

IN RE: PETITION FOR VARIANCE
N/S Marriottsville Road at
Kings Point Road
(Parcel E of Kings Point)
2nd Election District
1st Councilmanic District

Cypress Estates, Inc.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-110-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as Parcel E of Kings Point (Kings Park Estates), located in the vicinity of Liberty Road in Randallstown. The Petition was filed by the owners of the property, Cypress Estates, Inc., by Leonard Schwartz, Secretary. The Petitioners seek relief from Section 413.1D.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total sign area of 30 sq.ft. for two signs in lieu of the permitted 15 sq.ft. total for one sign, and from Section 102.5 of the B.C.Z.R. to permit an entrance wall and sign to be located at a street intersection in lieu of meeting the required setbacks for a wall and sign location, and to permit a height for said entrance walls of 4 feet in lieu of the maximum permitted 3 feet. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Gerald A. Lieberman, a representative of Cypress Estates, Inc., and Paul Lee, Professional Engineer who prepared the site plan for this project. Also appearing in support of the Petition were Harold and Ethel Carter, community activists who appeared on behalf of the Kings Point community, and Judith Berger, a representative of the Liberty Communities Development Corporation. No one appeared in opposition to the request.

ORDER RECEIVED FOR FILING

Date

By

11/1/95
[Signature]

11/1/95

Testimony and evidence offered revealed that the property which is the subject of this request consists of approximately 6,600 sq.ft., zoned D.R. 3.5, and is located at the intersection of Kings Point Road with Marriottsville road, also known as Campton Road. The Petitioners are desirous of erecting a second community identification sign for the Kings Park Estates community on the north side of the intersection of Campton Road at Kings Point Road in accordance with Petitioner's Exhibit 1. The Developer of this community has agreed to construct this sign at his expense. The sign as depicted on the site plan is very attractive and well-designed, and as is the case with all community identification signs, much of the brick facade which will support this sign has been calculated as part of the total sign area. Thus, the requested variance is necessary.

As indicated above, all of the witnesses who appeared at the hearing, appeared in support of the requested relief. Furthermore, there were no adverse comments submitted by any Baltimore County reviewing agency; however, the Developer shall provide additional landscaping to further enhance the sign and shall be responsible for maintaining the landscaping in an attractive appearance until such time as the community should ever assume that responsibility.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser

relaxation than that applied for would give sufficient 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.

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

It is clear from the testimony that if the variance is granted, such use, as proposed, 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.

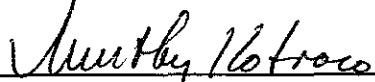
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14 day of November, 1995 that the Petition for Variance seeking relief from Section 413.1.D.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total sign area of 30 sq.ft. for

11/14/95
[Signature]

two signs in lieu of the permitted 15 sq.ft. total for one sign, and from Section 102.5 of the B.C.Z.R. to permit an entrance wall and sign to be located at a street intersection in lieu of meeting the required setbacks for a wall and sign location, and a height for said entrance walls of 4 feet in lieu of the maximum permitted 3 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Developer shall be responsible for providing additional landscaping around the sign to further enhance its appearance. Furthermore, the Developer shall be responsible for maintaining the landscaping at the sign until such time as the community should ever assume this responsibility.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 11/1/05
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 1, 1995

Mr. Gerald Lieberman
3721 Live Oak Road
Randallstown, Maryland 21133

RE: PETITION FOR VARIANCE
N/S Marriottsville Road at Kings Point Road
(Parcel E of Kings Point)
2nd Election District - 1st Councilmanic District
Cypress Estates, Inc. - Petitioners
Case No. 96-110-A

Dear Mr. Lieberman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Leonard Schwartz
410 E. Jericho Turnpike, Mineola, Long Island, New York 11501

Mr. Paul Lee
304 W. Pennsylvania Avenue, Towson, Md. 21204

People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at INTERSECTION OF S.S. MALKOTTSVILLE AND W.S. KINGS POINT ROAD

which is presently zoned DR 3.5

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) 413.1.D.1 TO PERMIT A TOTAL OF 30 S.F. FOR 2 SIGNS IN LIEU OF PERMITTED AREA FOR 1 SIGN OF 15 S.F. (A VAR. OF 15 S.F. FOR 2 SIGNS) & 102.5 TO PERMIT AN ENTRANCE WALL AND SIGN TO BE LOCATED AT A STREET INTERSECTION AS SHOWN ON SITE PLAN IN LIEU OF REQ'D. SETBACKS FOR WALL & SIGN LOCATION (WEST SIGN) & A 4' HIGH ENTRANCE WALLS IN LIEU OF REQ'D. 3'

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

TO BE PRESENTED AT HEARING

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

CYPRESS ESTATES, INC
(Type or Print Name)

Signature

Ronald Schwartz
Signature

Address

Secy
(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner

410 E. JERICHO TURNPIKE, 1-516-747-7880
Address Phone No

(Type or Print Name)

MINEOLA, LI. NEW YORK 11501
City State Zipcode

Signature

Name, Address and phone number of representative to be contacted

Address Phone No

PAUL LEE
PAUL LEE ENGINE, INC
Name

City State Zipcode

304 W. PENNSYLVANIA AVE 821-5941
Address Phone No
21204

ORDER RECEIVED FOR FILING
Date 11/1/95
By [Signature]

Printed with Soybean Ink on Recycled Paper



ESTIMATED LENGTH OF HEARING 1 hr
OFFICIAL USE ONLY
unavailable for Hearing

the following dates _____ Next Two Months

ALL / OTHER _____

REVIEWED BY: [Signature] DATE 9/6/95

Paul Lee, P.E.

*Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
410-821-5944*

DESCRIPTION

PARCEL "E" - 6,660 Sq. Ft.

PLAT 1, SECTION 1, "KINGS POINT"

ELECTION DISTRICT 2C1 BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located at the intersection of the north side of Marriottsville Road and the northern boundary of Plat 1, Section 1 of Kings Point as recorded among the Land Records of Baltimore County in Plat Book WJR 27 folio 60, said point also being located Easterly - 20'[±] from the center of Marriottsville Road; thence leaving said north side of Marriottsville Road and binding on a part of said north boundary for the limits of Parcel "E"
1) N 87°27'30" W - 203.86' to the northeast side of Marriottsville Road (Campton Road) as recorded on said plat, thence binding on said northeast side of Marriottsville Road by a curve to the right 2) R = 230.00' for a distance of 152.27', and 3) N 81°52'20" E - 11.14' to the north side of Marriottsville Road, thence binding on said north side by a curve to the right 4) R = 350.00' for a distance of 68.76' to the point of beginning.

Containing 6,660 s.f. of land more or less and recorded as Parcel "E".



8/21/95
J.O. 78-003

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY *94-110-A*
Townes, Maryland

District 2nd

Date of Posting 10/7/95

Posted for: Varonica

Petitioner: Cypress Enterprise

Location of property: 3/5 Harriottsville & W/S Kings Point Rds.

Location of Sign: Facing road way on property being zoned

Remarks: _____

Posted by *M. Deady*
Signature

Date of return: 10/13/95

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 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: 96-110-A
(Item 104)
intersection S/S Marriottsville and W/S Kings Point Road
2nd Election District
1st Councilmanic
Legal Owner(s):
Cypress Estates, Inc.
Hearing: Thursday,
October 26, 1995 at 10:00
a.m. in Rm. 118, Old Court-
house.

Variance: to permit a total of 30 square feet for 2 signs in lieu of the permitted area for 1 sign of 15 square feet; and to permit an entrance wall and sign to be located at a street intersection in lieu of the required setbacks for wall and sign location (west sign) and a 4-foot high entrance walls in lieu of the required 3 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.

9/24/95 Sept. 28.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 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 9/28, 19 95.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

ELIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. **96-110**

DATE 0/2/95 ACCOUNT 01-615

Item 104
By: [Signature]

AMOUNT \$ 285.00

RECEIVED FROM: National Basketball Club Baltimore — Kings Point Development

020 - Comm Var — \$ 250.00
020 - 1 sign — \$ 35.00

FOR: \$ 285.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 104

Petitioner: Cypress Estates, Inc.

Location: Intersection of South Side of Marriottsville + West Side of Kings Pt. Rds

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Cypress Estates, Inc.

ADDRESS: 410 E. Jericho Turnpike

Mineola, L. I., New York 11501

PHONE NUMBER: (516) 747-7880

RECORDED

AJ:ggs

(Revised 04/09/93)

TO: PUTUMENT PUBLISHING COMPANY
September 28, 1995 Issue - Jeffersonian

Please forward billing to:

Cypress Estates, Inc.
410 E. Jericho Turnpike
Mineola, L.I., NY. 11501
516-747-7880

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: 96-110-A (Item 104)
intersection S/S Marriottsville and W/S Kings Point Road
2nd Election District - 1st Councilmanic
Legal Owner: Cypress Estates, Inc.
HEARING: THURSDAY, OCTOBER 26, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a total of 30 square feet for 2 signs in lieu of the permitted area for 1 sign of 15 square feet; and to permit an entrance wall and sign to be located at a street intersection in lieu of the required setbacks for wall and sign location (west sign) and a 4-foot high entrance walls in lieu of the required 3 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.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 21, 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: 96-110-A (Item 104)

intersection S/S Marriottsville and W/S Kings Point Road

2nd Election District - 1st Councilmanic

2nd Councilmanic

Legal Owner: Cypress Estates, Inc.

HEARING: THURSDAY, OCTOBER 26, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a total of 30 square feet for 2 signs in lieu of the permitted area for 1 sign of 15 square feet; and to permit an entrance wall and sign to be located at a street intersection in lieu of the required setbacks for wall and sign location (west sign) and a 4-foot high entrance walls in lieu of the required 3 feet.

Arnold Jablon
Director

cc: Cypress Estates, Inc.
Paul Lee

- 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.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 19, 1995

Paul Lee, Engr., Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204

RE: Item No.: 104
Case No.: 96-110-A
Petitioner: Cypress Estates, Inc.

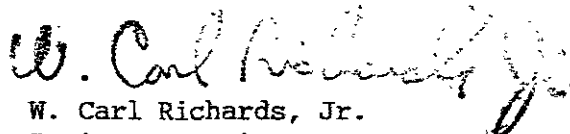
Dear Mr. Lee:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 6, 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 (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.
Zoning Supervisor

WCR/jw
Attachment(s)

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: Sept. 25, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., ^{RWB/DK} Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for September 25, 1995
Items 103, 104, 109, 110, 112, 114, and 115

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

0000000000

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

TO: ZADM

DATE: 9/25/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 9/18/95

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

Item #'s: 103

104

107

108

109

110

111

112

113

114

115

116

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department

Aj



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

(410) 887-4500

DATE: 09/19/95

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 SEPT. 18, 1995.

Item No.: SEE BELOW

Zoning Agenda:

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: 102, 103, 104, 105,
106, 107, 109, 110, 112, 113, 114 AND 115.

RECEIVED

SEP 21 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881. MS-1102F



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 14, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 78, 80, 93, 94, 97, 99, 103, (104), 109, 110, 112, and 113

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-15-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 104 (MSK)

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 affected by any State Highway Administration projects.

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/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#103 --- MJK

1. No telephone number for legal owner.

#104 --- MJK

1. Need attorney - incorporated.
2. Need printed name of person signing for legal owner.

#105 --- JCM

1. Need authorization for person signing for legal owner.
2. Zoning on variance petition says "BR-AS"; zoning on special exception and special hearing petition says "BL-AS"; folder says "BL-AS". Which is correct? Incorrect one needs to be corrected.

#106 --- JCM

1. Need authorization for person signing for legal owner.

#107 --- JCM

1. Need authorization for person signing for legal owner.

#109 --- JLL

1. No review information on bottom of petition form.

#110 --- JRA

1. No review information on bottom of petition form.

#112 --- JRF

1. No city, state, or zip code for legal owner.

#113 --- JJS

1. Legal owner did not sign back of petition form.
2. Notary section is invalid -- no signature to notarize & no notary seal on the petition form. Also notary cannot notarize a signature of a relative (same last name - related?).

#116 --- JCM

1. Need typed name of person signing for Gilman School.
2. Need typed title of persons signing for both legal owners. Also authorization to sign for these owners.

RE: PETITION FOR VARIANCE
Intersection S/S Marriottsville and W/S
Kings Point Road, 2nd Election District,
1st Councilmanic

Cypress Estates, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-110-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 24th day of October, 1995, a copy of the foregoing Entry of Appearance was mailed to Paul Lee, Paul Lee Engineering, Inc., 304 W. Pennsylvania Avenue, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

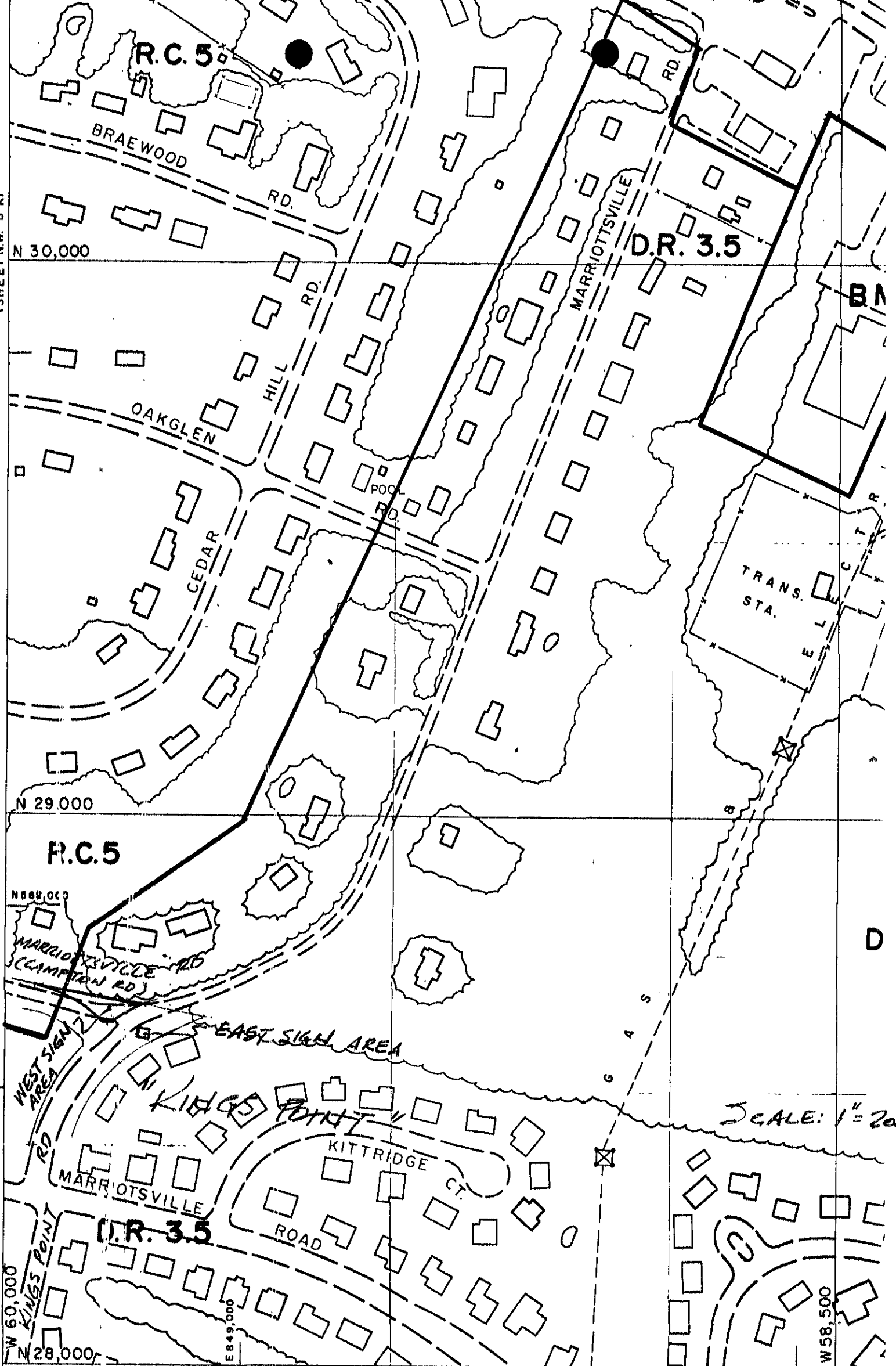
NAME

ADDRESS

Paul Lee
Paul A. Lehman
Ethel M. CARTER
Harold R. CARTER

304 W. Pennsylvania Ave 21204
3721 Live Oak Rd ^{Randalltown} 21133
9820 CLANFORD Rd. 21133
9820 CLANFORD Rd. 21133

(SHEET NW B-K)



P - SW PP - SE
 P - NW PP - NE

ANNULATED

~~1988 COMPREHENSIVE
 Adopted by the Baltimore
 Oct. 13, 1988~~

Bill Nos. 144-88, 145-88, 146-88, 147-

Dale
 Chairman, County

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGAMMETRIC METHODS

104

PETITIONER'S
EXHIBIT 2

Baltimore County
Department of Public Works
Towson, Maryland 21204

December 30, 1988

Gene L. Neff, P.E.
Director

Mr. Leonard R. Schwartz
National Birchwood Corporation
410 E. Jericho Turnpike
Mineola, L. I., New York 11501



Dennis F. Rasmussen
County Executive

Re: Kings Point Section 1
Plat 1 and Plat 4
Marriottsville Road

Dear Mr. Schwartz:

It is the decision of Baltimore County after several meetings with the existing community organization in this area that existing Marriottsville Road will not be renamed Campton Road, nor will the existing intersection at either end of this road be modified now or in the near future.

As the Developer of this subdivision, you will be responsible for the design of the ultimate intersections and the dedication of the necessary rights-of-way and slope easements required for the possible future construction of these intersections by Baltimore County at County expense. In conjunction with the development of your property, you will be responsible for the construction in its ultimate location of as much curb and gutter as possible with a tie-in to the existing roads at both ends.

Additionally, it will be necessary to re-record the plat for this project to address the issue of street names and house numbers. We will be happy to work with your engineer on this issue to ensure that the re-recording is processed in a timely manner.

We trust that this correspondence adequately addresses your concerns.

Very truly yours,

Robert E. Covahey, P.E., Acting Chief
Bureau of Public Services

REC:jha

cc: ✓ Paul Lee Engineering, Inc.
R. Bowling
S. Lutz
File

JAN 05 1989

Paul Lee, P.E.

PETITIONER'S
EXHIBIT 3

Paul Lee Engineering Inc.

*304 W. Pennsylvania Ave.
Towson, Maryland 21204*

410-821-5944

July 12, 1995

Mr. Arnold Jablon, Director
ZADM - Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Kings Park Sign

Dear Mr. Jablon:

Please find enclosed herewith the signed agreement by Mrs. Ethel Carter, President of the Kings Park Association, with regards to the revised sign agreement. Please note that Mrs. Carter's witness signed in the wrong block along side of your name. I am also enclosing two copies of the plat that I had prepared for the sign location in accordance with Mrs. Carter's approval. Please note that the agreement would be related to the east sign.

Based on the agreement, I have informed my client that we should now proceed with the Petition for the Sign Variance (area and number) in order to obtain a Building Permit so that the signs and wall can be built.

Please direct our office if this agreement is to be recorded, etc. in Baltimore County since we have never been involved in a similar situation.

If you need any additional information, please do not hesitate to contact this office.

Yours sincerely,

PL:tl
Enclosures

Paul Lee

Microfilm

PETITIONER'S
EXHIBIT 4

AGREEMENT

THIS AGREEMENT, made this 7th day of JULY, 1995, by and between The Village of Kings Park Association, Inc., hereinafter referred to as "Kings Park", and Baltimore County, Maryland, a body corporate and politic, hereinafter referred to as Baltimore County.

WHEREAS, Kings Park will construct two major entry pillars and associated landscaping on Baltimore County property at the intersection of Marriottsville Road and Kings Point Road, and

WHEREAS, the parties desire to enter into this Agreement in order to provide indemnity to Baltimore County for any liability that may accrue as a result of the signs at said location and to reserve unto Baltimore County the right at all times to exercise full municipal control and regulation in respect to Baltimore County property.

NOW, THEREFORE, the parties agree as follows:

1. Kings Park agrees to indemnify Baltimore County for any liability that may accrue as a result of the signs' physical existence at said location.
2. Kings Park agrees to be responsible for the full cost of erection and maintenance of said signs and for the care and maintenance of the property on which the signs are erected. Baltimore County will be held harmless for such costs and will be reimbursed if any action is required.
3. Baltimore County agrees to allow the signs to remain at said location until such time that Baltimore County, at its descretion, determines that it needs the property, at which time Kings Park shall remove the signs at its expense, and on the condition that Kings Park complies with all requirements on this Agreement.
4. Baltimore County reserves the right at all times to exercise full control and regulation in respect to all matters connected within Baltimore County property.
5. Nothing contained herein shall be construed as implying that either the officers or directors of The Village of Kings Park Association, Inc. shall be held personally liable to Baltimore County in connection with the terms of this Agreement.

CONTINUED

AS WITNESS, the signatures of Kings Park legal representative, the Director of the Department of Permits and Development Management and date first written above.

THE VILLAGE OF KINGS PARK ASSOCIATION, INC.

Witness: _____
Date: 7/7/95

By: Ethel M. Carter, Pres.
President
Date: 7/7/95

WITNESS FOR ETHEL CARTER
Witness: [Signature]
Date: 7/7/95

By: Arnold Jablon
ARNOLD JABLON, Director
Department of Permits
and Development Management
Date: July 3, 1995



111 West Chesapeake Avenue
Towson, MD 21284

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 104

Petitioner: Cypress Estates, Inc.

Location: Intersection of Green St. & Baltimore - West side - King St.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Cypress Estates, Inc.

ADDRESS: 410 E. Jericho Turnpike

Mineola, L.I., New York 11501

PHONE NUMBER: (516) 747-7880

AJ:eggs

(Revised 04/09/93)

TO: POTENTIAL PUBLISHING COMPANY
September 28, 1995 Issue - Jeffersonian

Please forward billing to:

Cypress Estates, Inc.
410 E. Jericho Turnpike
Mineola, L.I., NY 11501
516-747-7880

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 21284 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

CASE NUMBER: 96-110-A (Item 104)
Intersection S/S Marriottville and W/S Kings Point Road
2nd Election District - 1st Councilmanic
Legal Owner: Cypress Estates, Inc.
HEARING: THURSDAY, OCTOBER 26, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a total of 30 square feet for 2 signs in lieu of the permitted area for 1 sign of 15 square feet; and to permit an entrance wall and sign to be located at a street intersection in lieu of the required setbacks for wall and sign location (west sign) and a 4-foot high entrance walls in lieu of the required 3 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.



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 21, 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 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: 96-110-A (Item 104)
Intersection S/S Marriottville and W/S Kings Point Road
2nd Election District - 1st Councilmanic
Legal Owner: Cypress Estates, Inc.
HEARING: THURSDAY, OCTOBER 26, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a total of 30 square feet for 2 signs in lieu of the permitted area for 1 sign of 15 square feet; and to permit an entrance wall and sign to be located at a street intersection in lieu of the required setbacks for wall and sign location (west sign) and a 4-foot high entrance walls in lieu of the required 3 feet.

Arnold Jablon
Arnold Jablon
Director

cc: Cypress Estates, Inc.
Paul Lee

- 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.

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on Recycled Paper



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 19, 1995

Paul Lee, Engr., Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204

RE: Item No.: 104
Case No.: 96-110-A
Petitioner: Cypress Estates, Inc.

Dear Mr. Lee:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 6, 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 (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)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Sept. 25, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for September 25, 1995
Items 103, 104, 109, 110, 112, 114, and 115

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

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

TO: ZADM DATE: 9/25/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 9/18/95

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

- Item #'s: 103
104
107
108
109
110
111
112
113
114
115
116

LS:sp

LET72/DEPRM/TXTSBP



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

(410) 887-4500

DATE: 09/19/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21286-5500
MAIL STOP-1000

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF SEPT. 18, 1995.

Item No.: SEE BELOW Diving Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 103, 104, 105, 106, 107, 109, 110, 112, 113, 114 AND 115.

RECEIVED
SEP 21 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 14, 1995
Permits and Development
Management

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 78, 80, 93, 94, 97, 99, 103, 104, 109, 110, 112, and 113

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Kern*

PK/JL

LET718/EPLONE/TKCJWL

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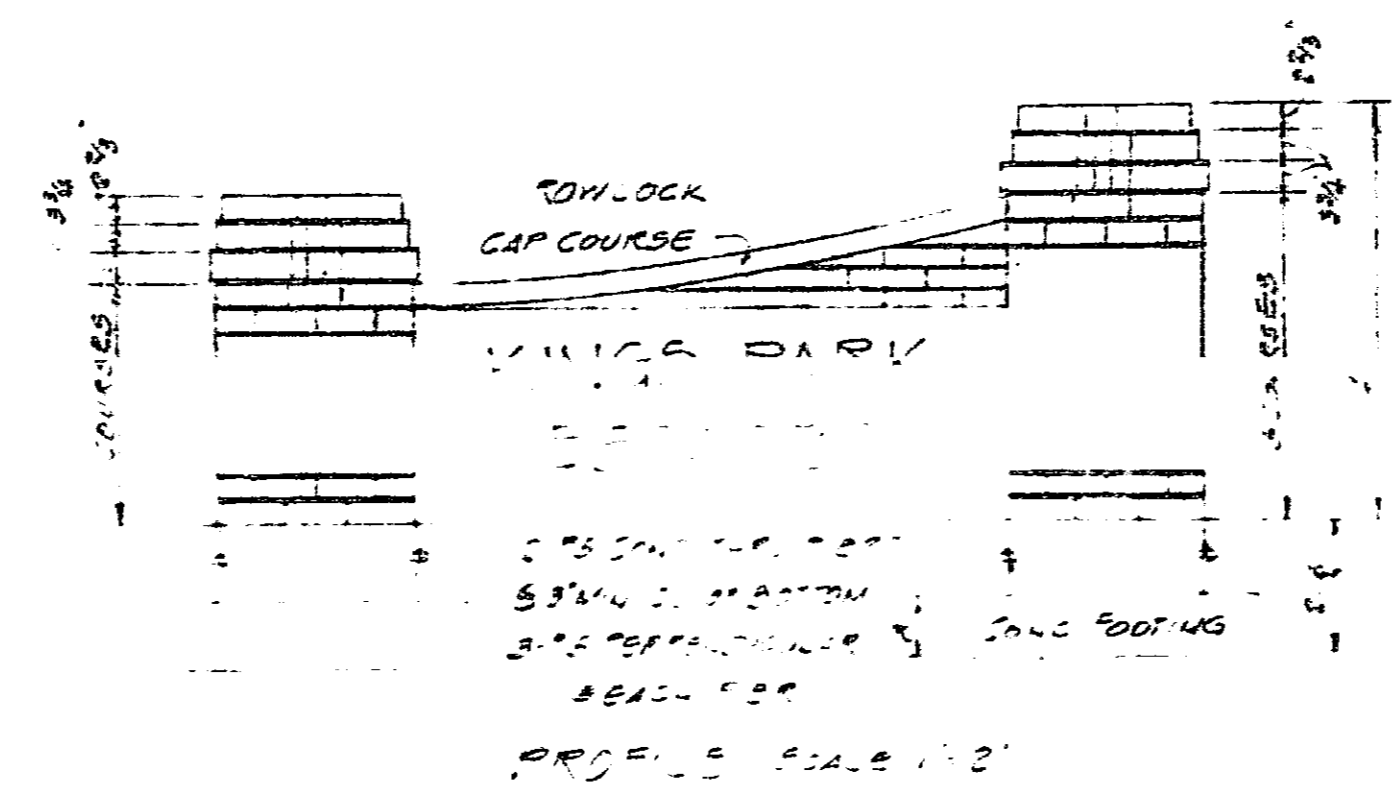
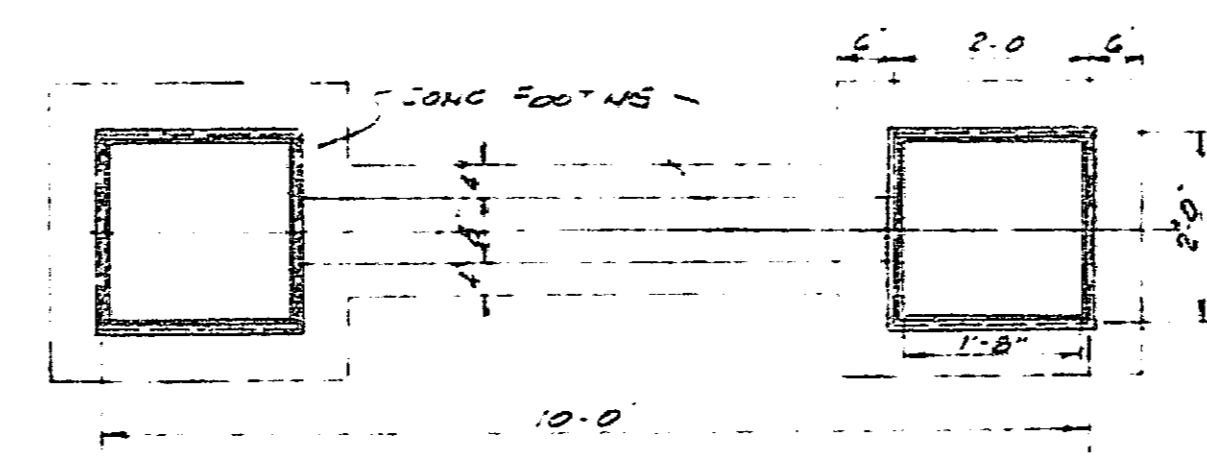
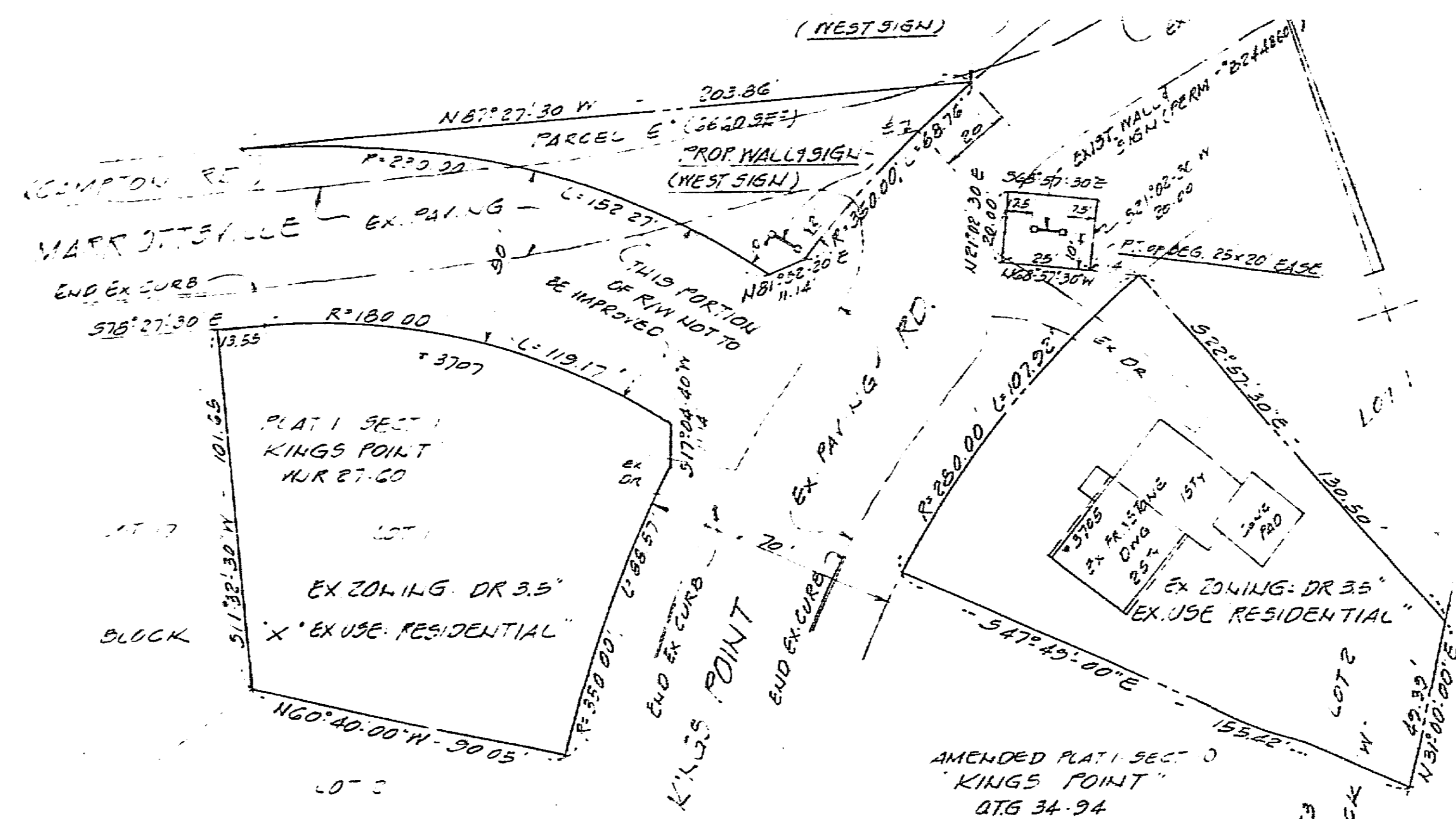
CONTINUED

AS WITNESS, the signatures of Kings Park legal representative, the Director of the Department of Permits and Development Management and date first written above.

THE VILLAGE OF KINGS PARK ASSOCIATION, INC.

Witness: [Signature] By: [Signature]
Date: 7/1/95 President
Date: 7/2/95

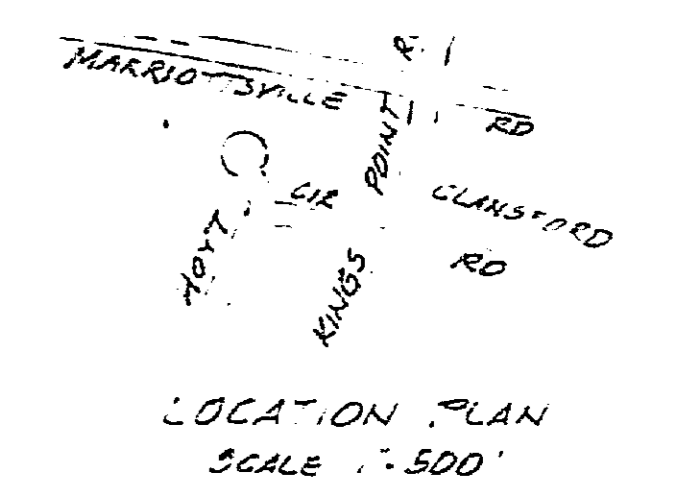
Witness: [Signature] By: [Signature]
Date: 7/1/95 Director
Date: July 3, 1995



EXIST. & PROF. ENTRANCE WALL & SIGN (EAST 3.5)

- PROPERTY OWNERS
1. PARCEL 'E' - CYTRESS ESTATES, INC.
410 E. JERICHO TURNPIKE
MINEOLA, L.I. N.Y. 11501
 2. *3705 KINGS POINT RD. - LOT 2, BK 'W'
PAUL H. & JACQUELIN G. TALAMERRO
PROP # 02-18-000931-DEED-5800/87
 3. *3707 MARRIOTTSVILLE RD. - LOT 1, BK 'X'
DARRELL R. JONES
PROP # 02-18-000610-DEED-9751-53B

NOTE:
WALL & SIGN TO BE CENTERED
W-24 CONSTRUCTED ON
TIES - 5' APART



- GENERAL NOTES.
1. AREA OF PARCEL 'E' FOR PROPOSED WEST SIGN = 6660 S.Y.
AREA OF EASEMENT FOR EXISTING EAST SIGN = 600 S.Y.
 2. EXIST. ENTRANCE WALL (SIGN) BUILT UNDER PERMIT #24860. WALL & SIGN LOCATION APPROVED BY FRANCHISE AGREEMENT JULY 7, 1995. EXIST. SIGN AREA (LETTER AREA) = 125 S.F.
 3. PETITIONER PROPOSED TO BUILD A 24" ENTRANCE WALL & SIGN TO IDENTIFY THE EXISTING KINGS POINT (KINGS PARK ESTATES) SUBDIVISION.
 4. PETITIONER REQUESTING A VARIANCE TO SECT. 102.1 OF THE BCZ TO PERMIT A TOTAL OF 30 S.F. FOR 2 SIGNS IN LIEU OF THE PERMITTED AREA FOR 1 SIGN OF 15 S.F. (A VARIANCE OF 15 S.F. FOR 2 SIGNS).
 5. PETITIONER REQUESTING A VARIANCE TO SECT. 102.5 OF THE BCZ TO PERMIT AN ENTRANCE WALL AND SIGN TO BE LOCATED AT A STREET INTERSECTION AS SHOWN ON THE SITE PLAN IN LIEU OF THE REQUIRED SETBACKS FOR WALL AND SIGN LOCATION. (WEST SIGN) & 6" HIGH ENTRANCE WALLS IN LIEU OF REQ'D. 3'.
 6. EXISTING ZONING OF PROPERTY = "DR 3.5"

PLAT TO ACCOMPANY PETITION FOR SIGN VARIANCES
KINGS POINT RD. @ MARRIOTTSVILLE RD.

ELECT. DIST. 20 BALTIMORE COUNTY, MD.
SCALE: 1/8" = 1'-0" AS SHOWN AUGUST 19, 1995

PAUL LEE BUGNEER & CO
304 N PENNSYLVAN. AVE
TOWSON, MARYLAND 21284

PETITIONER'S EXHIBIT 7

