3			ORIGINAL SIGNED PETITIONS
3			SEALED ZONING DESCRIPTIONS
12			PLANS (SEALED) TO ACCOMPANY PETITION.
1			1"=200' SCALE ZONING MAP WITH PROPERTY DEPICTED

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☒ **FOR VARIANCE PETITION - SUBMISSION BY CONTRUM**
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

 JOHN CONTRUM
 COPY TO DON GODSEY

 SIGNED: DICK MATZ

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

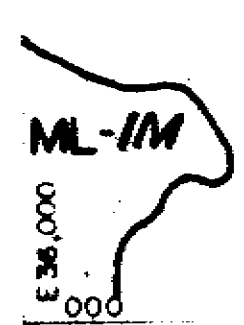




BACK
95-379-A

371

RIVER



1-SW
E-NW

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

~~1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1992
Ord. Nos. 144-92, 145-92, 146-92, 147-92, 148-92, 149-92, 150-92~~
[Signature]
Chairman, County Council

NE 1-G

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1992
Ord. Nos. 151-92, 152-92, 153-92, 154-92, 155-92, 156-92, 157-92, 158-92, 159-92

[Signature]
Baltimore County Council

SCALE 1" = 200'	LOCATION ESSEX	SHEET NE 1-G
DATE OF PHOTOGRAPHY JANUARY 1986	MICROFILMED	

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/8 Eastern Blvd., 300 ft. * ZONING COMMISSIONER
SW of Wiltshire Road * OF BALTIMORE COUNTY
120 Eastern Boulevard * 15th Election District
5th Councilmanic District
Legal Owner: Euclay Realty Corp. * Case No. 95-379-A
Contract Purchaser: Papa John's
International, Petitioner
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for the property located at 120 Eastern Boulevard in the Essex section of Baltimore County. The Petition is filed by Alvin G. Caplan, Chairman of the Euclay Realty Corporation, property owner and Ed Gruber, General Contractor on behalf of Papa John's International Restaurants, Tenant. Variance relief is requested from Section 413(2)(f) of the Baltimore County Zoning Regulations (BCZR) to permit a total area of 466 sq. ft. of free-standing business signage in lieu of the permitted 100 sq. ft. The subject property is more particularly shown on Petitioner's Exhibit No. 1, the plan to accompany the Petition for Variance.

Appearing at the requisite public hearing was Richard E. Matz from Colbert, Matz, Rosenfelt, Inc., engineers. The Petitioner was represented by John B. Gontrum, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered was that the subject property is approximately 107,000 sq. ft. in area and is zoned B.R.-C.S.1. This is a commercial property which fronts Eastern Boulevard in Essex. The property is presently improved with an existing commercial building which houses several tenants. That portion of the lot which is not occupied by the building contains a parking area. The building's tenants include the Papa John's Restaurant which is located at the western end of the existing building, a

machine shop/auto shop and an animal hospital and several other small retail uses. Several free-standing signs also exist on the site. These include a sign for the machine shop and the animal hospital sign. The Petitioner proposes constructing a third free-standing sign advertising the Papa John's Restaurant. This will be a two tiered sign which sits atop a single pole. The bottom portion of the sign contains a message board and telephone number. The top portion of the sign, as shown on the site plan, measures 8 ft. x 15 ft. and features Papa John's logo. When the signs are combined, a total of 466.8 sq. ft. of free-standing signage would exist. This is significantly more than the 100 sq. ft. allowed. It is also to be noted that an existing outdoor advertising sign is located on site and that several of the businesses feature signs attached to their buildings.

Testimony and evidence offered from the Petitioner was that the Papa John's Restaurant sign is necessary to draw attention to the use. It was stated that a free-standing sign perpendicular to Eastern Boulevard was necessary so that patrons traveling in both the eastbound and westbound direction would have notice of the restaurant.

Although no Protestants appeared, several comments were received from the Zoning Plans Advisory Committee (ZAC) in opposition to the request.

The office of Planning and Zoning recommends denial of the variance because of the significant amount of signage along the Eastern Boulevard corridor. The Developers Engineering Section recommends denial of the request because the signage may be located within proximity of the existing 10 ft. right of way for utilities.

This is another difficult case where strict compliance with the sign regulations would cause harsh impact on the property owner. The sign regulations limit the property to 100 sq. ft. of free-standing signage irrespective of the lot size and number of separate businesses. Obviously, this is

- 2 -

a large lot with many tenants. An appropriate amount of signage for each would well exceed the regulations.

I noted these concerns at the hearing and also the proliferation of signage along Eastern Boulevard. At the hearing, the Petitioner agreed to modify its request and reduce the top tier of the Papa John's sign from 15 ft. x 8 ft. to 14 ft. x 6 ft. Thus, the Petition for Variance was amended and the relief granted shall, likewise, be altered to reflect this change. Moreover, the Petitioner agreed that, in the event the sign needed to be moved for service of utilities, that the property owner would bear the burden for those costs. Thus, this restriction will also be added.

Based upon the testimony and evidence presented, I am persuaded to grant the relief requested, as amended. Moreover, I will direct that the site not contain any free standing temporary signage. A photograph of the property shows a "Help Wanted" sign attached from the side of the building to a telephone pole. Such free standing temporary signage shall be prohibited. That is, the only free standing business sign permitted, either on a temporary or permanent basis, shall be as shown on the site plan, which includes only including the modified Papa John's sign, the existing machine shop/auto shop sign and the animal hospital sign. I believe this to be an appropriate condition to protect the neighborhood and address the concerns expressed by the ZAC Committee.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of August, 1995 that a variance from Section 413(2)(f) of the Baltimore County Zoning Regulations (BCZR) to permit a total area of 466 sq. ft. of free-standing business signage in lieu of the permitted 100

- 3 -

sq. ft., as shown on Petitioner's Exhibit No. 1 (as modified, to reduce the top tier of the sign from 15 ft. x 8 ft. to 14 ft. x 6 ft.), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The property owner shall bear the burden for costs in the event the sign needed to be moved for service of utilities.
3. The site shall contain no free-standing signage, either temporary or permanent, other than the three signs (Papa John's Restaurant, Machine Shop and Animal Hospital) as described hereinabove.

LES:mmm

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

- 4 -

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12A Date of Posting: 5/14/95
Posted for: Lawrence E. Schmidt
Petitioner: Euclay Realty Corp. (Papa John's)
Location of property: 120 Eastern Blvd., NW/8
Location of Sign: Along existing property line
Remarks: _____
Posted by: LES:mmm Signature: _____ Date of return: 5/19/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/5, 1995
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 5/4, 1995.

THE JEFFERSONIAN,

A. Hemlock
A. HEMLOCK
PUBLISHER

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 14, 1995

John Gontrum, Esquire
814 Eastern Avenue
Baltimore, Maryland 21221

RE: Case No. 95-379-A
Petition for Zoning Variance
120 Eastern Blvd.
Papa John's International/ Euclay Realty Corp., Petitioner

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3553.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att: Mr. Ed Gruber, General Contractor, Papa John's International
cc: Mr. Alvin G. Caplan, Euclay Realty Corp.



Petition for Variance to the Zoning Commissioner of Baltimore County for the property located at 120 Eastern Avenue

which is presently zoned BR-CS-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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(s) 413(2)(f) of the Baltimore County Zoning Regulations to permit a total area of 466.8 square feet of freestanding business signage in lieu of the permitted 100 square feet.

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

The proposed use is a highly competitive business which requires an onsite sign with a recognizable company logo visible to the travelling public.

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.

Contract Purchaser/Lessor:
Ed Gruber, General Contractor
Papa John's International
Signature: *Ed Gruber*
Address: 915 Tyson Drive
West Chester, PA 19382

Agency for Petitioner:
John Gontrum, Esq.
Signature: *John Gontrum*
Address: 814 Eastern Ave. 686-8274
Baltimore, MD 21221

Address: 814 Eastern Ave. 686-8274
Baltimore, MD 21221

DROP-OFF
No REVIEW
4/20/95
WCR

With do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner:
Alvin G. Caplan, Chairman
Euclay Realty Corp.
Signature: *Alvin G. Caplan*

Signature: _____
Address: 5810 Park Heights Ave.
Baltimore, MD 21215-3932

Signature: _____
Address: Richard E. Matz, PE
Colbert Matz Rosenfelt, Inc.
3723 Old Court Road #206
Baltimore, MD 21206

Address: 3723 Old Court Road #206
Baltimore, MD 21206

ESTIMATED LENGTH OF HEARING: _____
DATE: _____
REVIEWED BY: _____

Colbert Matz Rosenfelt, Inc.
Civil Engineers • Surveyors • Planners

DESCRIPTION FOR VARIANCE

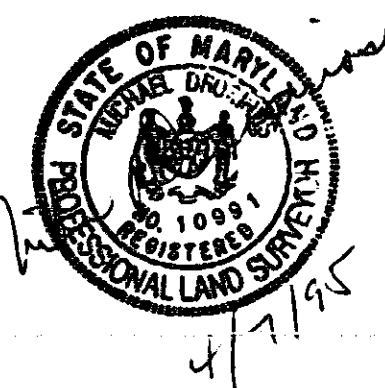
ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATED IN THE NINTH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING THE LAND CONVEYED TO EUCLAY REALTY CORPORATION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE NORTHWEST SIDE OF EASTERN AVENUE, 69.33 FEET WIDE, AS SHOWN ON MARYLAND STATE ROAD COMMISSION PLAT #4768, SAID POINT OF BEGINNING BEING DISTANT 300 FEET, MORE OR LESS, FROM THE CENTERLINE OF WILTSHIRE ROAD AS MEASURED ALONG SAID NORTHWEST SIDE OF EASTERN AVENUE, RUNNING THENCE BINDING OF SAID NORTHWEST SIDE (1) SOUTH 54 DEGREES 06 MINUTES 51 SECONDS WEST 455.00 FEET, THENCE LEAVING SAID EASTERN AVENUE THE FOLLOWING FIVE (5) COURSES: (2) NORTH 35 DEGREES 53 MINUTES 09 SECONDS WEST 198.50 FEET, (3) NORTH 54 DEGREES 06 MINUTES 51 SECONDS EAST 495.00 FEET, (4) SOUTH 35 DEGREES 53 MINUTES 09 SECONDS EAST 73.34 FEET, (5) SOUTH 54 DEGREES 13 MINUTES 12 SECONDS WEST 40.00 FEET, AND (6) SOUTH 35 DEGREES 53 MINUTES 09 SECONDS EAST 125 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

CONTAINING 2.14 ACRES OF LAND, MORE OR LESS.

ALSO BEING KNOWN AS 120 EASTERN AVENUE.

J:\COLBERT\DESCRIP\94161.DES



3723 Old Court Road, Suite 206, Baltimore, Maryland 21206
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

receipt
95-379-A

Account: R 011-6150
Number: 371 (WCR)
NO REVIEW — DROP-OFF

Date: 5/26/95

8020 - VARIANCE ----- \$250.00
8080 - SIGN POSTING ----- 35.00
TOTAL ----- \$285.00

Legal Owner - Euclay Realty Corp.
Contract Purchaser - Papa John's International
214 1/2 acres
District - 302
Zoned B-2-S-1
Previous Hearings - 84-95-X & 94-109-Y
Attorney - John B. Gontum

Checks from BNC Assoc., Inc.

DEAR ROBERT RICHARDS
6/1/95 11:49 AM - 21 25
\$285.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

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

April 28, 1995

NOTICE OF HEARING

The Zoning Commission 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-379-A (Item 371)
120 Eastern Boulevard
70/5 Eastern Boulevard, 300' SW of Hillshire Road
15th Election District - 5th Councilmanic
Legal Owner: Euclay Realty Corporation
Contract Purchaser: Papa John International
HEARING: FRIDAY, JUNE 2, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to permit a total area of 466.8 square feet of free-standing business signage in lieu of the permitted 100 square feet.

Arnold Jablon
Director

cc: Euclay Realty Corporation
Papa John's International/Ed Gruber
John B. Gontum, Esq.
Richard E. Metz, PE

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

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

May 24, 1995

John B. Gontum, Esquire
814 Eastern Blvd.
Baltimore, Maryland 21221

RE: Item No.: 371
Case No.: 95-379-A
Petitioner: Euclay Realty Corp.

Dear Mr. Gontum:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 20, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 18, 1995

SUBJECT: 120 Eastern Avenue

INFORMATION:

Item Number: 371

Petitioner: Papa John's International

Property Size:

Zoning: BR-AS

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit a total area of 466.8 square feet of freestanding business signage in lieu of the permitted 100 square feet.

Staff recommends that the applicant's request be denied because the subject request is not in keeping with the County's goal of upgrading and improving the image of the Eastern Avenue corridor.

In addition, it appears that a violation exists in that two outdoor advertising signs (one of which is not indicated on the plan but is in fact located on the western property line of the Terrace Inn) are located within 100 feet of each other. A review of Section 413.3F clearly indicates that (outdoor advertising signs) "shall be spaced not less than 100 feet apart" on contiguous improved commercial properties.

Prepared by: Jeffery M. Long

Division Chief: Carl Keller

PK/JL

ITEM371/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 8, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 8, 1995
Item No. 371

The Developers Engineering Section has reviewed the subject zoning item. Baltimore County Policy prohibits the construction of a permanent structure within a designated utility right-of-way. The proposed sign is located within an existing 10-foot right-of-way for utilities.

We recommend that a 10-foot right-of-way setback for landscaping be required.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: 5/16/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 5/1/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 362
363
368
370
371
372
373
374
375

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500 (410) 887-4500

DATE: 5/16/95

David J. Joplin
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
CALL 887-3391

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 1, 1995.

Item No.: SEE BELOW Zoning Agency:

Comments:

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.

3. The Fire Marshall's Office has no comments at this time IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, and 376.

RECEIVED
MAY 8 1995
ZADM

REVIEWER: LT. ROBERT P. GUERINELLI
FIRE MARSHAL OFFICE, BALTIMORE COUNTY, MD 21204

cc: 371

Printed on Recycled Paper

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-2-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 371 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

May 12, 1995

John Gontrum, Esquire
814 Eastern Avenue
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #371)
Legal Owner: Euclay Realty Corp.
Contract Purchaser: Papa John's Inter.
120 Eastern Avenue
9th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Zoning case number 84-109-X on plan is incorrect (Reisterstown Road).
2. Add zoning hearing case or "grandfather" plan file number and date allowing commercial parking in a residential zone.
3. Label "general" office.
4. Parking calculation for bingo use is maximum number of people as determined by the Fire Department divided by 4.

John Gontrum, Esquire
May 12, 1995
Page 2

5. Add the type of paving.
6. If applicable, add note that "illumination for off-street parking does not reflect into residential lots and public streets".
7. Show any loading area.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John J. Sullivan, Jr.
John J. Sullivan, Jr.
Planner II

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

RE: PETITION FOR VARIANCE
120 Eastern Boulevard, NW/S Eastern Blvd.,
360' SW of Wiltshire Road, 15th
Election District, 5th Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Euclay Realty Corp. / Papa John's International
Petitioners

CASE NO. 95-379-A

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Romadka, Gontrum & McLaughlin, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

COLBERT MATZ ROSENBLUTH, INC.
3729 Old Court Road, Suite 206
BALTIMORE, MARYLAND 21208

LETTER OF TRANSMITTAL **371**

DATE: 4-19-95
ATTENTION: CARL RICHARDS
TO: BALTIMORE COUNTY OFFICE OF ZONING
RE: VARIANCE PETITION (SIGN)
PAPA JOHN'S PIZZA
120 EASTERN AVENUE.

(410) 653-3838
FAX (410) 653-7953

HAND DELIVER

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of letter ☐ Change order ☒ VARIANCE PACKAGE

COPIES	DATE	NO.	DESCRIPTION
1			CHECK #250 PAYABLE TO BALTO CO.
1			CHECK #35 PAYABLE TO BALTO CO.
3			ORIGINAL SIGNED PETITIONS
12			SEALED ZONING DESCRIPTIONS
1			PLANS (SEALED) TO ACCOMPANY PETITION.
			1"=200' SCALE ZONING MAP WITH PROPERTY DEPICTED

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval

☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution

☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints

☐ For review and comment ☒ FOR VARIANCE PETITION - SUBMISSION BY GONTRUM *

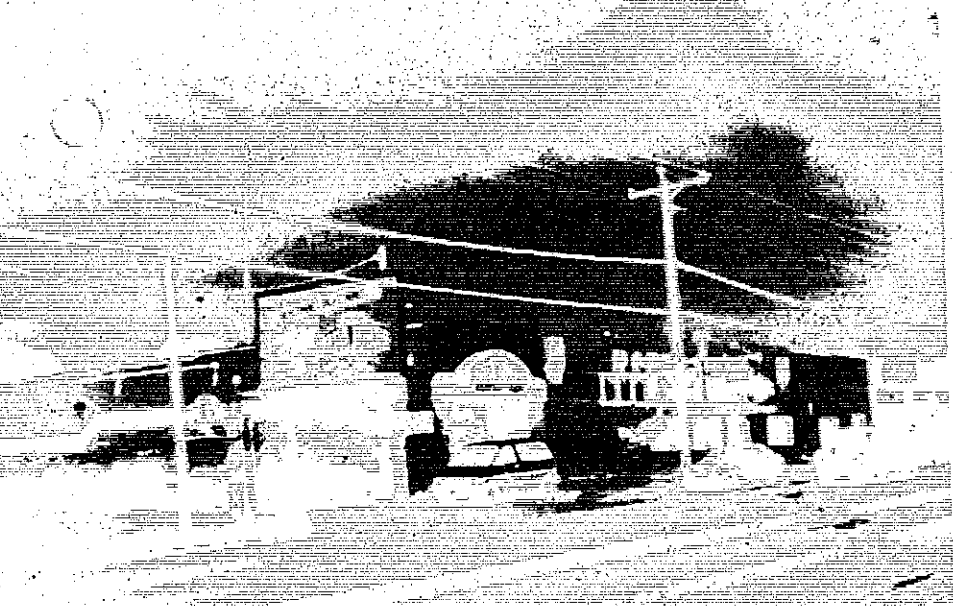
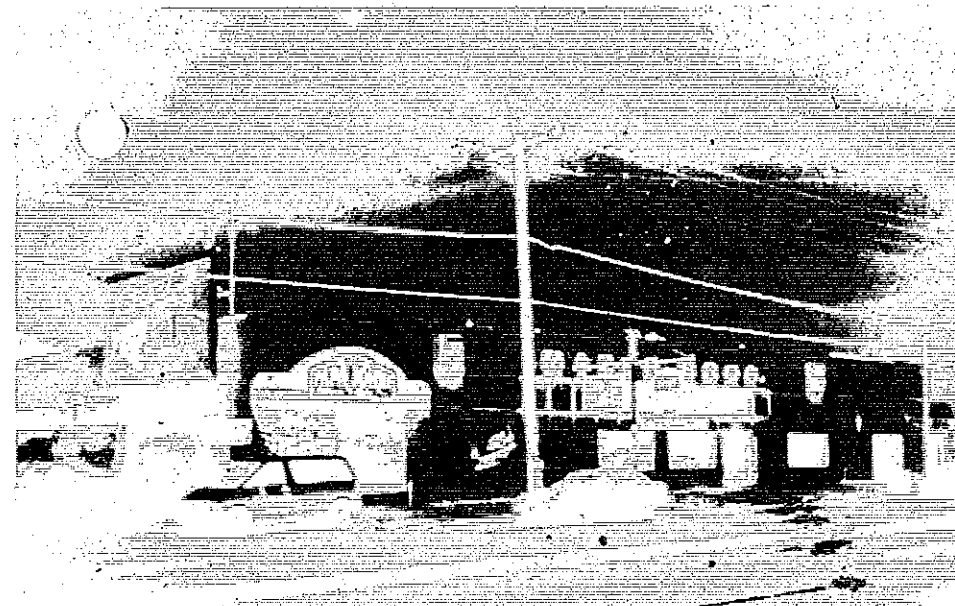
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS

JOHN GONTRUM
COPY TO: DON GODSEY

SIGNED: DICK MATZ

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

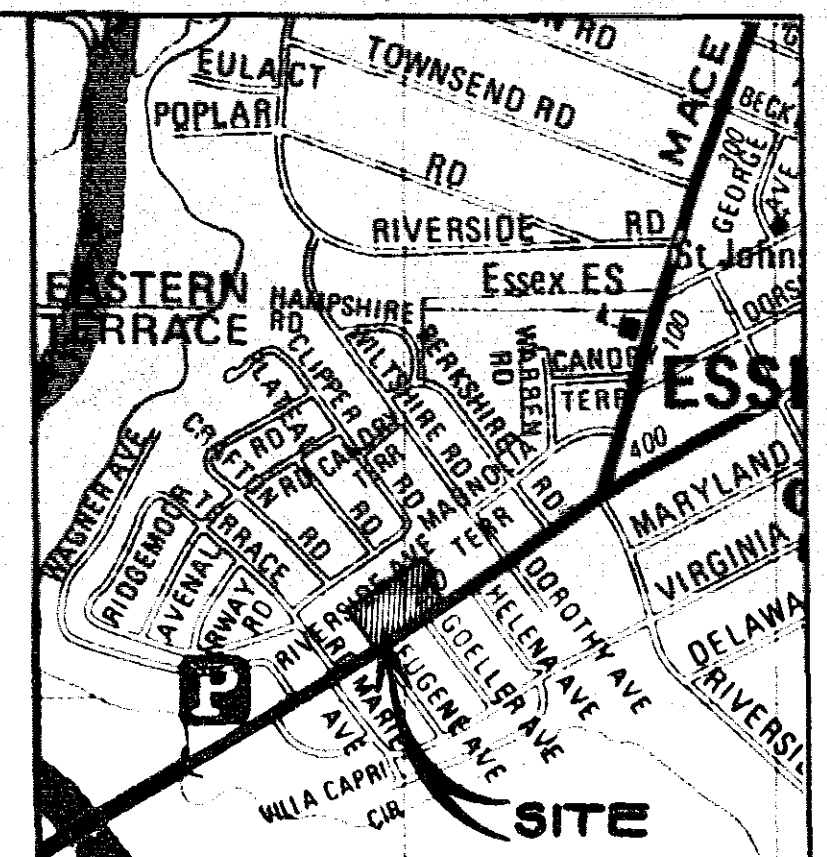
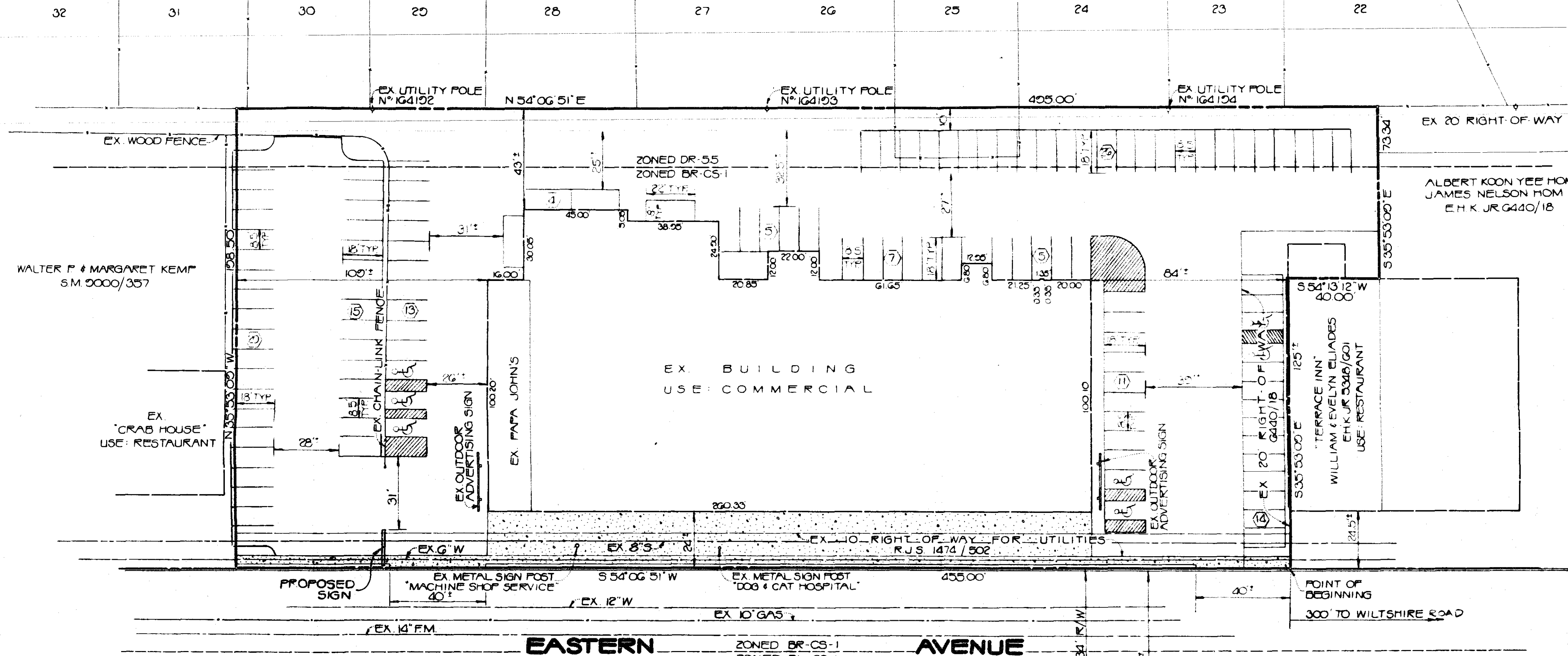


FLAT N° 2 - EASTERN TERRACE
CWB JR 12/115

RIVERSIDE

AVENUE

BLOCK "G"



VICINITY MAP
SCALE: 1" = 1000'

NOTES

- Applicant:
Papa John's International
c/o Ed Gruber
EMG Associates
915 Tyson Drive
West Chester, Pa. 19382

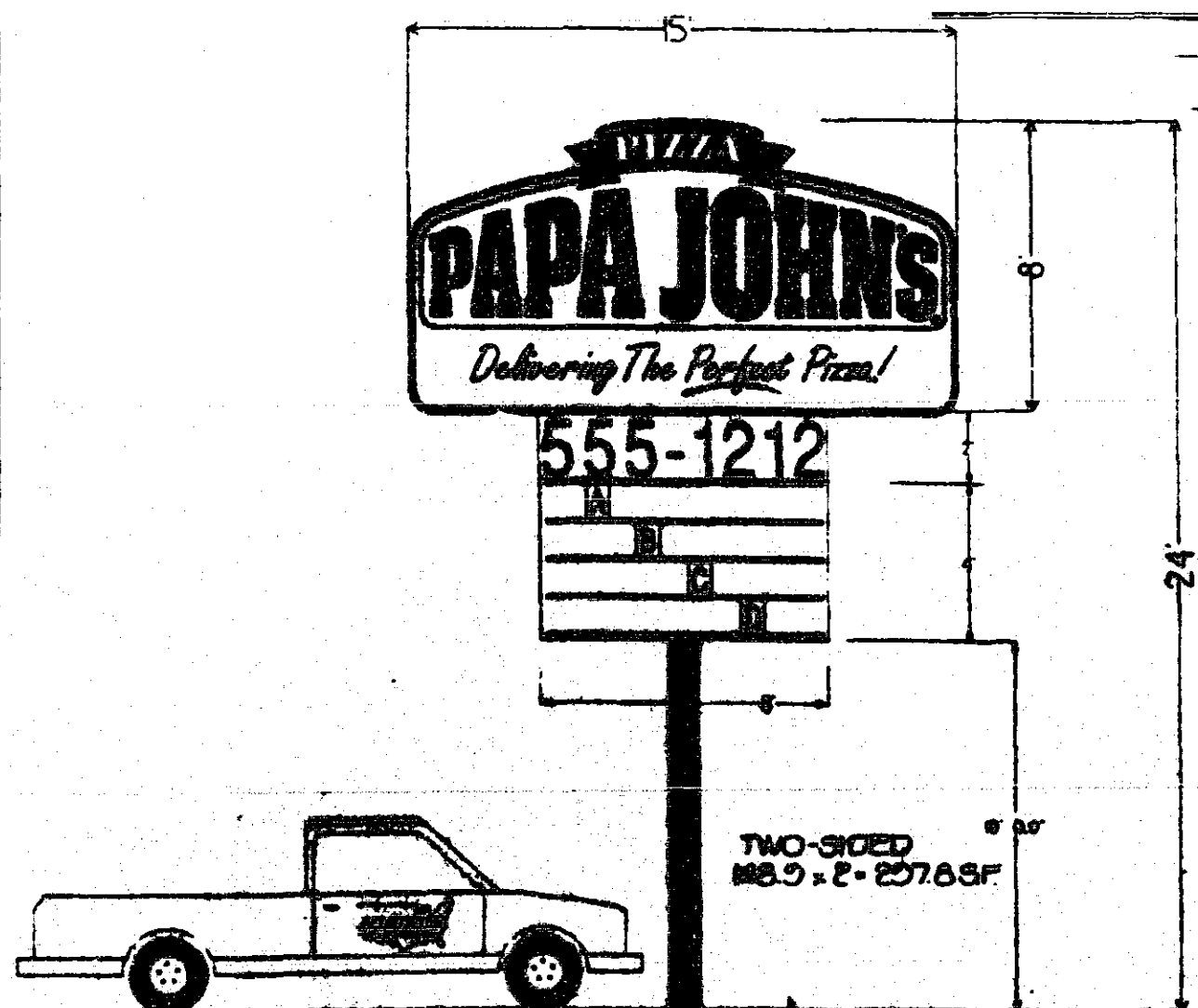
Owner:
Alvin G. Caplan, CHAIRMAN
Euclay Realty Corp.
5810 Park Heights Avenue
Baltimore, Md. 21215-3932
- Proposed Use: Fast Food Carryout
- Previous Zoning Hearings:
Case No. 84-93-X and 84-109-X, Special Exception
granted for construction of two outdoor advertising
signs on the property.
- Floor Area Ratio:
Total Gross Floor Area - 25,800 sq. ft.
Gross Site Area - 106,887 sq. ft.
F.A.R. - 0.24
Maximum Permitted F.A.R. - 2.0
- Off-Street Parking:
Retail Uses: 13,800 sq. ft. (including proposed use)
@ 5 spaces/1,000 sq. ft. = 69 spaces
Services and Offices: 8,000 sq. ft.
@ 3.3 spaces/1,000 sq. ft. = 27 spaces
Bingo Parlor: 4,000 sq. ft. @ 4 sp/1,000 sq. ft. = 16 spaces

Total Spaces Required: 112 inc. 5 handicap
Total Spaces Provided: 120 inc. 7 handicap
- Height of Building - 1 Story

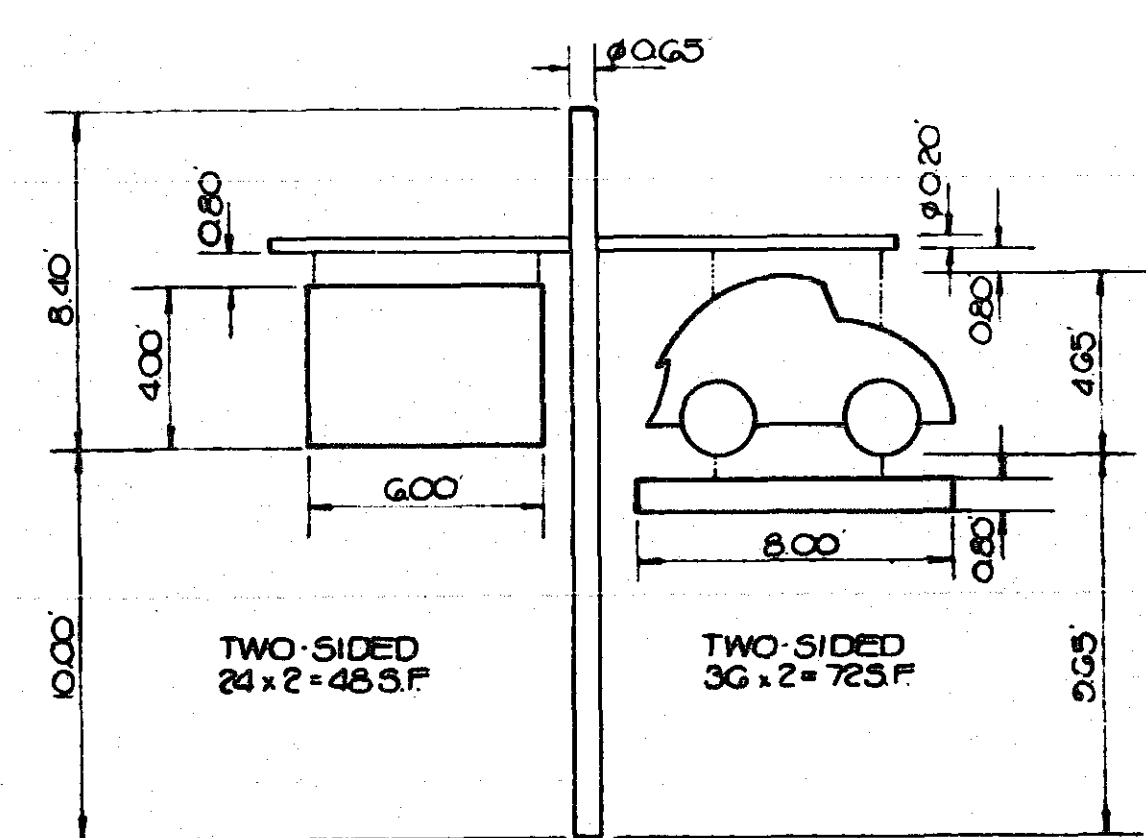
Ref. No. 1

PLAN TO ACCOMPANY
VARIANCE HEARING
"PAPA JOHN'S PIZZA"
120 EASTERN AVENUE
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT N° 9
COUNCILMANIC DISTRICT N° 4
CENSUS TRACT 4502

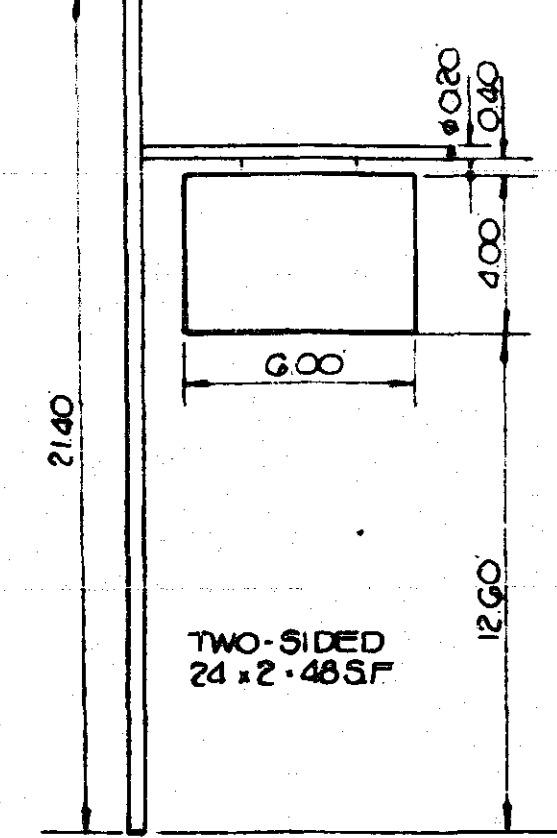
371



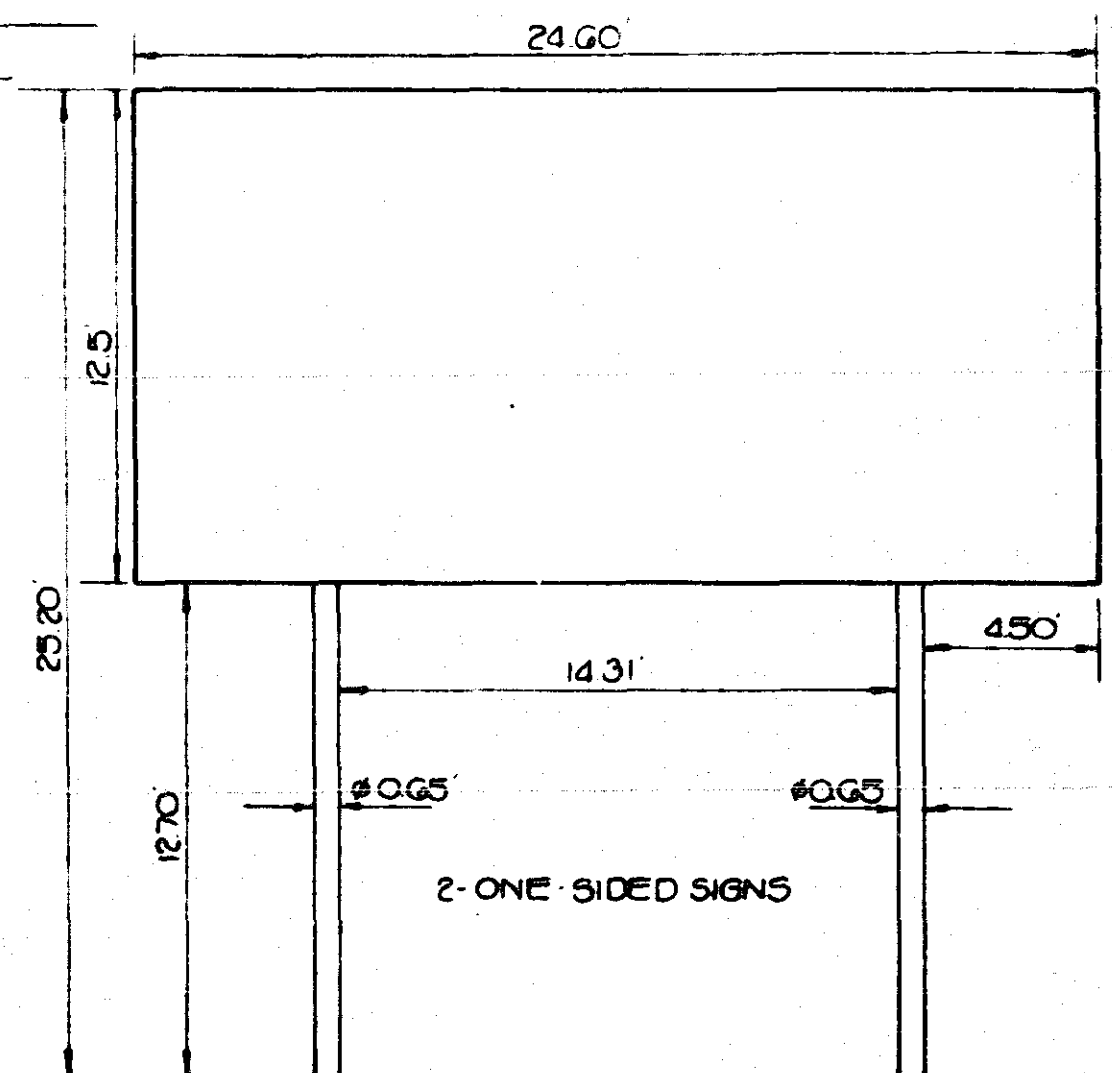
DETAIL
PROPOSED PAPA JOHN'S PIZZA SIGN
SCALE: 1" = 5'



DETAIL
EX. MACHINE SHOP SERVICE/PAINT SIGN
SCALE: 1" = 5'



DETAIL
EX. DOG & CAT
HOSPITAL SIGN
SCALE: 1" = 5'

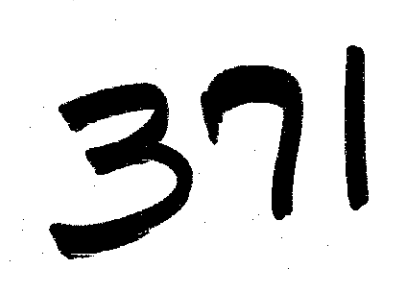


DETAIL
EX. OUTDOOR ADVERTISING SIGN

PRINTED
APR 18 1995

COLBERT MATZ ROSENFELT, INC.

		Colbert Matz Rosenfelt & Woolfolk, Inc. Civil Engineers - Landscape Architects Land Surveyors - Land Planners 3723 Old Court Road, Suite 205 Baltimore, Maryland 21208 Telephone: (410) 653-3838 Facsimile: (410) 653-7953	
DATE: MARCH 23, 1995		SCALE: 1" = 30'	
JOB NO: 04161		DESIGNED: R.E.M.	
DRAWN: M.E.K.		CHECKED: R.E.M.	
FILE:		DRAWING NUMBER:	
NO.	DATE	REVISIONS:	BY
SHEET 1 OF 1			



NE 1-G

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098

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

~~1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Ord. Nos. 144-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council~~